



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

675 Village Court  
September 12, 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 AUGUST 1, 2022 ZONING BOARD OF APPEALS MEETING MINUTES**

**3. CONSIDERATION OF A REQUEST FOR A VARIATION FROM THE ZONING CODE TO ALLOW SOLAR PANELS ON THE ROOF OF AN EXISTING SINGLE-FAMILY RESIDENCE WITHIN THE REQUIRED FRONT SETBACK AT 980 GREEN BAY ROAD**

**4. CONSIDERATION OF A REQUEST FOR A VARIATION FROM THE ZONING CODE TO INCREASE THE ALLOWABLE GROSS FLOOR AREA FOR A PERGOLA ATTACHED TO AN EXISTING SINGLE-FAMILY RESIDENCE AT 152 OLD GREEN BAY ROAD**

**5. CONSIDERATION OF A REQUEST FOR A VARIATION FROM THE ZONING CODE TO ALLOW THE REPLACEMENT OF A DETACHED GARAGE WITHIN THE REQUIRED SIDE SETBACK AT 120 OLD GREEN BAY ROAD**

**6. CONSIDERATION OF A REQUEST FOR A VARIATION FROM THE ZONING CODE TO REDUCE THE REQUIRED FRONT SETBACK FOR A NEW SINGLE-FAMILY RESIDENCE AT 413 ADAMS AVENUE**

**7. PUBLIC COMMENTS ON NON-AGENDA ITEMS**

**8. 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, August 1, 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 August 1, 2022, held in the Council Chambers at Glencoe Village Hall.

Attendee Name	Title	Status
<b>Zoning Board of Appeals</b>		
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
<b>Village Staff</b>		
Caitlyn Culbertson	Village Attorney	Present
Taylor Baxter	Development Services Manager	Present
Richard McGowan	Planner	Present

Board Member Michael Kuppersmith attended the meeting remotely by phone and Board Member Sara Elsasser recused herself from the 1060 Oak Ridge variation request and was present for the other variation requests.

**2. CONSIDERATION OF MINUTES OF THE JULY 11, 2022, ZBA MEETING**

<b>RESULT:</b>	<b>ACCEPTED</b>
<b>AYES:</b>	Novack, Kaplan, Ruderman, Kuppersmith, Holzman, Fox
<b>NAYS:</b>	None
<b>ABSENT:</b>	Elsasser (arrived late)
<b>RECUSED:</b>	Elsasser

Due to Board Member Sara Elsasser's early absence and desire to be recused from the 1060 Oak Ridge variation request, Chairman Scott Novack decided that the agenda should be reconfigured so that the 1060 Oak Ridge variation request is first on the agenda. Chairman Novack thanked everyone in the audience for attending and for their continued participation. Chairman Novack stated that there will be time limits for comments, where applicants will have five minutes and public comments will be limited to three minutes for each property. Chairman Novack reiterated that the comments should be directed at the ZBA and not the applicant, and once the public comment period is closed it will not re-open. Chairman Novack then introduced the Village Attorney in attendance, Caitlyn Culbertson.

### **3. CONTINUED CONSIDERATION OF A VARIATION REQUEST AT 1060 OAK RIDGE DRIVE**

Taylor Baxter gave a brief overview of the case, stating that this variation request is a continuation from the July 11, 2022 ZBA meeting. Mr. Baxter explained that the applicants have been working with staff on solutions to resolve their gross floor area limit and they may not need a variation for the gross floor area. He stated that the gross floor area variation was already denied. Mr. Baxter also confirmed that as of today, the chimney has been removed. Mr. Baxter then explained what may happen if the variation is approved or denied:

- If approved, the addition may remain in place as constructed with chimney removed and FAR reduced.
- If denied, part of the addition (southwest corner) will need to be reduced in size by ~5". This would be measured to the wall, not roof/eaves.

Mr. Baxter then clarified that the staff memorandum on the requested variation did not include draft plans for the applicant's attic to address the gross floor area limit, which have yet to be reviewed and approved by staff, but if the plan review shows that they will not bring the property into compliance with FAR requirements, there may be other options available to the applicant to reduce FAR without reducing the visible size of the addition.

Chairman Novack asked the ZBA if they had any questions at this point. No questions were made at this time. Chairman Novack stated that as ZBA, we must evaluate the standards stipulated in the code, and one of the standards is regarding whether the requested variation is self-created. Chairman Novack added that the addition was built with plans outside of the code, the lot has a unique configuration, the ZBA does not take neighbor opinions lightly, and that he wants to emphasize that neighbor support and neighbor opposition are very important. Board Member Jake Holzman asked what would happen if there was a tie with the votes and Mr. Baxter clarified that you need four votes in favor to approve the requested variation.

Mr. Paul Elia of 1060 Oak Ridge Drive stated that he did not know what else to say other than they removed the chimney and that they're just asking for five inches. Mr. Elia added that it was a mistake by his contractor and by the Village's Inspector and that the mistake was not caught during the first inspection, which created more of a hardship for Mr. Elia. Mr. Elia concluded that they are doing everything they can to make this work.

Chairman Novack asked Mr. Elia if the primary bedroom was removed from the plans for the addition. Mr. Elia confirmed that will be the case if the F.A.R. revisions are approved by the

Village. Mr. Elia added that he is not a General Contractor like people are saying he is. Chairman Novack added that this is something the ZBA has not dealt with before. Board Member Dena Fox asked if the primary bedroom is what is being considered for the conversion to attic space and asked about the bathroom space. Mr. Elia clarified that as part of this project, they've added a master bathroom and master bedroom, and now the master bedroom will need to be converted into attic space with a ceiling height of four feet and eleven inches due to issues with the gross floor area. Chairman Novack clarified that the ZBA will have to assume that they are going to meet the gross floor area requirements because they are no longer requesting a variation for it. Chairman Novack added that he is still struggling with the neighbor opposition and asked Mr. Elia what has been done since the last meeting on July 11, 2022. Mr. Elia noted that they spoke for about an hour and the Officers at 590 Sunset Lane had complaints about the chimney, which has now been removed. Mr. Elia also noted that he offered to bring the Officers along to pick out appropriate landscaping. Chairman Novack asked Mr. Elia what kind of solution he had in mind. Mr. Elia said that the Officers wanted blinds, trees, no chimney, and that they told him he should move, although Mr. Elia stated he plans on staying here.

Board Member Michael Kupper Smith asked for clarification on "self-created" hardship standard. The Village Attorney, Caitlyn Culbertson, stated that it is at the ZBA's discretion if the hardship is solely created by the applicant or if there were other contributing factors.

#### PUBLIC COMMENT

Chairman Novack thanked the applicant and asked the audience if there are any public comments.

Lawrence Officer of 590 Sunset Lane stated that Mr. Elia stated has an issue with the Village and his contractor, after last month Mr. Elia said that he had an issue with his Architect but couldn't get ahold of his Architect due to telephone issues. Mr. Officer stated that the code exists to protect citizens and that we are entitled to the required setbacks and the zoning code, and that we do not have to support this, and that he and his wife were assaulted by the applicant.

Mrs. Officer of 590 Sunset Lane spoke and read a letter that she submitted to the ZBA at the meeting, which read:

*"Hello Again! I'm Sandy Officer. My husband Lawrence & I have lived at 590 Sunset Lane for 31 years and are the innocent victims suffering from the addition at 1060 Oak Ridge.*

- 1) We thank Mr. Baxter to initiating a police response to the assault that occurred after the July 11<sup>th</sup> meeting. Mr. Elia closely followed us down the steps without his family or lawyer and kept swearing at us as we were leaving Village Hall. Indeed, we were the victims of aggravated assault, because the assault took place on public property against three senior citizens. We believe the Board should be informed of this intimidation.*
- 2) We oppose any intrusion inside the 10-foot setback. The building permit on file with the Village involved 12 to 13 feet from the property line. We believe the builders should*



*build according to the official plan and follow the zoning rules before requesting variations.*

- 3) The 278-square-foot excess gross floor area footage should be actually reduced – rather than only nominally reduced by modifying a bedroom so that it may be called an attic. Turning the top floor of the addition into an attic is ridiculous; it can still be used as a bedroom...and when the Elia sell their home, the new owner can turn the so-called attic back into a bedroom! We would still have this giant addition hovering over us without its volume reduced.*
- 4) The other side keeps saying it's only a few inches that the addition would protrude over the 10-foot line. Would a surgeon operate inches away from her plan? Would airplane or shopping center builders veer away from approved plans? The red tape on this ruler shows the extra five inches over the code, which is still substantial. And any intrusion into the 10-foot setback is unacceptable.*
- 5) Mr. Elia should be required to reconstruct the addition strictly in accordance with the Village-stamped plans, and afterwards ask the ZBA to approve variations.*
- 6) Our property value will certainly be reduced with this addition.*
- 7) We have nothing personal against the Elia family. If our relatives or friends built such an addition – we would still be here in protest and hope you would deny these variations.*
- 8) If the Board allows the remaining variations, it will be a free-for-all for builders...come to our beloved Village, get a permit approved, the build as you want while ignoring the Village-stamped plans, and afterwards ask the ZBA to approve variations.*
- 9) Mr. Elia states his addition is a 'mistake'. Was it a mistake to build a giant chimney 7.5 feet from our property line? Or build 278 square feet more than the building permit allowed? Or come within 9.5 to 10 feet from our property line when the approved plans call for 12 to 13 feet? Or take down over 30 trees without getting a permit from the Village? Was it a mistake to never discuss anything with us even though this application states he discussed the variations with the neighbors, who only gave positive feedback?*
- 10) We believe that our personal and property rights should be fully upheld by the Village, and Mr. Elia should not be granted the privilege of violating these rights.*
- 11) We beg the Board to deny the new requested variations, as we are the primary victims and are totally innocent victims."*

Gail Donnelly of 1069 Hohlfelder Road stated that they bought their house in 2020 and then one day all of the trees screening her house were gone, so they could clearly see the ongoing construction at 1060 Oak Ridge Drive. Ms. Donnelly then shared pictures from her phone with some Board Members to help explain the amount of privacy that her family lost when these trees were removed. Ms. Donnelly added that when she spoke with Mr. Elia, Mr. Elia said that she's lucky he doesn't tear down his house, and then she asked that since Mr. Elia doesn't have sympathy for her or her concerns for privacy, then why should she have empathy for him in this situation? Board Member Alex Kaplan asked Ms. Donnelly if the trees that were removed were on her property. Ms. Donnelly stated that she believes two trees were on her property, but the others she is uncertain about because the trees are now gone. Ms. Donnelly concluded that 1060 Oak Ridge is a beautiful house, but she wants more privacy.

Stacey Birndorf of 1115 Oak Ridge Drive noted that she is surrounded by several split-level homes, that the Village takes their zoning ordinances seriously, and that most homes around

her are teardowns. Ms. Birndorf added that gross floor area revisions may call the second-story bedroom an attic, but from the exterior it is still a two-story addition and makes no difference. Ms. Birndorf added that you cannot paint stripes on a horse and call it a zebra, and that the addition is also an intrusion on two other backyards.

Lois Rifkin of 1151 Skokie Ridge Drive stated that she is a longtime resident and that whenever she has applied for a permit, they followed the setback codes each time.

Chairman Novack noted that he thinks the applicant can have three additional minutes to speak. Edyssa Elia, the daughter of Paul Elia of 1060 Oak Ridge Drive, stated that she forgot what she wanted to say at the July 11, 2022, ZBA meeting. Ms. Edyssa Elia stated that it is a bit confusing because the purpose of the ZBA is to consider variations from the zoning code, and that her parents are not contractors and that her parents did not direct the contractors to build the addition differently. Ms. Edyssa Elia also asked if the Elias are not residents as well, and that her family has been met with discrimination since they moved in as her grandfather was walking around the neighborhood and someone called the police on him. Ms. Edyssa Elia stated that she was unsure if it was because of the color of their skin, that they cannot live normally because of discrimination and ongoing construction conditions, and that when they attempted to communicate with the Officers, they were given the middle finger. Ms. Edyssa Elia concluded that Mr. Koukios of 1111 Hohlfelder was present during the discussion after the July 11, 2022, ZBA meeting with Paul Elia and the Officers and Mr. Koukios can confirm that there was no assault, and then questioned why Sandy Officer is bringing these allegations up today, at the day of the meeting.

Chairman Novack thanked all of those who spoke and asked if there were any additional public comments. No additional public comments were made at this time, and Chairman Novack clarified that this will now close the public hearing. Chairman Novack added that the ZBA cannot speak for staff or the Village as a whole, but as the ZBA it is difficult to hear those comments, and as the ZBA we have a narrow task to evaluate the standards of the requested variation, and the ZBA cannot take narratives into account of things that happened in the past that aren't directly tied to this. Chairman Novack reiterated that it is a unique situation where plans were not stamped.

Board Member Debbie Ruderman stated that the ZBA's task is narrow, and she does not see a way to make everyone satisfied, but she also does not see a situation where that would work. Board Member Ruderman added that she does not see how the ZBA can approve the requested variation tonight when the gross floor area revisions have yet to be approved by staff. Chairman Novack added that the ZBA can condition certain items in response to a previous comment about the addition being a two-story structure, but added the gross floor area is not meant to allow someone to build as big as possible, so it's not really about the five inches because the master bedroom wouldn't normally be converted into attic space, and the fact of the matter is it's a large addition that is very close to the neighbors. Board Member Kuppersmith brought up the "not self-created" variation standard again and stated that Architects and contractors are agents of the owner, so I struggle to see how they wouldn't be responsible. Board Member Fox asked Mr. Elia if the trees go along the south lot line and Mr. Elia stated

they go along the rear lot line and showed some of the Board Members pictures from his phone of some of the trees that have been planted.

Chairman Novack added that it appears that Ms. Donnelly and the Officers would not be as alarmed if the structure met the gross floor area requirements, and while some of the interior changes may help reduce the gross floor area, it will not help with the neighbors' concerns. Chairman Novack noted that he believes there could be a way to try to make with work with the neighbors. Board Member Holzman noted that it is difficult to hear these comments, that the whole situation is difficult, and that he believes everyone here has already been impacted in a negative way. Board Member Kaplan added that he does not think that blaming the Village is right in this situation, and that zoning laws were created to protect the neighbors, and although five inches may sound de minimis and less than previously requested variations, but those previous requests did not come with a heavy flow of neighbor objections, and that the Officers are entitled to that same five inches, so he is inclined to vote against the requested variation. Board Member Fox responded to an earlier comment about the property value and noted that a plan to decrease the gross floor area, such as converting the primary bedroom to attic space, could potentially decrease the property value, so it may be easier to meet the setback requirement and appease the neighbors.

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.

<b>RESULT:</b>	<b>DENIED</b>
<b>AYES:</b>	Novack, Kaplan, Ruderman, Kuppersmith, Holzman, Fox
<b>NAYS:</b>	None
<b>ABSENT:</b>	None
<b>RECUSED:</b>	Elsasser

#### **4. CONTINUED CONSIDERATION OF A VARIATION REQUEST AT 150 LAKE STREET**

Board Member Elsasser was present for this portion of the meeting. Mr. McGowan gave an overview of the case, stating that the applicants had requested four variations at the July 11, 2022 ZBA meeting. Mr. McGowan noted that at the July 11 meeting, the applicants requested the following variations (presented as "Option A") to allow an addition to an existing single-family home:

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

Mr. McGowan noted the applicants have made several changes to their plans and are now requesting the following variations (presented as "Option B") to allow an addition to an existing single-family home:

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

Mr. McGowan clarified that the difference between “Option A” and “Option B” is that the applicants have reduced their gross floor area request and the setback plane encroachment on the west side of the proposed addition, and then presented site plans, elevations, and pictures of the existing home and proposed addition from different perspectives. Chairman Novack thanked staff and then asked the applicants if they would like to add anything.

David Brown of 150 Lake Street stated that he and his Architect documented the ZBA comments that were made at the July 11, 2022, ZBA meeting and were presented with challenges since the home is already nonconforming with regards to some of the requested variations due to its existing location. Mr. Brown added that they have added a double-gable roof to reduce the setback plane encroachment, their neighbor to the west at 440 Drexel Avenue provided a letter of support, and they have reduced the gross floor area without reducing the functionality of the home. Chairman Novack added that he appreciates Mr. Brown and his Architect taking the ZBA’s comments seriously, and the thoughtful effort that went into this project. Chairman Novack asked Mr. Brown if it was painful to reduce this and noted it would not impact his decision. Mr. Brown said it was not too painful but did involve a lot of creativity. Chairman Novack added that with neighbor support and a lack of opposition is very helpful. Board Member Kaplan asked if the neighbor’s letter of support was for “Option A” or “Option B”, and staff stated that the letter of support did not specify. Mr. Brown clarified that he is confident that the support was for the entire addition, not necessarily for one option over the other. Chairman Novack asked Mr. Brown if his scope was reduced at tonight’s meeting because the original request was deferred. Mr. Brown said they took the ZBA comments seriously and asked if they could now be allowed 28 additional square feet to accommodate their stairway. Mr. Baxter noted that if the 28 additional square feet is not an increase from the square footage presented as “Option A” at the July 11, 2022, ZBA meeting, then it can be a part of the decision. Board Member Ruderman thanked the applicant and noted that she appreciates that he took the ZBA comments into consideration.

A motion was made and seconded, to approve the encroachment into the setback plane to a greater extent than the zoning code allows (“Option B”), and to approve the requested gross floor area of 2,962.2 square feet (“Option B”), plus to approve an additional 28 square feet for the stairway (“Option C”).

#### PUBLIC COMMENT

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

#### 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 Sections 3-111(C), 3-111(E), and 3-111(G)(14) 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 and corner side yard setbacks, to allow a setback plane to encroach at an extent greater than the Zoning Code allows, and to increase the allowable gross floor area at 150 Lake Street be granted as shown in the drawings or plans submitted by the owner, and reflected in the meeting minutes, 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.

<b>RESULT:</b>	<b>MOTION TO APPROVE SETBACK PLANE ENCROACHMENT, APPROVE "OPTION B" GROSS FLOOR AREA, AND APPROVE 28 ADDITIONAL SQUARE FEET FOR THE STAIRWAY</b>
<b>AYES:</b>	Novack, Elsasser, Kaplan, Ruderman, Kuppersmith, Holzman, Fox
<b>NAYS:</b>	None
<b>ABSENT:</b>	None

## 5. CONSIDERATION OF A VARIATION AT 332 ADAMS AVENUE

Mr. Baxter gave an overview of the requested variation, explaining that it is for a new detached garage and part of a new construction permit. Mr. Baxter explained that the applicant is requesting one variation to allow a 400-square-foot two-car detached garage at a new single-family residence to exceed the allowable 6% accessory building ground coverage limit:

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

Mr. Baxter also explained that a 400 square-foot garage seems to be the standard or typical size of a detached garage to accommodate two vehicles, partly due to the 400 square-foot gross floor area allowance for detached garages in the Village. Mr. Baxter stated that the lot was self-created by the applicant as part of a lot line reconfiguration with 409 Randolph Street, and prior to the reconfiguration of the rear lot line, the property was large enough to accommodate the garage as proposed.

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

### 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(D)(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 exceed the allowable accessory building ground coverage at 332 Adams 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.

<b>RESULT:</b>	<b>APPROVED</b>
<b>AYES:</b>	Novack, Elsasser, Kaplan, Ruderman, Kuppersmith, Holzman, Fox
<b>NAYS:</b>	None
<b>ABSENT:</b>	None

#### 6. CONSIDER APPEAL OF A STAFF DETERMINATION AT 391 ADAMS AVENUE

Mr. Baxter explained that the applicant is appealing a determination by staff to deny a building permit for the replacement and enlargement of front steps at a single-family residence at 391 Adams Avenue in the RC zoning district. Mr. Baxter clarified that if the appeal is granted, the applicant will be able to construct the steps as proposed, and if the appeal is denied, the applicant has requested a variation from the zoning code to reduce the required front setback for the proposed stoop and steps. However, the steps as proposed would reduce the required setback more than can be granted by the ZBA. If the ZBA grants the requested variation, the applicant can construct a modified version of the proposed stoop and steps. Mr. Baxter then explained that there are existing front steps within the setback, which could be replaced without a variation so long as they are not expanded or brought any closer to the front or side

property lines, but the steps as currently constructed and as proposed extend approximately 12 feet into the required front setback and slightly into the required side setback.

Mr. Baxter elaborated, stating that stoops and steps can be within a required front setback if certain conditions are met, specifically, Section 3-111(G)(5), lists allowable structures in required yards, including:

*“Outside stairways and ramps to first floors; provided that any platforms therefor shall not project more than four feet from an exterior wall, exceed four feet in height, or extend more than one foot on either side of the door opening; provided further that no stairways or ramps shall be wider than such platform”.*

Mr. Baxter clarified that since the steps as proposed are wider than the platform, they would not be allowed within the setback under this provision.

Additionally, Mr. Baxter referenced Section 3-111(G)(21) which includes “Special Front Yard Setbacks for Certain Covered Entryways”:

*“Special Front Yard Setback for Certain Covered Entryways.*

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

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

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

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

Mr. Baxter stated that the steps as proposed meet all these requirements, except for the fact that they are not covered, so staff has determined that to be granted for this setback allowance, the stoop and steps must be covered. Mr. Baxter concluded that the lot is shallower, undersized, and the ZBA has the ability to override staff’s decision, and that the applicant is challenging the requirement for a covered entryway in order to rebuild the front steps in the proposed location.

Board Member Kaplan then asked if this specific appeal is granted would it set precedent and Mr. Baxter confirmed that is correct. Board Member Ruderman noted that this situation is kind of like the letter of the law versus the intent of the law. Chairman Novack added that the ZBA should first discuss the appeal of the zoning code, and then consider the variation request. Board Member Holzman asked what a code amendment would look like and Mr. Baxter explained that it could come from staff, residents, and is typically a three-step process. Mr. Baxter then swore in those who would be speaking.



Betsy Handelman of 391 Adams then explained that their home is from the late 1800s and she was not aware that neighbor support was required in order to proceed. Ms. Handelman noted that the existing front steps are not functional and are falling apart and that she believes the code was implemented after the home and steps were built. Ms. Handelman also added that she did not know that the appeal would potentially change the code for everyone, and that her and her husband have been suffering through this process because the code has not been updated.

Board Member Fox asked if there was a way for the applicants to not to do the appeal but to allow them to encroach into the required front setback. Chairman Novack clarified that there is a way, however, they would be limited to a maximum variation percentage.

