

**MINUTES OF THE JUNE 20, 2022
MEETING OF THE ZONING BOARD OF APPEALS
VILLAGE HALL 6101 CAPULINA, MORTON GROVE, IL 60053**

Pursuant to proper notice in accordance with the Open Meetings Act, the regular meeting of the Zoning Board of Appeals was called to order at 7:00 PM by Chairman Blonz. Secretary Kirchner called the roll.

Members of the Board Present: Blonz, Dorgan, Gabriel, Liston, Mohr,

Members Absent: Kintner and Stein (with notice)

Village Staff Present: Zoe Heidorn, Community Development Administrator
Anne Ryder Kirchner, Assistant Land Use Planner & Secretary
Jim English, Manager Building and Inspectional Services
Rick Dobrowski, Fire Prevention

Trustees Present: Greer, Khan, Thill, and Travis

Chairman Blonz described the procedures for the meeting. The Village and the applicant will present the case and the Zoning Board of Appeals (ZBA) may ask questions of the applicant. Then, anyone from the audience will be allowed to provide comment to the ZBA on the case. Four votes are required for approval, the Board decision is final and no request that is not significantly different may be submitted for one year after the decision.

Chairman Blonz proceeded to seek approval of the April 18, 2022, meeting minutes.

Board Member Kintner moved to approve the minutes of the April 18, 2022, meeting. Board Member Liston seconded the motion.

Chairman Blonz called for the vote.

Board Member Dorgan voting abstain

Board Member Gabriel voting aye

Board Member Liston voting aye

Board Member Mohr voting aye

Chairman Blonz voting aye

Minutes approved.

Chairman Blonz then called for the first case.

The applicants for case ZBA 22-09 were not present at the meeting, the Board unanimously voted to postpone the case until the July meeting with a motion by Board member Liston that was seconded by Board member Gabriel.

CASE ZBA 22-10

APPLICANTS: Michael Mostovoy
6908 Church Street
Morton Grove, IL 60053

LOCATION: 6908 Church Street
Morton Grove, IL 60053

PETITION: Request for approval of a variations from Section 12-2-5 to allow a detached accessory structure to be located less than 10 feet from a principal structure and/or a detached accessory structure to be located less than 3 feet from the rear lot line.

Community Development Administrator, Zoe Heidorn reviewed the request as follows: In the case of ZBA 22-10, the applicant is requesting the ZBA's approval of variations to allow a detached accessory structure less than 10 feet from the principal structure and possibly, a detached accessory structure less than 3 feet from the rear lot line. The request comes after the applicant installed fencing along the alley-side lot line without a permit in 2021, effectively eliminating the property's only off-street parking space. Rather than modify the fencing to meet current Code requirements, the applicant is now seeking to construct a two-car garage measuring a standard 22 by 22 feet. Due to the rear yard's limited depth, the applicant is requesting a separation between the home of less than 10 feet. He has also indicated to staff that he would prefer to move the garage north toward the rear lot line, where a 3-foot setback is required. If the ZBA is amenable to a reduced rear setback, staff recommends a setback of no less than 1 foot to accommodate eaves and gutters.

Secretary Kirchner swore in the applicants, Michael and Marina Mostovoy.

The Chairman asked if the applicants had anything to add to the background provided by Ms. Heidorn. They had nothing to add. The then asked the Board members for their comments and questions.

Board member Dorgan asked if the existing fence will be reconstructed to not be in the front yard. He also asked if the yard would be cleaned of debris and the boat would be stored in the garage.

Mr. English said the fence has to be brought up to code.

Mr. Mostovoy said they will clean up the yard.

Chairman asked if they could connect the garage to the house.

The Mostovoy's want it to be an accessory structure.

Board member Mohr asked if the garage has to observe a 45% sight triangle along the alley.

Ms. Heidorn said the sight line triangle only applies to fences and would apply to a fence if it meets the garage. A sight line triangle would not be required along the unimproved alley.

Chairman Blonz asked for public comment.

Ms. Heidorn read the following email sent from a neighbor

Good day!

I am Michael Montemayor resident of 9212 New England avenue 60053. I was made aware of recent request of Mr. Mostovoy. On a recent conversation, Mr. Mostovoy has informed this writer of his plans which includes utilizing current unfinished/undeveloped alley. At the end of the alley is an undeveloped land which I believed where my property sewer system passes to the main line. As per my knowledge it wouldn't be safe to have vehicles pass thru the this part of the alley if the alley is not developed properly. If owner of 6908 church would want to utilize this alley as back entry i believe it's is right to make sure : to develop the alley to make sure this is safely passable to vehicles, vehicles passing would not affect any sewer if there is one under the undeveloped alley . I sent this not to oppose Mr.

Mostovoy plans but is only to make sure my property and its residents at 9212 New England will not be negatively affected. One reason why I also wanted to make sure alley is safely passable and developed is because at the moment on winters when snow can get as high as 7-15in our community's snow plowers is unable to pass thru the alley thus at times I am tasked to clear the snow myself if this is developed the alley can be maintained by Morton grove. I am not gonna be able to attend the meeting due to work obligations but I am hoping my concerns are taken into consideration if found valid. Thanks for reading my concerns and may you sir /ma'am have a good day/weekend.

Ms. Heidorn noted that the unimproved alley will not be impacted by this garage.

Chairman Blonz asked for Board comments and questions.

Board member Gabriel asked if there is a fire rating needed for the garage. Mr. Dobrowski said a one-hour fire rating is required for structures closer than 5 feet to the principal structure.

Chairman Blonz asked if a fire struck can fit in the alley, and it was noted that it can.

Board member Gabriel noted that the Board is being asked to approve the garage as one foot from the north property line, not the 3 feet as shown on the application.

Chairman Blonz called for a motion.

Board Member Liston made a motion approve a request for variations from Section 12-2-5 to allow a detached accessory structure to be located less than 10 feet from a principal structure and/or a detached accessory structure to be located less than 3 feet from the rear lot line, subject to the following conditions:

- 1) The proposed detached garage shall be built in accordance with the plans submitted by the Applicant in the Variation Application dated 05/9/2022, or as otherwise authorized by the Zoning Board of Appeals; and
- 2) The Applicant shall file all necessary plans and applications, for review and approval, and secure all necessary building permits prior to the commencement of construction.

The motion was seconded by Board Member Gabriel.

Chairman Blonz called for the vote.

Board Member Dorgan voting	aye
Board Member Gabriel voting	aye
Board Member Mohr voting	aye
Board Member Liston voting	aye
Chairman Blonz voting	aye
Motion passes (5-0)	

Chairman Blonz asked for any other business or discussion. Hearing none, Board Member Gabriel moved to adjourn the meeting, seconded by Board Member Dorgan. The motion to adjourn the meeting was approved unanimously pursuant to a roll call at 7:15 p.m.

Minutes respectfully submitted by Anne Ryder Kirchner.