

VILLAGE OF GLENCOE  
FENCE BOARD OF APPEALS

MONDAY, JANUARY 7, 2013

7:30 P.M.

Regular Meeting

Village Hall Council Chamber  
675 Village Court

The Village of Glencoe is subject to the requirements of the Americans With Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and 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) 835-4111, or please contact the Illinois Relay Center at (800) 526-0844, to allow the Village of Glencoe to make reasonable accommodations for those persons.

A G E N D A

1. CALL TO ORDER AND ROLL CALL

Barbara Miller, Chair  
Deborah Carlson  
David Friedman  
Ed Goodale  
Jim Nyeste  
Howard Roin  
Steve Ross

2. CONTINUATION OF PUBLIC HEARING TO CONSIDER A REQUEST OF LARRY AND JULIE BERNSTEIN, 95 BRENTWOOD, TO ALLOW AN EXISTING 10 FOOT HIGH TENNIS COURT FENCE TO BE REPLACED.

3. ADJOURNMENT

## John Houde

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**From:** David Hoffman <David@Masseyhoffman.com>  
**Sent:** Tuesday, December 04, 2012 10:54 AM  
**To:** John Houde  
**Subject:** 95 Brentwood / ZBA

Dear Mr. Houde,

Thank you for taking the time to speak with me today.

I want to extend my apology to you and the board for missing the Zoning Board of Appeals meeting last night.

Should have been there to represent our clients at 95 Brentwood Drive, but was called away for a family emergency.

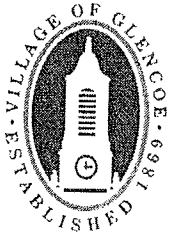
I was glad to hear that there was other business in the meeting and that we did not waste too much of the Board's time.

Thank you for continuing the case to the next meeting on January 7<sup>th</sup>.

I look forward to seeing you there.

Respectfully,

David Hoffman  
MASSEY HOFFMAN ARCHITECTS  
4043 N. Ravenswood Ave.  
Chicago Illinois 60613  
773.525.2900



## Village of Glencoe

### Fence Board of Appeals Memorandum

**TO:** Fence Board of Appeals

**MEETING DATE:** January 7, 2013

**SUBJECT:** Consideration of Bernstein Variation Request

**FROM:** John Houde, Building & Zoning Administrator

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Larry and Julie Bernstein have requested permission to replace a 10 foot high fence which surrounds most of their tennis court built in 1963 at 95 Brentwood. The proposed request requires an increase in the allowable fence height from the five foot open fence height limitation. There are no percentage limits on variations the Fence Board of Appeals can grant.

**Background:** Our fence ordinance provides that the Fence Board may grant fence variations provided that such variations 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 either to the immediate neighborhood or to the Village as a whole; or
- 4) Affect public safety.

A history of the fence ordinance follows: Prior to a September 1981 amendment to the fence ordinance, the Village Board acted as the Fence Board of Appeals. Prior to 1952 a number of 6, 8, and 10-foot high fences had been erected in Glencoe without any regulations by the Village. The Village Board at that time had received a number of complaints about the potential traffic and pedestrian hazards caused by high fences and about their unsightliness. The Village Board recognized that these fences were detrimental to public safety.

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Previous example of reasons that have led to a finding to grant variations included the following:

- (1) To screen a nonconforming business use from a single-family residential property;
- (2) To screen backyards and corner side yards (not front yards) of single-family residences from heavily traveled three-lane highways (such as Green Bay Road north of Maple Hill Road and Dundee Road west to Forestway Drive) where the back yards of residences are adjacent to the highway pavements;
- (3) To screen parking areas, such as those that might be adjacent to a place of worship, theater, business, or another residence;
- (4) To screen Commonwealth Edison electrical distribution and transformer stations;
- (5) To enclose tennis courts;
- (6) To allow higher than 4 foot entry columns but not higher perimeter fences in front yards;
- (7) To install a wrought iron fence having historical significance.
- (8) To restore 75+ year old masonry brick fences.

Previous Examples of requests with insufficient reasons for findings consistent with Section 9-79 include the following:

- (1) Desire to have a higher fence to provide greater privacy to houses, to patios and to other outside recreational and leisure areas on private property.
- (2) Desire to have a higher fence to screen out street noises and lights;
- (3) Desire to screen front yards from streets; and
- (4) Desire to have a higher fence to provide security and safety for children playing in a yard area.

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~~Advantages. Granting the variation would have the following ADVANTAGES:~~

The owners note the following in favor of their request:

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 side of the tennis court adjacent to Sheridan Road where the maximum allowable fence height would be 5 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.

Staff notes the following:

1. Staff believes this 1963 court is one of a number of tennis courts built in the 1950s and early 1960s prior to Village requirements pertaining to setbacks, fence height limitations, and lot coverage limitations. This may be one of the few still remaining that were built under the previous regulations.
2. The attached regulations provide information on current restrictions for new tennis courts.

The November 8, 2012 Glencoe News contained the notice of public hearing and 11 neighbors were notified. No letters or verbal inquiries have been received.

The Notice of Appeal dated October 18, 2012, the Notice of Public Hearing, a list of neighbors notified, a map of the immediate area and a site plan are attached for your review.

**Recommendation:** Based on the materials presented and the public hearing, it is the recommendation of staff that the fence variation request of Larry and Julie Bernstein be reviewed.

**Motion:** If the Fence Board of Appeals agrees with the recommendation of staff, a motion may be made as follows:

***Move to accept/deny the variation request of Larry and Julie Bernstein to replace an existing 10 foot high fence surrounding most of their tennis court per permitted plans and site plan for their home at 95 Brentwood.***

VILLAGE OF GLENCOE  
GLENCOE, ILLINOIS

Notice of Appeal

Date October 18, 2012

Zoning Board of Appeals  
Village of Glencoe  
Glencoe, IL 60022

Dear Zoning Board of Appeals Member:

I have been aggrieved by the Officer charged with the enforcement of the Glencoe Zoning Ordinance.

It is my desire to (detail your request) In order to maintain the safe operation of the existing tennis court we are requesting  
that relief be granted so that an existing fence can be reconstructed at the full height of 10 feet along the entire west side  
of an existing tennis court

I require a zoning variation reducing the N/A yard setback from \_\_\_\_\_ feet to  
\_\_\_\_\_ feet and \_\_\_\_\_ yard setback from \_\_\_\_\_ feet to \_\_\_\_\_ feet.

Therefore, I desire a variation in the application of the regulations of this ordinance and there are the following practical difficulties or particular hardships in carrying out the strict letter of the Glencoe Zoning Ordinance in that:

- (1) The existing fence is in a state of disrepair
- (2) If the fence were replaced in conformance with the code, there would be an area approximately 79 feet in length  
adjacent to Sheridan Road where the maximum allowable fence height would be 5 feet.
- (3) Due to the existing court's close proximity to a busy street and sidewalk, there exists the danger of  
tennis balls leaving the court and causing a nuisance for vehicular and foot traffic in the public way.
- (4) \_\_\_\_\_

The Zoning Board of Appeals, after a hearing, may authorize this variation because it does not exceed the maximum variation permitted in Article VII, Section 4 of the Ordinance.

I understand that the Zoning Board of Appeals may authorize a variation only where there are practical difficulties or where there is particular hardship in the way of carrying out the strict letter of this ordinance.

The permanent real estate index number (from real estate tax bill) for this property is 05062010700000 & 05062010710000

David Hoffman, AIA for Larry and Julie Bernstein

Appellant  
95 Brentwood Drive, Glencoe, Illinois

773-525-2900

Telephone

Address

2/96

October 18, 2012

**Zoning Board of Appeals**

The Village of Glencoe  
675 Village Court  
Glencoe, Illinois 60022

r.e. Application for Zoning Variation  
**95 Brentwood Drive**

To the Board,

I am writing on behalf of Larry and Julie Bernstein, the Owners of 95 Brentwood Drive. We are requesting that the Board allow a variation for this corner property to allow the new Owners of 95 Brentwood to improve the condition of an existing tennis court at the northwest corner of the property.

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))

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 its west side (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"*.

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 approximately 79 feet in length adjacent to Sheridan Road where the maximum allowable fence height would be 5 feet.

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 we are requesting that you allow the existing fence to be reconstructed at the full height of 10 feet along the west side of the court.

