



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

Village Hall Council Chamber and Videoconference
675 Village Court
Monday, May 3, 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 May 3rd, 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 APRIL 12, 2021 ZBA MEETING

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

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 second-floor addition to an existing single-family home at 360 Randolph Street:

1. Section 3-111(C)(2)(a)(ii) – To reduce the required corner side yard setback from 15 feet to 12.33 feet, a variation of 17.9%

Mr. Baxter stated that the existing single-family home is already nonconforming with regards to the corner side yard setback, and the variance would allow for a symmetrical addition to the residence. Mr. Baxter then swore in the applicant, Victor Melnikov.

Mr. Melnikov stated that by right they can build the addition with the amount of gross floor area available, however, if required to meet the corner side yard setback requirement, the addition would not be flush or symmetrical with the existing home.

Chairman Howard Roin asked if the home is already encroaching in the setback. Mr. Baxter clarified that it is.

PUBLIC COMMENT

Chairman Roin asked if Village Staff received any comments from the public. Mr. Baxter confirmed that the Village did not receive any comments. 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 that the addition will not affect the Village in any adverse way as the home is already in the corner side yard setback.

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)(2)(a)(ii) 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 at 360 Randolph Street 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 472 WOODLAWN AVENUE

Rich McGowan provided a brief overview of the case, stating that the applicants are requesting one variation to build a sunroom addition to an existing single-family residence at 472 Woodlawn Avenue:

1. Section 3-111(E) - To increase the maximum gross floor area from 2,808.30 sq. ft. to 2,997.89 sq. ft., a variation of 6.32%.

Mr. Baxter then swore in the applicants. Mr. Peter Gatsch, the General Contractor representing Ms. Betsy Thelen, the homeowner of 472 Woodlawn Avenue, stated that this addition will essentially be enclosing an existing patio, it will match the existing character of the home, and will protect the homeowner who has a severe allergy to mosquitos. Chairman Roin asked how much square footage this will be exceeding the maximum gross floor area, and Mr. McGowan clarified that it will exceed the maximum allowable gross floor area by about 35 square feet, and that this lot is undersized for its zoning district.

PUBLIC COMMENT

Chairman Roin asked if Village Staff received any comments from the public. Mr. McGowan stated that the Village received a comment from the neighbors directly to the west at 476 Woodlawn Avenue:

"I have reviewed the zoning variation application for the property located at 472 Woodlawn that is adjacent to our home at 476 Woodlawn Ave., Glencoe IL.. After reviewing the plans for the structure my wife and I have decided to object to the structure and the requested variance.

Although the Thelens did share with us that they were planning on building a sunroom, we were not aware of the size of this room. We first became aware of the dimensions when I searched the variance application on the Glencoe Zoning Board site. We are sure this was an oversight and not intentional, but nevertheless we have concerns about the size of the structure and its potential impact on our property value.

As you may know, the sizes of the lots on the south side of Woodlawn are small. The property at 472 Woodlawn has lot dimensions of 50 X 140'. The home at 472 Woodlawn is a new home and was subject to the current setback requirements. It is 45' deep and sits a little over eight feet from our property line. The proposed sunroom would add 14' or approximately 25% to the length of the house and 112 square feet of wall. This does not include the roof line. All of this additional structure would be visible from 476 Woodlawn since the structure is elevated to provide an entrance from the existing living area.

Our home, at 476 Woodlawn is older and was not subject to the setback required today. Since we sit forward on our property relative to 472 Woodlawn, the addition of the sunroom as proposed will be completely visible from our family room, patio, deck and back yard. We believe that this will be detrimental to our property's marketability, create an intrusion to backyard site lines and reduce the little privacy that one enjoys in their backyard.

Respectfully,

*John and Sandy Lyons
476 Woodlawn Ave.
Glencoe, IL."*

Ms. Betsy Thelen then added that this addition will essentially be all glass and they plan on adding arborvitae landscape screening to mitigate the impact to neighbors, and that the addition will not have as much of a visual impact as it appears.

Board Member David Friedman added that he is confused by the visual impairment noted by the neighbors at 476 Woodlawn Avenue as the addition will be closest to their driveway, not so much the existing home. Ms. Thelen stated that this addition will be closer to their rear yard than their side and front yards. Mr. Baxter then provided an aerial view of the lots to share the proximity of the two homes and the proposed addition.

Chairman Roin stated that he understands why the applicants are seeking a variance because the lot is undersized for its zoning district, and that he also respects the neighbor's objections. Chairman Roin added that it is a difficult decision when a neighbor objects and has concerns about property rights, but he agrees with Board Member Friedman's confusion regarding the proximity of the addition to the neighbors at 476 Woodlawn, adding that it will meet setback requirements. Chairman Roin thanked the neighbors at 476 Woodlawn for coming forward and

being honest but concluded that he believes the addition is modest and that the neighbors will not be as significantly impacted.

Chairman Roin asked if Village Staff received any comments from the public. 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(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 increase the maximum allowable gross floor area at 472 Woodlawn 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

5. CONSIDER VARIATION REQUEST AT 363 WASHINGTON AVENUE

Mr. Baxter gave a brief overview of the case, stating that the applicants are seeking three variations from the zoning code to allow for the construction of a new single-family residence at 363 Washington Avenue:

1. Section 3-111(C)(1)(a)(ii) – To reduce the required front yard setback from 50 feet to 40 feet, a variation of 20%; and
2. Section 3-111(G)(15) – To increase the allowable gross floor area from 3,200 square feet to 3,680 square feet, a variation of 15%; and
3. Section 3-111(G)(14) – To increase the allowable intersection of the structure with the east setback plane from 20 feet to 24.2 feet, a variation of 21%, and with the west setback plane from 20 feet to 24.64 feet, a variation of 23.2%.