Ms. Culbertson noted that the text amendment would be the only thing that could change the code. Ms. Handelman explained that she thinks the proposed front steps are functional and also accomplishes the intent of a sense of community. Board Member Ruderman noted that she does not disagree, but the only way the ZBA can grant an appeal is if the ZBA believes there was a misinterpretation of the zoning code, and if that needs to be done it needs to be done through the appropriate avenues. Ms. Handelman asked if that was the point of this meeting. Board Member Holzman asked if the appeal were granted then would it take another appeal to be undone and Mr. Baxter explained that the ZBA can grant an appeal, and then you could incorporate new language in a code re-write. Board Member Fox asked if the ZBA could grant the appeal and then fix the language in the code, and Board Member Elsasser asked if there could be clarification of the intent of the code. Ms. Culbertson read Section 7-402 from the Village Code to clarify Appeals. Board Member Kaplan noted that he can't foresee many applicants building porches like this and Mr. Baxter explained that it's possible but it is not very common.

Mr. Baxter clarified that the ZBA can refer this to the Village Board who would then refer it to the Zoning Commission, and then back to the Village Board for a final decision, which could take several months. Board Member KupperSmith stated that he does not think there is an error with staff's interpretation, but perhaps an Appeal is not the best way forward if there is a better solution to address this. Board Member Elsasser stated that she agrees that an appeal should be done through the appropriate avenues. Board Member Ruderman agreed and noted that an appeal could potentially open up a can of worms. Board Member Kaplan told the applicants that the ZBA wants to help but they feel handcuffed by what they have authority to do, and that he has reservations granting an appeal. Board Member Kaplan then asked if there is a way that this can be expedited, and that he recommends that the ZBA makes a strong recommendation to the Village Board.

Board Member Ruderman noted that perhaps Section 3-111(G)(21) should simply just remove the word "covered" so that the exclusion can apply to both covered and uncovered front entryways, and potentially giving an option for a variation. Board Member Kaplan suggested perhaps a greater allowance for ZBA authority for similar physical conditions of a lot. Board Member Holzman asked what the most expedited way to accomplish this and Chairman Novack noted that the ZBA should recommend to remove the word "covered" and in the

meantime the ZBA should review Section 3-111(G)(21) so that they can give the Village Board a solid recommendation.

### PUBLIC COMMENT

Chairman Novack thanked the applicant and asked the audience if there are any public comments and 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 Appeal as submitted.

<b>RESULT:</b>	<b>DENIED</b>
<b>AYES:</b>	Novack, Elsasser, Kaplan, Ruderman, Koppersmith, Holzman, Fox
<b>NAYS:</b>	None
<b>ABSENT:</b>	None

### 7. CONSIDERATION OF A VARIATION AT 391 ADAMS AVENUE

Mr. Baxter explained that since the appeal described above was denied, the applicant is requesting a variation from the zoning code to reduce the required front setback for the replacement and expansion of a front stoop and steps. Mr. Baxter noted that the maximum setback reduction allowed on this property is to not less than 25% of lot depth, or 26.19 feet, and the requested variations are from the following standard in the Zoning Code:

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

Mr. Baxter clarified that the applicants may withdraw their application at any time. Chairman Novack added that the ZBA wants to help the applicants accomplish their request. Board Member Ruderman asked the applicants if they could build the front porch partially and then continue at a later date. Mr. Jason Handelman of 391 Adams Avenue noted that they have been working on a plan for the front steps for eight months now and the code is messed up and nobody is doing anything.

Ms. Betsy Handelman stated that her and her husband are withdrawing their request. 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 recommend that the Village Board reviews Section 3-111(G)(21) and considers the removal the word “covered” from Section 3-111(G)(21).

### 8. ADJOURN

The meeting adjourned at 9:50 p.m.

<b>RESULT:</b>	<b>ACCEPTED</b>
<b>AYES:</b>	Novack, Elsasser, Kaplan, Ruderman, Koppersmith, Holzman, Fox
<b>NAYS:</b>	None
<b>ABSENT:</b>	None

DRAFT



# VILLAGE OF GLENCOE MEMORANDUM

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## Zoning Board of Appeals Memorandum – 980 Green Bay Road

**DATE:** August 24, 2022

**TO:** Zoning Board of Appeals

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

**SUBJECT:** Consideration of a variation to allow solar panels on the roof of an existing single-family house within the required front setback

**Background:** The applicant is requesting one variation to allow solar panels on the roof of an existing single-family residence in the RC Single-family Residential Zoning District. Per the zoning code, the front lot line of a corner lot is the shorter of the two street-adjacent property lines, regardless of which way the house faces. On the subject property, the front lot line is the west property line along Vernon Avenue, from which a front setback is required. This setback is the average of the others on the block frontage, which, per Village Records, is approximately 42 feet. The proposed solar panels are as close as 30.42 feet from this property line. Because the solar panels are an upward expansion of a non-conforming structure within the required setback, a variation is required.

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

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

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.

Variation	Proposed	Existing	Required	Variation %	Max. Allowable Variation %
Front setback	30.42'	Approx. 28'	Approx. 42'	27.57%	NA

**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 proposed variation would allow solar panels to extend approximately six inches above the roof of an existing single family-house. Because the house is already within the required front setback, the increase in height caused by the panels triggers the need for a variation.

- 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 location of the house within the required front setback is a unique physical condition.

- 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 unique physical condition described in above is 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 requested variation is not merely to make more money from the use of the property and the grant of the variation would not likely be considered a special privilege not available to other property owners.

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

The proposed variation would not result in a use or development out of harmony with the intent of the zoning code or the Village's adopted plans. The Village has encouraged solar energy development, including through its Community Solar Program.

- 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 solar panels would be unlikely to alter the essential character of the area or result in significant negative impacts.

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

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

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

**Move to accept/deny the request for a variation to reduce the required front setback for the installation of solar panels at 980 Green Bay Road, in substantial conformity with the plans provided 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:



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: 980 Green Bay Road, Glencoe, IL 60022

Applicant name: Fresh Coast Solar Applicant phone: 3122816501

Applicant email: hanna@freshcoastsolar.com

Owner name (if different from applicant): Bill Bae

Owner phone: 949-423-9195 Owner email: bill.bae07@gmail.com

Brief description of project:

Installation of residential solar system on roof of home

Variation request(s):

Would like to get approval to place panels 30' from west property line



# 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.

Removing panels from the western roof face will significantly reduce the anticipated offset of the system which will, in turn, cause financial losses for the homeowner that they were set to avoid by installing solar.





# VILLAGE OF GLENCOE

## FORMS & APPLICATIONS

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

The installation of solar panels will not impact surrounding 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?

The installation of solar panels will not impact surrounding properties.

### Section C: Petition for Appeal

Page 21

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.



# VILLAGE OF GLENCOE

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### Section D: Acknowledgement and Signature



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

*Hanna Winter*

Applicant's signature

*8/12/2022*

Date

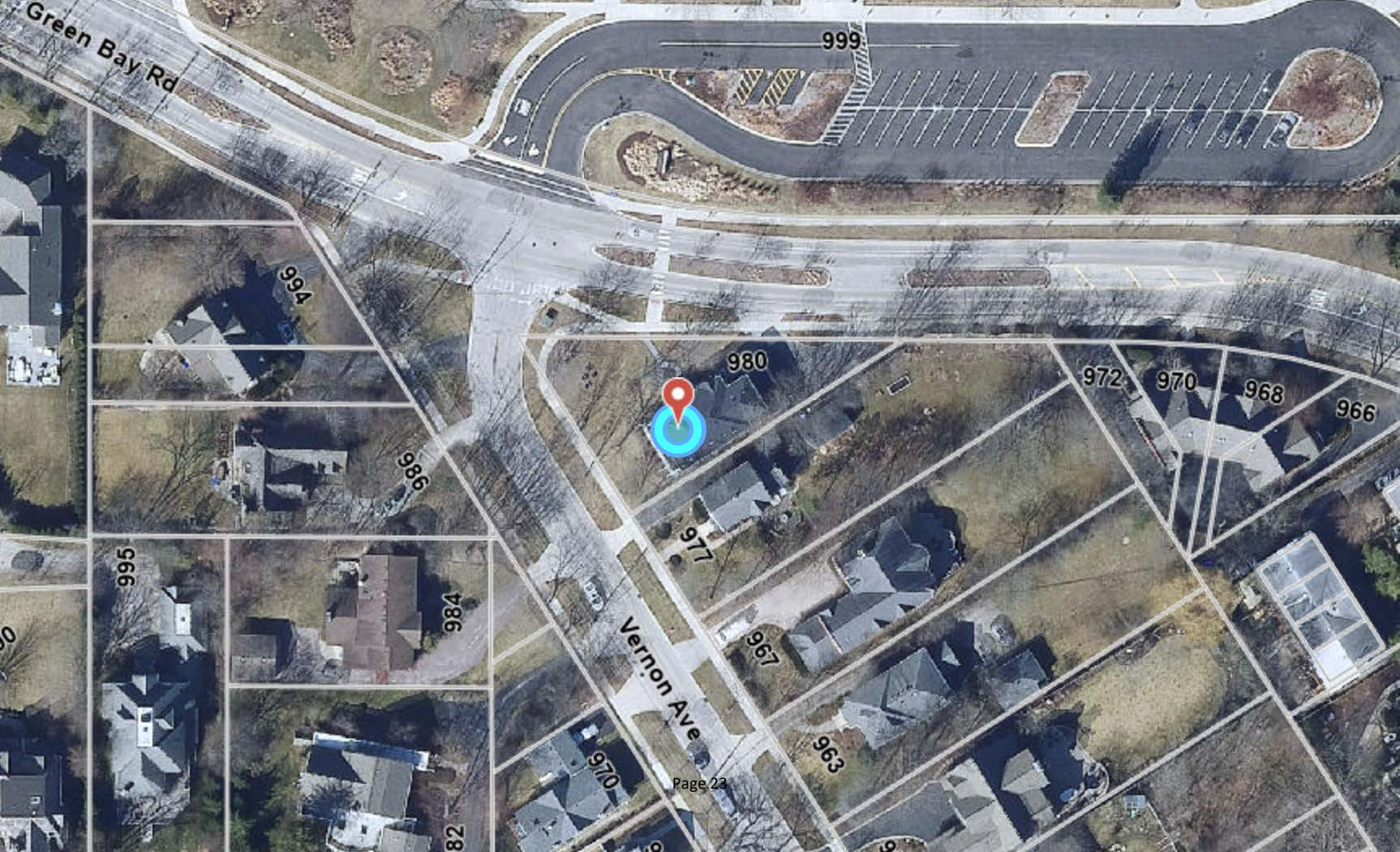
*B. Bae*

Bill Bae (Aug 12, 2022 15:20 CDT)

Owner's signature (if different than applicant)

*Aug 12, 2022*

Date



Green Bay Rd

999

994

986

995

984

Vernon Ave

980

977

967

963

972

970

968

966





INSTALLATION NOTES

1.STRUCTURAL ROOF MEMBER LOCATIONS ARE ESTIMATED AND SHOULD BE LOCATED AND VERIFIED BY THE CONTRACTOR WHEN LAG BOLT PENETRATION OR MECHANICAL ATTACHMENT TO THE STRUCTURE IS REQUIRED.

2.ROOFTOP PENETRATIONS FOR SOLAR RACKING WILL BE COMPLETED AND SEALED WITH APPROVED SEALANT PER CODE BY A LICENSED CONTRACTOR.

3.LAGS MUST HAVE A MINIMUM 2.5" THREAD EMBEDMENT INTO THE STRUCTURAL MEMBER.

4.ALL PV RACKING ATTACHMENTS SHALL BE STAGGERED BY ROW BETWEEN THE ROOF FRAMING MEMBERS AS NECESSARY.

5.ROOF MOUNTED STANDARD RAIL REQUIRES ONE THERMAL EXPANSION GAP FOR EVERY RUN OF RAIL GREATER THAN 40'.

6.ALL CONDUCTORS AND CONDUITS ON THE ROOF SHALL BE MINIMUM 1-1/2" ABOVE THE ROOF SURFACE (INCLUDING CABLES UNDERNEATH MODULES AND RACKING).

7.THE PV INSTALLATION SHALL NOT OBSTRUCT ANY PLUMBING, MECHANICAL OR BUILDING ROOF VENTS.

ROOF ACCESS PATHWAYS AND SETBACKS: IFC 605.11.1.2.1 SIZE OF SOLAR PHOTOVOLTAIC ARRAY.

EACH PHOTOVOLTAIC ARRAY SHALL BE LIMITED TO 150 FEET (45 720 MM) BY 150 FEET (45 720 MM). MULTIPLE ARRAYS SHALL BE SEPARATED BY A 3-FOOT-WIDE (914 MM) CLEAR ACCESS PATHWAY.

IFC 605.11.1.2.2 HIP ROOF LAYOUTS.

PANELS AND MODULES INSTALLED ON GROUP R-3 BUILDINGS WITH HIP ROOF LAYOUTS SHALL BE LOCATED IN A MANNER THAT PROVIDES A 3-FOOT-WIDE (914 MM) CLEAR ACCESS PATHWAY FROM THE EAVE TO THE RIDGE ON EACH ROOF SLOPE WHERE PANELS AND MODULES ARE LOCATED. THE ACCESS PATHWAY SHALL BE AT A LOCATION ON THE BUILDING CAPABLE OF SUPPORTING THE FIRE FIGHTERS ACCESSING THE ROOF.

IFC 605.11.1.2.3 SINGLE-RIDGE ROOFS.

PANELS AND MODULES INSTALLED ON GROUP R-3 BUILDINGS WITH A SINGLE RIDGE SHALL BE LOCATED IN A MANNER THAT PROVIDES TWO, 3-FOOT-WIDE (914 MM) ACCESS PATHWAYS FROM THE EAVE TO THE RIDGE ON EACH ROOF SLOPE WHERE PANELS AND MODULES ARE LOCATED.

IFC 605.11.1.2.4 ROOFS WITH HIPS AND VALLEYS.

PANELS AND MODULES INSTALLED ON GROUP R-3 BUILDINGS WITH ROOF HIPS AND VALLEYS SHALL NOT BE LOCATED CLOSER THAN 18 INCHES (457 MM) TO A HIP OR A VALLEY WHERE PANELS/MODULES ARE TO BE PLACED ON BOTH SIDES OF A HIP OR VALLEY. WHERE PANELS ARE TO BE LOCATED ON ONLY ONE SIDE OF A HIP OR VALLEY THAT IS OF EQUAL LENGTH, THE PANELS SHALL BE PERMITTED TO BE PLACED DIRECTLY ADJACENT TO THE HIP OR VALLEY.

IFC 605.11.1.2.5 ALLOWANCE FOR SMOKE VENTILATION OPERATIONS.

PANELS AND MODULES INSTALLED ON GROUP R-3 BUILDINGS SHALL BE LOCATED NOT LESS THAN 3 FEET (914 MM) FROM THE RIDGE IN ORDER TO ALLOW FOR FIRE DEPARTMENT SMOKE VENTILATION OPERATIONS.

SITE INFORMATION - WIND SPEED: 115 MPH AND SNOW LOAD: 30 PSF

SR. NO	AZIMUTH	PITCH	NO. OF MODULES	ARRAY AREA (SQ. FT.)	ROOF TYPE	ATTACHMENT	ROOF EXPOSURE	FRAME TYPE	FRAME SIZE	FRAME SPACING	MAX RAIL SPAN	OVER HANG
MP-01	149°	26°	10	196.5	COMPOSITION SHINGLE	SUNMODO NANOMOUNT	ATTIC	PRE-ENGINEERED TRUSSES	2 X 4	2'-0"	4'-0"	1'-6"
MP-02	239°	26°	6	117.9	COMPOSITION SHINGLE	SUNMODO NANOMOUNT	ATTIC	PRE-ENGINEERED TRUSSES	2 X 4	2'-0"	4'-0"	1'-6"

NOTE: PENETRATIONS ARE STAGGERED

SCALE: 1"=10'-0"

Page 25

AERIAL VIEW

980 Green Bay Rd,  
Glencoe, IL 60022, USA

ILLINOIS DG INSTALLER CERTIFICATION:18-0495

CUSTOMER INFORMATION

NAME: BILL BAE

ADDRESS: 980 GREEN BAY RD,  
GLENCOE, IL 60022

42.140967, -87.764919  
APN: 050-630-900-10-000

AHJ: IL-VILLAGE OF GLENCOE

UTILITY: COMED

PRN NUMBER: FCS-52376

Because quality matters

MOUNTING DETAIL

DRAFTED BY:  
S.VISVESH  
QC'ED BY: S.KISHORE

PAPER SIZE: 17"X11"