Sincerely,



David Hoffman, AIA  
MASSEY HOFFMAN ARCHITECTS





95 Brentwood Dr, Glencoe, IL 60022

Imagery Date: 5/27/2016

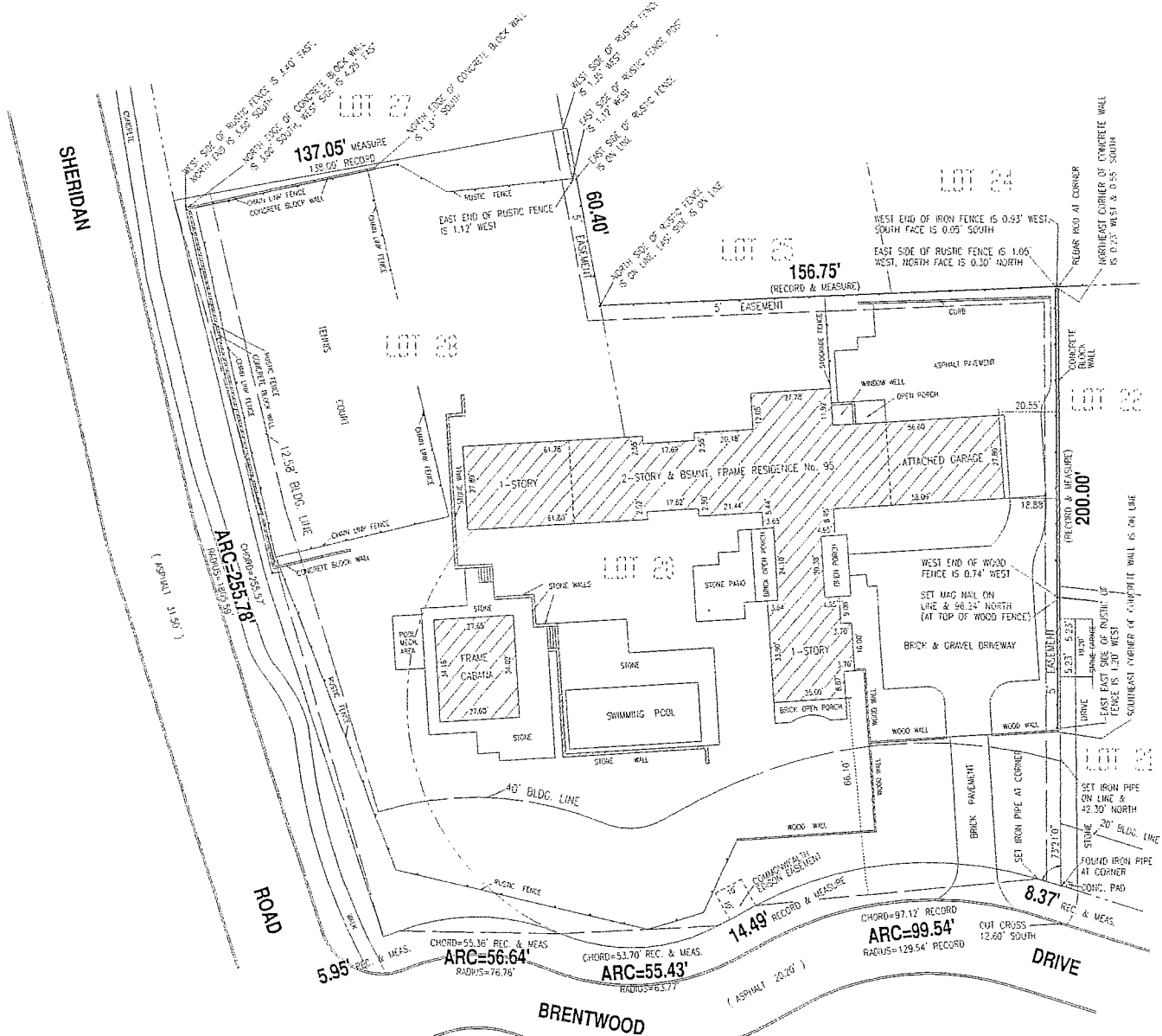
420848.34 N 874342.89 W UTM 18Q UTM 18Q

5/27/2016

# PLAT OF SURVEY

LOTS 20 AND 28 IN LAKE SHORE ESTATES SUBDIVISION, BEING A SUBDIVISION OF LOT 1 IN MELVILLE E. STONE'S SUBDIVISION OF THE SOUTH 1/2 OF THE NORTHEAST FRACTIONAL QUARTER OF SECTION 6, LYING NORTH OF THE CENTER OF RAVINE, TOGETHER WITH THAT PART OF THE EAST 9.76 ACRES OF THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 6, (EXCEPT THAT PART THEREOF LYING SOUTH OF CENTER OF RAVINE), ALL IN TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 95 BRENTWOOD DRIVE, GLENCOE, ILLINOIS.



SCALE: 1" = 25' IL

STATE OF ILLINOIS } ss.  
COUNTY OF COOK }

We hereby certify that the buildings on lot shown are within boundary lines and that the adjoining improvements do not encroach on said premises, unless noted herein.

SURVEYOR

STATE OF ILLINOIS } ss.  
COUNTY OF COOK }

This is to certify that we have surveyed the above described property and the above plat correctly represents said survey. This professional service conforms to the current Illinois Minimum Standards for a boundary survey.

B.H. SUHR & COMPANY, INC.  
SURVEYORS

By \_\_\_\_\_  
License Expiration Date 11/30/08  
© 2007 B. H. Suhr & Company, Inc.  
All rights reserved.

The description on this plat was provided to us by the client, and does not guarantee ownership, and should be compared to your deed, abstract or Certificate of Title. All building restrictions, building lines and easements may or may not be shown, check your deed, abstract, Title Report, and local ordinances, no responsibility is assumed by Surveyor.  
Compare all points before building by name and report any discrepancy at once.  
Dimensions are shown in feet and decimal parts thereof, no dimension is to be assumed by scaling.

AREA=60,523 SQ. FT.

NOTE: EAST LINE STAKED ONLY REMAINDER OF PROPERTY NOT SURVEYED.

FIELD MEASUREMENTS COMPLETED JULY 11, 20 07

<b>B.H. SUHR &amp; COMPANY, INC.</b> SURVEYORS ESTABLISHED 1911 840 CUSTER AVENUE, EVANSTON, ILLINOIS 60101 CHICAGO TEL. (773) 273-5315 / EVANSTON TEL. (847) 864-6315 WWW.BHSUHR.COM / E-MAIL: SURVEYOR@BHSUHR.COM		Professional Design: First License No. 184-090371
R. R. HANSEN MEMBER: I.P.L.S.A. A.C.S.M. N.S.P.S.	BOOK 07 PAGE 262 ORDER No. 07-262	EVANSTON, JULY 11, 20 07 ORDERED BY: ABBE ARON
JUN 20		

VILLAGE OF GLENCOE  
GLENCOE, ILLINOIS  
FENCE BOARD OF APPEALS

Notice of Public Hearing  
December 3, 2012

Notice is hereby given of a public hearing to be held by the Fence Board of Appeals of the Village of Glencoe, Cook County, Illinois at 7:30 P.M., local time on Monday, December 3, 2012 in the Council Chamber of the Village Hall, Glencoe, Illinois, to consider an appeal of Larry and Julie Bernstein from a decision by the Building and Zoning Administrator in denying a permit to replace tennis court fencing on an existing residence on Lot 20 and 28 in Lake Shore estates Subdivision, being a subdivision of Lot 1 in Melville E. Stone's Subdivision of the south  $\frac{1}{2}$  of the northeast fractional quarter of Section 6, lying north of the center of ravine, together with that part of the east 9.76 acres of the south  $\frac{1}{2}$  of the northwest  $\frac{1}{4}$  of said Section 6, (except that part thereof lying south of center of ravine), all in Township 42 North, Range 13, East of the Third Principal Meridian, in Cook County, Commonly known as 95 Brentwood Drive in the "R-A" Residence District (Permanent Real estate Index Number 05-06-201-070 and 05-06-201-071) because of a proposed replacement of the existing 10 foot tall chain link fencing along the four sides of the tennis court located at the northwest side of the property. The fence ordinance would limit open type fencing in this area to 5 feet.

All persons interested are urged to be present and will be given an opportunity to be heard.

Fence Board of Appeals  
John Houde  
Building & Zoning Administrator

November 8, 2012

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VILLAGE OF GLENCOE  
GLENCOE, ILLINOIS

