



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

Council Chambers at Glencoe Village Hall  
675 Village Court  
Monday, October 3, 2022 - 7:00 p.m.

**1. CALL TO ORDER AND ROLL CALL**

The Regular Meeting of the Zoning Board of Appeals of the Village of Glencoe was called to order by Chairman Scott Novack at 7:00 p.m. on October 3, 2022, held in the Finance Conference Room at Glencoe Village Hall.

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

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

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

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

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

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

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

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

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

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

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

#### **PUBLIC COMMENT**

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

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

#### **FINDINGS**

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

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

### RESOLUTION

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

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

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

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

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

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

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

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

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

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

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

#### PUBLIC COMMENT

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

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

#### FINDINGS

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

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

**RESOLUTION**

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

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

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

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

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

**5. CONSIDERATION OF A VARIATION AT 120 OLD GREEN BAY**

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

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

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

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

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

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

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

### **PUBLIC COMMENT**

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

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

### **FINDINGS**

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

**RESOLUTION**

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

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

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

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

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

**6. CONSIDERATION OF A VARIATION AT 413 ADAMS AVENUE**

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

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

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

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

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

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

#### **PUBLIC COMMENT**

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

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

#### **FINDINGS**

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



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

### RESOLUTION

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

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

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

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

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

### 7. CONSIDERATION OF A VARIATION EXTENSION AT 551 MONROE AVENUE

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

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

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

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

### **PUBLIC COMMENT**

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

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

### **FINDINGS**

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

**RESOLUTION**

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

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

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

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

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

**8. PUBLIC COMMENT ON NON-AGENDA ITEMS**

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

**8. ADJOURN**

The meeting adjourned at 7:46 p.m.

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