

VILLAGE OF GLENCOE
ZONING BOARD OF APPEALS

REGULAR MEETING
May 6, 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, May 6, 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, David Friedman, Jim Nyeste, and Howard Roin

The following were absent:

Steven Ross

The following Village staff was also present:

John Houde, Building and Zoning Administrator

3. APPROVAL OF APRIL 1, 2013 MINUTES.

The minutes of the April 1, 2013 meeting were approved by unanimous voice vote.

4. APPROVE KIESLER APPEAL AT 1188 CAROL LANE.

The Chair stated that the purpose of this portion of the meeting was to conduct a public hearing on the appeal by Mitch Kiesler of a decision by the Building & Zoning Administrator in denying a permit to construct a partial 2nd floor at his home at 1188 Carol Lane in the "R-B" Residence District. The addition will be 25 feet by 28 feet. The proposed addition requires a variation be granted reducing the required rear yard and north side yard to permit a 2nd floor over the existing first floor rear and north sides of the existing house located 24.31 feet from the rear lot line and located 6.74 feet from the north lot line. Both these variations are authorized under Section 7-403-E-1-(j) of the Zoning Code. The north side of the addition also requires a setback plane variation where the top of the roof meets the north exterior wall from 16.84 feet high to 20.4 feet high. This variation is authorized under Section 7-403-E-1-(n).

The Chair reported that notice of the public hearing was published in the April 18, 2013 GLENCOE NEWS and 12 neighbors were notified of the public hearing and that no letters or verbal inquiry had been received. The Chair then swore in those in attendance who were expecting to testify.

SUMMARY OF TESTIMONY

The chair then asked Mr. Kiesler and his architect, Lesa Rizzolo to proceed. They noted:

- 1) The original house measured 1844 square feet – the owner is currently adding a two car garage and a mudroom entrance on the south side of the property, bringing the total footprint to 2,614 square feet. The owner is proposing to add a partial second floor addition, and have the “addition” to the rear of the house, keeping the scale consistent with the neighboring Keck and Keck homes. The current home is situated in the rear of the lot, the back of the existing home sits in both the north side yard and the rear yard setback.
- 2) The current home is built on a concrete slab with 4x12 beams running north and south spanning up to 34 feet approximately 6 feet on center. These beams are supporting the flat roof structure, designed to “hold water” for solar heating. The first floor ceiling height to the bottom of the beams is 8’-2”. By today’s standard, that 4x12 needs to be reinforced with ½”x 11” steel plates (each side) and bolted together with 1 ¾”x11 ¼” LVL (each side), just to carry the loads of the roof. By adding a second floor above the existing structure, and maintaining the exposed beams and overhang detailing, the owner is structurally required to build a self-supporting second floor (with no loads coming down on the interior of the first floor); he is literally building a new floor above the existing roof/ceiling, increasing the height of the second floor by 14 inches.

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 side yard setback, rear yard setback, and north setback plane 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-(j) and Section 7-403-E-1-(n) 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 reduction in the required rear yard from 30 feet to 24.31 feet, the north side yard from 10 feet to 6.74 feet, and the for the north setback plane for the north exterior wall to be 20.4 feet high where the allowed setback plane is 16.84 feet for the property at 1188 Carol Lane be granted as shown in the drawing 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, Friedman, Goodale, Nyeste, Roin, and Miller (6)

NAYS: None (0)

ABSENT: Steven Ross (1)

5. APPROVE PIPER APPEAL AT 110 BEACH ROAD.

The Chair stated that the purpose of this portion of the meeting was to conduct a public hearing on the appeal by Judith and Charles Piper of a decision by the Building & Zoning Administrator in denying a permit to construct a partial second floor at their home at 110 Beach in the "R-A" Residence District. The addition requires a 15% increase in the allowed floor area ratio from 3656 square feet to 4202 square feet. The existing house has a F.A.R. of 3702 square feet. This variation is authorized under Section 7-403-E-1-(i) of the Zoning Code.

The Chair reported that notice of the public hearing was published in the April 18, 2013 GLENCOE NEWS and 11 neighbors were notified of the public hearing and that no letters or verbal inquiry had been received. The Chair then swore in those in attendance who were expecting to testify.

SUMMARY OF TESTIMONY

The Chair then asked Judith and Charles Piper and their architect, David Raino to proceed. They noted:

- 1) The owners have lived in Glencoe at 110 Beach Road for over 13 years. The three bedroom ranch constructed in 1958 was fairly typical of the time. In the 1970s a previous owner converted the third bedroom into a master bath with dressing area, updated the kitchen and installed terra cotta tile flooring throughout the house. As a result, the number of bedrooms (two), the size, style and interior configuration, and the features of the house are dated and do not fit into a typical family lifestyle now and going forward.
- 2) It is the owners' desire to remodel and reconfigure their dated residence to upgrade it to contemporary standards and lifestyle. The major limitation to this project is imposed by the F.A.R. because of the small size of the lot (90 wide by 124 deep). The 11,124 sq. ft. property is zoned R-A and is below the required minimum lot size of 20,000 sq. ft. Additionally, the lot is only 90 feet wide and is 10 feet less than the minimum required width of 100 ft. The small, non-conforming lot size represents a practical difficulty/hardship with regards to building on the lot.
- 3) The principal changes to the residence would be replacement of the windows, doors, and flooring; reconfiguring the first floor living space and adding back a third bedroom with bath within the attic space of a rebuilt roof structure. This would be accomplished within the existing footprint (including the existing front porch) utilizing almost all of the existing exterior walls. This project would upgrade the residence that they plan to live in for the next 10 or so years, enhance the streetscape, and provide/maintain a desirable housing option of first floor living in a prime location in the village.
- 4) The owners do not require a zoning variation reducing the setbacks as they are staying within the existing footprint. However, they do desire a variation in the application of the F.A.R. regulations of this ordinance as there is the following practical difficulty/particular hardship in carrying out the strict letter of the

Glencoe Zoning Ordinance in that the current house structure (with garage and attic space) is 3702 sq. ft. and the maximum allowable building area (FAR) for the 11,124 sq. ft lot is 3656 sq. ft. The F.A.R. does not allow them an adequate square foot area to accommodate the first floor reconfiguration and a reasonable second floor space for a bedroom/bathroom suite built to today's standards.

- 5) The owners hereby request a variation in F.A.R. up to the 15% increase limitation allowed by the Ordinance for purposes of adding 153 sq. ft. to the existing structure on the first floor (building out over the existing covered front porch), bringing it to 3118 sq. ft. (still one of the smaller houses in the neighborhood).

The Chair made part of the record, as additional testimony the agenda Supplement and letters in favor of the variation from Richard & Keri Werner, 730 Longwood; Miquel & Maria Teresi, 100 Beach; and Chris & Julie Ackerman, 120 Beach 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 15% increase the allowed floor area ratio for the property at 110 Beach be granted as shown in the drawing 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, Friedman, Goodale, Nyeste, Roin, and Miller (6)

NAYS: None (0)

ABSENT: Steven Ross (1)

There being no further business to come before the Zoning Board of Appeals the meeting was adjourned at 7:57 p.m.

Secretary
John Houde