



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

Village Hall Council Chamber and Videoconference
675 Village Court
Monday, February 22, 2021 – 7:30 PM

1. CALL TO ORDER AND ROLL CALL

The Special Meeting of the Zoning Board of Appeals of the Village of Glencoe was called to order by the Chairman, at 8:47 p.m. on the 22nd day of February 2021, held virtually via Zoom web videoconference.

Attendee Name	Title	Status
Zoning Board of Appeals		
Howard Roin	ZBA Chairman	Present
Sara Elsasser	Member	Present
David Friedman	Member	Present
Alex Kaplan	Member	Present
Scott Novack	Member	Present
John Satter	Member	Present
Village Staff		
Taylor Baxter	Development Services Manager	Present
Rich McGowan	Planner	Present
Village Attorney		Present
Stewart Weiss	Village Attorney	Present

2. CONSIDERATION OF MINUTES OF THE FEBRUARY 1, 2021 ZBA MEETING

RESULT:	ACCEPTED
AYES:	Roin, Elsasser, Friedman, Kaplan, Novack, Satter
NAYS:	None
ABSENT:	None

3. CONSIDER VARIATION REQUEST AT 239 FRANKLIN ROAD

Taylor Baxter then swore in the applicants and gave a brief overview of the case, stating that the applicants are seeking a variance from the zoning code to allow for the construction of a new single-family home:

1. Section 3-111(C) – To reduce the required front yard setback from 50 feet to 40 feet, a variation of 20%. The ZBA may grant front setback variations up to 20%.

Mr. Baxter explained that the subject property was the site of the Frank-Lloyd-Wright-designed Booth Cottage, which was moved to a Glencoe Park District site in 2020. A building permit was issued for a new home on the property with a setback of 50 feet. However, this setback was incorrectly measured from the curb line, rather than the property line. The front wall of the house was approximately 36 feet from the front property line. Mr. Baxter continued, stating that after the foundation was constructed, Village staff reviewed a foundation survey and alerted the property owner of the incorrect setback, and now the property owner is removing the foundation and will relocate it further back on the lot to meet setback requirements. Mr. Baxter concluded the background of the request by stating the property owner has also reduced the size of the front porch so it meets the criteria from the Zoning Code that would allow it to be in the front setback.

Mr. Baxter then clarified that the 14,087.6-square-foot subject property is undersized for the R-A District, which has a minimum lot size of 20,000 square feet. At approximately 83 feet in width, the lot does not meet the 100-foot minimum lot width for the district either. Mr. Baxter continued, stating that the required front setback for this lot is the average existing front setbacks on the block face, and the required setback cannot be less than 40 feet or more than 50 feet. Mr. Baxter then presented the audience the relevant front setbacks on the block.

Mr. Baxter continued, stating that Franklin Avenue curves slightly along this block, with lots on the west side of the street being deeper near the north and south ends and shallower near the middle of the block, where the subject property is located. Mr. Baxter added that the curving street and variety of lot depths may have helped lead to the variety of setbacks along the block, and that this lack of uniformity of setbacks exists on the west side of the block as well.

Lucas Fuksa, the attorney representing the owner of 239 Franklin Road, stated that this is a unique situation and that the plans were approved by the Village of Glencoe. Mr. Fuksa added that it is obvious that the lot is undersized, mistakes were made, and the reason for the requested variance is to come to a resolution on something that was not brought on by the property owner himself. Mr. Fuksa added that the applicants are trying to be as reasonable as possible.

Cliff Towns, the Architect of Town Studios located at 1297 Shermer Road of Northbrook, IL, is the Architect of 239 Franklin Road. Mr. Towns stated that he has been designing homes for 35 years and has never seen a situation like this before. Mr. Towns concluded that he believes this is a reasonable request, especially with the ravine in the rear yard.

Chairman Howard Roin reiterated that the applicants seek to reduce the required front yard setback from 50 feet to 40 feet, and that in light of the circumstances and lot configuration, he is inclined to agree with the requested variance.

Board Member David Friedman then asked Mr. Towns to explain the drop off in the rear yard, and if there were options for an alternative location for the home on the lot. Mr. Towns

explained that that backyard is limited due to the existing ravine and that the clients requested a design that meets a certain number of bedrooms, vertical elevation, and other design elements that limited Towns' flexibility with the location. Board Member Friedman then asked if the home could be moved to where a variance would not be required, and Mr. Towns responded that it would be against the owner's desires and would not leave much of a backyard. Mr. Fuksa then added that the property owner of 239 Franklin Road already donated the previous home ("Booth Cottage") to the Glencoe Park District.

Village Attorney Stewart Weiss clarified that the applicants are seeking a variance that is permitted through the allowable variance limit of 20% for setbacks.

Chairman Roin clarified that it does not appear as though the Village has received any objection for this request and due to the unique situation, lot size, and ravine in the rear, he believes it should be approved.

PUBLIC COMMENT

Chairman Roin then asked if Village Staff received any comments from the public. Mr. Baxter confirmed that the Village had not received any public comments, and there were no comments made from the audience.

Following consideration of the testimony and discussion, a motion was made and seconded, that the variance request 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 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 decrease the front yard setback in order to allow for the construction of a new single-family residence at 239 Franklin Road, be granted as shown in the drawings or plans submitted by the owner and made part of the record.

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

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

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

RESULT:	ACCEPTED [UNANIMOUS]
AYES:	Roin, Elsasser, Novack, Satter
NAYS:	Friedman
ABSENT:	Kaplan

5. ADJOURN

Chairman Roin asked if there was any further public comment. Hearing none, the meeting was adjourned at 9:19 p.m.