



VILLAGE OF GLENCOE

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Virtual Meeting Information

The March 7, 2022 Zoning Board of Appeals and Zoning Commission meeting will be held virtually via telephone and videoconference (individuals may participate either by telephone or by video conference) pursuant to Governor Pritzker's Executive Order 2022-01. In addition, at least one representative from the Village will be present at Village Hall in compliance with Section 7(e) of the Open Meetings Act.

Individuals may call the following to participate in the meeting:

By Telephone:

Phone Number: (312) 626-6799
Webinar ID: 822 6190 5295

By Zoom Video Conference:

Zoom video conference link: [Click here](#)

Public Comment Submittal Options

Option 1: Submit Comments by E-Mail Prior to Meeting

Public comments can be submitted in advance of the meeting by e-mail to glencoemeeting@villageofglencoe.org. Public comments that are received by 5:30 p.m. or one hour before the start of the meeting will be read during the meeting under Public Comment. All e-mails received will be acknowledged. Public comments that are read during the meeting are limited to 400 words or less. E-mailed public comments should contain the following:

- The Subject Line of the e-mail should include the following text: "March 7th Zoning Board of Appeals/Zoning Commission Meeting Public Comment"
- Name of person submitting comment (address can be provided, but is not required)
- Organization or agency person is submitting comments on behalf of, if applicable
- Topic or agenda item number of interest, or indicate if the public comment is on a matter not listed on the meeting agenda

Option 2: Submit Comments by Phone Prior to Meeting

Individuals without access to e-mail may submit their comments through a voice message by calling (847) 461-1100. Verbal public comments will be read aloud during the meeting and will be limited to three minutes.



**AGENDA
VILLAGE OF GLENCOE
ZONING COMMISSION
REGULAR MEETING**

**Virtual Meeting
March 7, 2022
6:30pm**

1. CALL TO ORDER AND ROLL CALL

*Scott Novack, Chair
Sara Elsasser
Jake Holzman
Alex Kaplan
Michael Koppersmith
Debbie Ruderman
John Satter*

2. CONSIDER ADOPTION OF THE OCTOBER 4, 2021 ZONING COMMISSION MEETING MINUTES

3. CONSIDERATION OF A REFERRAL FROM THE VILLAGE BOARD OF A PROPOSED ZONING CODE AMENDMENT TO INCREASE THE ABILITY OF THE ZONING BOARD OF APPEALS TO REDUCE REQUIRED SETBACKS FOR ACCESSORY STRUCTURES ON CORNER AND THROUGH LOTS

4. PUBLIC COMMENTS ON NON-AGENDA ITEMS

5. ADJOURN

The Village of Glencoe is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend the meeting who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of the meeting or the facilities, are requested to contact the Village of Glencoe at least 72 hours in advance of the meeting at (847) 835-4114, or the Illinois Relay Center at (800) 526-0844, to allow the Village of Glencoe to make reasonable accommodations for those persons.



**MINUTES
VILLAGE OF GLENCOE
ZONING COMMISSION
REGULAR MEETING**

Village Hall Council Chamber and Videoconference
675 Village Court
Monday, October 4, 2021 - 6:30 PM

1. CALL TO ORDER AND ROLL CALL

The Regular Meeting of the Commission of the Village of Glencoe was called to order by the Chair, at 6:30p.m. on the 4th day of October 2021, held virtually via Zoom web videoconference.

Attendee Name	Title	Status
Zoning Commission		
Scott Novack	ZC Chairman	Present
Sara Elsasser	Commissioner	Present
David Friedman	Commissioner	Present
Alex Kaplan	Commissioner	Present
John Satter	Commissioner	Present
Debbie Ruderman	Commissioner	Present
Michael Kuppersmith	Commissioner	Present
Village Staff		
Andrew Fiske	Village Attorney	Present
Taylor Baxter	Development Services Manager	Present
Richard McGowan	Planner	Present

