



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

Village Hall Council Chamber
675 Village Court
Monday, December 3, 2018 - 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 7:40 p.m. on the 3rd day of December, 2018, in the Village Hall Council Chamber.

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

2. CONSIDERATION OF MINUTES OF THE OCTOBER 1, 2018 ZONING BOARD OF APPEALS MEETING

Mr. Parch stated that the minutes from the October 1, 2018 meeting were not available and would instead be considered at the next meeting.

3. APPROVE ETTELSONON APPEAL AT 589 SHERIDAN ROAD

The Chair stated that the purpose of this portion of the meeting was to conduct a public hearing on an appeal of Bill and Karen Ettelson from a decision by the Community Development Administrator in denying a permit for the construction of a replacement accessory structure at the northeast corner of their property at 589 Sheridan Road. The appeal requests that approval be granted to rebuild a nonconforming accessory structure of the same size and location as the existing structure. The dimensions of the existing structure are 26.4 feet in width and 24.2 feet in depth and located 1.72 feet from the rear property line and 2.18 feet from the side property line. The required rear yard setback for an accessory structure is 5 feet and the required side yard setback is 12 feet. A 12 foot by 24 foot addition is also proposed to the south of the existing footprint, however this portion of the building will meet zoning setbacks and no relief is necessary. The new structure is planned to be used as a three car garage. The subject property is located in the R-A Single Family Residential Zoning District. The variation is authorized by Section 7-403(E)(1)(f) of the Zoning Code.

The Chair reported that notice of the public hearing was published in the November 15, 2018 issue of the Glencoe Anchor and five neighbors were notified by mail. Staff then swore in those in attendance expecting to provide testimony on this matter.

SUMMARY OF TESTIMONY

Property owners Bill and Karen Ettelson along with their architect, Lesa Rizzolo of L.A. Rizzolo Architect, were in attendance. Mrs. Ettelson provided an overview of the requested variation. The following points were noted in favor of the request:

1. The property is exceptional under the provisions of the Code by reason of the presence of the existing home and carriage house/garage that were built, in their current locations, 122 years and 104 year ago, respectively. The carriage house/garage was built in the far north corner of the property to align both physically and architecturally with the entrance features of the home. Those entrance features were enhanced in 1925 with the addition of a porte cochere that further highlights and emphasizes both the architectural features of the home and the carriage house/garage. The alignment of the porte cochere and home entrance do not make architectural sense if the carriage house/garage is moved from its current location.
2. The location of the existing 100+ year old structure does not conform to the setback requirements of the current zoning code. The structure was built prior to the adoption of the Village's first zoning code in 1919.
3. Although the property is not a certified landmark, there are historical features of the property that have exceptional relevance to the community and strict application of the regulation would cause detriment to those features.
4. The design of the new structure will look as close to the original as possible and incorporates original design features, while being able to accommodate modern motor vehicles.
5. The location of the carriage house/garage at the rear corner of the property is not out of character with the immediate neighborhood. Other nearby structures are located at 580 Longwood, 600 Longwood, 126 Hazel, and previously at 609 Sheridan prior to demolition in 2014. There are numerous other examples throughout the Village.

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.

Chair Roin questioned why Mr. and Mrs. Ettelson could not comply with the required setbacks given the large size of their property.

Ms. Rizzolo stated that the hardship is the existing positioning of the home and carriage house/garage at the extreme north end of the property. Additionally, there is currently symmetry with the alignment between the porte cochere of the home and the carriage house/garage, which the property owners desire to maintain for historic and architectural purposes.

Ms. Rizzolo also noted that the current and proposed location of the carriage house/garage at the rear corner of the property is not out of character with the immediate neighborhood. Other nearby structures are located at 580 Longwood, 600 Longwood, and 126 Hazel. There are numerous other examples of similar conditions throughout the Village.

Member Novack asked about plans for gutters and downspouts on the new structure.

Ms. Rizzolo responded that the intent is to match the existing home, which has gutters and downspouts.

Seth Mason of 580 Longwood Avenue provided staff an opposition letter along with photographs of the existing carriage house/garage in advance of the meeting, which was distributed to members of the Zoning Board of Appeals.

Mr. Mason stated that he and his wife have lived behind the subject property and in 21 years nothing has been done to maintain the carriage house/garage. Mr. Mason stated his concerns with the requested variation as follows: proximity of proposed structure to his existing detached garage, lack of air and light between the two structures given their proximity, existing drainage between the two properties given the Mason's property is slightly below that of Mr. and Mrs. Ettelson, which causes consistent dampness of his garage floor and the area between garage and rear property line.