List of Neighbors

BRENTWOOD DRIVE

70	Charles Lafevers
75	Dorota Ziaja
80	Ruth Bender
90	Joseph Bernstein
100	Tajwer Shadman

ESTATE DRIVE

70	Donald Belgrad
80	Arthur Upton
90	Paul Miller / Ronda Cass

HILLCREST ROAD

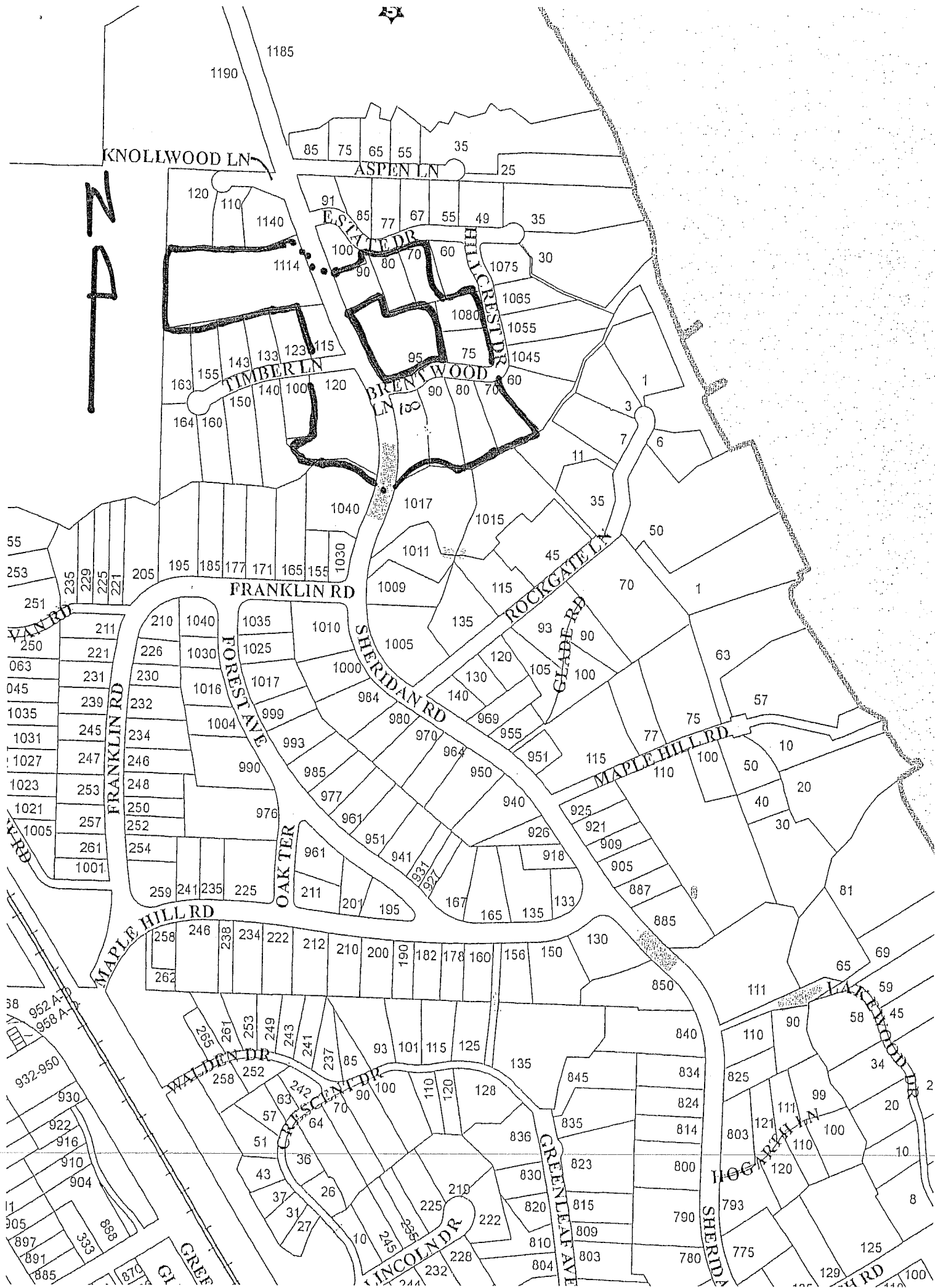
1080	Janet Wertheimer
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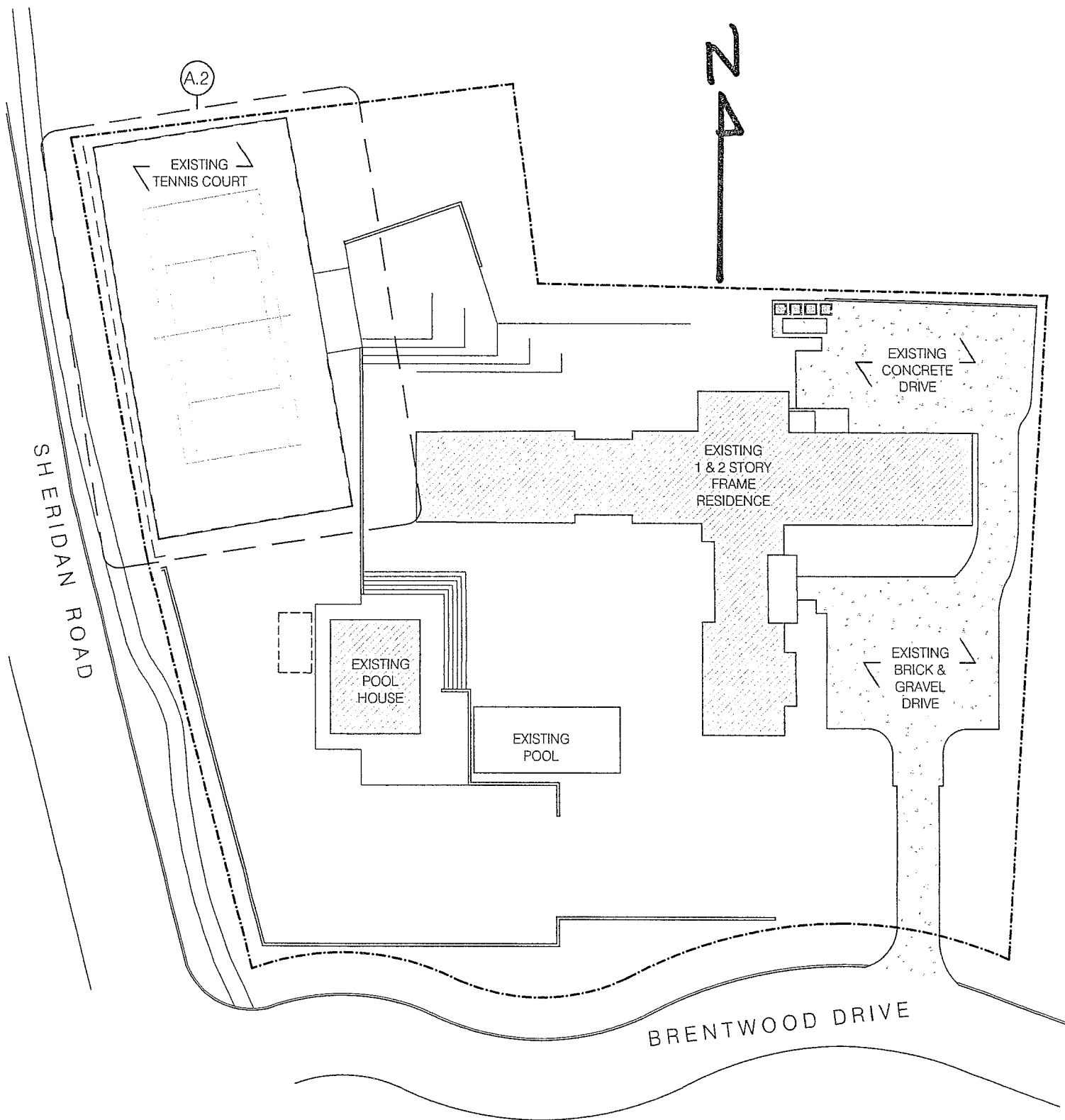
SHERIDAN ROAD

1114	Roger Stone
------	-------------

TIMBER LANE

115	Jordan Scher
120	Sam Okner





**MASSEY  
HOFFMAN  
ARCHITECTS**

4045 North Ravenswood #207  
Chicago, Illinois 60613  
T: 773.525.2900 F: 773.525.2999  
www.masseyhoffman.com

PROJECT NUMBER: 1112  
DRAWN BY: DH  
SCALE: 1" = 40'  
DATE: 10.18.2012

PRIVATE RESIDENCE

95 Brentwood  
Glencoe, Illinois

EXISTING &  
PROPOSED  
SITE PLAN

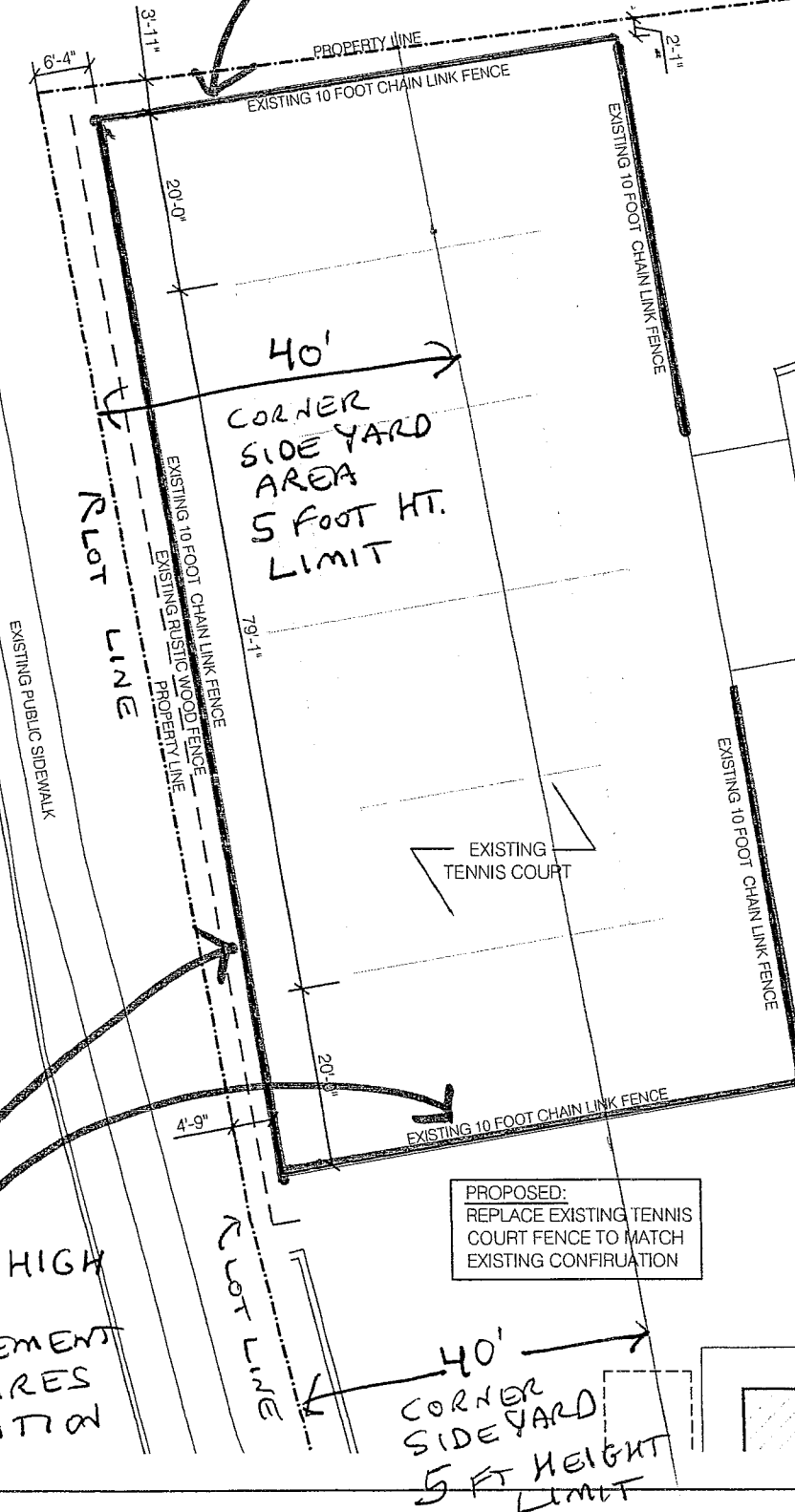
SITE PLAN

A.1

SHERIDAN ROAD

10 FOOT HIGH  
FENCE  
REPLACEMENT  
REQUIRES  
VARIATION

10 FOOT HIGH  
FENCE REPLACEMENT  
REQUIRES VARIATION



PROPOSED:  
REPLACE EXISTING TENNIS  
COURT FENCE TO MATCH  
EXISTING CONFIGURATION

40'  
CORNER  
SIDE YARD  
5 FT HEIGHT  
LIMIT

**MASSEY  
HOFFMAN  
ARCHITECTS**

4043 North Ravenswood #207  
Chicago, Illinois 60613  
T: 773.525.2900 F: 773.525.2999  
www.masseyhoffman.com

PROJECT NUMBER: 1112  
DRAWN BY: DH  
SCALE: 1" = 20'  
DATE: 10.18.2012

PRIVATE RESIDENCE  
95 Brentwood  
Glencoe, Illinois

EXISTING &  
PROPOSED  
TENNIS COURT

**DETAILED  
SITE PLAN**

**A.2**

VILLAGE OF GLENCOE  
ZONING BOARD OF APPEALS

MONDAY, JANUARY 7, 2013  
7:30 P.M.

