



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

Village Hall Council Chamber
675 Village Court
Monday, August 6, 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 7:31 p.m. on the 6th day of August, 2018, in the Village Hall Council Chamber. Member Alex Kaplan participated by phone in accordance with the Village’s policy for electronic attendance at meetings.

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

2. CONSIDERATION OF MINUTES OF THE JUNE 4, 2018 ZONING BOARD OF APPEALS MEETING

RESULT:	APPROVED
AYES:	Carlson, Elsasser, Friedman, Kaplan, Roin, & Satter (6)
NAYS:	None (0)
ABSENT:	Novack (1)

3. APPROVE KACH APPEAL AT 1165 HOHLFELDER ROAD

The Chair stated that the purpose of this portion of the meeting was to conduct a public hearing on an appeal of James Kach from a decision by the Community Development Administrator in denying a permit to build a 9’-5” x 18’-9” screen porch addition at 1165 Hohlfelder Road. The appeal requests that approval be granted to reduce by 20.0% the required rear yard setback along the east from 30 feet to 24 feet and to reduce by 1.6% the required side yard setback along the north from 12 feet 11 inches to 12 feet 8 inches. The subject property is located in the R-B Single Family Residential Zoning District. The variations are 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 July 19, 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 James Kach was in attendance and provided an overview of the requested variation. The following points were noted in favor of his request:

1. The house was built in 1968. The current setbacks are different from when the house was built. In 1968 the minimum rear yard was 22.5 feet and the minimum side yard was 6 feet.
2. The rear wall of the house is approximately 34 feet from the rear property line. The location of the house on the property limits the construction of a usable screen porch unless a variance is granted.
3. The depth of the screen porch without the rear yard variance would be approximately 3.5 feet and would not be usable.
4. Granting the variance would allow for the structure depth to be 9.5 feet.
5. The proposed screen porch would be located in the same location as an existing patio, although it would be smaller in depth than the current patio. The patio receives sun from sunrise to late afternoon in the summer months. Because of the intensity of the sun, the patio is unusable for any reasonable length of time during this period.

Rochelle Fisch of 1150 Oak Ridge Drive stated her opposition to the requested variation due to concerns of decreased privacy should the screen porch be built nearer to the rear property 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.

Following consideration of the testimony and discussion, a motion was made and seconded, that the requested variations for the required rear and side yard setbacks 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 20.0% the required rear yard setback along the east from 30 feet to 24 feet and to reduce by 1.6% the required side yard setback along the north from 12 feet 11 inches to 12 feet 8 inches be granted for the property at 1165 Hohlfelder 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 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, & Satter (6)
NAYS:	None (0)
ABSENT:	Novack (1)

4. APPROVE APPEAL AT 655 SHERIDAN ROAD

The Chair stated that the purpose of this portion of the meeting was to conduct a public hearing on an appeal of Calvin Bernstein on behalf of property owner Chicago Title Land Trust Company No. 8002377846 from a decision by the Community Development Administrator in denying a permit for the construction of additions and a detached garage at 655 Sheridan Road. The appeal requests that approval be granted to reduce by 15.0% the required rear yard setback from 40.21 feet to 34.20 feet and to increase by 7.78% the maximum gross floor area from 8,459.00 square feet to 9,117.21 square feet, which is an increase of 658.21 square 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)(i) of the Zoning Code.

The Chair reported that notice of the public hearing was published in the July 19, 2018 issue of the Glencoe Anchor and seven neighbors were notified by mail. Staff then swore in those in attendance expecting to provide testimony on this matter.

Mr. Parch stated that he received no neighbor inquiries or objections to the proposed variations.

SUMMARY OF TESTIMONY

Attorney Calvin Bernstein provided an overview of the requested variations. The following points were noted in favor of the request:

1. The new property owners intend on restoring the architecturally significant home designed by architects Jerrod Loebel and Norman Schlossman for Harry Misch in 1925.
2. The existing home has only an attached 2-car garage and many small unusable interior spaces.
3. The owners plan to construct a 3-car detached garage, 2-story addition with laundry/mudroom on the first floor and bedroom above, covered front entry, and rear addition with covered porch

on the first floor and master bathroom above. The improvements will provide updates to the historic home to accommodate a modern lifestyle. The exterior changes have been carefully designed to match the existing home's architecture.