Member Satter stated his support for the proposed variation request based on historical and architectural significance of the home and carriage house/garage locations. He stated that both detached structures - that of the applicant and that of the rear neighbor - are currently located in the rear corner of their properties, therefore this would not create a new condition. He also noted that shifting the proposed structure 12 feet south to comply with the side yard would extend the total length of building elevations between the neighbor's and the Ettelson's structures along the rear property line.

Following consideration of the testimony and discussion, a motion was made and seconded, that the requested variation for the required front 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)(f) 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 rebuild a nonconforming accessory structure of the same size and location as the existing structure at 589 Sheridan Road 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 Community 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 these variations 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:	Elsasser, Kaplan, Novack, Roin, & Satter (5)
NAYS:	Friedman (1)
ABSENT:	Carlson (1)

4. APPROVE PASSY APPEAL AT 150 HARBOR STREET

The Chair stated that the purpose of this portion of the meeting was to conduct a public hearing on an appeal of Jane Passy from a decision by the Community Development Administrator in denying a permit for the construction of a new covered porch along the north side of the home and for modifications to the nonconforming sunroom at the southwest corner of the home located at 150 Harbor Street. The appeal requests that approval be granted to reduce by 20% the required corner side yard setback along Harbor Street from 25.0 feet to 20.0 feet for the construction of a new covered porch and to vertically extend the exterior walls of the sunroom to match the height of the existing home and to modify the roof pitch of the sunroom. The sunroom encroaches into the rear yard setback and is located 23.39 feet from the rear property line. The minimum rear yard setback is 30 feet. The subject property is located in the R-A Single Family Residential Zoning District. The variations are authorized by Section 7-403(E)(1)(a) and Section 7-403(E)(1)(j) of the Zoning Code

The Chair reported that notice of the public hearing was published in the November 15, 2018 issue of the Glencoe Anchor and six neighbors were notified by mail. Staff then swore in those in attendance expecting to provide testimony on this matter.

SUMMARY OF TESTIMONY

Property owner Jane Passy along with her architect, DonnaLee Floeter, were in attendance. Ms. Passy provided an overview of the requested variation. The following points were noted in favor of the request:

1. The home is located on a nonconforming corner lot at the southwest corner of Harbor Street and Sheridan Road. The lot is 61.4 feet in width by 144 feet in depth totaling 8,839 square feet. The minimum lot size in the R-A zoning district is 20,000 square feet.
2. The 25-foot corner side yard setback along Harbor Street and the 50-foot front yard setback along Sheridan Road limit the buildable area of this small lot.
3. The home was built in 1954 and minimal improvements have been made since that time. The property owner intends to renovate the full interior of the home so that it is line with the expectations of today's buyer, especially one desiring single floor living.
4. Exterior enhancements include expanding the covered front entry on Harbor Street and increasing the height of the sunroom to provide more headroom.
5. The covered front porch will encroach into the corner side yard by 5 feet. It will be open on two sides except for column supports and will enhance the exterior appearance of the home. The existing garage and kitchen encroach into the corner side yard to a much greater extent than the front porch will.
6. The existing sunroom encroaches into the rear yard setback, however it exceeds the side yard setback. In order to improve the functionality of the sunroom the interior ceiling height needs to be raised which involves modifications to the exterior wall and roof pitch. The overall footprint of the sunroom will not change.
7. When the home was built it met the zoning setbacks required at that time, which allowed for the side yard setback (regardless of interior versus corner) to be 7 feet and for the rear yard setback to be 22 feet.

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 required front yard setback be granted per the drawings presented, making findings and resolving as follows:

FINDINGS

1. The requested variations are 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 variations are 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)(j) 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 variations will not alter the essential character of the locality;
 - e. The requested variations 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 requests to reduce by 20.0% the required corner side yard setback along Harbor Street from 25.0 feet to 20.0 feet and to vertically extend the exterior walls of the sunroom to match the height of the existing home and to modify the roof pitch of the sunroom at 150 Harbor Street 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 Community 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 these variations 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:	Friedman, Elsasser, Kaplan, Novack, Roin, & Satter (6)
NAYS:	None (0)
ABSENT:	Carlson (1)

5. PUBLIC COMMENT TIME

None

6. ADJOURN

There being no further business to come before the Zoning Board of Appeals the meeting was adjourned at 9:15 p.m.