

VILLAGE OF GLENCOE
ZONING COMMISSION

PUBLIC HEARING
JANUARY 7, 2013

1. CALL TO ORDER.

A meeting of the Zoning Commission of the Village of Glencoe was called to order at 8:55 p.m. Monday, January 7, 2013 in the Glencoe Village Hall, 675 Village Court, Glencoe, Illinois.

2. ROLL CALL

The following were present:

Chair: Barbara Miller

Members: Deborah Carlson, David Friedman, Ed Goodale, Jim Nyeste, Howard Roin, and Steve Ross

The following were absent:

None.

The following Zoning Commission staff liaison and Secretary were present:

John Houde, Building & Zoning Administrator

Andrew Fiske, Village Attorney's Office

3. CONTINUATION OF PUBLIC HEARING TO MAKE A RECOMMENDATION TO THE VILLAGE BOARD OF TRUSTEES TO CONSIDER POSSIBLE AMENDMENTS TO THE ZONING CODE RELATED TO GROUND FLOOR USES IN BUSINESS DISTRICTS AND TO CONSIDER UPDATING THE USE CLASSIFICATION SYSTEM FROM THE STANDARD INDUSTRIAL CLASSIFICATION SYSTEM (SIC) TO THE NORTH AMERICAN INDUSTRIAL CLASSIFICATION SYSTEM (NAICS).

Each element of the draft Zoning Code amendment was reviewed in detail. Some minor modifications were made permitting all members present to unanimously recommend approval of the amendments by the Village Board.

A motion was made and seconded to recommend amendments to the Zoning Code relating to allowing certain additional ground floor uses in the business districts and to update the use classification system for the SIC reference to the NAICS reference.


Ayes: Carlson, Friedman, Goodale, Nyeste, Roin, Ross and Miller (7)

Nays: None

Absent: None

Kevin Campbell, Highland Park, commended the Zoning Commission for their 6 months of hard work.

There being no further business to come before the Zoning Commission the public hearing was closed with the meeting adjourning at 9:30 P.M.


John Houde, Secretary

VILLAGE OF GLENCOE
FENCE BOARD OF APPEALS

REGULAR MEETING

January 7, 2013

1. CALL TO ORDER.

A meeting of the Fence Board of Appeals of the Village of Glencoe was called to order at 7:30 p.m. Monday, January 7, 2013 in the Council Chamber of the Village Hall, Glencoe, Illinois.

2. ROLL CALL.

The following were present:

Barbara Miller, Chair

Members: Deborah Carlson, David Friedman, Ed Goodale, Howard Roin, Jim Nyeste, and Steve Ross

The following were absent:

None

The following Village Staff were also present:

John Houde, Building & Zoning Administrator

3. APPROVE BERNSTEIN APPEAL AT 95 BRENTWOOD.

The Chairman stated that the purpose of this portion of the meeting was to conduct a public hearing on the appeal by Larry and Julie Bernstein of a decision by the Building & Zoning Administrator denying plans to replace an existing fence along the north, west, and south sides of their tennis court. The proposed fence replacement requires an increase in the allowable fence height from 4 feet to 10 feet. There are no percentage limits on variations the Fence Board of Appeals can grant.

The Chairman reported that notice of the public hearing was published in the November 8, 2012 GLENCOE NEWS and 11 neighbors were notified of the public hearing by mail and one email was received. The Chairman then swore in those in attendance who were expecting to testify.

SUMMARY OF TESTIMONY

The owner's representatives, architect David Hoffman, and landscape architect Sarah Furland of Mariani Landscaping summarized the following items which were previously submitted:

1. The tennis court and its fencing are in a state of disrepair and require extensive work. The owners wish to resurface the court and to install new lighting in accordance with the Village Code (5-101-D-.1(b)).
2. The court is located in close proximity to Sheridan Road and the public sidewalk and was installed with a ten foot high fence along the full extent of the westerly half adjacent to Sheridan Road. The current zoning ordinance (5-101-D.1(a)) states that for a tennis court, "The back court areas may be enclosed with a fence not exceeding 10 feet in height, which fence may extend not more than 20 feet along each side of the back court areas. All other fencing shall comply with the general requirements of the Glencoe Village Code."
3. The property is a corner lot with the front yard on Brentwood Drive and the corner side yard on Sheridan Road. If the fence were replaced in conformance with the Code, there would be an area on the westerly half of the tennis court adjacent to Sheridan Road where the maximum allowable fence height would be 4 feet.
4. Due to the close proximity of a busy street and sidewalk, the owners are concerned about the danger of tennis balls leaving the court and causing a nuisance for vehicular and foot traffic in the public way. In order to maintain the safe operation of the existing tennis court they are requesting that they be permitted to reconstruct the existing fence at the existing full height of 10 feet at the existing fencing locations.

