



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

Village Hall Council Chamber
675 Village Court
Monday, August 7, 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 7th day of August, 2017, in the Village Hall Council Chamber.

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

2. CONSIDERATION OF MINUTES OF THE JULY 10, 2017 ZONING BOARD OF APPEALS MEETING

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

3. 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 at the rear of their home at 375 Adams Avenue. The appeal requests that approval be granted to increase by 4% the maximum allowable floor area ratio from 3,545 square feet (as approved at the July 10 meeting, and representing an 11% increase) to 3,676 square feet, which represents a combined total increase of 15%. The subject property is located in the R-C, single family residential, zoning district. The variations are 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 August 7, 2017 issue of the Glencoe Anchor. 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 clarified that no revisions were made to the plans since last presented to the Board on July 10, 2017 and stated that the plans depict the full 15% increase in floor area ratio, 11% of which was granted at the previous meeting. The following was again noted 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.

Following consideration of the testimony and discussion, a motion was made and seconded, that the requested variation for 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 Section 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: Increase by 4% the maximum allowable floor area ratio from 3,545 square feet to 3,676 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, Friedman, Kaplan, & Roin (5)
NAYS:	None (0)
ABSENT:	Satter (1)

4. APPROVE WIGODA APPEAL AT 707 SYCAMORE LANE

The Chair stated that the purpose of this portion of the meeting was to conduct a public hearing on an appeal of James and Beth Wigoda from a decision by the Planning & Development Administrator in denying a permit for the construction of a one story addition at the rear of their home at 707 Sycamore Lane. The appeal requests that approval be granted to reduce by 4% the required east side yard setback from 12.0 feet to 11.48 feet. The subject property is located in the R-A, single family residential, zoning district. The 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 August 7, 2017 issue of the Glencoe Anchor. 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

Attorney Gary Wigoda, property owner James Wigoda, and architect Jeff Letzter were in attendance and provided an overview of the requested variation. The following points were noted in favor of the request:

1. The subject property is only 85.65 feet in width. The Village's Zoning Code side yard requirement is based on a lot width of 100 feet. Compliance with this provision for this lot reduces the allowed building area for the property; and
2. The proposed variation request is to add 2 feet to a pre-existing non-conforming room in order to keep the exterior wall and roof in line for aesthetic and interior room function.

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 requested variation for the east side yard setback 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 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 reduce by 4% the required east side yard setback from 12.0 feet to 11.48 feet be granted for the property at 707 Sycamore Lane 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, Friedman, Kaplan, & Roin (5)
NAYS:	None (0)
ABSENT:	Satter (1)

5. ADJOURN

There being no further business to come before the Zoning Board of Appeals the meeting was adjourned at 7:42 p.m.