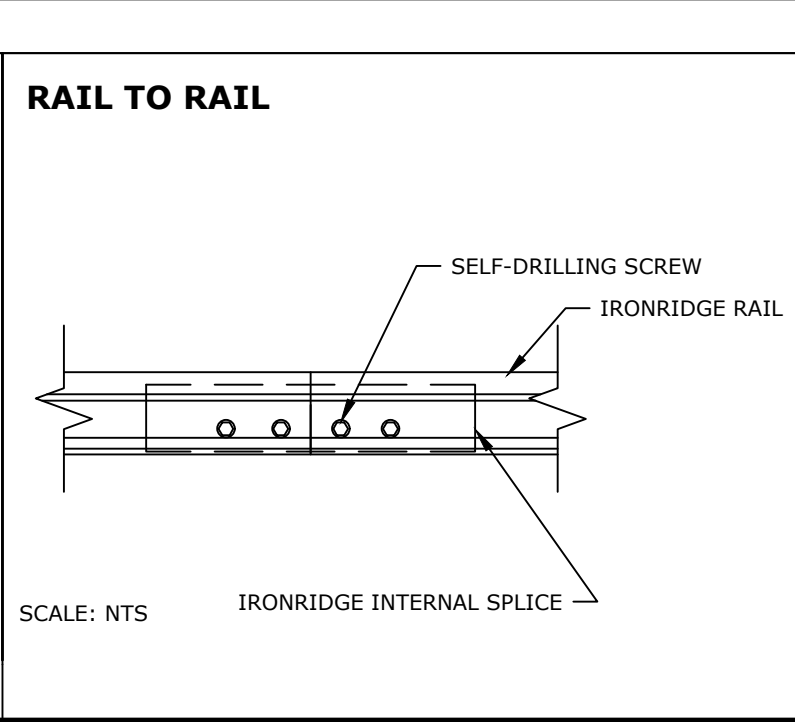
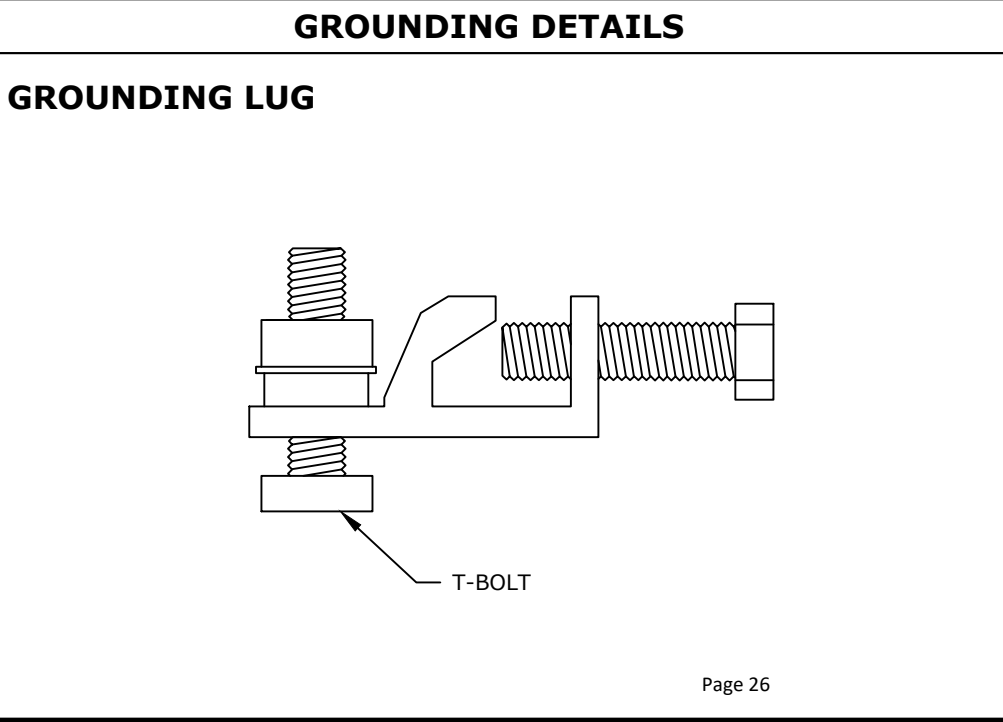
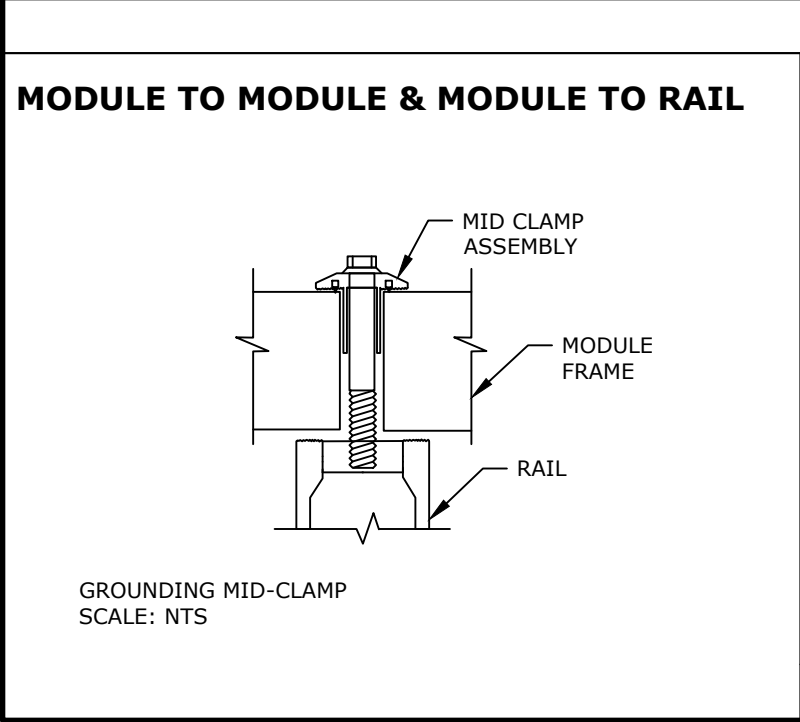
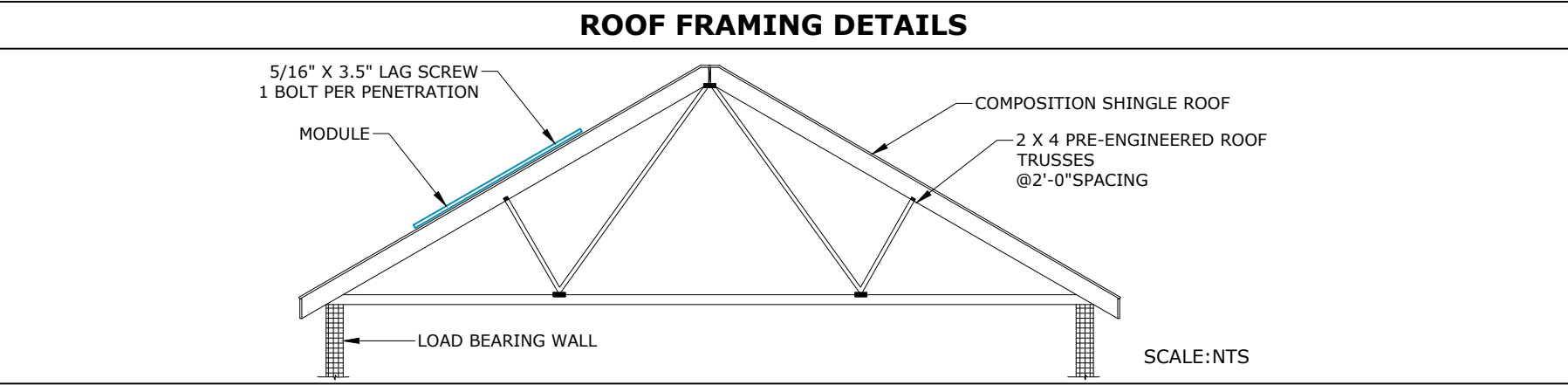
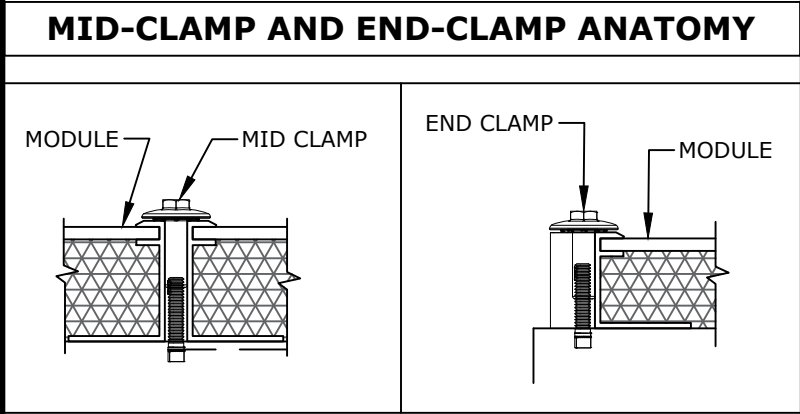
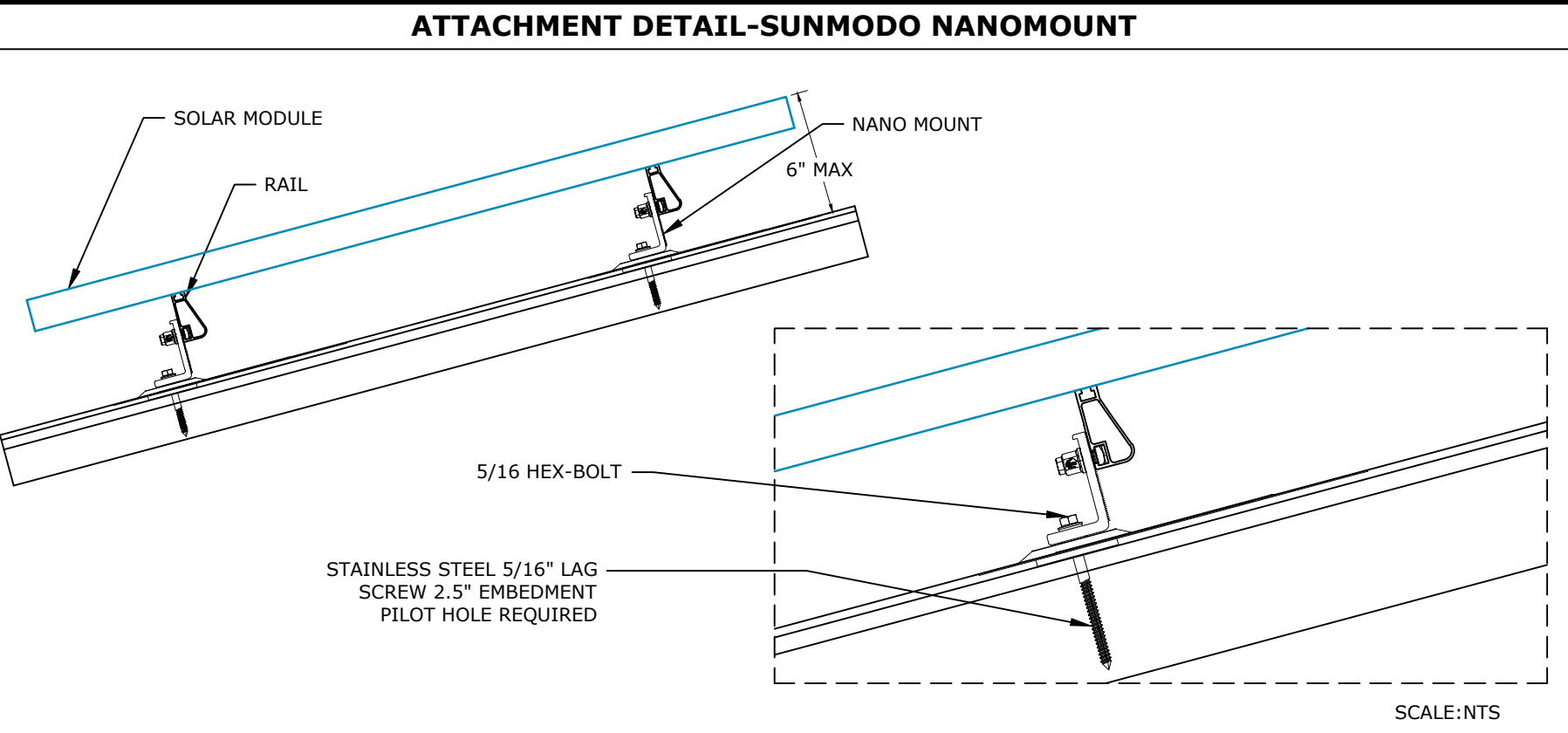
SCALE: AS NOTED



REV: E

DATE: 8/11/2022

S-01

DEAD LOAD CALCULATIONS			
BOM	QUANTITY	LBS/UNIT	TOTAL WEIGHT (LBS)
MODULES	16	44	704.00
MID-CLAMP	16	0.050	0.80
END-CLAMP	32	0.050	1.60
RAIL LENGTH	179	0.680	121.72
SPLICE BAR	6	0.360	2.16
SUNMODO NANOMOUNT	61	1.35	82.35
MICRO-INVERTER	16	2.38	38.08
TOTAL WEIGHT OF THE SYSTEM (LBS)			950.71
TOTAL ARRAY AREA ON THE ROOF (SQ. FT.)			314.33
WEIGHT PER SQ. FT.(LBS)			3.02
WEIGHT PER PENETRATION (LBS)			15.59



MODULES DATA	
REC N-PEAK 2 REC365NP2 BLACK 365W	
MODULE DIMS	69.1"x40.94"x1.2"
LAG SCREWS	5/16"x3.5":2.5"MIN EMBEDMENT
 ILLINOIS DG INSTALLER CERTIFICATION:18-0495	
CUSTOMER INFORMATION	
NAME:BILL BAE	
ADDRESS: 980 GREEN BAY RD, GLENCOE, IL 60022	
42.140967, -87.764919 APN: 050-630-900-10-000	
AHJ:IL-VILLAGE OF GLENCOE	
UTILITY:COMED	
PRN NUMBER:FCS-52376	
 Because quality matters	
STRUCTURAL DETAIL	
DRAFTED BY: S.VISVESH QC'ED BY:S.KISHORE	PAPER SIZE:17"x11"
SCALE:AS NOTED	REV:E
DATE:8/11/2022	S-02



# VILLAGE OF GLENCOE MEMORANDUM

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## Zoning Board of Appeals Memorandum – 152 Old Green Bay Road

**DATE:** August 25, 2022

**TO:** Zoning Board of Appeals

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

**SUBJECT:** Consideration of a variation to increase the allowable gross floor area for a pergola at an existing single-family residence.

**Background:** The applicant is requesting one variation from the zoning code to increase the allowable gross floor area on the property by 33.32 square feet to allow the construction of a 307.5-square-foot pergola attached to an existing single-family home in the RA zoning district

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

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%.*

Variation	Proposed	Existing	Allowed	Variation %	Max. Allowable Variation %
Gross Floor Area	4,116.47 sq ft	3,808 sq ft	4,083.22 sq ft	0.81%	15%

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

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

The proposed variation would allow for the addition of a 307.5 sq ft pergola to an existing single-family home. The home was built in 1918 and is listed as historically significant. The applicant could build a pergola up to 275.22 square feet in size without requiring a variation.

- 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 property is unique in that it is significantly narrower and smaller than a conforming RA lot. The existing house is within the required corner side setback. However, no setback variation is needed for the proposed pergola, which would be 25 feet from the corner side 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 unique physical condition described in above is not self-created, as the house on the property is 102 years old.

- 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 requested variation is not merely to make more money from the use of the property and the grant of the variation would not likely be considered a special privilege not available to other property owners.

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

The purpose of the code's gross floor area requirement is to limit the visible bulk of residential structures. While the proposed variation would allow the property to exceed the gross floor area limit, the fact that the excess square footage would be in the form of an open-sided pergola, rather than in an enclosed addition, would likely mitigate potential negative visual impacts.

- 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 allow a 307.5-square-foot pergola that would be visible from the public right-of-way along Woodlawn Avenue. While it is unlikely that this pergola would have a significant impact on the essential character of the area, a 275.22-square-foot pergola could be constructed without a variation.

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

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

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

**Move to accept/deny the request for a variation to increase the allowable gross floor area for a pergola at an existing single-family residence at 152 Old Green Bay Road, in substantial conformity with the plans provided 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:

☐ 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):



# VILLAGE OF GLENCOE

## FORMS & APPLICATIONS

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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.



# VILLAGE OF GLENCOE

## FORMS & APPLICATIONS

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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.



# VILLAGE OF GLENCOE

## FORMS & APPLICATIONS

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[www.villageofglencoe.org](http://www.villageofglencoe.org)

### Section D: Acknowledgement and Signature

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

Applicant's signature

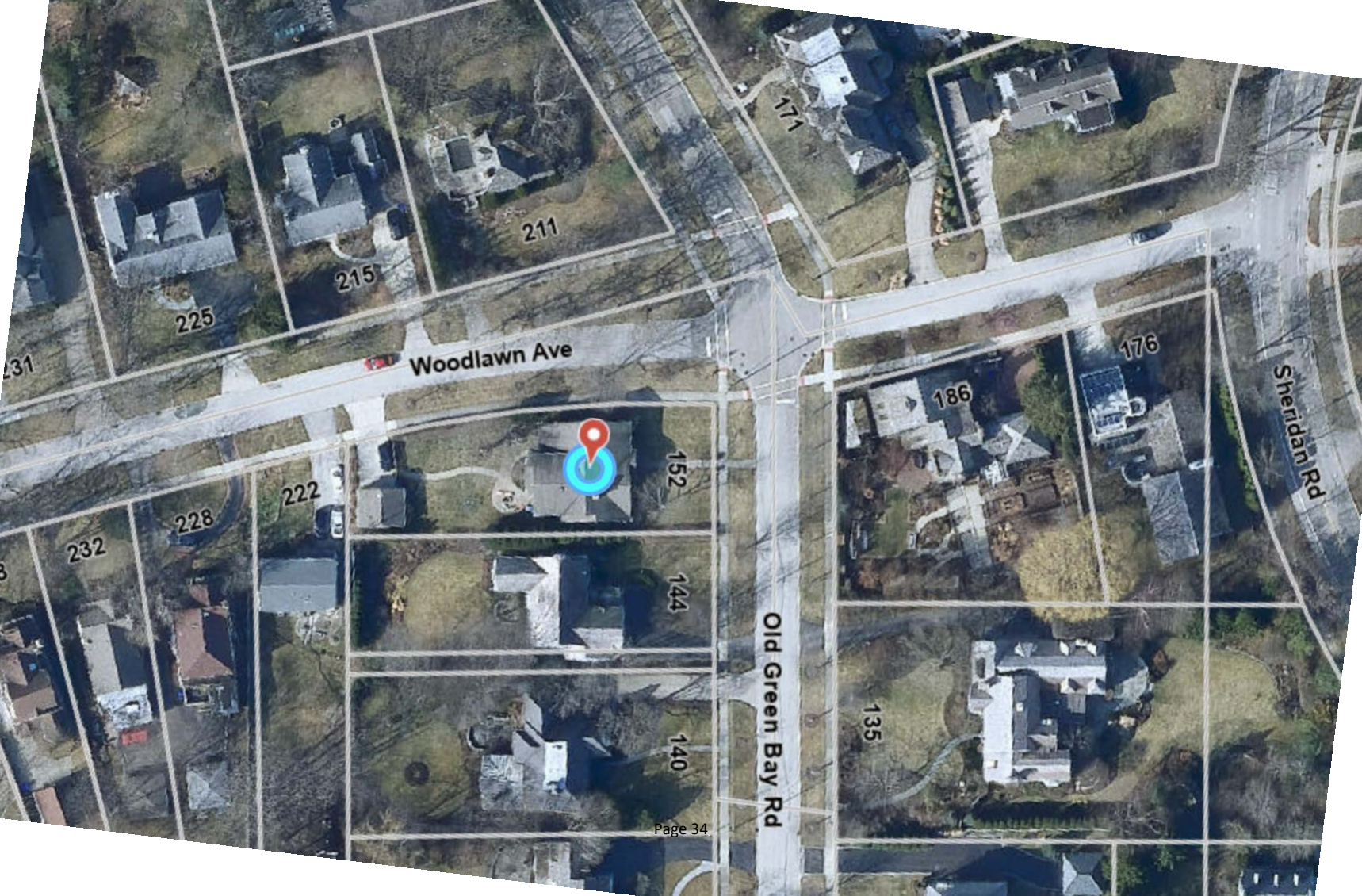
Date

Owner's signature (if different than applicant)

8/10/2022

Date







6415 N. Caldwell Ave.  
Chicago, Il. 60646

# Plat of Survey by Central Survey LLC

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

## Legal Description

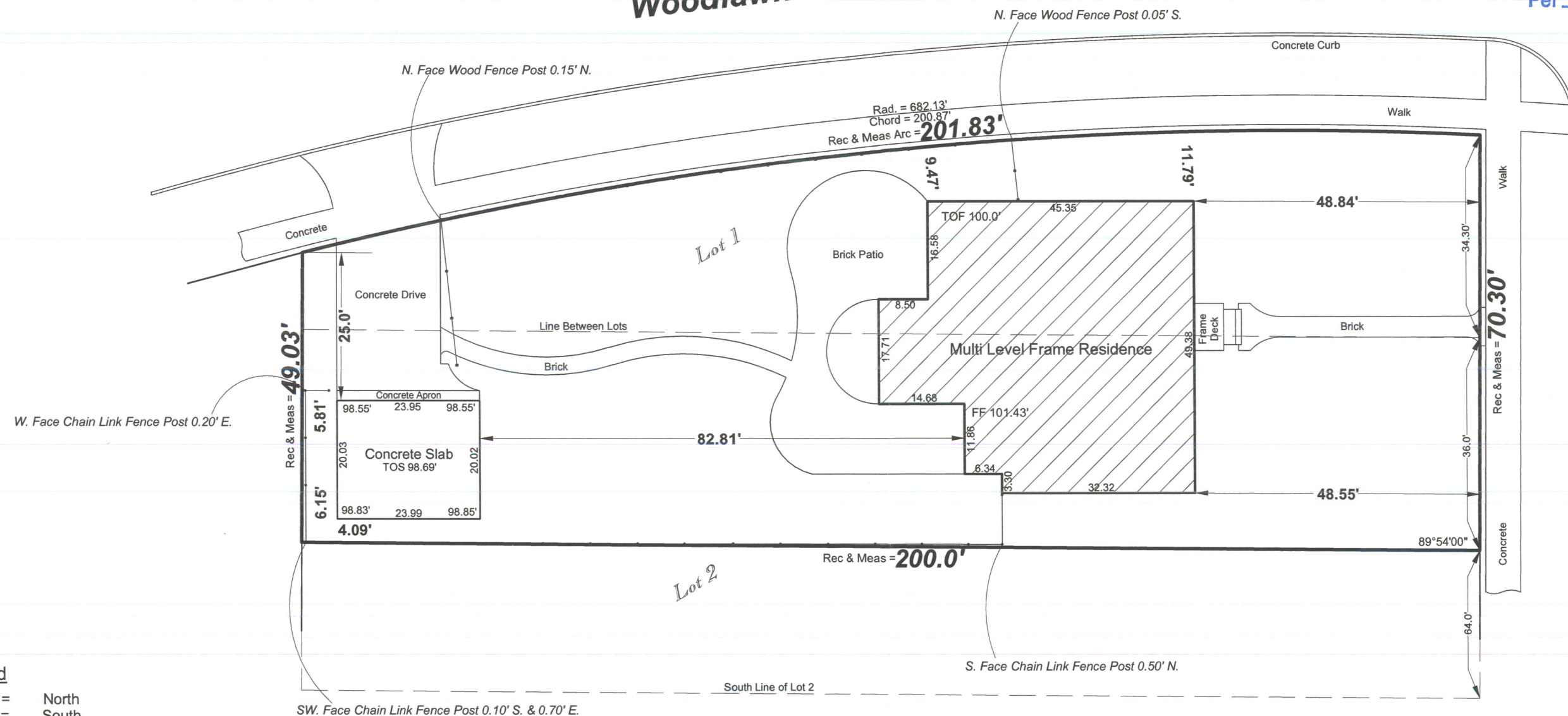
Lot 1 and the Northerly 36.0 feet of Lot 2 in Gage's Resubdivision of the Glendale Block in Jared Gage's Subdivision of part of the Northwest ¼ of Section 17 and part of the East ½ of the Southwest ¼ of Section 8, all in Township 42 North, Range 13, East of the Third Principal Meridian, according to the map thereof recorded February 8, 1872, in Book 1 of Plats, Page 25, as Document 12387, in Cook County, Illinois  
Commonly Known as: 152 Old Green Bay Rd., Winnetka, Illinois  
Area of Land Described: 12,916 Sq. Ft.

RECEIVED

JUL 02 2014

Per \_\_\_\_\_

Woodlawn Ave.



Old Green Bay Road

## Legend

N. = North  
S. = South  
E. = East  
W. = West  
(TYP) = Typical  
Rec = Record  
Meas = Measure  
St. = Street  
Ave. = Avenue

Decimal/Inch Conversions		
0.01' = 1/8"	0.08' = 1"	0.58' = 7"
0.02' = 1/4"	0.17' = 2"	0.67' = 8"
0.03' = 3/8"	0.25' = 3"	0.75' = 9"
0.04' = 1/2"	0.33' = 4"	0.83' = 10"
0.05' = 5/8"	0.42' = 5"	0.92' = 11"
0.06' = 3/4"	0.50' = 6"	1.00' = 12"

NOTE: Property corners were NOT staked per customer.  
Scale: 1 Inch equals 20 Feet.

Ordered By: MACH 1  
Order Number: 152B

Assume no dimension from scaling upon this plat. Compare all points before building and report any difference at once. For building restrictions refer to your abstract, deed, contract and local ordinances.

State of Illinois )  
County of Cook ) S.S.

Central Survey LLC does hereby certify that an on the ground survey per record description of the land shown hereon was performed on June 12, 2014 and that the map or plat hereon drawn is a correct representation of said survey. When bearings are shown the bearing base is assumed. Dimensions are shown in feet and hundredths and are correct at a temperature of 68° Fahrenheit.

Dated this 12th day of June 2014

William R. Webb P.L.S. #2190 (exp.11/30/2014) Professional Design Firm Land Surveying LLC (#184-004113)



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



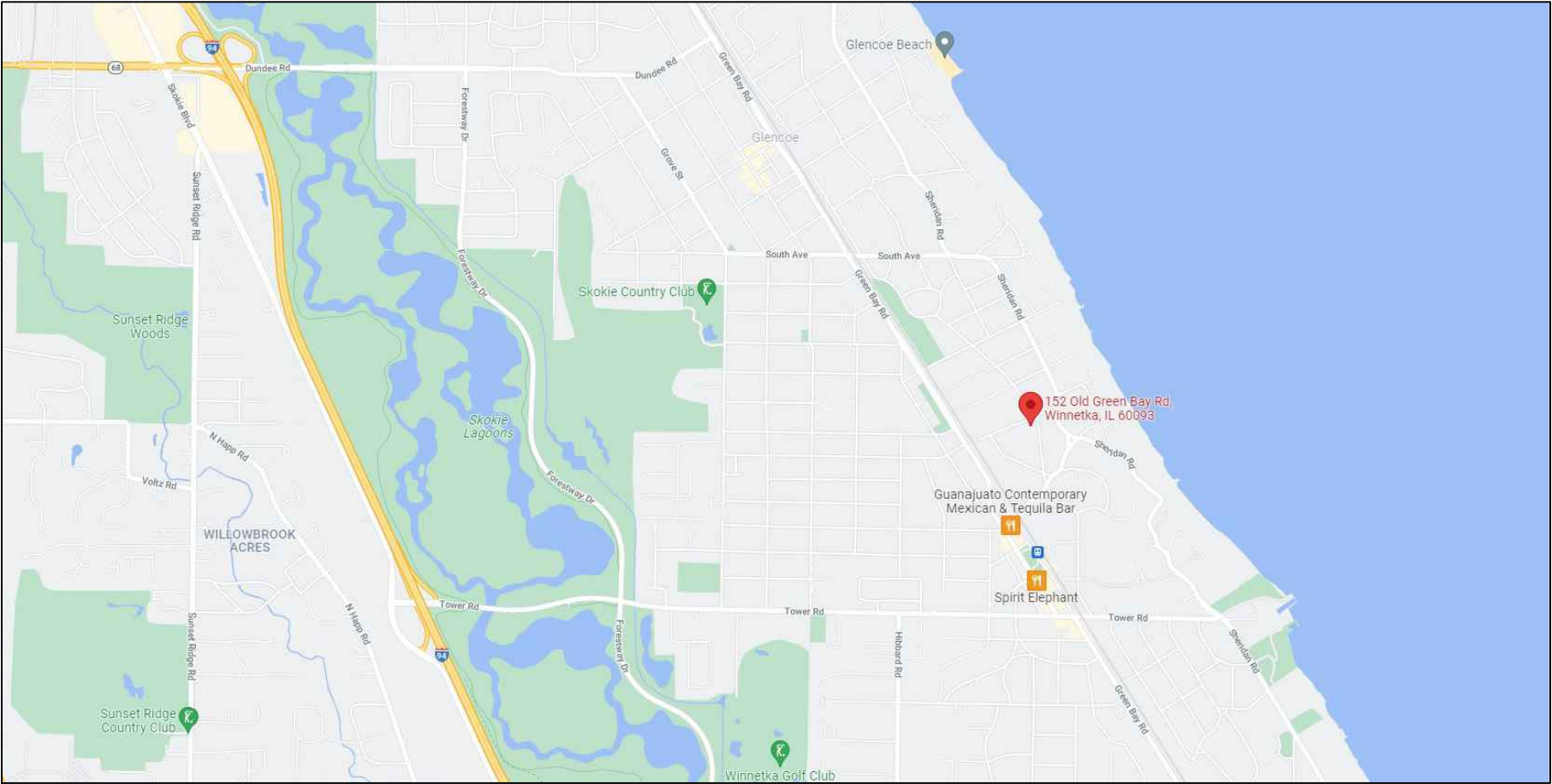
LEGEND

- L-0.1 - TITLE PAGE
- L-1.1 - EXISTING SITE PLAN
- L-1.2 - PROPOSED SITE PLAN
- L-1.3 - DETAILED PLAN
- L-2.1 - DETAILS
- L-2.2 - DETAILS
- L-2.3 - DETAILS

NOTES

+ PLANS CONTAINED AND CONSTRUCTION PRACTICES TO COMPLY WITH THE VILLAGE OF GLENCOE ADOPTED BUILDING CODES.