Regular Meeting  
Village Hall Council Chamber  
675 Village Court

The Village of Glencoe is subject to the requirements of the Americans With Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and 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) 835-4111, or please contact the Illinois Relay Center at (800) 526-0844, to allow the Village of Glencoe to make reasonable accommodations for those persons.

A G E N D A

1. CALL TO ORDER AND ROLL CALL

Barbara Miller, Chair  
Deborah Carlson  
David Friedman  
Ed Goodale  
Jim Nyeste  
Howard Roin  
Steve Ross

2. CONSIDERATION OF THE MINUTES OF THE MEETING OF THE DECEMBER 3, 2012 ZONING BOARD OF APPEALS.

A copy of the December 3, 2012 meeting minutes is attached.

3. PUBLIC COMMENT TIME.

4. PUBLIC HEARING TO CONSIDER A REQUEST OF ANGIE AND TR RAESE, 609 WASHINGTON, FOR SIDEYARD, SETBACK PLANE, AND FLOOR AREA RATIO VARIATIONS FOR TWO PROPOSED 2<sup>ND</sup> FLOOR ADDITIONS TO THEIR HOUSE.

The Agenda Supplement for this request is attached.

5. ADJOURNMENT.



VILLAGE OF GLENCOE  
ZONING BOARD OF APPEALS

REGULAR MEETING  
December 3, 2012

1. CALL TO ORDER

A meeting of the Zoning Board of Appeals of the Village of Glencoe was called to order at 7:35 P.M. Monday, December 3, 2012 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 OCTOBER 1, 2012 MINUTES.

The minutes of the October 1, 2012 meeting were approved by unanimous voice vote.

4. APPROVED EISERMAN APPEAL AT 75 MAPLE HILL.

The Chair stated that the purpose of this portion of the meeting was to conduct a public hearing on the appeal by Jeffrey and Heather Eiserman of a decision by the Building and Zoning Administrator in denying a permit to construct a two-story two-car garage and room addition in the front of their home at 75 Maple Hill in the "R-A" Residence District. The two car garage portion of the addition will supplement an existing two-car garage. The proposed addition requires a 14.9% increase in the floor area ratio (FAR) from 16,210.3 square feet to 18,633.7 square feet. This 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 November 8, 2012 GLENCOE NEWS and 14 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 architect, Scott Renkin and the property owner Jeffrey

Eiserman, to proceed. They noted:

- 1) This particular historic architecture designed by Howard Van Doren Shaw has an unusually large unfinished attic at 1,863.02 sq. ft., thereby reducing the allowable usable area on the first and second floors where living occurs. The roof pitches are steep and the top includes large flat roofed areas.
- 2) In addition, the historic architecture has approximately 643.30 sq. ft. of understory which further reduces the amount of usable area. This is part of the original home and is a covered courtyard adjacent to the existing two car garage. The home received local landmark designation in 2004.
- 3) The existing two car garage and proposed two car garage have a total of 1,449.64 sq. ft. on the second floor. The historic character of the home dictates a larger massing for garage elements to tie into the style of the original elevation as it wraps around the courtyard in lieu of, for example, a flat roof garage or a lower pitched roof over the garage.
- 4) A memo from the Glencoe Historic Preservation Commission indicates that conceptually the proposal will not jeopardize the local landmark designation but is conditioned on their review of final elevations.
- 5) The overly large existing 3rd floor addition with a permanent stairway is not used as living space, has mechanical system ductwork and electrical supply lines across the floor areas making it an unusable space but the areas 5 foot or more high are required by the Village to be included in the F. A. R. calculations.

Debbie Dresner, 614 Sheridan, spoke in favor of the variation noting that the applicant's home is like her own home with reference to larger attics found in older homes that often have similar large unusable space.

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.

Following consideration of the testimony and discussion, a motion was made and seconded, that the request for a variance in the floor area ratio be granted per the drawings presented, 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 for a 14.9% increase in the floor area ratio from 16,210.3 square feet to 18,633.7 square feet for the property at 75 Maple Hill be granted as shown in the drawings or plans submitted by the owner and made part of the record and with the previously noted conditions. This motion also included a condition that building elevations receive final approval of the Glencoe Historic Preservation Commission;

BE IT FURTHER RESOLVED that the decision of the Building and Zoning 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.

Adopted by the following vote:

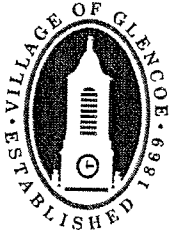
AYES: Carlson, Friedman, Goodale, and Roin (4)

NAYS: Nyeste, Ross and Miller (3)

ABSENT: None. (0)

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

  
Secretary  
John Houde



## Village of Glencoe

### Zoning Board of Appeals Memorandum

**TO:** Zoning Board of Appeals

**MEETING DATE:** January 7, 2013

**SUBJECT:** Consideration of Raese Variation Request

**FROM:** John Houde, Building & Zoning Administrator

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**Background:** TR and Angie Raese have requested permission to construct two 2<sup>nd</sup> 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 2<sup>nd</sup> floor addition over the existing 1<sup>st</sup> 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 2<sup>nd</sup> floor addition over the existing 1<sup>st</sup> 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 1<sup>st</sup> 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).

**Analysis:** Granting the variation would result in certain advantages and the owners note the following in favor of their request:

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 2<sup>nd</sup> 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 sited 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 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 sited 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, nor endanger public health or safety.

The December 20, 2012 Glencoe News contained the notice of public hearing and 9 neighbors were notified. No letters or verbal inquiries have been received.

The Notice of Appeal dated November 26, 2012, the Notice of Public Hearing, a list of neighbors notified, a map of the immediate area and a site plan are attached for your review.

**Recommendation:** Based on the materials presented at the public hearing, it is the recommendation of staff that the variation request of TR and Angie Raese be accepted or denied.

**Motion:** The Zoning Board of Appeals may make a motion as follows:

***Move to accept/deny the variation requests of TR and Angie Raese to construct two room additions at their home at 609 Washington.***

November 26, 2012

**Village of Glencoe  
Zoning Board of Appeals**

Re: 609 West Washington  
Glencoe, IL

Dear Board Members,

We are in the process of planning a renovation to improve our home at 609 West Washington. Our goal in improving our home is to maintain the character and charm of the ±80-year-old structure while correcting some of the deficiencies inherent in houses built for another time. We hope to make this a house suitable for our family to continue to enjoy.

Our home is currently a two story, shingled, center entry colonial. The First Floor consists of a Living Room, Sun Room, Hall, Dining Room, Kitchen, and Family Room which was significantly altered by a previous Owner in 1998. The Garage and Sunroom are symmetrical, one story flat roof structures on opposite ends of the main body of the house. The Second Floor consists of the Master Bedroom suite, one average Bedroom, one small Bedroom, Stair Hall and two Baths. The Master suite was part of the 1998 renovation project and incorporates some area of the original house with a relatively large addition. The remainder of the Second Floor was not included in the previous remodeling and remains as 2 bedrooms. This is the area of the house we are struggling to improve, balancing the realities of family space with the minimal floor area available after the previous additions. Our goal with this project is simply to maintain the charm, character and scale of the original house, make efficient use of the existing areas and incorporate simple additions that improve the livability of the house for a family.

As you can see from our Site Plan, and the Glencoe property map, our lot is unusually narrow for this area of Glencoe. This narrow dimension becomes significant because of the impact it has on our available floor area and on the siting of the house. Both the east and west ends of the original house encroach into the required side yard, further limiting our ability to make reasonable use of the space we have.

The renovations we have planned are a mixture of reconfiguring the interior space of the Second Floor to make much better use of the existing interior area, combined with 2 simple additions that address only the most urgent needs of our family. These 2 additions allow us to provide one additional bedroom, maintain the baths and put a simple laundry on the floor where it is needed. These additions are built directly over the existing one story portions for simplicity and efficient use of the structure below. With all of these spaces, we have attempted to add useful space that is proportional to the existing room size and forms of the house.

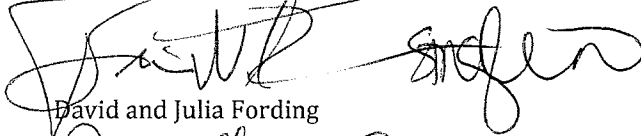
December, 16, 2012

To Whom It May Concern:

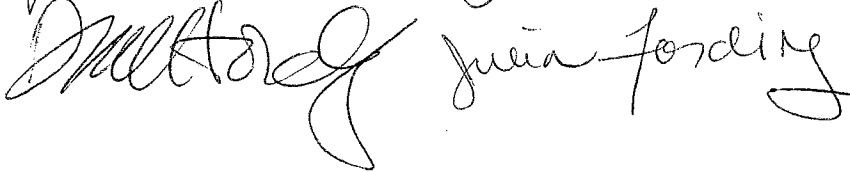
As next door neighbors, we are in support of the home addition that the Raeses are hoping to do at 609 Washington Avenue. We have no objection to the approval of this request.

Thank you,

Brian and Sarah Troglia

A handwritten signature in cursive script, appearing to read "Brian and Sarah Troglia".

