



MINUTES
VILLAGE OF GLENCOE
ZONING BOARD OF APPEALS
REGULAR MEETING

Village Hall Council Chamber and Videoconference
675 Village Court
Monday, April 12, 2021 – 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 1st day of April 12, 2021, held virtually via Zoom web videoconference.

Attendee Name	Title	Status
Village Board		
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

2. CONSIDERATION OF MINUTES OF THE FEBRUARY 22, 2021 ZBA MEETING

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

Board Member Alex Kaplan provided a disclaimer that he was technically present at the February 22, 2021 ZBA meeting, however, he was experiencing technical issues with Zoom web videoconference that inadvertently excluded him from voting on the Resolution. He stated that he would have voted to approve the proposed variation.

3. CONSIDER VARIATION REQUEST AT 679 BIRCH ROAD

Taylor Baxter gave a brief overview of the case, stating that the applicants are seeking one variation from the zoning code to allow a chimney to encroach into the required side yard setback for a new single-family residence:

1. Section 3-111(C)(i) – To reduce the required side yard setback from 12 feet to 10.33 feet, a variation of 13.9%.

Mr. Baxter stated that this is the second time the applicants are going through the ZBA process for the proposed home at 679 Birch Road, and that these plans are the same plans that were presented to the ZBA at the November 2, 2020 meeting, and that the previous request was for gross floor area.

Mr. Baxter noted that the Architect for 679 Birch had thought that chimneys could encroach into the required setbacks and that it is not practical to push the chimney further east or on a different side of the proposed home.

PUBLIC COMMENT

Chairman Roin then asked if Village Staff received any comments from the public. Rich McGowan clarified that the Village received questions from the neighbor to the east at 673 Birch Road, but this resident did not state any support or opposition to the proposed variance.

Chairman Roin then opened the discussion up for public comment, and no additional comments were made from the public. Chairman Roin then stated that he believes the Board understands what the applicants are requesting and asked the applicant what he has heard from the neighbors. Mr. Baxter then swore in Mr. Paul Wine, the applicant and homeowner of 679 Birch Road.

Mr. Wine stated he has had open dialogue with the neighbors to the west at 687 Birch Road, the closest residence to the proposed variance. Mr. Wine stated that they are in constant communication with this neighbor and that they are in full support of the requested variance. Chairman Roin then asked the Board Members if they have any questions. No questions were asked.

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)(i) 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 679 Birch 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, Friedman, Kaplan, Novack, Satter
NAYS:	None
ABSENT:	None

4. CONSIDER VARIATION REQUEST AT 252 WALDEN DRIVE

Chairman Roin recused himself from this variation request due to a relationship with the applicants. Mr. Baxter gave a brief overview of the case, stating that the applicants are seeking two variations from the zoning code to build an addition to an existing single-family residence:

1. Section 3-111(C)(1) - To reduce the required front yard setback from 41.68 feet to 33.34 feet, a variation of 20%.

2. Section 3-111(E) - To increase the allowable gross floor area from 4,171.78 to 4,425.94 square feet, a variation of 6.1%.

Mr. Baxter then briefly explained how the front yard setback is determined and how it affects this lot with a unique pie shape. Mr. Baxter then swore in those who would be speaking for this portion of the meeting.

Kate Roin, the homeowner of 252 Walden Drive, then proceeded with a PowerPoint presentation to provide visual examples of the proposed addition, neighbor perspectives, architectural character, landscape screening, and the unique lot configuration that has led to these variance requests. Ms. Roin stated that this unique lot shape had previously led her and her husband, Michael Friedman, to request a variance in 2019 for a storage shed in the rear yard. Ms. Roin continued, stating that they have spoken with their neighbors and the neighbors are in favor of the proposed variances. Ms. Roin concluded that the Village's Floor Area Ratio regulations changed after this home was built, and that the addition will essentially be invisible from the public eye due to landscape screening and proposed location on the property.

Temporary Chairman David Friedman thanked the applicants and asked if there were any questions from the other Board Members. No questions were asked.

PUBLIC COMMENT

Temporary Chairman David Friedman then asked if there were any public comments. No public comments were made.

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 Sections 3-111(C) and 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 reduce the required front yard setback and increase the maximum allowable gross floor area at 252 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.

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

5. CONSIDER VARIATION REQUEST AT 485 JEFFERSON AVENUE

Chairman Roin then proceeded to re-join the meeting after recusing himself from the previous case. Mr. McGowan gave a brief overview of the case, stating that the applicants are seeking one variation from the zoning code to allow for two air conditioning units to encroach into the required side yard setback for a single-family residence currently under construction:

1. Section 3-111(C) – To reduce the required side yard setback from 10 feet to 8 feet, a variation of 20%.

Mr. McGowan proceeded, stating that the only comment the Village received was from the neighbors Susan and Fabio Sorano of 481 Jefferson Avenue, who wrote:

“We have spoken directly with Maggie and Phillip Gerber and are in agreement of the new proposed location of the A.C. units. The new location will be directly across from our A.C. units and in the most desired location to prevent noise to our bedroom. We are in agreement of the proposed variation request.”

Mr. Baxter then swore in Phillip Gerber, the homeowner of 485 Jefferson Avenue. Mr. Gerber clarified that other locations on the property for the air conditioning units are much more expensive and less energy efficient. Mr. Gerber added that the original proposed location would have caused more of a disturbance to the neighbors, and that he has spoken with the neighbors at 481 Jefferson Avenue who are in favor of the proposed variance.

PUBLIC COMMENT

Chairman Howard Roin then asked if there were any public comments. No additional public comments were made.

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 setback at 485 Jefferson 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, Elsasser, Friedman, Kaplan, Novack, Satter
NAYS:	None
ABSENT:	None

6. ADJOURN

The meeting was adjourned at 8:15 p.m.