



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

Council Chambers at Glencoe Village Hall
675 Village Court
Tuesday, April 4, 2023 - 7:00 p.m.

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 7:00 p.m. on April 4, 2023, held in the Council Chambers at Glencoe Village Hall.

Attendee Name	Title	Status
Zoning Board of Appeals		
Scott Novack	ZBA Chairman	Present
Sara Elsasser	Member	Present
Alex Kaplan	Member	Present
Debbie Ruderman	Member	Present
Michael Koppersmith	Member	Present
Jake Holzman	Member	Present
Dena Fox	Member	Present
Village Staff		
Taylor Baxter	Development Services Manager	Present
Richard McGowan	Planner	Present

2. CONSIDERATION OF MINUTES OF THE MARCH 6, 2023, ZBA MEETING

RESULT:	ACCEPTED
AYES:	Novack, Elsasser, Kaplan, Koppersmith, Holzman, Fox
NAYS:	None
ABSENT:	None
ABSTAIN:	Ruderman

3. CONSIDERATION OF A VARIATION REQUEST AT 333 SURFSIDE PLACE

Richard McGowan gave a brief overview of the request, explaining that the applicants are seeking a variation from the zoning code to allow in-ground pools to be less than fifty percent of the lot depth at a new single-family residence at 333 Surfside Place.

The requested variation is from the following standard in the Zoning Code:

1. *Section 5-101(E) – To allow an accessory structure to be less than fifty percent of lot depth from the street, reducing the required front setback from 154.66 feet to 144.25 feet.*

Mr. McGowan noted that this code requirement was likely established to prevent accessory structures (such as pools) to be located in front of homes, however, it is very difficult with the Steep Slope zones on lakefront properties and lots on ravines or bluffs as the buildable land in the rear half of the lot is significantly limited. Chairman Novack asked if the pool was too close to Surfside Place and Mr. McGowan noted that the setback requirement that the applicants are seeking a variation for is measured from the street and only applies to accessory structures, whereas a typical front setback is measured from a lot line. Chairman Novack asked if any public comments have been received by the Village – there were none. Board Member Dena Fox noted that the home next door to 333 Surfside Place is vacant as it's for sale. Board Member Michael KupperSmith asked for details on the feedback received from neighbors. Brenna Decker, an Architect with Konstant Architecture was then sworn in and noted that they went door to door and those neighbors that they were able to get ahold of they received positive responses. Ms. Decker noted that the neighbors that they did not hear from received follow-up letters from the applicants.

PUBLIC COMMENT

Chairman Novack thanked the applicant and asked the audience if there are any public comments. No additional comments or questions were made at this time. 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 5-101 (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 allow accessory structures to be located within less than fifty percent of the lot depth at 333 Surfside Place be granted in substantial conformity with 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
AYES:	Novack, Elsasser, Kaplan, Kuppersmith, Ruderman, Holzman, Fox
NAYS:	None
ABSENT:	None

4. CONSIDERATION OF A VARIATION REQUEST AT 975 EASTWOOD ROAD

Taylor Baxter gave an overview of the case, stating that the applicants are seeking three variations to allow for an addition to an existing single-family residence at 975 Eastwood Road:

1. Section 3-111(C) – To reduce the required corner side setback from 25 feet to 21 feet, a variation of 14%.
2. Section 3-111(C) – To reduce the required interior side setback from 10 feet to 8 feet, a variation of 20%.
3. Section 3-111(E) – To increase the allowable gross floor area from 3,887 square feet to 4,120 square feet, a variation of 5.99%.

Mr. Baxter added that the existing detached garage on the lot is currently nonconforming and is proposed to be removed, and because the rear lot line of 975 Eastwood abuts a side lot line of 420 Sunset Lane, the minimum required corner side yard setback requirement is 25 feet. Mr. Baxter clarified that the applicants are proposing to remove the detached garage, add an attached garage, and add a sunroom due to health and accessibility concerns from a family member.

Mr. Baxter then shared existing and proposed site plans and elevations of the proposed additions, and areas that require variations. Mr. Baxter noted that the Village received written support from the neighbor to the east at 420 Sunset Lane (near the rear lot line). Mr. Baxter clarified that the property currently has a 400 square-foot FAR (gross floor area) exclusion for the detached garage, and because they are now proposing an attached garage, they are no longer eligible for a 400 square-foot FAR exclusion and is a contributing factor as to why they are seeking a gross floor area variation. Chairman Novack asked if the attached garage is moving further away from the rear lot line (east) from where the current detached garage is and Mr. Baxter confirmed that's correct. Chairman Novack noted that this seems pretty straightforward and asked if 965 Eastwood had provided any comment on the request. The homeowner, Drew Barnett was then sworn in. Mr. Barnett said that 965 Eastwood voiced support for the project and would likely be willing to provide written support if necessary. Paul Senka with Sanka Architects was then sworn in. Mr. Senka explained that they did not want to encroach any further than the existing home, and that here's currently a window towards the exterior corner of the building, which lead to the positioning of the screened in porch, and it will also lead to additional living space. Chairman Novack noted that the ZBA tries to be reasonable where they can and especially when neighbors are in support of a requested variation, and the fact that one setback on the east side is actually growing, coupled with technicalities in the FAR exclusions, it makes sense.

