



Village of Morton Grove  
**Zoning Board of Appeals Agenda**

**October 15, 2024 - 7:00 P.M.**

Flickinger Municipal Center, 6101 Capulina Avenue, Morton Grove, IL 60053

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I. **CALL TO ORDER**

II. **APPROVAL OF MINUTES OF:** September 17, 2024

III. **PUBLIC HEARINGS:**

**CASE:** ZBA 24-31 WITHDRAWN

**CASE:** ZBA 24-32

**APPLICANT:** Chamoun Merza  
7428 Wilson Terrace  
Morton Grove, Illinois 60053

**LOCATON:** 7428 Wilson Terrace  
Morton Grove, Illinois 60053

**PETITION:** Request for approval of variation from Section 12-2-5 to allow an accessory structure in a front yard.

**CASE:** ZBA 24-33

**APPLICANTS:** Carlos Gonzalez and Sofia Cerda-Gonzalez  
6130 Capulina Avenue  
Morton Grove, Illinois 60053

**LOCATON:** 6130 Capulina Avenue  
Morton Grove, Illinois 60053

**PETITION:** Request for approval of variation from Section 12-3-5 to allow a fence exceeding allowable transparency in a street side yard.

**CASE:** ZBA 24-34

**APPLICANT:** Morres Bayrom on behalf of the owner  
6543 Albert Street  
Morton Grove, Illinois 60053

**LOCATON:** 6543 Albert Street  
Morton Grove, Illinois 60053

**PETITION:** Request for approval of variations from Sections 12-2-5 and 12-4-2 to allow a driveway to exceed the maximum width at the front lot line, a second driveway approach, and exceed maximum impermeable lot coverage.

**CASE:**                      **ZBA 24-35**

**APPLICANTS:**           Sarah Cochran and Humberto Mota  
8933 Oleander Avenue  
Morton Grove, Illinois 60053

**LOCATON:**                8933 Oleander Avenue  
Morton Grove, Illinois 60053

**PETITION:**               Request for approval of variation from Section 12-2-6 to allow a patio in a required side yard.

**CASE:**                      **ZBA 24-36**

**APPLICANTS:**           Francisco and Giselle Ballesteros  
5406 Reba Street  
Morton Grove, Illinois 60053

**LOCATON:**                5406 Reba Street  
Morton Grove, Illinois 60053

**PETITION:**               Request for approval of variation from Section 12-2-6 to allow an open sided porch in a required front yard.

**CASE:**                      **ZBA 24-37**

**APPLICANT:**             Don Allen Worley  
7547 Emerson Street  
Morton Grove, Illinois 60053

**LOCATON:**                7547 Emerson Street  
Morton Grove, Illinois 60053

**PETITION:**               Request for approval of variation from Section 12-3-5 to allow a fence exceeding allowable transparency in a street side yard.

**CASE:**                      **ZBA 24-38**

**APPLICANT:**             Omni City Holdings, LLC  
6451 Main Street  
Morton Grove, Illinois 60053

**LOCATON:**                6451 Main Street  
Morton Grove, Illinois 60053

**PETITION:**               Request for approval of variation from Section 12- to allow open accessory parking spaces in a front yard

IV.      **OTHER BUSINESS**           None

V.        **CLOSE MEETING**

Note that all persons are welcome to attend the public meeting in-person as regularly scheduled. All persons in attendance will have the opportunity to be heard during periods of public comment

Comments relating to this case may also be submitted no later than 12:00 p.m. on Tuesday, October 15, 2024, to [akirchner@mortongroveil.org](mailto:akirchner@mortongroveil.org). All comments received in relation to this case will be read at the public hearing for consideration by the Zoning Board of Appeals.

**MINUTES OF THE SEPTEMBER 17, 2024  
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 Kintner. Secretary Kirchner called the roll.

Members of the Board Present: Dorgan, Gabriel, Hussaini, Kintner, Liston, Mohr and Stein

Members Absent: None

Village Staff Present: Brandon Nolin, AICP, Community Development Administrator  
Anne Ryder Kirchner, Planner/Zoning Administrator, and Secretary  
Jim English, Manager Building Inspection and Services  
Rick Dobrowski, Fire Prevention Coordinator

Trustees Present: Thill and Travis

Chairman Kintner 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. It was noted that all Board members were present.

Chairman Kintner asked for approval of the August 20, 2024, meeting minutes. Board Member Dorgan moved to approve the amended minutes, Board Member Liston seconded the motion.

Chairman Kintner called for the vote.

Board Member Dorgan voting	aye
Board Member Gabriel voting	aye
Board Member Liston voting	aye
Board Member Hussaini voting	aye
Board Member Stein voting	aye
Board Member Mohr voting	abstain
Chairman Kintner voting	aye

Motion passes (6-0)

Chairman Kintner noted that Staff has a revision to the agenda. Ms. Kirchner said that case ZBA 24-30 would not heard by the Zoning Board of Appeals as staff determined a variation was not required. The applicants have been notified and will be refunded the application fee.

Chairman Kintner then called for the first case.

## CASE ZBA 24-28

APPLICANTS: Lydia Torrese  
9024 Moody Avenue  
Morton Grove, Illinois 60053

LOCATION: 9024 Moody Avenue  
Morton Grove, IL 60053

PETITION: Requesting for approval of a variation from Section 12-2-6 to allow an open accessory parking space in a required front yard

Ms. Kirchner said the applicant is seeking approval of waivers to replace a 2 feet wide portion of the replacement concrete does not lead to a conforming parking space within the side or rear yard and is therefore considered an open accessory parking space in the front yard. The applicant is not replacing the entire driveway, only the section noted and a portion of the concrete walk and stairs to the side door.

The space adjacent to the drive has been on the property since the owner purchased the property in 2008.

Ms. Torrese was sworn in and explained that her stoop and concrete walk are buckling. She is asking to replace that area and the additional 2 feet of existing concrete to the south of the walk. The additional area had been installed before she bought the home 18 years ago. The area is used by visitors who are handicapped.

There was no public comment.

Chairman Kintner asked if the driveway apron would need to be changed if the additional portion were not allowed. Ms. Kirchner noted that apron would not need to be changed.

Board member Liston asked if the property met lot coverage requirements. The property is conforming.

Board member Hussaini asked about ADA accessibility. Mr. Nolin noted that is not part of our municipal code.

Chairman Kintner asked if the driveway width is conforming. Ms. Kirchner said the driveway width and setback is conforming, the only portion requiring a variation is the section not leading behind the home.

Board member Gabriel said the intent of the code is not to have an open parking space, this small section does not support an entire parking space and it is reasonable to repair the area.

Board member Liston made a motion to approve Case ZBA 24-28, *a request for approval of variation from Section 12-2-6:G to allow the replacement of an open accessory parking area for the property commonly known as 9024 Moody Avenue, subject to the following conditions:*

- 1) *The proposed driveway shall be installed in accordance with the plans submitted by the Applicant in the Variation Application dated 8/6/2024.*
- 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.*



Board member Dorgan seconded the motion. Chairman Kintner called for the vote.

Board Member Dorgan voting	aye
Board Member Gabriel voting	aye
Board Member Liston voting	aye
Board Member Hussaini voting	aye
Board Member Stein voting	aye
Board Member Mohr voting	aye
Chairman Kintner voting	aye

Motion passes (7-0)

#### CASE ZBA 24-29

APPLICANT: Lattas Law Office, on behalf of the owner  
5815 Monroe Street  
Morton Grove, IL 60053

LOCATION: 5815 Monroe Street  
Morton Grove, IL 60053

PETITION: Requesting for approval of variation from Section 12-2-5 to a driveway in a required setback

Ms. Kirchner said the applicant is seeking approval of a waiver after the fact to expand a driveway. The driveway is set back 0 feet from the east side lot line. The Building Department issued a stop work order on May 20, 2024 for the expansion of the driveway without a permit. Mr. Nasir continued the work installing the 4.9 feet driveway extension and curbing. The work was completed by May 23, 2024, violating the stop work order. The drive would have permitted to be expanded east by 1.9 feet while still observing the required 3 feet setback, giving additional space for the vehicle.

Chairman Kintner asked if the photo of the stop work order in the staff report was the order issued for the driveway. The photo does show the related stop work order.

The owner, Mr. Nasir and his attorney, Mr. Waisanen, were sworn in. Mr. Waisanen explained that the applicant has a very large work truck that damages his lawn and parkway when maneuvering in and out of the driveway. The driveway was expanded to repair the damaged lawn and provide more access for the truck.

Board member Dorgan why the work was continued after the stop work order was issued. Mr. Nasir said the pavement was dug up and he did not want anyone to trip or fall in the area, causing them to sue him. Mr. Waisanen said Mr. Nasir filled up the area with material he had lying around on the property.

Board member Dorgan asked what type of vehicle is using the driveway. It is the owner's work truck.

Mr. Waisanen said this is not self-imposed as the narrow driveway existed when the applicant purchased the property and there was no other way to expand and not have damage to the property.

Chairman Kintner noted there was close to 2 feet of allowable expansion area and the driveway could have been expanded with a permit.

Mr. Waisanen said the variation is not for the width of the driveway but for the setback. The applicant needs the additional width so he does not have to drive over the grass.

Chairman Kintner said there are multiple parts of the code pertaining to driveways. He asked for the dimension/ width of the truck.

Mr. Nasir said it is about 8 feet wide. The length of the truck requires extra room to maneuver. Discussion ensued regarding the maneuvering as it relates to the apron versus the driveway. Chairman Kintner said the allowable expansion area should meet the needs of parking the truck.

Mr. Nasir said there are many parked cars on his street which limit the turning radius for his truck. He also noted the gas meter against his house.

Board member Gabriel asked if the truck is a flat bed tow truck. He said Mr. Nasir should easily be able to maneuver the truck as the skills of a tow truck driver often require maneuvering in often tight spaces.

Mr. Nasir said it is not possible to make a 90 degree turn with a 24 feet long truck when there are cars parked along the street.

Board member Stein asked about the small retaining wall. Mr. Nasir said he had permission from the neighbor to install the wall to keep the neighbor's dirt from washing onto his drive. Mr. Waisanen said the wall could be removed, but the additional drive width is needed.

Board member Gabriel referred to the picture of the drive and noted that removing the 2 courses of brick to the west would most likely bring the drive into compliance, the allowable 1.9 feet additional width.

Mr. Waisanen said the client is more comfortable with the wider width. Mr. Nasir said he would like the paved area instead of a grass and muddy area when it is bad weather. He wanted the entire side area to look more pleasing.

Chairman Kintner noted the apron area expansion would solve the problem of driving on the grass, the truck can be straightened out when on the drive. Mr. Nolin noted the apron is not included in the plans.

Mr. Waisanen referred to the photos of the tire marks in the front yard. Board member Stein said if the retaining wall and first sections of pavers were removed, the drive would be conforming.

Board member Mohr asked if the truck was a F-350. It is an F-550. He noted he has a similar truck and he supports the complying driveway width.

Board member Gabriel asked if the retaining wall is included in the setback. Ms. Kirchner said it is.

Chairman Kintner asked if the apron could be expanded. He could apply for a right of way permit and increase the apron width. Mr. Nasir said he had spoken to the building department and wanted to expand the drive by 2 feet on each side. His permit was not approved. Chairman Kintner acknowledged that driveway width and apron with fall under different codes and the building department and the public works department require reviews. There are a few options that could be done by right.

Mr. Nasir said he has been trying to get a driveway approved for two years, he said it has not been easy to get a permit. Chairman Kintner noted correct plans are required.

Board member Hussaini asked Counsel to explain the possible compromised to his client.

There was no public comment. Board member Hussaini asked what conditions the Board is considering. Chairman Kintner explained the applicant is seeking a 0 foot setback, his driveway could be expanded 1.9 feet in width, observing the required 3 feet setback, not requiring a variation.

Board member Dorgan made a motion to approve Case ZBA 24-29, *a request for a waiver from Section 12-2-5 of the Unified Development Code to allow a driveway in a required setback, subject to the following conditions:*

1. *The driveway shall be in the location with the plans submitted by the applicant in the Variation Application dated 8/9/2024.*
2. *The applicant shall file all necessary plans and applications, for review and approval, and secure all necessary building permits.*

Board member Stein seconded the motion. Chairman Kintner called for the vote.

Board Member Dorgan voting	no
Board Member Gabriel voting	no
Board Member Liston voting	no
Board Member Hussaini voting	no
Board Member Stein voting	no
Board Member Mohr voting	no
Chairman Kintner voting	no

Motion does not pass passes (7-0)

Chairman Kintner asked for any other business or discussion. Hearing none, Board Member Liston 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 7:40 p.m.

Minutes respectfully submitted by Anne Ryder Kirchner.

# Village of Morton Grove

Department of Community & Economic Development

To: Chairperson Kintner and Members of the Zoning Board of Appeals

From: Brandon Nolin, AICP, Community Development Administrator;  
Anne Ryder Kirchner, Planner/Zoning Administrator

Date: October 8, 2024

Re: ZBA 24-32 – 7428 Wilson Terrace (09-13-207-025-0000)  
Request for approval of variations from Sections 12-2-5 and 12-4-2 to allow a detached accessory structure in a front yard and to encroach in a required front yard.

## STAFF REPORT

### Public Notice

The Village of Morton Grove provided public notice for the October 15, 2024, Zoning Board of Appeals public hearing for ZBA 24-32 in accordance with the Unified Development Code. The *Morton Grove Champion* published a public notice on September 26, 2024. The Village mailed letters on September 26, 2024, notifying surrounding property owners, and placed a public notice sign on the subject property on, September 26, 2024.

### Request Summary

#### Property Background

The subject property 7428 Wilson Terrace is an 8,324-square-foot lot located on the northwest corner of Wilson Terrace and Osceola Avenue. The property is within an R-1 Single Family Residence District and is improved with a single-family dwelling and attached garage. Surrounding properties are also zoned in the R-1 Single Family Residence District and are improved with single-family residences.



*Subject Property Location Map*

### Application Overview

The Applicant and property owner, Chamoun Merza, is requesting a waiver from Section 12-2-5 to allow a carport to be installed on his driveway in front of his attached one-car garage. A detached accessory structure is not permitted in front yards (the yard in front of the principle structure) or required side yards. Accessory structures are also required to be 10 feet from the principal structure.

The carport would also encroach into the required front yard setback of 25 feet. It will not encroach in the street side yard of the corner lot.

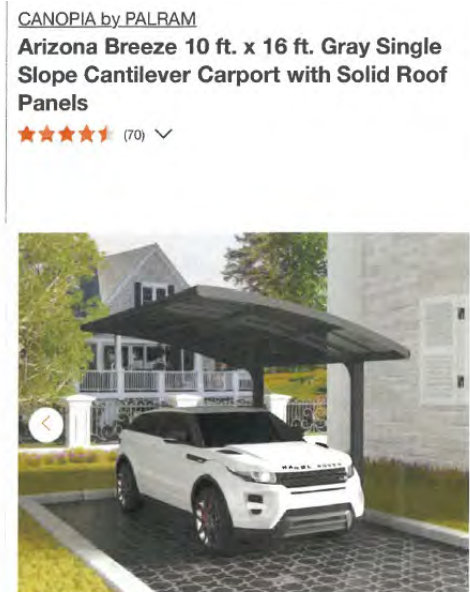
### Requested Waivers

The following chart provides a summary of the requested waivers based on Unified Development Code requirements:

DIMENSIONAL CONTROL	CODE REQUIREMENT	PROPOSED	REQUESTED WAIVERS
Accessory Structures (12-2-5:B.2)	In residential districts, detached accessory buildings shall not be located in the front yard or required side yards  Shall be at least 10 ft. from the principal structure	On driveway in front of attached garage  Less than 10 ft., exact dimension not given	<i>Waiver to allow an accessory structure in a front yard</i>  <i>Waiver to allow an accessory structure less than 10 ft. from principal structure</i>
Residential District Height and Bulk Regulations (12-4-2:D)	Minimum yard(s) Front yard	9 ft.	<i>Waiver of 16 ft. to allow setback of 9 ft.</i>

As shown in the table, the following waivers are required to allow a detached accessory structure in a front yard and to encroach in a required front yard as proposed by the Applicant:

- Section 12-2-5:B.2: Waiver to allow a detached accessory structure in a front yard
- Section 12-2-5:B.2: Waiver to allow a detached accessory structure less than 10 feet from the principal structure
- Section 12-4-2:D: Waiver of 16 feet to allow a detached accessory structure to encroach in a required front yard



*Subject Property Street View and Proposed Carport*

### Discussion

The applicant is requesting a waiver from the ZBA to install a carport in front of his attached garage. His current vehicle does not fit in the garage and he is seeking protection from weather.

Detached accessory structures are meant to be subordinate to the principal structure. A detached carport in a front yard that encroaches into the required 25 feet yard is insubordinate to the single-family home. Staff is concerned that this placement would set a precedent for both accessory and attached encroachments in required front yards, altering the character of Morton Grove neighborhoods.

### Variation Standards

The Zoning Board of Appeals can approve the application as presented, approve it with conditions, or deny the application based on the following standards, established in Section 12-16-3:A:

- a. Not Self-Imposed: The alleged difficulty or hardship is caused by this title and has not been created by any persons presently having an interest in the subject property.
- b. Nonmonetary Considerations: The circumstances or conditions are such that the strict application of the provisions of this title would deprive the applicant of a reasonable use of his land. Mere loss in value shall not justify a variation.
- c. Not Detrimental to Public Welfare: The granting of any variation is in harmony with the general purposes and intent of this title and will not be detrimental to the public welfare or to other property or improvements in the neighborhood.
- d. Not Detrimental to Neighborhood: The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the streets, increase the potential damage of fire, endanger the public safety, or alter the character of the neighborhood.

The Applicant has provided their responses to these standards in the Variation Application.

### Recommendation

Should the Board approve Case ZBA 24-32, staff recommends the following motion and conditions:

*Motion to approve Case ZBA 24-32, a request for approval of variations from Section 12-2-5:B and 12-2-4:D to allow a detached accessory structure in the front yard, required front yard for the property commonly known as 7428 Wilson Terrace, subject to the following conditions:*

- 1) *The proposed driveway shall be used in accordance with the plans submitted by the Applicants in the Variation Application dated 8/27/2024.*
- 2) *The Applicant shall file all necessary plans and applications, for review and approval.*

### Attachments

Application and related materials (submitted by Applicant)



# VARIATION APPLICATION

Village of Morton Grove  
Department of Community Development  
6101 Capulina Avenue, Morton Grove, Illinois 60053  
commdev@mortongrovel.org | 847-663-3063

Case Number: 24-32 Date Application Filed: 8/27/24

## APPLICANT INFORMATION

Applicant Name: Chamoun Merza  
Applicant Address: 7428 Wilson  
Applicant City / State / Zip Code: Morton Grove 60053  
Applicant Phone: 847 863 2326  
Applicant Email: Shmon-Merza@hotmail.com  
Applicant Relationship to Property Owner: owner  
Applicant Signature: \_\_\_\_\_

## PROPERTY OWNER INFORMATION (IF DIFFERENT FROM APPLICANT)

Owner Name: Chamoun Merza  
Owner Address: 7428 Wilson Ave  
Owner City / State / Zip Code: Morton Grove 60053  
Owner Phone: 847-863-2326  
Owner Email: \_\_\_\_\_  
Owner Signature: \_\_\_\_\_

## PROPERTY INFORMATION

Common Address of Property: 7428 Wilson Terrace  
Property Identification Number (PIN): 0913207250000  
Property Square Footage: 1,408 8,324 sq. ft. lot  
Property Zoning District: R-1  
Property Current Use: Single family home

## APPLICATION INFORMATION

Applicant is requesting a variation from the following section(s) of the Morton Grove Unified Development Code:  
12-2-5 and 12-4-2

Purpose of requested variation (attach as needed): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



## RESPONSES TO STANDARDS FOR VARIATION

Provide responses to the four (4) Standards for a Variation as listed in Section 12-16-3-A-2 of the Village of Morton Grove Unified Development Code. The applicant must present this information for the official record of the Zoning Board of Appeals. The Variation Standards are as follows:

- a. **Not Self-Imposed:** The alleged difficulty or hardship is caused by this title and has not been created by any persons presently having an interest in the subject property.

To protect my car

- b. **Nonmonetary Considerations:** The circumstances or conditions are such that the strict application of the provisions of this title would deprive the applicant of a reasonable use of their land. Mere loss in value shall not justify a variation.

no I'm not

- c. **Not Detrimental to Public Welfare:** The granting of any variation is in harmony with the general purposes and intent of this title and will not be detrimental to the public welfare or to other property or improvements in the neighborhood.

it will be very nice outside

- d. **Not Detrimental to Neighborhood:** The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the streets, increase the potential damage of fire, endanger the public safety, or alter the character of the neighborhood.

no it will not make



11:33

5G% 

West Niles 



[Home](#) / [Storage & Organization](#) / [Outdoor Storage](#) / [CANOPIA by PALRAM](#)

[CANOPIA by PALRAM](#)

## Arizona Breeze 10 ft. x 16 ft. Gray Single Slope Cantilever Carport with Solid Roof Panels

★★★★★ (70) 



Home



Shop



Me



Store Mode



Cart



Images (15) Videos (3) 360° View Customer Images (11)



Wide range of DIY designs

- Various models to fit different architectural styles
- Array of sizes to fit a variety of vehicles
- Easy to assemble with pre-drilled aluminum profiles and pre-cut, easy sliding panels

 CANOPIA <small>by PALRAM</small>	Palram-Canopia Carports	Common Carports
<b>1</b> Wide space for easy access	 ✓ Wide space between posts	 ✗ Narrow space between posts
<b>2</b> Thick aluminum frame	 ✓ Sturdy aluminum thickness	 ✗ Common aluminum thickness
<b>3</b> Gutter diverts water	 ✓ Roof with built-in gutter	 ✗ Roof without gutter
<b>4</b> No welded parts - No rust	 ✓ Structure after 5 years	 ✗ Welded structure after 2 years

	Metal Carports	Wooden Carports	PALRAM - CANOPIA Carports
Average Post Dimension	2" X 2"	4" X 4"	3.15" X 3.15" Or 3.5" X 7"
Gutter System	No	No	Yes
Average Space Between Posts	1.4 Meter	2 Meter	2.05-3 Meter
Light Transmission	0%	0%	10% - 15%
Warranty	Limited Warranty	5 Year Limited Warranty	10 Year Full Warranty

Copyright by the Manufacturer 2023

Pinch to Zoom

11:22

5G

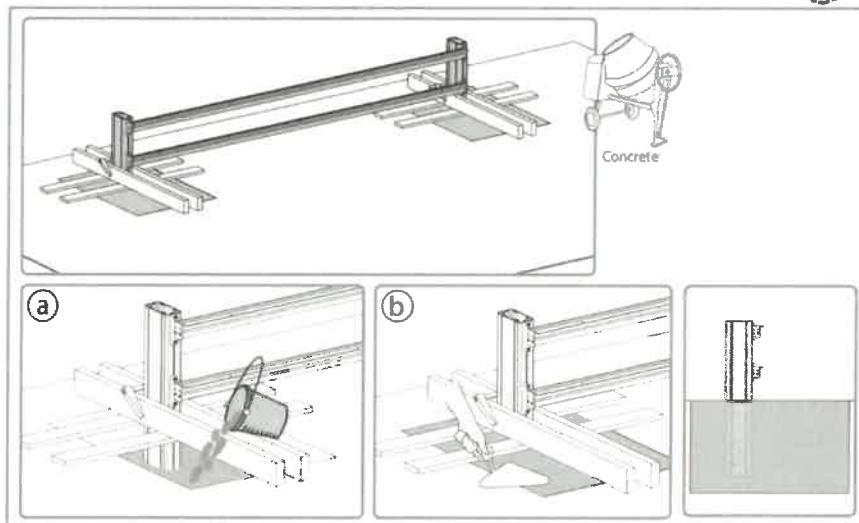
West Niles



Back



Concrete footings are required for installation



Pinch to Zoom



Home



Shop



Me



Store Mode



Cart

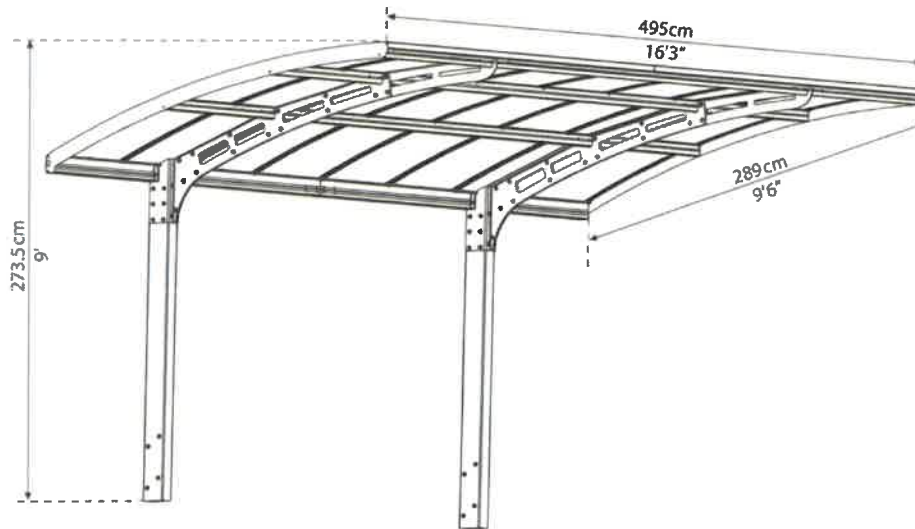
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5G

West Niles



Back



Pinch to Zoom



Home



Shop



Me



Store Mode



Cart

11:23

5G

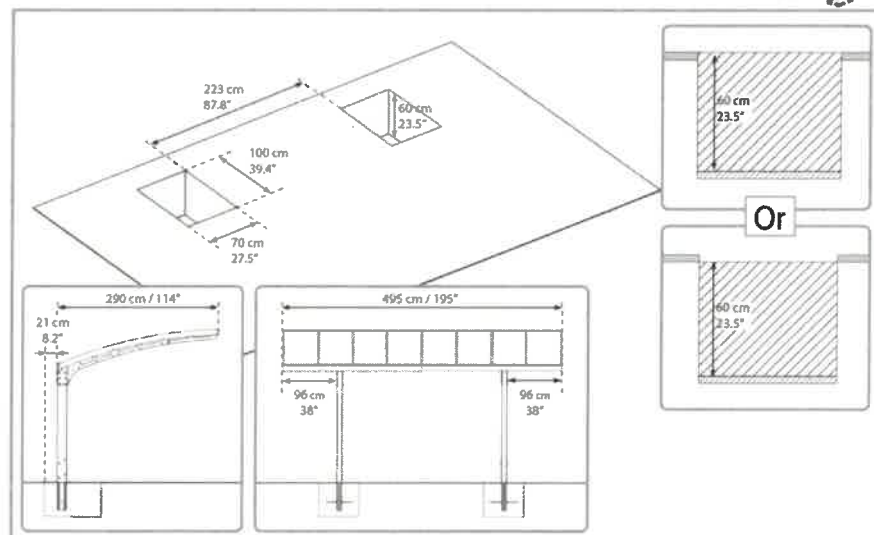
West Niles



Back



Concrete footings are required for installation



Pinch to Zoom



Home



Shop



Me



Store Mode



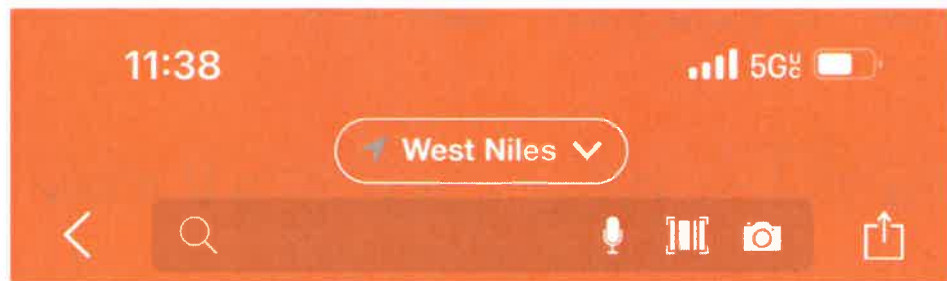
Cart

From Chamoun merza

I bought a new car SUV car I don't  
want to keep it outside. In my garage it  
will not fit, so that's why I was trying  
to do the canopy to save my car  
from the snow hell damage even  
from the sun that's what I need  
only please if you except it I will  
be appreciate it

Motion Grove





 **Back**



### Wide range of DIY designs

- Various models to fit different architectural styles
- Array of sizes to fit a variety of vehicles
- Easy to assemble with pre-drilled aluminum profiles and pre-cut, easy sliding panels

Pinch to Zoom



Home



Shop



Me



Store Mode





Cart



Chamoun merza

I want To install CanPla on my front  
house 7428 Wilson Ter Morton Grove

- 1- Patrick J. Mether   
7439 W. Wilson Ter  
Morton Grove, IL 60053
- 2- Joe Jensen 7434 Wilson
- 3- Jim Mandel 7443 Wilson Terrace
4. Richard Fint 7503 Wilson Terrace  
847-736-6760
5. Elzbieta Kiedkiska 7444 Wilson Ter.  
847 409-0529
- 6 Jim LANGWORTHY 847-501-0721
7. THIEN NGUYEN 7440 WILSON TERRACE  
773-349-6944
8. Mary Granquist 7451 Palma Ln  
847 254-8033
9. Dave Granquist 7457 Palma Ln  
847 254-8013
10. ATIF BADRI 9418 OSCOLA AVE.
11. Mariya Ambrozak ~~Atif Badri~~ 
12. Hefje Blom 9417 Oscola Ave  
7412 Wilson Terr.

