



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

**SEPTEMBER 30, 2025 - 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:** August 19, 2025

**III. PUBLIC HEARINGS CONTINUED:**

**CASE:** ZBA 25-12

**APPLICANT:** Bobby S. Chirayil  
5920 Monroe Street  
Morton Grove, Illinois 60053

**LOCATON:** 5920 Monroe Street  
Morton Grove, Illinois 60053

**PETITION:** Request for approval of variations from Section 12-4-2 and 12-2-6 of the Unified Development Code to allow an addition to exceed the maximum floor area ratio, lot coverage and is a rear yard obstruction.

**CASE:** ZBA 25-16

**APPLICANT:** Shajehan Baig and Sanah Kaleem  
5904 Warren Court  
Morton Grove, Illinois 60053

**LOCATON:** 5904 Warren Court  
Morton Grove, Illinois 60053

**PETITION:** Request for approval of variations from Sections 12-2-6 and 12-4-2 of the Unified Development Code to install a driveway in a required setback and exceeds maximum impermeable lot coverage.

**IV. PUBLIC HEARINGS:**

**CASE:** ZBA 25-17

**APPLICANT:** Stephen Wiggins  
7234 Emerson Street  
Morton Grove, Illinois 60053

**LOCATON:** 7234 Emerson Street  
Morton Grove, Illinois 60053

**PETITION:** Request for approval of a variation from Section 12-3-5 of the Unified Development Code to allow a fence in a street side yard exceeding height and transparency.

**CASE:**                   **ZBA 25-18**

**APPLICANT:**           Matthew Kucharik  
9113 McVicker Avenue  
Morton Grove, Illinois 60053

**LOCATON:**               9113 McVicker Avenue  
Morton Grove, Illinois 60053

**PETITION:**               Request for approval of variations from Sections 12-2-6, 12-4-2 and 12-15-4 of the Unified Development Code to allow replacement of a deck and front stairs on a non-conforming lot due to width.

**CASE:**                   **ZBA 25-19 WITHDRAWN**

**APPLICANT:**           Ioan Crisan  
9107 Mason Avenue  
Morton Grove, Illinois 60053

**LOCATON:**               9107 Mason Avenue  
Morton Grove, Illinois 60053

**PETITION:**               Request for approval of a variation from Section 12-4-2 of the Unified Development Code to allow an addition in a required side yard.

**CASE:**                   **ZBA 25-20**

**APPLICANT:**           Matthew and Melissa Davito  
9230 Newcastle Avenue  
Morton Grove, Illinois 60053

**LOCATON:**               9230 Newcastle Avenue  
Morton Grove, Illinois 60053

**PETITION:**               Request for approval of a variation from Section 12-2-5 of the Unified Development Code to allow a driveway in a required setback.

**V.     OTHER BUSINESS**       None

**VI.    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, September 30, 2025, 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 AUGUST 19, 2025  
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, Hussaini, Ingram, Kintner, and Stein

Members Absent: Liston and Mohr with notice

Village Staff Present: Brandon Nolin, AICP, Community Development Administrator  
Anne Ryder Kirchner, Planner/Zoning Administrator, and Secretary  
James English, Building and Inspectional Services

Trustees Present: Minx

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 5 Board members were present.

Chairman Kintner asked for approval of the July 15, 2025, meeting minutes. Board Member Dorgan moved to approve the minutes, Board Member Hussaini seconded the motion. Chairman Kintner called for the vote.

Board Member Dorgan voting	aye
Board Member Hussaini voting	aye
Board Member Ingram voting	aye
Board Member Stein voting	aye
Chairman Kintner voting	aye

Motion passes (5-0)

Chairman Kintner then called for the case.

**CASE ZBA 25-10**

APPLICANTS: Joseph and Julie Polanski  
6716 Maple Street  
Morton Grove, IL 60053

LOCATION: 6716 Maple Street  
Morton Grove, IL 60053

PETITION: Request for approval of variations from Sections 12-2-5 and 12-4-2 of the Unified Development Code to allow a deck that exceeds maximum rear yard and impermeable coverage.

Ms. Kirchner said the applicants are seeking to replace the deck with a reconfigured deck that observes the required side yard setback, but exceeds allowable rear yard and total lot coverage. The existing deck supports and deck boards are deteriorating, the applicants attempted to replace the decking which would have been allowed for zoning purposes, but determined the whole structure needed replacement. The proposed deck would be similar in dimensions to the existing deck and would not expand existing nonconformities.

Chairman Kintner asked for staff to comment on the detention facility for the adjoining subdivision to the north of the applicant's property. Ms. Kirchner acknowledged the detention system to the north which was required as part of the subdivision approval.

The applicants were sworn in. Mr. Polanski said they intended to replace the deck boards of the deck, but realized the footing were deteriorating and needed to be replaced. The deck and stairs provide access to the back yard and detached garage. The deck would be replaced in-kind.

Staff noted that replacing the decking would not require a variation, but replacing the entire structure would. Board member Stein asked if the deck would have been allowed prior to the impermeable lot coverage requirements of 2020. The deck would have been allowed prior to 2020.

Board member Hussaini asked if the deck has a step down to the pool. The step allows access to the pool stair. More detailed plans will be submitted for a building permit.

Mr. Polanski noted four letters of approval from neighbors were submitted.

There was no further public comment.

Board member Dorgan made a motion to approve Case ZBA 25-10, a request for approval of a variations from Sections 12-2-5:B and 12-4-2:D, to allow a deck that exceeds maximum rear yard and impermeable lot coverages, for the property commonly known as 6716 Maple Street subject to the following conditions:

- 1) The deck shall be installed in accordance with the plans submitted by the applicant in the Variation Application dated 7/10/2025.
- 2) The applicant shall file all necessary plans and applications, for review and approval, and secure all necessary building permits.

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

Board Member Dorgan voting	yes
Board Member Hussaini voting	yes
Board Member Ingram voting	yes
Board Member Stein voting	yes
Chairman Kintner voting	yes

Motion passes (5-0)

## CASE ZBA 25-11

APPLICANT: Shambhu Shah  
9356 Shermer Road  
Morton Grove, IL 60053

LOCATION: 9356 Shermer Road  
Morton Grove, IL 60053

PETITION: Requesting for approval of a variation from Section 12-2-5 of the Unified Development Code for an accessory structure located less than 10 feet from the principal structure.

Ms. Kirchner said the applicant is requesting a waiver from the ZBA to place a pergola over an existing attached patio. The structure will cover almost the entire width of the patio and will observe a 9.41-foot setback from the side property line. Pergolas and other accessory structures are required to be separated from the principal structure by 10 feet. The applicant does not wish to attach a pergola/structure to the house, but prefers the proposed detached style.

Board member Stein asked if a variation would be required if the pergola were attached to the home. Attached pergolas are allowed.

Board member Ingram asked what is the intent of the ten-foot offset, a shade structure would be welcome near the home. Ms. Kirchner said it is to eliminate the crowding of structures on a lot and it is not a fire code regulation. She noted that Mr. Dobrowski, Fire Prevention Coordinator, did not have an objection to the separation. It was noted that when the code was written, pergolas were not as prevalent as today. Board member Ingram noted that a pergola observing the 10-foot setback would add more surface area.

Board member Hussaini asked how the pergola would be attached to the ground. It needs to be secured and meet building code requirements.

Ms. Kirchner read Mr. Dobrowski's review statement, noting no open flame should be allowed under the pergola.

The applicant was sworn in. Mr. Shah said he would like to cover the patio for an external seating area.

Board member Stein asked if the applicant was concerned that water would flow to the house off of the pergola roof. Mr. Shah said there are gutters for the pergola roof that can be directed away from the house to the yard.

There was no public comment.

Board member Ingram made a motion to approve Case ZBA 25-11, a request for approval of a variation from Section 12-2-5:B.2 to allow a pergola to be less than ten feet from the principal structure for the property commonly known as 9356 Shermer Road, subject to the following conditions:

- 1) The proposed pergola shall be installed in accordance with the plans submitted by the Applicant in the Variation Application dated 7/11/2025.
- 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.
- 3) No open flames shall be used under the pergola.

Board member Dorgan seconded the motion with the addition of no open flames shall be used under the pergola. Chairman Kintner called for the vote on the modified motion.

Board Member Dorgan voting	yes
Board Member Hussaini voting	yes
Board Member Ingram voting	yes
Board Member Stein voting	no
Chairman Kintner voting	yes

Motion passes (4-1)

## CASE ZBA 25-12

APPLICANT: Bobby S. Chirayil  
5920 Monroe Street  
Morton Grove, IL 60053

LOCATION: 5920 Monroe Street  
Morton Grove, IL 60053

PETITION: Requesting for approval of variations from Sections 12-4-2 and 12-2-6 of the Unified Development Code for to allow an addition to exceed the maximum floor area ratio, lot coverage and is a rear yard obstruction.

Ms. Kirchner said the applicant is seeking to retain a sunroom addition that was installed without a permit on top of an existing attached garage. Plans submitted for review show the property is nonconforming as it currently exceeds maximum allowable lot coverage and maximum floor area. The sunroom addition will further exceed maximum floor area and the stairs will further exceed lot coverage and the allowable encroachment of 5 feet in the required rear yard.

The owner's application asks for waivers to allow both the sunroom and the stairs. The drawings submitted for permit review and for the variation application indicate the stairs will be removed. The owner should confirm the waivers that are being requested

Board member Ingram asked if the sunroom is considered a livable space. It is a livable space.

Board member Stein asked if the home exceeded lot coverage prior to building the sunroom. The property exceeded maximum impermeable coverage and did not have a variation.

Chairman Kintner asked if the original building plans exceeded the allowable 60% coverage. Ms. Kirchner said the patio area may have been added after the remodeling permit. At that time the Village did not have impermeable surface permits. He noted the existing FAR exceeds the maximum allowable without the sunroom addition.

Board member Hussaini asked if there was any heating or cooling of the sunroom. Staff does not have that information. Board member Stein said the architectural drawings are dated March 2, 2025, he asked if they were produced after the fact. They were produced after the fact for a building permit.

The applicant was sworn in. Mr. Chirayil said his original home was 1,200 square feet and he added a second floor and extended the rear of the home by 18 feet in 2012. He disputed the staff and architect's calculations and said his current home measures 3,098 square feet. He said his architect is out of town and miscalculated the area, the attic area and portions of the basement should not be counted. The applicant said he added the sunroom to stop water leaks on his flat roof and deck over the garage. He said his neighbor's do not object.

Chairman Kintner asked staff how to resolve the difference in calculations. Ms. Kirchner said she relies on the architect's stamped drawings and noted that the applicant's interpretation of FAR is incorrect. Mr. Chirayil said the architect was going to review his numbers.

Chairman Kintner said it is the architect's responsibility to provide the correct square footage calculations. Board members Stein and Ingram asked for the architect to provide calculations that follow the Unified Development Code. Staff and the applicant/architect should be in alignment with code interpretation. Discussion ensued regarding FAR and building a structure without a permit. It was noted that the application was not complete as it did not address the required four standards for a variation. Ms. Kirchner said staff will work with the applicant and architect prior if the case in continued.

Chairman Kintner asked if the stairs would require a variation or would be modified. Mr. Chirayil said the stairs will be modified.

Board member Stein made a motion to continue Case ZBA 25-12, Board member Dorgan seconded the motion. Chairman Kintner called for the vote.

Board Member Dorgan voting	yes
Board Member Hussaini voting	yes
Board Member Ingram voting	yes
Board Member Stein voting	yes
Chairman Kintner voting	yes

Motion passes (5-0)

## CASE ZBA 25-13

APPLICANT: Lara Lester  
9201 Austin Avenue  
Morton Grove, IL 60053

LOCATION: 9201 Austin Avenue  
Morton Grove, IL 60053

PETITION: Requesting for approval of a variation from Section 12-3-5 of the Unified Development Code to allow a fence in a street side yard

Ms. Kirchner said the Unified Development Code allows street yard fencing that is a maximum of 4 feet and height with 50 % transparency. The Applicant is requesting the variation in order to replace an existing fence which provides a secure yard, with the north portion allowing access from their side door. The southern portion is behind the principal structure, but angles into the street side yard. Staff acknowledges the unique lot shape with street frontage on all three sides of the property.

Board member Ingram asked where a six feet high fence would be allowed. Ms. Kirchner indicated the areas where a six feet high fence would be allowed. The property is a through lot with a front yard facing Austin, and street side yards facing Beckwith and Church.

Chairman Kintner noted a discrepancy in the staff report with the height of the north fence being 5 feet.

The applicants, Lara and Paul Lester, were sworn in. They noted the north fence will be 4 feet and 50% transparent, they will need a variation to have the fence ahead of the rear yard. She is asking to have the privacy fence along Church Street.

Board member Stein asked if the bushes on the north side would remain. They will be trimmed for the fence installation and will remain.

Susan Cipriani of 9143 Austin said she is in favor of the variation.

Board member Ingram made a motion to approve Case ZBA 25-13, a request for approval of a variation from Section 12-3-5 to allow fences in street front yards exceeding maximum height and transparency subject to the following conditions:

1. The proposed fences shall be built in accordance with the plans submitted by the applicant in the Variation Application dated 07/21/2025; and
2. The applicant shall file all necessary plans and applications, for review and approval, and secure all necessary building permits prior to the commencement of construction.

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

Board Member Dorgan voting	yes
Board Member Hussaini voting	yes
Board Member Ingram voting	yes
Board Member Stein voting	yes
Chairman Kintner voting	yes

Motion passes (5-0)

## CASE ZBA 25-14

APPLICANT: Archadeck of Chicagoland

395 A W. Northwest Highway  
Palatine, IL 60067

LOCATION: 8609 Callie Avenue  
Morton Grove, IL 60053

PETITION: Requesting for approval of variations from Sections 12-2-6, 124-2 and 12-15-4 of the United Development Code to allow replacement of an open sided porch and stairs in a required setback on a nonconforming lot due to width and area.

Ms. Kirchner said the existing porch and stairs are nonconforming with respect to side setback and front setback. The applicant is retaining the roof and replacing the footings, deck, stairs, railings and columns all of which are deteriorating. The subject property is also nonconforming with respect to lot width and area. In accordance with Section 12-15-4:A, any modification of existing structures or construction of new structures on a nonconforming lot must be approved by the ZBA.

Chairman Kintner said the nonconforming lot size would require a variation for any building permit. He asked how the front setback was determined. Ms. Kirchner explained the average of the block calculation.

The applicant, Andrew Berryhill of Archadeck, was sworn in. The porch is to be replaced in-kind and not expanded. Chairman Kintner asked for clarification of a plan sheet depicted a bay window. The applicant explained this is a generic plan sheet and the dimensions for the rail placement are shown on this page.

There was no public comment.

Board member Hussaini made a motion to approve Case ZBA 25-14, a request for variations from Sections 12-2-6, 12-4-2:D, and 12-15-4 to allow the reconstruction of an open sided porch and stairs as encroachments in side and front yards on a nonconforming lot due to width and area, subject to the following conditions:

- 1) The proposed open sided porch and stairs shall be constructed in accordance with the plans submitted by the applicant in the Variation Application dated 7/23/2025.
- 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 Stein seconded the motion. Chairman Kintner called for the vote.

Board Member Dorgan voting	yes
Board Member Hussaini voting	yes
Board Member Ingram voting	yes
Board Member Stein voting	yes
Chairman Kintner voting	yes

Motion passes (5-0)

Motion does not pass (3-2)

Chairman Kintner asked if case 25-16 could be heard in front of case 25-15 as the applicant of case 25-16 made both installations of pavers on the two properties.

**CASE ZBA 25-16**

APPLICANTS: Shajehan Baig and Sanah Kaleem  
5904 Warren Court  
Morton Grove, IL 60053

LOCATION: 5904 Warren Court  
Morton Grove, IL 60053

PETITION: Requesting for approval of variations from Sections 12-2-6 and 12-4-2 of the Unified Development Code to install a driveway in a required setback and exceeds maximum impermeable lot coverage.

Ms. Kirchner said the applicants are seeking to maintain the 0-foot side setback for the driveway along the east property line to the garage. The pavers were installed by the applicant without a permit, replacing an unpaved planting area along the fence and in the front yard adjoining the neighbor to the east. The installation is related to Case ZBA 25-15, 5900 Warren Court, as the owner of 5904 Warren Court installed the driveway pavers on the neighbor's property serving as a walk and/or extension of the width of the 5904 Warren Court driveway. Staff is concerned the widened driveway and adjacent walkway will be used as a parking pad in the front yard which is not permitted.

Chairman Kintner said the scope of this case is the pavers to the lot line and any paver across the lot line is under case 25-15. Resident are not allowed to park on a neighboring lot, or straddle the lot line, nor have the creation of an open accessory parking space.

The applicant was sworn in. Chairman Kintner noted that Board member Hussaini is abstaining from the case, leaving 4 Board members to vote and all 4 votes are needed to vote aye to approve the variation. He asked Mr. Baig if he would like to continue the case to the September meeting, where more Board members may be present.

Board member Ingram made a motion to continue Case ZBA 25-16 due to lack of attendance, Board member Dorgan seconded the motion. Chairman Kintner called for the vote.

Board Member Dorgan voting	yes
Board Member Hussaini voting	abstain
Board Member Ingram voting	yes
Board Member Stein voting	yes
Chairman Kintner voting	yes

Motion passes (4-0)

**CASE ZBA 25-15**

APPLICANT: Peter Konstantos  
5900 Warren Court

Morton Grove, IL 60053

LOCATION: 5900 Warren Court  
Morton Grove, IL 60053

PETITION: Requesting for approval of variations from Section 12-2-6 and 12-4-2 of the Unified Development Code to install a sidewalk in a required setback and exceed maximum impermeable lot coverage.

Ms. Kirchner said the applicant is requesting the ZBA's approval to allow an existing sidewalk addition in the front yard that does not meet the minimum sidewalk setback requirement of 3 feet (3'). The paver sidewalk was installed by the adjacent neighbor replacing an unpaved planting area. The installation is related to Case ZBA 25-16, as the owner of 5904 Warren Court installed the driveway pavers on the neighbor's property serving as a walk and/or extension of the width of the 5904 Warren Court driveway. The nonconforming sidewalk that existed prior to the pavers travels to a gate with a connecting fence that was installed without permit at an unknown date. Refer to the highlighted blue area in the site plan below.

Staff is concerned the widened walkway and adjacent widened driveway will be used as a parking pad in the front yard of 5904 Warrant Court which is not permitted.

The applicant was sworn in. Chairman Kintner asked if the applicant would like to proceed, as the related case has been continued. It was confirmed that Board member Hussaini is not abstaining in this case. Mr. Konstantos proceeded to explain why the bushes were removed and why the pavers were installed to replace the empty planting area. He said Mr. Baig does not park his car on his property all of the time. The pavers provide a clean look for both properties. He said the bushes would clog his sewer line.

Board member Ingram asked if code enforcement notes cars parked on lot lines. Mr. English said it is very frequently enforced.

Board member Ingram asked if the fence is on the lot line. The fence is on 5904 Warren Ct. and the gate is on 5900 Warren Ct.