PUBLIC COMMENT

Chairman Novack thanked the applicants and asked the audience if there are any public comments. No additional comments or questions were made at this time. 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 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 corner side yard setback, reduce the required interior side setback, and increase the allowable gross floor area at 975 Eastwood Road be granted in substantial conformity with 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
AYES:	Novack, Elsasser, Kaplan, Koppersmith, Ruderman, Holzman, Fox
NAYS:	None
ABSENT:	None

5. CONSIDERATION OF A VARIATION REQUEST AT 350 WASHINGTON AVENUE

Mr. Baxter gave a brief overview of the request, explaining that the applicants are seeking four variations to allow for an addition to an existing single-family residence located in the RC Zoning District.

The requested variations are from the following standard in the Zoning Code:

1. *Section 3-111(C) – To reduce the required combined side setback from 17.5 feet to 16.82 feet, a variation of 3.8%.*

2. *Section 3-111(C) – To reduce the required front setback from 40.91 feet to 35.73 feet, a variation of 12.6%*
3. *Section 3-111(E) – To increase the allowable gross floor area from 3,802 square feet to 4,366.84 square feet square feet, a variation of 14.9%.*
4. *Section 3-111(G) – To allow a 23.35-foot setback plane encroachment with the wall of the structure below the eaves. A 26.67-foot intersection would be allowed above the eaves, while no intersection is allowed below the eaves.*

Mr. Baxter then shared existing, required, and proposed setbacks from site plans and elevations. Mr. Baxter then explained how the setback plane intersection works and that there are no prescribed variation limits for setback planes, and that the applicants are not expanding the footprint of the ground floor. Chairman Novack noted that he understands the home is from around 1896, which is not necessarily a specific standard but it is nice to see that homeowners are willing to invest and maintain older homes. Chairman Novack asked if a design was contemplated that would not encroach into the setback plane and if the intent of the request was to maximize the gross floor area variation limitation of fifteen percent.

Mr. Baxter then swore in Matthew Keurac, the Architect for the addition. Mr. Keurac said that in order to accommodate the setback plane, they would have to set back the garage approximately 3.5 feet and they felt as though that would hinder the integrity of the project if they were to do that, and they couldn't go lower because the house is six risers up and the floor plates would not allow them to drop the addition to be below the setback plane. As for the square footage, Mr. Keurac referred to the floor plans to explain the accommodation of a family of five plus in-laws that frequently visit as the original design did not anticipate a family of five and two of which who would be working from home. Mr. Keurac then went into detail with the interior layout and the reasons why the space was necessary to accommodate the needs of the family. Chairman Novack asked if there currently isn't a bathroom on the ground floor and Mr. Keurac confirmed that is correct.

Mr. Baxter swore in Chris Sullivan, the homeowner of 350 Washington. Mr. Sullivan noted that he recently switched to a fully-remote job, and so a big objective of this is to accommodate their daily living needs as both he and his wife work from home, and that they were trying to keep the character of the home as much as possible. Chairman Novack asked what the neighbors have said. Mr. Sullivan said that they spoke with the neighbors to the west, the neighbors behind them, and neighbors across the street, but they have not been able to connect with the neighbor to the east. Mr. Keurac and Chairman Novack agreed that the way that the home to the east is positioned, the setback plane should not have a significant impact on it, and they acknowledged that there are not many windows on that side. Chairman Novack noted that he prefers to hear directly from the neighbor, and then asked which news outlet the public notice went through and Mr. Baxter noted "Glencoe News" in addition the staff's notice to neighbors within 200 feet of the property. Chairman Novack added that it helps there are mature arborvitae in the area.

Board Member Kuppersmith said that he generally does not like to see a large increase in FAR but given the constraints here, older home, and input from the Architect, he is inclined to support the request. Board Member Fox said that it is helpful that they are preserving and older

home and Board Member Debbie Ruderman agreed. Chairman Novack said that if this was new construction it would be a much different request.

PUBLIC COMMENT

Chairman Novack thanked the applicant and asked the audience if there are any public comments.

Jody and Larry Dickstein of 354 Washington were then sworn in and voiced full support for this project - Mr. Dickstein noted that the ZBA should give greater consideration to projects that are preserving older homes. Ms. Dickstein said that the applicants are extremely kind and always ask for their permission on things they don't need to ask for permission for, and added that her and her husband used to live in the subject home located at 350 Washington so they know the interior space is limited. Chairman Novack thanked the Dicksteins.

No other public 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 Sections 5-101 (C), 5-101 (E), and 3-111 (G) 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 combined setback, reduce the required front setback, increase the allowable gross floor area, and to allow a setback plane encroachment greater than the code allows at 350 Washington Avenue be granted in substantial conformity with 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
AYES:	Novack, Elsasser, Kaplan, Koppersmith, Ruderman, Holzman, Fox
NAYS:	None
ABSENT:	None

6. PUBLIC COMMENT ON NON-AGENDA ITEMS

Chairman Novack asked the audience if there were any public comments on non-agenda items. No public comments on non-agenda items were made.

7. ADJOURN

The meeting adjourned at 8:00 p.m.

RESULT:	ACCEPTED
AYES:	Novack, Elsasser, Kaplan, Koppersmith, Ruderman, Holzman, Fox
NAYS:	None
ABSENT:	None