



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

Village Hall Council Chamber  
675 Village Court  
Monday, July 12, 2021 - 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 Chairman Scott Novack at 6:00 p.m. on July 12th, 2021, held in the Council Chamber at Glencoe Village Hall.

Attendee Name	Title	Status
<b>Zoning Board of Appeals</b>		
Scott Novack	ZBA Chairman	Present
Sara Elsasser	Member	Present
David Friedman	Member	Present
Alex Kaplan	Member	Present
John Satter	Member	Present
Debbie Ruderman	Member	Present
Michael Koppersmith	Member	Present
<b>Village Staff</b>		
Taylor Baxter	Development Services Manager	Present
Richard McGowan	Planner	Present

**2. PUBLIC COMMENT FOR NON-AGENDA ITEMS**

Chairman Novack opened the meeting for public comment on non-agenda items. No comments were made.

**3. CONSIDERATION OF MINUTES OF THE JUNE 7, 2021 ZBA MEETING**

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS]</b>
<b>AYES:</b>	Novack, Elsasser, Kaplan, Satter, Ruderman, Koppersmith
<b>NAYS:</b>	None
<b>ABSENT:</b>	Friedman (only for this vote)

**4. CONSIDER VARIATION REQUEST AT 271 MARY STREET**

Taylor Baxter gave a brief overview of the case, stating that the applicants are seeking two variations from the zoning code to allow for the construction of a new single-family home at 271 Mary Street:

1. Section 3-111(C) - To reduce the required front yard setback from 50 feet to 45 feet, a variation of 10%.
2. Section 3-111(G)(14) - To increase the allowable intersection of the wall of the structure with the west setback plane from 0 feet to 43.5 feet.

Mr. Baxter then swore in the applicants and those looking to provide public comment. Michael Segretto, a resident who currently resides at 375 Madison Avenue and the owner of the vacant lot at 271 Mary Street, stated that his family likes to spend time outdoors and they chose this home for its proximity to the Green Bay Trail, which also maximizes their privacy. Mr. Segretto also clarified that the setback plane encroachment will have minimal impact as it only impacts the open space area directly west of the lot.

**PUBLIC COMMENT**

Chairman Novack asked if Village Staff received any comments from the public. No comments were submitted to Staff, but Mr. Bruce Sokol of 270 Wentworth provided comment at the hearing. Mr. Sokol had questions about the setbacks on the side and rear of the proposed home and he did not state support or opposition to the proposed variances.

Chairman Scott Novack stated that without any objections from the neighbors or community, the proposed variances do not seem controversial.

**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(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 to allow a setback plane encroachment at 271 Mary 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.

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS]</b>
<b>AYES:</b>	Novack, Elsasser, Friedman, Kaplan, Satter, Ruderman, Kuppersmith
<b>NAYS:</b>	None
<b>ABSENT:</b>	None

#### 5. CONSIDER VARIATION REQUEST AT 228 WOODLAWN AVENUE

Mr. Baxter provided a brief overview of the case, stating that the applicants are requesting one variation to allow for a deck extension at 228 Woodlawn Avenue:

1. Section 3-111(C) - To reduce the required side yard setback from 12 feet to 9.65 feet, a variation of 19.6%.

Due to a recent transition from solely videoconference meetings to in-person hearings because of the COVID-19 pandemic, the applicants stated that they were planning on attending the meeting "virtually" via videoconference, so they were unable to attend the meeting in-person. As a result, the applicants provided a written comment to the ZBA:

*"Thanks for reading the following to the board as we are currently out of the state.*

*Thanks for considering our variance. As shown in the diagram, we are requesting to extend our deck by ~5.5 feet south on our property. The extension will maintain the same side setback as the existing deck. We have spoken to our neighbor Pam Nickel on the West side of our home and she encourages us to pursue the project. Our property is a pie shape. It is wide at the street and*