Board member Dorgan said there are car tire tracks on the parkway next to the apron, showing a car is parking on the paver sidewalk. Mr. Konstantos said he is asking for a sidewalk extension and not a driveway extension. Mr. Nolin said the Village could cite both homeowners for accessory parking space in a front yard. Mr. Konstantos said he is here for his case and not the driveway.

Chairman Kintner said there is a pretty clear relationship between the neighbor's case and the applicant's case

Ms. Flatley, daughter of the owner of 5908 Warren Ct., said they do not have a problem with the sidewalk as it is only slightly over the allowable impermeable coverage and does not impact 5905 Warren Ct.

Ms. Abraham, of 5905 Warren Ct., prefers the paved way instead of the bushes.

Board member Ingram made a motion to approve Case ZBA 25-15, a request for approval of a variation from Section 12-2-6:G to allow the installation of a sidewalk within a required side setback that exceed maximum allowable impermeable lot coverage, subject to the following conditions:

1. The proposed walk shall be built in accordance with the plans submitted by the applicant in the Variation Application dated 06/18/2025; and

2. The applicant shall file all necessary plans and applications, for review and approval, and secure all necessary building permits prior to the commencement of construction.

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

Board Member Dorgan voting	no
Board Member Hussaini voting	yes
Board Member Ingram voting	yes
Board Member Stein voting	yes
Chairman Kintner voting	no

The motion does not pass (3-2)

Chairman Kintner asked for any other business or discussion.

Board Member Dorgan moved to adjourn the meeting, seconded by Board Member Hussaini. The motion to adjourn the meeting was approved unanimously pursuant to a roll call at 8:46 p.m.

Minutes respectfully submitted by Anne Ryder Kirchner.

**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:** September 23, 2025

**Re:** ZBA 25-12 – 5920 Monroe Street (09-13-115-007-0000)  
Requesting approval of variations from Sections 12-4-2:D and 12-2-6:G to allow an addition that exceeds the maximum allowable floor area ratio and lot coverage, and is a rear yard obstruction.

## STAFF REPORT

### Public Notice

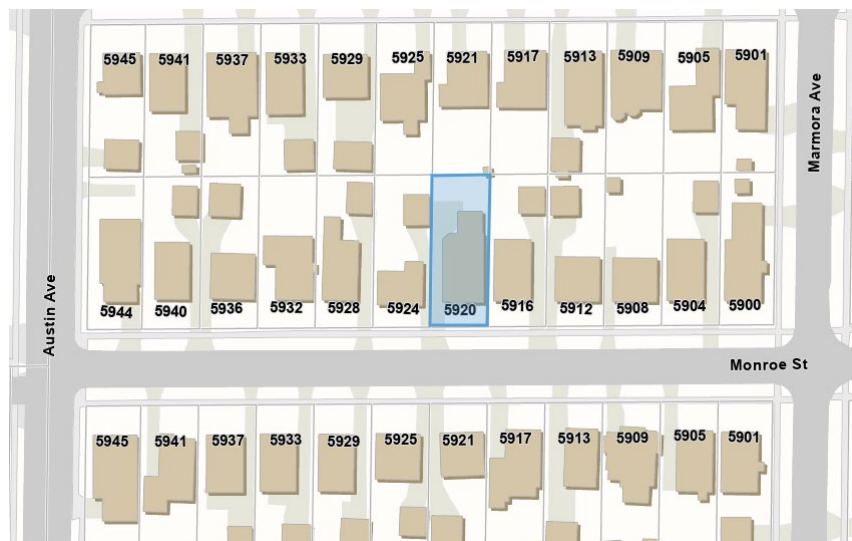
The Village of Morton Grove provided public notice for the September 30, 2025, Zoning Board of Appeals public hearing for ZBA 25-12 in accordance with Unified Development Code requirements. The *Morton Grove Champion* published a public notice on September 11, 2025. The case was initially heard by the Zoning Board of Appeals on August 19, 2025 and continued. The Village mailed letters on July 31, 2025, notifying surrounding property owners within one-hundred feet, and placed a public notice sign on the subject property on July 31, 2025 which has remained in place at the property for the purposes of the September 20, 2025 hearing.

### Request Summary

Following the initial public hearing with the Zoning Board of Appeals on August 19, 2025, the applicant revised their application to exclude a proposed stairwell. The applicant has also provided updated floor area calculations that have been used to confirm the extent of requested waivers. The initial staff report summarizing the case is presented below with related changes highlighted using red text for additions (Example) and red strike through text for omissions (~~Example~~).

### Property Background

The subject property at 5920 Monroe Street in Morton Grove, Illinois, is a 6,594-square-foot lot located on the north side of Monroe Street in between Austin and Marmora Avenues. The subject property is zoned R-2 Single Family Residence District and is improved with single-family residence with an attached garage. Surrounding properties are also zoned within the R-2 District and are improved with single-family residences.



**Subject Property Location Map**

Application Overview

The applicant and owner, Bobby Chirayil, is requesting waivers from Sections 12-4-2:D and 12-2-6:G to allow a sunroom addition and stairs that exceed maximum allowable floor area and lot coverage and encroach into the required rear yard. The addition was constructed without a permit in 2024, and the owner has a citation.



**Subject Property Street View (Left) and Aerial (Right)**

Requested Waivers

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

DIMENSIONAL CONTROL	ORDINANCE REQUIREMENT	EXISTING	PROPOSED	REQUESTED WAIVERS
Floor Area Ratio 12-4-2:D	Maximum 0.60 Permitted (3,956 sq. ft.)	0.62 (4,101 sq. ft.)	0.71 (4,650 sq. ft.)	Waiver of 694 sq. ft. to allow a floor area of 0.71
Impermeable Lot Coverage 12-4-2:D	Maximum 60% Permitted (3,956 sq. ft.)	62% (4,145 sq. ft.)	64% (4,223 sq. ft.)	Waiver of 78 sq. ft. to allow impermeable coverage of 64%
Permitted Obstruction (12-2-6:G)	Stairs/Steps Maximum 5-ft. encroachment	None	6-ft. encroachment	Waiver of 1 ft. to allow an encroachment of 6 ft.

As shown in the table, the following waivers are required to allow the installation of a new deck as proposed by the Applicant:

- Section 12-4-2:D: Waiver of 694 square feet to allow a floor area ratio of 0.71
- Section 12-4-2:D: Waiver of 78 square feet to allow impermeable coverage of 64%
- ~~Section 12-2-6:G: Waiver of 1 foot to allow a rear yard encroachment of 6 feet~~

**Discussion**

The applicant is seeking to retain a sunroom addition that was installed on top of an existing attached garage. Plans submitted for review show the property is nonconforming as it currently exceeds maximum allowable lot coverage and maximum floor area. The sunroom addition will further exceed maximum floor area. The stairs have been removed from the application, but if included would further exceed lot coverage and the allowable encroachment of 5 feet in the required rear yard.

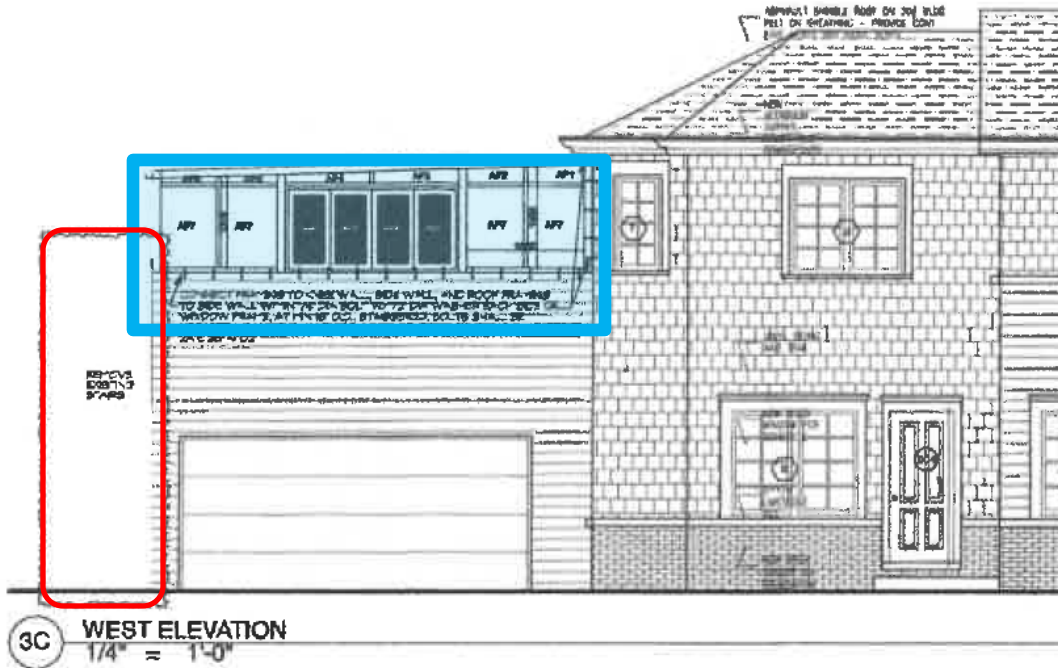
The owner's application asks for waivers to allow the sunroom as constructed. The revised drawings submitted with the variation application indicate the stairs will be removed.



**Sunroom as Built**



**Sunroom with Stairs**



**Sunroom Architectural Drawing as Built (highlighted in BLUE)  
with proposed removal of stairs (outlined in RED)**

**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 provided the responses to these standards in the Variation Application.

**Recommendation**

Should the Board approve Case ZBA 25-12, staff recommends the following motion and conditions:

*Motion to approve Case ZBA 25-12, a request for approval of a variation from Section 12-4-2:D, to allow an addition that exceeds maximum allowable floor area, lot coverage, and encroaches in a required rear yard, for the property commonly known as 5920 Monroe Street subject to the following conditions:*

- 1) *The addition shall be installed in accordance with the revised plans submitted by the applicant in the Variation Application received 9/9/2025.*
- 2) *The applicant shall file all necessary plans and applications, for review and approval, and secure all necessary building permits.*

**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: 25-12 Date Application Filed: 6/23/25  
06/16/2025

## APPLICANT INFORMATION

Applicant Name: BOBY-S. CHIRAYIL  
Applicant Address: 5920 MONROE ST  
Applicant City / State / Zip Code: MORTON GROVE, IL 60053  
Applicant Phone: 847-281-6808  
Applicant Email: [REDACTED]  
Applicant Relationship to Property Owner: SELF  
Applicant Signature: [Signature]

## PROPERTY OWNER INFORMATION (IF DIFFERENT FROM APPLICANT)

Owner Name: BOBY-S. CHIRAYIL  
Owner Address: 5920 MONROE ST  
Owner City / State / Zip Code: MORTON GROVE, IL 60053  
Owner Phone: 847-281-6808  
Owner Email: [REDACTED]  
Owner Signature: [Signature]

## PROPERTY INFORMATION

Common Address of Property: 5920 MONROE ST, MORTON GROVE, IL 60053  
Property Identification Number (PIN): 09-13-1-150-070000  
Property Square Footage: 3724  
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:

Purpose of requested variation (attach as needed): To increase the maximum floor area from 3956.4 to 4094.89 and also in order to construct the stairs for the back of the house extended to 5ft to 6.4ft

**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.

*See attached application*

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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.

*See attached application*

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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.

*See attached application*

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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.

*See attached application*

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Village of Morton Grove  
Zoning Board of Appeals  
6101 Capulina Avenue  
Morton Grove, IL 60053

Boby S. Chirayil  
5920 Monroe Street  
Morton Grove, IL 60053

Date:06/05/2025

Subject: Request for Variance to Construct a Sunroom Addition Over Garage

Dear Members of the Zoning Board of Appeals,

I, Boby S. Chirayil, owner of the property at 5920 Monroe Street, Morton Grove, IL 60053, respectfully submit this application for a variance to construct a sunroom addition above my existing garage.

The proposed addition will enhance the aesthetic appeal of the property while maintaining harmony with the neighborhood. This improvement will not adversely affect any neighboring properties in terms of privacy, sunlight, or structural concerns. Instead, it will contribute to the beautification of the community and potentially increase property values, thereby benefiting the Village through enhanced tax assessments.

I kindly request the Board's approval for this variance, as the project aligns with the Village's goals of maintaining attractive and well-kept residential areas. Please let me know if any additional information is required to process this request.

Thank you for your time and consideration. I look forward to your favorable response.

Sincerely,  
Boby S. Chirayil  
5920 Monroe Street  
Morton Grove, IL 60053  
847-281-6808



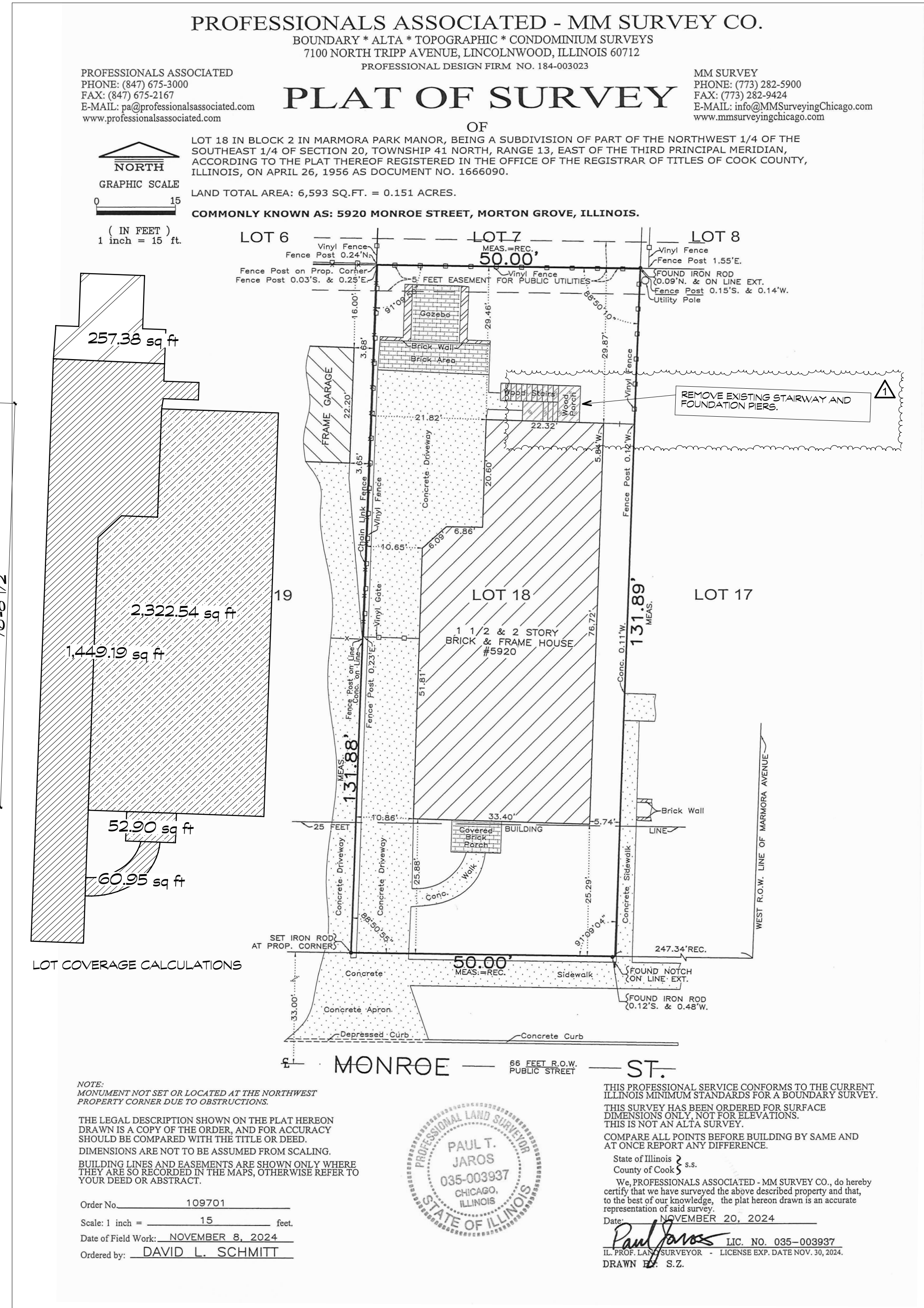
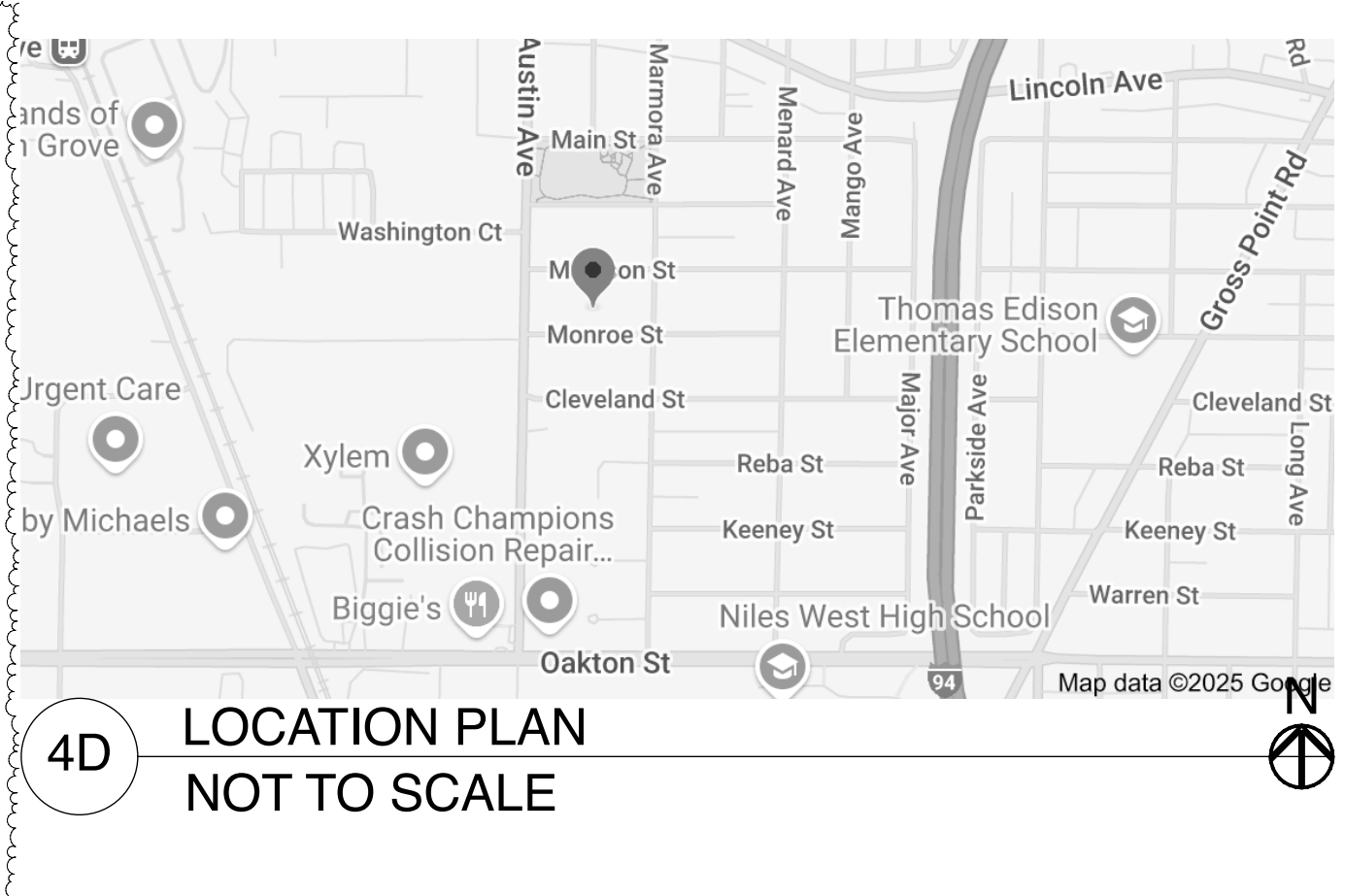
D  
C  
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A

