



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

Village Hall Council Chamber and Videoconference  
675 Village Court  
Monday, December 13, 2021 – 6:30 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 Chairman Scott Novack at 6:30 p.m. on December 13, 2021, held virtually via Zoom web videoconference.

| Attendee Name                  | Title                        | Status  |
|--------------------------------|------------------------------|---------|
| <b>Zoning Board of Appeals</b> |                              |         |
| Scott Novack                   | ZBA Chairman                 | Present |
| Sara Elsasser                  | Member                       | Present |
| Alex Kaplan                    | Member                       | Present |
| John Satter                    | Member                       | Absent  |
| Debbie Ruderman                | Member                       | Present |
| Michael Kuppersmith            | Member                       | Present |
| <b>Village Staff</b>           |                              |         |
| Taylor Baxter                  | Development Services Manager | Present |
| Richard McGowan                | Planner                      | Present |

**2. CONSIDERATION OF MINUTES OF THE NOVEMBER 1, 2021, ZBA MEETING**

|                |   |
|----------------|---|
| <b>RESULT:</b> | <b>ACCEPTED</b>                                 |
| <b>AYES:</b>   | Novack, Elsasser, Kaplan, Ruderman, Kuppersmith |
| <b>NAYS:</b>   | None  |
| <b>ABSENT:</b> | Satter  |

**3. CONSIDER VARIATION REQUEST AT 711 ELDER COURT**

Richard McGowan gave a brief overview of the case, stating that the applicants are seeking one variation to allow for the replacement and addition to an existing deck within the required rear setback at an existing single-family residence at 711 Elder Court:

1. Section 3-111(C)- To reduce the required rear yard setback from 30 feet to 26 feet, a variation of 13.3%.

Mr. McGowan explained that the applicants are replacing an existing deck but the new one will encroach into the rear yard setback by 4 feet, approximately 3 feet deeper than its current location. Mr. McGowan also noted that the lot is undersized, and the applicants are looking for more family space outdoors due to the pandemic, and that they have spoken with several neighbors.

Taylor Baxter then swore in the homeowners, Renee and Craig Richart, and the contractor, Kevin Erdmann. Board Member Alex Kaplan asked if the new deck will be open or closed, and Mr. Richart stated that it will be open. Chairman Scott Novack asked if they have talked to neighbors north of them where the deck will be expanded towards. Mr. Richart said that they did not, and staff confirmed that neighbors within 200 feet of 711 Elder Court were notified. Chairman Novack noted that the deck appears to be well-screened, the lot is undersized, that the request was for more useable space, and that the ZBA does not always hear from neighbors, so he is inclined to vote in favor. Board Member Alex Kaplan noted that the deck appears to be a slight encroachment, it adds beauty to the house, and the existing deck appears to be in disrepair. Board Member Sara Elsasser expressed similar opinions and added that even if the applicants were replacing the deck in the same footprint it would still require a variance. Board Member Debbie Ruderman agreed with the other Board Members and noted that it would be a great improvement.

#### **PUBLIC COMMENT**

Chairman Novack thanked the applicants and asked the audience if there are any public comments. No questions or comments were made. A motion was made and seconded to approve 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 rear yard at 711 Elder 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 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.

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|----------------|---|
| <b>RESULT:</b> | <b>ACCEPTED</b>                                 |
| <b>AYES:</b>   | Novack, Elsasser, Kaplan, Ruderman, Kuppersmith |
| <b>NAYS:</b>   | None  |
| <b>ABSENT:</b> | Satter  |

#### 4. CONSIDER VARIATION REQUEST AT 243 WALDEN DRIVE

Taylor Baxter gave a brief overview of the case, stating that the applicants are seeking one variation to allow for the replacement and addition to an existing detached garage within the required side setback at an existing single-family residence at 243 Walden Avenue:

1. Section 3-111(C)- To reduce the required side yard setback from 12 feet to 4.48 feet, a variation of 62.7%.

Mr. Baxter explained that the current detached garage is 4.48 feet from the side lot line and is in a state of disrepair. Mr. Baxter added that it will have a lower profile and would not require a variance if it were relocated towards the rear  $\frac{1}{4}$  of the lot, but then there would be more impervious surface coverage to accommodate a longer driveway. Mr. Baxter concluded that the Village received four letters of support from neighbors. Mr. Baxter then

swore in the applicant and homeowner of 243 Walden, Vinny Gossein. Mr. Gossein stated that he tried to do his due diligence by hiring engineers and then proceeded to share a PowerPoint presentation of the proposed garage. Mr. Gossein concluded that by allowing for the detached garage to be rebuilt and expanded from its current location, it will leave a smaller footprint on the property compared to an expanded driveway.

Chairman Novack appreciated that the applicant did his homework on possible alternatives and asked the Board Members if they had any questions. Board Member Michael Koppersmith stated that given the garage's existing location and smaller footprint, he is inclined to vote in favor. Chairman Novack added that this is a tough decision because the code is designed so that detached garages are located in the rear of lots and added that he is not stating support or opposition at this time. Chairman Novack encouraged the Board Members to consider the zoning code. Board Member Ruderman stated that she understands Chairman Novack's point but felt as though the new garage is an improvement for its existing location and will have a reduced footprint. Board Member Elsasser added that she understands the fabric of the zoning code and that the purpose of the ZBA is to consider unique situations. Board Member Kaplan added that the proposed garage does not appear to have a greater burden and aesthetically the new garage looks spectacular and seems to be a much needed improvement. Chairman Novack thanked the Board Members and added that it helps that the neighbors are in support, especially the neighbor that the garage is closest to.

#### **PUBLIC COMMENT**

Chairman Novack thanked the applicants and asked the audience if there are any public comments. No questions or comments were made. A motion was made and seconded to approve 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 side yard at 243 Walden Drive 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>ACCEPTED</b>                                 |
| <b>AYES:</b>   | Novack, Elsasser, Kaplan, Ruderman, Koppersmith |
| <b>NAYS:</b>   | None  |
| <b>ABSENT:</b> | Satter  |

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

Chairman Scott Novack asked the audience if there are any public comments. No questions or comments were made.

**6. ADJOURN**

The meeting adjourned at 7:07 p.m.

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|----------------|---|
| <b>RESULT:</b> | <b>ACCEPTED</b>                                 |
| <b>AYES:</b>   | Novack, Elsasser, Kaplan, Ruderman, Koppersmith |
| <b>NAYS:</b>   | None  |
| <b>ABSENT:</b> | Satter  |