



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

Village Hall Council Chamber
675 Village Court
Monday, March 2, 2020 – 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 2nd day of March 2020, in the Village Hall Council Chamber.

Attendee Name	Title	Status
Village Board		
Howard Roin	ZBA Chairman	Present
Deborah Carlson	Member	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

2. CONSIDERATION OF MINUTES OF THE JANUARY 6, 2020 ZBA MEETING

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

3. APPROVE AMEZCUA AND BLOSKY-AMEZCUA APPEAL AT 999 FOREST AVENUE

Chairman Roin stated that the purpose of this portion of the meeting was to conduct a public hearing on the appeal by Guillermo Amezcua and Kory Blosky-Amezcua, homeowners of 999 Forest Avenue, of a decision by the Development Services Manager in denying a permit to increase the allowable gross floor area from 5,161.63 square feet to 5,283.22 square feet, or 2.3%, and to reduce the required side yard setback from 12.91 feet to

9.6 feet, or 20%, to allow for the additions onto the rear family room and the attached garage of the existing home. The variation is authorized by Section 7-403-E-1 of the Zoning Code.

The Chair reported that notice of the public hearing was published in the February 13, 2020 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

Board Member Alex Kaplan asked the homeowners Guillermo Amezcua and Kory Blosky-Amezcua to present their case. Guillermo Amezcua began, stating:

- 1) Homeowners are seeking an increase in Floor Area Ratio ("FAR") and reduction in the required side yard setback to build additions onto the rear family room and attached garage of the existing home at 999 Forest Avenue.
- 2) No variance is sought for the rear yard setback.
- 3) Homeowners currently must park their car on a diagonal in the garage in order to fit in the existing space.
- 4) The lot is irregular-shaped and the existing interior layout is not practical for the family's needs.
- 5) The existing home was not built by the current homeowners.

Board Members David Friedman and Scott Novack asked Taylor Baxter to clarify if there is a second request for the addition in the rear of the home. Mr. Baxter confirmed that the rear and garage additions lead to the applicants requesting two variances; one for the Floor Area Ratio and the other for the required side yard setback.

Mr. Novack then asked the applicants if they had heard anything from the neighbor to the north of the property where the rear addition is being proposed. Mr. Amezcua stated that he has reached out, but the neighbor has not been easy to contact because he is a professional football player.

Board Member John Satter asked Mr. Baxter if the Village received any objections from adjacent neighbors. Mr. Baxter confirmed that the Village has not received any comments or objections.

Chairman Howard Roin then noted that this is a relatively normal request.

4. PUBLIC COMMENT

Chairman Roin asked the audience if anyone had a public comment. No comments were made.

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 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 and reduce the required side yard setback to construct additions onto the existing rear home and attached garage at 999 Forest 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.

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

5. APPROVE SCHILLER AND BONO APPEAL AT 748 GREENWOOD AVENUE

Chairman Roin stated that the purpose of this portion of the meeting was to conduct a public hearing on the appeal by Derek Schiller, the General Contractor of the ongoing construction of a new single-family residence at 748 Greenwood Avenue, of a decision by the Development Services Manager in denying a permit to reduce the required front yard setback from 50 feet to 48.48 feet, or 3.04%. The variation is authorized by Section 7-403-E-1 of the Zoning Code.

SUMMARY OF TESTIMONY

Board Member David Friedman asked the General Contractor Derek Schiller to present his case. Mr. Schiller began, stating:

- 1) The front yard setback was reduced due to miscommunication between the General Contractor and Civil Engineer.
- 2) The zoning plans stated a 50 ft. front yard setback and the engineering plans noted a 48.48 front yard setback.
- 3) Mr. Baxter clarified that this new home is currently under construction, and that zoning plans are reviewed for setback compliance, and engineering plans are reviewed for engineering requirements; Engineering plans are not specifically reviewed for setback compliance, and there was a front yard setback discrepancy between the approved engineering and zoning plans.
- 4) Mr. Bernie Bono accompanied Mr. Schiller at the stand, stating that he is the President of Bono Consulting and that they have developed engineering plans for roughly 70-80 homes in Glencoe. Mr. Bono then provided a rendering of the site plans and proposed home at 748 Greenwood Avenue.
- 5) Mr. Bono then noted that this front yard setback was not snuck into the engineering plans, it was a mistake and they are owning up to it.

Board Member Scott Novack then asked Village Staff to explain how the front yard setback is determined. Mr. Baxter clarified that the required front yard setback is determined by calculating the average front setbacks of the existing homes on the block.

Board Member John Satter then asked if this changes the square footage. Mr. Baxter clarified that this requested variance is just to allow the bay window at 48.48 feet rather than 50 feet, not for the square footage.

Mr. Novack noted that he has driven the block multiple times and that the new home under construction at 748 Greenwood Avenue did not look out of place. He also mentioned that he would prefer something more formal from the applicants' supporting documents rather than a hand-written note.

Chairman Roin then stated that he appreciates the applicants are owning up to their mistake and recommended approval.

6. PUBLIC COMMENT

Board Member Alex Kaplan asked the audience if anyone had a public comment. No comments were made.

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 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 to construct a new single-family residence at 748 Greenwood 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.

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

7. DISCUSSION OF ZONING BOARD OF APPEALS/ZONING COMMISSION MEETING TIMES

Board Member Alex Kaplan then stated that the purpose of this portion of the meeting was to determine if 7:30 p.m. is still an appropriate meeting time for the Zoning Board of Appeals.

Mr. Baxter noted that other Boards have moved their meeting times from 7:30 p.m. to 7:00 p.m., and that the Plan Commission thought it may be a burden on Village Staff. Mr. Baxter clarified that Village Staff does not have an opinion on this matter.

Board Member Deborah Carlson stated that she prefers a 7:00 p.m. meeting start time.

Mr. Kaplan stated he has no preference for a meeting start time.

Mr. Novack stated he has a preference for a 7:30 p.m. start time.

Mr. Satter stated that he is able to begin at 6:00 p.m. if necessary, but would also be fine with a 7:00 p.m. start time.

Chairman Roin noted that he believes there are still Boards that meet at 7:30 p.m. and that if the Board is neutral, then he would vote for the same 7:30 p.m. start time. He noted that the Zoning Board of Appeals meetings are relatively quick and are usually done by 8:00 p.m. regardless. He stated that Village Staff and Board Members should keep an eye on this subject moving forward.

Board Members came to a general agreement to keep the meeting start time at 7:30 p.m. for now, with no formal vote to revise the meeting start time.

8. ADJOURN

There being no further business to come before the Zoning Board of Appeals the meeting was adjourned at 7:59 p.m.