- 1.0 GENERAL SPECIFICATIONS
- 1.1 ALL WORK WILL BE PERFORMED IN ACCORDANCE WITH MORTON GROVE BUILDING CODES & OTHER APPLICABLE CODES OR AUTHORITIES HAVING JURISDICTION. THE CONTRACTORS SHALL PERFORM THEIR WORK IN CONFORMANCE WITH FEDERAL, STATE, & LOCAL JOB-SITE SAFETY ORDINANCES, INCLUDING, BUT NOT LIMITED TO O.S.H.A. REGULATIONS.
- 1.2 EACH CONTRACTOR OR SUBCONTRACTOR BY ACCEPTING TO DO THE WORK ON THIS PROJECT ASSUMES THE WHOLE & ENTIRE RESPONSIBILITY, RISK LIABILITY, & AGREES TO INDEMNIFY, HOLD HARMLESS & DEFEND THE ARCHITECT, DAVID VINCENT FORTE, AGAINST ANY CLAIMS, LEGAL FEES, ETC. ARISING OUT OF THIS WORK.
- 1.3 EACH CONTRACTOR TO INSPECT & VERIFY ALL DIMENSIONS & CONDITIONS @ JOB SITE & REPORT TO ARCHITECT ANY DISCREPANCIES. THE DIMENSIONS ON THE DRAWINGS ARE REASONABLY ACCURATE FOR THE PURPOSE OF FIGURING. HOWEVER, IN EXECUTION OF WORK AT JOB, THE CONTRACTOR IS TO VERIFY ALL DIMENSIONS & ACTUAL CONDITIONS. DO NOT SCALE DRAWINGS: DIMENSIONS GOVERN. LARGE SCALE DETAILS GOVERN OVER SMALL SCALE PLANS.
- 1.4 IF CONFLICTS OCCUR BETWEEN LOCAL & NATIONAL CODE REQUIREMENTS, THE MORE RESTRICTIVE ONE SHALL APPLY UNLESS OTHERWISE DIRECTED BY THE LOCAL BUILDING CODE OFFICIAL.
- 1.5 ALL DIMENSIONS ARE MEASURED TO FINISHED FACE.
- 1.6 IT IS THE RESPONSIBILITY OF EACH CONTRACTOR/SUB-CONTRACTOR TO BECOME FAMILIAR WITH THE CODE REQUIREMENTS THAT EFFECT THEIR TRADE OR ASPECT OF WORK TO BE ACCOMPLISHED.
- 1.7 NO MATERIAL SUBSTITUTIONS SHALL BE ALLOWED WITHOUT THE EXPRESS WRITTEN PERMISSION OF THE OWNER & ARCHITECT. THE WORD EQUAL AS USED IN THESE DOCUMENTS IS TO MEAN OF EQUAL QUALITY & PERFORMANCE OR GREATER THAN THAT SPECIFIED. FINAL USE OF THE SUBSTITUTED PRODUCT IS SUBJECT TO FINAL APPROVAL BY THE ARCHITECT & THE OWNER.
- 1.8 ALL WORK SHALL BE PERFORMED IN A NEAT & WORKMANLIKE MANNER BY TRADESMEN WHO BY THEIR TRAINING ARE QUALIFIED TO PERFORM THE WORK.
- 1.9 EACH CONTRACTOR SHALL INCLUDE ALL LABOR, MATERIALS, TOOLS, EQUIPMENT, ETC. FOR THE COMPLETE CONSTRUCTION OF THE WORK SPECIFIED & INDICATED ON THE DRAWINGS & MAY BE REQUIRED TO PRODUCE THE INTENT OF THE DRAWINGS.
- 1.10 THE WORD "APPROVED" AS USED IN THESE DOCUMENTS IS TO MEAN AS REVIEWED & ACCEPTED BY LOCAL BUILDING DEPT., ARCHITECT & THE G.C.
- 1.11 ARCHITECT SHALL NOT HAVE CONTROL NOR RESPONSIBILITY FOR MEANS & METHODS FOR CONSTRUCTION, JOB SAFETY PROGRAMS IN CONNECTION WITH THE WORK.
- 1.12 STRUCTURAL CHANGES WITHOUT WRITTEN APPROVAL FROM ARCHITECT ARE NOT PERMITTED.
- 1.13 MATERIALS INSTALLED PER MOST CURRENT MANUFACTURERS' RECOMMENDATIONS, SPECIFICATIONS & INDUSTRY STANDARDS.
- 1.14 ANY DAMAGE TO EXISTING PROPERTY OR EQUIPMENT SHALL BE REPLACED OR REPAIRED AT NO COST TO THE OWNER.
- 1.15 THE G.C. SHALL ESTABLISH CORRECT ELEVATIONS AS SHOWN ON DRAWINGS, & SHALL EMPLOY A LAND SURVEYOR LICENSED IN THE STATE OF ILLINOIS, IF REQUIRED.
- 1.16 BRACING, SHORING OR TEMPORARY SUPPORT THAT MAY BE REQUIRED SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.
- 2.0 SITEWORK
- 2.1 PREPARE SITE AND EXCAVATE AS REQUIRED FOR CONCRETE PIERS.
- 3.0 CONCRETE
- 3.1 ALL CONCRETE WORK SHALL CONFORM TO ACI 318, STANDARD BUILDING CODE REQUIREMENTS FOR STRUCTURAL CONCRETE, LATEST EDITION. CONCRETE SHALL HAVE A STRENGTH OF Fc = 3500 PSI AT 28 DAYS. AT THE DISCRETION OF THE CONTRACTOR, HIGH EARLY STRENGTH CONCRETE MAY BE SUBSTITUTED, IF HIGH EARLY STRENGTH CONCRETE IS USED IT SHALL ATTAIN A MINIMUM STRENGTH OF 3500 PSI AT 7 DAYS.
- 3.2 COMPACTED GRANULAR FILL IN EXCESS OF 9 INCHES SUPPORTING INTERIOR BUILDING SLABS SHALL BE OF APPROVED GRANULAR MATERIAL PLACED IN LIFTS NOT TO EXCEED 6 INCH LOOSE THICKNESS & COMPACTED TO A MINIMUM OF 95% OF MAXIMUM DRY DENSITY IN ACCORDANCE WITH ASTM D 1557-70 MODIFIED PROCTOR. ALL GRANULAR FILL SHALL BE CA-7.
- 3.3 ALL FOOTINGS AND PIERS SHALL EXTEND A MINIMUM OF 4'-0" BELOW FINISHED GRADE.
- 3.4 ALL FOOTINGS SHALL BEAR ON FIRM UNDISTURBED SOIL OR APPROVED COMPACTED FILL, EITHER OF WHICH SHALL HAVE A MINIMUM BEARING CAPACITY OF 3000 PSI.
- 3.5 CONCRETE OPERATIONS PERFORMED IN COLD WEATHER &/OR SUBJECT TO FREEZING SHALL CONFORM TO STANDARD SPECIFICATION FOR COLD WEATHER CONCRETING (A 308-90) AS PUBLISHED BY AMERICAN CONCRETE INSTITUTE. CONCRETE SHALL NOT BE POURED ON SUBGRADE CONTAINING FREE WATER. ADDITIVES WITH CHLORIDES OR CHEMICALS WHICH ARE CORROSIVE TO REINFORCING STEEL SHALL NOT BE PERMITTED. ADDITIVES WHICH MAY REDUCE THE COMPRESSIVE STRENGTH OF CONCRETE SHALL NOT BE PERMITTED.
- 3.7 PROVIDE & INSTALL FOUNDATION REINFORCING STEEL, ANCHOR BOLTS, ETC. IN CONFORMANCE WITH THE DRAWINGS & AS MAY BE NECESSARY FOR THE NATURE OF THE WORK.
- 3.8 MINIMUM SPECIFIED COMPRESSIVE STRENGTH OF CONCRETE:  
A) PIERS - 3000 PSI  
B) STOOPS & WALKS - 3500 PSI
- 3.9 CONCRETE SHALL BE VIBRATED IMMEDIATELY AFTER PLACING.
- 3.10 PATCHING IS ALLOWED FOR MINOR DAMAGE OR HONEYCOMBING OF CONCRETE. REPAIR SHALL BE WITH A CEMENT MORTAR PASTE CONSISTING OF ONE PART OF PORTLAND CEMENT AND TWO PARTS SAND. MINOR REPAIR SHALL BE DONE IMMEDIATELY AFTER FORM STRIPPING.
- 3.11 EXPANSION JOINTS, WHERE SHOWN SHALL BE FULL DEPTH THICKNESS OF CONCRETE.
- 3.12 REINFORCING STEEL SHALL BE NEW BILLET STEEL CONFORMING TO ASTM A615 GRADE 60. EXCEPT FOR WWP, REINFORCING SHALL NOT BE WELDED. ALL PLACING & DETAILING TO CONFORM TO ACI MANUAL OF STANDARD PRACTICE FOR REINFORCEMENT.
- 4.0 MASONRY  
NONE REQUIRED
- 5.0 METALS  
NONE REQUIRED
- 6.0 CARPENTRY
- 6.1 DIMENSIONAL LUMBER FLOOR JOISTS SHALL HAVE A STRESS GRADE RATING OF 875 PSI (FIBER STRESS IN BENDING) & MODULUS OF ELASTICITY OF 1,400,000 PSI UNLESS OTHERWISE NOTED ON DRAWINGS. CANADIAN SPF NO. 2 OR BETTER.
- 6.2 PROVIDE SOLID BLOCKING OF AN AREA AT LEAST EQUAL TO THE POST. IT SUPPORTS BELOW ALL POINT LOADS TO PROPER BEARING. BOTH THE POST & THE BLOCKING BELOW IT SHALL REST ENTIRELY WITHIN THE AREA OF THE BEAM OR FOUNDATION WHICH SUPPORTS IT. BLOCKING SHALL BE TIGHTLY FITTED, SQUARE CUT & INSTALLED IN UPRIGHT POSITION.
- 6.3 ALL FLUSH FRAMED JOIST CONNECTIONS SHALL BE MADE WITH "SIMPSON" US10 JOIST HANGERS UNLESS OTHERWISE NOTED ON DRAWINGS. ALL POST-TO-BEAM & POST-TO-FOUNDATION CONNECTIONS SHALL BE MADE WITH APPROVED "SIMPSON" METAL CONNECTORS OR APPROVED EQUAL. TYPICAL BEAM TO POST CONNECTORS SHALL BE "SIMPSON" A44 "A" ANGLE, 66 "T" POST STRAP OR 66 "L" POST STRAP AS SHOWN ON DRAWINGS. OTHER TYPES MAY BE REQUIRED FOR SPECIFIC CONDITIONS & SHALL BE AS SHOWN ON DRAWINGS.
- 6.4 PROVIDE FIRESTOPPING IN CONCEALED SPACES OF STUD WALLS & PARTITIONS. INCLUDING FURRED SPACES, AT THE CEILING & FLOOR LEVEL. AT ALL INTERCONNECTIONS BETWEEN CONCEALED VERTICAL & HORIZONTAL SPACES SUCH AS OCCUR AT SOFFITS, DROP CEILING, COVE CEILING, ETC. IN CONCEALED SPACES SUCH AS OCCUR AT SOFFITS, DROP CEILING, COVE CEILING, ETC. IN CONCEALED SPACES BETWEEN STAIR STRINGERS AT THE TOP & BOTTOM OF THE RUN. PROVIDE NONCOMBUSTIBLE FIRESTOPPING MATERIAL AT OPENINGS AROUND VENTS, PIPES, DUCTS, CHIMNEYS & FIREPLACES AT CEILING & FLOOR LEVEL. FOR A MINIMUM DISTANCE AWAY FROM PIPE OR FLUE AS REQUIRED BY MANUFACTURER'S SPECIFICATIONS OR AS REQUIRED BY CODE. CUTOUTS IN FIRESTOPPING FOR MECHANICAL TRADES SHALL BE THE MINIMUM SIZE NECESSARY & SEALED WITH A FIRESTOPPING CAULK SO AS TO MAINTAIN THE

- INTEGRITY OF THE FIRESTOPPING MATERIAL. FIRESTOPPING CAULK SHALL BE AS TESTED BY A C.A.B.O. APPROVED TESTING AGENCY.
- 6.5 STRUCTURAL SHEATHING TO BE INSTALLED AS RECOMMENDED BY THE AMERICAN PLYWOOD ASSOCIATION & SHALL BE AS FOLLOWS:  
A) FLOOR SHEATHING- 3/4" TONGUE & GROOVE WITH EXTERIOR GLUE & NAILED TO JOISTS. PROVIDE 1/8" SPACING AT PANEL ENDS & EDGES. APA 321/6.  
B) UNDERLAYMENT- 1/4" LUAN GLEUED & RING SHANK NAILED AT TILE AREAS, BUTT PANEL ENDS & EDGES TO A CLOSE BUT NOT TIGHT FIT (ALLOW 1/32" SPACE)  
C) ROOF SHEATHING- 5/8" OSB WITH "H" CLIPS.
- 6.6 WALL BRACING SHALL BE PROVIDED BY EXTERIOR SHEATHING.
- 6.7 ALL EXTERIOR CAULKING SHALL BE WATER & WEATHER TIGHT. CAULKING MATERIAL SHALL BE COMPATIBLE WITH ALL SURFACES TO BE SEALED & WITH BACKER RODS. CAULK AT ALL COPINGS & AT JUNCTURE OF DISSIMILAR MATERIALS.
- 6.8 DECK FRAMING DESIGN LOADS:  
A) FLOOR - 40 LIVE + 30 DEAD = 75 PSF TOTAL
- 6.9 90 MPH WIND SPEED PER MORTON GROVE DESIGN STANDARDS.
- 6.10 STAIR TREADS MINIMUM 10 1/2" NOSING TO NOSING. STAIR RISERS MAXIMUM 7 1/2" HIGH OR AS CODE ALLOWS. PROVIDE MIN. 6'-8" HEADROOM. BALUSTERS SHALL BE SPACED SO AS NOT TO ALLOW THE PASSAGE OF A SPHERE OF 4" OR GREATER IN DIA.
- 6.11 ALL MULTIPLE MEMBER BEAMS, SUCH AS 3-2X12'S OR 2-2X12'S, ARE INTENDED TO HAVE FULL LENGTH MEMBERS. SPLICING OF MEMBERS IS NOT ACCEPTABLE. BEAM MEMBERS SHALL BE FULL LENGTH FROM BEARING POINT TO BEARING POINT.
- 6.12 NOTCHING & BORING OF FLOOR JOISTS, EXTERIOR WALLS, BEARING WALLS, NON-BEARING WALLS, & OTHER BUILDING ELEMENTS SHALL BE SUBJECTED TO THE LIMITATIONS SET FORTH BY THE GOVERNING CODES.
- 6.13 ONLY TREATED LUMBER MAY BE USED AS STRUCTURAL MEMBERS IN CONTACT WITH CONCRETE OR IN BELOW GRADE CONDITIONS. THEREFORE, ALL PORCH POSTS, BASEMENT POSTS & SILL PLATES MUST BE TREATED. PROVIDE SILL SEALER UNDER SILL PLATED IN CONTACT WITH CONCRETE.
- 6.14 BEARING POSTS NOTED AS 3-2X4, 4-2X4 ETC. IS INTENDED TO MEAN THAT THE ENTIRE AREA OF THE POST SPECIFIED ON DRAWINGS IS PROVIDED FOR BEAM TO REST ON. THEREFORE, IF A 3-2X4 POST IS SPECIFIED ON DRAWINGS THEN A BEARING AREA OF 4' 1/2" X 3' 1/2" IS TO BE PROVIDED. MIN BEARING FOR HEADERS IN OPENINGS OF 6'-0" OR GREATER SHALL BE 2-2X4.
- 6.15 HANDRAILS SHALL BE LOCATED 36" ABOVE STAIR TREAD MEASURED FROM NOSING.
- 6.16 GUARDRAILS SHALL BE 42" ABOVE FINISHED FLOOR.
- 7.0 THERMAL & MOISTURE CONTROL
- 7.1 PROVIDE NEW INSULATION AT EXISTING EXTERIOR WALLS TO MEET THE GREATEST OBTAINABLE R-VALUE.
- 7.2 STUFF INSULATION AROUND EXTERIOR DOOR & WINDOW OPENINGS & TAKE CARE TO INSULATE BEHIND ELECTRICAL OUTLETS IN EXTERIOR WALLS.
- 7.3 ALL CONCEALED FLASHING SHALL BE MINIMUM OF 26 GAUGE SHEET METAL. PROVIDE SHEET METAL BABY TIN SIDE WALL FLASHING AT ALL ROOF TO WALL CONNECTIONS. INSTALLATION IN COMPLIANCE WITH SMACNA.
- 7.5 FLASH ALL ROOF TO WALL CONDITIONS.
- 8.0 DOORS, WINDOWS & GLAZING
- 8.1 SUNROOM SYSTEM WILL BE AS MANUFACTURED BY BAVILLA DOORS AND WINDOWS SYSTEMS. NOTE: SUNROOM IS IN PLACE AT THE TIME OF THE PREPARATION OF THESE DRAWINGS.
- 9.0 FINISHES
- 9.1 FURNISH & INSTALL U.S. GYPSUM OR EQUAL TAPERED WALLBOARD W/ METAL CORNER BEADS. MACHINE TAPE ALL JOINTS WITH FERRA TAPE OR EQUAL. WALLBOARD SHALL BE ATTACHED USING MANUFACTURER'S RECOMMENDATIONS & FINISHED SURFACES SHALL BE FREE FROM WAVES, PITS & BUCKLES. DRYWALL SHALL BE SCREWED & GLEUED USE 1/2" & 5/8" FIRECODE GYPSUM BOARD AS INDICATED ON THE PLANS & DETAILS & AS REQUIRED BY THE GOVERNING CODE. ONCE THE DRYWALL IS INSTALLED, THE DRYWALL CONTRACTOR ACCEPTS RESPONSIBILITY FOR THE FINAL DRYWALL APPEARANCE.
- 9.4 FLAME SPREAD RATING FOR WALL & CEILING FINISHES SHALL NOT BE GREATER THAN 200.
- 9.5 SMOKE DENSITY FOR WALL & CEILING FINISHES SHALL NOT BE GREATER THAN 450.
- 9.6 ALL INTERIOR WALLS & CEILINGS, EXCEPT THOSE WHICH WILL RECEIVE TILE OR STONE FINISH, SHALL RECEIVE ONE COAT OF LATEX PRIMER SUITABLE FOR GYPSUM BOARD & TWO (2) COATS OF SATIN FINISH LATEX PAINT.
- 9.7 ALL EXTERIOR WOOD TRIM & SIDING SHALL RECEIVE ONE (1) COAT OF OIL BASE EXTERIOR SOLID COLOR STAIN (OILY OR EQUAL). WALLBOARD SHALL BE ATTACHED USING MANUFACTURER'S RECOMMENDATIONS & FINISHED SURFACES SHALL BE FREE FROM WAVES, PITS & BUCKLES. DRYWALL SHALL BE SCREWED & GLEUED USE 1/2" & 5/8" FIRECODE GYPSUM BOARD AS INDICATED ON THE PLANS & DETAILS & AS REQUIRED BY THE GOVERNING CODE. ONCE THE DRYWALL IS INSTALLED, THE DRYWALL CONTRACTOR ACCEPTS RESPONSIBILITY FOR THE FINAL DRYWALL APPEARANCE.
- 9.8 PAINTER SHALL INSPECT ALL SURFACES TO BE PAINTED, STAINED OR OTHERWISE FINISHED, & SHALL REPORT ANY AREAS WHICH ARE NOT PROPERLY PREPARED FOR HIS WORK TO THE GENERAL CONTRACTOR. THE PAINTER SHALL NOT UNDER ANY CIRCUMSTANCES FINISH ANY SURFACE NOT PROPERLY PREPARED FOR HIS WORK. USE BRUSHES, ROLLERS & SPRAY EQUIPMENT WHERE SUITABLE. SPRAY EQUIPMENT SHALL ONLY BE USED TO APPLY PRIMER THROUGHOUT & FINISH COATS IN GARAGE WITHOUT PRIOR APPROVAL FROM ARCHITECT. PUTTY ALL NAIL HOLES & SPRAY IMPERFECTIONS IN WALL & CEILINGS. LIGHTLY SAND SURFACES BETWEEN COATS OF SEMI-GLOSS ENAMEL OR VARNISH. USE DROP CLOTHS, MASK OR OTHERWISE PROTECT PREVIOUSLY FINISHED SURFACES DURING PAINTING. ALL DOORS WILL RECEIVE ONE (1) COAT OF PRIMER & ONE (1) COAT OF FINISH ON ALL SURFACES (INCLUDING HINGE & LOCK MORTISES).
- 9.9 INSTALL CERAMIC FLOOR TILE AS DIRECTED BY OWNER.
- 15A.0 HEATING, VENTILATING, & AIR-CONDITIONING  
NONE REQUIRED
- 15B.0 PLUMBING  
NONE REQUIRED
- 16.0 ELECTRICAL
- 16.1 A COMPLETE & OPERABLE ELECTRICAL SYSTEM TO BE INSTALLED IN ACCORDANCE WITH NATIONAL, STATE & LOCAL CODES.
- 16.2 PROVIDE GROUND FAULT INTERRUPTER OUTLETS AT ALL BATHROOM OUTLETS. ALL OUTLETS WITHIN 6'-0" OF A WATER SOURCE SHALL BE GFI PROTECTED. ALL GFI OUTLETS TO BE 20 AMP.
- 16.3 PROVIDE ARC FAULT INTERRUPTER OUTLETS AT ALL OTHER OUTLETS.
- 16.4 ELECTRICAL OUTLETS IN LIVING AREAS SHALL BE SPACED AT NOT MORE THAN 12' O.C.
- 16.5 PROVIDE 110V POWERED SMOKE DETECTORS (U.L. APPROVED W/ WARNING DEVICE), HARD WIRED IN SERIES W/ BATTERY BACK-UP. PROVIDE SEPARATE CIRCUIT AT PANEL. ALL DETECTORS SHALL SOUND WHEN ONE SOUNDS. DEVICES SHALL BE LOCATED PER MANUFACTURER'S REQUIREMENTS AS REGARDS CEILING FANS AND SUPPLY/RETURN DIFFUSERS (TYPICALLY NO CLOSER THAN 3'-0").
- 16.5(A) PROVIDE 110V POWERED CO DETECTORS (U.L. APPROVED W/ WARNING DEVICE) OR COMBINATION SMOKE/CO DETECTOR, AS INDICATED ON THE DRAWINGS. HARD WIRED IN SERIES W/ BATTERY BACK-UP. PROVIDE SEPARATE CIRCUIT AT PANEL. ALL DETECTORS SHALL SOUND WHEN ONE SOUNDS. DEVICES SHALL BE LOCATED WITHIN 15'-0" OF ALL BEDROOMS ON ALL FLOORS.
- 16.6 THE ELECTRICAL & GENERAL CONTRACTOR SHALL SCHEDULE A WALK-THRU MEETING WITH THE OWNER PRIOR TO THE START OF THE ELECTRICAL ROUGH-IN IN ORDER TO ALLOW THE OWNER THE OPPORTUNITY TO DISCUSS, CHANGE OR ADD ELECTRICAL LIGHTS, SWITCHES, OUTLETS AS NECESSARY TO SUIT THE FUNCTIONAL, DECORATOR AND/OR PERSONAL DESIRES OF THE OWNER. ALL RECESSED CAN LIGHTS & OUTLETS SHALL BE NAILED IN PLACE WITHOUT BEING PIPED UNTIL SUCH TIME THAT THE OWNER & G.C. HAVE APPROVED ALL SUCH LOCATIONS.
- 16.7 ALL INTERIOR ELECTRICAL DISTRIBUTION TO BE RUN IN GALVANIZED THINWALL CONDUIT (EMT) EXCEPT CONDUIT EXPOSED TO OUTDOORS, WHICH SHALL BE GALVANIZED RIGID HEAVY WALL

