



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

Videoconference
675 Village Court
Monday, March 7, 2022 – 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 March 7, 2022, held virtually via Zoom web videoconference.

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

Chairman Scott Novack introduced the newest ZBA Member, Mr. Jake Holzman.

2. CONSIDERATION OF MINUTES OF THE FEBRUARY 7, 2022, ZBA MEETING

Board Member Holzman abstained since he was not at the February 7th, 2022, meeting.

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

3. CONSIDER VARIATION REQUEST AT 332 ADAMS AVENUE

Taylor Baxter gave a brief overview of the case, stating that the applicants are seeking one variation to allow for the construction of a single-family home to encroach into the side setback at 332 Adams Avenue:

1. Section 3-111(C) - To reduce the required west side setback from 8 feet to 6.5 feet.

Mr. Baxter explained that the lot is currently vacant and the home that was demolished in April 2020 had the same side setback as the requested variance, and that the applicants would normally be allowed to utilize this setback for new construction, however, the applicants did not apply for a new construction building permit within one year of the demolition, so they are required to obtain a variance in order to utilize this setback. Mr. Baxter clarified that the proposed home would be slightly further from where it was and that the variation request is an 18.8% reduction in the required side yard setback, which is below the maximum threshold of 20%.

Mr. Baxter then swore in the owner of 332 Adams Avenue, Mr. Bryan Lammers. Mr. Lammers stated that he intended to apply for a new construction building permit before April of 2020 so that they would not need approval of a variance, but his Engineer became severely ill and was unable to work for four months. Chairman Novack stated that he understood the circumstances and the request but wanted to clarify that it will be slightly further from where it was prior to demolition in April 2020. Mr. Lammers confirmed that it will be. Chairman Novack said that it is clear that the applicant's intent was to fit in the new home as cleanly as possible given that it is an undersized lot in terms of lot width and lot area.

Mr. Lammers then explained that on the east side of the home they improved the setback so that it would be conforming with the RC Zoning District. Board Member Michael Koppersmith asked if the owner the west supports the requested variance and Mr. Lammers confirmed that they are in support and have submitted a letter as well. Mr. Baxter then read a public comment provided by a resident, Joe Keefe:

"Zoning Board of Appeals,

I am Joe Keefe, resident of 411 Randolph Street. I respectfully request that action be deferred on the variance request for 332 Adams until I am able to present to the Glencoe Village Board. New construction at 409 Randolph site - same owners and contractor - has revealed contradictions in Glencoe building code ordinances. I will attend the March 7th meeting to more fully explain concerns. Please contact me for any needs.

Thanks for your consideration.

*Joe Keefe
411 Randolph Street"*

PUBLIC COMMENT

Chairman Novack thanked the applicants and asked the audience if there are any public comments. Mr. Keefe of 411 Randolph Street then stated that Mr. Lammers also built and owns the home at 409 Randolph Street, which is directly south of Mr. Keefe's property. Mr. Keefe stated that Mr. Lammers had constructed egress window wells and wall inside of his easement at 409 Randolph Street, and that the Village is now gradually allowing more things to be constructed within the required setbacks. Mr. Keefe noted that Mr. Lammers may end up doing the same thing with 332 Adams Avenue, resulting in an even closer proximity to the neighbors. Mr. Keefe then clarified that he is not supporting nor objecting to the requested variance, however, he is asking the ZBA to defer the case so that he can first go to the Village Board to discuss window wells and other structures within setbacks.

Chairman Novack clarified that the ZBA cannot necessarily entertain issues with 409 Randolph but the ZBA can address window well questions. Board Member Alex Kaplan then asked if the applicant was entitled or grandfathered to the current setback requirements for window wells, regardless of whether the Village Board decides to approve a future text amendment or not. Mr. Baxter confirmed that a text amendment would not change what the applicant could do with regard to window wells. Chairman Novack told Mr. Keefe that he appreciates his interest to improve the code and that it is certainly within his right to go to the Village Board. Board Member John Satter clarified that when the ZBA approves a variation request, that would be the final decision for zoning-related matters for that particular variance request. Mr. Satter added that this seems like a fairly small ask considering what was there prior to April 2020, that it's good that the neighbor closest to the requested variance is in support, it's a relatively small lot, and that it's good that there could potentially be more affordable housing available as a result of the new construction. Board Member Sara Elsasser said that she agrees with Board Member Satter completely. Board Member Debbie Ruderman stated that if the circumstances were different and the timing was not an issue then the ZBA would not be discussing this because a variance would not be required.

Mr. Keefe reiterated that he is not necessarily against the requested variance, but the process to provide public comment is now, and as a resident, egress windows can be constructed in many areas, and that the notion that they can encroach into setbacks is a significant concern of his.

Mr. Keefe concluded that if the ZBA votes in favor of the requested variance, then he wishes the record to say that he objects to the variance and that he can express his concerns to the Village Board as well.

Chairman Novack thanked Mr. Keefe for providing his input and expressing his concerns, and asked staff if there were any additional comments. Chairman Novack then stated that this process is playing out as it's designed, with a thorough discussion and feedback from residents. Chairman Novack concluded that he appreciates that the applicant spoke to the neighbor to the west and can tell that the applicant and Architect were very limited with what they could do due to the narrow and undersized lot. No additional 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 west side setback at 332 Adams 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
AYES:	Novack, Elsasser, Kaplan, Satter, Ruderman, Koppersmith
NAYS:	None
ABSENT:	Holzman (unable to vote due to technical issues)

4. PUBLIC COMMENT 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

Before the meeting ended, the ZBA agreed that due to the improving state of the COVID-19 pandemic, future meetings will be held in person at Glencoe Village Hall in the Council Chambers, with a new start time of 7:00 p.m. rather than 6:30 p.m.

The meeting adjourned at 7:11 p.m.

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