+ALL CODES REFERENCED ARE TO THE 2006 INTERNATIONAL RESIDENTIAL CODE, 2005 NATIONAL ELECTRICAL CODE (NFPA 70), ILLINOIS PLUMBING CODE, 2012 INTERNATIONAL ENERGY CONSERVATION CODE, REFERENCED STANDARDS AND LOCAL AMENDMENTS.



1

L-0.1

LOCATION MAP

SCALE: NTS



SCALE: NTS

O'BRIEN  
LANDSCAPE

5700 HOWARD STREET SKOKIE, ILLINOIS  
847.675.5750

DATE 05.06.22

DESIGN GG

DRAWN PK

REV

zoning 06.21.22

HOLE  
RESIDENCE

152 OLD GREEN BAY ROAD GLENCOE, ILLINOIS

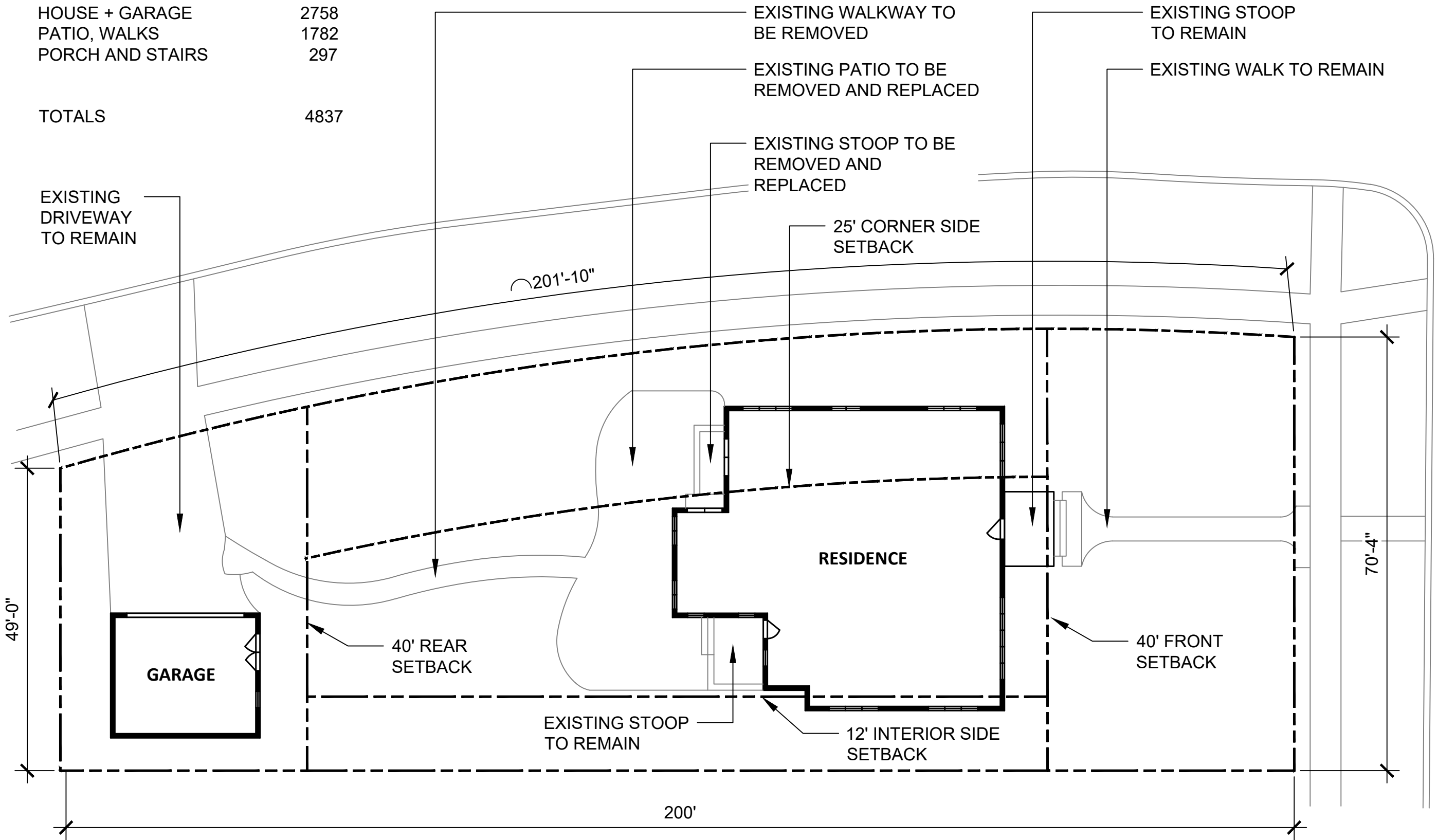
TITLE PAGE

L-0.1



EXISTING CALCULATIONS

LOT SIZE:	13246
HOUSE + GARAGE	2758
PATIO, WALKS	1782
PORCH AND STAIRS	297
TOTALS	4837



**2** EXISTING SITE PLAN  
L-1.1 SCALE: 1/16" = 1'-0"

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

**O'BRIEN**  
LANDSCAPE

5700 HOWARD STREET SKOKIE, ILLINOIS  
847.675.5750

DATE	04.30.22
DESIGN	GG
DRAWN	PK
REV	
zoning	06.21.22

**HOLE**  
**RESIDENCE**

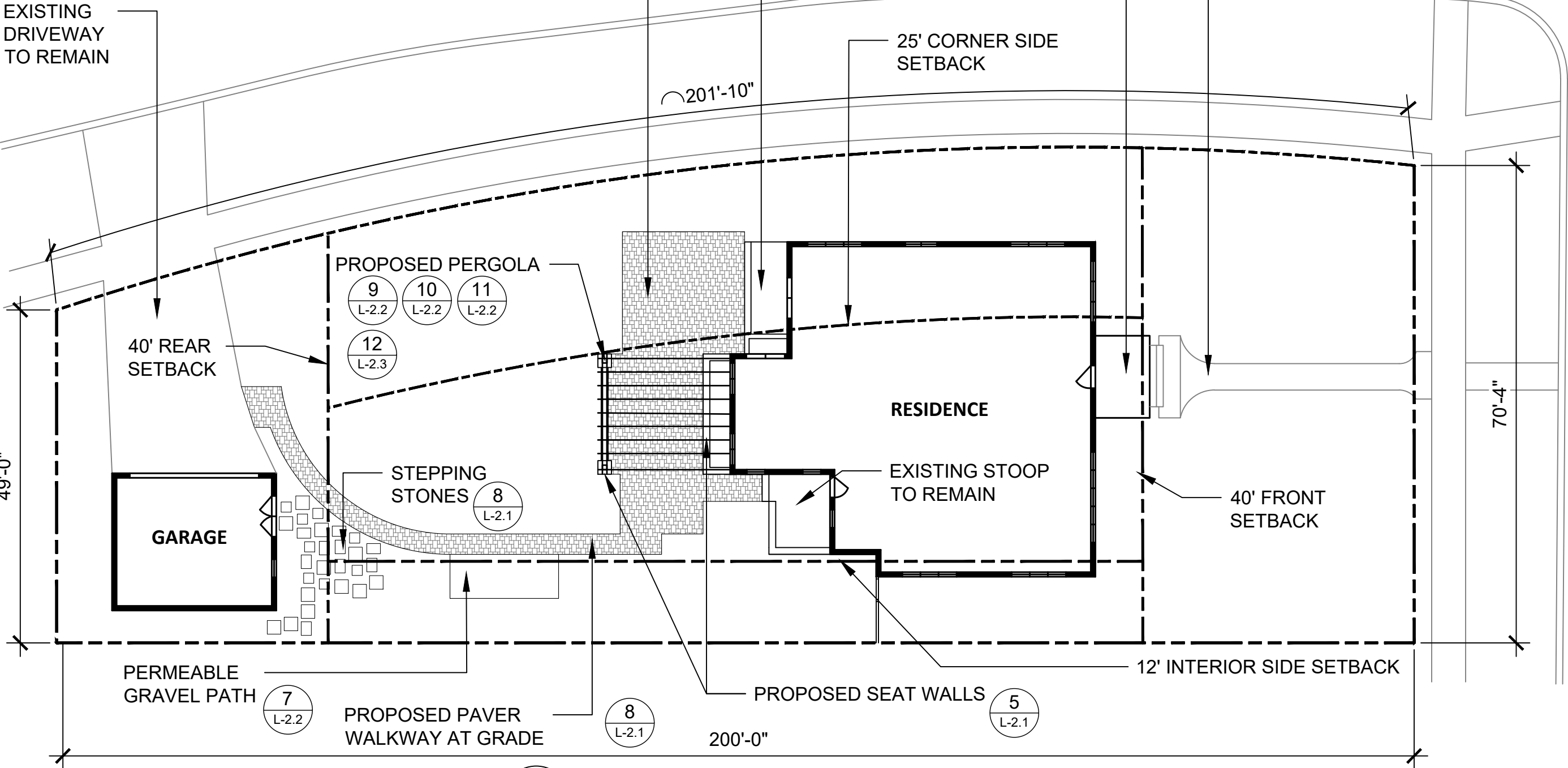
152 OLD GREEN BAY ROAD GLENCOE, ILLINOIS

EXISTING SITE  
PLAN

L-1.1

PROPOSED CALCULATIONS

LOT SIZE:	13246
HOUSE + GARAGE	2758
PATIO, WALKS	1964
PORCH AND STAIRS	310
TOTALS	5032
195 S.F. NET INCREASE	



DETAILED PLAN SEE: 4 L.3

3  
L-1.2

PROPOSED SITE PLAN

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

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

O'BRIEN

LANDSCAPE

5700 HOWARD STREET SKOKIE, ILLINOIS

847.675.5750

DATE	05.06.22
DESIGN	GG
DRAWN	PK
REV	
zoning	06.21.22

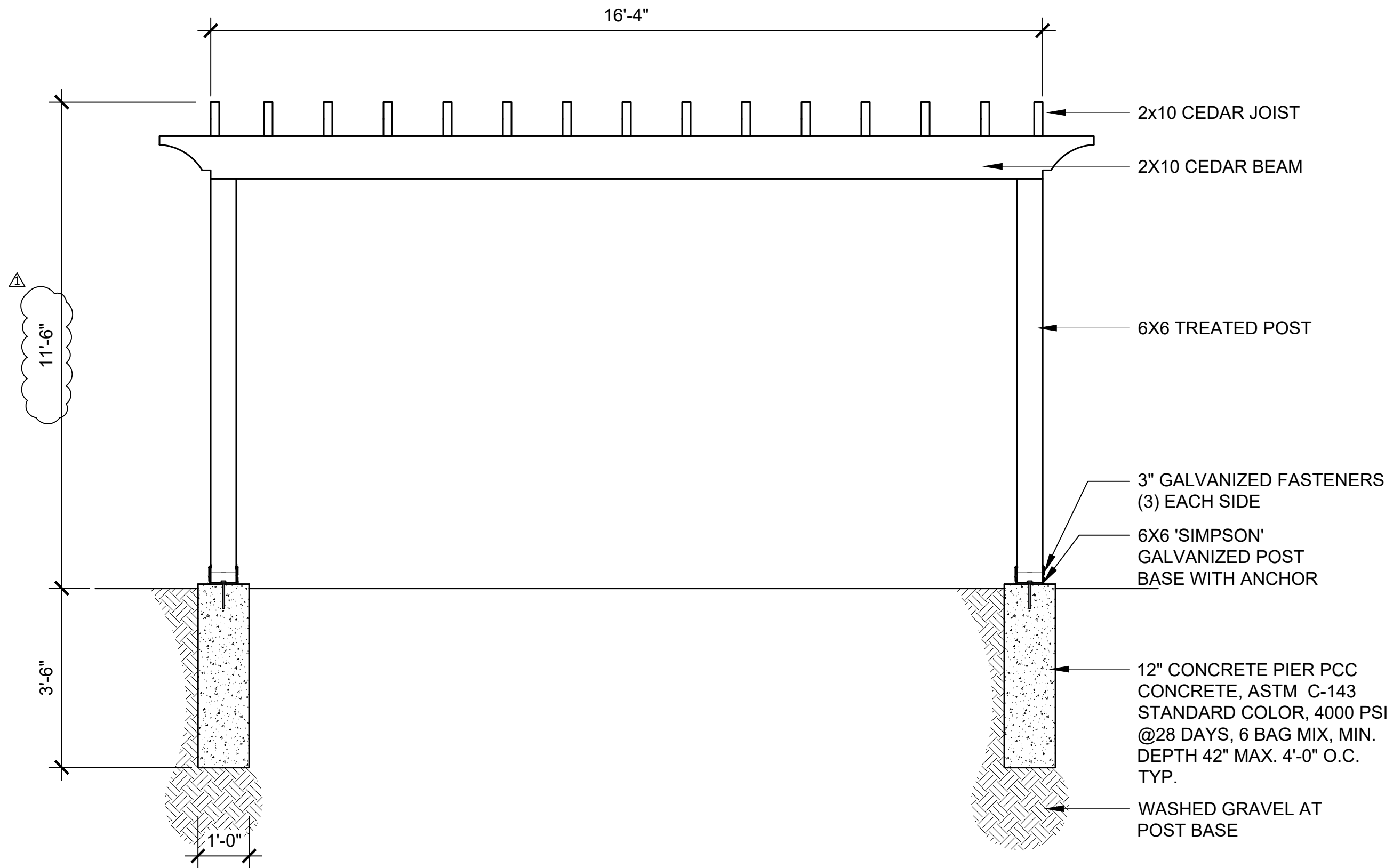
HOLE  
RESIDENCE

152 OLD GREEN BAY ROAD GLENCOE, ILLINOIS

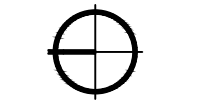
PROPOSED SITE  
PLAN

L-1.2





**12** PERGOLA DETAIL  
L-2.3 SCALE: 1/2"=1'-0"



SCALE: 1/8" = 1'- 0"

**O BRIEN**  
LANDSCAPE

5700 HOWARD STREET SKOKIE, ILLINOIS  
847.675.5750

DATE 05.06.22

DESIGN GG

DRAWN PK

REV

zoning 06.21.22

**HOLE**  
**RESIDENCE**

152 OLD GREEN BAY ROAD GLENCOE, ILLINOIS

DETAILS

**L-2.3**

Floor Area Ratio Calculations | **Summary** | Page 1

1	Address: <i>152 Old Green Bay Rd.</i>		
2	Drawing and calculations to determine lot area:  <i>per 2014 review, lot area noted as 13,011</i>		
3	Lot Area Total Sq. Ft.:	<i>13,011</i>	Sq. Ft.
4	Proposed First Floor Total:	<i>3237.2</i>	Sq. Ft.
5	Proposed Second Floor Total:	<i>1703.4</i>	Sq. Ft.
6	Proposed Third Floor Total:	<i>234.3</i>	Sq. Ft.
7	Proposed Third Floor, Attic, and Basement Total:		Sq. Ft.
8	Subtotal (Add Lines 4 through 7):	<i>5174.9</i>	Sq. Ft.
9	Total Exclusions (From Exclusion Calculation Form):	<i>1058.43</i>	Sq. Ft.
10	<b>Total Proposed Sq. Ft.</b> (Subtract Line 9 from Line 8):	<i>4116.47</i>	Sq. Ft.
11	<b>Total Allowed Sq. Ft.</b> (Apply correct formula from Table A to Lot Area from Line 3):	<i>4081</i>	Sq. Ft.
12	If Line 11 exceeds Line 10 the plans comply with FAR requirements		Yes <input type="radio"/> No <input checked="" type="radio"/>

Prepared By: *Gina Giannetti, Landscape Architect* *gina giannetti*

Architect Printed Name, Signature, & Stamp

Staff Contact Name

Telephone Number

Checked By:

Development Services Manager

Date



# VILLAGE OF GLENCOE MEMORANDUM

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## Zoning Board of Appeals Memorandum – 120 Old Green Bay Road

**DATE:** August 24, 2022

**TO:** Zoning Board of Appeals

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

**SUBJECT:** Consideration of a variation to allow the replacement of a garage and greenhouse in the same location within the required side setback

**Background:** The applicant is requesting one variation from the zoning code to allow the replacement of an existing detached garage and greenhouse in the same location with the same footprint within the required side setback in the RA zoning district. The existing structure is dilapidated and the applicant would like to replace it without requiring new impervious surface for a driveway and walkway to a new location. The proposed structure would have a different roofline than the existing structure, including a new 17.66-foot intersection with the setback plane that does not require a variation. The proposed structure is 466.67 square feet in size, approximately 192.6 square feet of which is within the required setback.

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

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

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.

Variation	Proposed	Existing	Required	Variation %	Max. Allowable Variation %
Side setback	1.77'	1.77'	12'	85.25'	NA

**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 proposed variation would allow the replacement of a dilapidated detached garage without requiring any change in the other impervious surface on the property. There would be no change in setback or footprint, but would be a change in roofline and a new encroachment into the setback plane that does not require a variation.

- 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 location of the house within the required front setback is a unique physical condition.

- 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 unique physical condition described in above is not self-created, as the garage is at least 80 years old, per the applicant.

- 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 requested variation is not merely to make more money from the use of the property and the grant of the variation would not likely be considered a special privilege not available to other property owners.

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

The proposed variation could be considered to be in keeping with the intent of the zoning code, as it would not involve a change in footprint or an increase in impervious surface. However, the change in roofline may result in an increase visual impact on the property immediately to the south.

- 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 not result in negative impacts that are not already present with the existing structure, except that the changed roofline and new encroachment into the setback plane (which does not in itself require a variation) may result in increased visual impacts on the property to the south.

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

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

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

**Move to accept/deny the request for a variation to reduce the required side setback for the replacement of a detached garage at 120 Old Green Bay Road, in substantial conformity with the plans provided 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:



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: 120 Old Green Bay Rd.

Applicant name: Ann and Dan Nolan Applicant phone: 773-255-6185

Applicant email: ann.nolan.l8fo@statefarm.com

Owner name (if different from applicant): same

Owner phone: \_\_\_\_\_ Owner email: \_\_\_\_\_

Brief description of project:

Replace existing garage/greenhouse structure with new garage in exactly same location

Variation request(s):

Side yard setback of 1.77' in lieu of required 12.0'



# VILLAGE OF GLENCOE

## FORMS & APPLICATIONS

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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.

We seek to replace a dilapidated garage and greenhouse with a new garage building in the same location as exists. The current building is 1.77' from the south property line in lieu of the 12.0' required. We would like to keep the structure in its current location for the following reasons:

1. The rear of our lot has significant water/drainage issues as the lots behind (west) of us are higher and drain into our yard.
2. Relocation of structure to the west into the rear yard is not ideal as it would require an increase of impervious surface for driveway or walkways to access it; as noted above, the drainage on the property is already problematic so increasing impervious exacerbates this.
3. We have a patio and deck off the rear of the house; relocating the structure to a conforming south setback would place the new structure on the patio.
4. The existing garage structure is more than 80 years old and is in terrible condition. The greenhouse is newer but also in poor shape. Rebuilding in the same location has the least impact to the surrounding properties.



# VILLAGE OF GLENCOE

## FORMS & APPLICATIONS

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[www.villageofglencoe.org](http://www.villageofglencoe.org)

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

Our neighbor to the south's garage is in the same location on their lot as ours is. Both garages screen our usable back yards from each other and provide privacy. Being able to build in the same location is not detrimental to either property and maintains the open feel of the rear of both lots.

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

We have contacted and received support from our neighbors on both sides; to the rear, the property is higher and looks over our yard. The existing location is preferred as it maintains more open area adjacent to their property.