- CONDUIT. ALL ELECTRICAL CONDUCTORS ARE TO BE SOLID COPPER IN ELECTRICAL METALLIC TUBING.
- 16.10 VERIFY ALL EQUIP. POWER REQUIREMENTS & PROVIDE SEPARATE & BALANCED CIRCUITS AS REQ'D. SEE PLANS FOR LOCATION OF ALL EQUIPMENT. PROVIDE COMPLETE WIRING & STARTERS FOR ALL PERTINENT MECHANICAL EQUIPMENT, SIZE AS REQUIRED.
- 16.11 ALL FLEXIBLE WHIPS TO HAVE GROUNDING CONDUCTORS NO MATTER THE LENGTH.
- 16.12 ALL CEILING OUTLETS ARE TO BE TREATED AS CEILING FAN SUPPORT BOXES & ANCHORED TO BUILDING STRUCTURE EXCEPT CLOSET FIXTURE BOXES.
- 16.13 ALL RECEPTACLES TO BE BONDED TO RACEWAY INCLUDING GFI & SWITCH IDENTIFIED FOR TESTING.
- 16.14 ALL ELECTRICAL DEVICES TO BE LOOPED & PIGTAILED.
- 16.15 EXCEPT AS OTHERWISE INDICATED, ALL SWITCH PLATES SHALL BE MOUNTED VERTICALLY AT 3'-8" AFF TO CENTERLINE OF PLATE. WHERE SWITCHES ARE SHOWN NEXT TO DOOR JAMBS &/OR CASING OPENINGS, KEEP SWITCHES AS TIGHT TO CASING AS POSSIBLE (3" FROM PLATE TO EDGE OF CASING MAXIMUM). WHERE NO DIMENSION IS SHOWN FOR ELECT. DEVICE OR FIXTURE, OR A CONFLICT EXISTS, VERIFY WITH ARCHITECT PRIOR TO ROUGH-IN.
- 16.16 WHERE NO DIMENSION IS SHOWN FOR ELECTRICAL DEVICE AND/OR FIXTURE, OR A CONFLICT EXISTS, VERIFY WITH OWNER PRIOR TO ROUGH-IN.

ZONING CALCULATIONS	
R-2	LOT AREA 6594
IMPERM COV ALLOW (.6)	= 3956.4
FIRST FLOOR AREA	2323
COVERED PORCH	53
DRIVEWAY	1450
FRONT WALK	61
GAZEBO AND PAV	258
TOTAL	4145
FLOOR AREA ALLOW (.6)	= 3956.4
FIRST FLOOR	2325.20 sq ft
SECOND FLOOR	1864.48 sq ft
TOTAL EXISTING	4189.68 sq ft
PROPOSED ADD.	460.72 sq ft
TOTAL PROPOSED FLOOR AREA	4650.40 sq ft



- CODE REQUIREMENTS**
- All work and materials shall meet the requirements of applicable Local, State, and National codes including but not limited to:
- 2018 International Building Code
  - 2018 International Existing Building Code
  - 2018 International Residential Code
  - 2018 International Fuel Gas Code
  - 2018 International Mechanical Code
  - 2014 Illinois Plumbing Code
  - 2011 National Electric Code
  - 2018 International Property Maintenance Code
  - 2018 International Fire Prevention Code
  - Life Safety Code, NFPA 101
  - 2021 International Energy Conservation Code
- Plus all local amendments.

- INDEX TO DRAWINGS**
- G-001 INDEX TO DRAWINGS
  - LOCATION PLAN
  - BLDG CODES INFORMATION
  - GENERAL NOTES
  - PLAT OF SURVEY
  - A-101 FLOOR PLANS
  - STUD AND JOIST PENETRATION DIAGRAMS
  - A-102 EXTERIOR ELEVATIONS
  - FRAMING CONNECTION DETAILS

- SD-01 SHOP DRAWINGS
  - SD-02 SHOP DRAWINGS
  - SD-03 SHOP DRAWINGS
- NOTE: ARCHITECT MAKES NO REPRESENTATION AS TO THE COMPLETENESS OR STRUCTURAL ADEQUACY OF THE SUNROOM STRUCTURE OR COMPONENTS. SHOP DRAWINGS ARE INCLUDED TO PRESENT INFORMATION AS PROVIDED BY BAVILLA WINDOWS AND DOORS, AS REPRESENTING THE EXISTING, IN-PLACE CONDITIONS.

**Sunroom Addition**  
**The Chirayl Residence**  
5920 Monroe Street • Morton Grove, IL

**DAVID SCHMITT ARCHITECT**  
8441 KARLOV AVENUE, SKOKIE, IL 60076  
TELEPHONE 224.578.2078

EXPIRES 11/2026

I hereby certify that these drawings were prepared by me or under my direct supervision, and to the best of my knowledge comply with the Building Ordinance, Zoning Ordinance and other applicable codes and ordinances of Morton Grove, IL.

REVISION	DATE
▲	4/6/25
▲	9/9/25

**March 2, 2025**

**G-001**  
1 OF 3



**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:** August 12, 2025

**Re:** ZBA 25-16 – 5904 Warren Court (10-20-431-011-0000)  
Request for a waiver from Sections 12-2-6 and 12-4-2 of the Unified Development Code to install a driveway in a required setback and exceeds maximum impermeable lot coverage

## STAFF REPORT

### Public Notice

The Village of Morton Grove provided public notice for the August 19, 2025, Zoning Board of Appeals public hearing for ZBA 25-16 in accordance with Unified Development Code requirements. The *Morton Grove Champion* published a public notice on July 31, 2025. The Village mailed letters on July 31, 2025, notifying surrounding property owners within one-hundred feet, and placed a public notice sign on the subject property on July 31, 2025.

### Request Summary

#### Property Background

The subject property is a 5,891-square-foot lot located on the north side of Warren Court, west of Marmora Avenue. The property is zoned in a R-2 Single Family Residence District and improved with a single-family residence and detached garage in the rear yard. The properties to the north, south, east and west are also zoned R-2 Single Family Residence and improved with single-family residences. Warren Court abuts the M-1 Restricted Manufacturing District to the west. The Village of Skokie and Niles West are across Oakton Avenue to the south.



**Subject Property Context Map**

Application Overview

The applicants and homeowners, Shahjehan Baig and Sanah Kaleem, are seeking waivers to authorize an existing nonconforming driveway that was expanded without a permit. The driveway is set back 0 feet (0') from the side lot line. A setback of 3 feet (3') setback from the side property line is required. The applicant is requesting a waiver of 3.0 feet to allow a 14.1-foot wide driveway that is setback of 0 feet from the side lot line for 94 feet. A waiver is also required for lot coverage as the existing nonconforming lot coverage is being increased with the drive installation.

Requested Waivers

The following table provides an overview of the requested waivers for the installed driveway addition:

<b>Dimensional Control</b>	<b>Code Requirement</b>	<b>Existing</b>	<b>Proposed</b>	<b>Waiver Request</b>
<b>Driveway Setback</b> (12-2-5:B.5.b.ii.1)	Driveways shall be a minimum width of eight and one-half feet (8.5'), shall be set back a minimum of three feet (3') from any non-driveway approach lot line, and shall be limited to a maximum width of sixteen feet (16') at front lot line	Driveway 0 ft. from side lot line	Driveway 0 ft. from side lot line	<b><i>Waiver of 3.0 ft. to allow a setback of 0 ft. for the driveway</i></b>
<b>Impermeable Lot Coverage</b> (12-4-2:D)	Maximum 60% (3,534 sq. ft.)	76% (4,469 sq. ft.)	81% (4,751 sq. ft.)	<b><i>Waiver of 5% to increase existing nonconforming lot coverage by 282 sq. ft. (5%)</i></b>

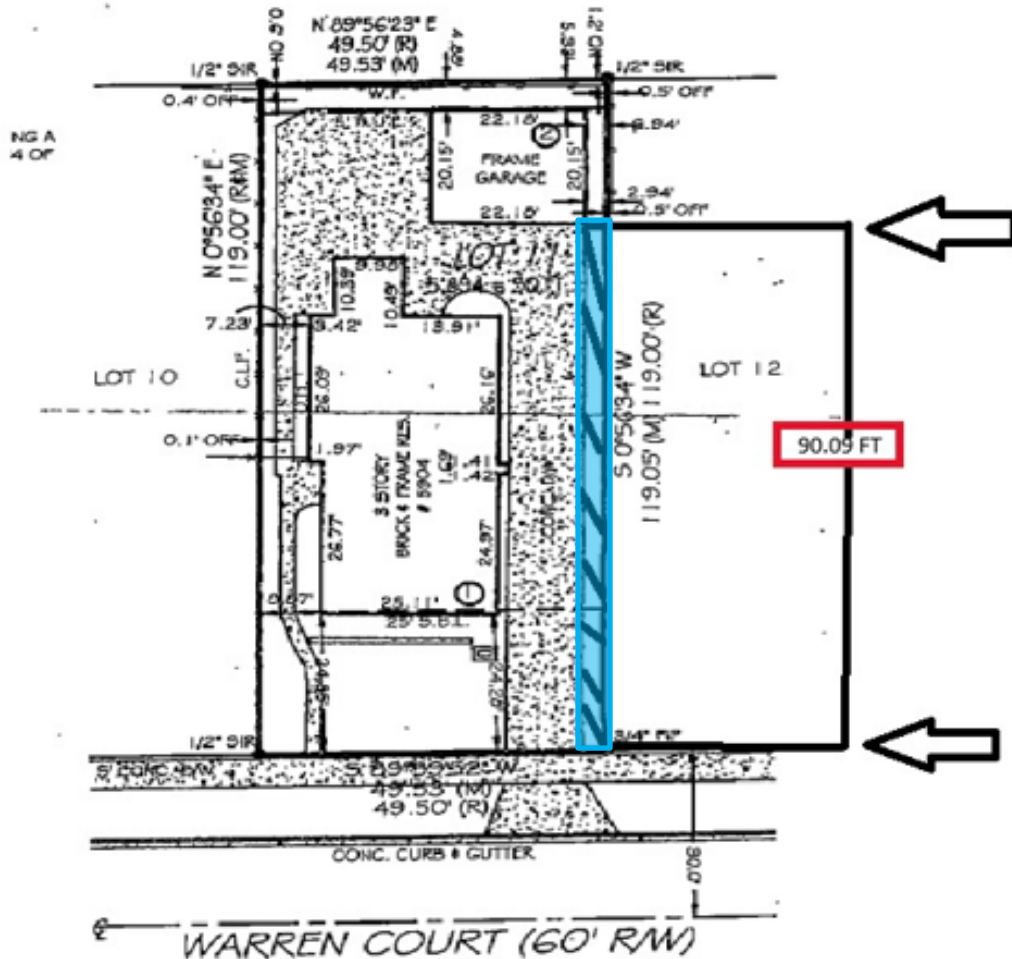
As indicated in the table, the following waiver is required to authorize the proposed project:

- **Section 12-2-6:G** - Waiver of 3.0 ft. to allow a driveway with a side setback of 0 ft.
- **Section 12-4-2:D** – Waiver of 5% to increase existing nonconforming lot coverage from 76% to 81%.

The owner is seeking to maintain the 0-foot side setback for the driveway along the east property line to the garage. The pavers were installed by the applicant without a permit, replacing an unpaved planting area along the fence and in the front yard adjoining the neighbor to the east. The installation is related to Case ZBA 25-15, 5900 Warren Court, as the owner of 5904 Warren Court installed the driveway pavers on the neighbor's property serving as a walk and/or extension of the width of the 5904 Warren Court driveway. Staff is concerned the widened driveway and adjacent walkway will be used as a parking pad in the front yard which is not permitted.



***Subject Property Street View: 2018 (TOP) and 2025 (BOTTOM)***



**Site Plan Submitted by Applicant (Pavers installed without permit in BLUE)**

**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 applicants have provided their responses to these standards in the Variation Application.

**Recommendation**

Should the Board approve Case ZBA 25-16, staff suggests the following motion and conditions:

*Motion to approve Case ZBA 25-16, a request for a waiver from Section 12-2-5 of the Unified Development Code to allow the installation of a nonconforming driveway, subject to the following conditions:*

- 1. The driveway shall be in the location with the plans submitted by the applicants in the Variation Application dated 6/05/2025.*
- 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.*
- 3. [Other conditions as required by the ZBA.]*

**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

Citation#: CE-2500182 25-16 Date Application Filed: June 05, 2025 paid 6/25/25

## APPLICANT INFORMATION

Applicant Name: Shahjehan Baig/Sanah Kaleem \_\_\_\_\_  
Applicant Address: 5904 Warren Court \_\_\_\_\_  
Applicant City / State / Zip Code: Morton Grove, IL. 60053 \_\_\_\_\_  
Applicant Phone: 773-771-5254 \_\_\_\_\_  
Applicant Email: shahjehan.baig@gmail.com \_\_\_\_\_  
Applicant Relationship to Property Owner: Owner \_\_\_\_\_  
Applicant Signature: \_\_\_\_\_

## PROPERTY INFORMATION

Common Address of Property: 5904 Warren Court Morton Grove IL. 60053 \_\_\_\_\_  
Property Identification Number (PIN): 10-20-431-011-0000 \_\_\_\_\_  
Property Square Footage: 1500 \_\_\_\_\_  
Property Zoning District: Single-family residential use only R-2 \_\_\_\_\_  
Property Current Use: Family/Kids \_\_\_\_\_

## APPLICATION INFORMATION

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

### Section 12-16-3-A-2 of the Village of Morton Grove Unified Development Code

Purpose of requested variation (attach as needed): Requesting Variance due to the hardship of prior big trees/bushes would often damage the cars and children/family entering exiting when parked in driveway. The bushes/trees also would cause similar concerns to Pedestrians/children in the area of getting clipped while riding their bikes or walking in pairs past the big trees/bushes even if trimmed well. Also, as Morton Grove slogan "Amazingly Open" to make it more welcoming to passersby and to make MG look new and clean and upgraded for all who visit.