4. The attached 2-car garage of the existing home currently encroaches into the rear (north) 40.2-foot setback. The 2-story mudroom/bedroom addition will extend the existing north wall of the garage eastward thereby encroaching 6.0 feet into the rear yard setback.
5. The home was designed and built to face Sheridan Road. Because the property is a corner lot, and because Sheridan Road is considered the corner side yard versus the front yard, the rear yard for zoning purposes is on the north, but this area functions more as a side yard. Due to this existing condition, the rear yard variation is required.
6. The new detached garage was designed with a mansard roof that matches the roof of the existing house. This design feature creates a large attic area above the garage with 436.03 square feet of the attic required to be counted in the gross floor area. The detached garage will comply with zoning setback requirements.
7. The remaining 222.18 square feet of the requested 658.21 square foot increase in gross floor area is for existing attic space above the home.

Mr. Parch explained how the zoning setbacks are applied to this corner property. As with all corner lots in the Village the front of the home may face either street frontage, however in all cases the front yard setback is applied to the narrower of the two street frontages per the Zoning Code. In this case the 50-foot front yard setback is applied to the Hazel Avenue street frontage. The front of the house faces Sheridan Road, where the 25-foot corner side yard setback is applied.

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 variations for the required rear yard setback and maximum gross floor area 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 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 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 request to reduce by 15.0% the required rear yard setback from 40.21 feet to 34.20 feet and to increase by 7.78% the maximum gross floor area from 8,459.00 square

feet to 9,117.21 square feet be granted for the property at 655 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 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, & Satter (6)
NAYS:	None (0)
ABSENT:	Novack (1)

5. APPROVE PESAVENTO APPEAL AT 636 WASHINGTON PLACE

The Chair stated that the purpose of this portion of the meeting was to conduct a public hearing on an appeal of Raymond Pesavento from a decision by the Community Development Administrator in denying a permit to build a master bedroom addition at 636 Washington Place. The appeal requests that approval be granted to reduce by 10.0% the required front yard setback along Washington Avenue from 50.0 feet to 45.0 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 July 19, 2018 issue of the Glencoe Anchor and nine neighbors were notified by mail. Staff then swore in those in attendance expecting to provide testimony on this matter.

Mr. Parch stated that he received one neighbor inquiry with questions but no objection to the proposed variation.

SUMMARY OF TESTIMONY

Architect Charles Riesterer of Grund & Riesterer Architects, Inc. provided an overview of the project and requested variation. The following points were noted in favor of the request:

1. The existing home was built in 1955 and has undergone minimal improvements over that last 60 years. The current owners purchased the home from the original owner.
2. The classic mid-century modern ranch home includes a number of interior and exterior walls that do not run parallel, but at slight angles, resulting in rooms that are not square or rectangular.
3. The appeal involves the extension of one of the original angled exterior walls along the north façade of the home for the master bedroom addition. This wall extension causes the addition to partially encroach into the 50-foot setback along Washington Avenue.
4. The subject site is unique in that it is a corner lot with three of its four property lines abutting public streets. The front facade of the home faces Washington Place, which is the corner side yard. There are two front yards – one abutting Washington Avenue at the north and the other

abutting Washington Place at the south. The bulk of the home is located in the southeast portion of the property.

5. The current owners intend to preserve and maintain the interior and exterior architectural integrity of the home. The proposed addition will match existing architectural details with the goal of it becoming a seamless continuation of the original 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.

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)(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 10.0% the required front yard setback along Washington Avenue from 50.0 feet to 45.0 feet be granted for the property at 636 Washington Place 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 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, & Satter (6)
NAYS:	None (0)
ABSENT:	Novack (1)

6. PUBLIC COMMENT TIME

None

7. ADJOURN

There being no further business to come before the Zoning Board of Appeals the meeting was adjourned at 8:13 p.m.