### 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.



# VILLAGE OF GLENCOE

## FORMS & APPLICATIONS

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[www.villageofglencoe.org](http://www.villageofglencoe.org)

### Section D: Acknowledgement and Signature



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

*Ann M. Nolan*  
Applicant's signature

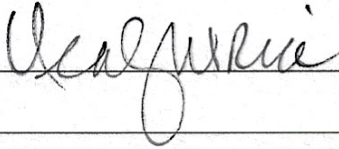
*2/10/22*  
Date

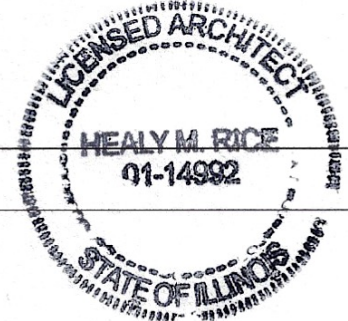
\_\_\_\_\_  
Owner's signature (if different than applicant)

\_\_\_\_\_  
Date

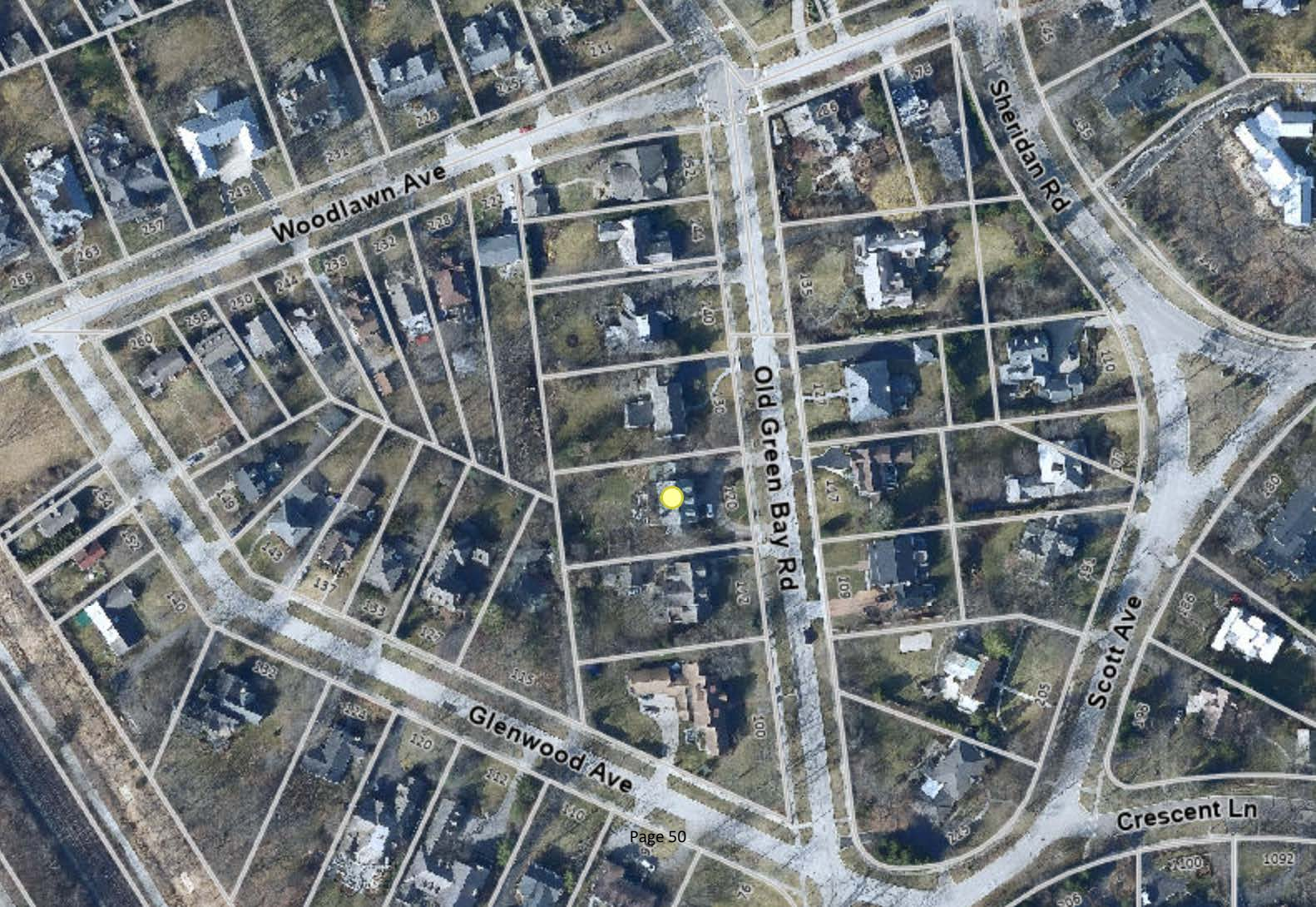
Floor Area Ratio Calculations | **Summary** | Page 1

<b>1</b>	Address: <b>120 Old Green Bay Rd.</b>		
<b>2</b>	Drawing and calculations to determine lot area:		
<b>3</b>	Lot Area Total Sq. Ft.:	Sq. Ft.	<b>20,000.00</b>
<b>4</b>	Proposed First Floor Total:		<b>3221.89</b> Sq. Ft.
<b>5</b>	Proposed Second Floor Total:		<b>1492.71</b> Sq. Ft.
<b>6</b>	Proposed Third Floor Total:		<b>502.46</b> Sq. Ft.
<b>7</b>	Proposed Third Floor, Attic, and Basement Total:		<b>0.00</b> Sq. Ft.
<b>8</b>	Subtotal (Add Lines 4 through 7):		<b>5217.06</b> Sq. Ft.
<b>9</b>	Total Exclusions (From Exclusion Calculation Form):		<b>0.00</b> Sq. Ft.
<b>10</b>	<b>Total Proposed Sq. Ft.</b> (Subtract Line 9 from Line 8):		<b>5217.06</b> Sq. Ft.
<b>11</b>	<b>Total Allowed Sq. Ft.</b> (Apply correct formula from Table A to Lot Area from Line 3):		<b>5508.00</b> Sq. Ft.
<b>12</b>	If Line 11 exceeds Line 10 the plans comply with FAR requirements		Yes <input type="radio"/> No <input checked="" type="radio"/>

<b>Prepared By:</b>	
Architect Printed Name, Signature, & Stamp	
Staff Contact Name	
Telephone Number	
<b>Checked By:</b>	
Development Services Manager	Date







Woodlawn Ave

Sheridan Rd

Old Green Bay Rd

Scott Ave

Glenwood Ave

Crescent Ln

PROFESSIONALS ASSOCIATED SURVEY, INC.

PROFESSIONAL DESIGN FIRM NO. 184-003023

7100 N. TRIPP AVENUE  
LINCOLNWOOD, ILLINOIS 60712  
www.professionalsassociated.com

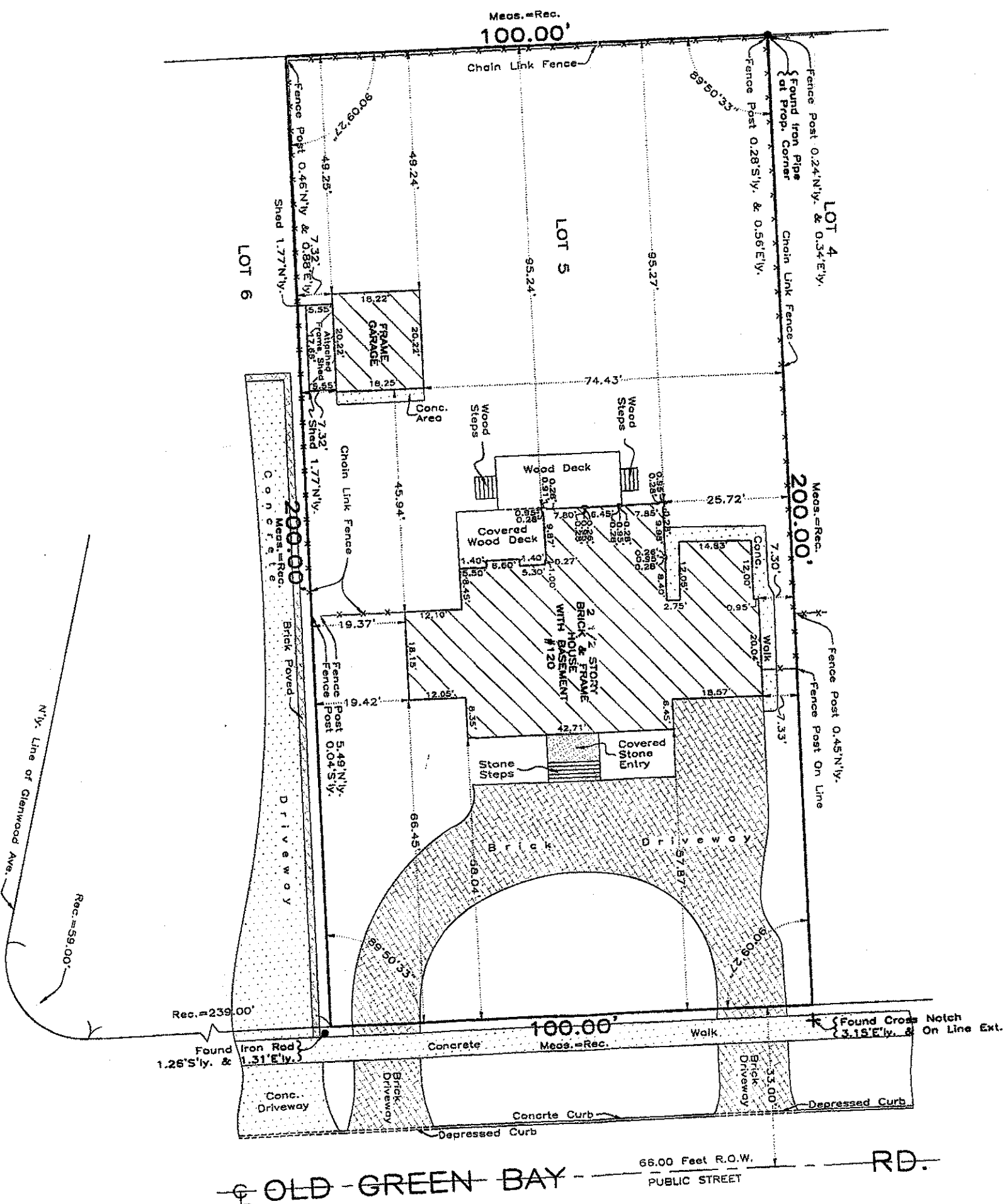
TEL: (847) 675-3000  
FAX: (847) 675-2167  
e-mail: ps@professionalsassociated.com

PLAT OF SURVEY  
OF



LOT 5 IN GAGE'S SUBDIVISION OF GLENDALE BEACH IN JARED GAGE'S SUBDIVISION OF PART OF THE NORTHWEST FRACTIONAL QUARTER OF SECTION 17 AND PART OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 8, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 8, 1872 IN BOOK 1 OF PLATS, PAGE 25, AS DOCUMENT 12387, IN COOK COUNTY, ILLINOIS.

LAND TOTAL AREA: 19,999.91 SQ.FT.=0.4591 ACRES  
COMMONLY KNOWN AS: 120 OLD GREEN BAY ROAD, WINNETKA, ILLINOIS.



NOTE:  
SURVEYOR IS NOT ABLE TO  
ESTABLISH A STAKE AT THE  
SOUTHWEST PROPERTY  
CORNER BECAUSE OF  
OBSTRUCTION.

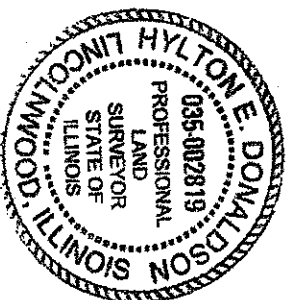
THE LEGAL DESCRIPTION SHOWN ON THE PLAT HEREON  
DRAWN IS A COPY OF THE ORDER, AND FOR ACCURACY  
SHOULD BE COMPARED WITH THE TITLE OR DEED.  
DIMENSIONS ARE NOT TO BE ASSUMED FROM SCALING.  
BUILDING LINES AND EASEMENTS ARE SHOWN ONLY WHERE  
THEY ARE SO RECORDED IN THE MAPS, OTHERWISE REFER TO  
YOUR DEED OR ABSTRACT.

Order No. 13-86758

Scale: 1 inch = 25 feet

Date of Field Work: October 25, 2013

Ordered by: JOHN E. LOVESTRAND  
Attorney at Law



THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT  
ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.  
THIS SURVEY HAS BEEN ORDERED FOR SURFACE  
DIMENSIONS ONLY, NOT FOR ELEVATIONS.  
THIS IS NOT AN ALTA SURVEY.  
COMPARE ALL POINTS BEFORE BUILDING BY SAME AND  
AT ONCE REPORT ANY DIFFERENCE.

State of Illinois  
County of Cook s.s.

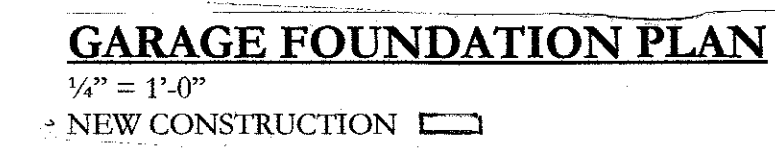
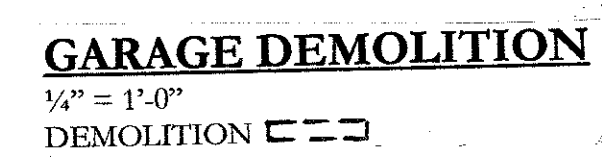
We, PROFESSIONALS ASSOCIATED SURVEY INC., do hereby  
certify that we have surveyed the above described property and that,  
to the best of our knowledge, the plat hereon drawn is an accurate  
representation of said survey.

Date: October 29, 2013

*Donald E. Hylton*

IL. PROE LAND SURVEYOR - LICENSE EXPI. DATE NOV. 30, 2014.  
Drawn By: N.M.

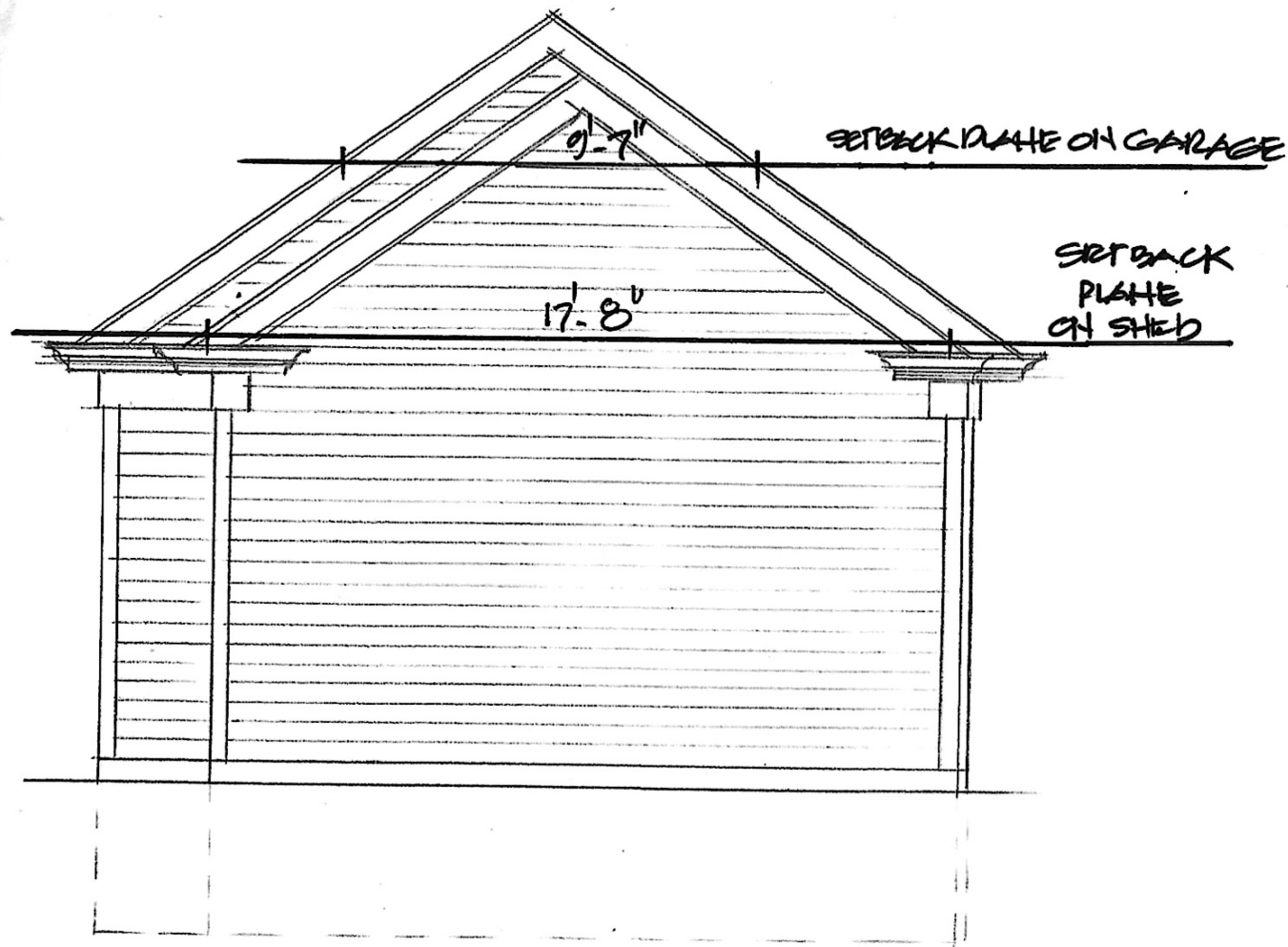






## NORTH ELEVATION

$\frac{1}{4}" = 1'-0"$

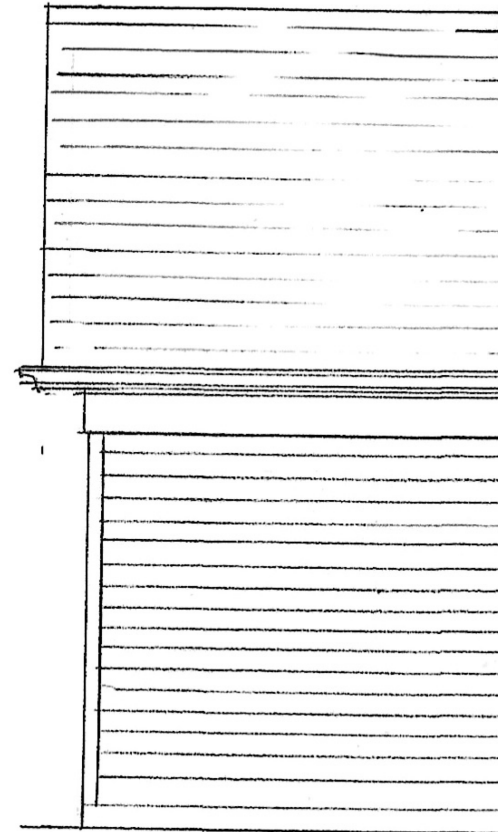


## SOUTH ELEVATION

$\frac{1}{4}" = 1'-0"$

## EAST ELEVATION

$\frac{1}{4}" = 1'-0"$



## WEST ELEVATION

$\frac{1}{4}" = 1'-0"$



















## **Public Comments – 120 Old Green Bay Road**

1.

Received by email on 8/30/22

For the last 2 years or so we have talked with Ann and Dan Nolan about their plans to enhance their outdoor living space at 120 Old Green Bay Road. Their new deck and outdoor sitting area is almost complete and it is very well done.

We certainly support their plan to replace their existing garage which is adjacent to our property with a new garage space in the same exact location.

Dolly and Tom Borders

112 Old Green Bay Road



# VILLAGE OF GLENCOE MEMORANDUM

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

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## Zoning Board of Appeals Memorandum – 413 Adams Avenue

**DATE:** August 25, 2022

**TO:** Zoning Board of Appeals

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

**SUBJECT:** Consideration of a variation to reduce the required front setback for a new single-family residence

**Background:** The applicant is requesting one variation from the zoning code to reduce the required front setback for a new single-family house in the RC zoning district. The required front setback is the average of the existing setbacks on the block frontage. The proposed front setback of 33 feet would be 0.32 feet greater than the front setback of the existing house on the property, 0.22 feet greater than the house immediately the east, and 0.51 feet less than the house immediately to the west.

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

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

Variation	Proposed	Existing	Required	Variation %	Max. Allowable Variation %
Front setback	33 ft	32.68 ft	39.89 ft	17.28%	20%

**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 proposed variation would allow a new single-family house to have a front setback 0.32 feet greater than the front setback of the existing house on the property. Without the variation, the new house would have a required front setback 7.21 feet greater than the current setback. Because the required front setback is the average of the existing front setbacks on the block frontage, and because the front setbacks of the existing house and those on the two properties adjacent to the subject property are the smallest on the block frontage, the existing house and its two immediate



neighbors are all non-conforming with regard to the required front setback. Additionally, the largest front setback on the block found on the house on the corner of Adams Avenue and Vernon Avenue, which is oriented toward Vernon Avenue and is approximately 13.5 feet greater than the second-largest front setback on the block, further increasing the non-conformity of the subject property.

- 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 location of the house within the required front setback, along with the houses to the east and west of the subject property, is a unique physical condition.

- 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 unique physical condition described in above is 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 requested variation is not merely to make more money from the use of the property and the grant of the variation would not likely be considered a special privilege not available to other property owners. The proposed setback reduction would result in the house having approximately the same setback as the existing house on 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 purpose of the average front setback requirement is to encourage a relatively uniform front setback along a block frontage. The house at 470 Vernon Avenue increases the required front setback for the entire block frontage, but is not itself part of a uniform setback along the block. The proposed variation would be unlikely to result in a significantly altered street frontage, as the new house would be in approximately the same location as the existing house, with a setback between those of the houses on either side of it.

- 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.*

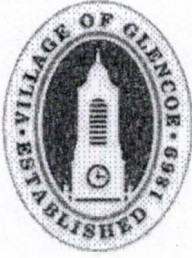
The proposed variation would be unlikely to result in a significant change to the essential character of the area.

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 requests of be accepted or denied.

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

**Move to accept/deny the request for a variation to reduce the required front setback for the construction of a new single-family residence at 413 Adams Avenue, in substantial conformity with the plans provided with this application.**



# VILLAGE OF GLENCOE

## FORMS & APPLICATIONS

675 Village Court, Glencoe, Illinois 60022  
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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: 413 ADAMS AVE

Applicant name: MAGDALENA RECHUL

Applicant phone: 224-241-0629

Applicant email: northerndevelopersllc@gmail.com

Owner name (if different from applicant): NORTHERN DEVELOPERS, LLC

Owner phone: 224-241-0629

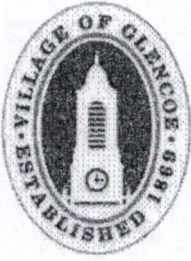
Owner email: northerndevelopersllc@gmail.com

Brief description of project:

New construction house.

Variation request(s):

I am requesting a new construction house to have 33 ft front setback.



# VILLAGE OF GLENCOE

## FORMS & APPLICATIONS

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

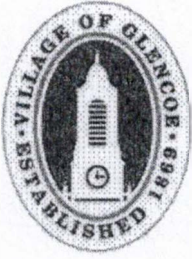
[www.villageofglencoe.org](http://www.villageofglencoe.org)

### 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.

I am proposing to build a new construction house with the setback that fits the adjacent properties rather than the block average. The corner house located at 470 Vernon Ave has the 58 ft setback and causes a large increase in the total block average. Moreover, above mentioned building was build in 1959. If it had to be demolished for the purpose of a new construction house, what would be a required setback for that location?