## 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 hardship in this case is due to the existing configuration and limitations of the lot that includes the sidewalk and driveway access  
Needs. While the pavers were added without awareness of MG policy, it was only done to maintain accessibility, improve drainage, and safety.  
The need for the variation arises as applied to this property and by no means was any intentional attempt to avoid compliance.

- 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 addition was not made for financial gain, but to ensure safety, functional, and accessible for daily use as well as public use to protect  
Individuals who daily take a stroll around our cul-de-sac and neighborhood. Especially being basically across the street of Niles West high school  
We do get a lot of children from the area walking past our home. It was only for safety for public and our guests/residents who enter/exist driveway.

- 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 addition does not pose a risk to public welfare what so ever. It does not obstruct sidewalks, utilities, or access for any emergency services. The  
pavers by design are used to enhance drainage (angled consistent with current driveway) and reduces runoff compared to traditional asphalt or  
concrete, which aligns with environmental and safety considerations in the community. I am a respectable and honorable citizen of Morton Grove  
and I would only want the best.

- 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 installation of the pavers has no negative impact on adjacent properties. It does not block light or air, increase street congestion, or pose fire or  
safety hazards. The materials and design are consistent with neighborhood aesthetics, and in some cases, improve the curb appeal compared to  
older or deteriorating driveways that need replacement and many don't bother with it but I did for beauty/comfort. This work does not alter the  
character of the neighborhood, but rather improves it.

**CLOSING STATEMENT:** We respectfully request that the Village grant this variation so the improvements already made can remain in place, recognizing that the work was done with the intention of enhancing safety, usability, and visual appeal — not to circumvent village requirements. We are willing to take any additional steps the Board may recommend to bring the property into full compliance.



# Village of Morton Grove

## Department of Community & Economic Development

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**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:** September 23, 2025

**Re:** ZBA 25-17 – 7234 Emerson Street (09-13-216-007-0000)  
Request for variations from Section 12-3-5:C to increase the maximum height and reduce minimum transparency for a fence within a street side yard.

### STAFF REPORT

#### Public Notice

The Village of Morton Grove provided public notice for the September 30, 2025, Zoning Board of Appeals public hearing for ZBA 25-17 in accordance with Unified Development Code requirements. The *Morton Grove Champion* published a public notice on September 11, 2025. The Village mailed letters on September 11, 2025, notifying surrounding property owners within one-hundred feet, and placed a public notice sign on the subject property on September 11, 2025.

#### Application

##### Property Background

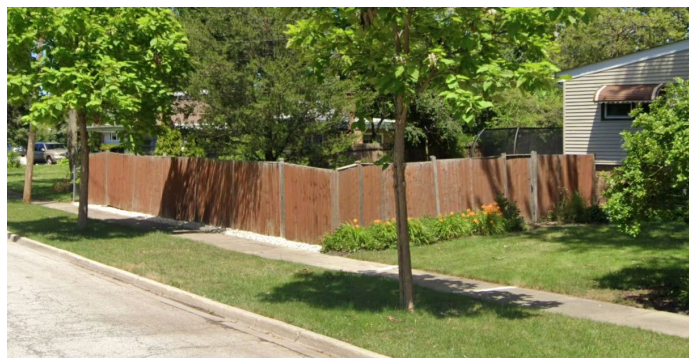
The subject property at 7234 Emerson Street in Morton Grove, Illinois, is an approximately 14,000-square-foot corner lot located at the northeast corner of the Emerson Street and Octavia Avenue intersection. The subject property is zoned R-1 Single Family Residence and is improved with a single-family residence and an attached garage. Surrounding properties are also zoned within the R-1 District and are improved with single-family residences.



**Subject Property Location Map**

##### Application Overview

The applicant and property owner, Stephen Wiggins is requesting variations from Section 12-3-5:C of the Morton Grove Unified Development Code to replace an existing wood fence with a new vinyl fence. The fence will be six feet in height with 0% transparency enclosing the rear portion of the western street side yard. The maximum permitted height for street side yard fences is 4 feet and the minimum transparency is 50%. The subject property qualifies for street side yard fencing due to its orientation to the block face.



**Existing Wood Fence**



**North Property Line with Neighboring Fence**

The subject property has an existing wooden fence with a height of 6 feet in the same location that abuts a chain-link fence on the neighboring property to the north.

Requested Variations

The following chart provides a summary of the requested variations 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: 6 ft.	<b><i>Height: Waiver of 2 ft. to increase maximum height to 6 ft.</i></b>
	Minimum transparency: 50%	Transparency: 0 %	<b><i>Transparency: Waiver of 50% to allow 0% transparency</i></b>
	Location must be behind the rear portion of the principal structure closest to the street side yard	Location: Behind the rear portion of the structure closest to the street side yard	<i>Location: Compliant</i>

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

- Section 12-3-5:C.3: Variation of 2 feet to increase the maximum permitted height of a street side yard fence from 4 feet to 6 feet.
- Section 12-3-5:C.4: Variation of 50% to allow a fence with 0% transparency in the street side yard.

Discussion

The applicant and owner, Stephen Wiggins, is seeking to replace a dilapidated wood fence with a vinyl privacy fence in the same location. The existing fence has been on the property for over 11 years. A privacy fence of the proposed height and transparency would be allowed in the rear yard, not encroaching into the street side yard along Octavia Avenue.

**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 25-17, staff recommends the following motion and conditions:

*Motion to approve Case ZBA 25-17, a request for variations from Section 12-3-5:C to increase the maximum height for a fence within a street side yard and provide no 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 08/14/2025.*
- 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: 25-17 Date Application Filed: 8/14/25

## APPLICANT INFORMATION

Applicant Name: Stephen Wiggins  
Applicant Address: 7234 Emerson Street  
Applicant City / State / Zip Code: Morton Grove IL 60053  
Applicant Phone: (312)810-8022  
Applicant Email: [REDACTED]  
Applicant Relationship to Property Owner: Owner  
Applicant Signature: Stephen Wiggins

## PROPERTY OWNER INFORMATION (IF DIFFERENT FROM APPLICANT)

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

## PROPERTY INFORMATION

Common Address of Property: 7234 Emerson Street  
Property Identification Number (PIN): 09-13-216-007-0000  
Property Square Footage: \_\_\_\_\_  
Property Zoning District: \_\_\_\_\_  
Property Current Use: \_\_\_\_\_

## APPLICATION INFORMATION

Applicant is requesting a variation from the following section(s) of the Morton Grove Unified Development Code:  
12-3-5C  
Purpose of requested variation (attach as needed): \_\_\_\_\_  
Install fence in street side yard exceeding maximum height and transparency requirements.

## 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 hardship is not self-imposed. The existing fence was in place when we purchased the property five years ago, and we are only seeking to replace what has long existed. The configuration of our lot as a corner property, combined with the current location of the fence extending to the sidewalk, reflects a condition that was created under a previous homeowner and prior to our ownership. We did not create this situation, and we are simply trying to maintain the existing use and character of our yard.

- 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.

Strict application of the zoning code would significantly reduce the usable area of our backyard by requiring the fence to be pulled back to the rear corner of our house (Approx. 1,624 square feet). This would not only diminish the enjoyment and utility of our yard but also materially change the way we use our property as a family. The yard, as currently enclosed, provides private space for recreation, pets, and safety for our daughter.  
This request is not based on monetary loss, but rather on preserving the reasonable and existing use of our backyard.

- 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 proposed variation is consistent with the general intent of the zoning code and will not negatively affect public welfare. The fence has existed in its current location for many years without incident of concern from neighbors or the village. We are not requesting to expand or encroach further - only to maintain the current footprint. The continuation of this fence in the same location poses no risk to the community and maintains the established look and function 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.

The existing fence does not impair visibility, restrict light or air, or create congestion. Since the fence has long been in place, it has become part of the neighborhood's established appearance. Its continued presence will not change the character of the area of affect neighboring properties. On the contrary, maintaining the fence as-is avoids unnecessary disruption and preserves consistency within the neighborhood streetscape, especially given that many other corner lots in the area have similar fence lines.

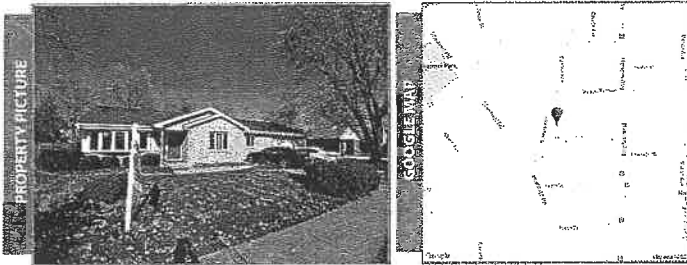


# EACTA

LAND SURVEYORS, LLC

PROPERTY ADDRESS: SURVEY NUMBER: IL2010.5152

7234 EMERSON STREET, MORTON GROVE, ILLINOIS 60053



CLIENT ORDER NUMBER: 20GSA457091NA DATE: 11/06/20

BUYER: FARAH SIDDIQI & STEPHEN WIGGINS

SELLER: ALICIA PARINAS AND SEVERINO PARINAS

CERTIFIED TO:  
FARAH SIDDIQI & STEPHEN WIGGINS;

LOT 7 IN BLOCK 'R' IN UNIT NO. 2 HARRIS PARK VISTA A SUBDIVISION OF THE SOUTH 1/2 OF THE NORTH 1/2 OF THE NORTH EAST 1/4 AND OF PART OF THE NORTH 15 ACRES OF THE SOUTH 1/2 OF THE NORTH EAST 1/4 OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 27, 1955 AS DOCUMENT NO. 16250935 IN COOK COUNTY, ILLINOIS.

NONE VISIBLE

POINTS OF INTEREST

FLOOD INFORMATION

LEGAL DESCRIPTION

**Exacta Proudly Supports**

## THE cara PROGRAM

transforming lives...

FIELD WORK DATE: 11/4/2020 REVISION DATES: (REV.0 11/6/2020)

IL2010.5152  
BOUNDARY SURVEY  
COOK COUNTY

LOT 7 IN BLOCK 'R' IN UNIT NO. 2 HARRIS PARK VISTA A SUBDIVISION OF THE SOUTH 1/2 OF THE NORTH 1/2 OF THE NORTH EAST 1/4 AND OF PART OF THE NORTH 15 ACRES OF THE SOUTH 1/2 OF THE NORTH EAST 1/4 OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 27, 1955 AS DOCUMENT NO. 16250935 IN COOK COUNTY, ILLINOIS.

TABLE:  
L1 S 2°03'56" E 116.70' (M)  
116.50' (R)  
C-1  
R = 20.00' (R)  
L = 35.08' (C)  
Δ = 100°30'03" (C)  
CH = N 41°46'25" W 30.75' (C)



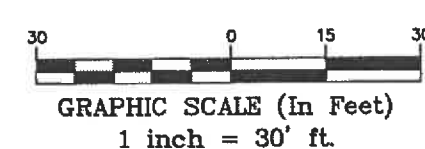
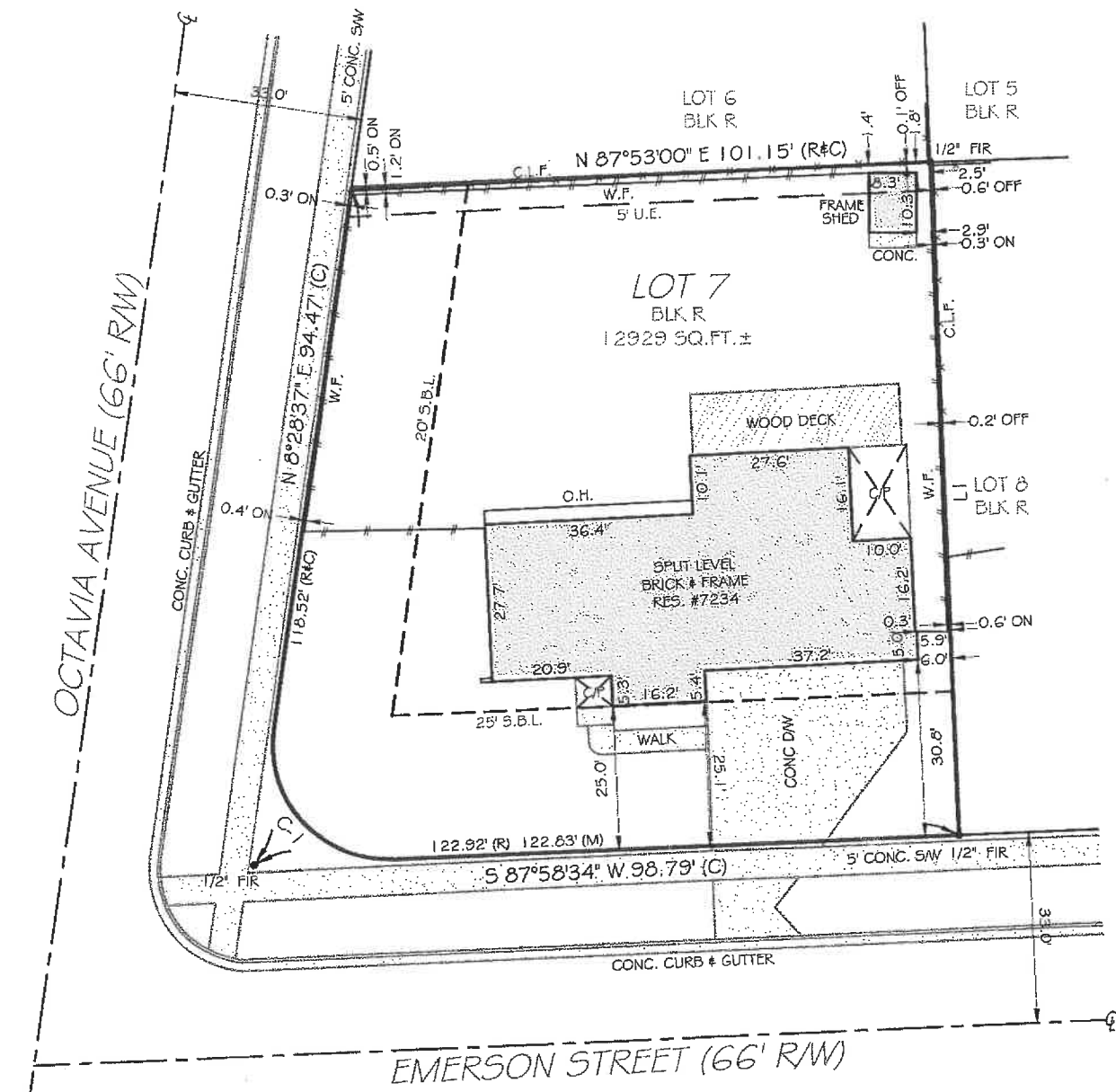
STATE OF ILLINOIS } 55  
COUNTY OF GRUNDY }  
THIS IS TO CERTIFY THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. GIVEN UNDER MY HAND AND SEAL THIS 5TH DAY OF NOVEMBER, 2020  
AT 316 E. JACKSON STREET IN MORRIS, IL 60450.

*Kenneth Kennedy*

ILLINOIS PROFESSIONAL LAND SURVEYOR No. 3403  
LICENSE EXPIRES 11/30/2022  
PROFESSIONAL DESIGN FIRM 184008059-0008

Use of this Survey other than Intended, without Written Verification, will be at the User's Sole Risk and without Liability to the Surveyor. Nothing hereon shall be Construed to give ANY Rights or Benefits to Anyone than those Certified

1. The legal description used to perform this survey was supplied by others. The survey does not determine or imply ownership.  
2. The survey only shows the location of the boundary lines, easements, and other features shown on the plat based on the survey map.  
3. If there is a dispute as to the location of the boundary lines, the location of such lines was determined by others and are not shown.  
4. This survey is not intended to be used for any purpose other than the one for which it was prepared.  
5. Any additional easements or other features shown on the plat were determined by others and are not shown.  
6. Dimensions are in feet and decimals thereof.  
7. The surveying instrument used in this survey was a total station, model 1100, manufactured by Trimble, Inc.  
8. Any FEMA flood zone data contained in this survey is for informational purposes only. Research to obtain such data was performed at www.fema.gov.  
9. All other measurements are in feet and decimals thereof.  
10. The surveying instrument used in this survey was a total station, model 1100, manufactured by Trimble, Inc.  
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SYMBOL	DESCRIPTION	SYMBOL	DESCRIPTION
---	BOUNDARY LINE	---	CONCRETE SIDEWALK
---	CONCRETE SIDEWALK	---	WOOD DECK
---	WOOD DECK	---	WOODEN FENCE
---	WOODEN FENCE	---	WATER VALVE
---	WATER VALVE	---	WATER METER
---	WATER METER	---	WATER MAIN
---	WATER MAIN	---	WATER SERVICE LINE
---	WATER SERVICE LINE	---	WATER METER VALVE BOX
---	WATER METER VALVE BOX	---	WATER VALVE
---	WATER VALVE	---	WATER METER
---	WATER METER	---	WATER MAIN
---	WATER MAIN	---	WATER SERVICE LINE
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**To:** Chairman Kintner and Members of the Zoning Board of Appeals

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

**Date:** September 23, 2025

**Re:** ZBA 25-18 -9113 McVicker Avenue (10-17-304-019-0000)  
Request for variations from Sections 12-2-6:G, 12-4-2:D, and 12-15-4:A to allow stairs to encroach in a required front yard, and a deck, patio all on a nonconforming lot due to width.

## STAFF REPORT

### Public Notice

The Village of Morton Grove provided public notice for the September 30, 2025, Zoning Board of Appeals public hearing for ZBA 25-18 in accordance with Unified Development Code requirements. The *Morton Grove Champion* published a public notice on September 11, 2025. The Village mailed letters on September 11, 2025, notifying surrounding property owners within one-hundred feet, and placed a public notice sign on the subject property on September 11, 2025.

### Request Summary

#### Property Background

The property at 9113 McVicker Avenue (“subject property”) is an interior lot located on the east side of McVicker Avenue, north of Davis Street. The 5,455-square-foot subject property is within the R-2 Single-Family Residence District and is improved with a single-family residence and detached garage. An improved public alley abuts the subject property to the east. Surrounding properties are also zoned R-2 and are improved with single-family dwellings and detached garages. The street terminates at the Cook County Forest Preserve property, Linne Woods.



