



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

Council Chambers at Glencoe Village Hall
675 Village Court
Monday, May 1, 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 May 1, 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	Absent
Debbie Ruderman	Member	Present
Michael Koppersmith	Member	Present
Jake Holzman	Member	Present
Dena Fox	Member	Absent
Village Staff		
Taylor Baxter	Development Services Manager	Present
Richard McGowan	Planner	Present

2. CONSIDERATION OF MINUTES OF THE APRIL 4, 2023, ZBA MEETING

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

3. CONSIDERATION OF A VARIATION REQUEST AT 634 GREENLEAF AVENUE

Taylor Baxter gave an overview of the request, explaining that the applicants are seeking a variation from the zoning code to allow for a detached garage to encroach into the required corner side yard setback at a new single-family residence under construction at 634 Greenleaf Avenue.

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

1. Section 3-111(C) – *To reduce the required corner side setback for a detached structure (two-car garage) with a rear setback of five feet from 50 feet to 40 feet, a variation of 20%.*

Mr. Baxter stated that the Village Engineer provided a statement that noted a reduced front setback and increased gross floor area do not appear to present any new stormwater related Concerns, which has been an ongoing discussion with several neighbors for the area near 244 Hazel Avenue. Mr. Baxter added that the ZBA has received all of the letters of opposition received from neighbors thus far.

Mr. Baxter noted that the Village has received at least 4 letters of opposition from neighbors and has met with multiple neighbors to explain the requested variation. Mr. Baxter stated that if this detached garage is at least 50 feet from the corner side lot line, then the rear yard setback for this garage can be 5 feet, but since they currently have an approved site plan for a corner side yard setback of 34.97 feet from the corner side yard lot line, the required rear setback for the detached garage on this corner lot is 12 feet (equal to the required minimum side setback of the adjacent lot).

Chairman Novack asked if the 34.97-foot corner side yard setback that was approved for the house under construction was because of the front yard setback of the adjacent lot and Mr. Baxter confirmed that's correct. Mr. Baxter then clarified that the Staff Memorandum stated that the proposed garage would be closer to a large Oak tree in neighbor's yard, but staff re-measured and the closest point of the approved and proposed garages would be approximately one foot further away (A/C equipment pad on approved site plan; corner of the detached garage on the proposed site plan).

Mr. Baxter added that since there are only 5 of 7 ZBA Members present, 4 "aye" votes are required to approve the requested variation, and that the applicant may withdraw before a vote which would allow the applicant to re-apply for a variation at a later date.

Mr. Baxter then swore in the applicant's Architect, Beata Kociuba, and the owner of 634 Greenleaf Avenue, John Cullis. Chairman Scott Novack thanked staff and prefaced the applicant's presentation by saying it is not common for the Village to receive multiple letters of opposition for a ZBA request. Mr. Cullis then provided the ZBA Members and staff with a 12-page handout with site plans, renderings, and existing examples. Mr. Cullis stated that he and his family intend to live in this house, and they originally applied for a ZBA variation in March 2022 which was subsequently withdrawn before the ZBA Public Hearing after receiving letters of opposition and feedback from neighbors. Mr. Cullis explained that they had reached out to nearby neighbors to explain their project and requests as this is a corner lot and is relatively undersized for the RA Zoning District. Mr. Cullis then proceeded to ask Ms. Kociuba questions by means of a cross-examination. Ms. Kociuba answered all of Mr. Cullis' questions, stating that she is a licensed Architect in the State of Illinois and Colorado, she's been an Architect for 45 years, the practical difficulties are that it's a corner lot, setbacks, and recreation areas, and that the lot area is about 75% of the minimum required lot area for the RA Zoning District. Mr.

Cullis continued to ask his Architect questions, to which she noted that the applicants originally wanted to make the driveway off of Greenleaf Avenue but there are several mature trees in that area that they did not want to disrupt, and that they thought that the proposed location of the detached garage would be in line with the closest neighbor's side yard (at 244 Hazel Avenue) which is a brick wall that would not be able to see the detached garage from their windows. Ms. Kociuba added details, stating that they have been trying to design the project and detached garage to avoid a large Oak tree ("Tree #270" on the site plan), and that in addition to the lot being relatively undersized with regards to the lot area requirements in the RA Zoning District, that another part of the reason for this proposed location was in attempt to avoid any impacts to the neighbor's tree (#270). Ms. Kociuba added that if this was not a corner lot, the detached garage would be able to be 5 feet away from the rear lot line, and the current approved site plan has a one-car detached garage, which is not common. Ms. Kociuba concluded that the proposed location would be further from Tree #270 and would likely not be seen from (inside the home of) the closest neighboring property at 244 Hazel Avenue.