2. CONSIDERATION OF MINUTES OF THE SEPTEMBER 13, 2021, ZONING COMMISSION MEETING

Commissioner Alex Kaplan stated that he did not feel that the reasoning behind his vote was accurately reflected in the minutes. Commissioner Kaplan stated that the problem was not that his opinion was misrepresented, but was rather not fully included. Chairman Novack added that if Commissioner Kaplan is not ready to provide updates to the minutes, the Village Board may not have them when the case goes before them. Village Attorney Andrew Fiske stated that if the Commission did not approve minutes at this meeting, staff can make the determination whether to include the minutes in draft form or to choose not to provide them for the Village Board. Commissioner Ruderman asked if the minutes could be considered by email and Mr. Fiske responded that they could not. Commissioner Kaplan added that he tried to elaborate the arguments that residents had made and that this was the foundation for his vote. Commission

Satter asked if he could move to vote on the minutes at this point and that Commissioner Kaplan could potentially add his thoughts to the minutes at a later meeting. Commissioner Friedman asked if the Commission could have a meeting the following day and Mr. Fiske stated that it would not meet notice requirements. Commissioner Kaplan suggested that the minutes be approved, subjected to his objections related to the omission of his previous statements regarding the reasoning behind his vote. Mr. Fiske responded that this motion would work as intended.

Commissioner David Friedman stated that he had edits to the meeting minutes and provided those to the Zoning Commission and Village Staff.

Commissioner Kaplan made a motion was made and seconded to approve the meeting minutes subject to Commissioner Alex Kaplan's objection as stated above and subject to Commissioner David Friedman's edits. Commissioner Elsasser seconded the motion.

RESULT:	ACCEPTED
AYES:	Novack, Elsasser, Friedman, Kaplan, Satter, Ruderman, Kuppersmith
NAYS:	None

3. CONSIDER A RESOLUTION REGARDING THE PROPOSED AMENDMENT TO THE ZONING MAP TO REZONE THREE PARCELS FROM THE R-C DISTRICT TO THE R-D DISTRICT AND A SPECIAL USE PERMIT TO CONSTRUCT A SIX-UNIT MULTI-FAMILY RESIDENTIAL BUILDING AT 538 GREEN BAY ROAD

Chairman Novack stated that the Commission had received emails regarding this proposal in the hours leading up to the hearing and that they should discuss their options for moving forward. He stated that the applicant had requested that the Commission table the resolution so that they could meet with neighbors. He stated that Mr. Gallagher, the neighbor to the north, had expressed opposition to this idea. He asked that Mr. Baxter read the correspondence that was received. He did not want to give the impression that this was a public hearing. He asked if the Commission wanted to open up the floor to comments. Commissioners Friedman and Elsasser agreed that they did not want to re-open public comment. Mr. Fiske stated that consideration of the request to table consideration would not need re-opening of the public hearing. Commissioner Kaplan asked if it would be prudent to open the floor to residents, as he doesn't want to silence neighbors. Chairman Novack responded that he intended to allow everyone to speak, but after voting on the resolution, because there was no new evidence to be discussed. He did not want to hear new statements from the applicant or neighbors before voting on the resolution, as that part of the process was already done. He asked for other Commissioners' opinions. Commissioner Kaplan responded that he was not sure what they were voting on. Mr. Fiske stated that the resolution was what was on the agenda and that there was no legal obligation to re-open the hearing or take more comments, although the Commission could do that if they wanted to. He said that the Commission could also take comments that are focused on the proposal to table the resolution. Chairman Novack said that the task as a body is to vote on the resolution that the Commission asked staff to prepare, and

that there was a new request from the applicant not to vote at this meeting. Commissioner Kaplan asked whether an application withdrawn by the applicant needed a vote and Mr. Fiske responded that it would not.

Chairman Novack stated that he did not see what the benefit of tabling the application would be. He asked if a changed proposal would need a new application. Mr. Fiske said that depended on the nature of the changes. Commissioner Kaplan asked what the applicant is asking for. Commissioner Kuppersmith stated that the applicant is not asking to withdraw the application. Commissioner Kaplan asked if the Commission could vote on a substantively changed application and Mr. Fiske responded that the application had not been changed. Commissioner Friedman said that the Commission should vote and send the matter to the Village Board. Commissioners Elsasser and Ruderman stated that they agree. Chairman Novack added that he didn't see any benefits to tabling the matter and Commissioner Kaplan agreed. Commissioner Kaplan said that he didn't know if the Commission could vote on an application that is being withdrawn. Commissioner Elsasser and Chairman Novack said that there was no request for withdrawal.

Commissioner Kuppersmith asked Mr. Fiske what would happen if the Commission approves the resolution. Mr. Fiske responded that it would go to the Village Board and that it would be a public meeting, not a public hearing, but comments could be taken.