**Subject Property Location Map**

**Application Overview**

The applicant, Matthew Kucharik, is requesting waivers from Sections 12-2-6:G, 12-4-2:D and 12-15-4:A to authorize the reconstruction of stairs serving the front entrance, and a deck and patio in the back yard.

Pursuant to Section 12-15-4:A, the proposed improvements require ZBA approval because the property is a nonconforming lot with respect to lot width.

**Requested Variations**

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

Dimensional Control	Code Requirement	Existing	Proposed	Waiver Request
Minimum Lot Area (12-4-2:D)	5,000 sq. ft.	5,455 sq. ft.	No change	Compliant
Minimum Lot Width (12-4-2:D)	45 ft.	44.0 ft.	No change	<b>Approval of the construction of a structure on a nonconforming lot (12-15-4:A)</b>
Permitted Obstruction Stairs/Steps (12-2-6:G)	Maximum 5 ft. encroachment, unroofed only	5.0 ft.	8.2 ft.	<b>Variation of 3.2 ft. to allow 8.2 ft. encroachment</b>
Maximum Lot Coverage (12-4-2:D)	60%	66%	58%	Compliant
Maximum Rear Yard Coverage (12-2-5:B)	50%	66%	47%	Compliant
Construction, Expansion, or Alteration of Structures on Nonconforming Lots (12-15-4:A)	Permitted if ZBA finds it meets variance standards and does not adversely affect adjoining property	Nonconforming lot width	No change	<b>Approval of the construction of a structure on a nonconforming lot (12-15-4:A)</b>

As shown in the table above, the following variations are required to approve construction of a deck and stairs as proposed by the applicant:

- Section 12-2-6:G: Waiver of 3.2 ft. to allow stairs to encroach 8.2 ft. into the required front yard.
- Section 12-15-4:A: Waivers to allow the replacement of stairs, a deck and patio on a nonconforming lot due to lot width.



**Subject Property View**

### **Discussion**

The applicant proposes a new front entrance stair with a railing to increase accessibility and safety. He also is reducing impermeable coverage by building a new, smaller attached deck at the rear of the home. The existing driveway and patio behind the home will be removed and replaced with a new patio, grass areas, and planting beds. The impermeable coverage for the whole lot and the rear yard will now be conforming.

The remaining driveway will not result in an open accessory parking space as two cars can be parked along the side of the home.

The subject property is nonconforming with respect to lot width. In accordance with Section 12-15-4:A, any modification of existing structures or construction of new structures on a nonconforming lot must be approved by the ZBA.

If the ZBA chooses to approve the applicant's request, only the project proposed in the application will be authorized. The existing principal structure and lot will remain nonconforming, but are permitted to continue. Any future expansion or alteration of the principal structure or garage will require further review and approval by the ZBA.

### **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 provided the responses to these standards in the Variation Application.

### **Recommendation**

Should the Board approve Case ZBA 25-18, staff recommends the following motion and conditions:

*The Zoning Board of Appeals approves Case ZBA 25-18, a request for variations from Sections 12-4-2:D, and 12-15-4 to allow the replacement of a deck and front stairs on a nonconforming lot due to width, subject to the following conditions:*

- 1) *The proposed deck and stairs shall be constructed in accordance with the plans submitted by the applicant in the Variation Application dated 8/15/2025.*
- 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.*

### **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: 25-18 Date Application Filed: \_\_\_\_\_

### APPLICANT INFORMATION

Applicant Name: Matthew Kucharik  
Applicant Address: 9113 McVicker Ave  
Applicant City / State / Zip Code: Morton Grove, IL 60053  
Applicant Phone: 773-870-2700  
Applicant Email: [REDACTED]  
Applicant Relationship to Property Owner: Property Owner  
Applicant Signature: [Signature]

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

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

### PROPERTY INFORMATION

Common Address of Property: 9113 McVicker Ave, Morton Grove, IL 60053  
Property Identification Number (PIN): 10-17-304-019-0000  
Property Square Footage: 2570  
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:  
12-15-4:A.2 and 12-4.2:D  
Purpose of requested variation (attach as needed): To remove and replace a failing deck, remove concrete, add grass and a new patio. Also replacing front steps and adding sidewalk for elderly access.

## 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 code will not let us create a safe  
deck/stair to replace the existing one. We  
did nothing to cause this hardship.

- 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.

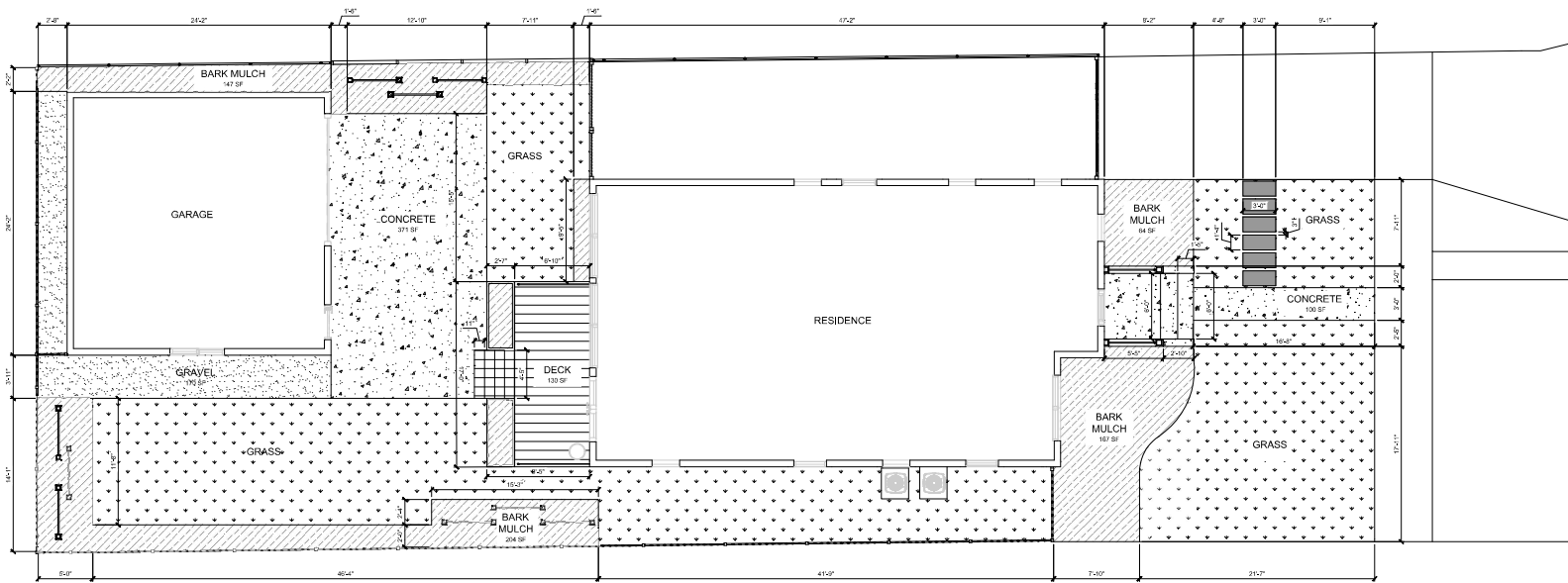
Denial of variance creates a hazardous  
situation. The deck is deteriorating quickly and  
my mom has trouble climbing our front steps.

- 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 not impact public welfare in any way.

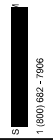
- d. **Not Detrimental to Neighborhood:** The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the streets, increase the potential damage of fire, endanger the public safety, or alter the character of the neighborhood.

It does none of the above. It improves character  
of the neighborhood.



ORIENTATION:

BACQYARD, LLC.  
WWW.BACQYARD.COM



DESIGN BY:

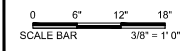
PROJECT:  
LANDSCAPE DESIGN

SHEET TITLE:  
**DIMENSION PLAN**

ISSUE DATE: 6/6/2025

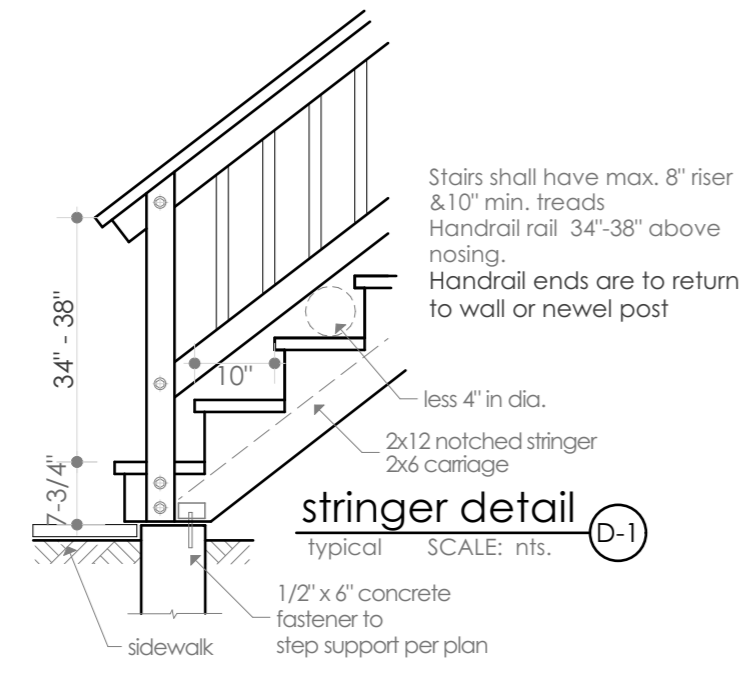
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SCALE: 3/16" = 1'-0"

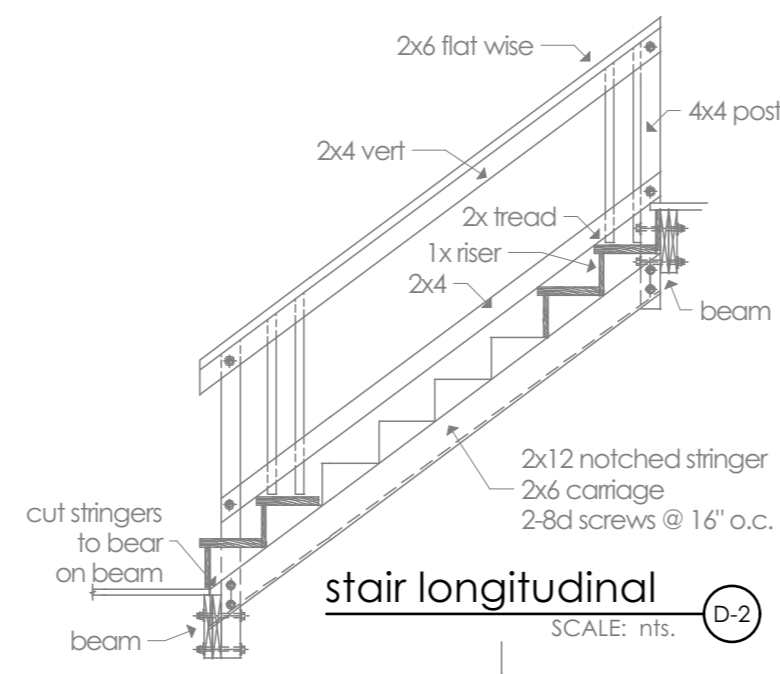


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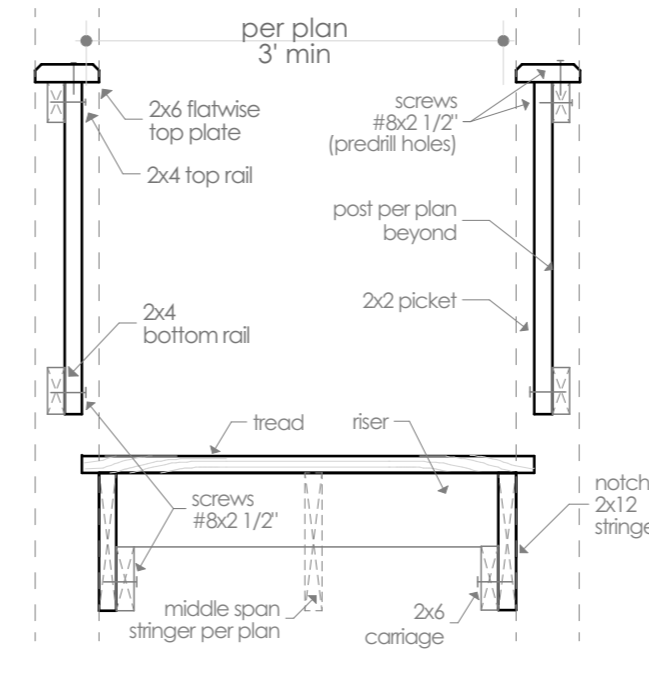
- NOTES:
- Plans are conceptual in nature and for illustrative purposes only.
  - Contractor/homeowner to verify dimensions and accept conditions before proceeding with work.
  - Substitutions may be made as required by contractor or other installer.



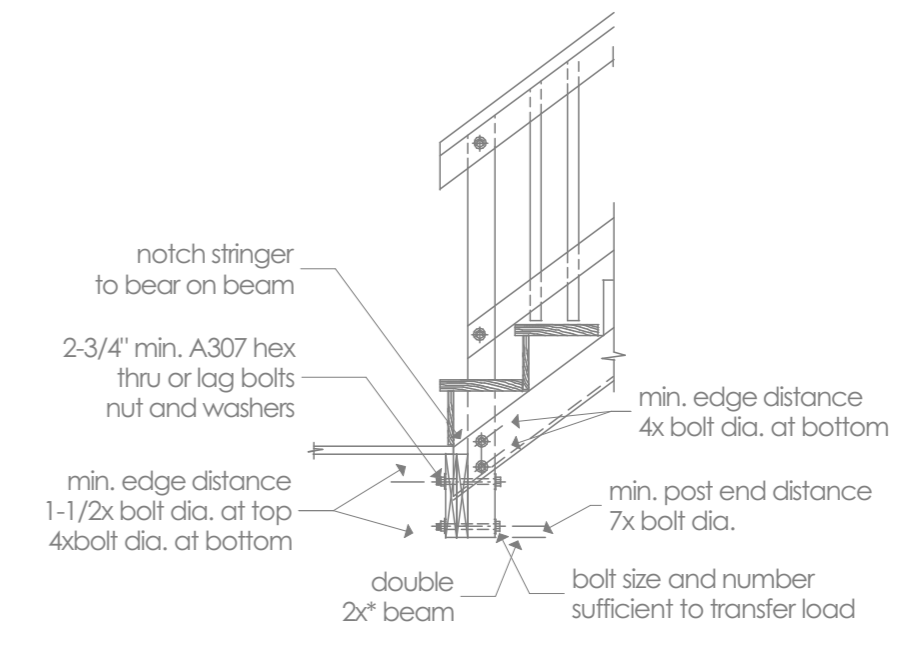
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SCALE: nts. D-1



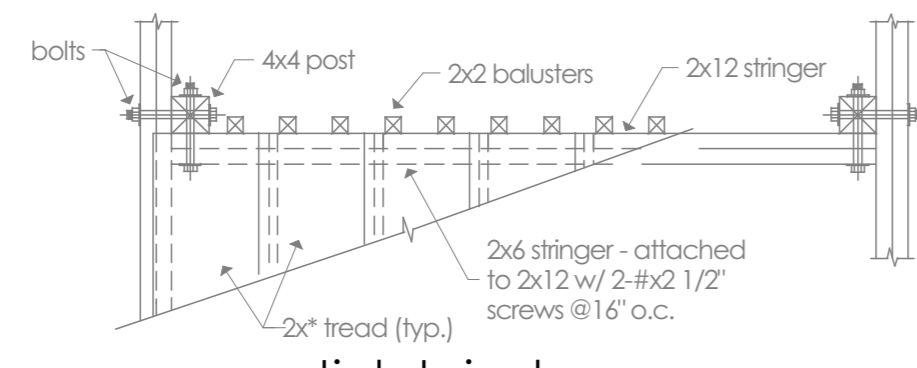
**stair longitudinal**  
SCALE: nts. D-2



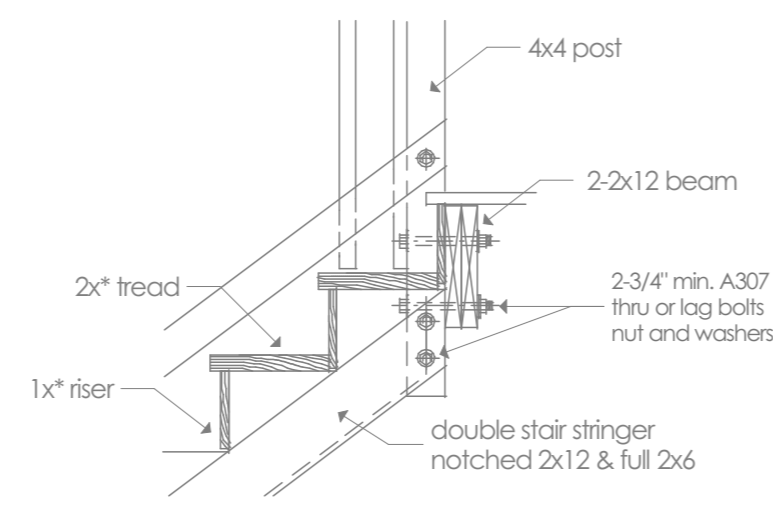
**stair transverse**  
SCALE: nts. D-3



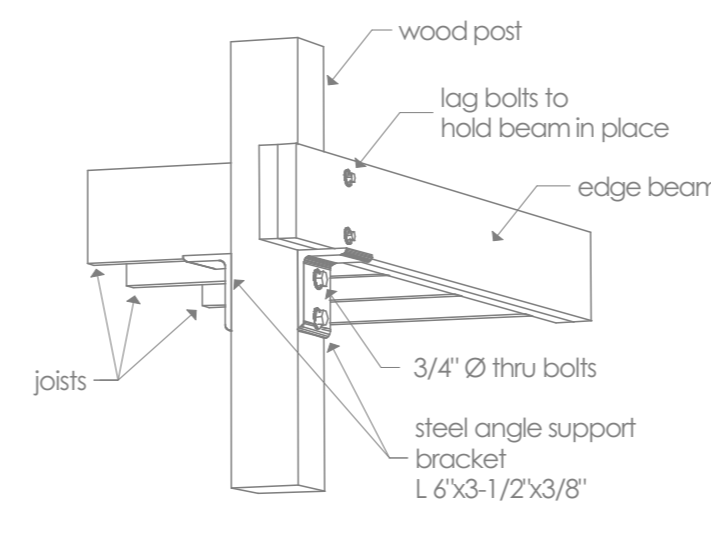
**lower stringer to deck connection**  
SCALE: nts. D-4