The Chair made part of the record, as additional testimony the Agenda Supplement and an email from Paul and Rhoda Miller, 90 Estate Drive, in favor of the variation providing north screening landscaping could be maintained or provided, which the Secretary was directed to preserve as part of the record in this matter.

Following consideration of the testimony and discussion, a motion was made and seconded, that the request for a variance in the allowed fence height to replace the existing 10 foot tennis court fence be granted per the drawings presented, making findings and resolving as follows:

FINDINGS

1. The requested variation is within the jurisdiction of the Fence Board of Appeals.
2. Based on the totality of the relevant and persuasive testimony heard and presented, the Fence Board finds that it has been established that the request meets the standards necessary to permit the granting of a variation in that it would not:
 1. Alter the essential character of the locality;
 2. Be out of harmony with the general purpose and intent of the fence ordinance;
 3. Set an unfavorable precedent whether to the immediate neighborhood or to the Village as a whole; and
 4. Affect public safety.

RESOLUTION

NOW THEREFORE BE IT RESOLVED that the request, for an increase in the allowed fence height along the north, west, and south sides of the existing tennis court be granted as shown in the drawings or plans submitted by the owners and made part of the record.

BE IT FURTHER RESOLVED, that no screening mesh is to be installed on the west side fence of the tennis court. The owner is to maintain the existing west tennis court landscaping and fill-in temporary gaps that were recently made for Sheridan Road access to the home remodeling project. The tennis court fence and posts are to be black vinyl coated. The owners agree to plant a 6-foot high solid evergreen landscaping screen on the north side of the tennis court fence.

BE IT FURTHER RESOLVED that the decision of the Building & Zoning Administrator is hereby reversed insofar as he denied the issuance of a fence 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.
Adopted by the following vote:

AYES: Carlson, Friedman, Goodale, Nyeste, Roin, Ross and Miller (7)

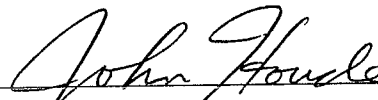
NAYS: None (0)

ABSENT: None (0)

The request therefore was approved for satisfying the standards for variations in the Fence Code.

There being no further business to come before the Fence Board of Appeals, the meeting adjourned at 8:20 p.m.

Secretary

A handwritten signature in cursive script that reads "John Houde". The signature is written over a horizontal line that extends to the left and right. The word "Secretary" is printed below the line on the left side.

VILLAGE OF GLENCOE
ZONING BOARD OF APPEALS

REGULAR MEETING
January 7, 2013

1. CALL TO ORDER

A meeting of the Zoning Board of Appeals of the Village of Glencoe was called to order at 7:55 P.M. Monday, January 7, 2013 in the Council Chamber of the Village Hall, Glencoe, Illinois.

2. ROLL CALL.

The following were present:

Barbara Miller, Chair

Members: Deborah Carlson, David Friedman, Ed Goodale, and Jim Nyeste, Howard Roin and Steven Ross.

The following were absent:

None.

The following Village staff was also present:

John Houde, Building and Zoning Administrator

3. APPROVAL OF DECEMBER 3, 2012 MINUTES.

The minutes of the December 3, 2012 meeting were approved by unanimous voice vote.

4. CONTINUE RAESE APPEAL AT 609 WASHINGTON.

The Chair stated that the purpose of this portion of the meeting was to conduct a public hearing on the appeal by Ira and Angie Raese of a decision by the Building and Zoning Administrator in denying a permit to construct two 2nd floor room additions on each side of their home at 609 Washington in the "R-A" Residence District. The proposed additions require the following: a variation be granted reducing the required east side yard setback to 6.1 feet for a 2nd floor addition over the existing 1st floor area of the house located 6.1 feet from the east lot line where a 12.66 foot setback is required. The addition also requires a setback plane variation where the top of the roof meets the exterior wall of the house from the required 14.89 feet to 27 feet. A proposed west 2nd floor addition over the existing 1st floor area of the house located 5.78 feet from the west lot line requires a variation for the 5.78 foot setback where a 13 foot setback would be required. This addition also requires a setback plane variation where the top of the roof meets the exterior wall from the required 14.58 feet to 20 feet. Both additions require a 10.4% increase in the allowed floor area ratio (F.A.R.) from 4229 square feet to 4669.7 square feet. The following Zoning Code sections reference the Zoning Board authorization authority for the requests: addition over nonconforming 1st floor house setback - Section 7-403-E-1- (j); setback plane

variation - Section 7-403-E-1-(n); and floor area ratio variation – Section 7-403-E-1-(i).

The Chair reported that notice of the public hearing was published in the December 20, 2012 GLENCOE NEWS and 9 neighbors were notified of the public hearing by mail and that no letters or verbal inquiries had been received. The Chair then swore in those in attendance who were expecting to testify.