Mr. Baxter shared the existing front setbacks along Washington and Vernon Avenue, which ultimately determine the required front yard setback for the new home at 363 Washington Avenue. Mr. Baxter then explained setback exceptions for front porches and then provided a visual to further explain the setback plane encroachment. Chairman Howard Roin stated that a lot of the zoning code requirements were created in order to prevent the “McMansion” look, and he may object a proposed development that may lead to this look.

Mr. Baxter then swore in Jeff Pavlatos, the General Contractor representing the homeowners of 363 Washington Avenue. Mr. Pavlatos then gave a brief overview of the proposed development and stated that both homeowners are working from home due to the pandemic and they also need to care for a parent who recently was diagnosed with cancer.

PUBLIC COMMENT

Chairman Howard Roin then asked if there were any public comments.

Na Zhang, the homeowner at 359 Washington Avenue stated that they did not have any objections, just questions. Ms. Zhang asked if the proposed home will be closer or further from their lot, and Mr. Pavlatos confirmed that it will be about four feet further from their existing locations. Ms. Zhang also asked if the property lines will be re-established, and Mr. Pavlatos confirmed that they will hire a surveyor to officially re-establish the lot lines. Ms. Zhang then asked if the dead trees will be removed and Mr. Pavlatos stated that they intend on doing so.

Mike and Wendy Chance of 505 Vernon Avenue stated that they did not have any objections, just questions. They wanted to verify the distance between the proposed home and the house to the west, and Mr. Pavlatos stated that it will be slightly further away from their existing home. Mr. Chance then asked about impacts to drainage, and Mr. Baxter clarified that the approval

tonight is just for the requested variances and the applicants will still need to provide engineering plans to be reviewed and approved by Village Staff.

Board Member Scott Novack then asked for clarification on the attic square footage. Mr. Pavlatos stated that they were confined by the lot size, gross floor area requirements for permanent staircases, and that they were playing out a couple of different scenarios to make it work without encroaching into the setback plane. Board Member Novack added that it would be helpful for the applicants to provide a bird's eye view to depict the setback plane interception as it is difficult to depict from a two-dimensional perspective.

Chairman Roin asked if this home could still be built without the encroachment on the setback plane. Mr. Pavlatos stated that it would be possible but he does not know how aesthetically pleasing it would be, and clarified that the actual height of the home can go taller than what is currently proposed without a variance. Chairman Roin added that the neighbors are not objecting but they are concerned with the new development, and by allowing the applicants to encroach in the setback plane, it will seem bulkier than what is typically allowed. Chairman Roin concluded that he is O.K. with the first two variance requests, but he finds the requested variance for the setback plane difficult to approve.

Board Member Sara Elsasser stated that she was nervous at first with three variance requests for a new home, but questioned whether the setback plane encroachment would change the way the new home is perceived, and added that it likely would not result in the "McMansion" aesthetic. Board Member Novack added that the ZBA has a code to uphold, and the specific request to encroach into the setback plane is a tough one to approve. Board Member John Satter asked what would happen to the attic space if the home was re-designed. Mr. Pavlatos stated that it would limit the attic space but more so the structure and shell of the proposed home as they cannot move the home further back due to its proximity to a proposed detached garage and existing easement. Board Member Satter added that it is difficult to approve the setback plane variance because the owners new what they were getting into when they bought the lot. Mr. Pavlatos clarified that he is the General Contractor and did not purchase the lot. Board Member David Friedman added that when there is a hardship on the aesthetic he has a hard time saying yes, and that his bias is more to the no than the yes. Board Member Alex Kaplan added that he echoes Board Member Friedman's sentiment and that when it comes to allowing a variance for the pitch of a roof, the ZBA may be creating a slippery slope. Chairman Roin then explained to Mr. Pavlatos that he can withdraw his entire request or proceed with the request and risk that some of it may not be approved. Mr. Pavlatos acknowledged this and stated that they would like to get moving on the project as soon as possible. Chris and Marissa Ellis, the homeowners of 363 Washington Avenue, then introduced themselves into the conversation and added that the need for the attic space is due to a mother-in-law who was recently diagnosed with cancer, and that their living space has drastically changed. Chairman Roin thanked the applicants and stated that the ZBA has no questions whether the applicants have met the requirement for the hardship. Ms. Zhang thanked the ZBA and homeowners and stated that she trusts the ZBA to make the right decision since she is not an Architectural expert.

Three separate motions were made and seconded for the three requested variances at 363 Washington Avenue:

1. Section 3-111(C)(1)(a)(ii) - To reduce the required front yard setback from 50 feet to 40 feet, a variation of 20%:

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

2. Section 3-111(G)(15) - To increase the allowable gross floor area from 3,200 square feet to 3,680 square feet, a variation of 15%:

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

3. Section 3-111(G)(14) - To increase the allowable intersection of the structure with the east setback plane from 20 feet to 24.2 feet, a variation of 21%, and with the west setback plane from 20 feet to 24.64 feet, a variation of 23.2%:

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

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)(1)(a)(ii), Section 3-111(G)(15), and Section 3-111(G)(14) 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 be granted, and the request to encroach in the setback plane be denied, as shown in the drawings or plans submitted by the applicant 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 9:30 p.m.