13 Charles Schull

1429 Foster St  
Morton Grove IL

14 Angeline Viane

9311 Decola Ave

15 Richard Tom

9363 Decola Ave

Morton Grove IL

16 Joulia Marza

7355 Lyons St  
Morton Grove

17 Wanda Jamar

9418 Over Ave - Morton Grove

18 Bill Murphy

9424 Oak Ave - Morton Grove  
Illinois

19 And Ann

7343 Lyons St - Morton Grove

20 Paul Mirza

7516 Paloma Ln

LEGEND

A = ASSUMED  
C = CALCULATED  
CH = CHORD  
CL = CENTERLINE  
D = DEED  
E = EAST  
F.I.P. = FOUND IRON PIPE  
F.I.R. = FOUND IRON ROD  
FT. = FEET/FOOT  
L = ARC LENGTH  
M = MEASURED  
N = NORTH  
NE = NORTHEAST  
NW = NORTHWEST  
P.O.B. = POINT OF BEGINNING  
P.O.C. = POINT OF COMMENCEMENT  
R = RECORD  
RAD = RADIUS  
R.O.W. = RIGHT OF WAY  
S = SOUTH  
S.I.P. = SET IRON PIPE  
S.I.R. = SET IRON ROD  
SE = SOUTHEAST  
SW = SOUTHWEST  
W = WEST

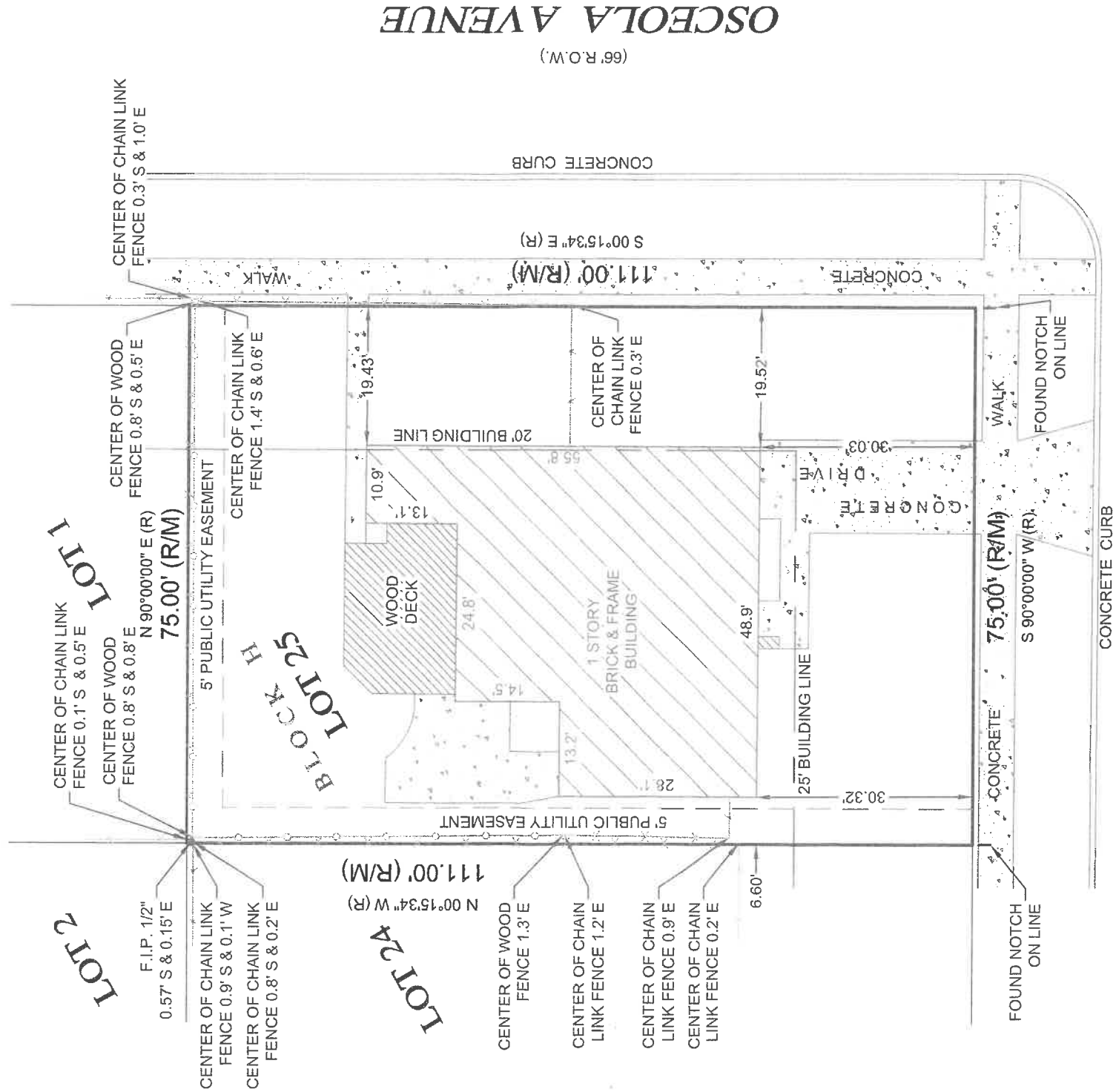
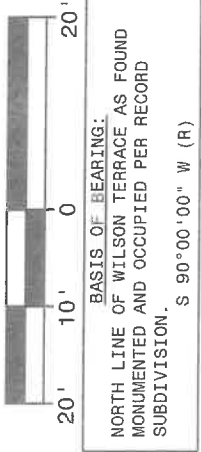
= CHAIN LINK FENCE  
= WOOD FENCE  
= METAL FENCE  
= VINYL FENCE  
= EASEMENT LINE  
= SETBACK LINE  
= INTERIOR LOT LINE

PLAT OF SURVEY  
OF

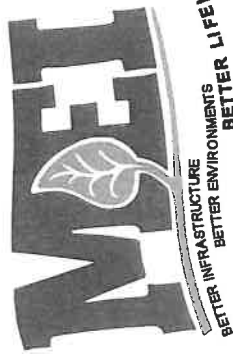
LOT 25 IN BLOCK H IN HARRIS PARK VISTA SUBDIVISION UNIT #2, BEING A SUBDIVISION OF PART OF THE SOUTH 1/2 OF THE NORTH 1/2 OF THE NORTHEAST 1/4 AND PART OF THE NORTH 15 ACRES OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN ACCORDANCE WITH THE PLAT RECORDED MAY 27, 1955 AS DOCUMENT NO. 16250935, IN COOK COUNTY, ILLINOIS.

AREA OF SURVEY:

" CONTAINING 8,324 SQ. FT. OR 0.19 ACRES MORE OR LESS "



WILSON TERRACE  
(66' R.O.W.)



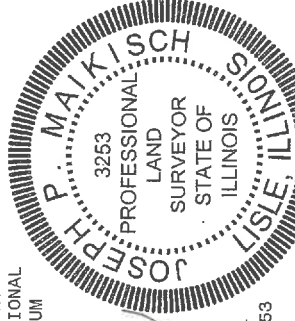
Morris Engineering, Inc.  
515 Warrenville Road, Lisle, IL 60532  
Phone: (630) 271-0770  
FAX: (630) 271-0774

STATE OF ILLINOIS  
COUNTY OF DUPAGE

I, THE UNDERSIGNED, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT "THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY," AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY.

DATED, THIS 14TH DAY OF FEBRUARY, A.D. 2020, AT Lisle, ILLINOIS

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-3253  
LICENSE EXPIRATION DATE NOVEMBER 30, 2020



NOTE: SOME IMPROVEMENTS MAY NOT BE SHOWN HEREON DUE TO SNOW COVER AT TIME OF SURVEY.

NOTE:

- ALL TIES SHOWN ON THIS SURVEY ARE MEASURED TO THE BUILDING'S SIDING (BRICK, FRAME, STUCCO, METAL, ETC.) AND NOT TO THE FOUNDATION, UNLESS NOTED OTHERWISE.
- ROOF LINES AND OVERHANGS ARE TYPICALLY NOT SHOWN HEREON.
- COMPARE ALL DISTANCES AND POINTS IN FIELD AND REPORT ANY DISCREPANCIES TO SURVEYOR AT ONCE.
- NO DIMENSIONS SHALL BE ASSUMED BY SCALING.

ADDRESS COMMONLY KNOWN AS 7428 WILSON TERRACE

MORTON GROVE, ILLINOIS

CLIENT LAW OFFICE OF BARBARA M. DEMOS

FIELDWORK DATE (CREW) 02/10/2020 (BV/MH/JV)

# Village of Morton Grove

Department of Community & Economic Development

To: Chairperson Kintner and Members of the Zoning Board of Appeals

From: Brandon Nolin, AICP, Community Development Administrator;  
Anne Ryder Kirchner, Planner/Zoning Administrator

Date: October 8, 2024

Re: ZBA 24-33 – 6130 Capulina Avenue (10-20-109-010-0000)  
Request for approval of a variation from Section 12-3-5 to modify a fence exceeding height and allowable transparency in a street side yard.

## STAFF REPORT

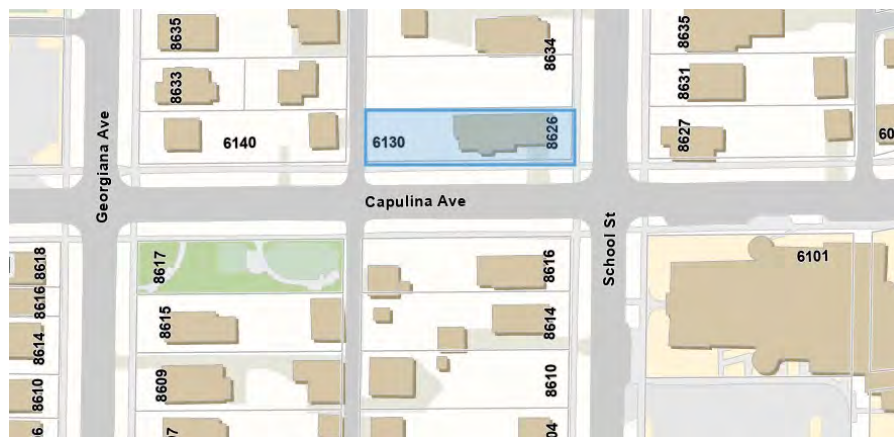
### Public Notice

The Village of Morton Grove provided public notice for the October 15, 2024, Zoning Board of Appeals public hearing for ZBA 24-33 in accordance with the Unified Development Code. The *Morton Grove Champion* published a public notice on September 26, 2024. The Village mailed letters on September 26, 2024, notifying surrounding property owners, and placed a public notice sign on the subject property on, September 26, 2024.

### Request Summary

#### Property Background

The subject property 6130 Capulina Avenue is a 7,985-square-foot lot located on the northwest corner of Capulina Avenue and School Street. The property is within an R-2 Single Family Residence District and is improved with a single-family dwelling and attached garage. Surrounding properties are also zoned in the R-2 Single Family Residence District and are improved with single-family residences. The Village Hall and Police Station are located at the southeast corner of the same intersection. Pioneer Park is located across the street to the southwest.



*Subject Property Location Map*

### Application Overview

The Applicants and property owners, Carlos Gonzalez and Sofia Cerda-Gonzalez, are requesting a waiver from Section 12-3-5 to modify the existing fence to decrease transparency to zero by adding additional vertical cedar boards creating a board and batten fence. The current fence was authorized by a variation in case 21-01, increasing the maximum height for a fence within a street side yard from 4 feet to 5 feet. The fence will remain compliant in terms of location and observance of the required sight line triangle.

### Requested Waivers

The following table provides a summary of the requested waivers based on Unified Development Code requirements:

DIMENSIONAL CONTROL	ORDINANCE REQUIREMENT	PROPOSED	REQUESTED VARIATION
<b>Street Side Yard Fencing</b> (Section 12-3-5)	Blockface: Cannot include one or more front yards  Maximum height: 4 ft.  Minimum transparency: 50%  Location must be behind the rear portion of the principal structure closest to the street side yard  Sight line triangle: Fences shall not be located within a 45-degree 10-foot by 10-foot sight line triangle at any point where the vehicular access way intersects a driveway, alley, sidewalk, or other vehicular or pedestrian access way.	Blockface: Contains 0 front yards  Height: 5 ft.  Transparency: 0%  Location: Behind the rear portion of the structure closest to the street side yard  Sight line triangle: 1 required, 1 proposed	<i>Blockface: Compliant</i>  <i>Height: Case 21-01 Variation of 1 ft. granted to increase the maximum height to 5 ft.</i>  <i>Transparency: 0%</i>  <i>Location: Compliant</i>  <i>Sight line triangle: Compliant</i>

As shown in the table, the following waiver is required to allow a fence with 0% transparency as proposed by the Applicant:

- Section 12-3-5: Waiver to allow a fence with no transparency in a street side yard.



*Subject Property Street View*

### Discussion

The applicants are requesting a waiver for transparency due to safety concerns. They noted that several of their fence boards have been broken by individuals in the past year, pedestrians put their hands through the fence to play with their dogs, and other dogs walking with leashes have lunged through the fence gaps at their dogs.

The current fence is often cited as a good example of conforming transparency when assisting residents with street side yard fence permit questions. A board and batten fence with zero transparency is contrary to the intent of the ordinance. The neighboring fence at 8617 Fernald was granted a waiver for a shadow box fence with 7 inch board spacing to allow for a ½ inch gap between boards.

### **Variation Standards**

The Zoning Board of Appeals can approve the application as presented, approve it with conditions, or deny the application based on the following standards, established in Section 12-16-3:A:

- a. Not Self-Imposed: The alleged difficulty or hardship is caused by this title and has not been created by any persons presently having an interest in the subject property.
- b. Nonmonetary Considerations: The circumstances or conditions are such that the strict application of the provisions of this title would deprive the applicant of a reasonable use of his land. Mere loss in value shall not justify a variation.
- c. Not Detrimental to Public Welfare: The granting of any variation is in harmony with the general purposes and intent of this title and will not be detrimental to the public welfare or to other property or improvements in the neighborhood.
- d. Not Detrimental to Neighborhood: The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the streets, increase the potential damage of fire, endanger the public safety, or alter the character of the neighborhood.

The Applicant has provided their responses to these standards in the Variation Application.

Additionally, Section 12-3-5:G establishes the following standards for variation for fences:

12-3-5:G. Any applications for variations to the fence requirements, included herewith, shall be reviewed based on the following:

1. The proposed fence variation shall meet with the intent of the design and development standards established in [Section 12-3-5];
2. The proposed fence variation shall not have an adverse impact on the immediate abutters or the character of the surrounding neighborhood; and
3. The proposed fence variation shall not create obstructions in required sight lines at areas where a pedestrian or vehicular ways intersect with driveways, streets, alleys, or other pedestrian or vehicular access way.

### **Recommendation**

Should the Board approve Case ZBA 24-33, staff recommends the following motion and conditions:

*Motion to approve Case ZBA 24-33, a request for approval of a variation from Section 12-3-5 to decrease the transparency of a fence within a street side yard from 50% to 0% for the property commonly known as 6130 Capulina Avenue, subject to the following conditions:*

- 1) *The proposed fence shall be built in accordance with the plans submitted by the Applicants in the Variation Application dated 8/30/2024.*
- 2) *The Applicant shall file all necessary plans and applications, for review and approval.*

### **Attachments**

Application and related materials (submitted by Applicant)





## VARIATION APPLICATION

Village of Morton Grove  
Department of Community Development  
6101 Capulina Avenue, Morton Grove, Illinois 60053  
commdev@mortongroveil.org | 847-663-3063

Case Number: 24-33 Date Application Filed: 8/30/24

### APPLICANT INFORMATION

Applicant Name: Carlos Gonzalez and Sofia Cerda-Gonzalez  
Applicant Address: 6130 Capulina Ave.  
Applicant City / State / Zip Code: Morton Grove, IL 60053  
Applicant Phone: 607-351-9564  
Applicant Email: cmgonzalez2425@gmail.com  
Applicant Relationship to Property Owner: Self  
Applicant Signature: \_\_\_\_\_

### PROPERTY OWNER INFORMATION (IF DIFFERENT FROM APPLICANT)

Owner Name: \_\_\_\_\_  
Owner Address: \_\_\_\_\_  
Owner City / State / Zip Code: \_\_\_\_\_  
Owner Phone: \_\_\_\_\_  
Owner Email: \_\_\_\_\_  
Owner Signature: \_\_\_\_\_

### PROPERTY INFORMATION

Common Address of Property: 6130 Capulina Ave. Morton Grove, IL 60053  
Property Identification Number (PIN): (10-20-109-010-0000)  
Property Square Footage: \_\_\_\_\_  
Property Zoning District: R2  
Property Current Use: Single family home

### APPLICATION INFORMATION

Applicant is requesting a variation from the following section(s) of the Morton Grove Unified Development Code:  
12-3-5

Purpose of requested variation (attach as needed): Modify existing fence to increase opacity to 100% for safety and security reasons.  
We will continue to abide by the 45 degree 10' X 10' line of sight triangle. This is a critical safety need.

## RESPONSES TO STANDARDS FOR VARIATION

Provide responses to the four (4) Standards for a Variation as listed in Section 12-16-3-A-2 of the Village of Morton Grove Unified Development Code. The applicant must present this information for the official record of the Zoning Board of Appeals. The Variation Standards are as follows:

- a. **Not Self-Imposed:** The alleged difficulty or hardship is caused by this title and has not been created by any persons presently having an interest in the subject property.

Please see attached.

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- b. **Nonmonetary Considerations:** The circumstances or conditions are such that the strict application of the provisions of this title would deprive the applicant of a reasonable use of their land. Mere loss in value shall not justify a variation.

Please see attached.

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- c. **Not Detrimental to Public Welfare:** The granting of any variation is in harmony with the general purposes and intent of this title and will not be detrimental to the public welfare or to other property or improvements in the neighborhood.

Please see attached.

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- d. **Not Detrimental to Neighborhood:** The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the streets, increase the potential damage of fire, endanger the public safety, or alter the character of the neighborhood.

Please see attached.

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Provide responses to the four (4) Standards for a Variation as listed in Section 12-16-3-A-2 of the Village of Morton Grove Unified Development Code. The applicant must present this information for the official record of the Zoning Board of Appeals. The Variation Standards are as follows:

Not Self-Imposed: The alleged difficulty or hardship is caused by this title and has not been created by any persons presently having an interest in the subject property.

*-Residents who are not located on a corner are entitled to a secure yard, we are only requesting the same. Our area is very busy with community members (in and outside Morton Grove) given that the church and park are in very close proximity. Additionally, we have had some incidents where people from (presumably) local bars have caused disruptions in the outer area of the fence. With two children in the house, this is all a concern. Lastly, and importantly, there is a safety and security concern at night. Due to the location of streetlamps in relation to existing vegetation on the parkway, there is minimal to no light in the area just beyond the start of our fence (headed west on Capulina Ave.) all the way to the alley (and around the alley). See attached pictures. We have had three boards broken throughout the last year+, and in one instance, I caught a person trying to enter our yard through the space where board was broken (this was reported MGPD). The above modification will provide the needed safety and security given the above conditions and environment.*

b. Nonmonetary Considerations: The circumstances or conditions are such that the strict application of the provisions of this title would deprive the applicant of a reasonable use of their land. Mere loss in value shall not justify a variation.

*-The ongoing lack of privacy and safety concerns on a busy corner has not allowed us to use our yard since we are not comfortable with the current level of security (especially in the evening/night hours). Current conditions have also caused stress to other community members (who walk by) since our dogs are protective and bark. In one instance, there was a child who stuck their hand through the fence with some sort of object to try to play with our dogs. This situation is inherently risky. Other dogs who pass by on leashes (with their owners) have also lunged through the gaps of the fence at our dogs, creating a situation where one or both animals could get hurt.*

c. Not Detrimental to Public Welfare: The granting of any variation is in harmony with the general purposes and intent of this title and will not be detrimental to the public welfare or to other property or improvements in the neighborhood.

*- We will absolutely abide by the 45 degree 10' X 10' sight line where the alley meets the sidewalk. This is an important safety need. This fence would enclose and secure a recent custom-built home, which will increase the value of both the home and the area. Given the aforementioned safety and security concerns, I believe this type of fence also meets expectations for any future buyers, if we ever decided to put the house on the market.*

d. Not Detrimental to Neighborhood: The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the streets, increase the potential damage of fire, endanger the public safety, or alter the character of the neighborhood.

*-There would be no impairments to light and air of adjacent properties. This modification would only benefit the area in terms of safety and security. There is no increased risk of additional congestion, potential damage of fire, endangering public safety or changing the character of the neighborhood.*

Wood • Chain Link & Aluminum Fences  
Wooden Backyard Playground Equipment  
Basketball Goal Systems • Trampolines

SERVING CHICAGOLAND SINCE 1967  
**fenceworks**

a.k.a. "The Guy on 41"

**SHOWROOM**  
3177 MacArthur Blvd.  
Northbrook, Illinois 60062  
(847) 432-0900 • Fax (847) 432-1189  
www.fenceworks.info

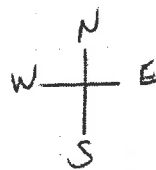
DATE 8-16-24 ATTENTION: \_\_\_\_\_  
CUSTOMER NAME CARLOS GONZALEZ JOB NAME \_\_\_\_\_  
ADDRESS 6130 CAPULINA AVE ADDRESS \_\_\_\_\_  
CITY MORTON GROVE IL STATE \_\_\_\_\_ ZIP CODE 60053 CITY \_\_\_\_\_ CELL/PHONE \_\_\_\_\_

CELL PHONE (607) 351-9564 HOME/OFFICE PHONE \_\_\_\_\_ EMAIL CMGONZALEZ2425@GMAIL.COM

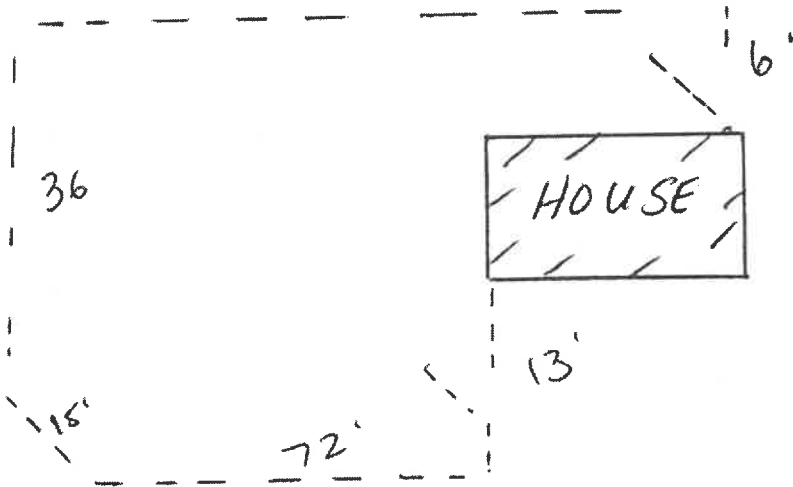
LEAD SOURCE <u>A</u>	TOTAL FOOTAGE INCLUDING GATES <u>142'</u>	WOOD <u>5' HIGH TRADITIONAL BOARD BATTEN</u>	CHAIN LINK	ALUM. FENCE
FLAT OR SURVEY <u>FLAT NEEDED</u>	HEIGHT STYLE			
TAKE DOWN <u>YES</u> FT. <u>YES</u> FT.	PICKETWARE SIZE SPACING <u>1" x 4" x 8"</u>			
GOODSIDE <input type="checkbox"/> IN <input checked="" type="checkbox"/> OUT	TOP FINISH <u>(2) 1" x 4" x 8"</u>			
<u>PERMIT SECURED BY OWNER</u>	RAILS			
CONCRETE/ASPHALT DRIVE <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	GATES			
TRIM EQUIPMENT <u>NO HAUL AWAY OF BUSHES</u>	VERTICAL POST SIZES			
CONCRETE SET <u>N/A</u>	INTERMEDIATE POST SIZE			
HAUL AWAY DIRT <u>N/A</u> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	COLOR <u>#1 GRADE RED CEDAR</u>			

TOP OF FENCE GROUND (GROUND) \_\_\_\_\_  
FENCEWORKS TO CALL J.U.L.I.E. N/A ☐ NO  
Sprinkler System ☐ YES ☒ NO  
Customer is responsible for staking out any underground sprinkler systems, private electrical or private gas lines.  
Approximate time of installation 3-4 weeks (weather permitting) after we receive contract and are notified that permit has been secured.  
For permit notification Please call:

TAMMY  
COMMENTS \_\_\_\_\_



\* NAIL ON BOARDS TO EXISTING FENCE TO GO FROM "SPACED TRADITIONAL" TO "TRADITIONAL BOARD BATTEN"



COMPLETE PRICE <u>\$2,940</u>	1/2 DOWN PAYMENT <u>\$1,470</u>	BALANCE <u>\$1,470</u>	TERMS OF SALE <u>PAYMENT DUE UPON COMPLETION</u>
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A SERVICE CHARGE OF 2% PER MONTH (24% PER YEAR) WILL BE ASSESSED ON BALANCES PAST DUE IN ACCORDANCE WITH THE TERMS OF SALE.  
I HAVE READ, UNDERSTAND AND HEREBY ACCEPT THE TERMS AND CONDITIONS ON BOTH SIDES OF THIS CONTRACT.  
PURCHASER'S SIGNATURE \_\_\_\_\_  
ORIGINAL - WHITE

FENCING ESTIMATE AND CONTRACT  
SUBMITTED BY TOM STOTTER 8-16-24  
LICENSED, BONDED & INSURED  
APPROVED AND ACCEPTED FOR FENCE WORKS, INC. BY: [Signature] 8-16-24  
DATE \_\_\_\_\_  
CUSTOMER - YELLOW  
OFFICE - PINK

Customer agrees to obtain, at his or her cost, any construction permits that may be required.

FENCEWORKS, INC. can only be responsible for the location of property lines when supplied with a current and accurate plat of survey at the time this contract is executed. In all other cases, the customer assumes full responsibility for the location of all property lines in order to avoid encroachment on neighboring property. Customer agrees to reimburse FENCEWORKS, INC. for the cost of moving the fence, if customer has not provided a current and accurate plat of survey or has not properly staked out the property lines and encroachment occurs. Customer agrees to hold FENCEWORKS, INC. harmless for all claims arising from questions of survey regarding property lines.

Customer agrees to hold FENCEWORKS, INC. harmless for all claims of personal injury, property damage or trespass arising from or by means of installation of said fence.

Customer hereby assumes full responsibility for all materials from the time they are delivered to the job site, including, but not limited to, theft or acts of vandalism.

Unless otherwise specified in writing in this contract, all fences shall be installed to follow the natural contours of the ground.

Prices quoted in this contract are based on normal installation only. Customer acknowledges that unforeseen conditions may exist which could not have been known at the time this contract was executed, and that FENCEWORKS, INC. has the right to assess additional charges for work that may be required by said unforeseen conditions, including, but not limited to, rough digging, rough fill, concrete and asphalt breaks, core drilling, concrete footing pull, bush, tree and shrubbery trimming and taking down and hauling away existing materials, or any other work performed, but not written in this contract. Customer's execution of this contract authorizes FENCEWORKS, INC. to perform whatever work is necessary in connection with such unforeseen conditions.