# VILLAGE OF GLENCOE

## FORMS & APPLICATIONS

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[www.villageofglencoe.org](http://www.villageofglencoe.org)

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

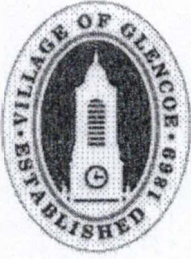
Proposed variations would not result in any detrimental effects to adjacent properties, nearby properties or the public good.

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?

N/A

### 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.



# VILLAGE OF GLENCOE

## FORMS & APPLICATIONS

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[www.villageofglencoe.org](http://www.villageofglencoe.org)

### Section D: Acknowledgement and Signature



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

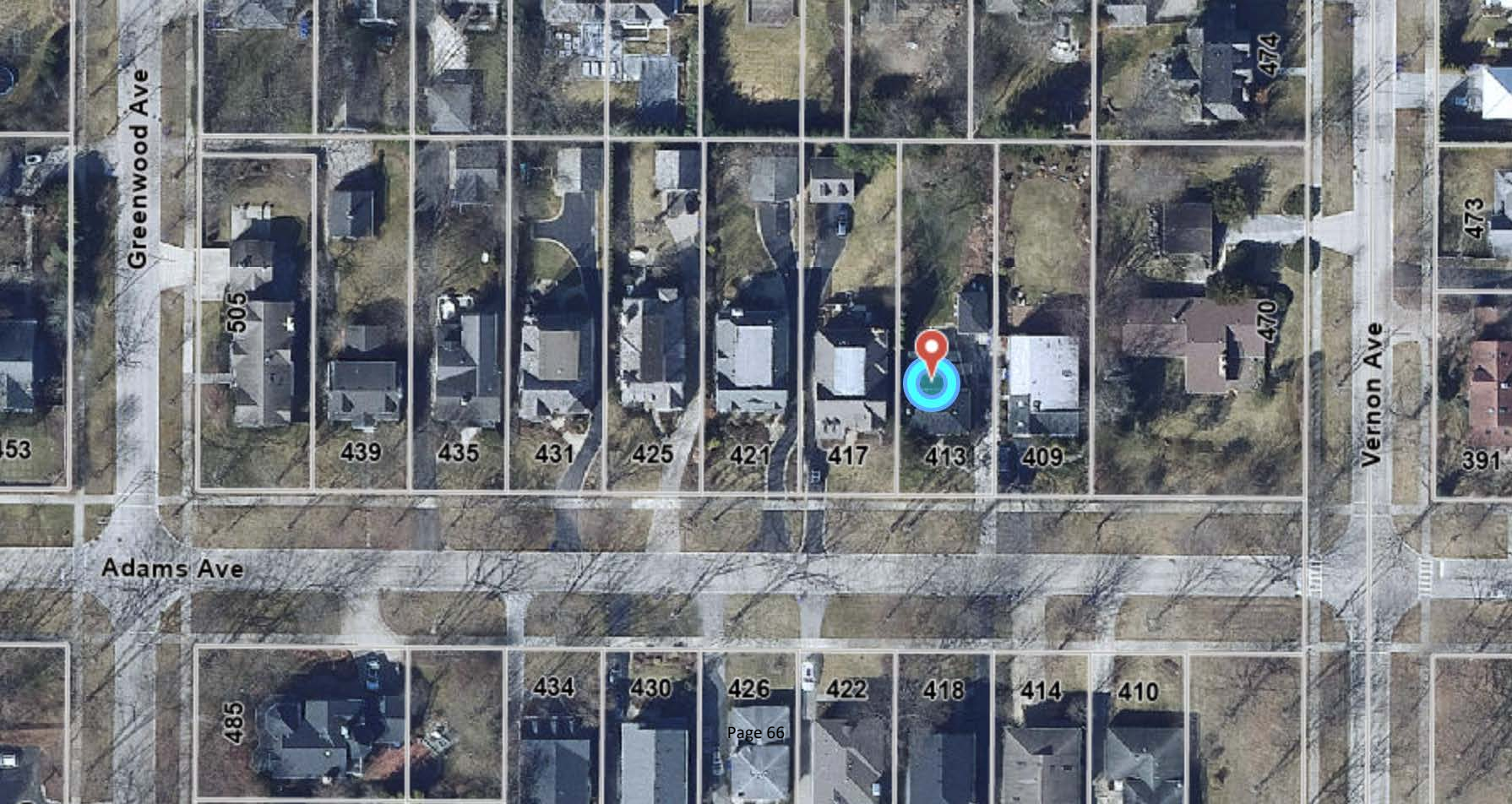
Magdalena Rechi  
Applicant's signature

8.12.2022  
Date

\_\_\_\_\_  
Owner's signature (if different than applicant)

\_\_\_\_\_  
Date





Greenwood Ave

Vernon Ave

Adams Ave

505

439

435

431

425

421

417

413

409

470

474

473

391

485

434

430

426

422

418

414

410



BLOCK AVERAGE SURVEY

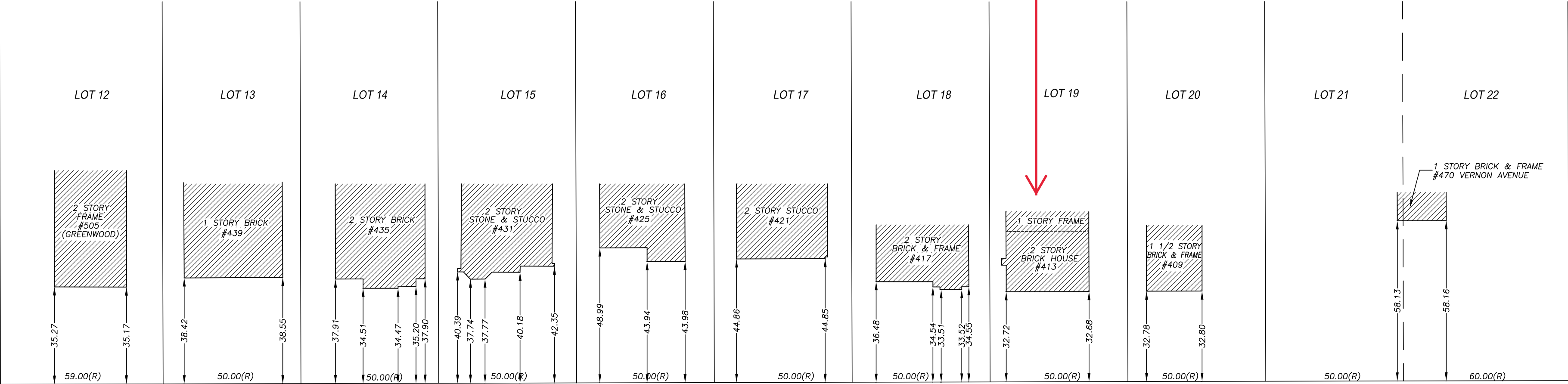
OF LOTS 12 THROUGH 22, BOTH INCLUSIVE, IN BLOCK 4 IN CULVER AND JOHNSON'S ADDITION TO GLENCOE, A SUBDIVISION OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 7, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 8, 1973 IN BOOK 6 OF PLATS, PAGE 37, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: ADAMS AVENUE, GLENCOE, ILLINOIS 60022



SCALE: 1 INCH = 30 FEET

GREENWOOD AVENUE (66' R.O.W.)

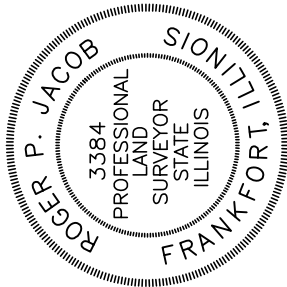


ADAMS AVENUE (80' R.O.W.)

VERNON AVENUE (66' R.O.W.)

ORDER NO.: 22-106-1  
ORDERED BY: NORTHERN DEVELOPERS, LLC

PREPARED BY:  
**GEODETIC SURVEY, LTD.**  
PROFESSIONAL DESIGN FIRM NO. 184-004394  
CONSTRUCTION AND LAND SURVEYORS  
200 WAUKEGAN ROAD, GLENVIEW, IL 60025  
TEL. (847) 904-7690; FAX (847) 904-7691  
info@gsurvey.net www.gslandsurveying.com



STATE OF ILLINOIS  
COUNTY OF COOK SS  
I HEREBY CERTIFY THAT THIS PLAT WAS PREPARED UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF ILLINOIS.  
FIELD WORK COMPLETED: AUGUST 3, 2022  
DATED THIS 8th DAY OF AUGUST, 2022.  
BY: *Roger P. Jacob*  
PROFESSIONAL ILLINOIS LAND SURVEYOR NO. 3384  
LICENSE EXPIRES 11/30/2022

PLAT OF TOPOGRAPHY

OF

LOT 19 IN BLOCK 4 AND THE SOUTH 1/2 OF THE VACATED ALLEY LYING SOUTH AND ADJOINING SAID LOT, IN CULVER AND JOHNSON'S ADDITION TO GLENCOE, A SUBDIVISION OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 7, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 8, 1973 IN BOOK 6 OF PLATS, PAGE 37, IN COOK COUNTY, ILLINOIS.

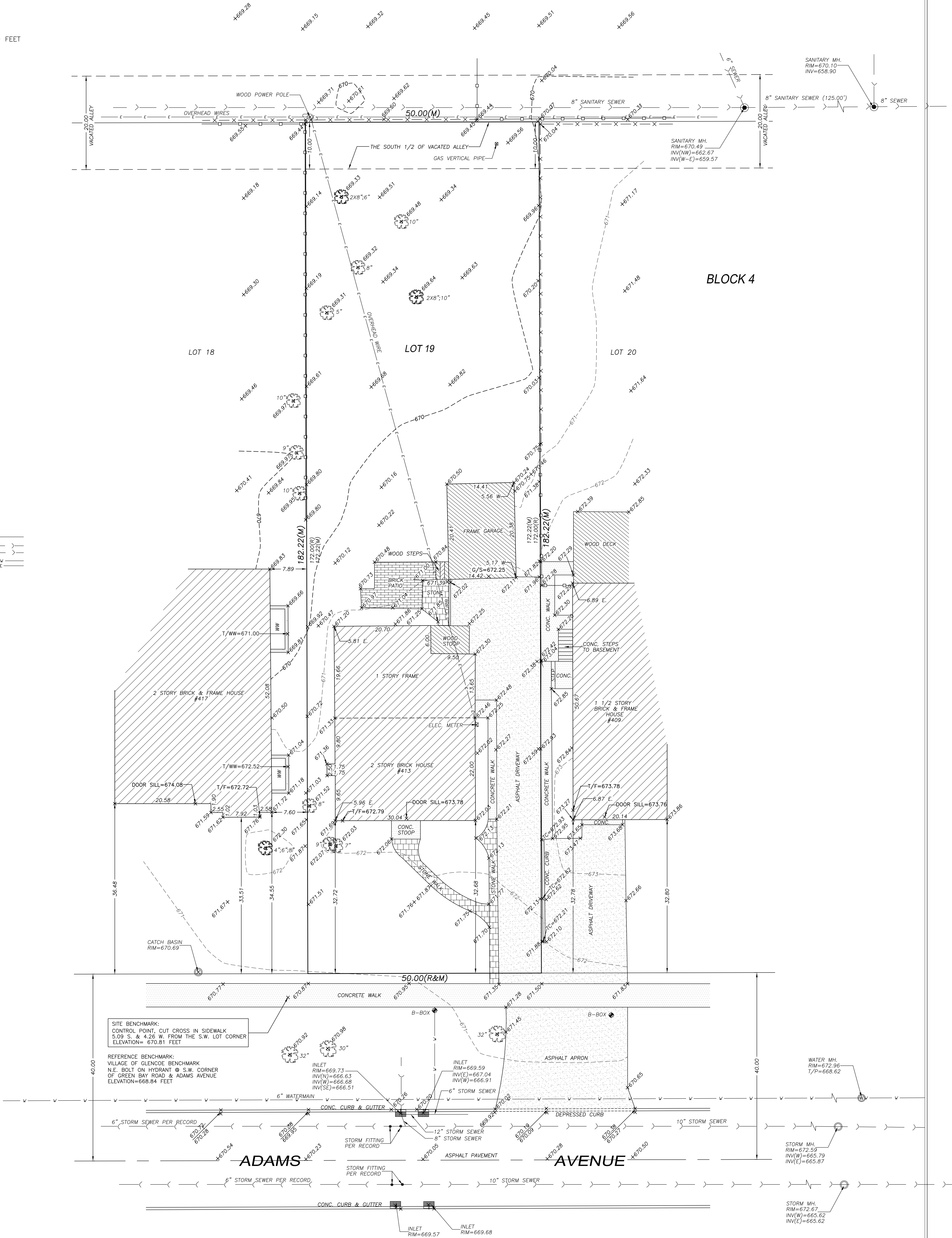
PIN: 05-07-405-020-0000 TOTAL LAND AREA: 9,111 SQ.FT.

COMMONLY KNOWN AS: 413 ADAMS AVENUE, GLENCOE, ILLINOIS 60022



SCALE: 1 INCH = 10 FEET

- LEGEND:
- (R) = Subdivision Record
  - (M) = Measured
  - N. = North
  - S. = South
  - W. = West
  - E. = East
  - T/F = Top of Foundation
  - B/S = Bottom of Siding
  - F.F.L. = Finish Floor
  - G/S = Garage Slab
  - TC = Top of Curb
  - G = Gutter
  - T/W = Top of Wall
  - T/P = Top of Pipe
  - Conc. = Concrete
  - Tree
  - Wood Fence — □ — □ —
  - Chain Link Fence — X — X —
  - Iron Fence — ○ — ○ —
  - Fire Hydrant
  - Water Valve
  - B-Box
  - Water Manhole
  - Storm Manhole
  - Catch Basin
  - Inlet
  - Sanitary/Combined Manhole
  - Wood Power Pole
  - Down Spout
  - Combined Sewer
  - Storm Sewer
  - Sanitary Sewer
  - Water Main
  - Overhead Wires



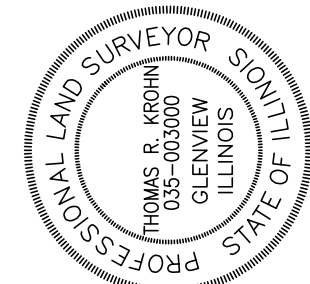
ORDER NO.: 22-106  
ORDERED BY: NORTHERN DEVELOPERS LLC

PREPARED BY:  
**GEODETIC SURVEY, LTD.**  
PROFESSIONAL DESIGN FIRM NO. 184-004394  
CONSTRUCTION AND LAND SURVEYORS  
200 WAUKEGAN ROAD, GLENVIEW, IL 60025  
TEL. (847) 904-7690; FAX (847) 904-7691  
info@gsurvey.net www.gslandsurveying.com

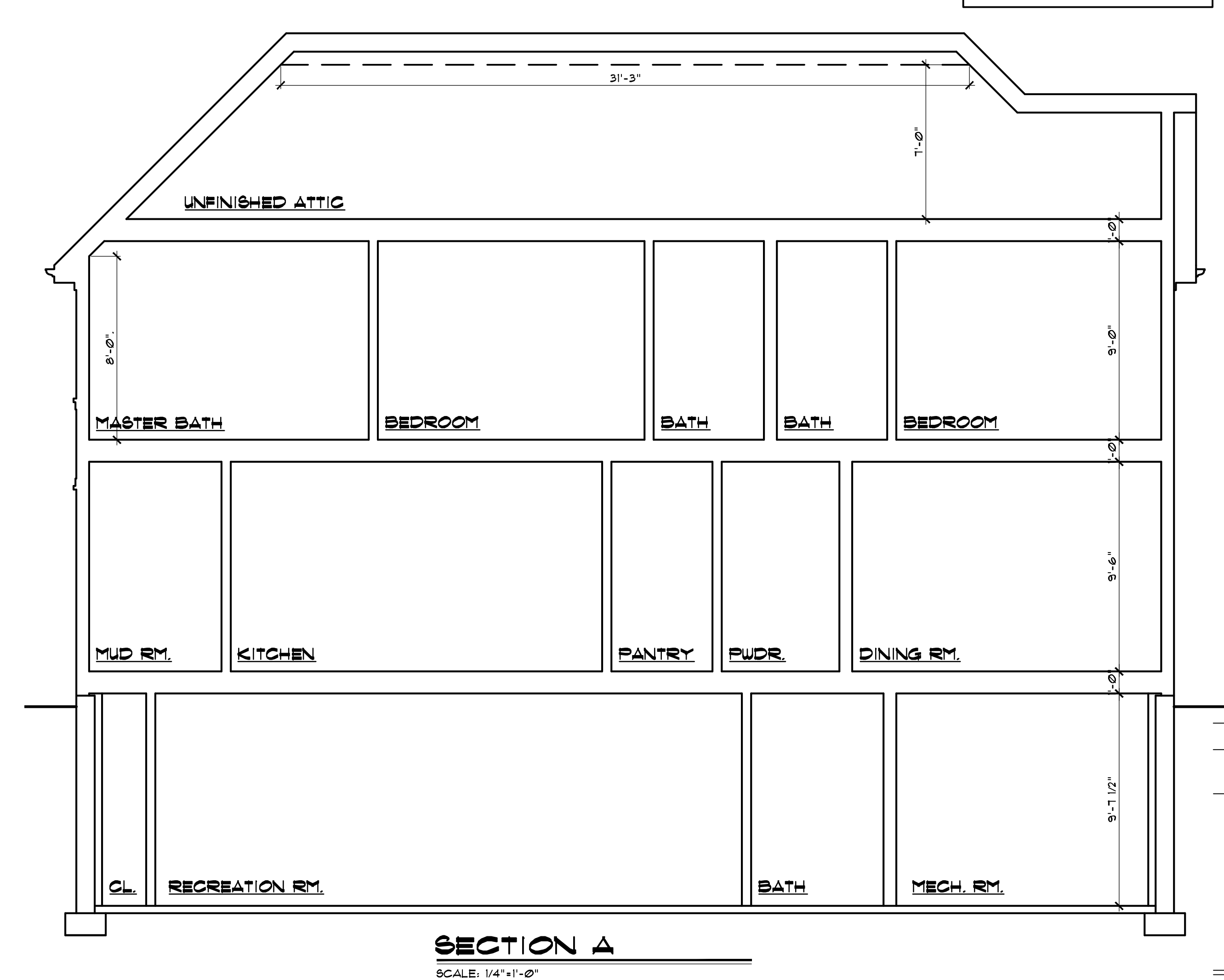
NOTE: Location of underground utilities and sewer size where not substantiated by physical evidence are taken from records normally considered reliable. No responsibility for their accuracy is assumed by the surveyor.  
Locations of existing utility services are based on visual observations. Contractor must confirm location and condition of all utility services to remain.  
FOR LOCATION OF BURIED CABLE CALL J.U.L.I.E.  
①-800-892-0123 BEFORE DIGGING

GENERAL NOTES:  
-FOR EASEMENTS, BUILDING LINES AND OTHER RESTRICTIONS NOT SHOWN ON THE PLAT OF SURVEY REFER TO YOUR ABSTRACT, DEED, TITLE POLICY, CONTRACT AND LOCAL BUILDING LINE/SETBACK REGULATIONS.  
-COMPARE ALL POINTS BEFORE BUILDING AND AT ONCE REPORT ANY DISCREPANCIES, WHICH YOU MAY HAVE FOUND, TO THIS OFFICE, BEFORE DAMAGE IS DONE.  
-DIMENSIONS ARE SHOWN IN FEET AND DECIMALS AND ARE NOT TO BE ASSUMED FROM SCALING.  
-BEARINGS ARE REFERRED TO AN ASSUMED MERIDIAN AND ARE USED TO DENOTE ANGLES ONLY.  
-THE LEGAL DESCRIPTION NOTED ON THIS PLAT WAS PROVIDED BY THE CLIENT AND FOR ACCURACY SHOULD BE COMPARED WITH DEED AND/OR TITLE INSURANCE POLICY.