Chairman Novack thanked the applicants and asked if they were evaluating one-car or two-car garages based on undersized lots in the same Zoning District and since the second floor of the proposed detached garage is noted as storage space, would they have two doors to access the proposed garage. Mr. Cullis stated that it would have two doors and that the reason they want a two-car detached garage is because his son is almost at the driving age where he would be parking his vehicle. Mr. Cullis added that the March 2022 proposed variation (that was withdrawn before the hearing) noted storage space which was intended to be used for his Wife's business, but her job has since changed where that need is no longer necessary, however, the storage within this proposed two-car detached garage is for typical storage of lawn equipment, bikes, etc. and then addressed a letter of opposition from a neighbor across the street, Bart Schneider of 654 Greenleaf Avenue. Mr. Cullis explained that Mr. Schneider noted that this much garage space is not common in this neighborhood and Mr. Cullis stated that most of the homes in the area are at least 70 years old so it was not common to have additional garage space at the times those homes were built, and that this will still be reviewed by the Village Engineer if it's approved. Chairman Novack added that he didn't think engineering would be worth getting into detail since any plans would be fully reviewed by the Village Engineer during the plan review process, who also has provided a general statement saying that the proposed variation would not have any negative impacts.

Board Member Jake Holzman asked the applicant what changed their mindset from the currently approved plans for the new home and Mr. Cullis stated that because of the time and complexities involved with lining up contractor schedules and building materials, the plan has always been to receive their permit and then apply for a variation to avoid losing additional time on the project, especially since they spent a couple months preparing for the March 2022 variation request that was withdrawn. Board Member Michael KupperSmith noted that it looks like the applicants haven't had much recent contact with the neighbors and Mr. Cullis stated that they knew reaching out further wouldn't do much after they had received several letters of opposition from neighbors.

PUBLIC COMMENT

Chairman Novack thanked the applicant and asked the audience if there are any public comments. Andre Lerman of 244 Hazel Avenue, who also provided a letter of opposition prior to the hearing, was then sworn in by Mr. Baxter. Mr. Lerman said that he urges the ZBA to deny the requested variation as there is no hardship or practical difficulty. Mr. Lerman said that the developer knew what he was getting into when he purchased the property, and that nothing has changed, and developer greed is not a good reason. Mr. Lerman added that they have a historic Oak tree (#270) that was deemed historic by members of the community, and is at least 100 years old, and if that tree dies then the hardship falls on himself as the neighbor. Mr. Lerman added that the applicant misrepresented him and that nobody has a four-car garage.

Bart Schneider of 654 Greenleaf Avenue, who also provided a letter of opposition prior to the hearing, was sworn in by Mr. Baxter. Mr. Schneider noted that four-car garages are not the standard, and that the norm is a two-car garage, and maybe occasionally a three-car garage. Mr. Schneider added that the developer knew what he was getting into and should have purchased a larger lot, and if 244 Hazel Avenue is ever sold and torn down then it would be too close to the house. Chairman Novack asked Mr. Schneider what his biggest concerns were and Mr. Schneider said that it feels like a "bait and switch" since the builder withdrew his previous ZBA request, started construction, and is now requesting a different variation, and that there is a lack of screening for the detached garage, and that it would limit the value of 244 Hazel Avenue's home.

Steven Buckman of 199 Hazel Avenue, who also provided a letter of opposition prior to the hearing, was sworn in by Mr. Baxter. Mr. Buckman stated that he has looked at the meeting minutes for the past 12 months of ZBA hearings and is wondering where a four-car garage is a hardship.

Mr. Cullis responded to Mr. Schneider's comments and added that they intend on planting trees on the property as they have always done, in addition to a possible fence and bushes. Mr. Cullis stated that a 'practical difficulty' is the fact that this is an undersized RA lot and it's a corner lot, and that ultimately a one-car detached garage would look more like a doll house or shed. Mr. Cullis added that he is disappointed in Mr. Lerman's comments because we're a Glencoe community and he's had lengthy conversations with Mr. Lerman who seemed to be in support of the March 2022 front yard setback relief request because it would have been further away from Mr. Lerman's tree (#270), and now that the proposed garage is going to be further away from his tree (than what is currently approved), he is still opposed. Chairman Novack added that when a neighbor is opposed to a requested variation, it makes it even more of a granular decision making process, and when things such as character are explained by the applicant and opposed by neighbors it makes it even more difficult, and regarding the hardships on the size of the lot and being a corner lot, I get, but I'm a little weary of granting relief on a lot for new construction because it was an existing lot, home, and Zoning Code before construction began, so I am leaning towards voting no. Board Member Sara Elsasser stated that she agrees with Chairman Novack since it's an existing lot and a new build.

Mr. Cullis then stated that they are withdrawing their application for a requested variation.

Chairman Novack thanked Mr. Cullis for his time spent on this and noted that this is a very difficult decision to evaluate.

4. PUBLIC COMMENT ON NON-AGENDA ITEMS

Chairman Novack asked the audience if there were any public comments on non-agenda items. Andre Lerman of 244 Hazel Avenue said that the public notification procedure is extremely quick, and that the problem is the deadline with ZBA applications. Mr. Lerman added that if residents had more time, perhaps 2 months, it would be beneficial, and that he understands that this is more of a Village Trustee issue than the ZBA, but this would help level the playing field so that neighbors can better prepare for a public hearing. Chairman Novack thanked Mr. Lerman for his feedback and noted that 2 weeks is very standard – not just in Illinois, but across the country, but he appreciates the input and perhaps there are ways the Village can evaluate the existing procedures for neighbor notifications.

5. ADJOURN

The meeting adjourned at 8:30p.m.

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