Customer hereby waives his or her rights to all notices under existing Illinois Mechanics' Lien laws, regulations and statutes. Should it become necessary for FENCEWORKS, INC. to resort to legal procedures to enforce collection of any amounts due under this contract, customer hereby agrees to reimburse FENCEWORKS, INC. for all costs it incurs in regards to collection, including, but not limited to, filing fees, court costs, title searches, lien costs and reasonable attorneys' and collection agencies' fees. In addition, customer agrees to pay a service charge of **two percent per month (24% Annual Percentage Rate)** on balances past due in accordance with the terms of sale.

Customer understands that he or she has the right to cancel this contract within three working days of the date hereon, by delivering written notice of cancellation to the offices of FENCEWORKS, INC. FENCEWORKS, INC. hereby reserves the right to cancel this contract in the event it is not approved by the Production of Credit Departments. In the event this contract is cancelled within three working days by the customer or at any time by FENCEWORKS, INC., customer's deposit will be promptly refunded and this contract will become null and void. If the customer cancels this contract after three working days from the date hereon, customer agrees to pay FENCEWORKS, INC. for all expenses incurred by the company in regards to this contract.

**This contract is entered into the State of Illinois and shall be governed by its laws. This contract may be amended, but only in writing and when signed by both parties. Any cancellation over 72 hours will cause a 20% re-stocking charge on all standard materials and 35% for all custom orders.**

Dirt accumulated from holes dug will be cleaned up from each hole and placed in designated areas on customer's property.

Customer acknowledges that any installation dates that may be written in this contract are estimates only, and that FENCEWORKS, INC.'s failure to meet such estimated installation dates is not a valid basis for cancellation of this contract or for deductions of any kind from the agreed contract price.

Customer acknowledges that FENCEWORKS, INC. is obligated only by the written terms and conditions of this contract and has no obligation to supply any materials or perform any work not herein specified. NO oral agreements of any kind between customer and FENCEWORKS, INC. or its agents and representatives will be considered valid.

#### **Warranties and Guarantees**

All materials are guaranteed for one (1) year. FENCEWORKS, INC. will provide a LIMITED lifetime guarantee on labor resulting from improper workmanship. No warranty or guarantee of any kind applies to any paint or stain finishes.

All gates are guaranteed for 60 days including gate closures and locking mechanisms.

Warranty does not cover products that have been damaged by acts of God and/or nature, negligence, misuse or accident, or products that have been modified or repaired by other vendors.

Customer's failure to pay FENCEWORKS, INC. in accordance with the terms and conditions of this contract nullifies all warranties and guarantees, either explicit or implied, in their entirety.



Carlos Gonzalez <cmgonzalez2425@gmail.com>

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## Letter regarding neighbor's fencing

1 message

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**Scott Galson** <galsons@gmail.com>  
To: cmgonzalez2425@gmail.com  
Cc: Kerry Galson <kgalson@gmail.com>

Thu, Aug 22, 2024 at 5:13 PM

Apologies for the email letter, but my computer is down, and I have to use my phone.

To whom it may concern at the Village of Morton Grove:

My name is Scott Galson and live on the same block as the Gonzalez family.

We know that the Gonzalez family has had problems with their fence being damaged by people over the past three years and there was at least one attempt by someone to enter their yard through the fence. We are in full support of them installing a more robust and private fence. They are great neighbors who deserve a more secure backyard for their family on this corner lot.

Best,  
Scott and Kerry Galson  
8638 School St.  
Morton Grove, IL 60053  
Cell: 224-321-3224



Carlos Gonzalez <cmgonzalez2425@gmail.com>

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## Fence Variation

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**Helen & Matthew Curtis** <hmcurtis@comcast.net>  
To: "cmgonzalez2425@gmail.com" <cmgonzalez2425@gmail.com>

Fri, Aug 23, 2024 at 6:58 PM

Hello Carlos,

Yesterday we discussed the fence variation you are requesting of the village to increase the opacity of your fence.

I wanted to let you know that I am in support of your request.

Please let me know if there is anything else I can do.

Good Luck,  
Matt

**Matthew Curtis**

8631 School St, Morton Grove, IL 60053

e: hmcurtis@comcast.net

m: 847.650.0240



Carlos Gonzalez &lt;cmgonzalez2425@gmail.com&gt;

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## Letter of Support

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Carlos Gonzalez <cmgonzalez2425@gmail.com>  
Draft To: Christopher Bobek <cbobek@dist50.net>

Mon, Aug 26, 2024 at 11:48 AM

On Thu, Aug 22, 2024 at 8:18 PM Christopher Bobek <cbobek@dist50.net> wrote:

August 22, 2024

Morton Grove Department of Community and Economic Development

Dear Zoning Board Members:

I hope this message finds you well. I am writing as a concerned neighbor in support of the Gonzalez family's pursuit to seek your support for a proposed variation in the installation of their side yard fence. Over the past few years, they have conveyed to us several issues that underscore the need for this modification.

I can attest the current fence's level of opacity raises significant safety and security concerns for the family. There have been multiple incidents where I've noticed broken boards, and on at least one occasion, it was conveyed to me that an unknown individual attempted to enter their yard through a gap left by a missing board. Thankfully, the family's security camera alerted the family and the individual fled upon detection. Although the police department was contacted and responded promptly, the fence's design remains a vulnerability, and the potential for future issues remain in place.

Moreover, the lack of adequate nighttime lighting between the beginning of their fence and the alley on Capulina Avenue has further heightened these security concerns. The Gonzalez family has tried to improve visibility with solar lights, but these efforts have been insufficient, leaving the area poorly lit and vulnerable.

Supporting this variation would significantly improve the safety and security of the Gonzalez family's property. If you have any questions or would like to discuss this matter further, I am available to provide additional information.

Thank you very much for your attention and support.

Sincerely,

Chris Bobek  
8635 School St.  
Morton Grove, IL 60053  
773-330-2311



Carlos Gonzalez &lt;cmgonzalez2425@gmail.com&gt;

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**Re: fence letter**

Carlos Gonzalez &lt;cmgonzalez2425@gmail.com&gt;

Mon, Aug 26, 2024 at 11:44 AM

Draft To: Kara Isaac &lt;isaack@eths202.org&gt;

On Fri, Aug 23, 2024 at 9:59 AM Kara Isaac <isaack@eths202.org> wrote:

Kara Isaac  
8616 School Street  
Morton Grove, IL 60053  
karactor21@gmail.com  
773-882-8857  
8/23/2024

Village of Morton Grove  
Department of Community Development  
6101 Capulina Ave  
Morton Grove, IL 60053

Dear Members of the Village of Morton Grove,

I am writing to express my support for Carlos Gonzalez and Sofia Cerda-Gonzalez's request to increase the opacity of the fence surrounding their property at 6130 Capulina . As a resident of our community, I believe this change will positively impact both the Gonzalez's home and the neighborhood as a whole.

The current fence configuration provides reduced safety and security, which affects not only The Gonzalez home but also other residents who share the vicinity. Over the last couple of years, they have had instances where fence boards have been broken and, in one instance, Carlos caught a person attempting to enter their yard through a gap where a board was broken. By increasing the opacity of the fence, Carlos and Sofia aim to enhance their privacy and security as well as the privacy and security of their neighbors. This adjustment will also contribute to a more cohesive and visually appealing environment by creating a more consistent aesthetic within the area.

Another issue is nighttime lighting. There is no light between the start of their fence all the way down the alley west of their property. Additionally, the entire block west of their home is shrouded in heavy foliage which further eliminates light in this area of the neighborhood. While the heavy foliage is lovely during the day and provides shade and other environmental benefits during the increasingly hot summer months, the lack of light is noticeable and increases risk factors during nighttime hours. The limited light proves to increase the chances that a potential intruder could use the darkness to take advantage of the open fencing around their home. The family did attempt to install nighttime solar lighting to improve the situation, but the lighting did little else than provide a weak glow.

Several factors support this request:

1. **Privacy and Security:** Given the lack of sufficient lighting, a more opaque fence will provide necessary privacy for the Gonzalez family, making their home a more secure and comfortable space. It will also help minimize any potential disturbances from passersby or adjacent properties.
2. **Aesthetic Consistency:** Increasing the opacity of the fence will align with the overall design and character of the neighborhood. It is important for fences in our community to complement each other and maintain a harmonious appearance.
3. **Community Support:** As a neighbor and member of the community, I can attest to the positive impact this change will have. Many residents, including myself, support measures that contribute to the well-being and satisfaction of our neighbors.

I kindly request that the Village of Morton Grove give favorable consideration to this proposal. Allowing this modification will enhance the quality of life for Carlos and Sofia and their children, as well as the families who live around them while contributing to the overall aesthetics and harmony of our neighborhood.



8/26/24, 11:45 AM

Gmail - Re: fence letter

Thank you for your attention to this matter. If further information or discussion is needed, please feel free to contact me at 773-882-8857 or karactor21@gmail.com.

Sincerely,

Kara Isaac

LEGEND  
A = ASSUMED  
C = CALCULATED  
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F.I.P. = FOUND IRON PIPE  
F.I.R. = FOUND IRON ROD  
FT. = FEET/FOOT  
L = ARC LENGTH  
M = MEASURED  
N = NORTH  
NE = NORTHEAST  
NW = NORTHWEST  
P.O.B. = POINT OF BEGINNING  
P.O.C. = POINT OF COMMENCEMENT  
R = RECORD  
RAD = RADIUS  
R.O.W. = RIGHT OF WAY  
S = SOUTH  
S.I.P. = SET IRON PIPE  
S.I.R. = SET IRON ROD  
SE = SOUTHEAST  
SW = SOUTHWEST  
W = WEST

# PLAT OF SURVEY OF

JOE COOPER  
VILLAGE OF  
MORTON GROVE

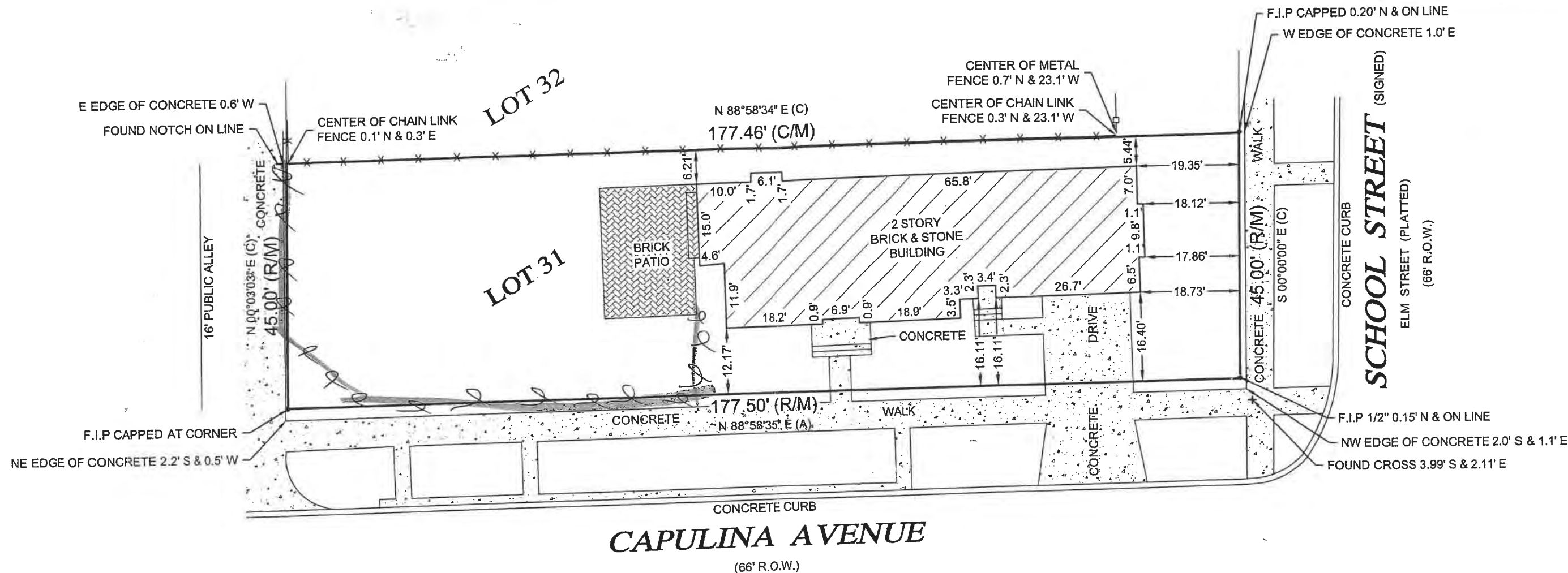
LOT 31 IN GEORGE E. FERNALD'S MORTON GROVE SUBDIVISION OF THE WEST HALF (EXCEPT THE NORTH  
4.0 ACRES OF THE WEST 10 ACRES THEREOF) OF THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP  
41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

AREA OF SURVEY:

"CONTAINING 7985.3 SQ. FT. OR 0.18 ACRES MORE OR LESS"



BASIS OF BEARING:  
NORTH LINE OF CAPULINA AVENUE AS FOUND  
MONUMENTED AND OCCUPIED PER RECORD  
SUBDIVISION.  
N 88°58'35" E (A)



Morris Engineering, Inc.  
515 Warrenville Road, Lisle, IL 60532  
Phone: (630) 271-0770  
FAX: (630) 271-0774  
WEBSITE: WWW.ECIVIL.COM

STATE OF ILLINOIS }SS  
COUNTY OF DUPAGE }

I, THE UNDERSIGNED, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY  
CERTIFY THAT "THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT  
ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY," AND THAT THE PLAT  
HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY.

DATED, THIS 15TH DAY OF OCTOBER, A.D., 2020,  
AT LISLE, ILLINOIS.

J. Lee Morrison  
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-2317  
LICENSE EXPIRATION DATE NOVEMBER 30, 2020  
ILLINOIS BUSINESS REGISTRATION NO. 184-001245



## NOTE:

- ALL TIES SHOWN ON THIS SURVEY ARE MEASURED TO THE BUILDING'S SIDING (BRICK, FRAME, STUCCO, METAL, ETC.) AND NOT TO THE FOUNDATION, UNLESS NOTED OTHERWISE.
- ROOF LINES AND OVERHANGS ARE TYPICALLY NOT SHOWN HEREON.
- COMPARE ALL DISTANCES AND POINTS IN FIELD AND REPORT ANY DISCREPANCIES TO SURVEYOR AT ONCE.
- NO DIMENSIONS SHALL BE ASSUMED BY SCALING.

ADDRESS COMMONLY KNOWN AS 6130 CAPULINA AVENUE  
MORTON GROVE, ILLINOIS

CLIENT DROST KIVLAHAN McMAHON & O'CONNOR LLC

FIELDWORK DATE (CREW) 10/04/2020 (WM/JB)  
DRAWN BY: LV REVISED: JOB NO. 20-09-0757

# Village of Morton Grove

Department of Community & Economic Development

---

To: Chairperson Kintner and Members of the Zoning Board of Appeals

From: Brandon Nolin, AICP, Community Development Administrator;  
Anne Ryder Kirchner, Planner/Zoning Administrator

Date: October 8, 2024

Re: ZBA 24-34 – 6543 Albert Street (10-18-206-048-0000)

Request for approval of variations from Section 12-2-5 and 12-4-2 to replace a driveway which exceeds the maximum allowable width at the front lot line, allow a second driveway approach, and exceed maximum impermeable lot coverage.

## STAFF REPORT

### Public Notice

The Village of Morton Grove provided public notice for the October 15, 2024, Zoning Board of Appeals public hearing for ZBA 24-34 in accordance with the Unified Development Code. The *Morton Grove Champion* published a public notice on September 26, 2024. The Village mailed letters on September 26, 2024, notifying surrounding property owners, and placed a public notice sign on the subject property on, September 26, 2024.

### Request Summary

#### Property Background

The subject property 6543 Albert Street is a 7,985-square-foot lot located on the south side of Albert Street near the west termination of the street. The property is within an R-1 Single Family Residence District and is improved with a single-family dwelling and attached garage. Surrounding properties are also zoned in the R-1 Single Family Residence District and are improved with single-family residences. The Cook County Forest Preserve is adjacent to the property to the south.



### Application Overview

The Applicant and contractor, Morres Bayrom, is requesting waivers from Section 12-2-5:D to replace a portion of the existing driveway and open accessory parking space. The property will retain two driveway approaches, where only one is allowed. The width of the drive at the front lot line exceeds the allowable width of 16 feet. The property exceeds the maximum allowable lot coverage of 55%. The replacement of an existing driveway on a lot that exceeds maximum permeable lot coverage is permitted if the replacement complies with all other dimensional controls and does not increase impermeable lot coverage.

### Requested Waivers

The following table provides a summary of the requested waivers based on Unified Development Code requirements:

DIMENSIONAL CONTROL	CODE REQUIREMENT	PROPOSED	REQUESTED WAIVERS
<b>Driveway Approach</b> (12-2-5:B.5)	Each lot line shall be limited to (1) driveway approach.	2 approaches	<i>Waiver to allow 2 approaches</i>
<b>Driveway Maximum Width</b> (12-2-5:B.5)	Maximum width of 16 ft. at any front or street side lot line	35 ft.	<i>Waiver of 19 ft.</i>
<b>Open Accessory Parking Space</b> (12-2-6:G)	Min. 3 ft. from side lot line; No portion may project into a front or street side yard	5 ft. from side lot line Not in front yard	Compliant
<b>Impermeable Lot Coverage</b> 12-4-2:D	Max. 55% Permitted	Existing: 60% Proposed: 60%	<b>Waiver of 5% to allow coverage of 60%</b>

As shown in the table, the following waiver is required authorize the replacement of a portion of the existing driveway as proposed by the Applicant:

- Section 12-2-5:B: Waiver to allow two driveway approaches.
- Section 12-2-5:B: Waiver to allow driveway width of 35 ft. at front lot line.
- Section 12-4-2:D: Waiver to allow impermeable lot coverage of 60%.



***Subject Property Street View with Driveway Replacement Area Shown in Red***

### Discussion

The applicant is requesting a waiver from the ZBA to keep the current configuration of the driveway while replacing a 56 feet by 10 feet section of concrete on the west side of the property. The drive is located in a neighborhood that has a majority of two approach driveways, original to the development in 1977. The driveway does not qualify for replacement on a lot that exceeds maximum impermeable lot coverage due to waivers required for dimensional control for width and number of approaches.

### Variation Standards

The Zoning Board of Appeals can approve the application as presented, approve it with conditions, or deny the application based on the following standards, established in Section 12-16-3:A:

- a. Not Self-Imposed: The alleged difficulty or hardship is caused by this title and has not been created by any persons presently having an interest in the subject property.
- b. Nonmonetary Considerations: The circumstances or conditions are such that the strict application of the provisions of this title would deprive the applicant of a reasonable use of his land. Mere loss in value shall not justify a variation.
- c. Not Detrimental to Public Welfare: The granting of any variation is in harmony with the general purposes and intent of this title and will not be detrimental to the public welfare or to other property or improvements in the neighborhood.
- d. Not Detrimental to Neighborhood: The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the streets, increase the potential damage of fire, endanger the public safety, or alter the character of the neighborhood.

The Applicant has provided their responses to these standards in the Variation Application.

### Recommendation

Should the Board approve Case ZBA 24-34, staff recommends the following motion and conditions:

Motion to approve Case ZBA 24-34, a request for approval of a variations from Section 12-2-5:D and 12-4-2:D to replace a driveway which exceeds the maximum allowable width at the front lot line, allow a second driveway approach, and exceed maximum impermeable lot coverage. for the property commonly known as 6543 Albert Street, subject to the following conditions:

- 1) *The proposed driveway shall be built in accordance with the plans submitted by the Applicants in the Variation Application dated 9/9/2024.*
- 2) *The Applicant shall file all necessary plans and applications, for review and approval.*

### Attachments

Application and related materials (submitted by Applicant)





# VARIATION APPLICATION

Village of Morton Grove  
Department of Community Development  
6101 Capulina Avenue, Morton Grove, Illinois 60053  
commdev@mortongroveil.org | 847-663-3063

Case Number: 24-34

Date Application Filed: 9-4-24

## APPLICANT INFORMATION

Applicant Name: Morres Bayron  
Applicant Address: 6711 N Lounsdale  
Applicant City / State / Zip Code: Liveland IL 60712  
Applicant Phone: 773 401 3355  
Applicant Email: MJ Cement @ Yahoo. com  
Applicant Relationship to Property Owner: \_\_\_\_\_  
Applicant Signature: [Signature]

## PROPERTY OWNER INFORMATION (IF DIFFERENT FROM APPLICANT)

Owner Name: KAJORNDEJ KOMUTANON  
Owner Address: 6543 ALBERT ST  
Owner City / State / Zip Code: Morton Grove IL 60053  
Owner Phone: 847.2841957  
Owner Email: KAJORNDEJK@HOTMAIL.COM  
Owner Signature: K. Komutanon

## PROPERTY INFORMATION

Common Address of Property: 6543 ALBERT ST, MORTON GROVE, IL 60053  
Property Identification Number (PIN): 10-18-206-048-0000  
Property Square Footage: 7,985  
Property Zoning District: R-1  
Property Current Use: SF residence

## APPLICATION INFORMATION

Applicant is requesting a variation from the following section(s) of the Morton Grove Unified Development Code:

12-2-5 and 12-4-2

Purpose of requested variation (attach as needed): SINKING PARTIAL DRIVEWAY

## RESPONSES TO STANDARDS FOR VARIATION

Provide responses to the four (4) Standards for a Variation as listed in Section 12-16-3-A-2 of the Village of Morton Grove Unified Development Code. The applicant must present this information for the official record of the Zoning Board of Appeals. The Variation Standards are as follows:

- a. **Not Self-Imposed:** The alleged difficulty or hardship is caused by this title and has not been created by any persons presently having an interest in the subject property.

I have been living in this Property for 50 years  
The sinking partial Driveway causing water seeping to  
basement and the crackings causing my grandson falling  
and injured his legs & knees.

- b. **Nonmonetary Considerations:** The circumstances or conditions are such that the strict application of the provisions of this title would deprive the applicant of a reasonable use of their land. Mere loss in value shall not justify a variation.

The repair will not give me monetary gain

- c. **Not Detrimental to Public Welfare:** The granting of any variation is in harmony with the general purposes and intent of this title and will not be detrimental to the public welfare or to other property or improvements in the neighborhood.

The granting will not be detrimental to the  
neighbor or public welfare

- d. **Not Detrimental to Neighborhood:** The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the streets, increase the potential damage of fire, endanger the public safety, or alter the character of the neighborhood.

The granting will not do harm to the neighbor  
actually should help prevent accidents.

- e. I live here for 50 years, I will not leave this property  
until I die. I want to continue to live here  
and repair my property the best I can.

THANK YOU SO VERY MUCH,

KASORNDET KOMUTANON, M.D.

9/4/24

Kajandij Komutamon, M.D.





# Village of Morton Grove

Department of Community & Economic Development

To: Chairperson Kintner and Members of the Zoning Board of Appeals

From: Brandon Nolin, AICP, Community Development Administrator;  
Anne Ryder Kirchner, Planner/Zoning Administrator

Date: October 8, 2024

Re: ZBA 24-35 – 8933 Oleander Avenue (09-13-427-001-0000)  
Request for approval of a variation from Section 12-2-6 to allow a patio in a required side yard.

## STAFF REPORT

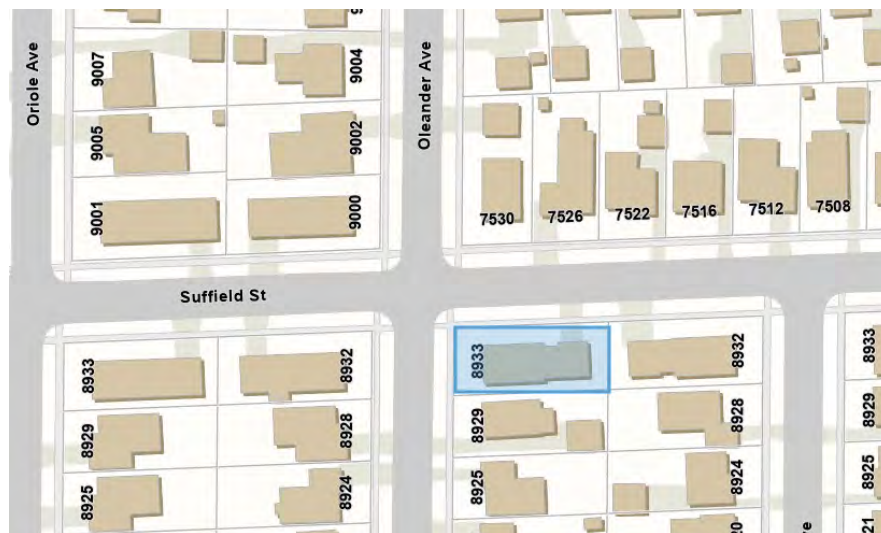
### Public Notice

The Village of Morton Grove provided public notice for the October 15, 2024, Zoning Board of Appeals public hearing for ZBA 24-35 in accordance with the Unified Development Code. The *Morton Grove Champion* published a public notice on September 26, 2024. The Village mailed letters on September 26, 2024, notifying surrounding property owners, and placed a public notice sign on the subject property on, September 26, 2024.

### Request Summary

#### Property Background

The subject property 8933 Oleander Avenue is a 6,867-square-foot lot located on the southeast corner of Oleander Avenue and Suffield Street. The property is within an R-2 Single Family Residence District and is improved with a single-family dwelling and attached garage. Surrounding properties are also zoned in the R-2 Single Family Residence District and are improved with single-family residences.



*Subject Property Location Map*

### Application Overview

The Applicants and owners, Sarah Cochran and Humberto Mota, are seeking approval of a waiver to authorize the replacement of an attached patio within a required interior side yard. The proposed patio will extend from the south side of the home to the south lot line, providing a setback of 0.8 feet from the adjacent property to the south. The patio will measure 11 feet in width and 18 feet in length, replacing and not expanding the current patio. Per Village Code Section 12-2-6:G, an attached patio must comply with the side setback requirement applicable to the principal structure, which is a minimum of 5

feet for the yard in question. The proposed plan is compliant with the maximum impermeable lot coverage permitted in the R-2 District.

#### Requested Waivers

The following table provides a summary of the requested waivers based on Unified Development Code requirements:

Dimensional Control	Code Requirement	Existing	Proposed	Waiver Request
Minimum Side Yard (12-2-6:G, 12-4-2:D)	5 ft.	0.8 ft.	0.8 ft.	<i>Waiver of 4.2 ft. requested</i>
Maximum Lot Coverage (12-4-2:D)	60.0% (4,102 sq. ft.)	40% (2,732 sq. ft.)	40% (2,732 sq. ft.)	Compliant

As shown in the table, the following waiver is required to authorize the proposed project:

- **Section 12-2-6:G** - Waiver of 4.2 feet to the minimum side yard to allow a side yard of 0.8 feet.



*Subject Property Street View and Relation to Adjoining Neighbor*

#### Discussion

The applicants are seeking approval to replace an existing patio along the house which does not meet interior side yard setback requirements. The photo above shows the location relative to the neighbor's rear yard.

Typically, attached patios are located to the rear of a principal structure and must comply with the minimum side setback requirement. In this case, the patio is located to the side of the home and extends to the interior side lot line. A side setback is required for attached patios in order to (1) buffer adjacent property from activity that may take place on a patio, such as dining, conversation, and gatherings, and (2) provide an area for stormwater drainage so that water is not diverted to an adjacent property.

### **Variation Standards**

The Zoning Board of Appeals can approve the application as presented, approve it with conditions, or deny the application based on the following standards, established in Section 12-16-3:A:

- a. **Not Self-Imposed**: The alleged difficulty or hardship is caused by this title and has not been created by any persons presently having an interest in the subject property.
- b. **Nonmonetary Considerations**: The circumstances or conditions are such that the strict application of the provisions of this title would deprive the applicant of a reasonable use of his land. Mere loss in value shall not justify a variation.
- c. **Not Detrimental to Public Welfare**: The granting of any variation is in harmony with the general purposes and intent of this title and will not be detrimental to the public welfare or to other property or improvements in the neighborhood.
- d. **Not Detrimental to Neighborhood**: The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the streets, increase the potential damage of fire, endanger the public safety, or alter the character of the neighborhood.

The Applicant has provided their responses to these standards in the Variation Application.