Commissioner Ruderman said that in her opinion the Commission should vote on the resolution. If the applicant were to change the proposal, the Commission could consider the new proposal at a later date. Chairman Novack agreed and said that the Commission has a 45-day time limit to get a resolution to the Village Board once the public hearing closes.

Chairman Novack invited Chris Canning, the applicant's representative, to speak. Mr. Canning said that the property owner had provided a statement and that they had been told that they would be able to speak at this meeting. It was only earlier in the day that they were informed that the applicant would not be able to speak, so they were requesting that the statement be part of the record, whether read or not. The second request was to request more time to speak with the neighbors. He said that Peter Cummins, representative for the applicant, would provide more information on that request.

Mr. Cummins said that there were two requests: a rezoning and a proposed building. He said that the applicant had a meeting scheduled with the applicant. He said that he wanted to put a hold on the resolution because the rezoning request should be considered separately from the proposed building. He said that the proposed building was not going to get approved, but they are not withdrawing the application. He was planning on looking for ways to keep the rezoning request alive so that other plans could work. He said that the property should have consideration for rezoning and that what should happen after rezoning is a different conversation. The rezoning is a separate action than the SUP for the building.

Chairman Novack said that the applicant's comments did not change his position on the matter. The Commission already requested a resolution recommending denial of the rezoning request

and there was nothing new presented. He did not see a reason to extend the process. Commissioner Kaplan said that he agreed with Chairman Novack.

Commissioner Friedman stated that he had a comment on the resolution. He wanted to add "among others" to the end of paragraph 1A under "findings".

Chairman Novack proposed his changes to the resolution. Under "Findings" section B.1., he proposed substitution "are incompatible" with "may be incompatible". He proposed that in B.2., "will be substantially" be substituted by "could be". He proposed striking B.3 altogether. Under "Special Permit" C.1 and C.2, he proposed substituting "would" with "could". He proposed striking C.3. He proposed changing "does" to "may" under C.4. He stated that he didn't agree with the appraisal and some comments and that from an overall land use perspective, with acknowledgement that there are many concerned neighbors, he is not convinced that the stronger language in the resolution is warranted. Commissioner Elsasser stated that she had a similar opinion. She said that some of the statements made during the public hearing were validated and she would not want them stated as facts. With that said, she still supports the resolution. Commissioner Kaplan agreed with the proposed changes. He said that statement C.3 is a subjective statement that he agrees with, but that the testimony provided by the public was also subjective and supports this statement. He suggested that it be kept in the resolution.

Commissioner Friedman asked Mr. Fiske if the resolution need to include the "findings" section and Mr. Fiske responded that it is needed.

Chairman Novack said that he was open to Commissioner Kaplan's suggestion about section C.3. Commissioner Elsasser added that she did not want the resolution to imply that condos or mixed-use housing was undesirable in Glencoe. Mr. Fiske stated that the intent of C.3 is to provide direction to the Village Board and that the resolution should express the Commission's feelings. Chairman Novack said that the rest of the comments accurately reflect the neighbor's concerns and that C.3 is not needed. Commissioner Kaplan suggested adding language tying C.3 to testimony provided at the September public hearing rather than implying that multifamily housing in general is inappropriate. Chairman Novack agreed and Commissioner Kaplan stated that "based on the testimony before the Commission on September 13, 2021" should be added to the end of C.3.

Commissioner Satter asked if he could comment and Mr. Fiske responded that he should not participate in the discussion due to his recusal at the prior meeting.

Mr. Baxter asked if he should read the recently received letters. Commissioner Elsasser asked if they are already part of the record and Mr. Baxter responded that they are and he did not think they needed to be read. Mr. Fiske agreed that they did not necessarily need to be read.

Chairman Novack asked if the applicant would like to withdraw. Mr. Canning responded that they do not want to withdraw.

Commissioner Ruderman moved to approved the resolution with the changes as previously noted. Commissioner Kaplan seconded the motion.

RESULT:	ACCEPTED
AYES:	Novack, Elsasser, Friedman, Kaplan, Ruderman, Kuppersmith
NAYS:	None
ABSENT:	None
RECUSED:	Satter

5. PUBLIC COMMENT ON NON-AGENDA ITEMS

There were no public comments.

