



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

Village Hall Council Chamber
675 Village Court
Monday, April 17, 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 Chairman, at 7:30 p.m. on the 17th day of April, 2017, in the Village Hall Council Chamber.

Attendee Name	Title	Status
Village Board		
Howard Roin	ZBA Chairman	Present
Deborah Carlson	Member	Absent
Sara Elsasser	Member	Present
David Friedman	Member	Present
Gail Lissner	Member	Present
Rich Richker	Member	Present
John Satter	Member	Present
Village Staff		
John Houde	Building & Zoning Administrator	Present

2. CONSIDERATION OF MINUTES OF THE MARCH 6, 2017 ZBA MEETING

RESULT:	ACCEPTED
AYES:	Elsasser, Friedman, Lissner, Richker, Satter, Roin (6)
ABSENT:	Carlson (1)

3. APPROVE FLYNN APPEAL AT 1182 GREEN BAY

The Chair stated that the purpose of this portion of the meeting was to conduct a public hearing on the appeal by Martin Flynn, Flynn’s Contracting, of a decision by the Building & Zoning Administrator in denying a permit to construct a second floor on an existing 1½ story home at 1182 Green Bay Road in the ‘R-B’ Residence District for a: 1) variation to allow a 2nd floor over the existing north first floor part of the house located 6.98 feet from the lot line, and 2) the variation for the setback plane increase where the exterior wall meets the top of roof from 15.28 feet high to 20.7 feet high. The variations are authorized by Sections 7-403-E-1-(a) and 7-403-E-1 (n) of the Zoning Code.

The Chair reported that notice of the public hearing was published in the March 23, 2017 GLENCOE ANCHOR and 10 neighbors were notified of the public hearing by mail. The Chair then swore in those in attendance who were expecting to testify.

SUMMARY OF TESTIMONY

The Chairman asked the owner's architect Chris Turley, to proceed. That person noted:

- 1) The required minimum setback is 10'. This is an existing house and the existing structure was built at the conforming 1952 6-foot side yard setback. The two corners are only 6'-11³/₄" and 7'-2" on the northernmost side yard.
- 2) In addition the setback plane would prevent an addition on the 2nd floor without a variance as the setback plane crosses through the existing living space.
- 3) The building has not been updated for some time and this project will update all elements to bring it into compliance with the codes including energy systems, structural, aesthetic, etc.
- 4) Additionally, information was established that the north neighbor's house at 1188 Green Bay is 15 to 17 feet from the lot line.

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.

The following also provided testimony:

- 1) Jeff Jacobs, 1188 Green Bay, asked a clarification question.
- 2) Marjorie Jacobs, 1188 Green Bay, expressed her concern about allowing a full 2nd floor over the existing 1st floor of the house located 6.98 feet from the lot line instead of the required 10 foot setback.
- 3) Gary Raphael, 1190 Green Bay, stated he does not agree with granting a variation for the 2nd floor addition 6.98 feet from the lot line.
- 4) Marjorie Jacobs, 1188 Green Bay, was concerned about the resale of her home when the new 2nd floor at 1182 Green Bay would be only 6.98 feet from the lot line.

Following consideration of the testimony and discussion, a motion was made and seconded, that the request for variance in the north side yard 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-(a) and 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 1) variation to allow a 2nd floor over the existing north 1½ story part of the house located 6.98 feet from the lot line, and 2) the variation for the setback plane increase where the exterior wall meets the top of roof from 15.28 feet high to 20.7 feet high for the property at 1182 Green Bay, be granted 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 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.

RESULT:	APPROVED
AYES:	Elsasser, Lissner, Richker, Satter, (4)
NAYS:	Friedman and Roin (2)
ABSENT:	Carlson (1)

5) APPROVE KAUSHIK APPEAL AT 1054 EDGEBROOK

The Chair stated that the purpose of this portion of the meeting was to conduct a public hearing on the appeal by Sudeep Kaushik and Prathima Brahmavara of a decision by the Building & Zoning Administrator in denying a permit to construct a wood deck at the rear of their home at 1054 Edgebrook in the 'R-A' Residence District. The proposed deck requires a 20% reduction in the north Dundee Road building line setback from 40 feet to 32 feet. This total 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 16, 2017 GLENCOE ANCHOR and 6 neighbors were notified of the public hearing by mail. The Chair then swore in those in attendance who were expecting to testify.

SUMMARY OF TESTIMONY

The Chairman asked the owners to proceed. They noted:

- 1) The existing house was built in 1959 and is closer to the north lot line than would currently be allowed. In order to build a rear patio deck at the existing first floor elevation a north setback variation is require.
- 2) The existing 7 feet by 15 feet rear deck is narrow and does not allow room for play, sitting, or barbecue area outside of the rear door at the same elevation as the 1st floor of the house.
- 3) No neighbors will be impacted by the deck addition as it would be located in a corner area of the house south of the northwest wall of the house.

The Chair made part of the record, as additional testimony the Agenda Supplement and a letter from the following in favor of the variation being granted: Larry Debb, 1049 Edgebrook; Susan Ruffer Levin, 1052 Edgebrook; and Sherwin Jahangiri, 1058 Edgebrook, 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 variance in the north Dundee front yard 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 20% reduction in the required north front yard on Dundee from 40 feet to 32 feet for the property be granted 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 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.

RESULT:	APPROVED
AYES:	Elsasser, Friedman, Lissner, Richker, Satter, Roin (6)
ABSENT:	Carlson (1)

4. ADJOURN

There being no further business to come before the Zoning Board of Appeals the meeting was adjourned at 8:15 p.m.