### **Recommendation**

Should the Board approve Case ZBA 24-35, staff recommends the following motion and conditions:

*Motion to approve Case ZBA 24-35, a request for approval of a variation from Section 12-2-6:G to replace an attached patio within a required side yard, subject to the following conditions:*

- 1) *The proposed patio shall be built in accordance with the plans submitted by the applicant in the Variation Application dated 09/10/2024; and*
- 2) *The applicants shall file all necessary plans and applications, for review and approval, and secure all necessary building permits prior to the commencement of construction.*

### **Attachments**

Application and related materials (submitted by Applicant)

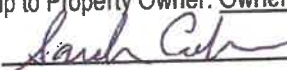



## VARIATION APPLICATION

Village of Morton Grove  
Department of Community Development  
6101 Capulina Avenue, Morton Grove, Illinois 60053  
commdev@mortongroveil.org | 847-663-3063

Case Number: 24-35 Date Application Filed: 9/10/2024

### APPLICANT INFORMATION

Applicant Name: Sarah Cochran and Humberto Mota  
Applicant Address: 8933 Oleander Ave  
Applicant City / State / Zip Code: Morton Grove, IL 60053  
Applicant Phone: 773-580-6553 (Sarah) 773-909-3725 (Humberto)  
Applicant Email: scochran11@gmail.com and bmota99@yahoo.com  
Applicant Relationship to Property Owner: Owners  
Applicant Signature:  

### PROPERTY OWNER INFORMATION (IF DIFFERENT FROM APPLICANT)

Owner Name: \_\_\_\_\_  
Owner Address: \_\_\_\_\_  
Owner City / State / Zip Code: \_\_\_\_\_  
Owner Phone: \_\_\_\_\_  
Owner Email: \_\_\_\_\_  
Owner Signature: \_\_\_\_\_

### PROPERTY INFORMATION

Common Address of Property: 8933 Oleander Ave. Morton Grove, IL 60053  
Property Identification Number (PIN): 09-13-427-001-0000  
Property Square Footage: 6,875 (land)  
Property Zoning District: R-2  
Property Current Use: Residential

### APPLICATION INFORMATION

Applicant is requesting a variation from the following section(s) of the Morton Grove Unified Development Code:

12-2-6: A minimum 5ft side yard setback is required for the patio.

Purpose of requested variation (attach as needed): The variation would allow the current patio to be replaced. The new patio would be the same as the current with one small modification to straighten a current angled line. The variation is needed due to the orientation of the house on the property and an absence of alternate locations where a patio could be located in accordance with the 12-2-6.

## RESPONSES TO STANDARDS FOR VARIATION

Provide responses to the four (4) Standards for a Variation as listed in Section 12-16-3-A-2 of the Village of Morton Grove Unified Development Code. The applicant must present this information for the official record of the Zoning Board of Appeals. The Variation Standards are as follows:

- a. **Not Self-Imposed:** The alleged difficulty or hardship is caused by this title and has not been created by any persons presently having an interest in the subject property.

The request is to replace the patio to match the existing layout. The lot is a corner lot with the house spanning the length of the Property. There have not been modifications to the structure of the house changing the size or location since it was built (to our knowledge).

- b. **Nonmonetary Considerations:** The circumstances or conditions are such that the strict application of the provisions of this title would deprive the applicant of a reasonable use of their land. Mere loss in value shall not justify a variation.

The space from the back of the house to the property line is approximately 13ft. If the 5ft setback is adhered to then the patio would be reduced significantly making it virtually useable for a patio/sitting area. Given the orientation of the house and the property lines, there are little to no options that would allow for a patio while still adhering to the 5ft setback requirement.

- c. **Not Detrimental to Public Welfare:** The granting of any variation is in harmony with the general purposes and intent of this title and will not be detrimental to the public welfare or to other property or improvements in the neighborhood.

The area where the variation is required is contained within the property lines and does not impact the public or detrimental to public welfare.

- d. **Not Detrimental to Neighborhood:** The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the streets, increase the potential damage of fire, endanger the public safety, or alter the character of the neighborhood.

The variation is for replacement of the existing patio in the back/side of the house. While the variation is for the back/side of the property the work will also include replacing some concrete that is visible to the neighborhood. There are two squares in the front of the house that currently have a tripping (and slipping in the winter) hazard that would be replaced to remove the hazard and improve the overall look of the front of the house. The concrete by the fence is also breaking and causing the fence post to move. Once the concrete is replaced the fence post will be fixed to improve the look and function of the fence gate.





Village of Morton Grove  
Department of Buildings  
6101 Capulina Avenue, Morton Grove, IL 60053  
Phone: 847-470-5214 | Fax: 847-663-6185  
Bldg-permits@mortongroveil.org

FLAT WORK APPLICATION

All information below must be filled in prior to submission (please print):

Date Filed: 6 / 10 / 24  
Project Address: 8933 oleander Ave Unit #  
Area (sq. ft.): 380 Value of Work: 5,600

Office Use Only

Permit #: JDPW 24-0105

Date Issued:

(Please Circle all that Apply)

DRIVEWAY PARKING PAD STAIRS SIDEWALK PATIO

OTHER

Property Owner: Humberto Mota	Contractor: Andy Lara Roberts concrete and sons, LLC
Address: 8933 oleander Ave	Address: (No P.O. Box) 5111 S Homan
City / State / Zip Code: Morton Grove IL 60053	City / State / Zip Code: Chicago IL 60632
Phone #: 773 909 3725 Email: Bmota99@yahoo.com	Phone #: 773 517 1817 License No.: Email: Roberts concrete and sons@gmail.com

Requirements:

Required Submissions - This application must be accompanied by the following:

Plat of Survey (3)

Construction Plans (3 sets)

Required Approvals -

Before a Permit is granted, approval is required for the following:

Building

Zoning

Required Inspections - When this permit is approved, the following inspections will be made.

The applicant is required to request these inspections at least (24) twenty four hours in advance, and their Authorized agent must be present.

Concrete Pre-Pour

Final – Building

VILLAGE OF MORTON GROVE

J.U.L.I.E.  
Arrangements shall be made for adequate protection against interference with underground utilities by calling J.U.L.I.E. 1-800-892-0123 or 811 and MORTON GROVE PUBLIC WORKS 847/ 470-5235 AT LEAST 48 HOURS BEFORE EXCAVATING OR DIGGING.



Roberts concrete and sons,llc

RECIPIENT:  
  
humberto mota  
8933 Oleander Avenue  
Morton Grove, Illinois 60053

Quote #223	
Sent on	Apr 05, 2024
Total	\$5,600.00

Product/Service	Description	Qty.	Unit Price	Total
Concrete	back patio/sidewalk/ front entrance back patio: 11x18 \$3000 sidewalk: 44x3 \$2000 total: \$5000 option : front entrance: 11x4.6 \$600 patio if stamped concrete: \$7000 includes: demo and removal of concrete/dirt/debris dig to grade to accommodate a gravel base frame and prep with wood forms add compacted gravel for solid base 4000 psi concrete mix with wiremesh on patio of strength total for job before options: \$5000	1	\$5,600.00	\$5,600.00

RECEIVED

AUG - 1 2024

VILLAGE OF MORTON GROVE

May 05, 2024

Date



Client Signature

Total

\$5,600.00

\* Non-taxable

This quote is valid for the next 30 days, after which values may be subject to change.



LEGEND  
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P.O.C. = POINT OF COMMENCEMENT  
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S.I.R. = SET IRON ROD  
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SW = SOUTHWEST  
W = WEST

= CHAIN LINK FENCE  
= WOOD FENCE  
= METAL FENCE  
= VINYL FENCE  
= EASEMENT LINE  
= SETBACK LINE  
= INTERIOR LOT LINE

# PLAT OF SURVEY OF

LOT 63 IN WOODLAND ESTATES, BEING A SUBDIVISION IN SOUTH 1/2 OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 12,  
EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

AREA OF SURVEY:

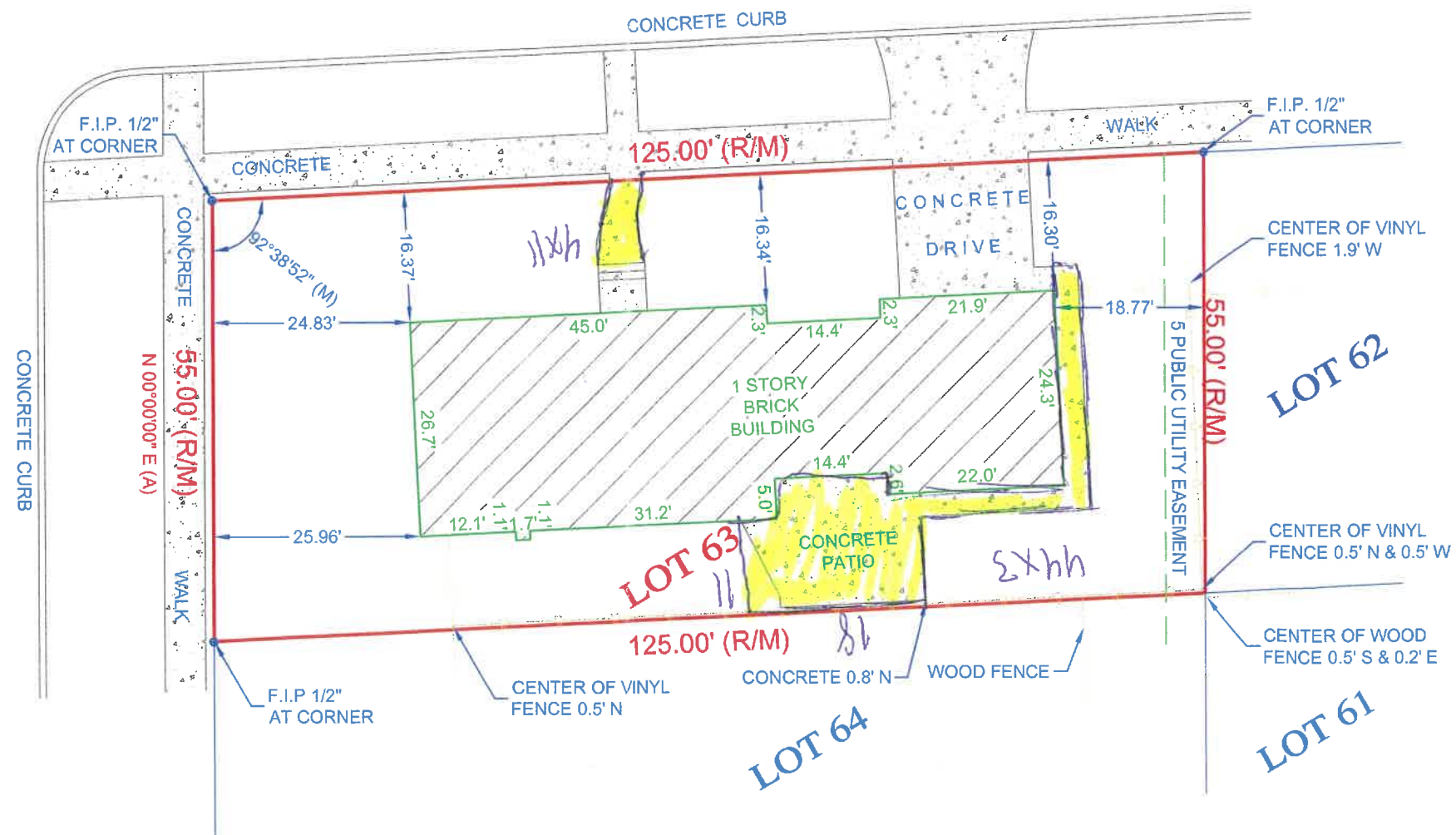
"CONTAINING 6,867 SQ. FT. OR 0.15 ACRES MORE OR LESS"



BASIS OF BEARING:  
EAST LINE OF OLEANDER AVENUE AS FOUND  
MONUMENTED AND OCCUPIED PER RECORD  
SUBDIVISION.  
N 00°00'00" E (A)

OLEANDER AVENUE  
(66' R.O.W.)

(66' R.O.W.)  
**SUFFIELD STREET**



RECEIVED

AUG - 1 2024

VILLAGE OF MORTON GROVE



Morris Engineering, Inc.  
515 Warrenville Road, Lisle, IL 60532  
Phone: (630) 271-0770  
FAX: (630) 271-0774  
WEBSITE: WWW.ECIVIL.COM

STATE OF ILLINOIS }ss  
COUNTY OF DUPAGE

I, THE UNDERSIGNED, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY  
CERTIFY THAT "THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT  
ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY," AND THAT THE PLAT  
HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY.

DATED, THIS 15TH DAY OF AUGUST, A.D. 2019,  
AT LISLE, ILLINOIS.

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-3253  
LICENSE EXPIRATION DATE NOVEMBER 30, 2020  
ILLINOIS BUSINESS REGISTRATION NO. 184-004245



## NOTE:

- ALL TIES SHOWN ON THIS SURVEY ARE MEASURED TO THE BUILDING'S SIDING (BRICK, FRAME, STUCCO, METAL, ETC.) AND NOT TO THE FOUNDATION, UNLESS NOTED OTHERWISE.
- ROOF LINES AND OVERHANGS ARE TYPICALLY NOT SHOWN HEREON.
- COMPARE ALL DISTANCES AND POINTS IN FIELD AND REPORT ANY DISCREPANCIES TO SURVEYOR AT ONCE.
- NO DIMENSIONS SHALL BE ASSUMED BY SCALING.

ADDRESS COMMONLY KNOWN AS 8933 OLEANDER AVENUE  
MORTON GROVE, ILLINOIS  
CLIENT SIMON LAPIDOS & UHLER LLC  
FIELDWORK DATE (CREW) 08/14/2019 (MD/PC)  
DRAWN BY: RT REVISED: JOB NO. 19-07-0432



LEGEND

A = ASSUMED	NW = NORTHWEST
C = CALCULATED	P.O.B. = POINT OF BEGINNING
CH = CHORD	P.O.C. = POINT OF COMMENCEMENT
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F.I.R. = FOUND IRON ROD	S.I.P. = SET IRON PIPE
FT. = FEET/FOOT	S.I.R. = SET IRON ROD
L = ARC LENGTH	SE = SOUTHEAST
M = MEASURED	SW = SOUTHWEST
N = NORTH	W = WEST
NE = NORTHEAST	

	= CHAIN LINK FENCE
	= WOOD FENCE
	= METAL FENCE
	= VINYL FENCE
	= EASEMENT LINE
	= SETBACK LINE
	= INTERIOR LOT LINE

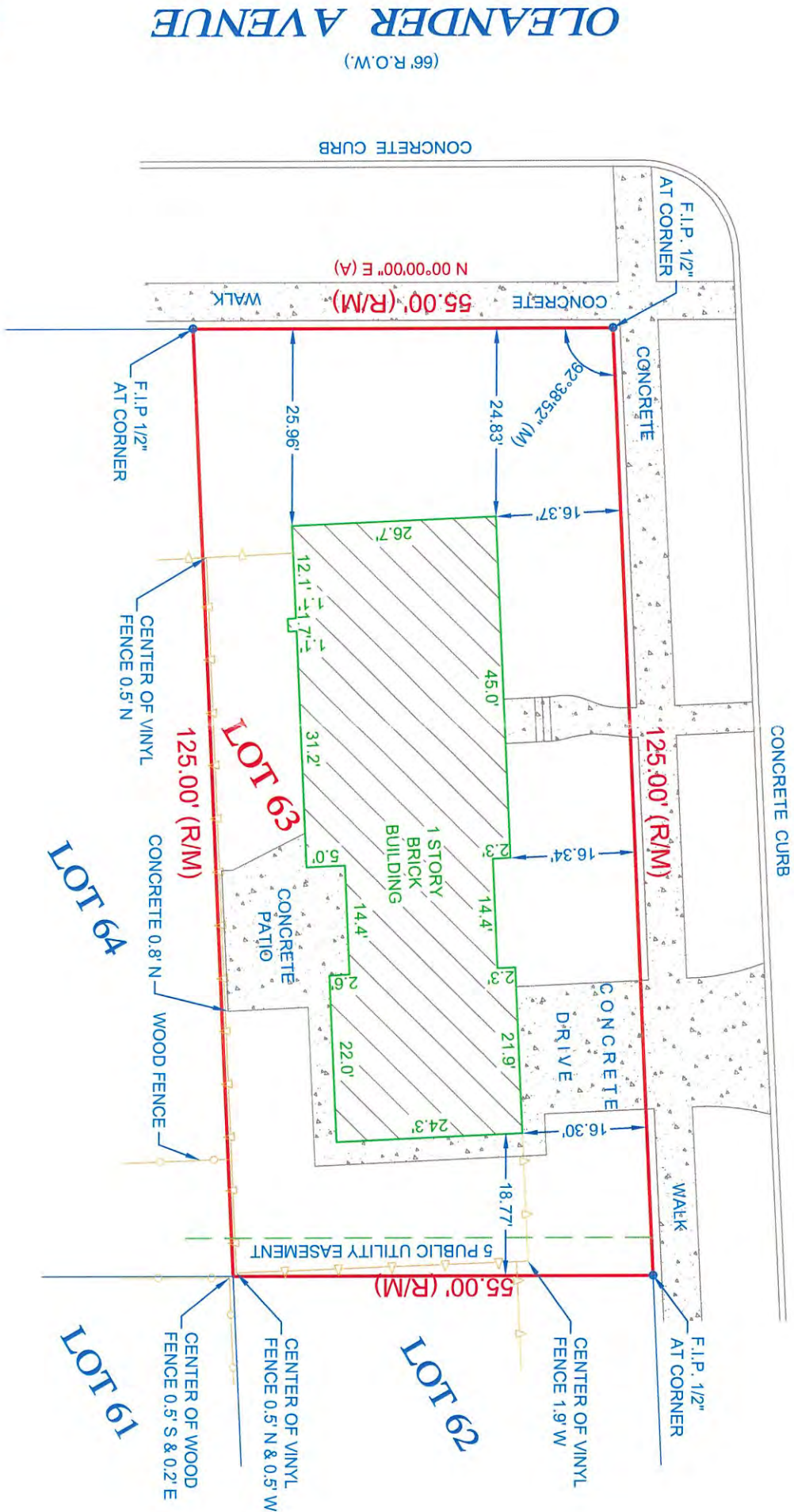
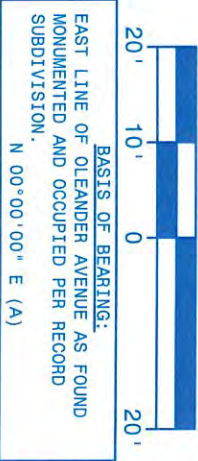
PLAT OF SURVEY  
OF

LOT 63 IN WOODLAND ESTATES, BEING A SUBDIVISION IN SOUTH 1/2 OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

AREA OF SURVEY:  
CONTAINING 6,867 SQ. FT. OR 0.15 ACRES MORE OR LESS\*

(66' R.O.W.)

SUFFIELD STREET



Morris Engineering, Inc.  
515 Warrenville Road, Lisle, IL 60532  
Phone: (630) 271-0770  
FAX: (630) 271-0774  
WEBSITE: WWW.ECIVIL.COM

STATE OF ILLINOIS )  
COUNTY OF DUPAGE )  
I, THE UNDERSIGNED, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY  
CERTIFY THAT "THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT  
ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY," AND THAT THE PLAT  
HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY.  
DATED, THIS 15TH DAY OF AUGUST, A.D., 2019,

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-3253  
LICENSE EXPIRATION DATE NOVEMBER 30, 2020  
ILLINOIS BUSINESS REGISTRATION NO. 184-00245



- NOTE:
- ALL TIES SHOWN ON THIS SURVEY ARE MEASURED TO THE BUILDING'S SIDING (BRICK, FRAME, STUCCO, METAL, ETC.) AND NOT TO THE FOUNDATION, UNLESS NOTED OTHERWISE.
  - ROOF LINES AND OVERHANGS ARE TYPICALLY NOT SHOWN HEREON.
  - COMPARE ALL DISTANCES AND POINTS IN FIELD AND REPORT ANY DISCREPANCIES TO SURVEYOR AT ONCE.
  - NO DIMENSIONS SHALL BE ASSUMED BY SCALING.

ADDRESS COMMONLY KNOWN AS 8933 OLEANDER AVENUE  
MORTON GROVE, ILLINOIS  
CLIENT SIMON LAPIDOS & UHLER LLC  
FIELDWORK DATE (CREW) 08/14/2019 (MD/PC)  
DRAWN BY: RT REVISED: 19-07-0432



# Village of Morton Grove

Department of Community & Economic Development

To: Chairperson Kintner and Members of the Zoning Board of Appeals

From: Brandon Nolin, AICP, Community Development Administrator;  
Anne Ryder Kirchner, Planner/Zoning Administrator

Date: October 8, 2024

Re: ZBA 24-36 – 5406 Reba Street (10-21-317-068-0000)  
Request for variations from Section 12-2-6 to allow an open side porch in a required front yard.

## STAFF REPORT

### Public Notice

The Village of Morton Grove provided public notice for the October 15, 2024, Zoning Board of Appeals public hearing for ZBA 24-36 in accordance with the Unified Development Code. The *Morton Grove Champion* published a public notice on September 26, 2024. The Village mailed letters on September 26, 2024, notifying surrounding property owners, and placed a public notice sign on the subject property on, September 26, 2024.

### Request Summary

#### Property Background

The subject property at 5406 Reba Street in Morton Grove, Illinois, is a 5,892-square-foot lot located on the north side of Reba Street in between Gross Point Road and Long Avenue. The subject property is zoned R-2 Single Family Residence and is improved with a single-family residence and detached garage. Surrounding properties are also zoned within the R-2 District and are improved with single-family residences. The Village of Skokie border is on the east side of Long Avenue.



*Subject Property Location Map*

### Application Overview

The Applicants and owners, Francisco and Giselle Ballesteros, are requesting a waiver from Section 12-2-6:G to allow an open sided porch to encroach in the required front yard that exceeds the maximum allowable depth of twenty (20) percent. The property remains compliant with respect to maximum impermeable lot coverage.

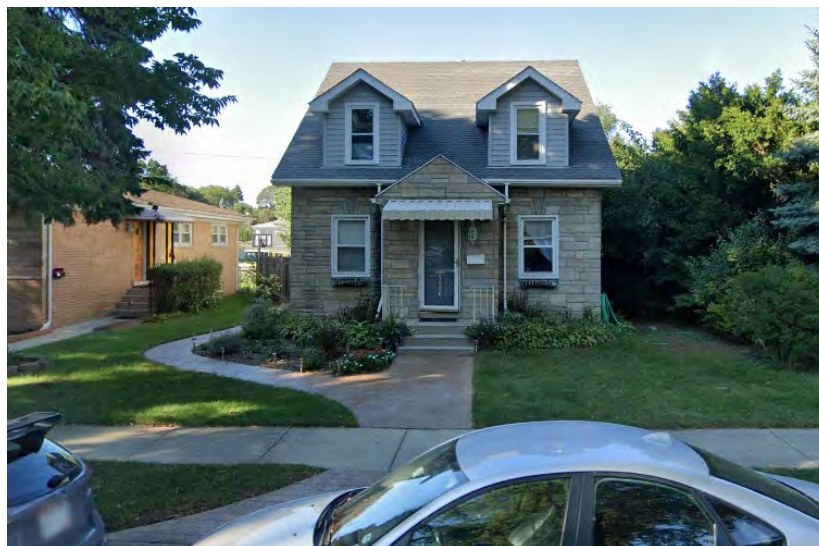
### Requested Waivers

The following chart provides a summary of the requested waivers based on Unified Development Code requirements:

DIMENSIONAL CONTROL	ORDINANCE REQUIREMENT	PROPOSED	REQUESTED VARIATION
Permitted Encroachment, Open Sided Porch (12-2-6:G)	Max. 20% of yard depth or 5 ft.	9 ft. encroachment	<i>Waiver of 4 ft.</i>
Minimum front yard (12-4-2:D)	25 ft.	18.9 ft.	Existing non-conforming setback

As shown in the table, the following waiver is required to approve construction of an open sided porch:

- Section 12-2-6:G: Waiver of 4 ft. to allow an open sided porch to encroach in a required front yard.



*Subject Property Street View*

### Discussion

The applicant is requesting a waiver from the ZBA to replace an aluminum awning with an open sided porch to cover the stairs and front stoop. An open sided porch is an allowable encroachment in a required front yard, but in this case the existing home and front stairs do not observe the minimum front setback requirement of 25 feet.

### **Variation Standards**

The Zoning Board of Appeals can approve the application as presented, approve it with conditions, or deny the application based on the following standards, established in Section 12-16-3:A:

- a. Not Self-Imposed: The alleged difficulty or hardship is caused by this title and has not been created by any persons presently having an interest in the subject property.
- b. Nonmonetary Considerations: The circumstances or conditions are such that the strict application of the provisions of this title would deprive the applicant of a reasonable use of his land. Mere loss in value shall not justify a variation.
- c. Not Detrimental to Public Welfare: The granting of any variation is in harmony with the general purposes and intent of this title and will not be detrimental to the public welfare or to other property or improvements in the neighborhood.
- d. Not Detrimental to Neighborhood: The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the streets, increase the potential damage of fire, endanger the public safety, or alter the character of the neighborhood.

The Applicant has provided their responses to these standards in the Variation Application.

### **Recommendation**

Should the Board approve Case ZBA 24-36, staff recommends the following motion and conditions:

*Motion to approve Case ZBA 24-36, a request for approval of a variation from Section 12-2-6:G to allow an open sided porch to encroach in a required front yard for the property commonly known as 5406 Reba Street, subject to the following conditions:*

- 1) *The proposed open porch shall be constructed in accordance with the plans submitted by the Applicants in the Variation Application dated 9/10/2024.*
- 2) *The Applicant shall file all necessary plans and applications, for review and approval.*

### **Attachments**

Application and related materials (submitted by Applicant)



# VARIATION APPLICATION

Village of Morton Grove  
Department of Community Development  
6101 Capulina Avenue, Morton Grove, Illinois 60053  
commdev@mortongroveil.org | 847-663-3063

Case Number: 24-37 Date Application Filed: 9/10/24

## APPLICANT INFORMATION

Applicant Name: Francisco and Giselle Ballesteros  
Applicant Address: 5406 Reba Street  
Applicant City / State / Zip Code: Morton Grove, IL 60053  
Applicant Phone: 847-307-9083 847-730-9735  
Applicant Email: frankballesteros@icloud.com Giselle5406@comcast.net  
Applicant Relationship to Property Owner: Self  
Applicant Signature: [Signature] Giselle Ballesteros

## PROPERTY OWNER INFORMATION (IF DIFFERENT FROM APPLICANT)

Owner Name: \_\_\_\_\_  
Owner Address: \_\_\_\_\_  
Owner City / State / Zip Code: \_\_\_\_\_  
Owner Phone: \_\_\_\_\_  
Owner Email: \_\_\_\_\_  
Owner Signature: \_\_\_\_\_

## PROPERTY INFORMATION

Common Address of Property: 5406 Reba Street, Morton Grove, IL 60053  
Property Identification Number (PIN): 10-21-317-068-0000  
Property Square Footage: \_\_\_\_\_  
Property Zoning District: \_\_\_\_\_  
Property Current Use: Residential

## APPLICATION INFORMATION

Applicant is requesting a variation from the following section(s) of the Morton Grove Unified Development Code:

12-2-6

Purpose of requested variation (attach as needed): see attached

## RESPONSES TO STANDARDS FOR VARIATION

Provide responses to the four (4) Standards for a Variation as listed in Section 12-16-3-A-2 of the Village of Morton Grove Unified Development Code. The applicant must present this information for the official record of the Zoning Board of Appeals. The Variation Standards are as follows:

- a. **Not Self-Imposed:** The alleged difficulty or hardship is caused by this title and has not been created by any persons presently having an interest in the subject property.

This is not self imposed, the home was originally built  
with this setback.

- b. **Nonmonetary Considerations:** The circumstances or conditions are such that the strict application of the provisions of this title would deprive the applicant of a reasonable use of their land. Mere loss in value shall not justify a variation.

We are not requesting this for monetary gain.

- c. **Not Detrimental to Public Welfare:** The granting of any variation is in harmony with the general purposes and intent of this title and will not be detrimental to the public welfare or to other property or improvements in the neighborhood.

This is not detrimental to the public, but an improvement  
to enhance the safety of the property.

- d. **Not Detrimental to Neighborhood:** The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the streets, increase the potential damage of fire, endanger the public safety, or alter the character of the neighborhood.

This is not detrimental to the neighborhood and will not  
light, air or views to our neighbors.

Request to allow variance to put a permanent roof over stoop and existing stairs at 5406 Reba Street.

Currently, the stoop has an aluminum awning that has been in place since before we bought the property 26 years ago.

The awning falls short of protecting the steps by 2 feet and its pitch faces south causing water to drip on the steps and sidewalk causing a persistent nuisance and slip hazard.

