



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

Videoconference
675 Village Court
Monday, May 2, 2022 - 7:00 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 Chairman Scott Novack at the new start time of 7:00 p.m. on May 2, 2022, 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	Absent
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 7, 2022, ZBA MEETING

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

3. CONSIDER VARIATION REQUEST AT 350 SUNRISE CIRCLE

Richard McGowan gave a brief overview of the case, stating that the applicants are seeking one variation to allow for the construction of a sport court to encroach into the required front setback at 350 Sunrise Circle:

1. *Section 3-111(C) – To reduce the required front setback from 40 feet to 15 feet.*

Mr. McGowan explained that the lot is not undersized in terms of lot area or lot width for the RA Zoning District, however, it is unique in the sense that it is defined as a “through lot” in the zoning code since it has frontages on two different streets, so it does not have a rear yard or rear yard setback allowances according to the code, which most properties in the Village have, so any accessory structure behind the home, in what functions as a backyard, would have to be at least 40 feet from the “front” lot line, behind or east of the home.

Mr. McGowan noted that in light of a recent code amendment, the ZBA has the authority to reduce front yard setback requirements for corner lots and through lots to no less than 12 feet from the front lot line.

Mr. McGowan said that this applicant is proposing a multi-use sport court with no additional lighting or fencing and has noted areas of existing and proposed landscape screening from adjacent properties. He then shared proposed renderings of what the sport court would look like and noted that it is proposed to be closest to the neighbor to the south’s existing driveway and basketball hoop at 344 Surfside Place, at least 12 feet away from the south side lot line.

Taylor Baxter then swore in the homeowners, Ryan and Jessica Turf. Ms. Turf explained that they built their home on this property and they were surprised that they technically don’t have a backyard as defined by the zoning code.

Chairman Scott Novack then noted that the area they are requesting a variance for looks and functions as a backyard and said that all folks should be able to use their backyards. Board Member Michael Kuppersmith asked Mr. and Ms. Turf if there had been any outreach to the neighbor to the south at 344 Surfside Place. Ms. Turf stated that they spoke to their neighbor to the north, who only had questions and was in support of the requested variation. Chairman Novack then asked staff if the Village had received any input from the neighbors. Mr. McGowan noted that the Village had received a few questions from neighbors, but none of which stated support or opposition for the requested variation. Chairman Novack noted that he was glad that the recent zoning code amendment allowed for this to be an opportunity and asked the Board Members if they had any additional questions. No additional questions were asked at this time.

PUBLIC COMMENT

Chairman Novack thanked the applicants and asked the audience if there are any public comments. No questions or 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 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 front setback at 350 Sunrise Circle 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
AYES:	Novack, Elsasser, Kaplan, Koppersmith, Holzman, Fox
NAYS:	None
ABSENT:	Ruderman

4. CONSIDER VARIATION REQUEST AT 1106 ASTOR PLACE

Mr. Baxter gave an overview of the case, stating that the applicants are seeking one variation to increase the gross floor area to allow for the construction of an outdoor pavilion at an existing single-family residence at 1106 Astor Place:

- 1. Section 3-111(E) – To increase the allowable gross floor area from 5,006.14 square feet to 5,752.17 square feet, a variation of 14.9%.*

Mr. Baxter added that code changes to gross floor area requirements since 1999 made the existing home at 1106 Astor Place nonconforming, so they are already above the allowable limit. Mr. Baxter said that the applicants are looking to remove an existing in-ground pool that has foundation issues, and are hoping to construct a pavilion in its place.

Mr. Baxter then swore in the applicant's architect, Mr. Jeff Letzter, with Aspect Design from Volvo, Illinois. Mr. Letzter stated that regardless of tonight's decision, the pool needs to be removed as the foundation is leaking and the decking around the pool is pitched towards the home, which could lead to significant foundation issues for the home. Mr. Letzter added that the homeowners were shocked when they found out their home was nonconforming with regards to gross floor area (due to changes to the code), and the outdoor pavilion would have a somewhat open-air design to it. Mr. Letzter noted that him and the homeowners spoke with four nearby neighbors – 1107 Astor Place, 1107 Fairfield, 1113 Fairfield, and 1091 Beinlich – who provided a letter of support to Village staff.

Board Member Koppersmith asked if the neighbor to the south at 669 Dundee Road had provided any comment on the requested variation and there did not appear to be any comment from that neighbor. Board Member Alex Kaplan asked if this is a summer structure, and Mr. Letzter confirmed that it is, and it will be open-air and brick. Board Member Kaplan noted that it is an interesting design. Chairman Novack stated that there is a good reason for gross floor area regulations, but accessory structures ought to be looked at differently and if in this case it allows the resident to enjoy their property more, especially if there is support from multiple neighbors, he thinks he would support this request. Chairman Novack asked the Board Members if they had any additional questions. No additional questions were asked at this time.

PUBLIC COMMENT

Chairman Novack thanked the applicants and asked the audience if there are any public comments. No questions or 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 Section 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 increase the allowable gross floor area at 1106 Astor Place 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
AYES:	Novack, Elsasser, Kaplan, Koppersmith, Holzman, Fox
NAYS:	None
ABSENT:	Ruderman

5. PUBLIC COMMENTS ON NON-AGENDA ITEMS

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

6. ADJOURN

The meeting adjourned at 7:27 p.m.

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