*narrows towards the back of our lot. It is a tricky shape to be able to enjoy the outdoor space since our back yard is behind the garage. This is why we would like to expand and make the most of our deck. With the entire family home more often, the variance would help provide a comfortable space for our family to gather that would not affect our neighbors. As you can see, it is a small extension that maintains the same side setback as our house and existing deck. Thanks again! We apologize that we couldn't be there in person to discuss the matter with you. We hope that this is a sufficient enough explanation.*

- Danielle and Stephen Wylie"

Chairman Novack then asked staff questions about the narrowing lot with regards to setbacks. Mr. Baxter clarified that the home and deck appear to be parallel with the lot line, resulting in consistent side yard setbacks. Board Member Michael Koppersmith asked if there was a variance applied for the deck when it was built, and Mr. Baxter responded that staff did not find any variances in the house file.

#### **PUBLIC COMMENT**

Chairman Novack asked if there were any additional public comments. No additional comments were made. Chairman Novack noted that without any opposition that he is inclined to vote in favor of the variance. A motion was made and seconded to approve the requested variance.

#### **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 side yard setback at 228 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.

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS]</b>
<b>AYES:</b>	Novack, Elsasser, Friedman, Kaplan, Satter, Ruderman, Koppersmith
<b>NAYS:</b>	None
<b>ABSENT:</b>	None

**6. CONSIDER VARIATION REQUEST AT 246 BEACH ROAD**

Richard McGowan gave a brief overview of the case, stating that the applicants are one variation from the zoning code to allow for the installation of two air conditioning units in the side yard setback at an existing single-family residence:

1. Section 3-111(C) - To reduce the side yard setback from 12 ft. to 10 ft., a variation of 16.66%.

Mr. McGowan noted that the applicant has stated that the proposed location will be more cost effective for the installation and longevity of the units and will also be more environmentally sensitive as they will use less energy. Mr. McGowan also noted that the applicant told staff his neighbor closest to the requested variance (240 Beach Road) supports it. Mr. Baxter then swore in those looking to provide comment.

Mr. Steve Best of 246 Beach Road stated that the alternative locations for the units are not suitable as the rear yard of 246 Beach Road abuts a church memorial, and if they were to locate them in the other side yard it would be more expensive and consume more energy.

Board Member Koppersmith and Board Member David Friedman asked Mr. Best if it would be possible to install the units in their existing location on the west side of the home. Mr. Best responded, stating that there are other reasons other than cost and energy, such as the proximity to the boiler room. Mr. Best noted that the Engineer for his project stated that the

existing location of the units will create more issues with heat transfer and could significantly increase his utility bill. Chairman Novack noted that there seems to be a consistent theme lately for requesting setback variances for air conditioning units, though it was good that the neighbor directly east of 246 Beach Road supports the proposed variance. Board Member Satter added that since there is also an operational need it makes sense to support the variance.

### **PUBLIC COMMENT**

Chairman Novack asked if there were any additional public comments. No additional comments were made. Chairman Novack noted that without any opposition that he is inclined to vote in favor of the variance. A motion was made and seconded to approve the requested variance.

### **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 side yard setback at 246 Beach Road 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.

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS]</b>
<b>AYES:</b>	Novack, Elsasser, Friedman, Kaplan, Satter, Ruderman, Kuppersmith
<b>NAYS:</b>	None
<b>ABSENT:</b>	None

**7. ADJOURN**

Prior to adjourning, Chairman Novack thanked the audience and asked staff if there is an exact date for the next Zoning Commission meeting, since the Zoning Commission meeting scheduled for tonight was postponed. Mr. Baxter confirmed that the Zoning Commission and Zoning Board of Appeals meetings will be held on the same night on September 13, 2021, starting at 6:00 p.m., and the next Zoning Board of Appeals meeting will be on August 2, 2021 at 6:30 p.m.

Chairman Novack noted that other than the meetings on September 13, 2021, the meeting start time of 6:30 p.m. will remain.

The meeting adjourned at 6:35 p.m.