



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

Village Hall Council Chamber
675 Village Court
Monday, August 5, 2019 - 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 the 5th day of August, 2019, in the Village Hall Council Chamber.

| 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 | Absent |
| Scott Novack | Member | Present |
| John Satter | Member | Present |
| Village Staff | | |
| David Mau | Director of Public Works | Present |
| Rich McGowan | Planner | Present |

2. CONSIDERATION OF MINUTES OF THE JULY 1, 2019 ZBA MEETING

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

3. APPROVE FRIEDMAN-ROIN APPEAL AT 252 WALDEN AVENUE

The Chair stated that the purpose of this portion of the meeting was to conduct a public hearing on the appeal by Michael Friedman of a decision by the Interim Community Development Administrator in

denying a permit to increase the maximum allowable FAR in order to build an accessory structure (shed) at 252 Walden Drive. The variation is authorized by Section 7-403-E-1-(i) of the Zoning Code.

The Chair reported that notice of the public hearing was published in the June 13, 2019 Glencoe Anchor and neighbors were notified of the public hearing by mail. The Chair then swore in those in attendance who were expecting to testify.

SUMMARY OF TESTIMONY

Prior to any testimony being presented, the Chair recused himself, due to the fact that he is related to the applicants. He was replaced by David Friedman as Acting Chair.

The Acting Chair asked the applicant, Ms. Roin to proceed. She then noted the following factors in addressing the variation request:

1. Ms. Roin noted that the proposed shed would be used for storage and thereby free up room in the existing two car garage.
2. She stated that the original variation application included both a FAR and side yard setback variations; but subsequently the plans were revised to relocate the shed in the rear yard, thereby eliminating the need for a side yard setback variation.
3. Ms. Roin described the unique configuration of the lot which limits the locations where an accessory could be placed in a conforming location.
4. Ms. Roin presented several photographs and plan details, describing the proposed improvement.

Following consideration of the testimony and discussion, a motion was made and seconded, that the requested variation for the increase to the maximum allowable FAR be granted per the plans/drawings submitted, 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-(i) 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 FAR, to construct a shed at 252 Walden Drive, 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 Interim Community Development Administrator 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: | APPROVED [UNANIMOUS] |
| AYES: | Carlson, Elsasser, Friedman, Novack, Satter |
| NAYS: | (None) |
| ABSENT: | Kaplan |
| RECUSED: | Roin |

5. APPROVE MIKOLAJCZYK APPEAL AT 705 IVY LANE

The Chair stated that the purpose of this portion of the meeting was to conduct a public hearing on the appeal by Rachel Mikolajczyk of a decision by the Interim Community Development Administrator in denying a permit to increase the maximum allowable FAR in order to enclose a second floor balcony at 705 Ivy Lane. The variation is authorized by Section 7-403-E-1-(i) of the Zoning Code.

The Chair reported that notice of the public hearing was published in the July 11, 2091 Glencoe Anchor and neighbors were notified of the public hearing by mail. The Chair then swore in those in attendance who were expecting to testify.

SUMMARY OF TESTIMONY

The Chair asked the applicant, Ms. Mikolajczyk proceed. She then noted the following concerning the variation request:

1. The request is being made due to the fact that her children are growing older and need larger bedrooms.
2. She mentioned that the balcony is adjacent to an existing bedroom and lends itself to a rather simple conversion.
3. Ms. Mikolajczyk mentioned that the house was constructed in 1964 and does not meet today's standards for room sizes.
4. She provided a handout which included elevation drawings of the proposed improvement and then described the details.

Chair Roin asked what percent the variation request is. Director Mau confirmed that it is 11% (the Zoning Ordinance allows for a variation up to 15%). Roin also ask Ms. Mikolajczyk what her hardship was. She responded that she was concerned about her children's safety if they were able to get access to the balcony. Board member Novak asked if the area below the balcony, at grade level, will remain. Ms. Mikolajczyk confirmed that it would not be enclosed and remain a patio.

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-(i) 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 FAR, to enclose a second floor balcony at 705 Ivy Lane, 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 Interim Community Development Administrator 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: | APPROVED [UNANIMOUS] |
| AYES: | Roin, Carlson, Elsasser, Friedman, Novack, Satter |
| NAYS: | (None) |
| ABSENT: | Kaplan |

5. ADJOURN

There being no further business to come before the Zoning Board of Appeals the meeting was adjourned at 7:43 p.m.