6. MOTION TO ADJOURN.

Commissioner Ruderman made a motion to adjourn and Commissioner Elsasser seconded the motion. The motion passed unanimously and the meeting adjourned at 7:57pm



VILLAGE OF GLENCOE MEMORANDUM

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Zoning Commission Memorandum

DATE: February 24, 2022

TO: Zoning Commission

FROM: Taylor Baxter, AICP, Development Services Manager

SUBJECT: Public hearing regarding a proposed amendment to the Zoning Code to increase the ability of the Zoning Board of Appeals to adjust front yard setback requirements for accessory structures on corner and through lots

BACKGROUND AND ANALYSIS:

Glencoe's Zoning Code strongly discourages the placement of accessory structures in front yards. While accessory structures receive a significant rear setback reduction, no such reduction is available for front yards. In single-family residential districts, accessory structures must meet principal structure setback requirements of between 30 and 50 feet. Additionally, accessory structures may not be closer to the street than one-half of lot depth, which, with rare exceptions, prevents them from being located between a house and a front lot line.

On a corner lot, the front lot line is the shorter of the two street-adjacent lot lines, regardless of the orientation of the house itself, and the required front setback is measured from this front lot line. Likewise, on a through lot (a lot with frontage on two non-intersecting rights-of-way), both street-adjacent lot lines are technically front lot lines with associated front setback requirements, regardless of the orientation of the house. These restrictions work as intended on nearly all lots in the Village, with accessory structures kept out of what are both technically and functionally front yards. However, on a small number of corner and through lots, what is functionally a property's rear yard is technically a front yard, significantly limiting or eliminating residents' ability to construct accessory structures that would otherwise be allowed. The attached exhibits show examples of such properties.

Staff has received inquiries related to the possibility of reducing required setbacks for accessory structures in front yards that are functionally rear yards. Because this is an issue that affects a small minority of properties in the Village, staff would not recommend a blanket reduction of setback requirements or to allow their reduction with only an administrative review. Currently the Zoning Board of Appeals can reduce front setback requirements by no more than 20%. After discussion at the January 2022 Committee of the Whole Meeting and the February 2022 Regular Meeting, the Village Board has referred to the Zoning Commission a proposed Zoning Code amendment that would allow the ZBA to grant more substantial front yard variations for accessory structures on corner and through lots on a case-by-case basis. The amendment proposed to the Village Board by staff and subsequently referred to the Zoning Commission for consideration would be to allow variations to reduce setback requirements

to no less than 15 feet on such lots, which is the required corner side setback requirement on a standard 100-foot-wide single-family lot. The ZBA could impose conditions of approval where appropriate, such as screening, height, or location requirements. This could be accomplished with a Zoning Code text amendment to the list of variations that the ZBA can approve:

Sec. 7-403(E)(1)(a) Permitted variations: To reduce by not more than 20 percent the dimension of any required front, side, or rear yard, or setback; provided, however, that where the maximum front yard variation provided by this Subparagraph requires a front yard greater than 25 percent of the depth of the lot, the Zoning Board of Appeals may make a further variation which shall in no case establish a front yard line at a distance less than 25 percent of the lot depth; provided further that where the rear lot line in a residential district abuts the rear or side lot line of a lot zoned B-1 or B-2, the Zoning Board of Appeals may further reduce the dimension of any required rear yard to allow for the construction, reconstruction, or expansion of any accessory structure on the residential property (Amended Oct 1994); **provided further that on corner or through lots, the Zoning Board of Appeals may reduce the required front setback for accessory structures, including residential recreational facilities, to no less than 15 feet;** provided further, however, that no variation shall be granted from **Green Bay** ~~Glencoe~~-Road yard requirements for lots in the B-2 District.

ZONING COMMISSION ROLE IN AMENDMENT PROCESS:

The Zoning Commission's role in this process is to hold a public hearing on the proposed amendment and make a recommendation to the Village Board regarding its approval or denial. The Commission may also recommend changes to the proposed amendment as it determines to be appropriate.

