



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

Village Hall Council Chamber
675 Village Court
Monday, May 11, 2020 – 6:00 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 6:00 p.m. on the 11th day of May 2020, held virtually via Zoom web video conference.

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 MARCH 2, 2020 ZBA MEETING

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

3. APPROVE MERKIN APPEAL AT 587 GREENWOOD AVENUE

Chairman Roin stated that the purpose of this portion of the meeting was to conduct a virtual public hearing on the appeal by Joel Merkin, homeowner of 587 Greenwood Avenue, of a decision by the Development Services Manager in denying a permit to reduce the front yard setback from 50 feet to 40 feet (20% variation), reduce the rear yard setback from 30 feet to 24 feet (20% variation), reduce the north side yard setback from 8 feet to 6.4 feet (20%

variation), and to increase the allowable encroachment into the south setback plane from 0 feet to 25 feet and 10 inches to allow for the construction of a new single-family residence. The variations are authorized by Section 7-403-E-1 of the Zoning Code.

The Chair reported that notice of the public hearing was published in the April 16, 2020 Chicago Tribune 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

Chairman Howard Roin asked Development Services Manager Taylor Baxter to begin the presentation. Mr. Baxter gave an overview of the variances requested, stating:

- 1) Homeowners are seeking four variations;
- 2) To reduce the required front yard setback from 50 feet to 40 feet.
- 3) To reduce the required rear yard setback from 30 feet to 24 feet.
- 4) To reduce the required north side yard setback from 8 feet to 6.4 feet.
- 5) To reduce the required setback plane on the south side of the lot.
- 6) Applicants are seeking variances and flexibility due to the unique shape of the existing lot.

Applicant and homeowner Joel Merkin then proceeded with a PowerPoint presentation to highlight the existing and proposed conditions, stating:

- 1) The lot is unique in the sense that it is shallow and has an irregular rear lot line.
- 2) Mr. Merkin spoke with neighbors at 395 Hawthorn Avenue and 595 Longwood Avenue and they did not have any objections.
- 3) The rear side of the proposed home is not near livable space at 395 Hawthorn Avenue.
- 4) The north side yard setback is being requested due to the requirement for 10 feet between structures.
- 5) 395 Hawthorn Avenue has a non-buildable area where the proposed setback plane would interfere with.

Chairman Roin then asked the Applicant's Architect, Daniel Lesus, for the square footage of the proposed home's bedrooms. Mr. Lesus stated that the second floor of the proposed home is approximately 1,500 square feet and that he confirmed it was under the allowable limit.

Mr. Lesus mentioned it is a difficult lot to build on due to the existing deep setbacks along Greenwood Avenue. He then proceeded with the presentation highlighting the existing and proposed structures.

Chairman Roin questioned the requested variance for the front yard and stated that he understood the other three requested variances. Mr. Roin stated it is not typical for the Board to allow the Applicants the maximum variances for a new single-family residence.

Board Member Scott Novack thanked the applicant and Architect for their presentation and agreed with Chairman Roin that it is not typical for the Board to allow applicants the maximum variances for new single-family residences, but disagreed with Chairman Roin regarding the requested variance for the front yard because of the existing front setbacks on Greenwood Avenue heading south. He mentioned that since 395 Hawthorn Avenue is not buildable on the south end of the property, the proposed variances could improve the streetscape from Hawthorn Avenue.

Board Member Deborah Carlson stated that she agreed with Mr. Novack, and that she is inclined to vote yes.

Board Member David Friedman asked Mr. Lesus if he is flexible with the front yard setback. Mr. Lesus explained that it would make the proposed home less than the required ten feet from the proposed detached garage. Mr. Friedman then mentioned he is inclined to vote yes without wiggle room on the requested variances.

Board Member Alex Kaplan then stated he is inclined to vote yes despite flexibility for maximum allowable variances.

Board Member John Satter asked Mr. Baxter about staff reviews for foundation surveys and proposed tree removals. Mr. Baxter confirmed that it is rare that there are discrepancies between the foundation surveys and approved plans, and that the applicants must follow the tree ordinance and will have to pay applicable deposits. Mr. Satter then stated that he agrees with most of the Board and sees this proposed residence as an improvement.

Board Member Sara Elsasser stated that she agrees with majority of the Board and does not have any comments to add at this time.

Chairman Roin then asked Mr. Lesus if there is a graphic depicting the proposed front yard setback and mentioned that he felt as though it may be more significant with the impact on the streetscape. Mr. Baxter then pulled up an aerial image of the block and explained the existing the front yard setbacks and proposed front porch. Mr. Lesus then clarified that the requested font yard variance is to incorporate the front porch portico. Mr. Roin then stated he would give approval for "as plans submitted".

PUBLIC COMMENT

Chairman Roin asked the audience if anyone had a public comment.

Skip Shade of 375 Hawthorn Avenue stated that he understood the requested variances and recognized the lot is a unique shape. He stated he did not have any objections to the requested variances.

Following consideration of the testimony and discussion, a motion was made and seconded, that the request for variances 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 front yard setback, reduce the rear yard setback, reduce the north side yard setback, and to reduce the required setback plane to allow for a new single-family residence at 587 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

4. ADJOURN

There being no further business to come before the Zoning Board of Appeals the meeting was adjourned at 7:23 p.m.