



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

Village Hall Council Chamber and Videoconference  
Monday, March 7, 2022 – 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 7:12 p.m. on the 7th day of March 2022, held virtually via Zoom web videoconference.

Attendee Name	Title	Status
<b>Zoning Commission</b>		
Scott Novack	ZC Chairman	Present
Sara Elsasser	Commissioner	Present
Alex Kaplan	Commissioner	Present
John Satter	Commissioner	Present
Debbie Ruderman	Commissioner	Present
Michael Koppersmith	Commissioner	Present
Jake Holzman	Commissioner	Present
<b>Village Staff</b>		
Taylor Baxter	Development Services Manager	Present
Richard McGowan	Planner	Present

**2. CONSIDERATION OF MINUTES OF THE OCTOBER 4, 2021 ZONING COMMISSION MEETING**

<b>RESULT:</b>	<b>ACCEPTED</b>
<b>AYES:</b>	Novack, Elsasser, Kaplan, Satter, Ruderman, Koppersmith, Holzman
<b>NAYS:</b>	None

**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 THE REQUIRED SETBACKS FOR ACCESSORY STRUCTURES ON CORNER AND THROUGH LOTS**

Taylor Baxter gave a brief overview of the referral from Village Board, explaining that Glencoe’s Zoning Code strongly discourages the placement of accessory structures in front yards, which can significantly limit where an accessory structure can go on corner and through lots. Mr. Baxter stated that 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, and on a through lot, both street adjacent lot lines are technically front lot lines with associated front setback requirements, regardless of the orientation of the house. Additionally, Mr. Baxter noted that 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. Mr. Baxter noted that these restrictions work as intended on nearly all lots in the Village, however, there are a small number of corner and through lots that are significantly limited or prevented from constructing accessory structures in what is functionally the property's rear yard.

Mr. Baxter explained that since this issue affects a relatively small number of properties in the Village, staff does not recommend a blanket reduction of setback requirements or a reduction through administrative (staff) review, but the Zoning Code amendment would allow for the Zoning Board of Appeals (ZBA) to grant more substantial front yard variations for accessory structures on corner and through lots on case-by-case basis. Specifically, it would allow these 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.

Mr. Baxter then provided an excerpt from the Zoning Code, Section 7-403(E)(1)(a) to present the potential text amendment:

*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.*

Mr. Baxter stated that "Glencoe Road" no longer exists in the B-2 district, so that is why it is proposed to be revised to "Green Bay Road". Mr. Baxter then explained the Zoning Commission's role in the amendment process and stated that 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.

Chairman Scott Novack stated that he felt that the Zoning Code put certain homeowners at a disadvantage, and that this referral could potentially allow homeowners on corner lots and through lots to get a fair shake. Chairman Novack noted that it is unique because we all

have functional backyards, but they are not always defined and regulated as backyards according to the Zoning Code.

Chairman Novack then suggested a minimum 12-foot minimum setback rather than the proposed 15-foot setback since 12 feet is a 20% reduction of 15 feet, which is a variation that the ZBA could grant, and because ultimately the ZBA would review the requested variances on a case-by-case basis.

### **PUBLIC COMMENT**

Chairman Novack thanked staff and asked the audience if there are any public comments. No public comments were made for the proposed Zoning Code amendment.

Commissioner Michael Kuppersmith asked staff to confirm if the ZBA has the discretion to impose conditions for requested variances such as landscape screening. Mr. Baxter confirmed that Section 7-403(H) of the code allows for the ZBA to propose a wide array of conditions for variances. Commissioner Kuppersmith then responded that a 12-foot minimum setback makes sense since the ZBA has the discretion to attach conditions or suggestions as necessary. Commissioner John Satter noted that he fears someone may try and take advantage of the situation but explained that anyone would have to apply for a variance with the ZBA regardless, so he generally thinks he's in support for residents to get the best use and enjoyment of their lots. Commissioner Sara Elsasser stated that she agrees that a 12-foot setback is a good starting point, and it makes sense since the ZBA has the discretion to approve requested variances with this setback on some lots.

Commissioner Satter asked if the 12-foot setback would be the new required setback and Chairman Novack clarified that the applicant would need to ask the ZBA for a reduced setback with 12 feet, but no closer than 12 feet, or 15 feet, depending on the Zoning Commission's direction tonight.

Mr. Baxter clarified that if the applicant wanted anything in a front yard, it would need ZBA approval, and that we are not proposing changing the setback limit, but rather the maximum variation percentage for through lots and corner lots to allow any variation percentage, but no less than 12 feet, or 15 feet, depending on the Zoning Commission's direction tonight. Mr. Baxter explained that if an applicant received a variation to reduce the setback to 12 or 15 feet, then the ZBA cannot do a variation on top of a variation to further reduce the minimum setback. Chairman Novack noted that the way the code is currently, homeowners on corner lots and through lots can be out of luck when it comes to constructing accessory structures.

Mr. Baxter stated that if it is a unanimous decision then staff could submit draft meeting minutes to the Village Board, or the Zoning Commission can direct staff to prepare a written resolution for next month and the Zoning Commission could make their decision next month. Chairman Novack said that he did not feel it was necessary to come back next month and that he sensed the Commissioners and himself were able to make a recommendation tonight.

Commissioner Elsasser stated that it makes sense to her and asked if the Zoning Commission will be using staff's recommendation. Commissioner KupperSmith confirmed that they will be using staff's recommendation but revising the minimum 15-foot setback to a minimum 12-foot setback for front yards on corner and through lots. Chairman Novack then asked if there were any additional questions, which there were not.

A motion was made and seconded to recommend approval of the proposed Zoning Code amendment to increase the ability of the ZBA to reduce the required setbacks for accessory structures on corner and through lots to a minimum of 12 feet from a front lot line. Commissioner Holzman was unable to vote due to technical issues.

<b>RESULT:</b>	<b>ACCEPTED</b>
<b>AYES:</b>	Novack, Elsasser, Kaplan, Satter, Ruderman, KupperSmith
<b>NAYS:</b>	None
<b>ABSENT:</b>	Holzman
<b>ABSTAIN:</b>	None

Chairman Novack then held a brief discussion on upcoming ZBA and Zoning Commission meetings, and the practice of holding meetings virtually or in-person due to the ongoing pandemic and State requirements. Moving forward, the ZBA and Zoning Commission will plan on meeting in-person and will begin at 7:00 p.m. rather than 6:30 p.m.

**4. MOTION TO ADJOURN**

There being no further business to come before the Zoning Commission, the meeting was adjourned at 8:07 p.m.

<b>RESULT:</b>	<b>ACCEPTED</b>
<b>AYES:</b>	Novack, Elsasser, Friedman, Kaplan, Ruderman, KupperSmith
<b>NAYS:</b>	None
<b>ABSENT:</b>	Holzman
<b>ABSTAIN:</b>	None