We are asking for a variance to allow a permanent roof to cover the existing permanent concrete stoop and stairs. We would like to follow the existing roof lines to pitch east and west with gutters which would permanently eliminate the hazard.

The roof would not encroach on the current set back any differently than the existing stoop and steps and would remain open on the three sides.

This modification would have no impact on neighbor views and would greatly increase safety for our family, including my elderly mother, and package delivery personnel.

We have lived in Morton Grove since 1998 and plan to live here for the rest of our lives so we would like to eliminate this hazard

.



## Application

### Office Use Only

Permit #: \_\_\_\_\_

Date Issued: \_\_\_\_\_

All information below must be filled in prior to submission (Please Print):

Date Filed: 9/3/2024

Project Address: 5406 Reba Street Unit # \_\_\_\_\_

Tax Index #: 10-21-317-068-0000 Value of Work: \$1000.00

Area (Sq. ft.): 400 Project Description: Extend roof over porch and steps

(Please Circle One)

**Single Family  
Residential**

01- New Const.

01- Addition

02- Remodeling

**Multi-Family  
Residential**

18- New Construction

18- Addition

19- Remodeling

**Industrial**

22- New Const.

22- Addition

23- Remodeling

**Commercial**

20- New Const.

20- Addition

21- Remodeling

**Other**

**Nonresidential**

24- New Const.

25- Remodeling

**Other**

28- Fire Alarm

27- Fire Suppression

26- Storage Tanks

	Name	Address/City/State/Zip (NO P.O. BOX)	Phone / Email	Office Use Only	
Property Owner	Frank Ballesteros Giselle Ballesteros	5406 Reba St. Morton Grove, IL	847-307-9083 847-730-9735	C/L	Regist.
Project Manager					
Tenant "Business Name"					
General Contractor					
Carpenter					
Electrical					
Excavating/Concrete					
HVAC					
Mason					
Roofing					
Plumbing					
Sewer					
Fire Protection					

COMPANY **BALLESTEROS**  
CUSTOMER **5406 REBA STREET**  
SUBJECT

DATE  
DWG. NO.  
DRAWN BY

9/3/2024

SHEET NO. OF  
REV.  
OTHER

2" x 4" GREEN BRIDGING WITH 2" x 6" GREEN  
JOISTS ON 12" CENTER

DOUBLE 2" x 6" GREEN JOISTS  
FRONT AND SIDE ATTACHED  
WITH FLANGE HANGER  
FOR DOUBLE 2" x 6"

6" x 6" GREEN  
POST ATTACHED  
TO BASE WITH  
6" x 6" POST BASE  
AND 3/4" x 10"  
ANCHORS

EXISTING  
ROOF

2" x 6" GREEN  
ANCHORED  
TO MASONRY  
WITH 1/2" x 4"  
ANCHORS

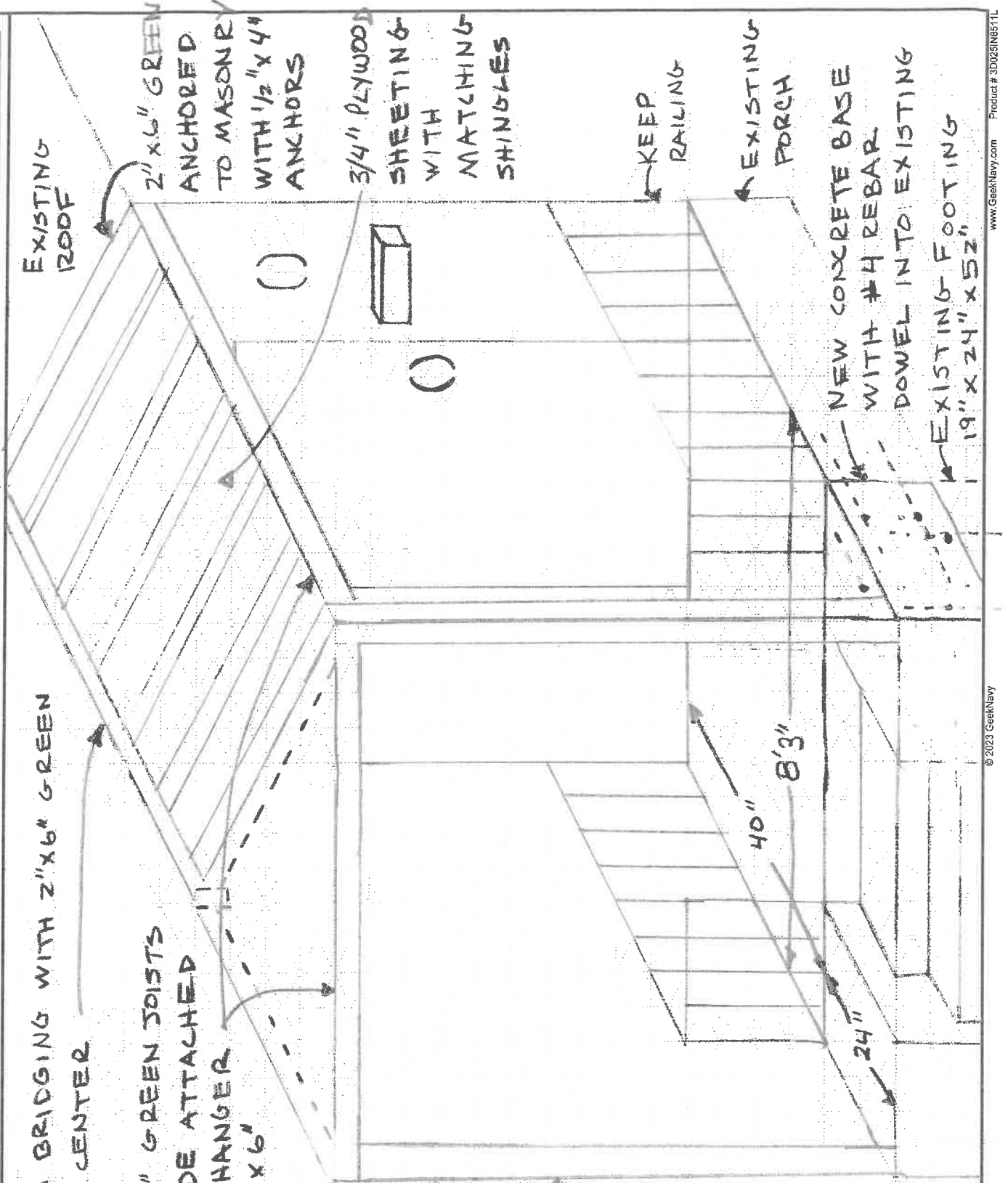
3/4" PLYWOOD  
SHEETING  
WITH  
MATCHING  
SHINGLES

KEEP  
RAILING

EXISTING  
PORCH

NEW CONCRETE BASE  
WITH #4 REBAR  
DOWEL INTO EXISTING

EXISTING FOOTING  
19" x 24" x 52"



## 5406 Reba Street

### Description

1. **Scope of Work:** Extend porch roof over stairs to reduce ice and snow accumulation (see photo of concept and existing side of house)
2. Remove existing awning (see photos of existing front and side of house)
3. Pour new concrete base on top of existing 52" deep to left and right of stairs with #4 doweling into porch and footing (see left and right footing photos for location of dowels)
4. 6" x 6" green post attached to concrete base with Simpson ABA66RZ Rough Cut 6x6 Adjustable Post Base and DeWalt  $\frac{3}{4}$ " x 10" Screw-Bolt+ anchors (see attached for base and anchor details)
5. 2" x 6" green anchored to masonry side of house with  $\frac{1}{2}$ " x 4" Simpson Strong Tie Titan anchors (see attached for anchor details)
6. Double 2" x 6" green joists on front and side attached to post and side of house with Simpson Strong-Tie HUC Galvanized Face-Mount Concealed-Flange Joist Hanger for Double 2x6 Nominal Lumber (see attached for joist hanger detail)
7. 2" x 4" green bridging with 2" x 6" green joists on 12" centers attached with framing nails
8. 3/4" plywood sheeting with matching shingles
9. Keep existing railing
10. Keep 5" overhang and extend gutters
11. Trim and paint



Concept



Existing Front



Existing Side



Left footing with dowel holes



Right footing with dowel holes



Post Base



Anchor Bolts



## HUC Galvanized Face-Mount Concealed-Flange Joist Hanger for Double 2x6 Nominal Lumber

by  
Simpson Strong-Tie >

★★★★★ (187)

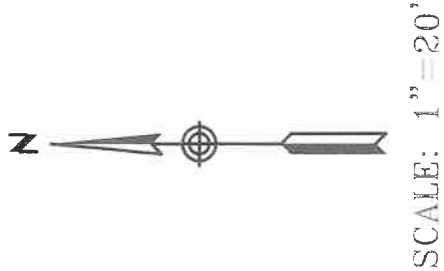
\$11<sup>76</sup>

Joist Hanger

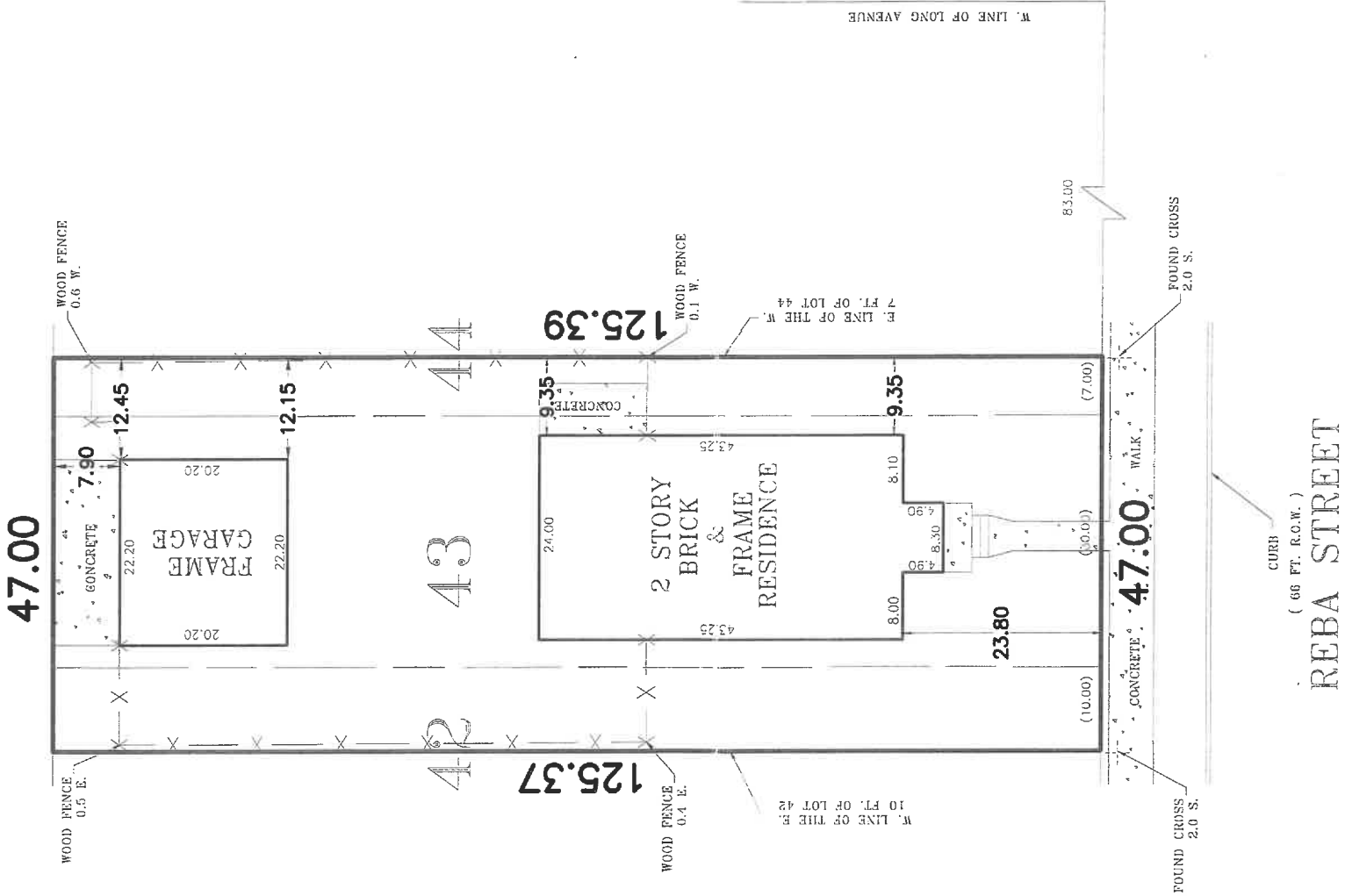
PLAT OF SURVEY

THE EAST 10 FEET OF LOT 42, ALL OF LOT 43 AND THE WEST 7 FEET OF LOT 44 IN BLOCK 6 IN METROPOLITAN REALTY COMPANY'S "L" EXTENSION SUBDIVISION OF THAT PART OF THE SOUTHWEST 1/4 OF SECTION 21, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

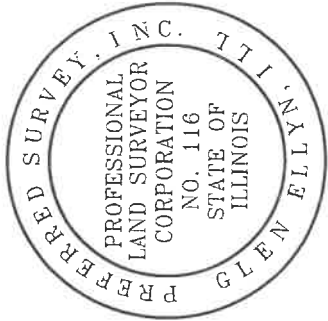
ADDRESS: 5406 REBA STREET, MORTON GROVE, ILLINOIS



16 FT. ALLEY



REBA STREET



TO: JARETT & WEINER

THIS IS TO CERTIFY THAT WE, PREFERRED SURVEY, INC., ILLINOIS PROFESSIONAL LAND SURVEYOR CORPORATION NO. 116 HAVE SURVEYED THE PROPERTY DESCRIBED HEREON AND THAT THE PLAT SHOWN HEREON IS A CORRECT REPRESENTATION OF THAT SURVEY. ALL DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.

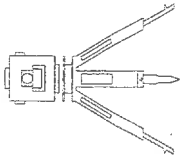
GIVEN UNDER OUR HAND AND SEAL AT GLEN ELLYN, ILLINOIS, THIS 26TH DAY OF APRIL AD, 1999

*[Signature]*

ILLINOIS PROFESSIONAL LAND SURVEYOR CORPORATION #116

799 W. Roosevelt Road/Building #4, Suite 305/Glen Ellyn, IL 60137

Phone 630-790-5451 / Fax 630-858-6217



PREFERRED SURVEY, INC.

BALL5406

MC



# Village of Morton Grove

Department of Community & Economic Development

To: Chairperson Kintner and Members of the Zoning Board of Appeals

From: Brandon Nolin, AICP, Community Development Administrator;  
Anne Ryder Kirchner, Planner/Zoning Administrator

Date: October 8, 2024

Re: ZBA 24-37 – 7547 Emerson Street (09-13-214-001-0000)  
Request for variations from Section 12-3-5:C to reduce minimum transparency, and enclose a portion of the street side yard not in line with and behind the rear portion of the principal structure for a fence within a street side yard.

## STAFF REPORT

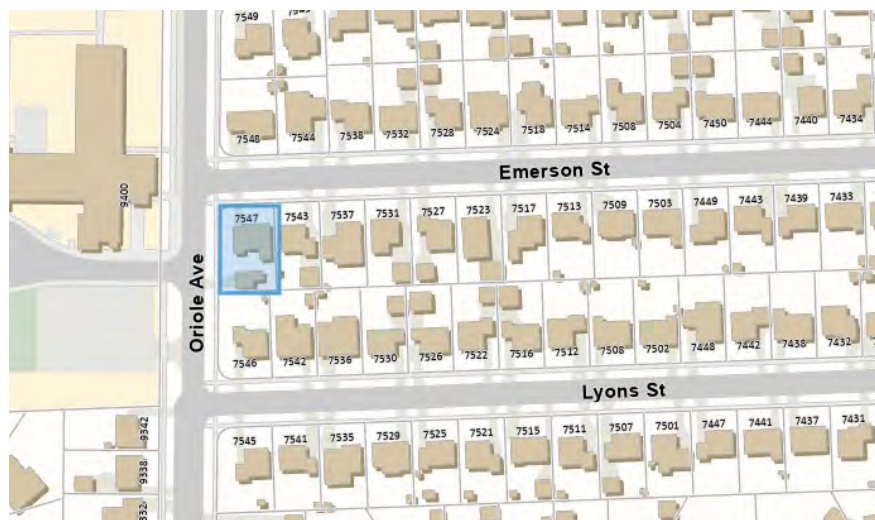
### Public Notice

The Village of Morton Grove provided public notice for the October 15, 2024, Zoning Board of Appeals public hearing for ZBA 24-37 in accordance with the Unified Development Code. The *Morton Grove Champion* published a public notice on September 26, 2024. The Village mailed letters on September 26, 2024, notifying surrounding property owners, and placed a public notice sign on the subject property on, September 26, 2024.

### Request Summary

#### Property Background

The subject property at 7547 Emerson Street in Morton Grove, Illinois, is a 9,235-square-foot corner lot located at the southeast corner of the Emerson Street and Oriole Avenue intersection. The subject property is zoned R-1 Single Family Residence and is improved with a single-family residence and detached garage. Surrounding properties are also zoned within the R-1 District and are improved with single-family residences. The property to the west, across Oriole Avenue, is Melzer Elementary School.



*Subject Property Location Map*

### Application Overview

The Applicant and owner, Don Allen Worley, is requesting waivers from Section 12-3-5:C of the Unified Development Code to authorize the installation of a cedar fence that is four (4) feet in height with 4-inch planks separated by a 1-inch gap providing 20% transparency in a street side yard, portions of which are not behind the rear portion of the principal structure. The fencing will be located 35 feet north (toward the front of the carport) of the rear building line along the west property line and continue south and west to enclose the street side yard ending at the northwest corner of the garage.

### Requested Waivers

The following chart provides a summary of the requested waivers based on Unified Development Code requirements:

DIMENSIONAL CONTROL	ORDINANCE REQUIREMENT	PROPOSED	REQUESTED VARIATION
<b>Street Side Yard Fencing</b> (Section 12-3-5)	Maximum Height: 4 ft.	Height: 4 ft.	<i>Height Compliant</i>
	Minimum Transparency: 50%	Transparency: 20%	<i>Transparency: Waiver of 30% to allow 20% transparency</i>
	Location: Must be behind the rear portion of the principal structure closest to the street side yard	Location: 35 feet in front (north) of the rear portion of the structure closest to the street side yard	<i>Location: Waiver of 35 ft. to allow street side yard fencing in front of the rear portion of the structure</i>
	Sight Line Triangle: Fences shall not be located within a 45-degree 10-foot by 10-foot sight line triangle at any point where the vehicular access way intersects a driveway, alley, sidewalk, or other vehicular or pedestrian access way.	Sight Line Triangle: Fence ends 10 feet before driveway crosses property line	<i>Sight Line Triangle: Compliant</i>

As shown in the table, the following waivers are required in order to approve installation of a street side yard fence as proposed by the applicant:

- Section 12-3-5:C.2 Variation of 35 feet to allow a fence that is not in line with and behind the rear portion of the principal structure closest to the street side yard property line
- Section 12-3-5:C.4: Variation of 30% to the minimum transparency requirement of 50% to allow a street side yard fence with 20% transparency.



*Subject Property Street View*



*Subject Property Aerial View*

Staff Notes: **Red** – Previous location of three-foot fence; **BLUE** – Proposed fence location

#### Discussion

The ZBA did not approve case 24-22 for a 5 feet tall fence with zero transparency at the July 16, 2024 meeting with a vote of 3-2 for two separate motions. The applicant has submitted a new variation request for a street side yard fence to comply with the allowable height and provide transparency.



### **Variation Standards**

The Zoning Board of Appeals can approve the application as presented, approve it with conditions, or deny the application based on the following standards, established in Section 12-16-3:A:

- a. Not Self-Imposed: The alleged difficulty or hardship is caused by this title and has not been created by any persons presently having an interest in the subject property.
- b. Nonmonetary Considerations: The circumstances or conditions are such that the strict application of the provisions of this title would deprive the applicant of a reasonable use of his land. Mere loss in value shall not justify a variation.
- c. Not Detrimental to Public Welfare: The granting of any variation is in harmony with the general purposes and intent of this title and will not be detrimental to the public welfare or to other property or improvements in the neighborhood.
- d. Not Detrimental to Neighborhood: The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the streets, increase the potential damage of fire, endanger the public safety, or alter the character of the neighborhood.

The Applicant has provided their responses to these standards in the Variation Application.

Additionally, Section 12-3-5:G establishes the following standards for variation for fences:

12-3-5:G. Any applications for variations to the fence requirements, included herewith, shall be reviewed based on the following:

1. The proposed fence variation shall meet with the intent of the design and development standards established in [Section 12-3-5];
2. The proposed fence variation shall not have an adverse impact on the immediate abutters or the character of the surrounding neighborhood; and
3. The proposed fence variation shall not create obstructions in required sight lines at areas where a pedestrian or vehicular ways intersect with driveways, streets, alleys, or other pedestrian or vehicular access way.

### **Recommendation**

Should the Board approve Case ZBA 24-37, staff recommends the following motion and conditions:

*Motion to approve Case ZBA 24-37, a request for variations from Section 12-3-5:C to allow a four feet high fence within a street side yard located 35 feet in front of the rear portion of the principal structure, with 20% transparency, subject to the following conditions:*

- 1) *The proposed fence shall be installed in accordance with the plans submitted by the applicant in the Variation Application dated 09/10/2024.*
- 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 installation.*

### **Attachments**

Application and related materials (submitted by Applicant)



## VARIATION APPLICATION

Village of Morton Grove  
Department of Community Development  
6101 Capulina Avenue, Morton Grove, Illinois 60053  
commdev@mortongroveil.org | 847-663-3063

Case Number: 24-38 Date Application Filed: 9-10-24

### APPLICANT INFORMATION

Applicant Name: Don Allen Worley  
Applicant Address: 7547 Emerson St.  
Applicant City / State / Zip Code: Morton Grove, IL 60053  
Applicant Phone: 904-999-7578  
Applicant Email: allenwika17@gmail.com  
Applicant Relationship to Property Owner: owner  
Applicant Signature: [Signature]

### PROPERTY OWNER INFORMATION (IF DIFFERENT FROM APPLICANT)

Owner Name: \_\_\_\_\_  
Owner Address: \_\_\_\_\_  
Owner City / State / Zip Code: \_\_\_\_\_  
Owner Phone: \_\_\_\_\_  
Owner Email: \_\_\_\_\_  
Owner Signature: \_\_\_\_\_

### PROPERTY INFORMATION

Common Address of Property: 7547 Emerson  
Property Identification Number (PIN): 09-13-214-001-0000  
Property Square Footage: 9,235  
Property Zoning District: R-2  
Property Current Use: Single family home

### APPLICATION INFORMATION

Applicant is requesting a variation from the following section(s) of the Morton Grove Unified Development Code:  
12-3-5

Purpose of requested variation (attach as needed): For safety of our children and pets due to the location of our property on a corner lot across the street from an elementary school. Additionally for a modicum of privacy

## RESPONSES TO STANDARDS FOR VARIATION

Provide responses to the four (4) Standards for a Variation as listed in Section 12-16-3-A-2 of the Village of Morton Grove Unified Development Code. The applicant must present this information for the official record of the Zoning Board of Appeals. The Variation Standards are as follows:

- a. **Not Self-Imposed:** The alleged difficulty or hardship is caused by this title and has not been created by any persons presently having an interest in the subject property.

Our home has a front door and a side door. We can only exit out of our house to the side or front which are not secure for our children and pets.

---

- b. **Nonmonetary Considerations:** The circumstances or conditions are such that the strict application of the provisions of this title would deprive the applicant of a reasonable use of their land. Mere loss in value shall not justify a variation.

This does deprive us of using our side yard due to the constant traffic from the school.

---

- c. **Not Detrimental to Public Welfare:** The granting of any variation is in harmony with the general purposes and intent of this title and will not be detrimental to the public welfare or to other property or improvements in the neighborhood.

Does not affect public welfare at all. Actually improves the visual aesthetics of the area.

---

- d. **Not Detrimental to Neighborhood:** The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the streets, increase the potential damage of fire, endanger the public safety, or alter the character of the neighborhood.

Not at all.

---

PROFESSIONALS ASSOCIATED - MM SURVEY CO.

BOUNDARY \* ALTA \* TOPOGRAPHIC \* CONDOMINIUM SURVEYS  
7100 NORTH TRIPP AVENUE, LINCOLNWOOD, ILLINOIS 60712

PROFESSIONAL DESIGN FIRM NO. 184-003023

PROFESSIONALS ASSOCIATED  
PHONE: (847)-675-3000  
FAX: (847)-675-2167  
E-MAIL: pa@professionalsassociated.com  
www.professionalsassociated.com

MM SURVEY  
PHONE: (773)-282-5900  
FAX: (773)-282-9424  
E-MAIL: info@MMSurveyingChicago.com  
www.mmsurveyingchicago.com

PLAT OF SURVEY

OF



GRAPHIC SCALE

0 16

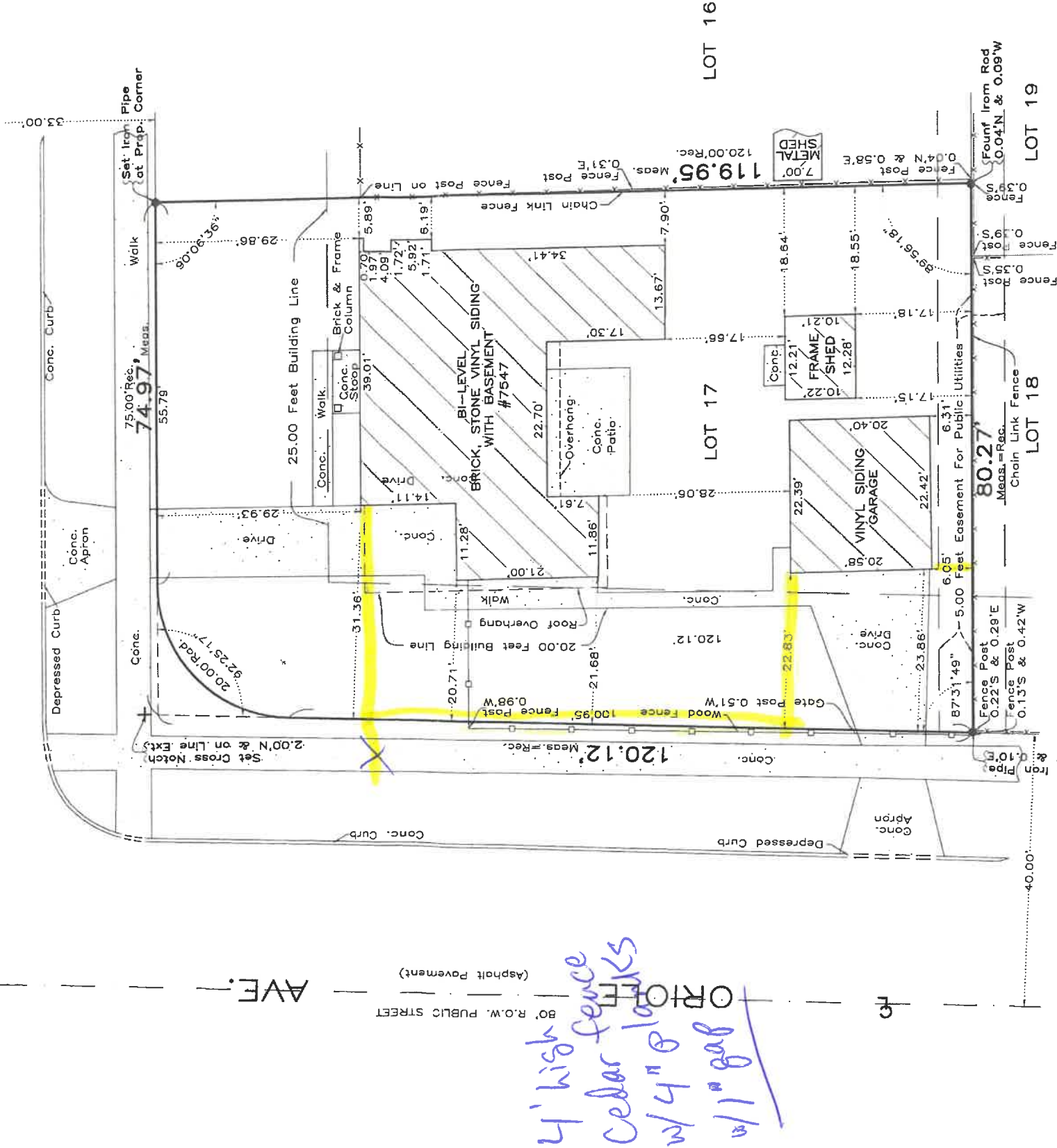
( IN FEET )  
1 inch = 16 ft.