David and Julia Fording

A handwritten signature in cursive script, appearing to read "David and Julia Fording".



## **Variances Requested**

- \* **440.71 sf Floor Area variance (10.4 %) 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. Our proposal strives to make the most efficient use of our existing rooms, adding only the area necessary to update this 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 Second Floor. We 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.

- \* **Reduction in the required Side Yard to allow for construction of the proposed additions directly over existing First Floor space.**

The existing structure is sited 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 12.0' required Side Yard creates a hardship when trying to link 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. Our proposal is to make efficient use of the existing structure to create a building form that is consistent with the original house.

- \* **Encroachment into the Setback Plane in the required Side Yard to allow for construction of the proposed additions directly over existing First Floor space.**

The existing structure is sited 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. Our proposal is to make efficient use of the existing structure to create a building form that is consistent with the original house.

## Standards for Variation

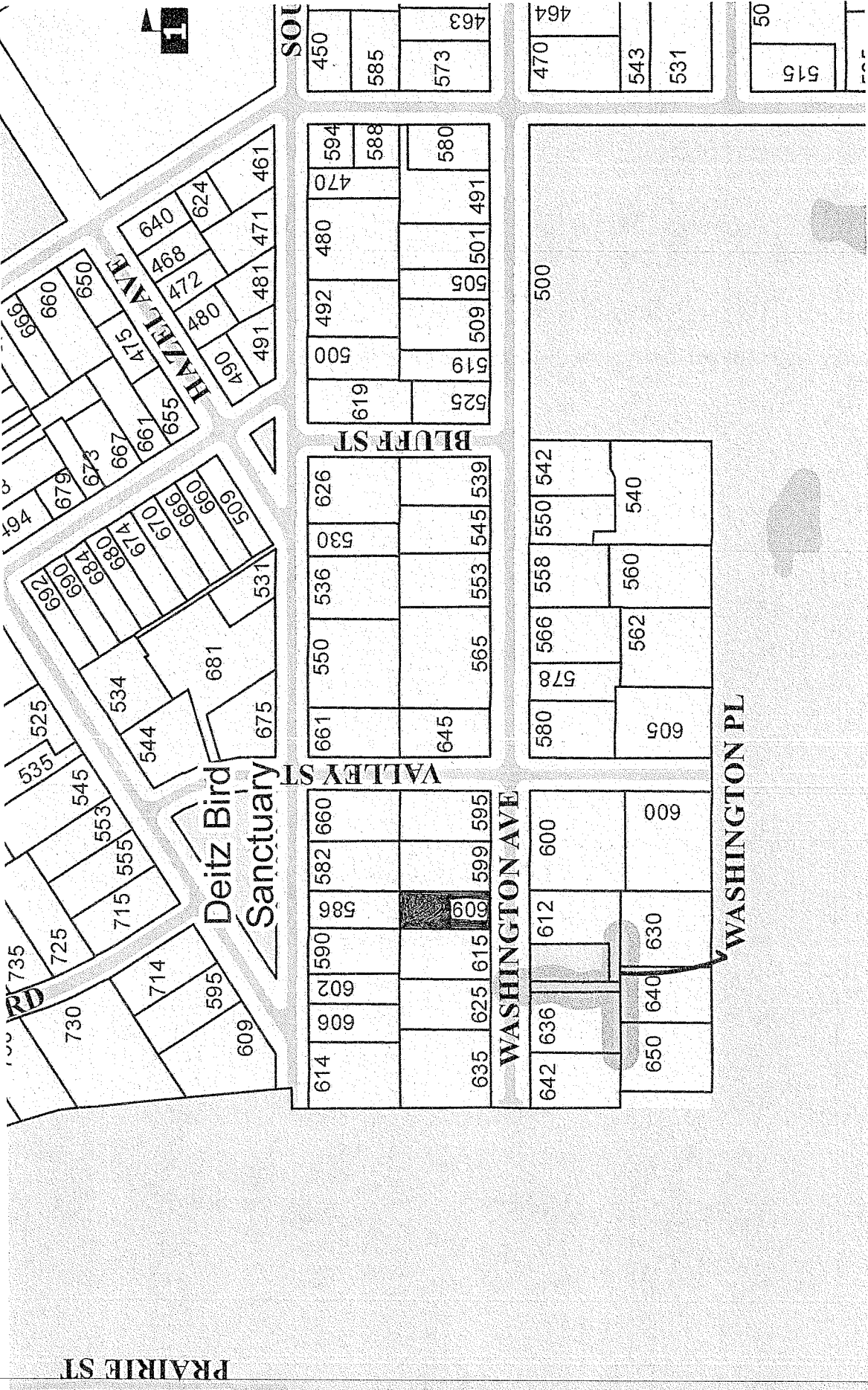
- \* General Standard. Carrying out the strict letter of the Zoning Ordinance would create a particular hardship and practical difficulty by eliminating all reasonable opportunities to correct deficiencies left in our bedrooms by previous Owners. Our proposal provides for bedroom space that is typical for this area, makes efficient use of the existing structure and is not excessive.
- \* Unique Physical Condition. The Glencoe Village map makes clear the fact that our lot is one of the narrower lots in our area. This results in allowable floor area that is below what is typically found on neighboring lots. We are further penalized by the 12.0' side yard requirement. This results in a 32% combined side yard for our lot, which exceeds 25% requirement that would apply to larger lots.
- \* Not Self Created. 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 us, however, we believe we have developed a simple efficient plan that addresses them with the least impact on the area.
- \* Special Privilege. This project is intended to make our home viable as a family home for years. We are not asking for special privilege or economic benefit.
- \* Code and Plan Purposes. We believe that this project is in keeping with specific purpose of this Code by only asking for the minimum necessary to achieve a simple upgrade in our home, developing spaces that are consistent with other properties in the area and making efficient use of existing construction.
- \* Essential Character of the Area. Our project will not: (a) be detrimental to the public welfare, (b) materially impair the supply of light and air to the vicinity, (c) increase congestion in the street, (d) unduly increase the danger of flood or fire, (e) unduly tax public utilities, (f) endanger public health or safety, because it is a small addition to a single family residence..

Thank you for taking the time to consider our request.

TR Raese

Angie Raese

360	650
750	
387	679 673
IRCH RD	



VILLAGE OF GLENCOE  
GLENCOE, ILLINOIS  
ZONING BOARD OF APPEALS

Notice of Public Hearing  
January 7, 2013

Notice is hereby given of a public hearing to be held by the Zoning Board of Appeals of the Village of Glencoe, Cook County, Illinois at 7:30 P.M., local time on Monday, January 7, 2013 in the Council Chamber of the Village Hall, Glencoe, Illinois, to consider an appeal of TR and Angie Raese, 609 Washington, from a decision by the Building & Zoning Administrator in denying a permit for the construction of two additions on an existing residence on Lot 20 and the east ½ of Lot 19 together with the south ½ of the vacated alley lying north of the adjoining said lots in Block 3 Gormley's Addition to Glencoe in Section 7, Township 42 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois, commonly known as 609 Washington Avenue "RA" Residence District (Permanent Real Estate Index Number 05-07-301-011).

The appeal requests that a variation be granted reducing the required east side yard setback to 6.1 feet for a 2<sup>nd</sup> floor addition over the existing 1<sup>st</sup> 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 2<sup>nd</sup> floor addition over the existing 1<sup>st</sup> 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 meet the exterior wall from the required 14.58 feet to 20 feet. Both additions require a 10.4% floor area ratio (FAR) variation from 4229 square feet to 4669.7 square feet.

All persons interested are urged to be present and will be given an opportunity to be heard.

Zoning Board of Appeals  
John Houde  
Building & Zoning Administrator

December 20, 2012

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VILLAGE OF GLENCOE  
GLENCOE, ILLINOIS