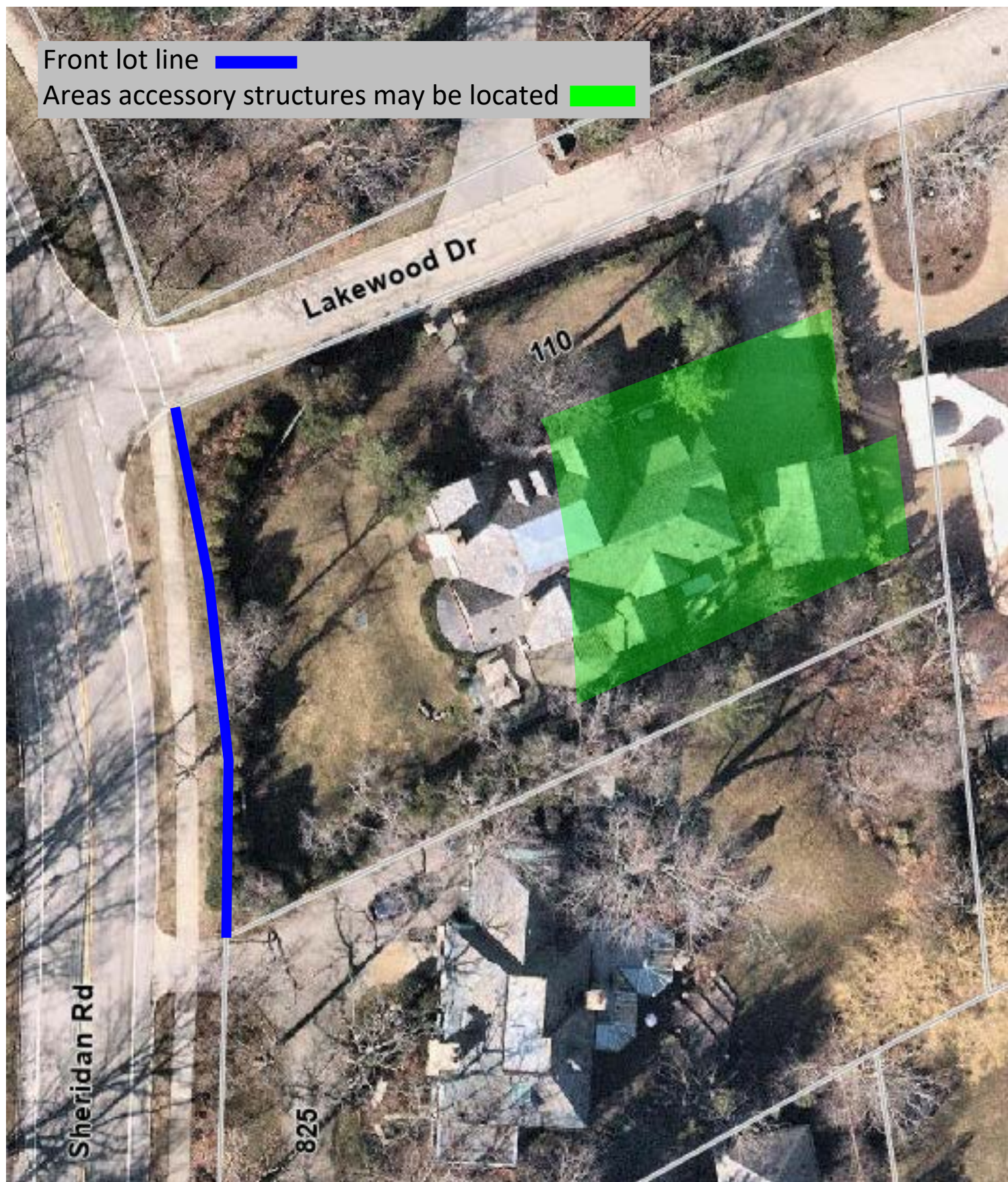
RECOMMENDATION:

Staff recommends that after a public hearing and consideration of the proposed Zoning Code amendment, the Zoning Commission move to recommend approval or denial of the amendment to the Village Board. If the Zoning Commission determines that an amendment is needed, but the proposed amendment as referred by the Village Board is not appropriate, it may recommend changes to the amendment as determined to be appropriate.

MOTION:

Move to recommend approval/denial of the proposed Zoning Code Amendment to the Village Board, with revisions as determined to be appropriate.