SUMMARY OF TESTIMONY

The Chair then asked Mr. TR Raese and his architect, Steve Munson, to proceed. They noted:

1. The owners seek a 10.4% variance in the floor area to allow for the proposed additions. The need for the floor area variance stems from the practical difficulty of adding to an existing old home, while making the most efficient use of the existing space. Their proposal strives to make the most efficient use of their existing rooms adding only the area necessary to update the house and create a home suitable for present day family life. Through several previous additions and remodeling by past owners, nearly all of the available floor area was consumed without addressing the deficiencies of the 2nd floor. The owners are now struggling with the hardship of correcting this condition, in the simplest means possible, balancing respect for the Zoning Ordinance with typical living conditions in Glencoe.
2. The owners seek a reduction in the required side yard to allow for construction of the proposed additions over existing first floor space. The existing structure is located 6.09' away from the east property line at the first floor and 5.78' away from the west property line at the first floor. Conforming to 13.0 feet required side yard creates a hardship when trying to line up new space with existing rooms in a simple, efficient way. Constructing additions that conform to the required side yard would be structurally more complicated and expensive than using the existing foundation and walls for bearing. An offset of the second floor wall would create roofing/flashing conditions that are unnecessarily complicated. The owner proposal is to make efficient use of the existing structure to create a building form that is consistent with the original house.
3. The owners seek encroachment into the required side yard to allow for construction of the proposed additions over existing first floor space. The existing structure is located 6.09' away from the east property line at the first floor and 5.78' away from the west property line at the first floor. Conforming to the required setback plane on a lot that is significantly narrower than the typical lot in this area presents a hardship that would not apply to most properties. Conforming to the ordinance would eliminate all reasonable use of the available roof space, eliminating the simplicity of constructing new space over existing. The owner's proposal is to make efficient use of the existing structure to create a building form that is consistent with the original house.
4. Carrying out the strict letter of the Zoning Ordinance would create a particular hardship and practical difficulty by eliminating all reasonable opportunities to correct deficiencies left in the bedrooms by previous owners. The owner's

proposal provides for bedroom space that is typical for the neighborhood and makes efficient use of the existing structure and is not excessive.

5. The owners point out that the Glencoe Village map makes clear the fact that their lot is one of the narrower lots in the area, resulting in allowable floor area that is below what is typically found on neighboring lots. The owners feel further penalized by the 13.0 foot side yard requirement resulting in a 32% combined side yard for their lot, which exceeds 25% requirement that would apply to larger lots.
6. The need for this variance is the result of a unique narrow lot, previous additions that did not fully address the condition of the house, and the deficiency of space that is normally found in similar properties in Glencoe. None of these conditions have been created by the current owners, however, they believe they have developed a simple efficient plan that addresses them with the least impact on the area.
7. This project is intended to make their home viable as a family home for years. They are not asking for special privilege or economic benefit.
8. The owners believe that this project is in keeping with specific purpose of the Code by only asking for the minimum necessary to achieve a simple upgrade in their home, developing spaces that are consistent with other properties in the area and making efficient use of existing construction.
9. The owners project will not be detrimental to the public welfare, will not materially impair the supply of light and air to the vicinity, will not increase congestion in the street, will not unduly increase the danger of flood or fire, will not unduly tax public utilities, and will not endanger public health or safety.

Testimony was also provided by Laurie Parfitt, 586 South Avenue, who spoke noting that she believed the rear elevation of the overall house with the additions would look massive from her property. She focused her discussion with greater concerns on the east side addition which was more visible from her home located south of the Raese property. Mr. Raese noted he had previously planted an evergreen tree which would grow over time to screen his east house addition from his neighbor.

The Chair made part of the record, as additional testimony the Agenda Supplement which the Secretary was directed to preserve as part of the record in this matter.


Zoning Board members discussed in detail with the applicant the existing house layout and the proposed additions. Members had concerns on different elements of the proposal. These comments focused on the following:

- the home would have 4 bedrooms and 4 bathrooms as proposed.
- there did not seem to be any effort made to decrease the project size or eliminate existing less-needed FAR counted spaces such as a 97 square foot storage shed or rear screened porch in order to minimize the amount of FAR variation required for the proposed project.
- north neighbor concerns or comments may possibly be resolved with further contacts with that neighbor.

After further discussion and review, members of the Board noted it would be in the best interests of the owner for the variation requests to be continued to the next February 4 ZBA meeting to allow resolution of some or all of the concerns of ZBA members.

The applicant agreed with this perspective and agreed that the added time would permit many if not all of the issues of concern to be addressed by him. A revised proposal would be prepared so that it could be distributed by Village staff to ZBA members several days prior to the continued hearing date.

There being no further business to come before the Zoning Board of Appeals the meeting was adjourned at 8:55 p.m.


Secretary
John Houde