List of Neighbors

SOUTH AVENUE

582	Jeffrey Roberts
586	Roger Parfitt
590	Denise Hamburger

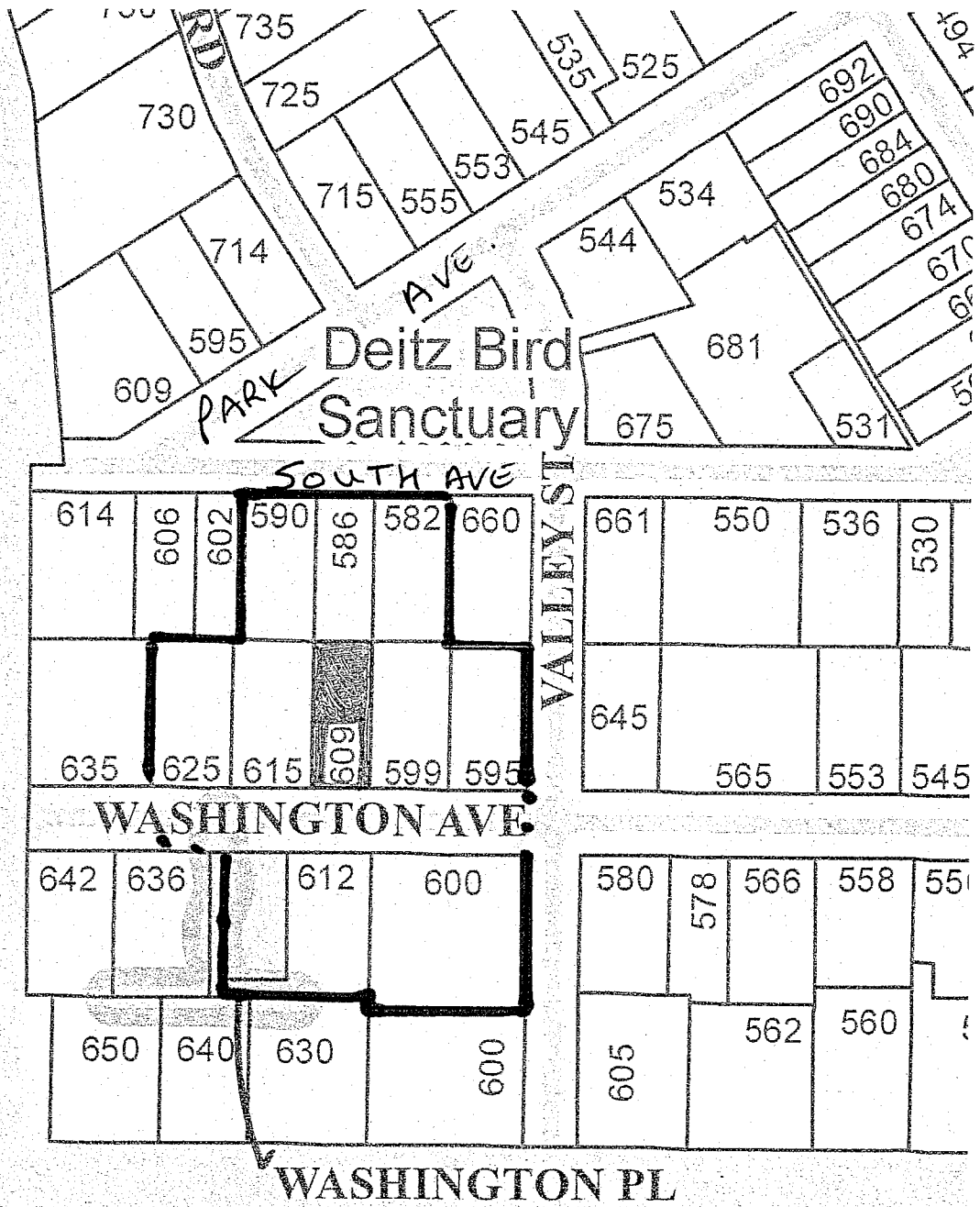
WASHINGTON AVENUE

595	Greg Popp
599	David Fording
600	Adam Metz
609	William Raese
612	Chris Devny
615	Brian Troglia
625	Kevin Shrier

---

PRAIRIE ST

SKOKIE C.C. GOLF COURSE



WOOD FENCE  
0.4 W. & 0.6 N.

WOOD FENCE  
1.0 E. & 0.4 N.

75.00

SOUTH 1/2 OF VACATED ALLEY

WEST LINE OF THE  
EAST 1/2 OF LOT 19

19

20

N

15.39  
15.29  
6.30

FRAME  
SHED

14.95

CONCRETE  
BLOCK

2 1/2 STORY  
FRAME  
RESIDENCE

11.4' x 15.2'  
PROPOSED  
2ND FLOOR  
OVER EXISTING  
1ST FLOOR

182.44

11.4' x 33.7'  
PROPOSED  
2ND FLOOR  
OVER EXISTING  
1ST FLOOR

WOOD FENCE  
1.1 E.

6.12  
182.44

6.09 EXISTING 1ST  
FLOOR SETBACK

5.78  
EXISTING  
1ST FLOOR  
SETBACK

REQUIRED  
SIDEYARD  
12.66 FT.

REQUIRED  
SIDEYARD  
13 FT.

ASPHALT  
DRIVE

CURB

E. EDGE OF DRIVE  
1.7 W.

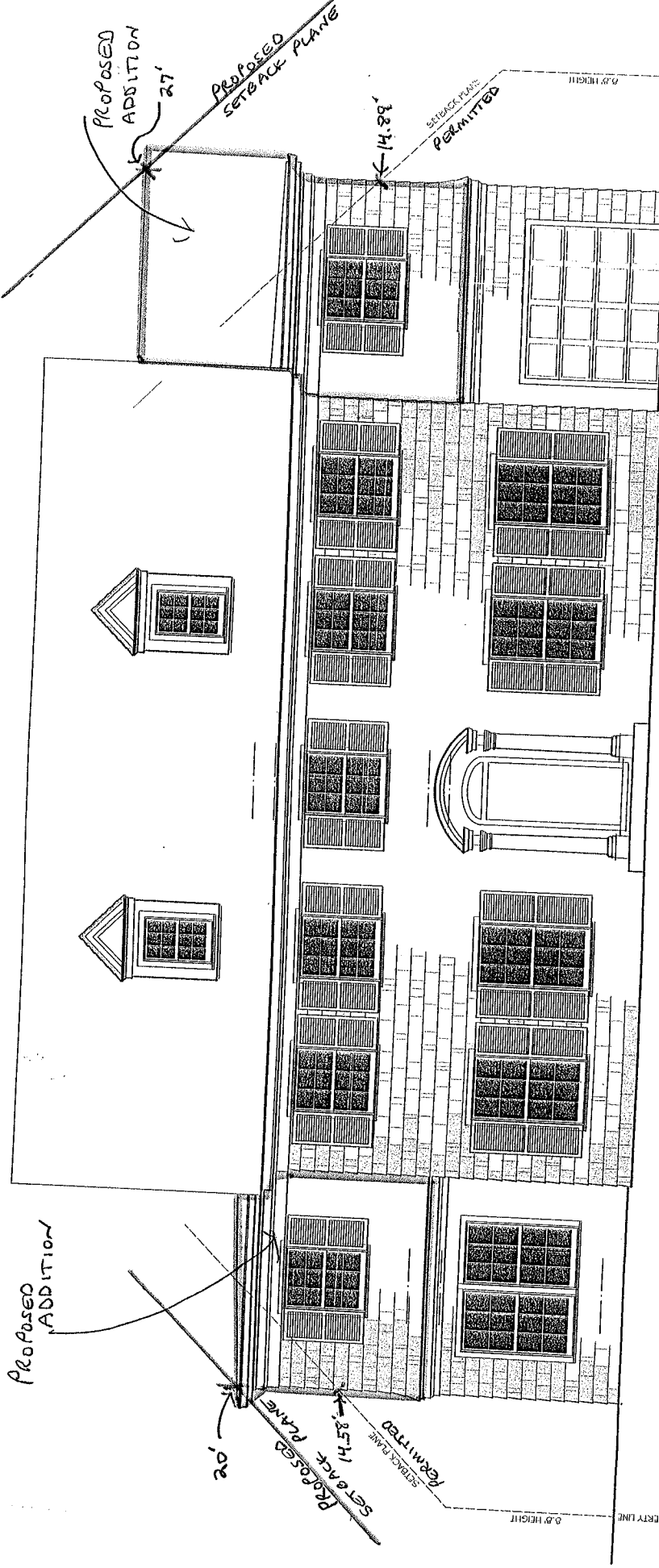
WEST LINE OF VALLEY STREET

CONCRETE

75.00

WALK

SITE PLAN



South Elevation

609 WASHINGTON  
1/4"=1'-0"



Proposed  
12-2012

SETBACK PLANE  
ELEVATION



VILLAGE OF GLENCOE  
ZONING COMMISSION

MONDAY, January 7, 2013  
7:30 P.M.

Regular Meeting  
Village Hall Council Chamber  
675 Village Court

The Village of Glencoe is subject to the requirements of the Americans With Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and 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) 835-4111, or please contact the Illinois Relay Center at (800) 526-0844, to allow the Village of Glencoe to make reasonable accommodations for those persons.

A G E N D A

1. CALL TO ORDER AND ROLL CALL

Barbara Miller, Chair  
Deborah Carlson  
David Friedman  
Ed Goodale  
Jim Nyeste  
Howard Roin  
Steve Ross

2. CONSIDERATION OF THE MINUTES OF THE MEETING OF THE DECEMBER 3, 2012 ZONING COMMISSION.

A copy of the December 3, 2012 meeting minutes is attached.

3. PUBLIC COMMENT TIME.

4. CONTINUATION OF PUBLIC HEARING FROM DECEMBER 3, 2012 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 MANUAL (SIC) TO THE NORTH AMERICAN INDUSTRIAL CLASSIFICATION SYSTEM (NAICS).

Attached is a draft Zoning Code amendment reviewed in detail by staff and the Village Attorney's office for review at the January meeting.

5. ADJOURNMENT.

VILLAGE OF GLENCOE  
ZONING COMMISSION

PUBLIC HEARING  
DECEMBER 3, 2012

1. CALL TO ORDER.

A meeting of the Zoning Commission of the Village of Glencoe was called to order at 8:30 p.m. Monday, December 3, 2012 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 MANUAL (SIC) TO THE NORTH AMERICAN INDUSTRIAL CLASSIFICATION SYSTEM (NAICS).

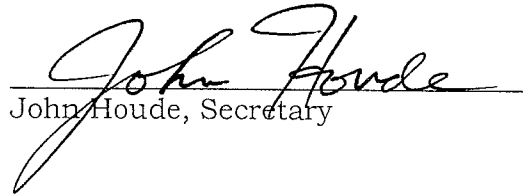
The Chair opened the meeting to public comment. There was none at the beginning of the hearing. There was a general discussion among members of the use list in a draft ordinance amendment. It was agreed that pet grooming services and exercise studios/fitness, yoga, training, dieting that may not have retail sales be permitted on the ground floor use list. After further review of the draft ordinance staff noted some inconsistencies with previous discussions on the matter as well as the logistics of maintaining a data base for this purpose. After further discussion on this topic, staff recommended that they be permitted to rework the draft based on the details of past discussions for the next meeting.

There was continued discussion on uses from the study list that could be considered on the ground floor under a special use process. This list would include all or most of the following based on a straw vote taken by members at their September 10, 2012 meeting: bicycle repairs, tutoring services, dance/music lesson services, and art/education classes. The following members of the public also spoke:

Ken Campbell, Highland Park, owner of the building at the northeast corner of Vernon and

Hazel and of the Grand Foods building, and Mr. Dresner and Mrs. Dresner, 378 Park, spoke in favor of allowing more uses on the ground floor of business buildings to facilitate the rental of spaces that there is a demand for from the additional use groups that are being discussed. Mr. Dresner additionally stated that the Village should allow market forces to control what business uses select to move in different business district locations.