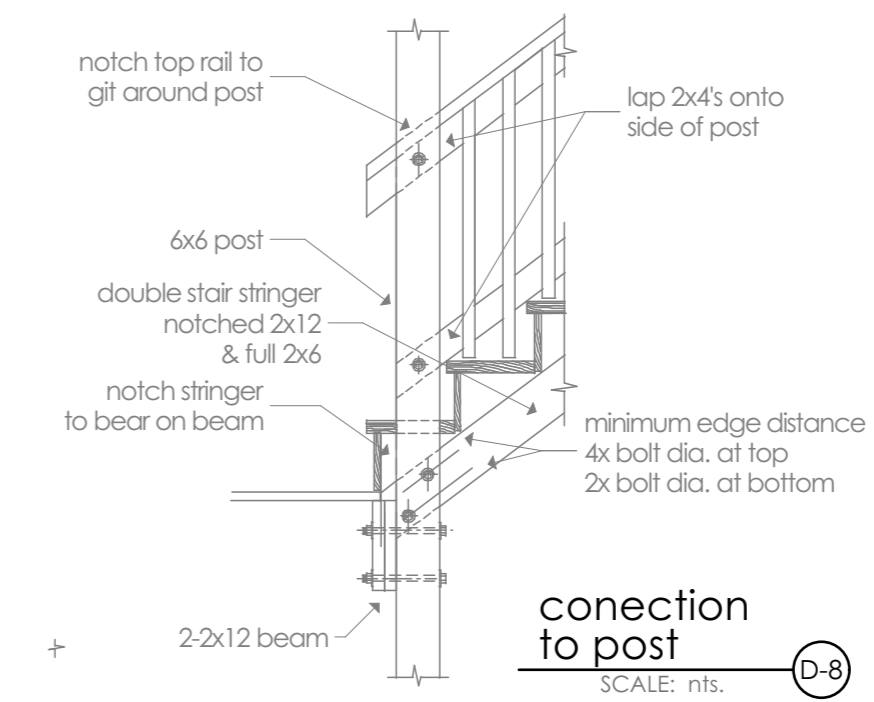
**partial stair plan**  
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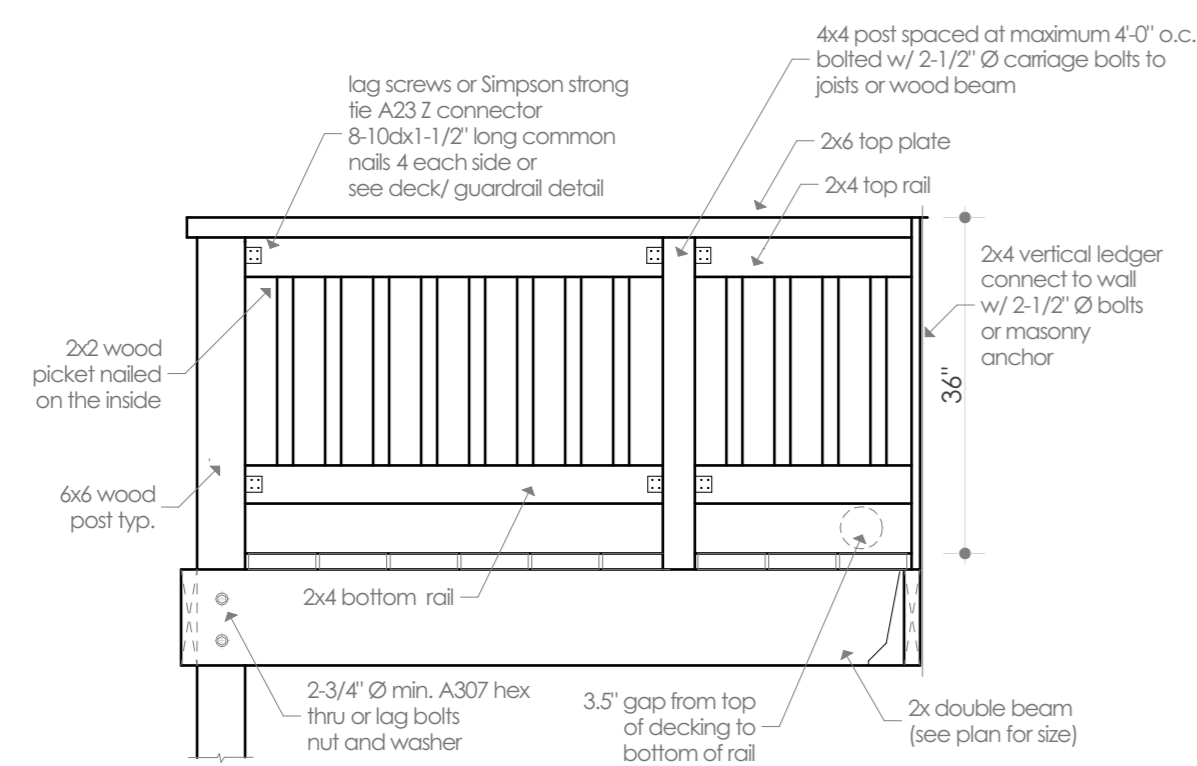
**upper stair stringer to deck connection**  
SCALE: nts. D-6



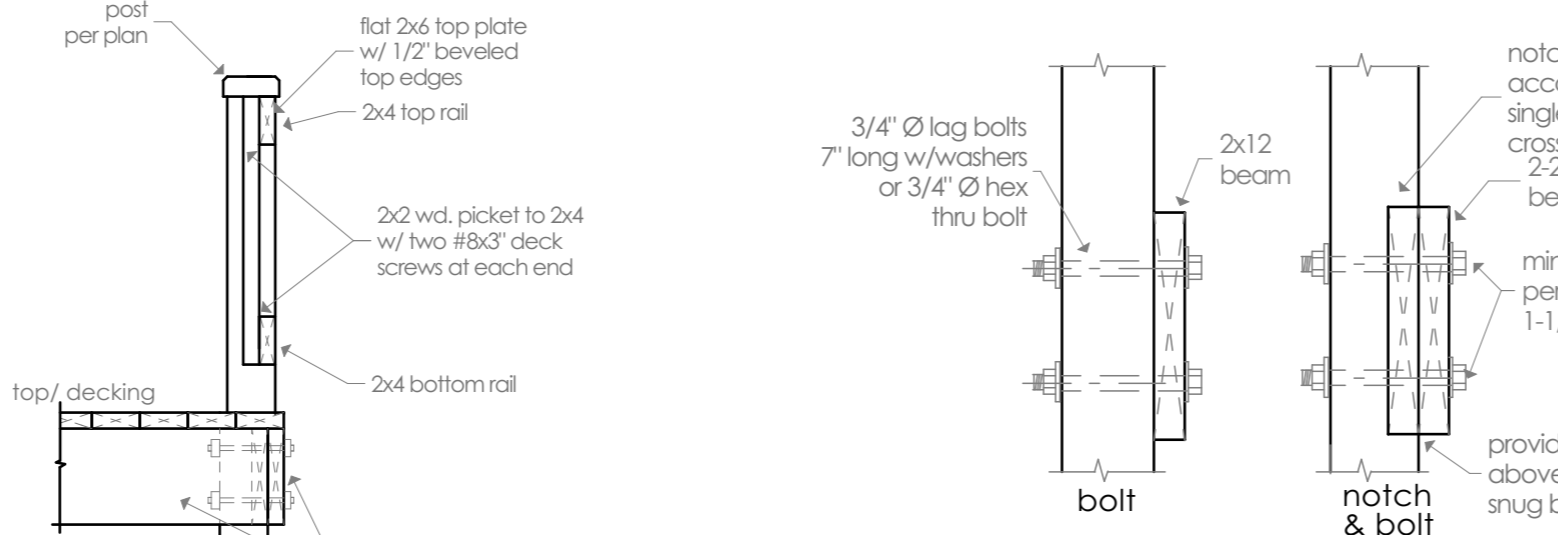
**beam to post connection no notch**  
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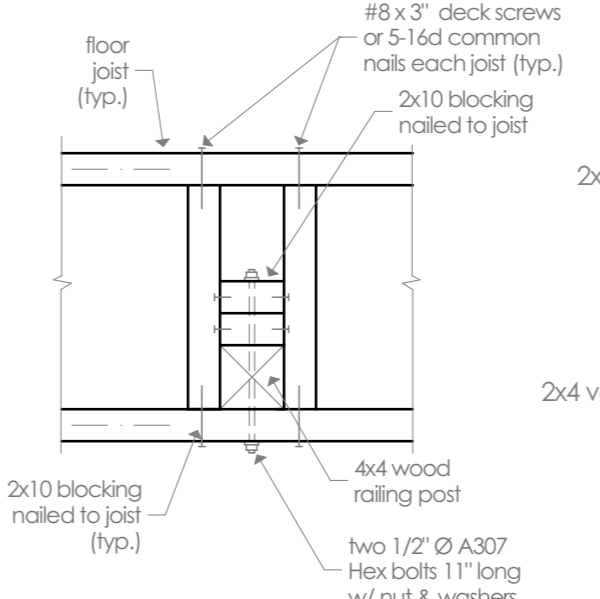
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SCALE: nts. D-8



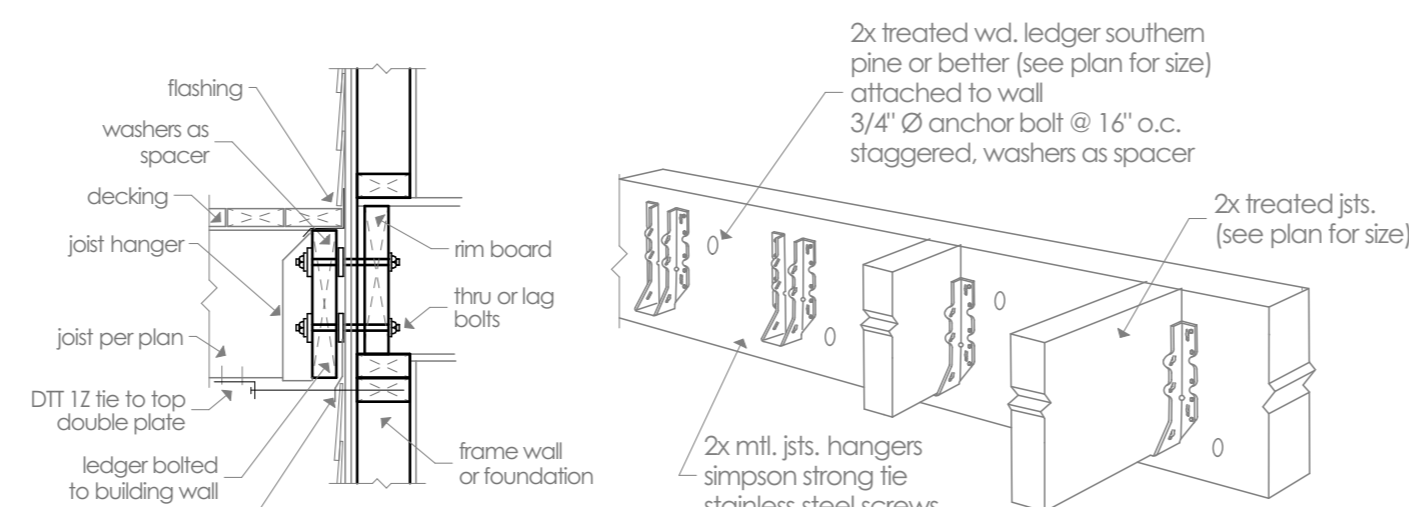
**post/railing details**  
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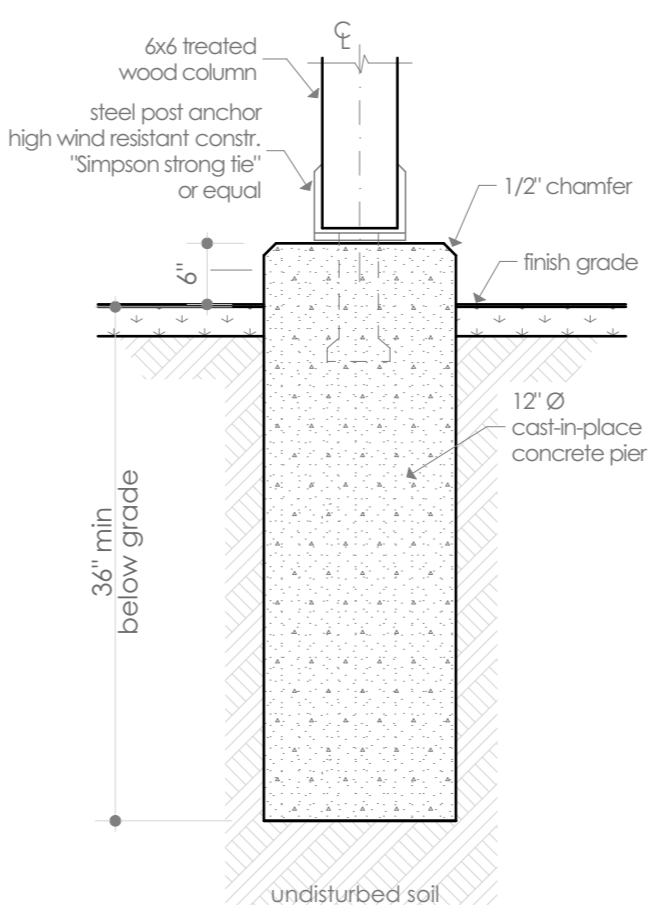
**edge beam to post connection**  
SCALE: nts. D-10



**deck/guardrail details**  
SCALE: nts. D-11



**ledger detail (typ.)**  
SCALE: nts. D-12



**concrete pier detail**  
SCALE: nts. D-13

**ATTENTION INSTALLERS:**

*WE WOULD LIKE TO INFORM YOU THAT THE DESIGN PROVIDED WAS CREATED USING REMOTE DESIGN METHODS. AS A RESULT, IT'S POSSIBLE THAT SOME MODIFICATIONS MAY BE REQUIRED, SUCH AS SUBSTITUTING PLANTS OR ADJUSTING DIMENSIONS FOLLOWING A SITE INSPECTION.*

**WE OFFER A FREE CAD PLAN REDESIGN SERVICE, WHICH YOU MAY UTILIZE IN CASE ANY PART OF THE PLAN REQUIRES MODIFICATION AFTER INSPECTION.**

*PLEASE DON'T HESITATE TO CONTACT OUR CONTRACTOR SUPPORT TEAM AT [SUPPORT@BACQYARD.COM](mailto:SUPPORT@BACQYARD.COM) FOR ASSISTANCE.*

*WE ARE COMMITTED TO ENSURING THE SUCCESS OF YOUR PROJECT AND WANT TO ENSURE THAT ALL NECESSARY ADJUSTMENTS ARE MADE FOR THE BEST POSSIBLE OUTCOME.*

BACQYARD, LLC.  
WWW.BACQYARD.COM  
1 (800) 682 - 7906



DESIGN BY:

PROJECT:

LANDSCAPE DESIGN

SHEET TITLE:

LAYOUT  
PLAN

ISSUE DATE:  
6/6/2025

DESIGNER:  
S.P.

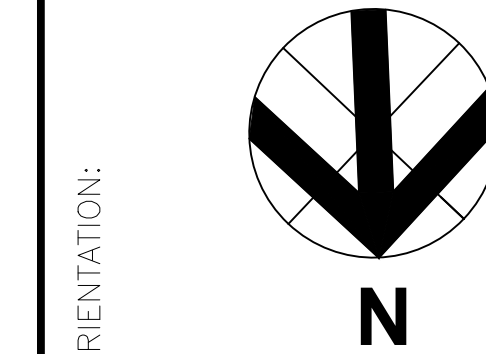
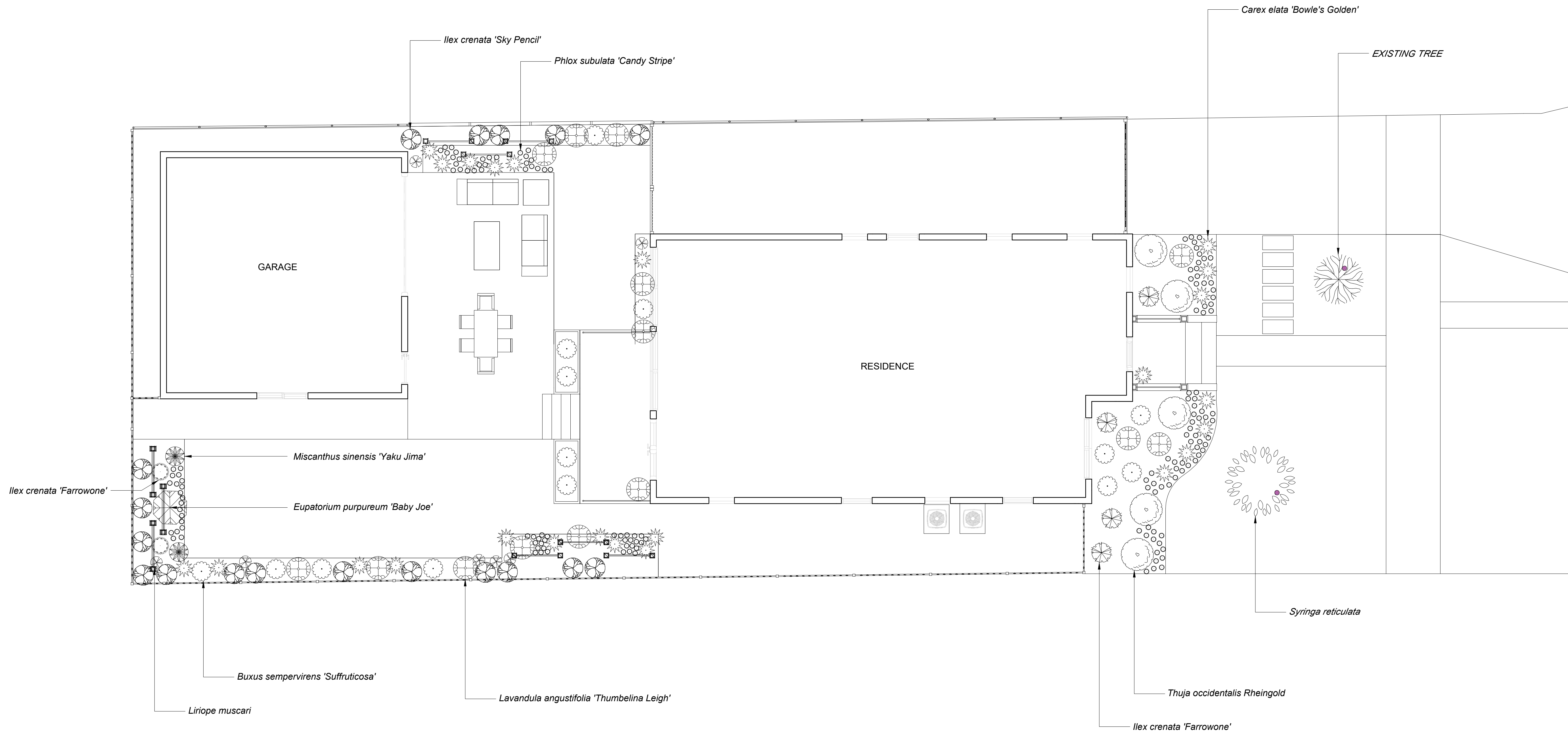
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PAPER SIZE:  
24" x 36"

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DESIGN BY:

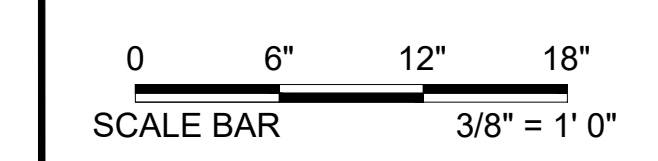
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LANDSCAPE DESIGN

SHEET TITLE:  
**PLANTING PLAN**

ISSUE DATE:  
6/6/2025

DESIGNER:  
S.P.