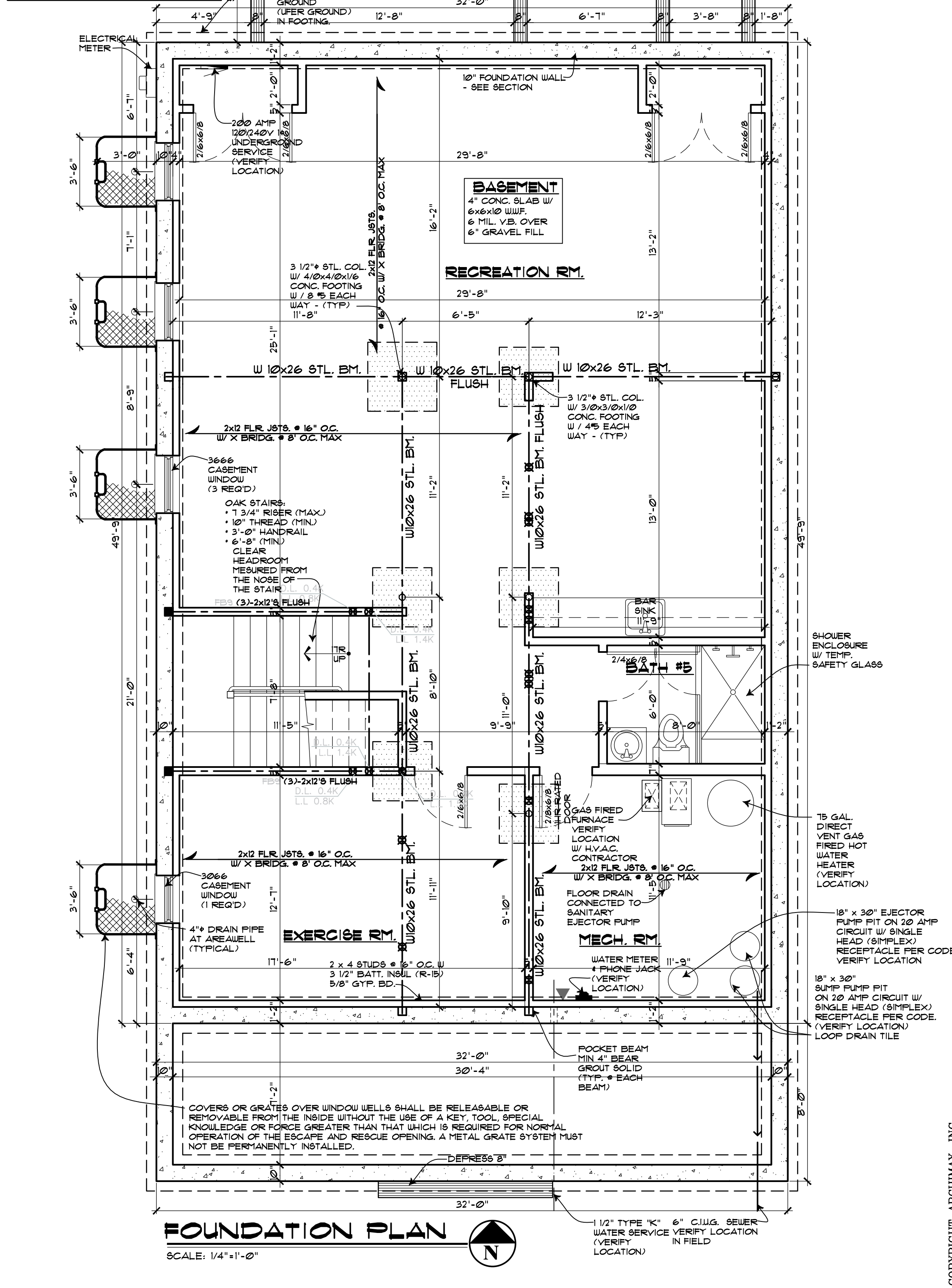
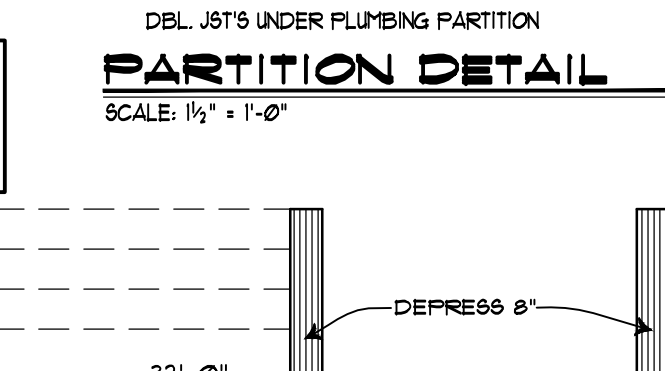
STATE OF ILLINOIS SS  
COUNTY OF COOK  
THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR TOPOGRAPHIC SURVEYS.  
FIELD WORK COMPLETED: APRIL 15, 2022  
DATED THIS 23rd DAY OF APRIL, 2022.  
BY: *James R. Weller*  
PROFESSIONAL ILLINOIS LAND SURVEYOR NO.3000  
LICENSE EXPIRES 11/30/2022



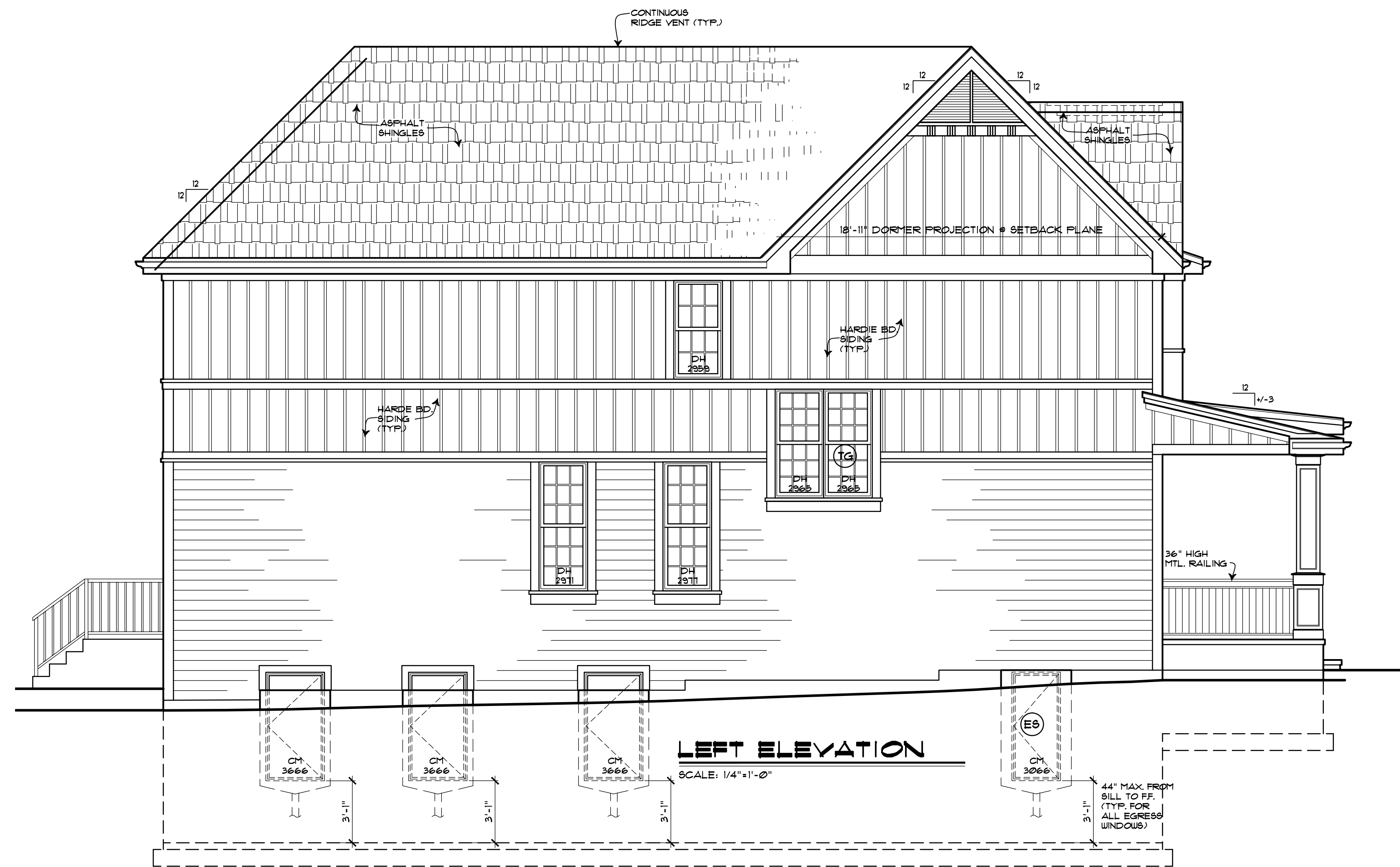




- ## DESIGN CRITERIA
- |  |                  |                          |
|--|------------------|--------------------------|
| FLOOR  | = 40' LL 10' DL  | TYPICAL ALL AREAS        |
| WALL   | = 60'            | PLF OR ACTUAL LOAD       |
| CEILING  | = 100' LL 10' DL | ROOF SLOPES OVER 3 IN 12 |
| ROOF   | = 30' LL 10' DL  |                          |
| CATHEDRAL  | = 30' LL 15' DL  | ALL SLOPES               |
| EXT. DECK  | = 40' LL 10' DL  |                          |
| BALCONY  | = 60' LL 10' DL  | EXTERIOR                 |
| STRUCTURAL FRAMING LUMBER                                  |                  |                          |
| FLOOR JOISTS, CEILING JOISTS, HEADERS AND RAFTERS          |                  |                          |
| N-GRADE BASE VALUE (USE NO MULTIPLIERS AGAINST BASE VALUE) |                  |                          |
| GRADE 1 SPECIES SFF CANADIAN                               |                  | BASE Fd = 875            |
| GRADE 2 SPECIES SYP DOMESTIC                               |                  | BASE Fd = 875 (WOLM)     |
| GRADE 4 SPECIES HEM-FIR                                    |                  | BASE Fd = 1050           |
| MANUFACTURER: TRUSS JOIST MCMILLAN                         |                  |                          |
| PRODUCT: MICRO-LAM LVL                                     |                  |                          |
| SIZE: 1 3/4" x (SEE PLAN) Fd = 2,600 PSI E = 1.9           |                  |                          |







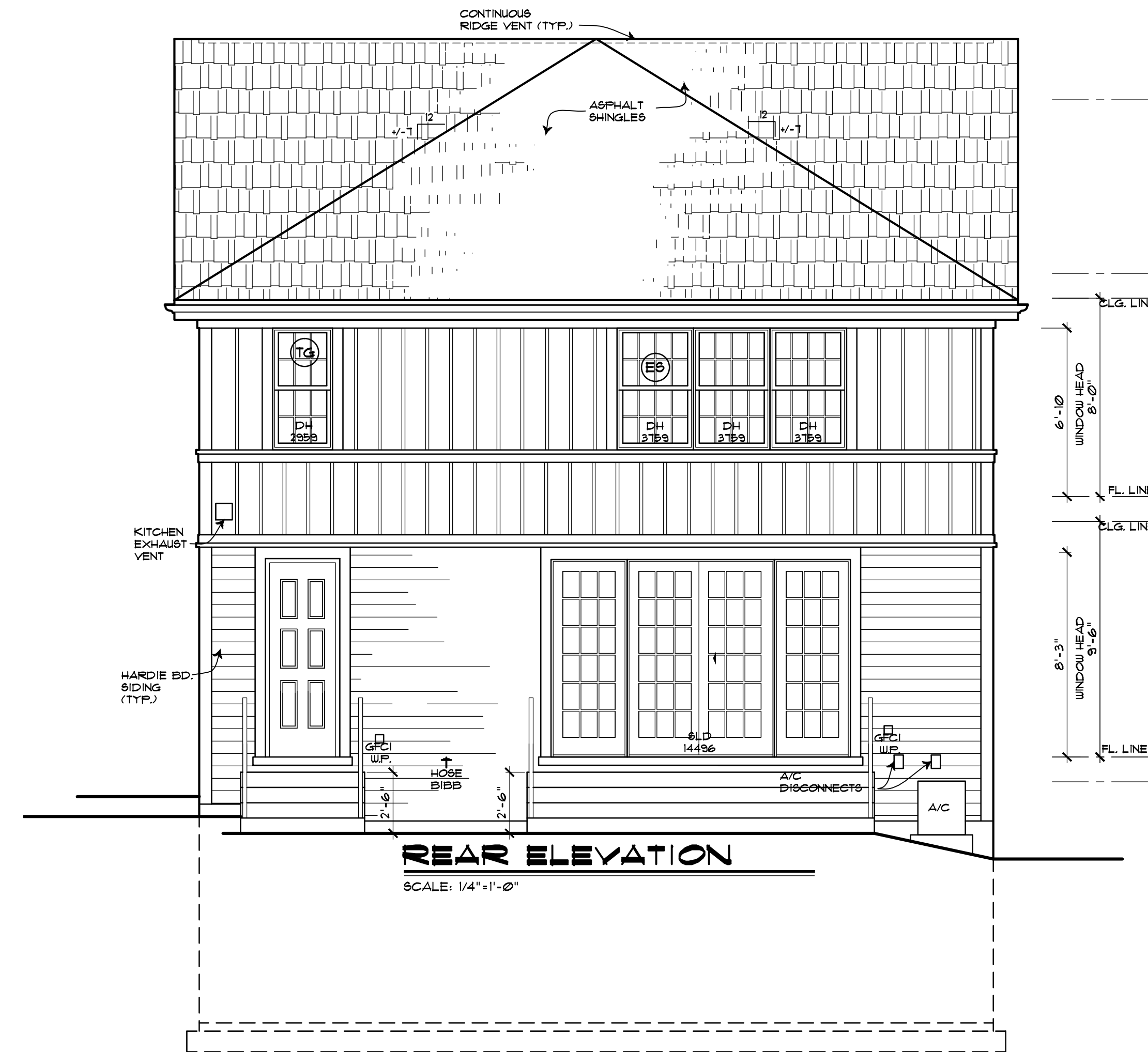
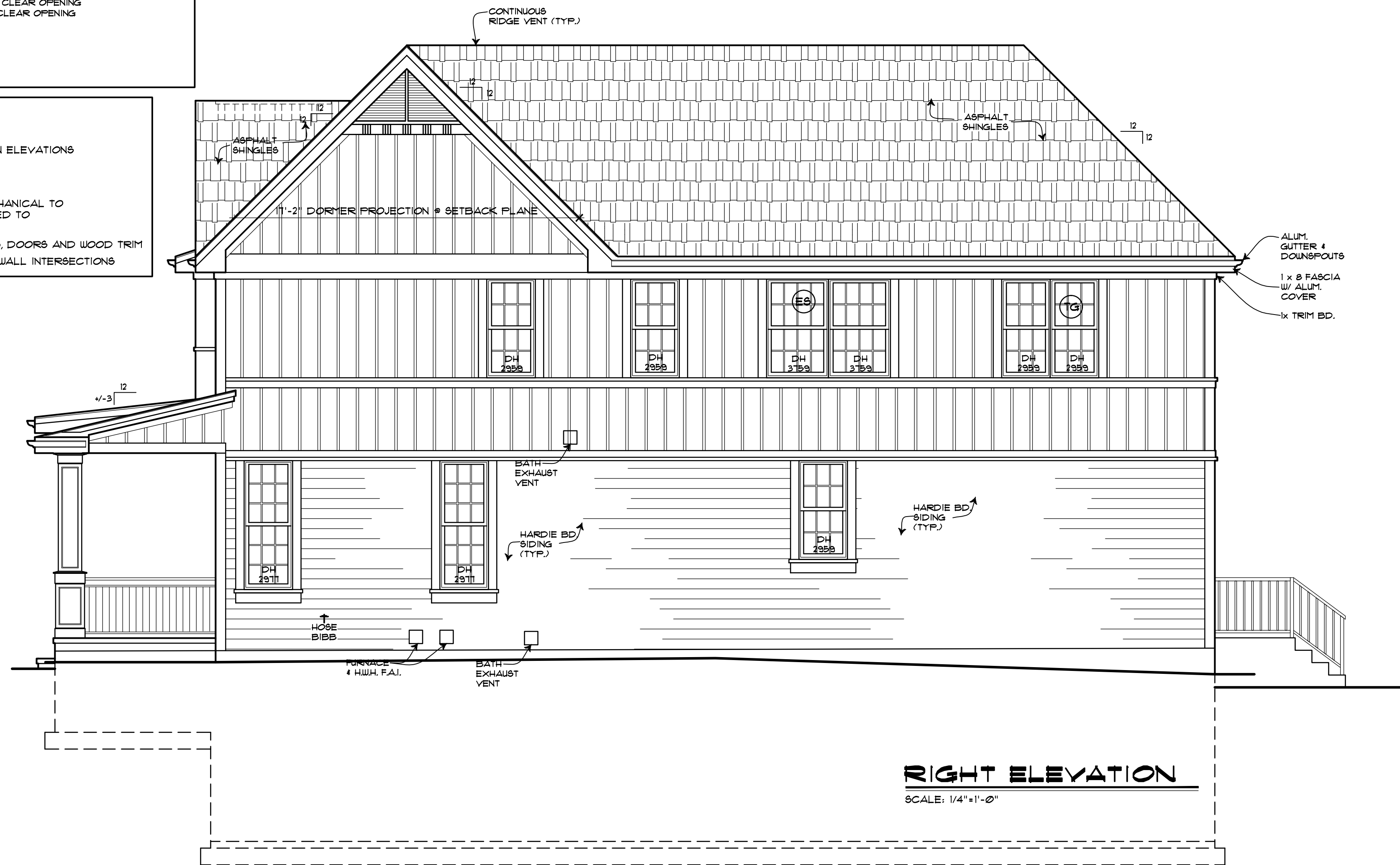
**NOTE:**  
EVERY SLEEPING ROOM SHALL HAVE AT LEAST ONE OPERABLE WINDOW OR EXTERIOR DOOR APPROVED FOR EMERGENCY EGRESS OR RESCUE. THE UNITS MUST BE OPERABLE FROM THE INSIDE TO A FULL CLEAR OPENING WITHOUT THE USE OF SEPARATE TOOLS. WHERE WINDOWS ARE PROVIDED AS A MEANS OF EGRESS OR RESCUE THEY SHALL HAVE A SILL HEIGHT OF NOT MORE THAN 44 INCHES ABOVE THE FLOOR.

ALL EGRESS OR RESCUE WINDOWS FROM SLEEPING ROOMS MUST HAVE MINIMUM NET CLEAR OPENING OF 5.7 SQ. FT. THE MINIMUM NET CLEAR OPENING HEIGHT DIMENSION SHALL BE 24". THE MINIMUM NET CLEAR OPENING WIDTH DIMENSION SHALL BE 20".

(E9) EGRESS WINDOW  
(TG) SAFETY GLAZING

**ELEVATION GENERAL NOTES:**

- FELLA PRO LINE SERIES OR EQUAL  
UNIT NUMBERS (NOT GLASS SIZES) SHOWN ON ELEVATIONS  
WINDOWS (FIXED UNITS) U-FACTOR MIN. 0.28  
WINDOWS (VENT UNITS) U-FACTOR MIN. 0.32  
SKYLIGHTS U-FACTOR MIN. 0.60  
DOORS U-FACTOR MIN. 0.35
- ALL ROOF VENTS AND THROUGH ROOF MECHANICAL TO BE LOCATED • REAR OF HOME AND PAINTED TO MATCH ROOF.
- SHEET METAL FLASHING OVER ALL WINDOWS, DOORS AND WOOD TRIM
- SHEET METAL FLASHING AT ALL ROOF AND WALL INTERSECTIONS



ARCHIMAX, INC.

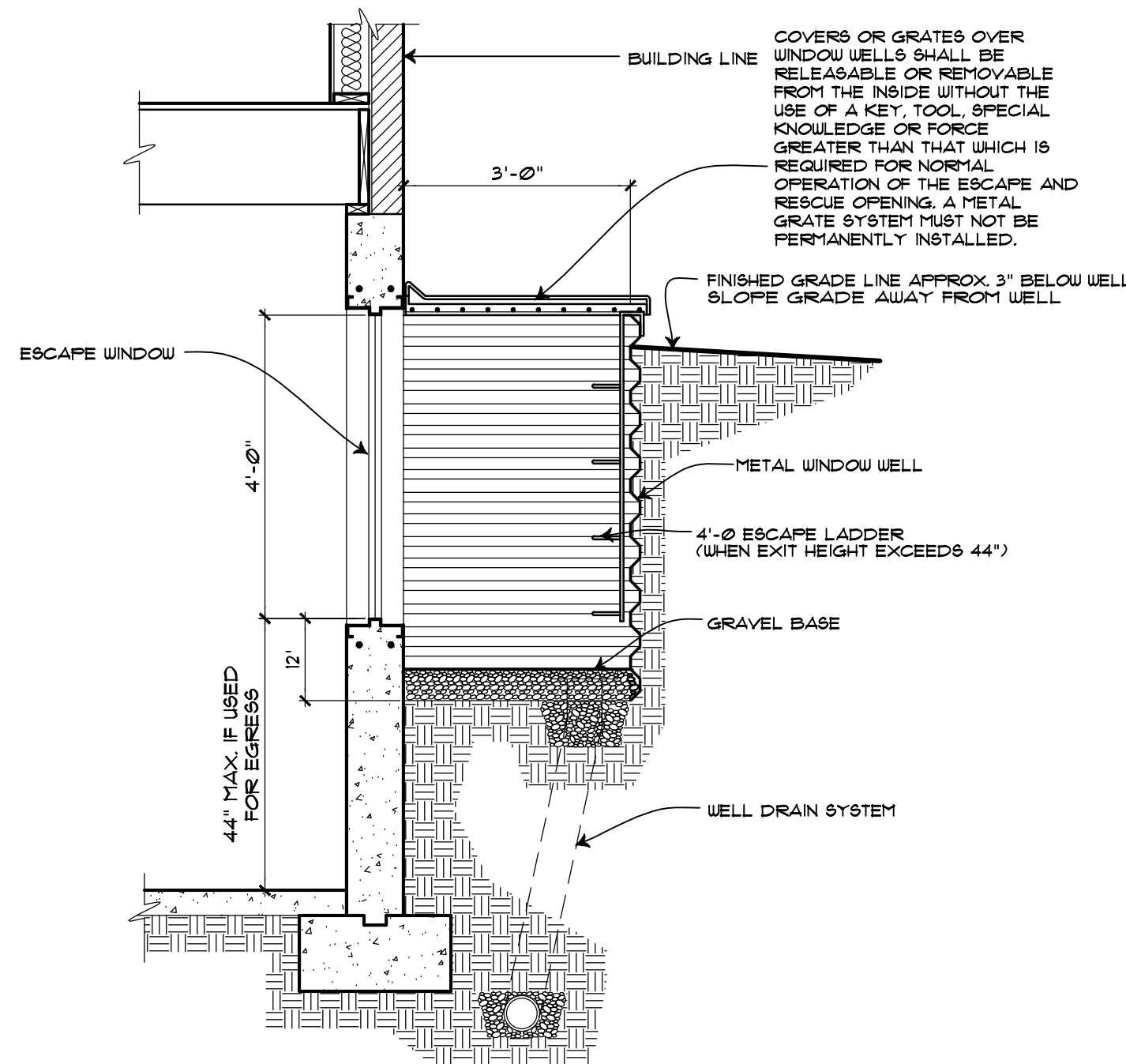
PROFESSIONAL DESIGN FIRM - NO. 184.007363-0001  
3015 W. ALGONQUIN RD., STE. 400, JOLIET, ILLINOIS 61708  
Phone: 847/877/4414  
Archimaxinc@gmail.com

PROPOSED NEW S.F. RESIDENCE  
413 ADAMS AVE.  
GLENCOE ILLINOIS

I hereby certify that these plans were prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer in the State of Illinois.  
DANIEL S. DRAG  
001023257  
Date: 06/10/2022 Exp: 12/31/2027

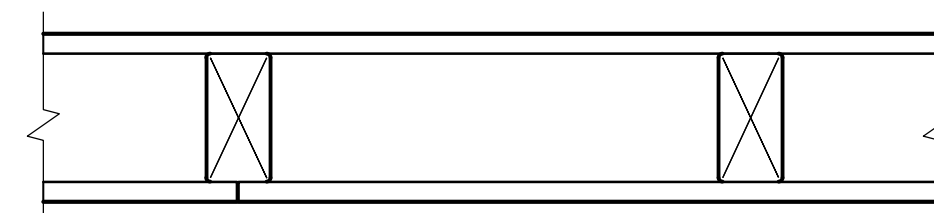
DATE: 06/10/2022  
PROJECT: 1  
SHEET NO.

