



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

Village Hall Council Chamber  
675 Village Court  
Monday, August 2, 2021 - 6:30 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 Chairman Scott Novack at 6:30 p.m. on August 2nd, 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 Kuppersmith	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 JULY 12, 2021 ZBA MEETING**

<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

**4. CONSIDER VARIATION REQUEST AT 710 BLUFF STREET**

Taylor Baxter gave a brief overview of the case, stating that the applicants are seeking one variation from the zoning code to expand a deck at an existing single-family home:

1. Section 3-111(C)- To reduce the required rear yard setback from 38.4 feet to 34.75 feet, a variation of 9.5%.

Mr. Baxter then swore in the applicants and those looking to provide public comment. Justin Kelly, the homeowner of 710 Bluff Street, stated that this variance is for an existing deck that he is looking to extend it about 3 feet. Chairman Scott Novack asked about the existing stairs and where the deck will differ from its current location. Mr. Kelly confirmed that the deck will be no closer than where the existing stairs are from the side and rear lot lines. Board Member Michael Koppersmith asked if he had discussed this with his neighbor that the deck will be closest to, and Mr. Kelly confirmed that he did reach out.

**PUBLIC COMMENT**

Chairman Novack asked if Village Staff received any comments from the public. No comments were submitted to Staff. Chairman Scott Novack stated that without any objections from the neighbors or community, the proposed variances do not seem controversial. 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 required rear yard setback at 710 Bluff 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, Koppersmith
<b>NAYS:</b>	None
<b>ABSENT:</b>	None

**5. CONSIDER VARIATION REQUEST AT 1085 BEINLICH COURT**

Richard McGowan provided a brief overview of the case, stating that the applicants are requesting two variations to allow for an in-ground pool at 1085 Beinlich Court:

1. Section 3-111(C)- To reduce the required front yard setback from 50 feet to 40 feet, a variation of 20%;
2. Section 5-101(E) - To allow an accessory structure to be nearer to the street than one-half of the lot depth.

Mr. McGowan stated that the Village received letters of support from each of the three neighbors from the north, east, and west of 1085 Beinlich Court, and then proceeded to share a Google Street view of 1085 Beinlich Court to share an example of the existing landscape screening. Mr. McGowan also noted that the lot is limited from a zoning standpoint due to it being a corner lot and the orientation of the existing home; where the “front” yard is along Dundee Road per Village code definitions, and the rear of the home faces this “front yard”.

Mr. Baxter then swore in those looking to speak. Brad Friedman, the homeowner of 1085 Beinlich Court, stated that the existing landscape screening will remain and that the proposed in-ground pool will be nearly invisible to the neighbors and public.

Board Member David Friedman clarified that he is not related to the applicant, Brad Friedman.

Board Member John Satter stated that there appears to be a hardship for the orientation of the home and a lack of rear yard. Chairman Novack agreed and stated that this is a unique case.

### **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) and 5-101(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 front yard setback at 1085 Beinlich Court 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

**6. CONSIDER VARIATION REQUEST AT 715 VALLEY ROAD**

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

1. Section 3-111(C)- To reduce the required side yard setback from 12 feet to 10 feet, a variation of 20%;

Mr. Baxter then swore in those looking to speak. Steven Aisen, the General Contractor of 715 Valley Road, stated that the variance would be consistent with the zoning code as there are lots in the Village that have shorter setback requirements, and the units would be screened from the neighbors. Mr. Aisen also mentioned that he spoke with the neighbor closest to the air conditioning units and the neighbor is in favor with the proposed variation.

Board Member Alex Kaplan asked if there is currently a fence between 715 Valley Road and the neighbor closest to the air conditioning units at 555 Park Avenue, and Mr. Aisen confirmed that there is and will continue to be. Chairman Novack asked Mr. Aisen why this location is preferable to the neighbor at 555 Park Avenue, and Mr. Aisen responded that the location is more desirable for the neighbor because they will be out of sight from the neighbor's windows. Mr. Aisen also added that the air conditioning units will have sound blankets to reduce the noise and decibel levels.

Chairman Novack asked if the Village received any comments from the neighbors, and Mr. Baxter stated that the neighbor at 555 Park Avenue, Jason Mitchell, did email the Village to support the requested variance. Board Member Sara Elsasser added that this is a corner lot with greater zoning restrictions. Mr. Baxter added that staff is trying to avoid variance requests for air conditioning units during the permitting process.

**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 715 Valley 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. CONSIDER VARIATION REQUEST AT 1035 BLUFF ROAD**

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

1. Section 3-111(C)- To reduce the required side yard setback from 10 feet to 8.67 feet, a variation of 13.30%;

Mr. Baxter then swore in those who would be speaking. Cal Bernstein, the Attorney representing the owners of 1085 Beinlich Court, stated that the reason for this request was due to a field change when the HVAC contractor stated it would be more cost-efficient and practical to re-locate the air conditioning units in the side yard. Mr. Bernstein also noted that the manufacturer specifications also required a minimum distance from the home itself, which also made the previously approved location impractical from a functionality standpoint. Mr. Bernstein stated that the applicants also spoke with their neighbors and they are in favor of the requested variance – adding that the neighbor that is closest to the air conditioning unit did not even notice that it was there.

**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 1035 Bluff 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

### 8. ADJOURN

Prior to adjourning, Chairman Novack thanked the audience and asked everyone in attendance what the next meeting will look like in light of a rising number of COVID-19 cases in Cook County. Mr. Baxter confirmed that the Zoning Commission and Zoning Board of Appeals meetings will still be held on the same night on September 13, 2021, starting at 6:00 p.m. After discussion and input, most of the Board Members seemed to agree that it will be much safer to hold the September 13<sup>th</sup> meetings virtually, via "Zoom" videoconference, as they have been held over the past year.

A motion was made and seconded to have future meetings held via "Zoom" videoconference until there is a government mandate to hold meetings in person.



<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

The meeting adjourned at 7:21 p.m.