



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

Village Hall Council Chamber
675 Village Court
Monday, November 4, 2019 – 7:30 PM

1. CALL TO ORDER AND ROLL CALL

The Regular Meeting of the Zoning Board of Appeals of the Village of Glencoe was called to order by the Chairman, at 7:30 p.m. on the 4th day of November, 2019, in the Village Hall Council Chamber.

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

2. CONSIDERATION OF MINUTES OF THE SEPTEMBER 9, 2019 ZBA MEETING

RESULT:	ACCEPTED [UNANIMOUS]
AYES:	Roin, Elsasser, Friedman, Kaplan, Novack, Satter
NAYS:	None
ABSENT:	Carlson

3. APPROVE Rooth APPEAL AT 348 W. ELM COURT

The Chair stated that the purpose of this portion of the meeting was to conduct a public hearing on the appeal by Scott and Evie Rooth of a decision by the Building & Zoning Administrator in denying a permit to increase the allowable total ground coverage by 256

square feet, or 7.43%, to allow for the construction of a new single-family residence. The variation is authorized by Section 7-403-E-1-(a) of the Zoning Code.

The Chair reported that notice of the public hearing was published in the September 19, 2019 Glencoe Anchor and neighbors were notified of the public hearing by mail. Taylor Baxter then swore in those in attendance who were expecting to testify.

SUMMARY OF TESTIMONY

The Chairman asked Scott and Evie Rooth and their Architect and Attorney to proceed. Mr. and Mrs. Rooth's Attorney, Cal Bernstein, noted:

- 1) Scott and Evie Rooth have purchased a single-family home on a conforming lot in the RB District.
- 2) Mr. and Mrs. Rooth have considered renovating the home, but it is not financially and physically practical to renovate this home.
- 3) Although the lot is undersized, a 31-foot tall 3-story home can be built there as a matter of right, but Scott and Evie Rooth seek to compliment the existing character of the neighborhood.
- 4) Mr. and Mrs. Rooth's Architect, Michael Hershenson then proceeded to state that it would be costly to renovate the existing home and that new construction would be more practical.
- 5) Mr. Hershenson stated that the applicants are seeking 256 additional square feet of ground coverage, and then proceeded to present a PowerPoint of the existing and proposed single-family residence.
- 6) Mr. Hershenson noted that the applicants are only increasing the overall height of the structure by one foot and nine inches (1'-9") over the existing home's height, and that the additional ground coverage will be in the rear yard and will not be visible from the street.
- 7) Mr. Hershenson stated that this will actually be an advantage for neighbors because it will require new drainage and flooding prevention plans.

Chairman Roin then noted that a neighbor of 348 W. Elm Court wrote a letter for stormwater detention. Public Works Director David Mau confirmed that there is no engineering submittal yet, but noted that lot coverage and hardscape reviews differ from storm sewer and stormwater detention responsibilities, and that the Village has invested major stormwater detention in this area back in 2016 and it has been doing very well since.

Board Member John Satter then asked the applicants what their hardship is. The applicants' Attorney, Cal Bernstein noted that if the lot met the minimum requirement in the zoning district, the applicants would not be here tonight. Mr. Bernstein stated that the hardship is the fact that the lot size is smaller than the minimum requirement, however, the applicants are still required to meet the other standards in the zoning district.

Chairman Roin then thanked the applicants for their excellent presentation. Board Member Scott Novack agreed and mentioned it was favorable because neighbors did not object.

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

FINDINGS

1. The requested variation is within the jurisdiction of the Zoning Board of Appeals.
2. Based on the totality of the relevant and persuasive testimony heard and presented, the Zoning Board determines that:
 - a. The requested variation is in harmony with general purpose and intent of the Glencoe Zoning Code.
 - b. There are practical difficulties and there is a particular hardship in the way of carrying out the strict letter of Section 7-403-E-1-(a) 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 side yard setback, to construct a detached garage at 348 West Elm Court, 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 Community Development Administrator is hereby reversed insofar as he denied the issuance of a building permit on the aforesaid property for the aforesaid construction;

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

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

RESULT:	ACCEPTED [UNANIMOUS]
AYES:	Roin, Elsasser, Friedman, Kaplan, Novack, Satter
NAYS:	None
ABSENT:	Carlson

4. ADJOURN

There being no further business to come before the Zoning Board of Appeals the meeting was adjourned at 7:54 p.m.