LOT 17 IN BLOCK "L" IN UNIT NUMBER 2 IN HARRIS PARK VISTA SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTH 1/2 OF THE NORTH 1/2 OF THE NORTHEAST 1/4 AND PART OF THE NORTH 15 ACRES OF THE SOUTH 1/2 OF THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN ACCORDING TO THE PLAT RECORDED MAY 27, 1955 AS DOCUMENT NUMBER 16250935, IN COOK COUNTY, ILLINOIS.

LAND TOTAL AREA: 9,235 SQ.FT. = 0.212 ACRES.

COMMONLY KNOWN AS: 7547 EMERSON STREET, MORTON GROVE, ILLINOIS.

66' R.O.W. PUBLIC STREET ST.  
(Asphalt Pavement)



THE LEGAL DESCRIPTION SHOWN ON THE PLAT HEREON  
DRAWN IS A COPY OF THE ORDER, AND FOR ACCURACY  
SHOULD BE COMPARED WITH THE TITLE OR DEED.  
DIMENSIONS ARE NOT TO BE ASSUMED FROM SCALING.  
BUILDING LINES AND EASEMENTS ARE SHOWN ONLY WHERE  
THEY ARE SO RECORDED IN THE MAPS, OTHERWISE REFER TO  
YOUR DEED OR ABSTRACT.

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT,  
ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.  
THIS SURVEY HAS BEEN ORDERED FOR SURFACE  
DIMENSIONS ONLY, NOT FOR ELEVATIONS.  
THIS IS NOT AN ALTA SURVEY.

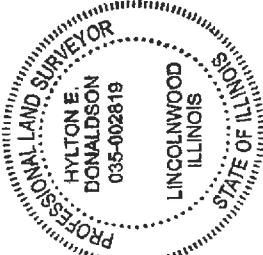
COMPARE ALL POINTS BEFORE BUILDING BY SAME AND  
AT ONCE REPORT ANY DIFFERENCE.

State of Illinois  
County of Cook

We, PROFESSIONALS ASSOCIATED - MM SURVEY CO, do hereby  
certify that we have surveyed the above described property and that,  
to the best of our knowledge, the plat hereon drawn is an accurate  
representation of said survey.

Date: April 25, 2024.

\_\_\_\_\_  
Hylton E. Donaldson  
ILL. PROF. LAND SURVEYOR - LICENSE EXP. DATE NOV. 30, 2024.  
Drawn by: A.G.



Order No. 24-102498  
Scale: 1 inch = 16 feet.  
Date of Field Work: April 24, 2024.  
Ordered by: Frank M. Greenfield  
Attorney at Law



To: Chairperson Kintner and Members of the Zoning Board of Appeals

From: Brandon Nolin, AICP, Community Development Administrator  
Anne Ryder Kirchner, Planner/Zoning Administrator

Date: October 8, 2024

Re: ZBA 24-38 – 6451 Main Street (10-19-401-004-0000)  
Requesting variation from Section 12-2-6 to allow open accessory parking spaces in a front yard. The property is located in an M-2 General Manufacturing District. The applicant is Omni City Holdings LLC.

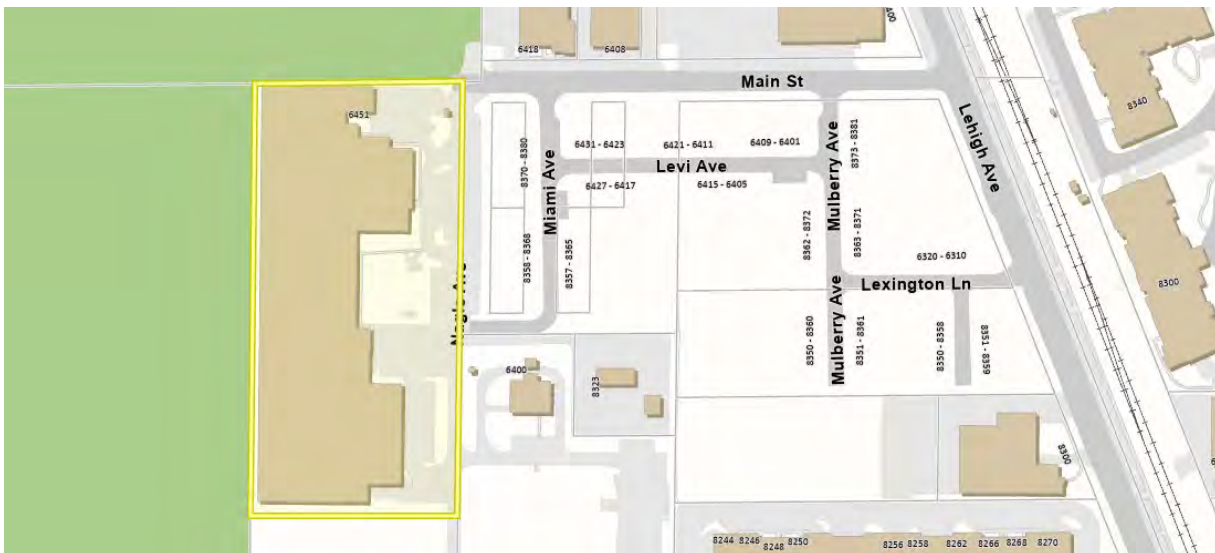
## STAFF REPORT

### Public Notice

The Village of Morton Grove provided public notice for the October 15, 2024, Zoning Board of Appeals public hearing for ZBA 24-38 in accordance with the Unified Development Code. The *Morton Grove Champion* published a public notice on September 26, 2024. The Village mailed letters on September 26, 2024, notifying surrounding property owners, and placed a public notice sign on the subject property on, September 26, 2024.

### Property Background

The subject property consists of an existing industrial building at 6451 Main Street ("subject property") occupying a 5.1-acre (220,926 sq. ft.) site. The property is within the M-2 General Manufacturing zoning district as are the properties to the south and southeast which are improved with industrial buildings and a telecommunications tower. The subject property is located west across Nagle Avenue from an 89-unit townhome development currently under construction which is within the C/R Commercial/Residential zoning district. The properties on the north side of Main Street to the northeast of the subject property are within the M-1 Restricted Manufacturing zoning district and are improved with industrial buildings.



*Subject Property Location Map*

Omni City Holdings ("applicant"), is seeking approval of a variation from Section 12-2-6 to allow open accessory parking spaces in a front yard. The applicant is currently renovating the existing industrial building at the subject property to accommodate a garment manufacturer (GIL Sewing). The applicant is proposing to reconfigure and expand the existing nonconforming parking lot located in front of the building, so as to increase the number of parking spots on site. Since parking for industrial users within the M-2 district is tied to employee count, an increase in parking will increase the number of employees permitted on-site. Currently the Business Compliance Certificate for GIL Sewing includes conditions stating,

The existing parking lot provides 108 parking spaces, including four (4) ADA accessible spaces, and the proposed redesign would yield a new total of between 148 and 153 parking spaces. Staff are currently working with the applicant to revise their initial parking concept to address comments regarding required landscaping, emergency access, and traffic control. While the exact count of additional parking is not known, the latest concept under review included 148 parking spaces including five (5) ADA accessible spaces.

### Parallel Special Use Application

**Proposed Pickleball Facility**

**GIL Sewing**

**MAIN BLDG.**

**Plants**

QTY	SYM	COMMON NAME	SIZE
1	TA	TRIALS IN BLOOM, FROSTED (HIBIS)	12"
8	AF	AFRICAN VIOLETS, NATURAL BLOOMING	12"
6	UP	ULMUS PARVIFLORUS, FROSTED	12"
12	VP	VERBENA PECTINATA, BLUE	12"
3	SE	SEMPER PARVIFLORUS, FROSTED	12"
21	TA	TRIALS IN BLOOM, FROSTED	12"
41	VP	VERBENA PECTINATA, BLUE	12"
64	SE	SEMPER PARVIFLORUS, FROSTED	12"
24	VP	VERBENA PECTINATA, BLUE	12"
25	SE	SEMPER PARVIFLORUS, FROSTED	12"
21	VP	VERBENA PECTINATA, BLUE	12"
15	TA	TRIALS IN BLOOM, FROSTED	12"

**OMNI CITY HOLDINGS**

400 MAIN STREET, FORTON, GEORGIA 30204

2



### **Parking Lot Location**

The industrial building at the subject property was built in approximately 1955. When it was constructed, the building was located to the far western edge of the property and parking was located in the front yard. The applicant is requesting to reconfigure the parking lot within its existing location, and to expand the parking lot by removing a landscaped area located near the buildings entrance within the existing parking area.

### **Landscaping**

The applicant has indicated that they will comply with Village requirements for parking lot and perimeter landscaping. In reviewing the parallel Special Use Permit for the pickleball facility, the Appearance Commission reviewed (AC 24-14) and approved (6-0) the foundation landscaping proposed for the base of the building. Parking lot landscaping was excluded from the AC review since it was tied to the proposed variation (ZBA 24-38) and not required for the pickleball facility approval. The chairman of the AC has indicated that review by AC is not required provided that the proposed parking lot and perimeter landscaping meeting Village requirements.

### **Discussion**

The applicant is requesting the ZBA's approval of a variation to allow parking in a required front yard. The historical origin of the parking lot location at the subject property creates an inability to locate parking elsewhere on the property without significant redevelopment. The parking lot improvements will position the outmoded industrial building for adaptive reuse regardless of whether the proposed pickleball facility (PC 24-08) is approved. Staff works with prospective tenants applying for a Business Compliance Certificate (BCC) to ensure their business activities comply with Village Code requirements, particularly off-street parking and loading requirements, and can use the BCC process to guide the use of parking by both GIL Sewing and future co-tenants.

### **Variation Standards**

The Zoning Board of Appeals can approve the application as presented, approve it with conditions, or deny the application based on the following standards, established in Section 12-16-3:A:

- a. Not Self-Imposed: The alleged difficulty or hardship is caused by this title and has not been created by any persons presently having an interest in the subject property.
- b. Nonmonetary Considerations: The circumstances or conditions are such that the strict application of the provisions of this title would deprive the applicant of a reasonable use of his land. Mere loss in value shall not justify a variation.
- c. Not Detrimental to Public Welfare: The granting of any variation is in harmony with the general purposes and intent of this title and will not be detrimental to the public welfare or to other property or improvements in the neighborhood.
- d. Not Detrimental to Neighborhood: The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the streets

### **Recommendation**

Should the Board approve Case ZBA 24-38, staff recommends the following motion and conditions:

*The Zoning Board of Appeals approves Case ZBA 24-38, a request for approval of a variation from Section 12-2-6 to allow open accessory parking spaces in a required front yard, subject to the following condition(s):*

- 1) *Prior to filing any Building Permit Application, the owner/applicant shall provide the Village with final details regarding parking lot design, parking lot and perimeter landscaping, and lighting that meet the minimum requirements of Village Code for review and approval by the Community Development Administrator.*
- 2) *[Any additional conditions put forth by the Zoning Board of Appeals.]*



## VILLAGE OF MORTON GROVE

# Variation Application Packet

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Village of Morton Grove  
Department of Community and Economic Development  
6101 Capulina Avenue  
Morton Grove, Illinois 60053  
commdev@mortongroveil.org  
(phone) 847.663.3063

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### PROCESS OVERVIEW

Review of a complete Variation Application typically takes 60 days or longer. The process includes the submittal of a complete application and supporting documents, review of plans by Village departments, legal notice, public notice sign posting, notification period, and applicant submittal of revised plans and documents as necessary. The Zoning Board of Appeals (ZBA) will review the Variation Application at a regularly scheduled meeting, at which the ZBA will vote to approve or deny the application or continue the request for further review. The ZBA's determination is final.

Variations requested as part of a Plan Commission application such as a Special Use Application or Planned Unit Development (PUD) Application are subject to the timetable for Plan Commission review. The Plan Commission is authorized to grant variations under certain applications, including Special Use and PUD Applications.

***This overview is provided only as a summary of the Variation Application process. This full packet contains specific information about requirements and expectations for each step in the process.***

Requests for sign and landscape variations are reviewed and approved by the Appearance Commission. Please visit <https://www.mortongroveil.org/business-development/community-and-economic-development/zoning/> for more information and to obtain the Appearance Commission Application.

### APPLICANT RESPONSIBILITIES FOR A VARIATION APPLICATION

- The applicant is required to attend the public hearing of the Zoning Board of Appeals at which the application will be reviewed. The property owner should also attend these meetings. If the property owner cannot be present, then written authorization allowing the applicant to act on the owner's behalf must be provided. The applicant's attendance is needed to respond to any questions or issues regarding the application.
- The applicant must submit a completed application with appropriate exhibits for processing.
- The applicant must respond to requests for additional information, revised information, or clarifications from staff.
- The applicant and property owner must allow the Village to place a public hearing sign on the subject property. The applicant and property owner must also allow Village staff and Zoning Board of Appeals members to visit the property in preparation for their review of the case.
- At the public hearing of the Zoning Board of Appeals, the applicant must present their case to the Board members.

- At the public hearing of the Zoning Board of Appeals, the applicant will speak before the Board, and should specifically address each of the Standards for Variation, which are provided below.

## STANDARDS FOR VARIATIONS

The applicant is advised to verbally address the following Standards for Variations when appearing before the Zoning Board of Appeals. These standards are established in Section 12-16-3-A-2 of the Unified Development Code and are listed below:

**Standards for Variations:** The Zoning Board of Appeals shall not vary the regulations of this title as authorized by this section unless it shall make findings of fact based upon evidence presented in each specific petition that:

- Not Self-Imposed:** The alleged difficulty or hardship is caused by this title and has not been created by any persons presently having an interest in the subject property.
- Nonmonetary Considerations:** The circumstances or conditions are such that the strict application of the provisions of this title would deprive the applicant of a reasonable use of their land. Mere loss in value shall not justify a variation.
- Not Detrimental to Public Welfare:** The granting of any variation is in harmony with the general purposes and intent of this title and will not be detrimental to the public welfare or to other property or improvements in the neighborhood.
- Not Detrimental to Neighborhood:** The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the streets, increase the potential damage of fire, endanger the public safety, or alter the character of the neighborhood.

## STAFF REVIEW

Applicants are encouraged to contact and meet with Community and Economic Development staff to discuss a variation request **prior to** submitting an application. Staff is available **by appointment** at Village Hall Monday through Friday from 9:00 a.m. to 5:00 p.m.

This initial meeting will provide the applicant with an opportunity to learn more about the Variation Application process and to review the variation to be requested. This will also allow staff to determine what items will be required for submitting the application, and to suggest any necessary adjustments to the request. This step is important in order to save time, effort, and expense throughout the rest of the process.

Community and Economic Development staff may distribute preliminary plans to various Village departments, including Building, Engineering, Fire, and Police, for comment. This preliminary review process provides staff the ability to review, discuss, and resolve site problems and more directly communicate Village requirements to applicants. By identifying the applicable code requirements through this process, costly delays from oversights or incomplete applications may be avoided. Staff engagement early in the process will save the applicant time, effort, and expense throughout the rest of the process.

After staff review and all Village issues have been addressed, staff will recommend the submittal of a complete Variation Application.

## COMPLETE APPLICATION SUBMITTAL

The applicant must submit a **complete** Variation Application to the Department of Community and Economic Development to initiate the formal Variation Application review process, including **15 hard copies** of each document for processing. **Additional and/or revised copies may be required at any time during the review process.** Once the application is determined to be complete, it will follow the Village's Zoning Board of Appeals review schedule, which is available with the Department of Community and Economic Development.

A checklist of required Variation Application items is included at the end of this packet and may be modified at staff's discretion.

## PUBLIC NOTIFICATION

Village staff is responsible for all public notice requirements, including the following:

- **Placing a public notice sign on the subject property.** The applicant must allow this sign to remain where the Village places it on the property for the duration of the planning and zoning review. The Village places a sign on the subject property at least 15 days before the Zoning Board of Appeals public hearing, and removes the sign once the ZBA takes action on the request.
- **Publishing a legal notice in a local newspaper.** Village staff will publish a legal notice in the *Morton Grove Champion* making the public aware of the Variation Application between 15 and 30 days prior to the ZBA public hearing.
- **Sending notification letters to surrounding property owners.** Village staff will send mailed legal notice to all property owners within 100 feet of the subject property for single-family and two-family properties, and within 250 feet of the subject property for all other properties, between 15 and 30 days prior to the ZBA public hearing. The notice will summarize the request and invite owners and residents to the ZBA public hearing.

The applicant should also expect Village Staff and ZBA members to visit the property to gather more information about the request. Applicants may discuss the case with Village staff but may **NOT** speak about the case with Board members. Any violation of this restriction can result in the case being **withdrawn** due to “ex parte” communications as specified by Illinois State Law.

## ZONING BOARD OF APPEALS

The public hearing is an opportunity for the Zoning Board of Appeals to hear testimony from the applicant and other concerned parties regarding the variation request. At the public hearing of the ZBA, the applicant must be present and testify under oath. The property owner should also be present or have previously provided written authorization for the applicant to represent the property. The applicant is required to respond to questions from the Board and/or interested parties, or to respond to requests for further information. All communications and responses to questions or issues should be addressed to the ZBA. The applicant is advised not to respond directly to comments from members of the public. A recording secretary will be present to summarize verbal testimony provided at the public hearing.

At the end of the public hearing, the ZBA will discuss the case and vote to approve or deny the request for variation. The ZBA may request plans to be modified or include conditions on the approval.

The ZBA is the final decision-making body on Variation Applications in Morton Grove. Per Section 2-4-2:E of the Morton Grove Municipal Code, “All decisions and findings of the zoning board of appeals shall be final decisions subject to judicial review as provided for by law.” The *Illinois Administrative Review Law* details how to appeal a Morton Grove ZBA decision to the Circuit Court.

## VARIATION APPLICATION REQUIREMENTS

**15 hard copies and a digital copy** of each item listed below (unless otherwise noted) are required. All submitted items must be printed at a scale and size that provides easily legible text. 24" x 36" plan sets are encouraged for larger scale development projects.

- ☐ **Variation Application** with authorized signatures (1 copy only)
- ☐ **Evidence of ownership** such as deed, affidavit, contract purchase, or disclosure of beneficial trust (1 copy only)
- ☐ **Draft lease agreement or draft purchase contract** if applicant is not the property owner (1 copy only)
- ☐ **Written authorization from the property owner** to file application and accept conditions of approval regarding the project and the property (1 copy only)
- ☐ **Current plat of survey** by a registered land surveyor showing lot lines, existing buildings and physical features including paved areas, utility lines, easements, rights of way, and other property interests
- ☐ **Site plan** with dimensions and including the following:
  - Locations of building(s) on the subject property
  - Vehicular accessways and fire lanes relative to existing roadways
  - Parking stalls and loading docks, including accessible spaces, counts, and dimensions
  - Calculations, including building footprint area, floor area and floor area ratio, impervious surface area and site percentage
  - For residential projects, number of units and composition
- ☐ **Interior floor plans** with dimensions (for variations to dimensional requirements for buildings)
- ☐ **Building elevations** with dimensions (for variations to dimensional requirements for buildings)
- ☐ **Engineering plans** including the following may be requested by staff:
  - Topography
  - Demolition plan
  - Existing and proposed utilities
  - Grading plan
  - Stormwater detention and supporting calculations
  - Streets, alleys, easements, and utility rights-of-way
  - Floodplain notation
- ☐ **Check** made payable to the Village of Morton Grove, for:
  - Application fee (*\$330 for properties in commercial and manufacturing districts, \$110 for properties in residential districts*)



# VARIATION APPLICATION

Village of Morton Grove  
Department of Community Development  
6101 Capulina Avenue, Morton Grove, Illinois 60053  
commdev@mortongroveil.org | 847-663-3063

Case Number: 24-38 Date Application Filed: 9/9/2024

## APPLICANT INFORMATION

Applicant Name: Omni City Holdings LLC  
Applicant Address: 6451 Main St.  
Applicant City / State / Zip Code: Morton Grove, IL 60053  
Applicant Phone: 847-476-4999  
Applicant Email: alex@gilsewing.com  
Applicant Relationship to Property Owner: Owner  
Applicant Signature: \_\_\_\_\_

## PROPERTY OWNER INFORMATION (IF DIFFERENT FROM APPLICANT)

Owner Name: Omni City Holdings, LLC.  
Owner Address: 6451 Main St.  
Owner City / State / Zip Code: Morton Grove, IL 60053  
Owner Phone: 847-476-4999  
Owner Email: alex@gilsewing.com  
Owner Signature: Alex Khakham

## PROPERTY INFORMATION

Common Address of Property: 6451 Main St.  
Property Identification Number (PIN): 10-19-401-004-0000  
Property Square Footage: 123,743  
Property Zoning District: M-2  
Property Current Use: Light Manufacturing

## APPLICATION INFORMATION

Applicant is requesting a variation from the following section(s) of the Morton Grove Unified Development Code:

Purpose of requested variation (attach as needed): Please see response attached in separate sheet.  
\_\_\_\_\_  
\_\_\_\_\_



RESPONSES TO STANDARDS FOR VARIATION

Provide responses to the four (4) Standards for a Variation as listed in Section 12-16-3-A-2 of the Village of Morton Grove Unified Development Code. The applicant must present this information for the official record of the Zoning Board of Appeals. The Variation Standards are as follows:

- a.

**Not Self-Imposed:** The alleged difficulty or hardship is caused by this title and has not been created by any persons presently having an interest in the subject property.

Nothing has been created by any persons or parties having interest in subject property.
- b.

**Nonmonetary Considerations:** The circumstances or conditions are such that the strict application of the provisions of this title would deprive the applicant of a reasonable use of their land. Mere loss in value shall not justify a variation.

This is a reasonable use for the parking area. Circumstances are such that current

economic conditions have decreased the need of space for primary purpose of the building. Owner is

is interested to use the extra space for recreational use which would improve the building and surroundings.

Extra parking space might be necessary for this. There is unused space which can be converted to parking.
- c.

**Not Detrimental to Public Welfare:** The granting of any variation is in harmony with the general purposes and intent of this title and will not be detrimental to the public welfare or to other property or improvements in the neighborhood.

This variation will only improve the wellness of the community and the surrounding neighborhood.
- d.

**Not Detrimental to Neighborhood:** The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the streets, increase the potential damage of fire, endanger the public safety, or alter the character of the neighborhood.

Nothing in the area will be impaired by the proposed variation. Only the parking layout will change,

within the same lot area of the building premises.



FOREST PRESERVE

657.37'

FOREST PRESERVE

331.45'

LEGEND

- 104' X 105.08'
- SPOT ELEVATION
- DECIDUOUS TREE W/DIA.
- CONIFEROUS TREE W/DIA.
- SANITARY MANHOLE
- STORM MANHOLE
- CATCH BASIN
- INLET
- WATER SERVICE BOX
- VALVE & VAULT
- FIRE HYDRANT
- UTILITY POLE
- LIGHT STANDARD
- STORM CULVERT
- SANITARY SEWER
- E12" ST
- E6" W
- WATER MAIN
- DITCH
- SWALE
- DIRECTION SURFACE DRAINAGE
- FENCE
- DOWNSPOUT

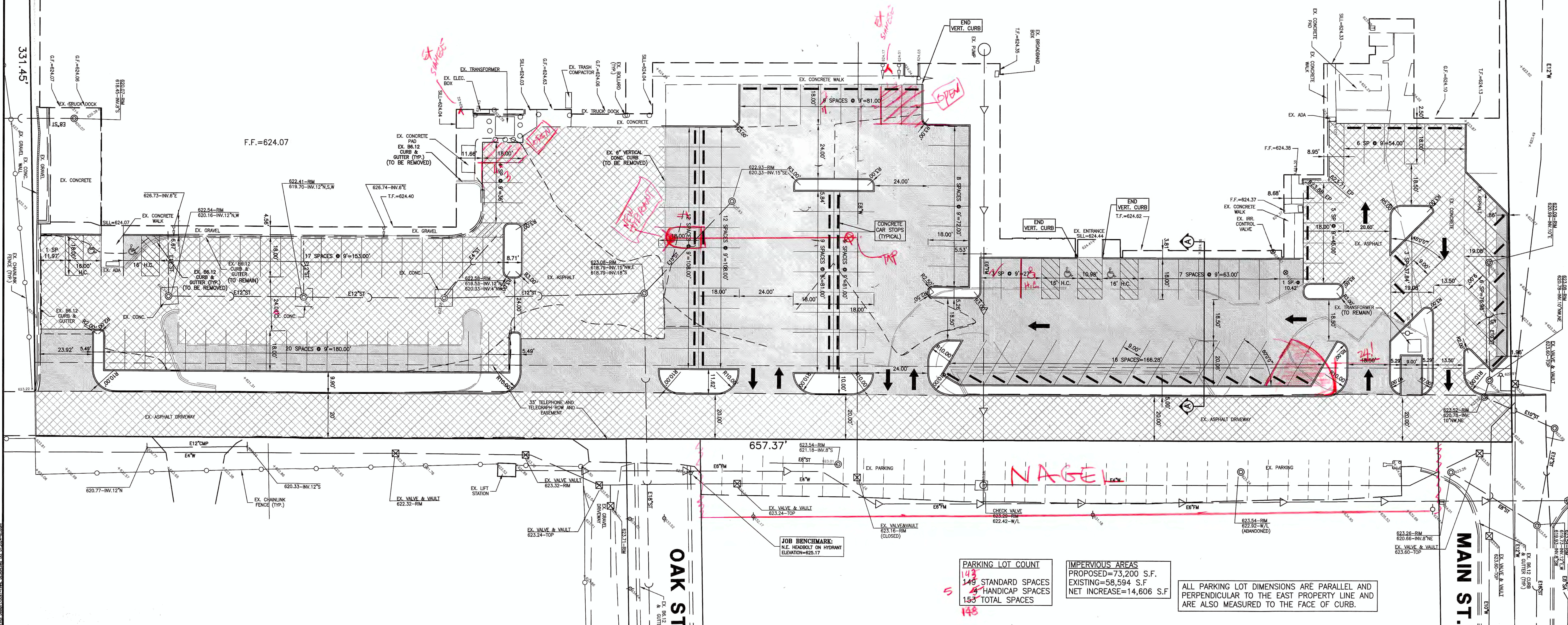
J. Parking Dimensions: The chart below describes the dimensions which are to be maintained for the various parking configurations identified. Should alternate parking configurations be proposed, they will be subject to the review and approval of the Village engineer.

Angle Of Parking (A)	Stall Width (B)	Stall Depth (C)	Curb Length (D)	Driveway Width (E)
0°	8'6"	8'6"	21'0"	12'0"
	9'0"	9'0"	21'0"	12'0"
	10'0"	10'0"	21'0"	12'0"
	12'6"	12'6"	21'0"	12'0"
30°	8'6"	16'5"	17'0"	11'0"
	9'0"	16'10"	18'0"	11'0"
	10'0"	17'8"	20'0"	11'0"
	12'6"	19'10"	21'6"	11'0"
45°	8'6"	18'9"	12'0"	14'0"
	9'0"	19'1"	12'9"	13'6"
	10'0"	19'10"	14'2"	13'0"
	12'6"	21'7"	17'8"	13'0"
60°	8'6"	19'11"	9'10"	19'10"
	9'0"	20'1"	10'5"	18'6"
	10'0"	20'7"	11'6"	18'0"
	12'6"	21'10"	14'5"	18'0"
90°	8'6"	18'0"	8'6"	25'0"
	9'0"	18'0"	9'0"	24'0"
	10'0"	18'0"	10'0"	24'0"
	12'6"	18'0"	12'6"	24'0"

#6451  
EX. BUILDING  
F.F.=624.44

PROPOSED PAVEMENT

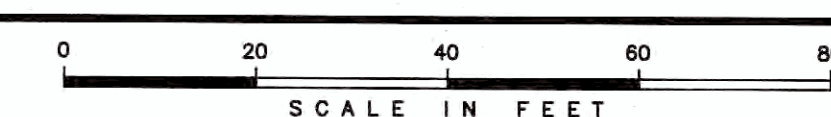
EXISTING PAVEMENT  
TO REMAIN



PARKING LOT COUNT  
143  
149 STANDARD SPACES  
4 HANDICAP SPACES  
153 TOTAL SPACES

IMPERVIOUS AREAS  
PROPOSED=73,200 S.F.  
EXISTING=58,594 S.F.  
NET INCREASE=14,606 S.F.

ALL PARKING LOT DIMENSIONS ARE PARALLEL AND PERPENDICULAR TO THE EAST PROPERTY LINE AND ARE ALSO MEASURED TO THE FACE OF CURB.