After further discussion members unanimously agreed to continue this agenda item to their January 7, 2013 meeting. There being no further business to come before the Zoning Commission the meeting was adjourned at 9:45 P.M.

  
John Houde, Secretary



## Village of Glencoe

### Zoning Commission Agenda Memorandum (December 27, 2012 Additions Highlighted in Bold)

**DATE PREPARED:** December 27, 2012

**MEETING DATE:** January 7, 2013

**AGENDA SUBJECT:** Continuation of the July 9, 2012 Public Hearing to make recommendation to Village Board on possible amendments to the Zoning Code relating to Ground Floor Uses in the Business District; and Consider Updating the Use Classification System from the Standard Industrial Classification Manuel (SIC) to the North American Industrial Classification System (NAICS).

**FROM:** John Houde, Building & Zoning Administrator

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**Background:** At the April 26, 2012 Village Board meeting Debra Dresner, resident and owner of the property at 378 Park, and Kevin Campbell, owner of the property at 651-669 Vernon and 341 Hazel, presented the attached information and March 4, 2012 letter to the Village Board. The letter suggested that with changing times and changing economic situations that certain business uses that are not allowed on the ground floor in our business district should be considered to be permitted. Staff would note that some of the uses noted in the letter as not being permitted on the ground floor such as baked food vendors, travel agents, bicycle sales, and insurance agent offices are currently permitted on the ground floor. The Dresner/Campbell letter included other uses not permitted on the ground floor which have been included in the attached table summarizing survey results of our neighboring communities.

Additional ground floor uses that were not included in the current Zoning Code ground floor allowed use list but have been inquired about by potential renters in past years, have been added for consideration by the Zoning Commission. Note that some of these uses currently exist in our two business districts as secondary minority uses on the ground floor. For informational purposes staff notes that some of the storefronts shown as exhibits as having vacant ground floors have pending new tenants or building purchasers including 694 Vernon Avenue, 378 Park Avenue, and 332 Park Avenue.

The last time business district uses were examined by the Zoning Commission was in June 2005. At that time the question was whether the central business district should be divided into a peripheral overlay district that allows certain service uses such as banks, dry cleaners, hair salons, etc. only on the periphery of the downtown business district. At the time the Zoning Commission recommended to the Village Board that no change be made. This recommendation was made on the basis that Glencoe's central business

district was too small geographically to divide up in this manner.

**Analysis:**

In holding its public hearing and making recommendations to the Village Board on business district use list recommendations, the Zoning Commission will need to take into consideration the short and long term overall impact of making any changes. Consideration should also be given to the mixed use nature of our business districts which adjoin single and multiple family uses that adjoin them. In our central business district, some buildings have 2nd and 3rd floors with rental or owned apartments and/or office uses.

Staff prepared the attached comparison table for each of the uses listed in the Village Board's referral resolution. The comparisons are to towns that have central business districts similar to our own, although Northfield's and Deerfield's are principally made up of strip malls or malls with parking lots in front of them. You will note that although many towns do not allow many of the uses on this list, they have a provision that may allow some of the use categories if they do not comprise more than 10% of the overall business district frontage for which the applicant must then apply for a special use permit. Their special use hearing time frames typically take 3 to 4 months similar to our own. Going through the special use process does not guarantee approval of the particular applicant's request in that the applicant must be able to provide documentation that he meets the specific standards that a particular zoning code requires. In some other examples, a zoning code may require certain uses to go through the special use process without an initial 10% frontage limitation.

At its September 10 meeting Zoning Commission members noted that the use list may have been requested to be looked at because of the current economic times but that the use list should be looked at in terms of its long term impact on the business district and that allowed ground floor uses should not just be a short term reflection of the economy. At their October 1 meeting members after a detailed discussion took a straw vote on each of the uses being considered to be reviewed for the ground floor in the business districts, the breakdown table follows:

GENERAL USE CATEGORIES UNDER REVIEW		YES VOTE TALLY	Miller	Carlson	Friedman	Goodale	Nyeste	Roin	Ross
1	Tutoring services	4	Y	Y	N	Y	N	N	Y
2	Tax preparation services	NONE	N	N	N	N	N	N	N
3	Technology consultants, i.e. computer programming, etc.	1	N	N	N	N	N	N	Y
4	Personnel supply services	NONE	N	N	N	N	N	N	N
5	Pet grooming services	7	Y	Y	Y	Y	Y	Y	Y
6	Dance/music lessons services	4	Y	Y	N	Y	N	N	Y
7	Bicycle repairs without retail sales	5	Y	Y	N	N	Y	Y	Y
8	Reading room	NONE	N	N	N	N	N	N	N
9	Exercise studios/fitness, yoga, training, dieting without sales	7	Y	Y	Y	Y	Y	Y	Y
10	Gold/silver buyers without retail sales	NONE	N	N	N	N	N	N	N
11	Art education classes	4	Y	Y	N	Y	N	N	Y
12	Investment counseling and office, i.e. Fidelity and others	1	N	N	N	Y	N	N	N
13	Tanning salon without retail sales	NONE	N	N	N	N	N	N	N
14	Contractor offices	NONE	N	N	N	N	N	N	N
15	Day care	NONE	N	N	N	N	N	N	N

During the October 1 meeting there were general statements that the overall goal for a healthy business district is to provide for businesses that bring more people to the Village; and to provide more foot traffic, multi-use customers, and types of businesses in the business district. The concept of a special use permit to allow previous prohibited service uses on the ground floor was reviewed once overall service uses reached a certain frontage percentage threshold in the central business district.

In response to the zoning commission request that staff provide a breakdown of service versus retail uses in the central business district, staff measured all the central business district frontages and identified the uses for each of those frontages. This data has never before been gathered and there is no other data source for it other than those involving actual field measurements. Staff prepared the following use data with this information:

Business District Frontages	Linear feet	Percent
Retail	1650.5	37.6
Service	1558	35.5
Government, library, museum	977	22.3
Apartments	121.5	2.8
Vacant *	81	1.8
Total	4388	100
*excludes those storefronts for new businesses that have building permits pending		

**On December 3, 2012 there was a general discussion among members of the use list in a draft ordinance amendment. It was agreed that pet grooming services and exercise studios/fitness yoga, training, dieting that may not have retail sales be permitted on the ground floor use list. After further review of the draft ordinance staff noted some inconsistencies with previous discussions on the matter as well as the logistics of maintaining a data base for this purpose. Staff reworked the draft ordinance and it is attached for your review.**

**There was continued discussion on uses from the study list that could be considered on the ground floor under a special use process. This list would include the following based on a straw vote taken by members at their September 10, 2012 meeting: bicycle repairs, tutoring services, dance/music lesson services, and art/education classes.**

**The reworked draft ordinance includes the two agreed new uses to be allowed on the ground floor. A special use provision has been formatted for three new additional uses for the first floor, although these uses could be located above ground floor uses in the business district without a special use permit.**

~~The secondary part of the Village Board referral is to review the Village~~

Attorney's recommendation that the reference business use system be changed from the old SIC classification system to the NAICS system. Attached is a draft ordinance from our Village Attorney on this item.

**Recommendation:** Staff recommends that the Zoning Commission continue its public hearing and consider whether to recommend possible amendments to the Zoning Code with respect to ground floor uses in the business districts. In addition, staff recommends consideration of an update to the use classification system set forth in Sections 4-102 and 4-103 of the Zoning Code to replace the discontinued Standard Industrial Classification Manual (SIC) to the North American Industrial Classification System (NAICS).

**Motion:** **If the Zoning Commission concurs with making amendments to the use list and/or SIC/NAICS classifications systems, a motion could be made as follows:**

**Move that the Zoning Commission recommend amendments to the Zoning Code relating to allowing certain additional ground floor uses in the business districts and update the use classification system for the SIC reference to the NAICS reference.**

VILLAGE OF GLENCOE

ORDINANCE NO. 2012-\_\_\_\_\_-\_\_\_\_\_

**AN ORDINANCE AMENDING VARIOUS SECTIONS OF THE  
GLENCOE ZONING CODE RELATING TO PERMITTED AND SPECIAL USES IN BUSINESS  
DISTRICTS AND RELATED INTERPRETIVE STANDARDS**

**WHEREAS**, the Village of Glencoe Zoning Code contains existing regulations concerning permitted and special uses in business districts within the Village; and

**WHEREAS**, in describing certain permitted and special uses and in specifying the meaning of certain undefined terms, the Zoning Code incorporates certain interpretive standards provided in the 1987 edition of the Standard Industrial Classification Manual prepared by the Office of Management and Budget, Executive Office of the President of the United States ("**SIC Standards**"); and

**WHEREAS**, the SIC Standards are no longer being updated by the Office of Management and Budget and have been superseded by the 2012 North American Industry Classification System ("**NAICS Standards**"); and

**WHEREAS**, pursuant to Resolution R-10-2012, the Village Board authorized and directed the Zoning Commission to conduct a public hearing and recommend proposed amendments to the Village's Zoning Code regarding uses in the Village's business districts and regarding the updating of the use classification system set forth in Sections 4-102 and 4-103 of the Zoning Code by replacing the discontinued SIC Standards with the current NAICS Standards; and

**WHEREAS**, pursuant to notice duly published in the *Glencoe News*, the Zoning Commission of the Village of Glencoe did on July 9, 2012 commence a public hearing on possible modifications to the Glencoe Zoning Code regarding the business district uses and the NAICS standards, which public hearing concluded on July 9, 2012; and



**WHEREAS**, based on the evidence presented at that public hearing, the Zoning Commission recommended approval of certain amendments to the Zoning Code as hereinafter set forth; and

**WHEREAS**, having considered the recommendations of the Zoning Commission, the President and Board of Trustees have determined that the best interests of the Village and its residents will be served by amending the Village's Zoning Code as hereinafter set forth;

**NOW, THEREFORE, BE IT ORDAINED** by the President and Board of Trustees of the Village of Glencoe, County of Cook, State of Illinois, as follows:

**SECTION ONE:**      **Recitals.** The foregoing recitals are by this reference made a part of this Ordinance as if fully set forth in this Section.

