

VILLAGE OF GLENCOE  
ZONING BOARD OF APPEALS

REGULAR MEETING  
April 1, 2013

1. CALL TO ORDER

A meeting of the Zoning Board of Appeals of the Village of Glencoe was called to order at 7:30 P.M. Monday, April 1, 2013 in the Council Chamber of the Village Hall, Glencoe, Illinois.

2. ROLL CALL.

The following were present:

Barbara Miller, Chair

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

The following were absent:

David Friedman

The following Village staff was also present:

John Houde, Building and Zoning Administrator

3. APPROVAL OF FEBRUARY 4, 2013 MINUTES.

The minutes of the February 4, 2013 meeting were approved by unanimous voice vote.

4. APPROVE STERNBERG APPEAL AT 1185 HOHLFELDER.

The Chair stated that the purpose of this portion of the meeting was to conduct a public hearing on the appeal by Rena and Daniel Sternberg of a decision by the Building & Zoning Administrator in denying a permit to construct two room additions at 1185 Hohlfelder in the "R-B" Residence District. The additions would consist of a garage addition and a master bedroom and family room addition. The north proposed addition requires a 15.8% reduction in the required north side yard setback from 10 feet to 8.42 feet. This variation is authorized by Section 7-403-E-1-(a) of the Zoning Code. The south proposed addition requires a 16.8% reduction in the required south side yard from 12.83 feet to 10.67 feet. This variation is authorized by Section 7-403-E-1 (a) of the Zoning Code.

The Chair reported that notice of the public hearing was published in the March 14, 2013 GLENCOE NEWS and 12 neighbors were notified of the public hearing by mail and that three letters in favor of the variations had been received from Jill Greenbaum, 1162 Hohlfelder; Elizabeth and James Ohana, 1172 Oak Ridge Dr; and Phillip and Marianne Siegel, 1179 Hohlfelder. Richard Zimmering, 1193 Hohlfelder, contacted staff on March 22, 2013 with questions and concerns about the proposed

addition to his south. The Chair then swore in those in attendance who were expecting to testify.

#### SUMMARY OF TESTIMONY

The chair then asked Mr. and Mrs. Sternberg and their architect, Jenny Schneider to proceed. They noted:

- 1) For the variation requested on the north side of the building, the owners want to position the garage entrance ten feet (10') to the west, maintaining the same north line of the garage as it is currently constructed, which is 8.42' from the north lot line. Apparently the 10' side yard requirement was instituted after the house was built, and to enforce a 10' minimum side yard would make it impossible to maintain the two-car garage that is currently on the property; the front of the garage would be approximately three feet (3') behind the 50' front building line.
- 2) For the variation requested on the south side of the building, the owners want to widen the existing house by six feet (6'), but starting the addition approximately 15' 9" east from the front of the house so as to maintain a proportionate front view of the house from the street. Because of the 50' building line on the front (west side) of the house, and the relatively small back yard, there is no alternative for expansion of the current floor plan to provide adequate space within the home to bring it up to modern standards with respect to storage and living space. If such variation is granted, the side yard would still be approximately 10.67' which is in excess of the 10' minimum side yard requirement.
- 3) The owners are not requesting any increase in the existing maximum floor area ratio of 4025 square feet, but are trying to work within the zoning code to achieve a better configuration of living space for today's current living standards.

Testimony was also provided by the following, who noted:

Richard Zimring, 1193 Hohlfelder, noted his objection to the proposed north addition. He noted his views would be affected by the proposed addition. He noted his father had his house built in 1954. He noted problems with basement flooding and objects to the proposed building next door that could make the flooding situation worse. He submitted a letter in opposition to the variation with attached photographs.

Mary Ann Segal, 1179 Hohlfelder, noted she and her husband wrote a letter in favor of the variations.

Mr. Zimring, spoke that the applicants have not met the burdens of hardship. Mr. Zimring threatened legal action if the north variation is approved. Mr. Zimring left the hearing at 8:30 p.m.

Dan Sternberg, 1185 Hohlfelder, noted he had discussed the proposed additions with the immediate neighbors including Mr. Zimring. He asked the

ZBA members to make their decision on the variations requested.

The Chair made part of the records, as additional testimony the agenda Supplement and letters from the neighbors previously noted 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 north and south side yards 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-(a) 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 15.8% reduction in the required north side yard from 10 feet to 8.42 feet, and 16.8% reduction in the required south side yard from 12.83 feet to 10.67 feet for the property at 1185 Hohlfelder 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;

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.

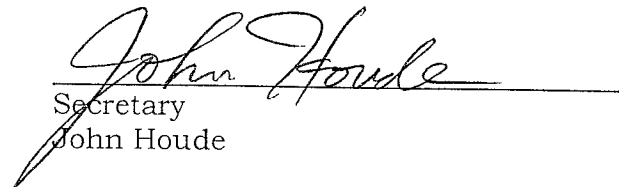
Adopted by the following vote of the Zoning Board members present:

AYES: Carlson, Goodale, Nyeste, Roin, Ross and Miller (6)

NAYS: None (0)

ABSENT: David Friedman (1)

There being no further business to come before the Zoning Board of Appeals the meeting was adjourned at 8:45 p.m.

  
Secretary  
John Houde