Exhibit A - Corner and through lot examples



Corner of Lakewood Dr at Sheridan Rd - front yard



Front lot line



Areas accessory structures may be located



Northeast corner of Beinlich Ct at Dundee Rd - front yard



Northwest corner of Beinlich Ct at Dundee Rd -
front yard



Front lot line





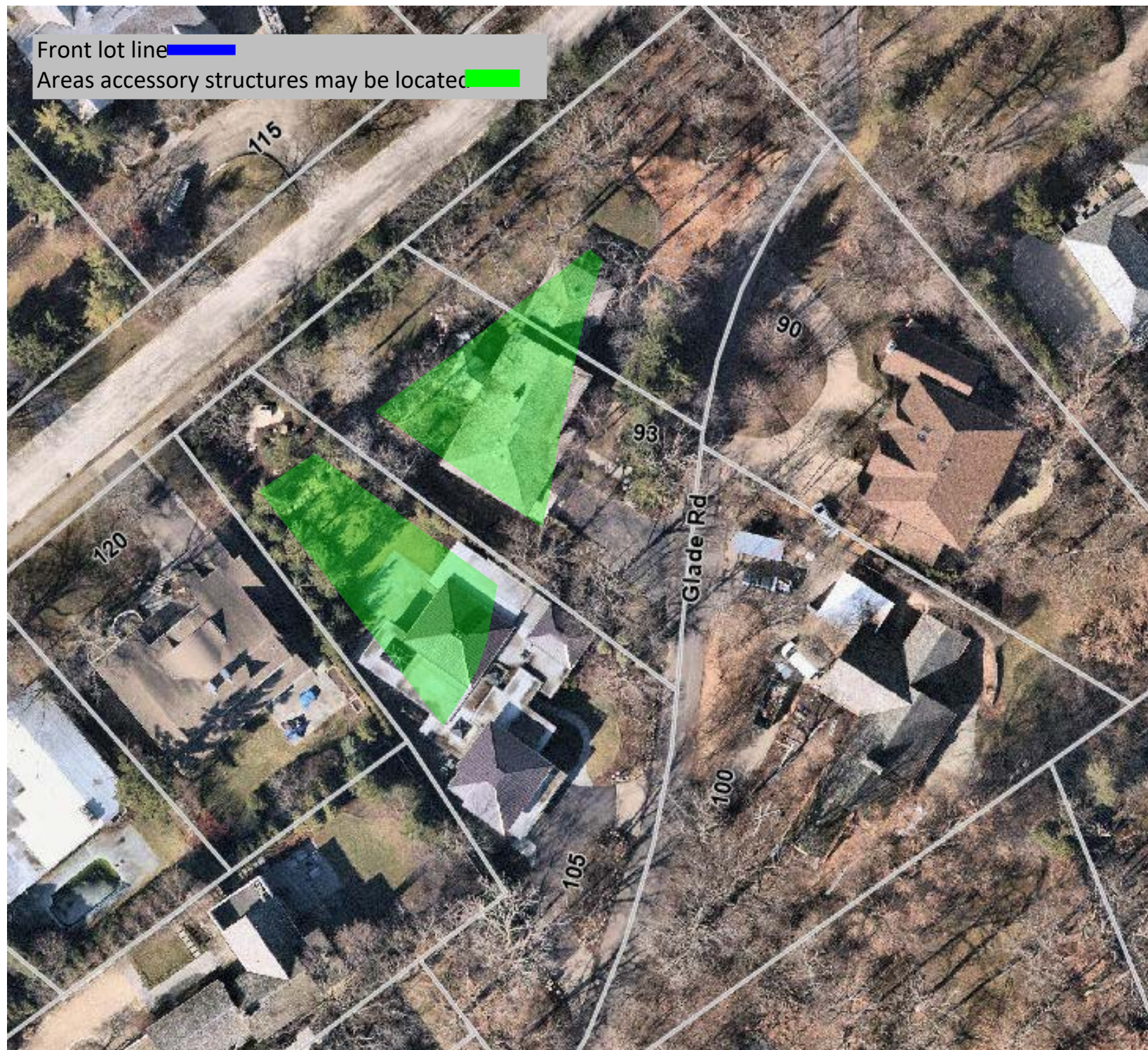
Areas accessory structures may be located





South side of Aspen Lane - rear of Estate
Drive houses; technically front yards

Front lot line 
Areas accessory structures may be located 





South side of Rockgate Lane/rear of houses on Glade Road; technically front yards