**SECTION TWO:**      **Amendments to Section 4-102 of Glencoe Zoning Code.**  
Section 4-102, entitled "Permitted Uses," of Article IV, entitled "Business Districts," of the Glencoe Zoning Code, shall be and is hereby amended to hereafter be and read as follows:

**"4-102 PERMITTED USES**

The uses indicated in the following table and no others are permitted as of right in the Business Districts. In interpreting the use designations, reference should be made to the standards in Section 7-401E of this Code. Where applicable, SIC **NAICS** codes are given in parentheses for reference only in applying interpretative standards. **Uses not permitted on the ground floor may be permitted upon issuance of a special use permit pursuant to Section 4-103 of this Code.**

Printing, Publishing, and Allied Industries.

Commercial Printing (~~275~~) **(32311)**

Photocopying and Duplicating (~~7334~~) **(561439)**

Retail Trade.

Apparel and Accessory Stores (56) **(448)**

Auto and Home Supply Stores (553) **(441310. 452990)**, but not including service bays

Department Stores (~~531~~) **(45211)**

Drug Stores and Proprietary Stores (~~591~~) **(446110)**

Eating Places (5812) (72251), but not including live entertainment or drive-in eating places, and subject to the parking limitations set forth in Paragraph 5-104E4 of this Code

Florists (5992) (453110)

Food Stores (54) (445110), but not including retail bakeries employing more than 8 persons or open air markets

Hardware Stores (525) (444130)

Home Furniture, Furnishings, and Equipment Stores (57) (442)

Lawn and Garden Supply Stores (526) (444220)

Liquor Stores (592) (445310)

Locksmiths (561622)

Miscellaneous General Merchandise Stores (539) (45299)

Miscellaneous Shopping Goods Stores (594) (451110, 451211, 453210, 448310, 451120, 443130, 453220, 448320, 451130)

Miscellaneous Retail Stores (5999) (453998), but not including firework sales, gravestone sales, monument sales, sales barns, tombstone sales, or open air markets.

New and Used Motor Vehicle Dealers (551) (441110)

News Dealers and Newsstands (5994) (451212)

Optical Goods Stores (5995) (446130)

Paint, Glass, and Wallpaper Stores (523) (444120, 444190)

Tobacco Stores and Stands (5993) (453991)

Used Merchandise Stores (593) (453310)

Variety Stores (533) (452990)

#### Finance, Insurance, and Real Estate.

Depository and Nondepository Credit Institutions (60-64) (5221-5222), but not including drive-in establishments or facilities

Holding and Other Investment Offices (67) (523), but not on the ground floor.

Insurance Carriers (63) (5241), but not on the ground floor

Insurance Agents, Brokers, and Services (64) **(5242)**

Real Estate Offices (65) **(5312)**

Security and Commodity Brokers, Dealers, Exchanges, and Services (62) **(5231)**, but not on the ground floor

Services.

Accounting, Auditing, and Bookkeeping Services (872) **(5412)**

Barber Shops (724) **(812111)**

Beauty Shops (723) **(812112)**

**Bicycle Repairs (811490), but not on the ground floor.**

Computer Programming, Data Processing, and Other Computer Related Services (737) **(5415, 5812)**, but not on the ground floor

**Dance/Music/Art Instruction (611610), but not on the ground floor**

Electrical Repair Shops (762) **(811211)**

Engineering, Architectural, and Surveying Services (874) **(5413)**

**Exercise Studios, Fitness, Yoga, Training, Dieting (713490, 611699, 812191)**

Game Rooms **(713120)**

**Home Health Care Services (621160), but not on the ground floor**

Interior **Design Services** Decorating **(541410)**

~~Office and Housekeeping Cleaning~~ **Janitorial Services (561720)**

Laundry, Cleaning, and Garment Services (724) **(8123)**, employing not more than eight persons, but not including coin-operated laundries and dry-cleaning (7245) **(812310)**, dry cleaning plants (7246) **(812320)**, or industrial launderers (7248) **(812332)**

Legal Services (84) **(5411)**

Management Services (8741) **(54161)**, but not on the ground floor

Management Consulting Services (8742) **(541611-541614)**, but not on the ground floor

Management and Public Relations Services (8743) (541820), but not on the ground floor

Medical and Dental Laboratories (807) (621511, 339116)

Miscellaneous Business and Professional Office Uses not listed above, but not on the ground floor

Miscellaneous Services not listed above (89), but not on the ground floor

Musical Instrument Supply Stores Repairs (451140)

Offices and Clinics of Doctors of Medicine, Dentists, Osteopaths, and Other Health Practitioners (801-804) (6211-6213)

Personnel Supply Services (736) (5613), but not on the ground floor

**Pet Grooming Services (812910)**

Photographic Studios, Portrait (722) (541921)

Plumbing, Heating, and Air Conditioning (4744) (238220)

Re-upholstery and Furniture Repair (764) (811420)

Secretarial and Court Reporting Services (7338) (561410, 561492), but not on the ground floor

Shoe Repair Shops and Shoeshine Parlors (725) (811430)

Tax Preparation Services (7291) (541213), but not on the ground floor

Taxidermists (711510)

**Tutoring Services for Children, Special Education, SAT/ACT Preparation, but not on the ground floor (611691)**

Video Tape and Disc Rental (784) (532230)

Watch, Clock, and Jewelry Repair (763) (811490)

Transportation and Utility Services.

Courier and Postal Services (4215, 4311, 4513) (491110, 492110, 492220)

Travel Agencies (4724) (561510)

Tour Operators (4725) (561520), but not on the ground floor

Personal Wireless Services Antennae, with or without antenna support structures and related equipment, but only if located on property owned or occupied by the Village, and subject to the standards in Paragraph 5-101D12 of this Code, and not including personal wireless services antennae located on a tower.

Dwelling Units, but not on the ground floor

Parks, playgrounds, and Village buildings and uses, including public libraries

Civic and Social Associations clubs (813410), but not on the ground floor

Parking lots and parking structures (812930), subject to the provisions of Section 5-104 of this Code."

**SECTION THREE: Amendments to Section 4-103 of the Glencoe Zoning**

**Code.** Section 4-103, entitled "Special Uses," of Article IV, entitled "Business Districts," of the Glencoe Zoning Code, shall be and is hereby amended to revise the section preamble and to add the following new subsections I, J, and K, which shall hereafter be and read as follows:

**"4-103 SPECIAL USES**

Except as specifically limited in the following paragraphs, the following may be permitted in any business district subject to the issuance of a special use permit as provided in Section 7-502 of this Code, and subject to the additional standards hereinafter set forth:

\* \* \*

**"I. Uses on a ground floor that are permitted on floors other than the ground floor pursuant to Section 4-102."**

**SECTION FOUR: Amendments to Section 4-103B of the Glencoe Zoning Code.**

Subsection B, entitled "Gasoline Service Stations," of Section 4-103, entitled "Special Uses," of Article IV, entitled "Business Districts," of the Glencoe Zoning Code, shall also be and is hereby amended to hereafter be and read as follows:

"B. Gasoline Service Stations (4471): provided, however, that no special use permit shall be granted unless the Board of Trustees shall find that the evidence establishes that there is a community need for such a station at the location proposed. Such special use permit may authorize the outdoor storage of service vehicles and outdoor vehicle maintenance and service activities that are

routine in nature, subject to such conditions as the Board of Trustees may deem necessary or appropriate, notwithstanding the limitations of Subsection 4-107D."

**SECTION FIVE: Amendments to Section 8-301I of the Glencoe Zoning Code.**

Subsection I, entitled "Undefined Terms," of Section 8-301, entitled "Word Usage," of Article VIII, entitled "Applicability, Scope, and Construction," of the Glencoe Zoning Code, shall be and is hereby amended to hereafter be and read as follows:

"I. Undefined Terms. Any word or phrase not defined in Section 8-302 of this Code shall have the meaning given in any applicable Village code or ordinance or, if none, in Webster's New International Dictionary, Second Edition 1975, except for words or phrases employed to refer to the permitted uses and special uses of this Code, which shall be interpreted, insofar as applicable, in accordance with the meaning established in the North American Industry Classification System ~~Standard Industrial Classification Manual~~. For purposes of determining whether or not a word or phrase is defined, the fact that such word or phrase is printed in boldface type shall not be relevant, such typeface being used merely for ease of reference."

**SECTION SIX: Amendments to Section 8-302 of the Glencoe Zoning Code.**

Section 8-302, entitled "Definitions," of Article VIII, entitled "Applicability, Scope, and Construction," of the Glencoe Zoning Code, shall be and is hereby amended to amend the following definitions in correct alphabetical order:

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**NAICS. The North American Industry Classification System. See post this subsection.**

\*\*\*

**NORTH AMERICAN INDUSTRY CLASSIFICATION SYSTEM (NAICS). The 2012 edition of the North American Industry Classification System prepared by the Office of Management and Budget, Executive Office of the President of the United States, available from the National Technical Information Service of the United States Department of Commerce.**

\*\*\*

**SIC. The Standard Industrial Classification Manual. See post this subsection.**

\*\*\*

**STANDARD INDUSTRIAL CLASSIFICATION MANUAL (SIC). The 1987 edition of the publication prepared by the Office of Management and Budget, Executive Office of the President of the United States, available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C.**

**SECTION SEVEN:** **Effective Date.** This Ordinance shall be in full force and effect upon its passage, approval, publication in pamphlet form, and posting in the manner provided by law.

PASSED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2012.

AYES:

NAYS:

ABSENT:

ABSTAIN:

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2012.

\_\_\_\_\_  
Village President

ATTEST:

\_\_\_\_\_  
Village Clerk

Published in pamphlet form this \_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Village Clerk

Posted this \_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Village Clerk

Approved as to form.

\_\_\_\_\_  
Village Attorney