



**MINUTES
VILLAGE OF GLENCOE
ZONING BOARD OF APPEALS
REGULAR MEETING**

Village Hall Council Chamber
675 Village Court
Monday, July 10, 2017 - 7:30 PM

1. CALL TO ORDER AND ROLL CALL

The Regular Meeting of the Zoning Board of Appeals of the Village of Glencoe was called to order by the Chair, at 7:32 p.m. on the 10th day of July, 2017, in the Village Hall Council Chamber.

Attendee Name	Title	Status
Fence Board of Appeals		
Howard Roin	Chair	Present
Deborah Carlson	Member	Present
Sara Elsasser	Member	Present
David Friedman	Member	Absent
Alex Kaplan	Member	Present
John Satter	Member	Present
Village Staff		
Nathan Parch	Planning & Development Administrator	Present
Stewart Weiss	Village Attorney	Present

2. APPROVE AQUILINO APPEAL AT 375 ADAMS AVENUE

The Chair stated that the purpose of this portion of the meeting was to conduct a public hearing on an appeal of Molly and Michael Aquilino from a decision by the Planning & Development Administrator in denying a permit for the construction of a two story addition and deck at the rear of their home at 375 Adams Avenue. The appeal requests that approval be granted to reduce by 19% the required east side yard setback from 8.0 feet to 6.50 feet and to increase by 11% the maximum allowable floor area ratio from 3,200 square feet to 3,545 square feet. The subject property is located in the R-C, single family residential, zoning district. The variations are authorized by Sections 7-403(E)(1)(a) and 7-403(E)(1)(i) of the Zoning Code.

The Chair reported that notice of the public hearing was published in the June 22, 2017 issue of the Glencoe Anchor and six neighbors were notified by mail. Staff noted that no letters and no verbal inquiries had been received. Staff then swore in those in attendance expecting to provide testimony on this matter.

SUMMARY OF TESTIMONY

Project architect Healy Rice introduced property owners Molly and Michael Aquilino. Ms. Rice provided an overview of the project and the requested variations. She noted the following in favor of the request:

1. The existing home was built in 1925 and constructed 6.50 feet from the east side property line. The property owners propose to follow this same setback for the addition and deck;
2. The lot is 50 feet wide with the driveway on the west side leading to a detached rear garage, therefore the proposed addition cannot move further west;
3. The east side of the addition will extend the kitchen wall and add a new mudroom. Moving the wall to accommodate the required 8-foot east side yard setback creates a design challenge to the kitchen and master suite above;
4. The east neighbor's house sits at the rear of the property. There is no negative impact to light or air to this adjoining property; and
5. Removing and rebuilding the original 1925 roof structure, which includes undersized roof rafters for their span, causes a forfeit of the 400 square foot FAR attic exclusion for existing attic space in homes built prior to 1990. The roof structure will be rebuilt to match existing, which will not change the exterior appearance of the home and which will have no impact on the neighborhood. Counting the attic space within the rebuilt roof structure and the attic space above the new addition results in the FAR overage.

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.

Mr. Parch stated that the property owners require a 15% increase to the maximum allowable floor area ratio, which is greater than the 11% specified in the public notice. Due to this oversight, staff has suggested that the Zoning Board of Appeals consider the property owners' request for the 11% increase at the July 10 meeting and the additional 4% at the following meeting on August 7. Mr. Parch clarified that the plans provided by the applicant depict the full 15% increase in floor area ratio.

Following consideration of the testimony and discussion, a motion was made and seconded, that the requested variations for the east side yard and FAR 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 Sections 7-403(E)(1)(a) and 7-403(E)(1)(i) of the 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; and

- 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 to: (1) reduce by 19% the required east side yard setback from 8.0 feet to 6.50 feet; and (2) increase by 11% the maximum allowable floor area ratio from 3,200 square feet to 3,545 square feet be granted for the property at 375 Adams Avenue, as shown in the drawings or plans submitted by the owner and made part of the record.

BE IT FURTHER RESOLVED that the decision of the Planning & Development 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 Zoning Board of Appeals and shall become a public record.

RESULT:	APPROVED
AYES:	Carlson, Elsasser, Kaplan, Roin, & Satter, (5)
NAYS:	None (0)
ABSENT:	Friedman (1)

3. APPROVE FIELDS BHATIA APPEAL AT 45 OLD GREEN BAY ROAD/224 SCOTT AVENUE

The Chair stated that the purpose of this portion of the meeting was to conduct a public hearing on an appeal of Heather Fields and Ashok Bhatia from a decision by the Planning & Development Administrator in denying a permit for the construction of a two story addition to the north of their home at 45 Old Green Bay Road that will extend onto the adjacent property at 224 Scott Avenue. The appeal requests that approval be granted to increase the maximum combined length of garage vehicular doors along the building front from 18 feet to 24 feet. The subject properties are located in the R-A, single family residential, zoning district. The variation is authorized by Section 7-403(E)(1)(o) of the Zoning Code.

The Chair reported that notice of the public hearing was published in the June 22, 2017 issue of the Glencoe Anchor and 11 neighbors were notified by mail. Staff noted that no letters and one verbal inquiry had been received. Staff then swore in those in attendance expecting to provide testimony on this matter.

SUMMARY OF TESTIMONY

Property owner Heather Fields introduced her husband, Ashok Bhatia, and representatives from A. Perry Homes, including Anthony Perry, John Anstadt, and Nate Lohner. Ms. Fields provided an overview of the project and Mr. Anstadt explained the requested variation. The following points were noted in favor of the request:

1. The physical condition of the 224 Scott Avenue property is narrow, shallow, and has an unusual shape. The property includes an existing non-conforming structure in poor condition that has been determined to be unsalvageable;

2. There are numerous mature trees located on the property and within the 50-foot front yard zoning setback that are protected by the Village's tree preservation regulations and that limit development;
3. The proposed addition will result in minimal impervious surfaces added and will increase light, air, and space by the removal of the structure on the 224 Scott Avenue property; and
4. The consolidation of 45 Old Green Bay Road and 224 Scott Avenue will eliminate a non-conforming lot and a non-conforming structure.

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.

Mr. Parch explained that the property owners will be required to pursue a lot consolidation of the two properties into a single zoning lot pursuant to the Village's subdivision regulations. This consolidation process requires the review of the Plan Commission and the final approval of the Village Board. A favorable decision made by the Zoning Board of Appeals for this variation request should be conditioned on the property owners receiving subsequent approval for the lot consolidation.

Following consideration of the testimony and discussion, a motion was made and seconded, that the requested variation for the length of garage vehicular doors along the building front 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)(o) of the 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; and
 - 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 to increase the maximum combined length of garage vehicular doors along the building front from 18 feet to 24 feet be granted for the property at 45 Old Green Bay Road/224 Scott Avenue as shown in the drawings or plans submitted by the owner and made part of the record.

BE IT FURTHER RESOLVED that the decision of the Planning & Development 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 Zoning Board of Appeals and shall become a public record.

RESULT:	APPROVED
AYES:	Carlson, Elsasser, Kaplan, Roin, & Satter, (5)
NAYS:	None (0)
ABSENT:	Friedman (1)

4. ADJOURN

There being no further business to come before the Zoning Board of Appeals the meeting was adjourned at 7:58 p.m.