REVISIONS	DATE	BY

DESIGNED BY:	DATE:
MRT/DRF	8-8-24
CHECKED BY:	DATE:
DRF	8-8-24
APPROVED BY:	DATE:
DRF	8-8-24

**GREENGARD, INC.**  
Engineers • Surveyors • Planners  
111 Barclay Blvd., Suite 310, Lincolnshire, Illinois 60069-3623  
PHONE: 847-634-3883 FAX: 847-634-0887  
E-MAIL: 231@GREENGARDINC.COM ILL. REGISTRATION NO. 184-000995

SCALE:	1"=20'
DRAWING NO.	70097
SHEET	4 OF 6



PROPOSED  
SITE IMPROVEMENTS  
FOR  
6451 MAIN STREET

PART OF SECTION 19, T 41 N, R 13 E  
VILLAGE OF MORTON GROVE  
COOK COUNTY, ILLINOIS

INDEX OF SHEETS

LAST REV.	DATE

1. TITLE SHEET

2. EXISTING CONDITIONS

3. GENERAL LAYOUT

4. SITE PLAN

5. GRADING PLAN

6. SPECIFICATIONS & DETAILS

STANDARD SYMBOLS

PROPOSED

	SANITARY MANHOLE (M.H.)
	STORM MANHOLE OR INLET MANHOLE (M.H. or I.M.H.)
	CATCH BASIN (C.B.)
	INLET (INL.)
	VALVE & VAULT (V.V.)
	VALVE & BOX (V.B.)
	WATER SERVICE BOX
	FIRE HYDRANT (HYD.)
	HEADWALL OR FLARED END SECTION (F.E.S.)
	DITCH
	SWALE
	SANITARY SEWER
	STORM SEWER
	WATER MAIN
	STREET LIGHT
	SEE SHEET NUMBER

EXISTING

	BENCHMARK
	SANITARY MANHOLE (M.H.)
	STORM MANHOLE OR INLET MANHOLE (M.H. or I.M.H.)
	CATCH BASIN (C.B.)
	INLET (INL.)
	VALVE & VAULT (V.V.)
	VALVE & BOX (V.B.)
	WATER SERVICE BOX
	FIRE HYDRANT (HYD.)
	HEADWALL OR FLARED END SECTION (F.E.S.)
	DITCH
	SWALE
	SANITARY SEWER
	STORM SEWER
	WATER MAIN
	STREET LIGHT

**BENCHMARK:** SOURCE BENCHMARK: BASED ON NAVD 88 (GEOID 12B) AS REFERENCE FROM PRECISION MIDWEST COMPANIES TRIMBLE, VRS NOW RTK-GNSS NETWORK.  
JOB BENCHMARK: NORTHEAST FLANGE BOLT ON FIRE HYDRANT LOCATED AT THE WEST END OF OAK STREET ON THE NORTH SIDE. ELEVATION=625.17



LOCATION MAP

EXISTING UTILITIES:

WHEN THE PLANS OR SPECIAL PROVISIONS INCLUDE INFORMATION PERTAINING TO THE LOCATION OF UNDERGROUND UTILITY FACILITIES, SUCH INFORMATION REPRESENTS ONLY THE OPINION OF THE ENGINEER AS TO THE LOCATION OF SUCH UTILITIES AND IS ONLY INCLUDED FOR THE CONVENIENCE OF THE BIDDER. THE ENGINEER AND OWNER ASSUME NO RESPONSIBILITY WHATSOEVER IN RESPECT TO THE SUFFICIENCY OR ACCURACY OF THE INFORMATION SHOWN ON THE PLANS RELATIVE TO THE LOCATION OF UNDERGROUND UTILITY FACILITIES OR THE MANNER IN WHICH THEY ARE TO BE REMOVED OR ADJUSTED. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THE ACTUAL LOCATION OF ALL SUCH FACILITIES. HE SHALL ALSO OBTAIN FROM THE REPRESENTATIVE UTILITY COMPANIES DETAILED INFORMATION RELATIVE TO THE LOCATION OF THEIR FACILITIES AND THE WORKING SCHEDULES OF THE UTILITY COMPANIES FOR REMOVING OR ADJUSTING THEM.

<div><div></div><div>SCALE IN FEET</div></div>						DESIGNED BY: MRT	DATE: 8-2-24	<div><div></div><div>GREENGARD, INC. Engineers • Surveyors • Planners 111 Barclay Blvd., Suite 310, Lincolnshire, Illinois 60069-3623 PHONE: 847-634-3883 FAX: 847-634-0687 E-MAIL: 231@GREENGARDINC.COM ILL. REGISTRATION NO. 184-000995</div></div>	SCALE:	6451 MAIN STREET – MORTON GROVE, ILL.	
SOLE PROPERTY OF GREENGARD, INC. AND NO REPRODUCTION OR USE, IN WHOLE OR PART WITHOUT WRITTEN PERMISSION OF GREENGARD, INC.						CHECKED BY: DRF	DATE: 8-2-24		DRAWING No.	70097	TITLE SHEET
DRAWN BY:      DATE:		REVISIONS		DRAWN BY:      DATE:		REVISIONS			SHEET	1 OF 6	

LEGAL DESCRIPTION

THE NORTH 5 ACRES OF THE EAST 10 ACRES OF THE WEST 70 ACRES OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

NOTE

BOUNDARY TAKEN FROM PLAT OF SURVEY PREPARED BY WEBSTER, MCGRATH & AHLBERG LTD. DATED 3-15-2023. BOUNDARY SHOWN IS ONLY AN ESTIMATE. THIS DRAWING IS NOT A PLAT OF SURVEY.

FOREST PRESERVE

657.37'

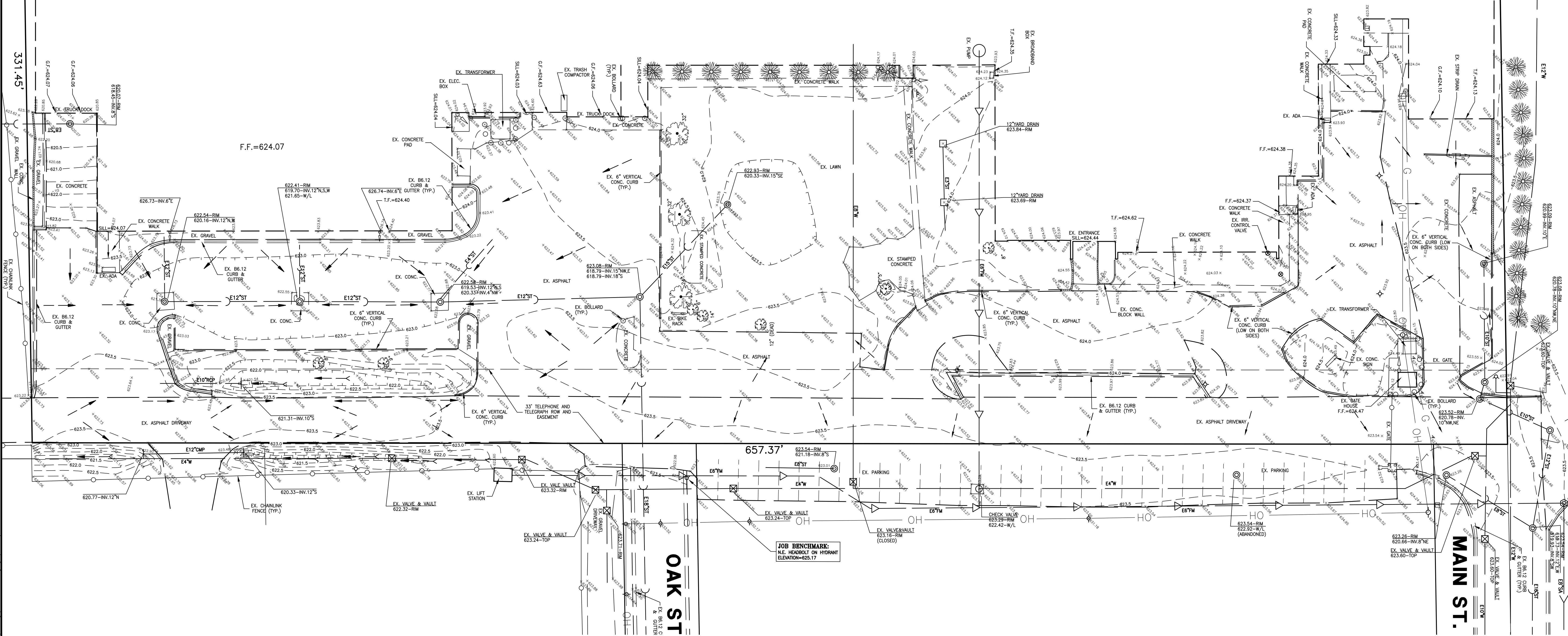
LEGEND

- 104' CONTOUR
- 105.08 SPOT ELEVATION
- 10" DECIDUOUS TREE W/DIA.
- 12" CONIFEROUS TREE W/DIA.
- SANITARY MANHOLE
- STORM MANHOLE
- CATCH BASIN
- INLET
- WATER SERVICE BOX
- VALVE & VAULT
- FIRE HYDRANT
- UTILITY POLE
- LIGHT STANDARD
- STORM CULVERT
- SANITARY SEWER
- STORM SEWER
- WATER MAIN
- DITCH
- SWALE
- DIRECTION SURFACE DRAINAGE
- FENCE
- or DOWNSPOUT

SOURCE BENCHMARK:  
BASED ON NAVD 88 (GEOID 12B) AS  
REFERENCED FROM PRECISION  
MIDWEST COMPANIES TRIMBLE, VRNNow  
RTK-GNSS NETWORK

#6451  
EX. BUILDING  
F.F.=624.44

331.45'



331.45'

FOREST PRESERVE

MAIN ST.

OAK ST

JOB BENCHMARK:  
N.E. HEADBOLT ON HYDRANT  
ELEVATION=625.17

0 20 40 60 80  
SCALE IN FEET

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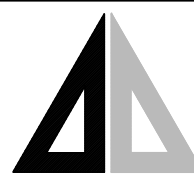
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APPROVED BY: DRF  
DATE: 8-2-24



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SCALE: 1"=20'  
DRAWING No. 70097  
SHEET 2 OF 6

6451 MAIN STREET - MORTON GROVE, ILL.

EXISTING TOPOGRAPHY



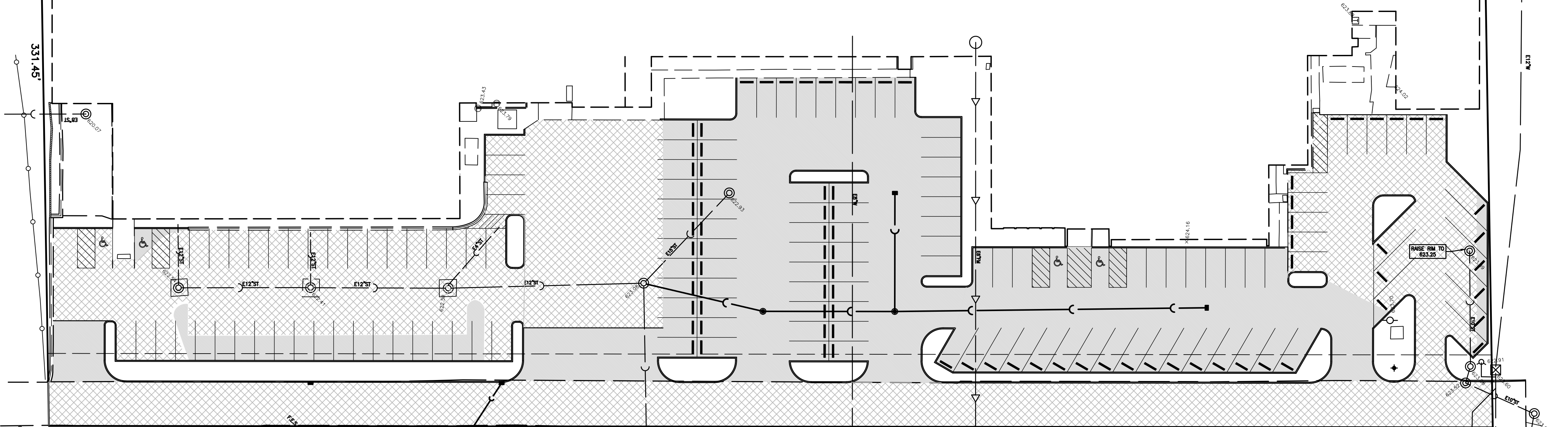
ST. PAUL WOODS  
FOREST PRESERVE

331.45'

EXIST

JOHN CRANE, INC.

331.45'



#6451  
EX. BUILDING

OAK ST.

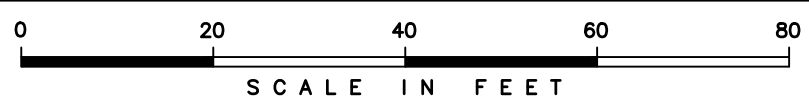
JOHN CRANE, INC.

METRO ON MAIN  
(UNDER CONSTRUCTION)

AMERICAN TOWER CORP.

MAIN ST.

EX. DITCH



SCALE IN FEET

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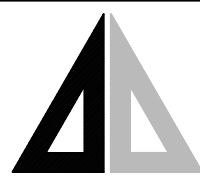
DRAWN BY: DATE:

REVISIONS

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CHECKED BY: DRF  
DATE: 8-2-24  
APPROVED BY: DRF  
DATE: 8-2-24



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SCALE: 1"=30'  
DRAWING No. 70097  
SHEET 3 of 6

6451 MAIN STREET - MORTON GROVE, ILL.

GENERAL LAYOUT



FOREST PRESERVE

657.37'

FOREST PRESERVE

331.45'



LEGEND

- 104 - CONTOUR
- 105.08 - SPOT ELEVATION
- 10" - DECIDUOUS TREE W/DIA.
- 12" - CONIFEROUS TREE W/DIA.
- - SANITARY MANHOLE
- - STORM MANHOLE
- - CATCH BASIN
- - INLET
- - WATER SERVICE BOX
- - VALVE & VAULT
- - FIRE HYDRANT
- - UTILITY POLE
- - LIGHT STANDARD
- - STORM CULVERT
- - SANITARY SEWER
- - STORM SEWER
- - WATER MAIN
- - DITCH
- - SWALE
- - DIRECTION SURFACE DRAINAGE
- - FENCE
- - DOWNSPOUT

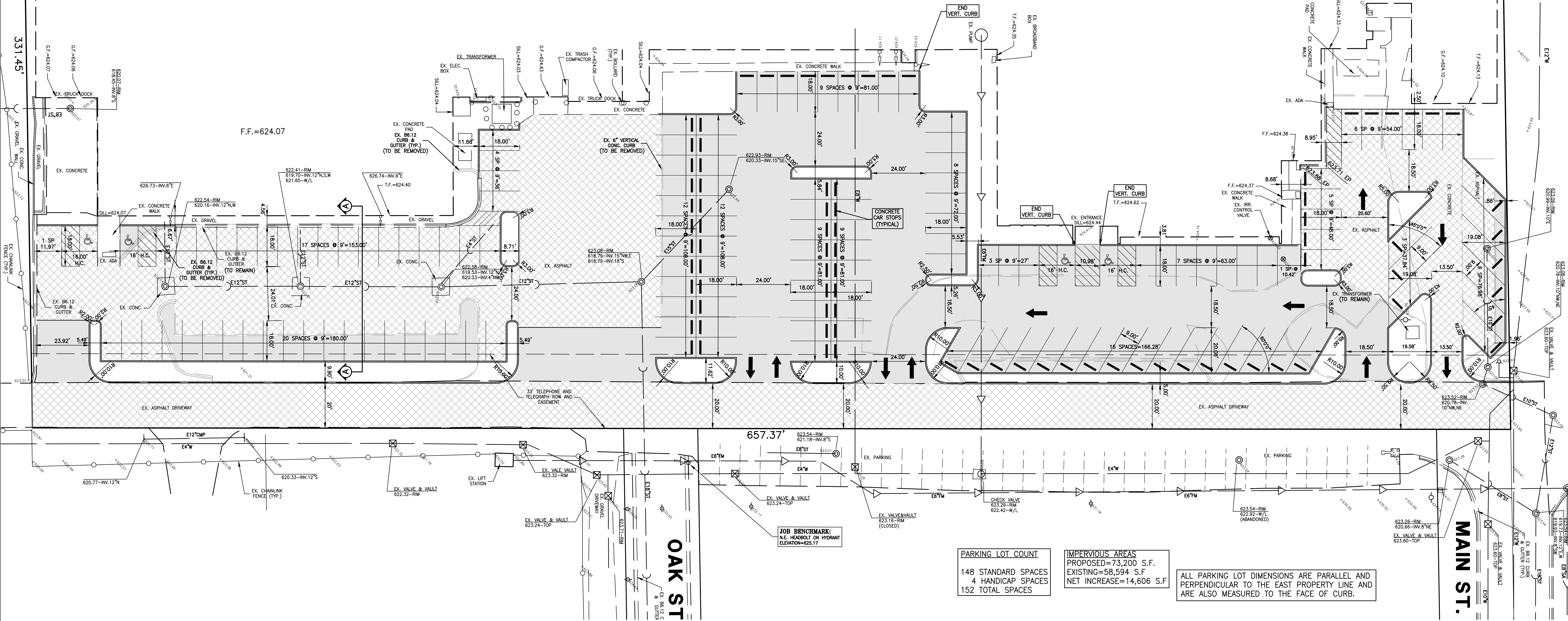
J. Parking Dimensions: The chart below describes the dimensions which are to be maintained for the various parking configurations identified. Should alternate parking configurations be proposed, they will be subject to the review and approval of the Village engineer.

Angle Of Parking (A)	Stall Width (B)	Stall Depth (C)	Curb Length (D)	Driveway Width (E)
0°	8'6"	8'6"	21'0"	12'0"
	9'0"	9'0"	21'0"	12'0"
	10'0"	10'0"	21'0"	12'0"
	12'6"	12'6"	21'0"	12'0"
30°	8'6"	16'5"	17'0"	11'0"
	9'0"	16'10"	18'0"	11'0"
	10'0"	17'8"	20'0"	11'0"
	12'6"	19'10"	21'8"	11'0"
45°	8'6"	18'9"	12'0"	14'0"
	9'0"	19'1"	12'9"	13'8"
	10'0"	19'10"	14'2"	13'0"
	12'6"	21'7"	17'8"	13'0"
60°	8'6"	19'11"	9'10"	19'10"
	9'0"	20'1"	10'5"	18'6"
	10'0"	20'7"	11'6"	18'0"
	12'6"	21'10"	14'5"	18'0"
90°	8'6"	18'0"	8'6"	25'0"
	9'0"	18'0"	9'0"	24'0"
	10'0"	18'0"	10'0"	24'0"
	12'6"	18'0"	12'6"	24'0"

PROPOSED PAVEMENT

EXISTING PAVEMENT TO REMAIN

#6451  
EX. BUILDING  
F.F.=624.44



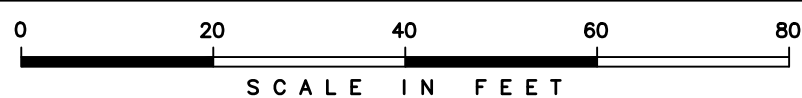
PARKING LOT COUNT

148 STANDARD SPACES  
4 HANDICAP SPACES  
152 TOTAL SPACES

IMPERVIOUS AREAS

PROPOSED=73,200 S.F.  
EXISTING=58,594 S.F.  
NET INCREASE=14,606 S.F.

ALL PARKING LOT DIMENSIONS ARE PARALLEL AND PERPENDICULAR TO THE EAST PROPERTY LINE AND ARE ALSO MEASURED TO THE FACE OF CURB.



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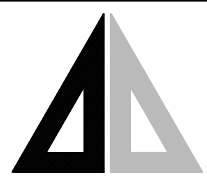
REVISIONS

DRAWN BY: DATE:

REVISIONS

DESIGNED BY: MRT/DRF  
CHECKED BY: DRF  
APPROVED BY: DRF

DATE: 8-2-24  
DATE: 8-2-24  
DATE: 8-2-24



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SCALE: 1"=20'  
DRAWING No. 70097  
SHEET 4 of 6

6451 MAIN STREET - MORTON GROVE, ILL.

SITE PLAN



FOREST PRESERVE

657.37'

FOREST PRESERVE

331.45'

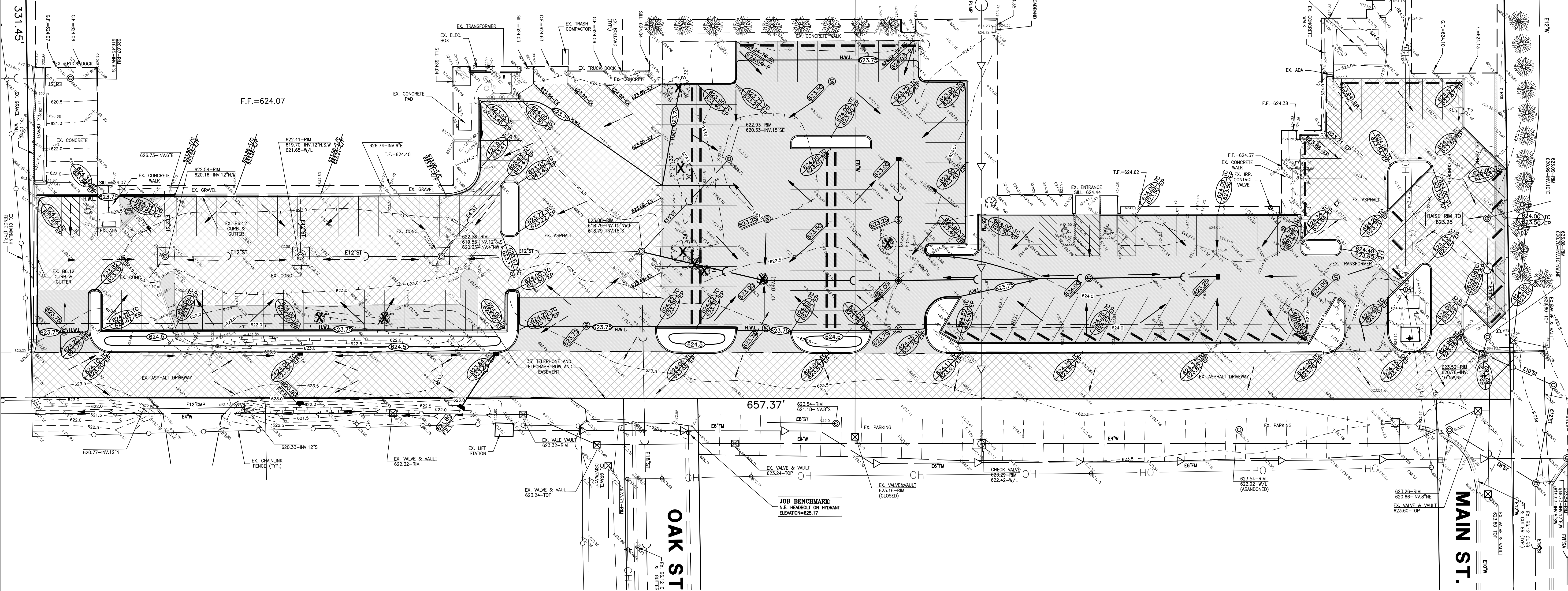
LEGEND

- 104' CONTOUR
- 105.08 SPOT ELEVATION
- 10" DECIDUOUS TREE W/DIA.
- 12" CONIFEROUS TREE W/DIA.
- SANITARY MANHOLE
- STORM MANHOLE
- CATCH BASIN
- INLET
- WATER SERVICE BOX
- VALVE & VAULT
- FIRE HYDRANT
- UTILITY POLE
- LIGHT STANDARD
- STORM CULVERT
- E8"SA SANITARY SEWER
- E12"ST STORM SEWER
- E6"W WATER MAIN
- DITCH
- SWALE
- DIRECTION SURFACE DRAINAGE
- FENCE
- or DOWNSPOUT

PROP. LEGEND

- 102' CONTOUR
- 104.00 SPOT ELEVATION
- TC 000.00 TOP/CURB GRADE
- EP 000.00 EDGE/PAVEMENT GRADE
- (M.E.) MEET EXISTING GRADE
- STORM MANHOLE
- CATCH BASIN
- INLET
- STORM SEWER
- 12"ST DIRECTION SURFACE DRAINAGE
- SUMMIT
- LIGHT STANDARD

#6451  
EX. BUILDING  
F.F.=624.44



0 20 40 60 80  
SCALE IN FEET

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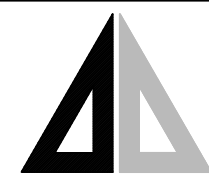
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REVISIONS

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APPROVED BY: DRF DATE: 8-2-24



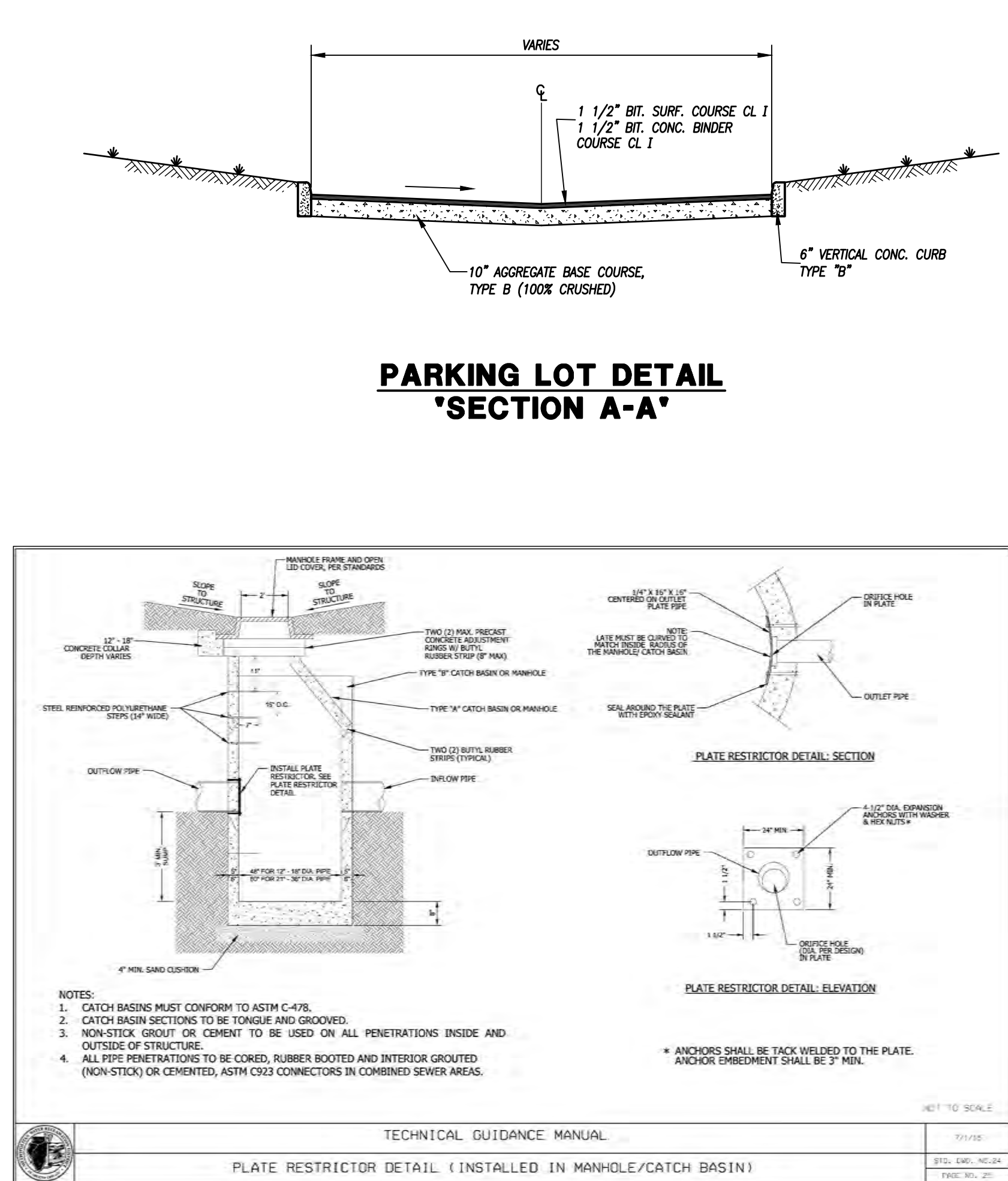
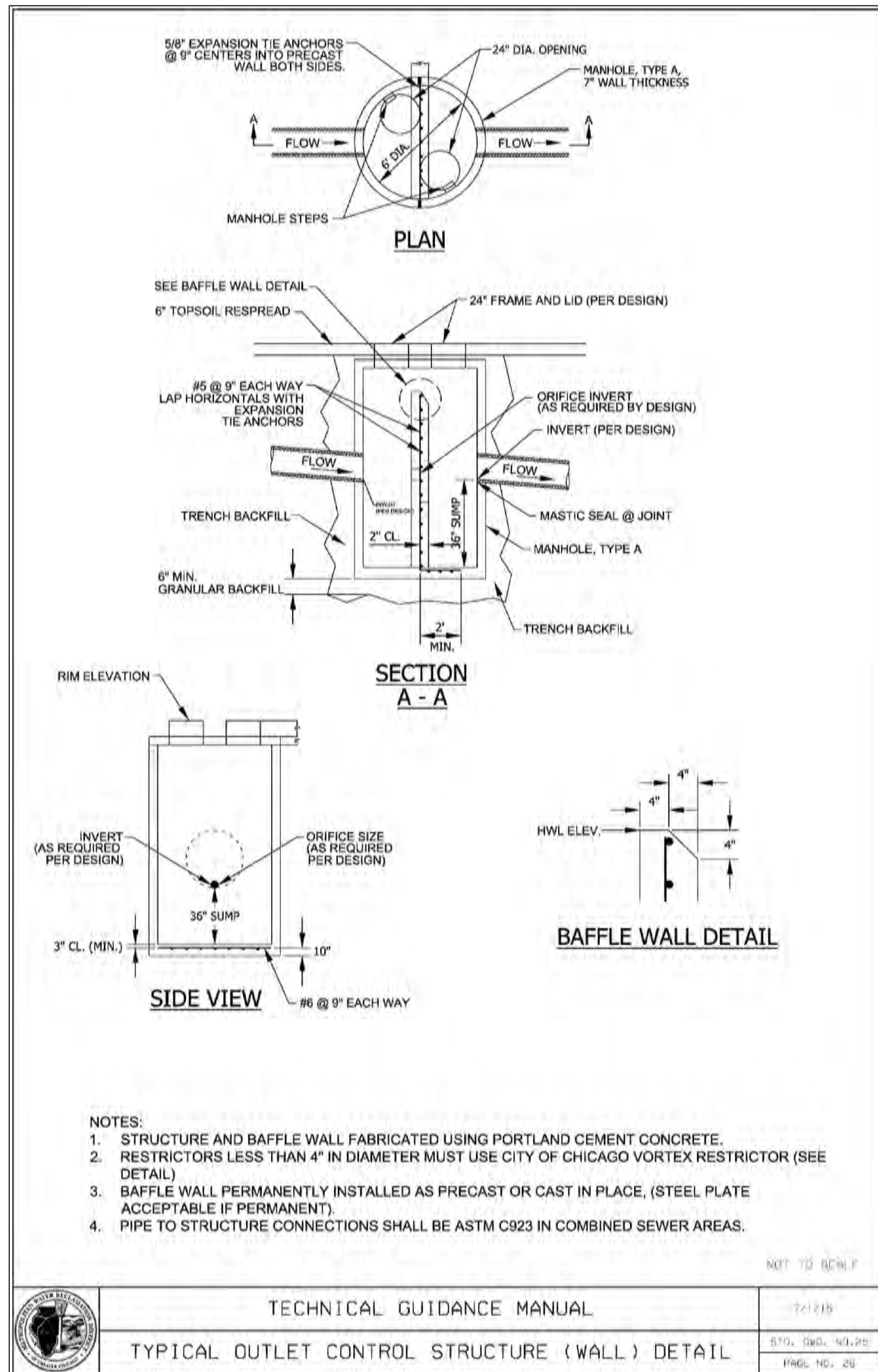
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SCALE: 1"=20'  
DRAWING No. 70097  
SHEET 5 of 6

6451 MAIN STREET - MORTON GROVE, ILL.

GRADING PLAN





## STREET PAVEMENT REQUIREMENTS

THESE REQUIREMENTS ARE FOR ALL TYPES OF STREETS THAT ARE TO BE CONSTRUCTED IN THE VILLAGE OF MORTON GROVE.