A-5



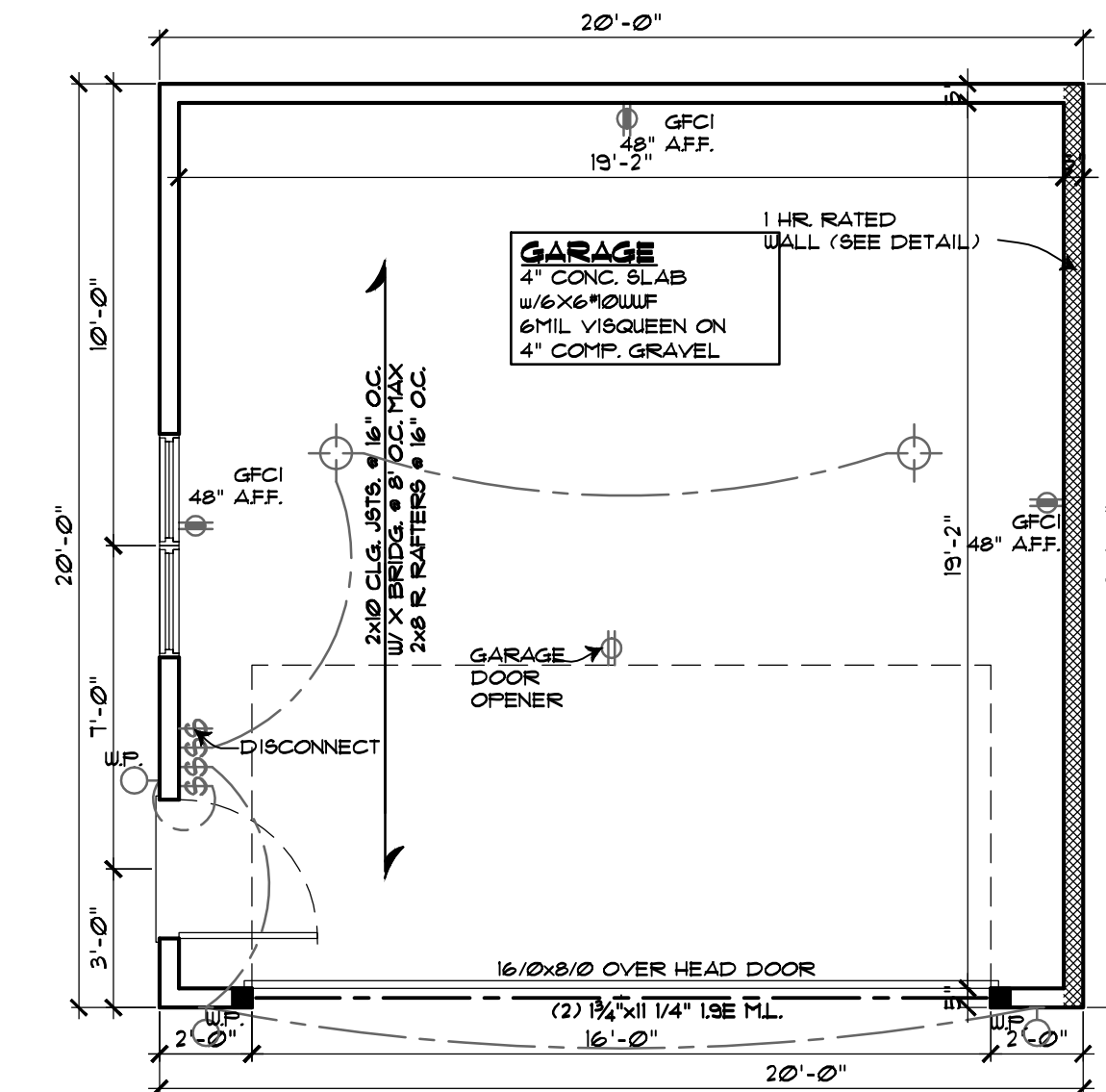
WALL SECTION THRU. WINDOW WELL

SCALE: 1/2"=1'-0"



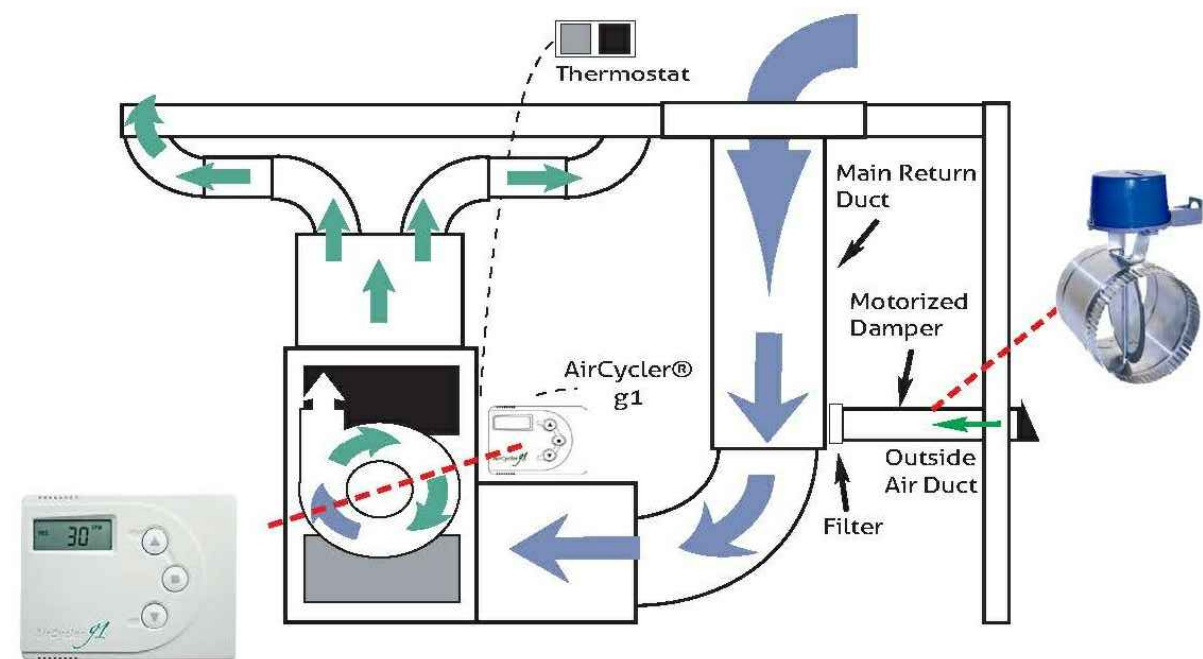
1HR RATED WALL UL. #305

N.T.S.



GARAGE FLOOR PLAN

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



HOUSE FRESH AIR

TYP. AT EACH FURNACE

ROOF CONSTRUCTION

24" ASPHALT SHINGLES CLASS "A"  
ON 1/2" ROOF FELT ON  
5/8" EXTERIOR GRADE PLYWOOD SHEATHING.  
SEE PLAN FOR RAFTER SIZES AND DIRECTION.  
VENT PER CODE.

AIR VENTILATION

AS PER CODE

SELF-ADHESIVE ICE/WATER  
SHIELD FROM EDGE OF ROOF  
TO A POINT 24" INSIDE  
EXTERIOR WALL LINE.

HURRICANE TIE BY  
SIMPSON OR EQUAL

PRE-FINISH ALUM. GUTTER

1HR RATED  
1x HARDIE BOARD  
FASCIA

1HR RATED  
HARDIE BOARD  
1x FRIEZE BD.

CEILING CONSTRUCTION

5/8" GYP. BD.

SEE PLAN FOR CLG. JSTG  
SIZES AND DIRECTION.

FRAME WALL CONSTRUCTION

5/8" GYP. BD.

2 x 4 STUDS @ 16" O.C.

KRAFT FACED BATT INSUL. (R-13)

1/2" EXTERIOR GRADE PLYWOOD

TYVEK

HARDIE BD. SIDING

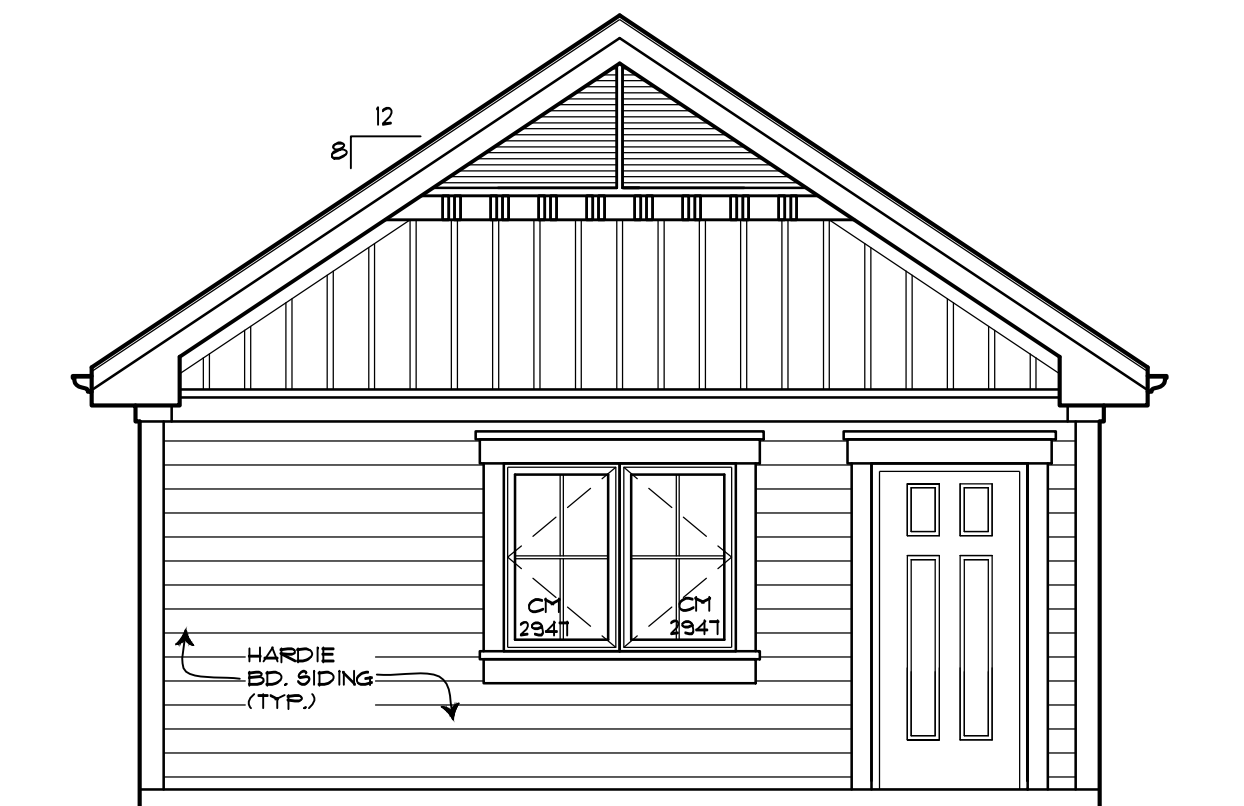
5'-1"

SLOPED  
4" CONC. SLAB w/  
6x6 TD WUP.  
4 VISQUEEN  
ON 4" GRAVEL

WOLMANIZED 2x4  
PLATE w/ 1/2"  
A.B. T. INTO CONC.  
@ 6'-0" O.C. MAX.

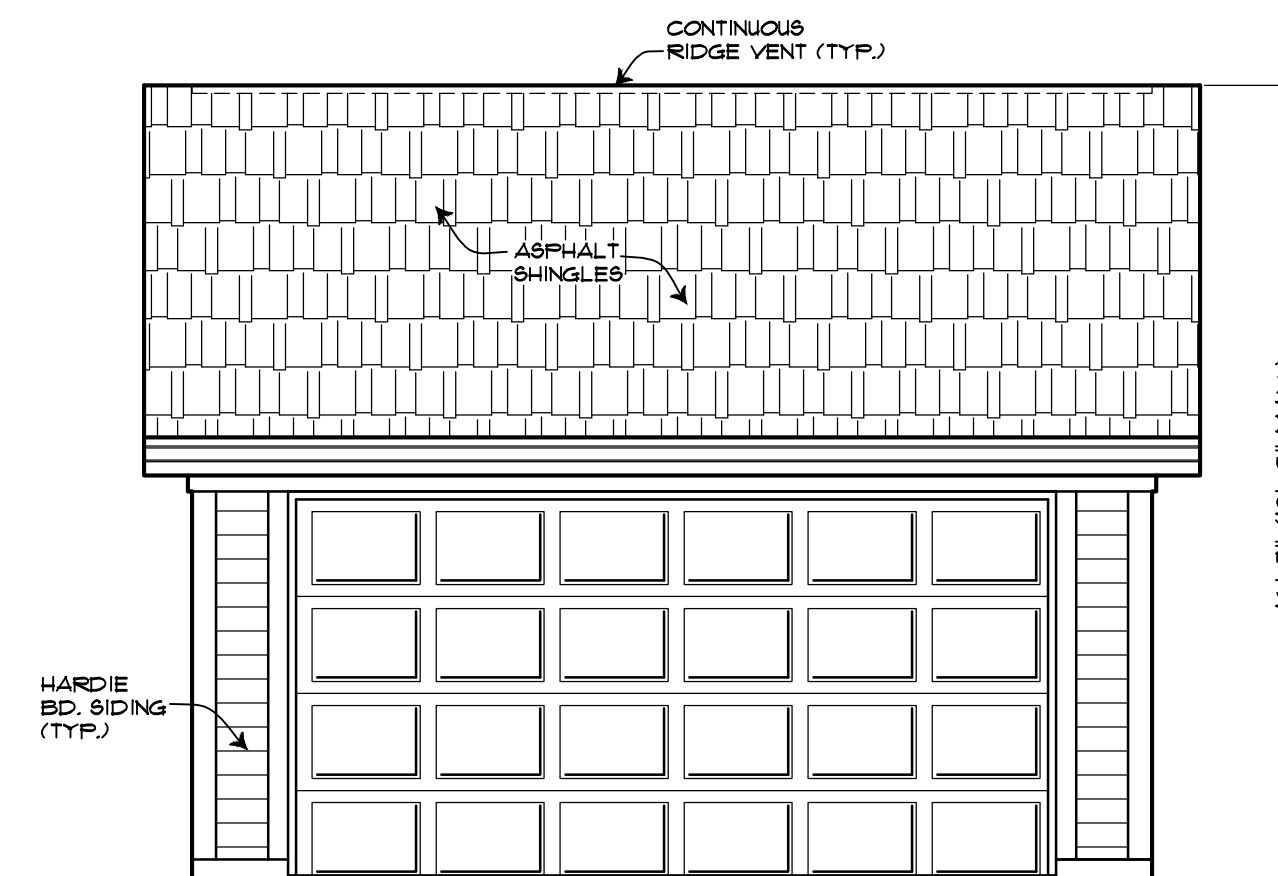
TYP. WALL  
SECTION @ GARAGE

SCALE: 1/2"=1'-0"



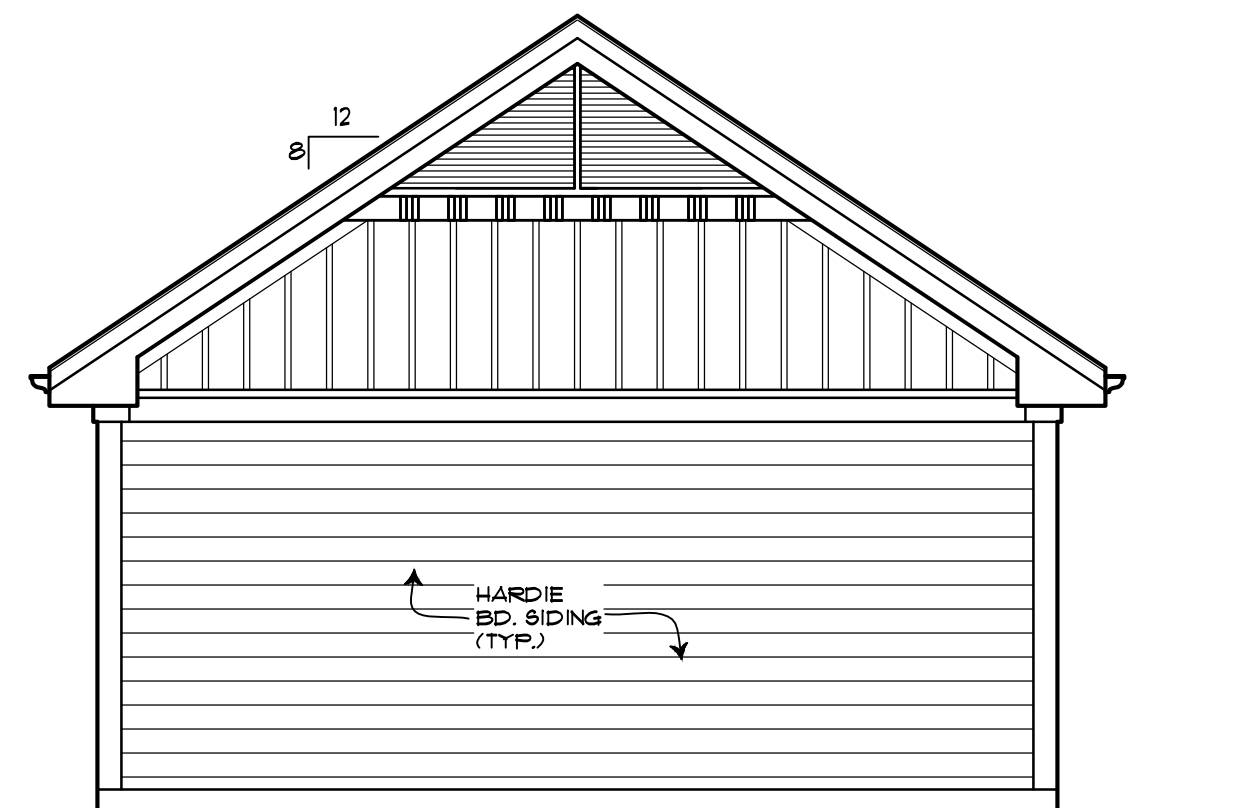
GARAGE WEST ELEVATION

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



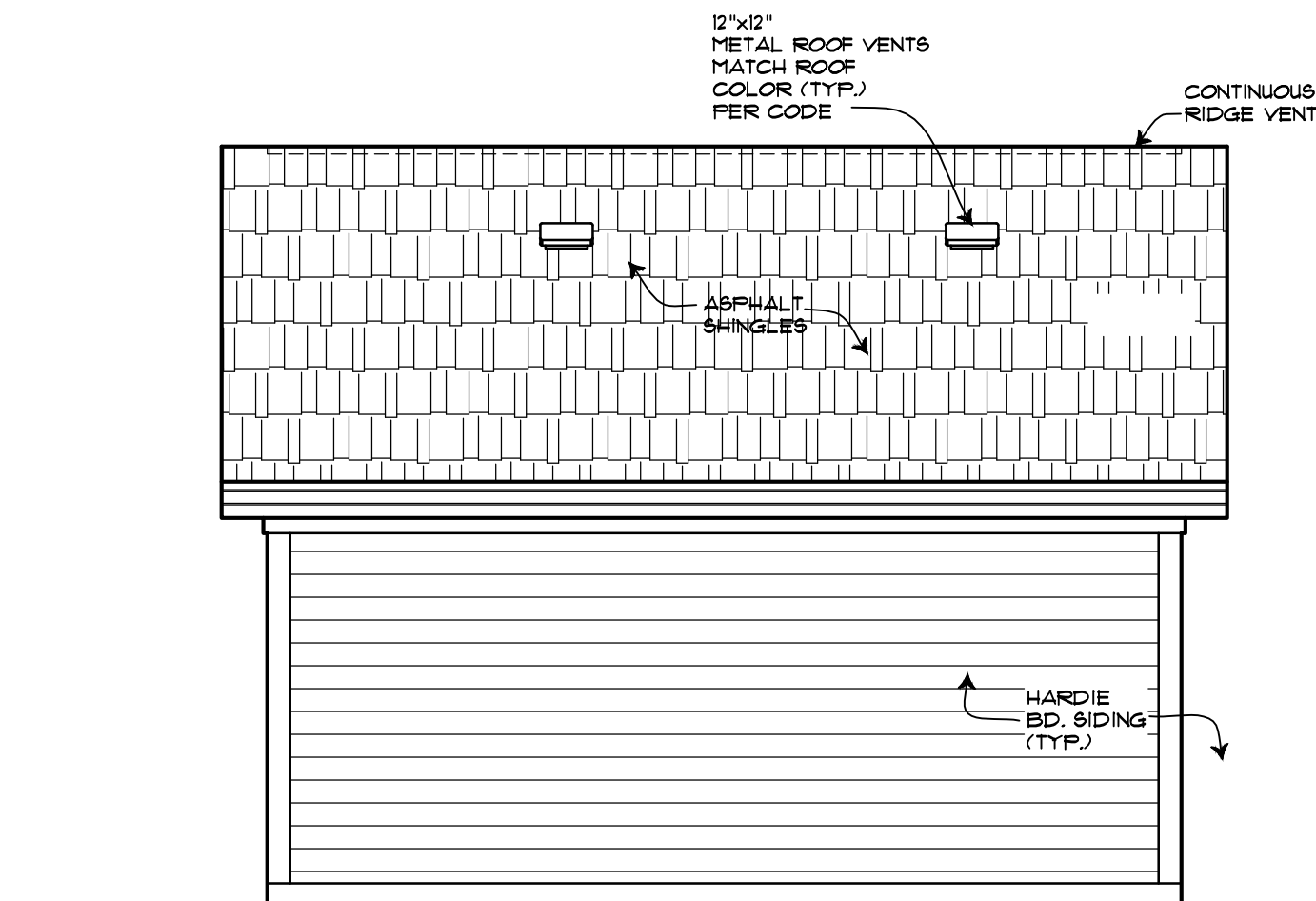
GARAGE SOUTH ELEVATION

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



GARAGE EAST ELEVATION

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



GARAGE NORTH ELEVATION

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

ARCHIMAX, INC.

Phone: 847/877/4414  
Archimaxinc@gmail.com

PROFESSIONAL DESIGN FIRM - NO. 184.007363-0001  
315 W. ALGONQUIN RD., STE. 400, ROLLING MEADOWS, IL 60008

PROPOSED NEW S.F. RESIDENCE  
413 ADAMS AVE.  
GLENCOE ILLINOIS

I hereby verify that these plans were prepared by me or under my direct supervision and that I am a duly licensed professional engineer in the State of Illinois. My license number is 001023257. My expiration date is 06/10/2022. My signature is Daniel S. Drab.

DATE: 06/10/2022  
PROJECT: 1

SHEET NO.

A-7

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