**LOCAL RESIDENTIAL: & PARKING LOTS**  
1 1/2" BITUMINOUS SURFACE COURSE, CLASS I  
1 1/2" BITUMINOUS CONCRETE BINDER COURSE, CLASS I  
10" AGGREGATE BASE COURSE, TYPE B (100% CRUSHED)

**LOCAL COLLECTOR:**  
1 1/2" BITUMINOUS SURFACE COURSE, CLASS I  
3" BITUMINOUS CONCRETE BINDER COURSE, CLASS I  
12" AGGREGATE BASE COURSE, TYPE B (100% CRUSHED)

**INDUSTRIAL:**  
1 1/2" BITUMINOUS SURFACE COURSE, CLASS I  
2" BITUMINOUS CONCRETE BINDER COURSE, CLASS I  
8" BITUMINOUS AGGREGATE MIXTURE (MINIMUM M.S. - 1200)  
4" AGGREGATE BASE COURSE, TYPE B (100% CRUSHED)

## PAVEMENT REQUIREMENTS

Village of Morton Grove

CONSTRUCTION STANDARDS

S - 1

## Village of Morton Grove Tree Protection Fencing Illustration

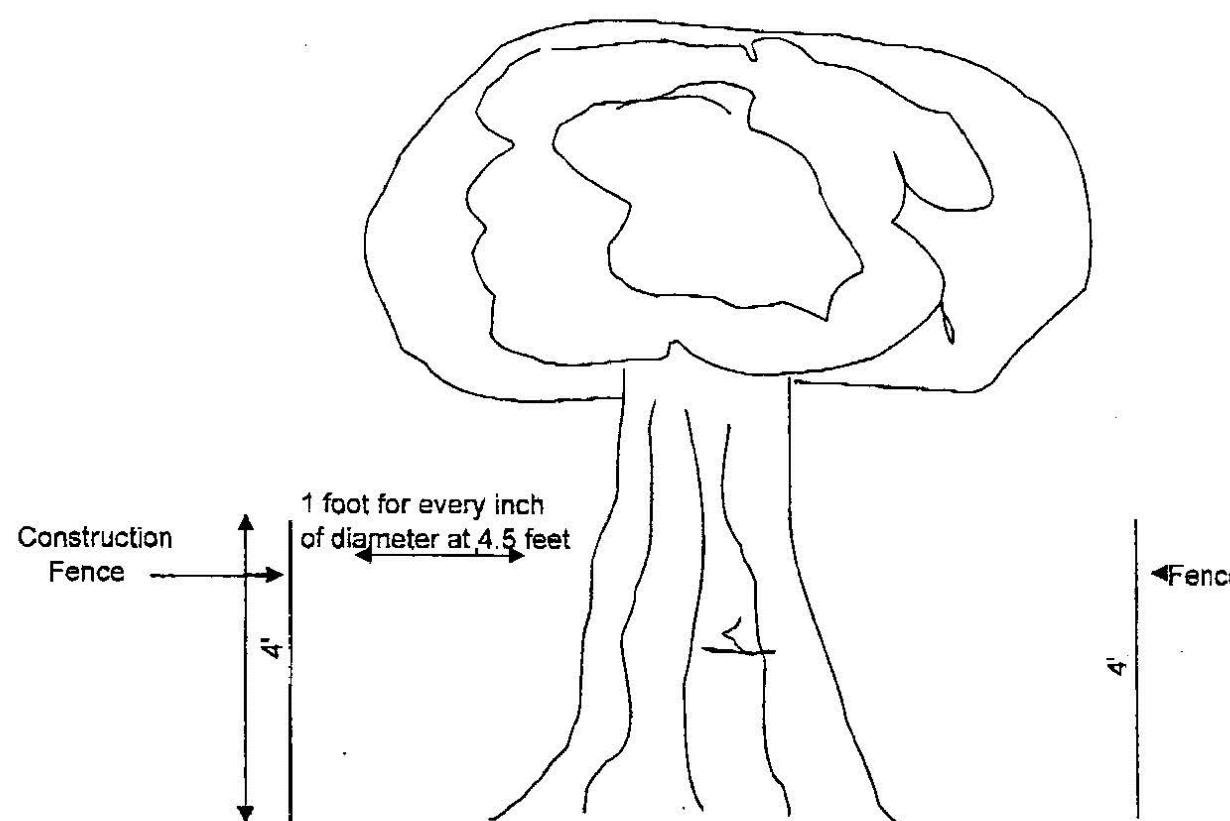


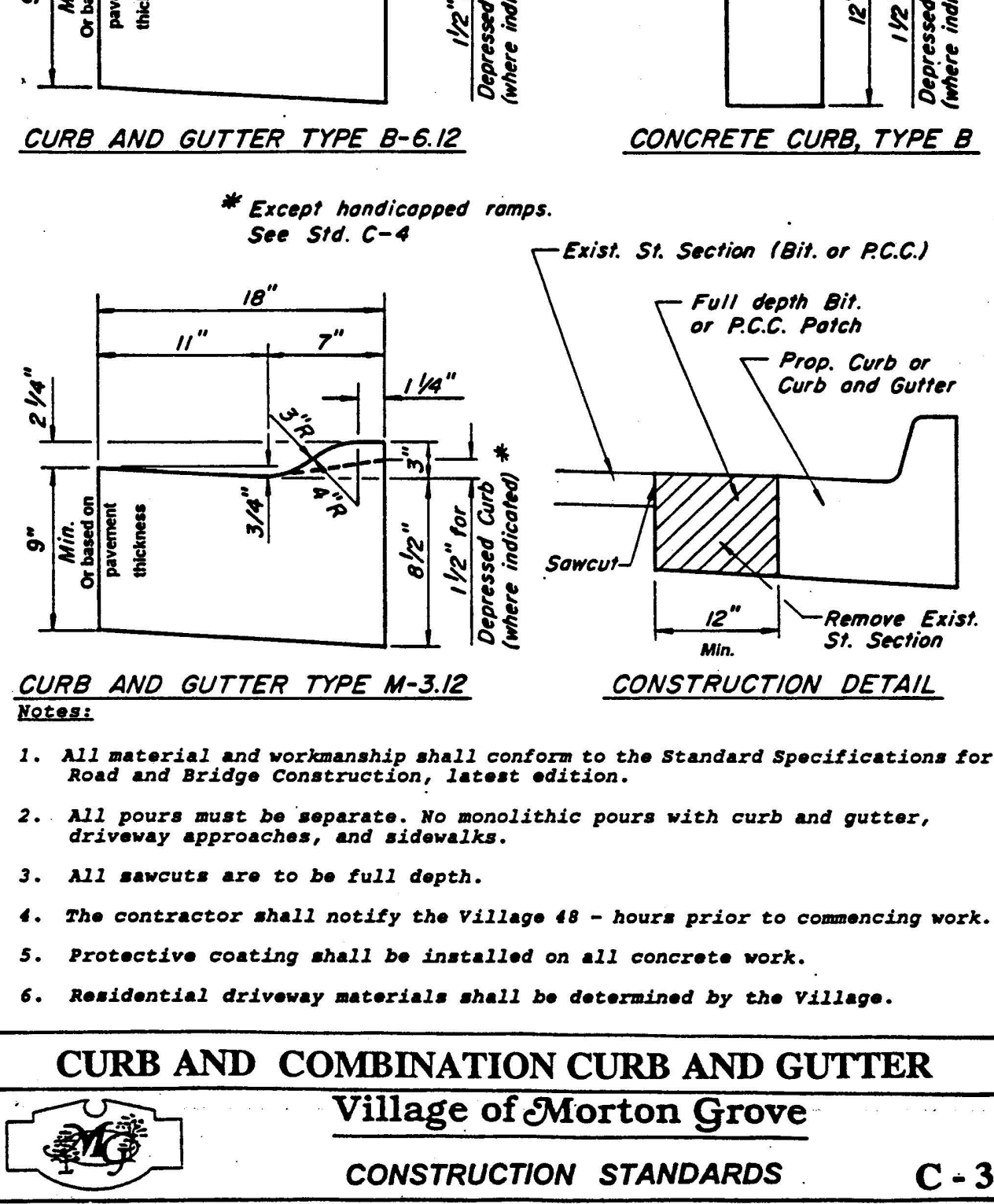
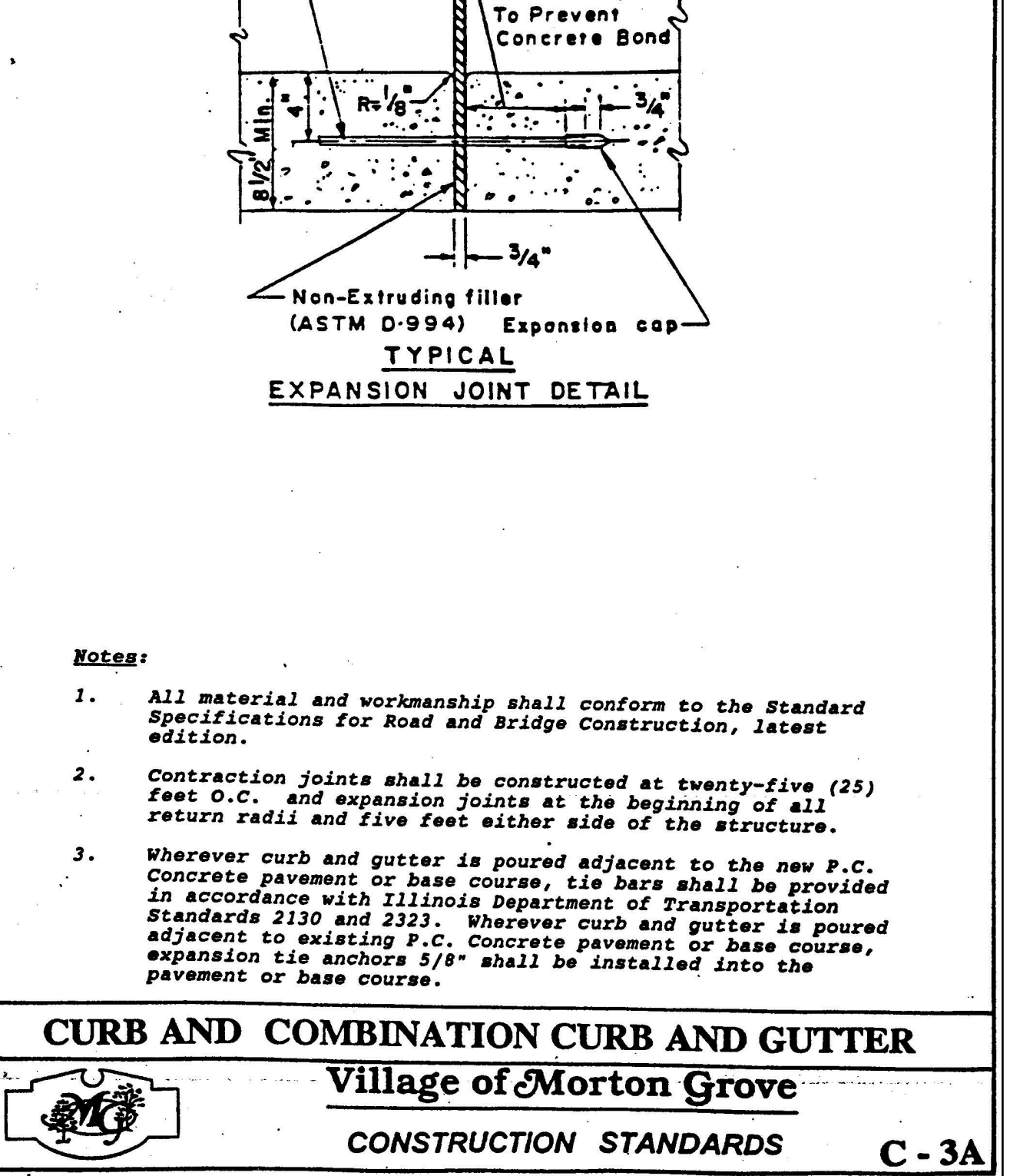
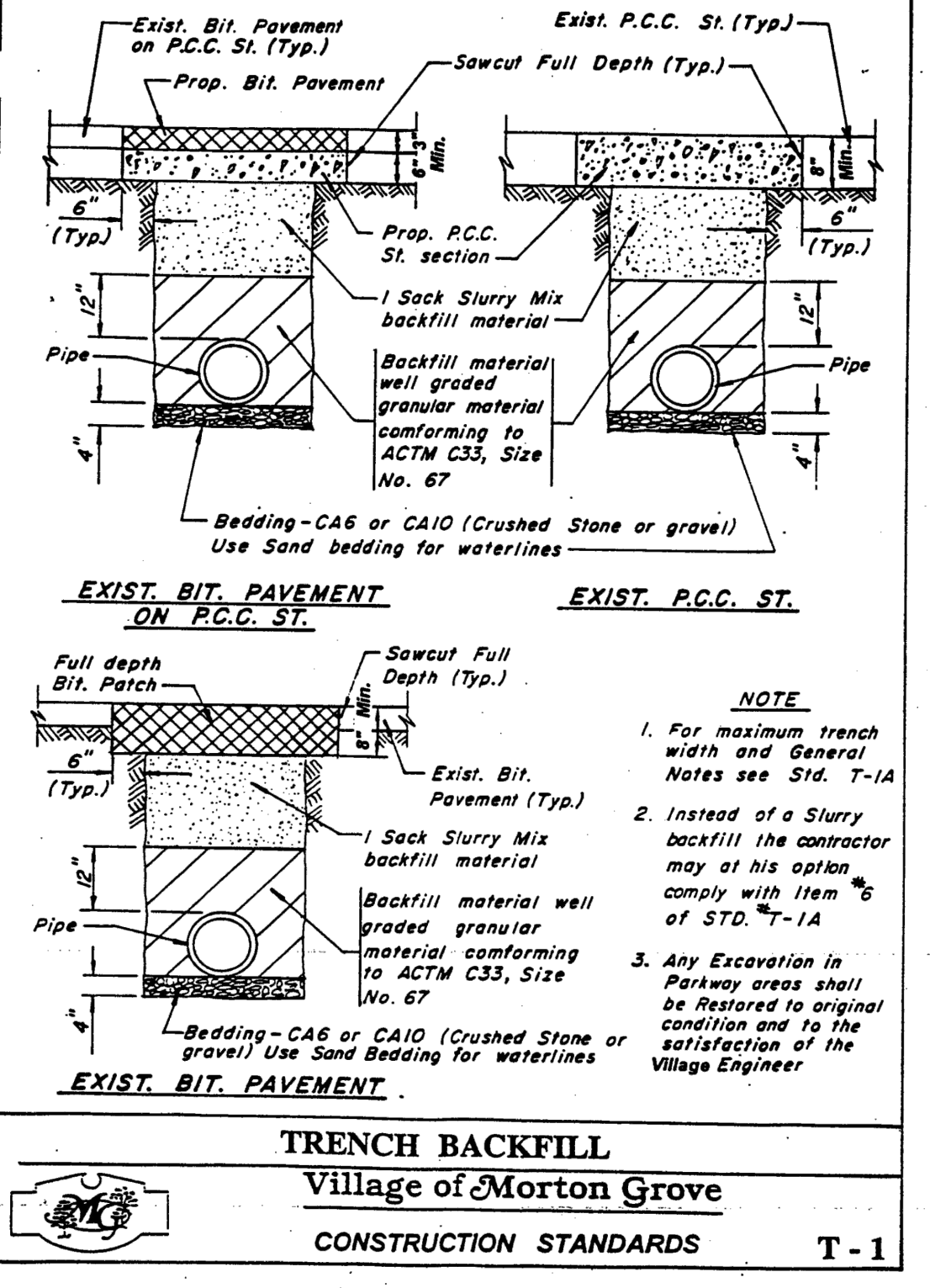
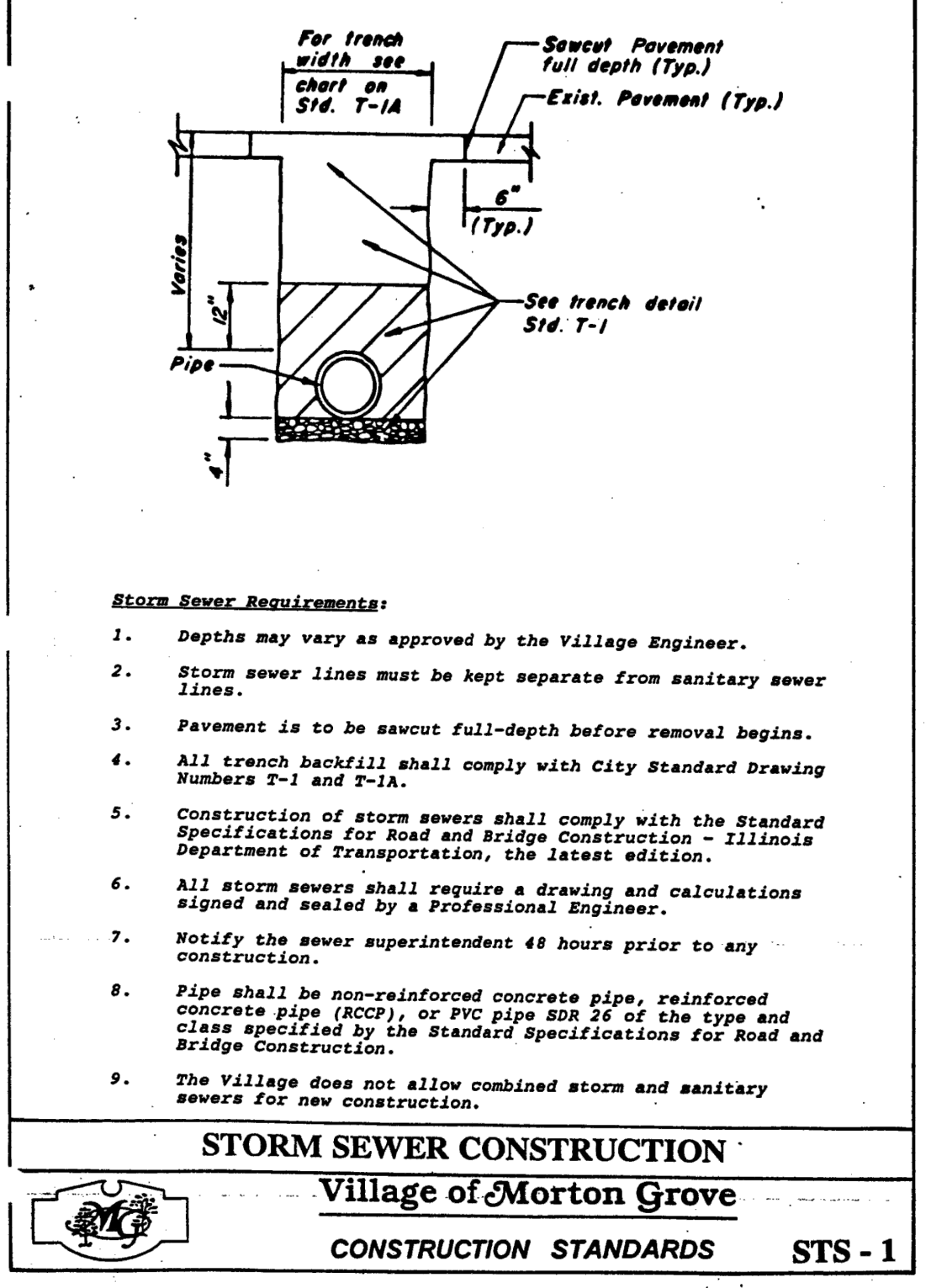
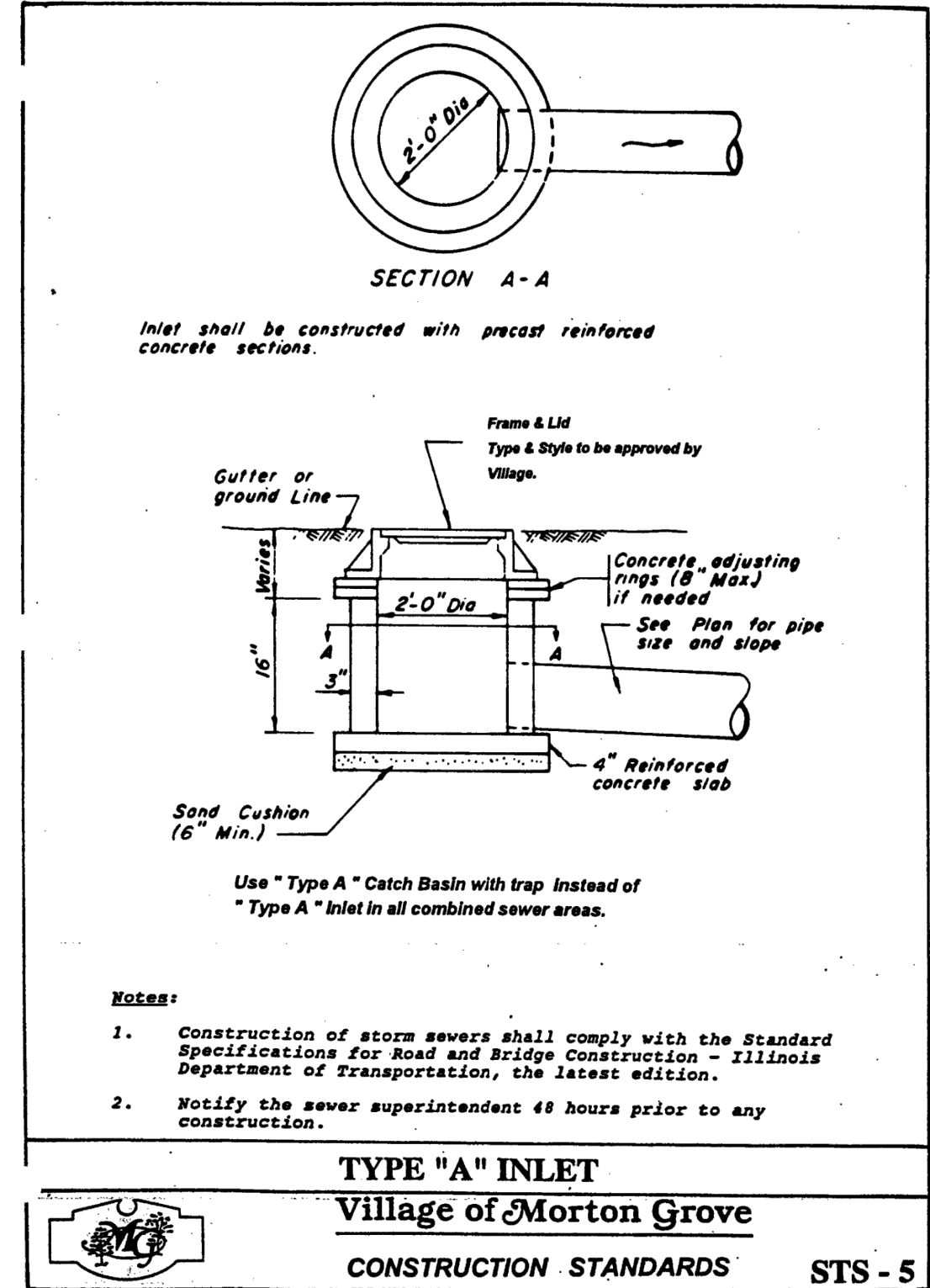
FIGURE 1

Before commencing any construction requiring a Village Permit, the contractor shall install tree protection fencing as required. This shall consist of a 4 ft. high-visibility mesh fence material secured to wood or metal posts which are spaced a maximum of 6 ft apart (see Figure 1 above). The fence shall be located a distance from the trunk equal to 1 foot for every inch of the tree's diameter measured at breast height (DBH = 4.5 ft from ground level) or as directed by the Director of Public Works or his duly authorized representative.

Underground utilities shall be located and properly marked by calling J.U.L.I.E. at 1-800-882-0123 prior to fence installation.

All required tree protection fencing shall be kept in proper maintenance from the beginning of construction until the completion of the project.

When required by Village Code (Section 7-2-9), failure to install and maintain any required tree protection fencing will result in the issuance of a fine, a stop work order on the project, or both for each occurrence. This is pursuant to Village Code Section 7-2-14.



SCALE IN FEET

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APPROVED BY: DRF  
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SCALE:  
DRAWING NO. 70097  
SHEET 6 OF 6

6451 MAIN STREET - MORTON GROVE, ILL.

SPECIFICATIONS/DETAILS