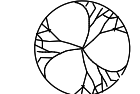



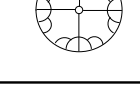



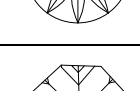
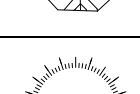

SCALE:  
3/16" = 1'-0"



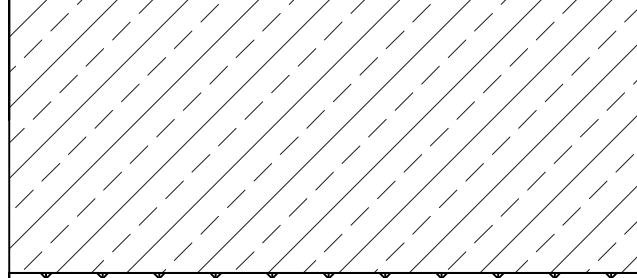
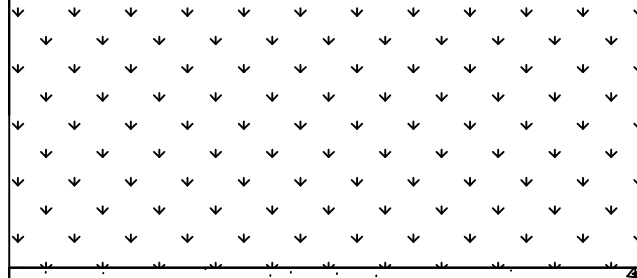
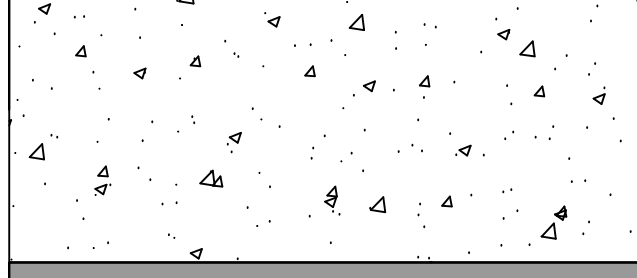
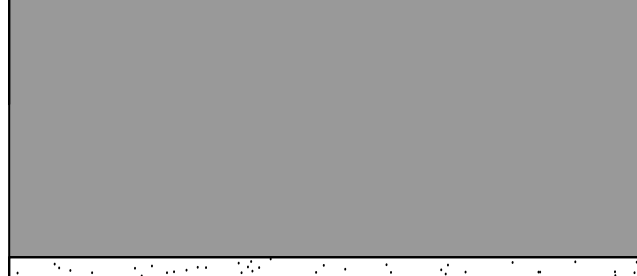
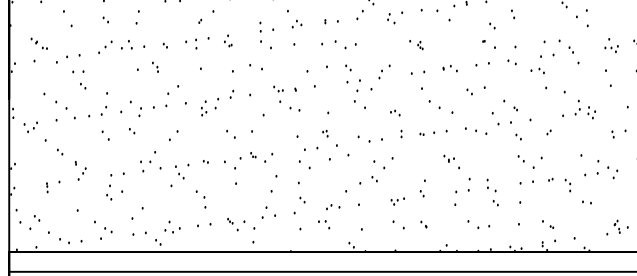

PAPER SIZE:  
24" x 36"

- NOTES:
- Plans are conceptual in nature and for illustrative purposes only.
  - Contractor/homeowner to verify dimensions and accept conditions before proceeding with work.
  - Substitutions may be made as required by contractor or other installer.


## PLANT SCHEDULE

SYMBOL	QTY	TYPE	BOTANICAL NAME	COMMON NAME	SIZE
	10	Shrub	Buxus sempervirens 'Suffruticosa'	dwarf English boxwood	1 GAL.
	19	Shrub	Ilex crenata 'Sky Pencil'	Sky Pencil Japanese holly	1 GAL.
	5	Shrub	Thuja occidentalis Rheingold	Rheingold arborvitae	1 GAL.
	4	Shrub	Ilex crenata 'Farrowone'	Sky Box™ Japanese holly	1 GAL.
	14	Ornamental grass	Carex elata 'Bowles' Golden'	Bowles' Golden sedge	1 GAL.
	13	Perennial	Lavandula angustifolia 'Thumbelina Leigh'	Thumbelina Leigh English lavender	1 GAL.
	7	Groundcover	Liriope muscari	lilyturf	1 GAL.
	1	Tree	Syringa reticulata	Japanese Tree Lilac	24 " box
	2	Shrub	Ilex crenata 'Farrowone'	Sky Box™ Japanese holly	1 GAL.
	2	Ornamental grass	Miscanthus sinensis 'Yaku Jima'	Yaku Jima dwarf maiden grass	5 GAL.
	1	Perennial	Eupatorium purpureum 'Baby Joe'	dwarf Joe Pye weed	1 GAL.
	150	Perennial	Phlox subulata 'Candy Stripe'	Candy Stripe creeping phlox	1 GAL.

## MATERIAL LEGEND

HATCH	NAME	SQ FT
	BARK MULCH	582
	GRASS	832
	CONCRETE	471
	CONCRETE PAVERS	25
	GRAVEL	170
	DECK	130

## LANDSCAPE LIGHTING

	QTY	FIXTURE TYPE
	2	Up Light

"All designs provided by BACQYARD are conceptual and solely for illustrative purposes. Dimensions, square footages, and material quantities are approximate and should be independently verified on-site by the professional executing the installation before any purchase. Materials and plants mentioned can vary based on availability and site conditions. It is recommended that all designs be reviewed with your landscape contractor, structural engineer, or architect prior to any work commencing. Adjustments or substitutions due to unavailability or site-specific conditions should be made in consultation with knowledgeable professionals. BACQYARD is not responsible for discrepancies between the design and actual site conditions. For questions or assistance, contact support@bacqyard.com."

DESIGN BY:  
BACQYARD, LLC.  
WWW.BACQYARD.COM

1 (800) 682 - 7906

**BACQ  
YARD**

PROJECT:

LANDSCAPE DESIGN

SHEET TITLE:

**LAYOUT  
PLAN**

ISSUE DATE:  
6/6/2025

DESIGNER:  
S.P.

SCALE:  
-

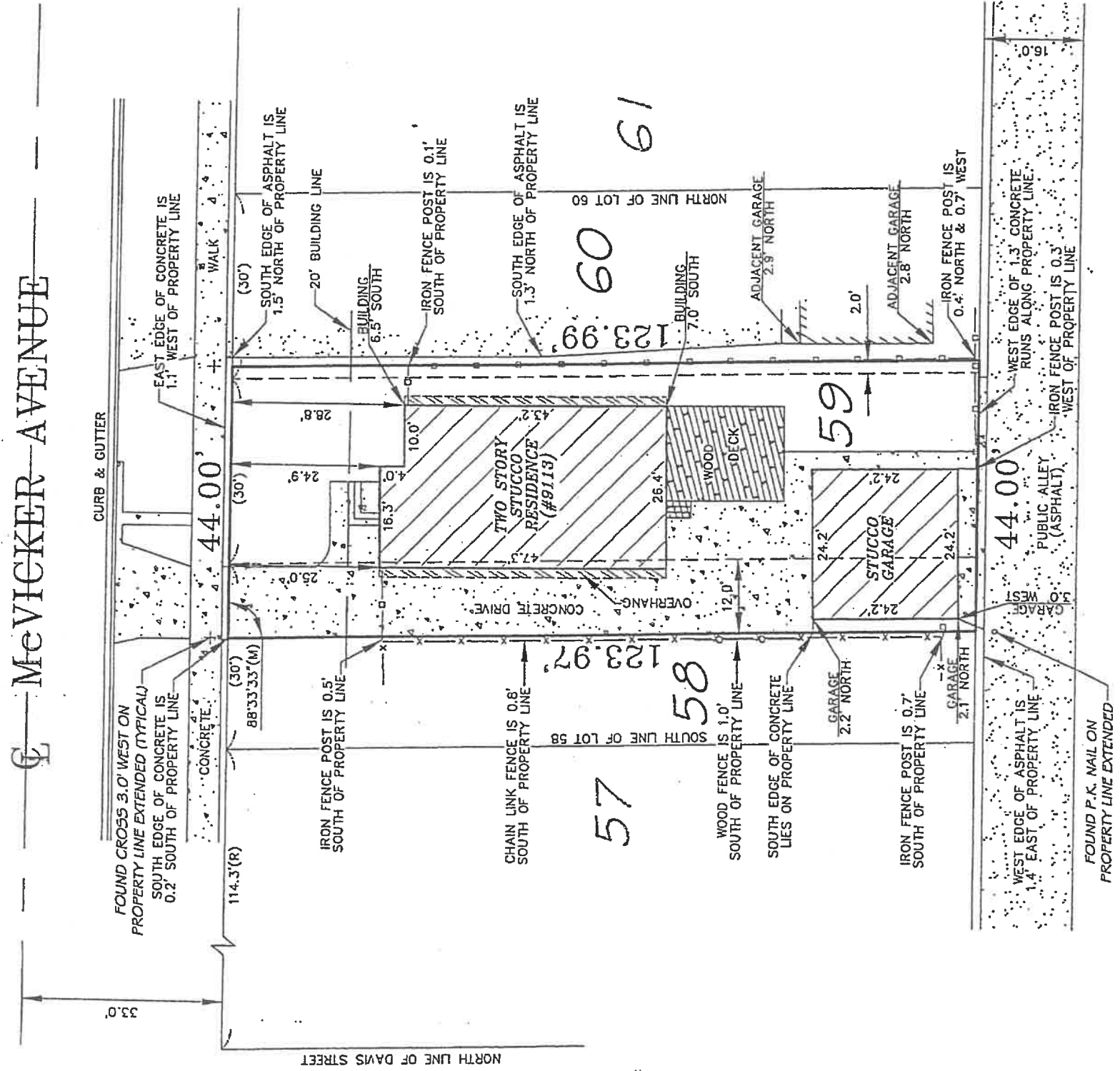
PAPER SIZE:  
24" x 36"

NOTES:  
1. Plans are conceptual in nature and for illustrative purposes only.  
2. Contractor/homeowner to verify dimensions and accept conditions before proceeding with work.  
3. Substitutions may be made as required by contractor or other installer.

# PLAT OF SURVEY

OF

THE SOUTH 2 FEET OF LOT 60, ALL OF LOT 59, AND THE NORTH 12 FEET OF LOT 58 IN OLIVER SALINGER AND COMPANY'S SECOND ADDITION DEMPSTER STREET SUBDIVISION IN EAST 1/2 OF SOUTHWEST 1/4 OF SECTION 17, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

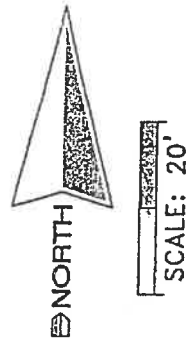


**LEGEND**  
 (R/M) -- RECORD / MEASURED  
 L -- ARC LENGTH  
 R -- RADIUS  
 CH -- CHORD

AREA = 5,454 SQ. FT.  
 MORE OR LESS

PREPARED FOR: WILLIAM G. BOUNDROUKAS (ATTORNEY AT LAW)  
 JOB ADDRESS: 9113 McVICKER AVENUE, MORTON GROVE, IL  
 SELLER/BUYER: PENDAVINJI FAMILY TRUST / KUCHARIK & DOROSHOW  
 JOB NO.: 18-08-0181

**NEKOLA SURVEY, INC.**  
 PROFESSIONAL LAND SURVEYING SERVICES  
 WWW.NEKOLASURVEY.COM  
 400 N. SCHMIDT RD., STE. 203  
 BOLINGBROOK, ILLINOIS 60440  
 (630) 226-1530 PHONE (630) 226-1430 FAX



FIELD WORK COMPLETED ON THE 10TH DAY OF SEPTEMBER, 2018.  
 (STATE OF ILLINOIS)  
 (COUNTY OF WILL) SS

NEKOLA SURVEY, INC. DOES HEREBY CERTIFY THAT IT HAS SURVEYED THE TRACT OF LAND ABOVE DESCRIBED, AND THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

DATED THIS 11TH DAY OF SEPTEMBER, 2018.  
*Wayne W. Nekola*  
 LICENSE RENEWAL DATE: 30 NOVEMBER 2018.

NO IMPROVEMENTS SHOULD BE MADE ON THE BASIS OF THIS PLAT ALONE. FIELD MONUMENTATION OF CRITICAL POINTS SHOULD BE ESTABLISHED PRIOR TO COMMENCEMENT OF ANY AND ALL CONSTRUCTION. FOR BUILDING LINES, EASEMENTS AND OTHER RESTRICTIONS NOT SHOWN HEREON REFER TO YOUR DEED, ABSTRACT, TITLE POLICY, CONTRACTS AND LOCAL BUILDING AND ZONING ORDINANCES.

## Anne Ryder Kirchner

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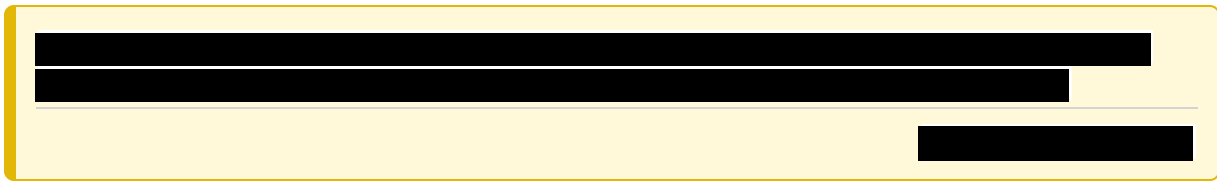
**From:** mel winer <[redacted]>  
**Sent:** Monday, September 15, 2025 3:52 PM  
**To:** Anne Ryder Kirchner  
**Subject:** Case 2BA 25-18

re 9113 renovations  
we reside at 9115 mcvicker  
we look forward to the renovations that heather & matt are proposing thanks mel winer

Sent from my iPhone

**From:** [Fadil Alispahic](#)  
**To:** [Anne Ryder Kirchner](#)  
**Subject:** Support for Case ZBA 25-18 – 9113 McVicker Ave  
**Date:** Tuesday, September 16, 2025 10:54:52 PM

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Dear Members of the Zoning Board,  
I am writing in regard to Case ZBA 25-18, 9113 McVicker Avenue. As the next-door neighbor, I would like to express my support for the proposed work on the property.

I believe the improvements in both the front and rear of the house will add to the curb appeal and enhance the overall look of the neighborhood. I fully favor the project and encourage its approval.

Thank you for your consideration.

Sincerely,

Fadil Alispahic

9107 Mcvicker Ave

Morton Grove, IL 60053

**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:** September 23, 2025

**Re:** ZBA 25-20 – 9230 Newcastle Avenue (10-18-108-051-0000)  
Request for a waiver from Section 12-2-5 of the Unified Development Code to allow the replacement of a nonconforming driveway due to side setback.

## STAFF REPORT

### Public Notice

The Village of Morton Grove provided public notice for the September 30, 2025, Zoning Board of Appeals public hearing for ZBA 25-20 in accordance with Unified Development Code requirements. The *Morton Grove Champion* published a public notice on September 11, 2025. The Village mailed letters on September 11, 2025, notifying surrounding property owners within one-hundred feet, and placed a public notice sign on the subject property on September 11, 2025.

### Request Summary

#### Property Background

The subject property is a 6,572-square-foot lot located on the east side of Newcastle Avenue north of Church Street and south of Beckwith Road. The property is zoned in a R-2 Single Family Residence District and improved with a single-family residence and detached garage in the rear yard. The properties to the north, south, and east are also zoned R-2 Single Family Residence and improved with single-family residences.



***Subject Property Context Map***

### Application Overview

The applicants, Matthew and Melissa Davito, are seeking a waiver to replace an existing nonconforming driveway. The driveway is set back 0 feet from the side lot line. For constrained side yards such as this one with a yard width of 10.4 feet, the minimum 3-foot setback typically required can be reduced to allow a driveway with a 9-foot width. The applicant is requesting a waiver of 1.4 feet to allow a driveway that is 10.4 feet wide that is setback of 0 feet from the side lot line for 51 feet, then tapering to the garage meeting the required setback.

Requested Waivers

The following table provides an overview of the requested waivers for the proposed in-kind replacement of the driveway:

Dimensional Control	Code Requirement	Existing	Proposed	Waiver Request
<b>Driveway Setback</b> (12-2-5:B.5.b.ii.1)	For a driveway within a yard less than 12 ft. in width, the minimum setback of 3 ft. from any non-driveway approach lot line may be reduced to allow a driveway width no greater than 9 ft.	Driveway 0 ft. from side lot line	Driveway 0 ft. from side lot line	<b>Waiver of 1.4 ft. to allow a setback of 0 ft. for the driveway until it tapers to meet the garage</b>
<b>Impermeable Lot Coverage</b> (12-4-2:D)	Maximum 60% (3,943 sq. ft.)	59% (3,912 sq. ft.)	No change	Compliant

The owners are seeking to maintain the 0-foot side setback for the driveway in the front yard and along the side of the home as it was when they purchased the property. They are not asking to expand the drive.



**Subject Property Street View**





# 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: 25-20 Date Application Filed: 8/14/2025

## APPLICANT INFORMATION

Applicant Name: MATT & MELISSA DAVITO  
Applicant Address: 9230 NEWCASTLE AVE.  
Applicant City / State / Zip Code: MORTON GROVE, IL 60053  
Applicant Phone: (224) 999-5673  
Applicant Email: [REDACTED]  
Applicant Relationship to Property Owner: SELF  
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: 9230 NEWCASTLE AVE.  
Property Identification Number (PIN): 10-18-108-051-0000  
Property Square Footage: 6,570 SQ. FT.  
Property Zoning District: SINGLE FAMILY DETACHED GARAGE  
Property Current Use: GOLF VIEW GARDENS

## APPLICATION INFORMATION

Applicant is requesting a variation from the following section(s) of the Morton Grove Unified Development Code:  
SECTION 12-16-3-A-2

Purpose of requested variation (attach as needed): WE ARE REQUESTING TO REPLACE EXISTING DRIVEWAY, WHICH HAS BEEN THERE SINCE 2003. ANY SMALLER AND OUR VEHICLES WILL NOT FIT SAFELY.

## 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 HARDSHIP WE HAVE IS IF WE SHRINK THE DRIVEWAY TO THE SIZE PER CODE, IT MAKES OUR 2 UTILITY VEHICLES DIFFICULT TO PASS THROUGH. (THOSE ARE NOT ALLOWED TO BE PARKED ON THE STREET)

- 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.

BY FOLLOWING THIS VARIATION, IT WOULD MAKE OUR DRIVEWAY UNREASONABLY NARROW, GIVEN THE SIZE OF VEHICLES WE OWN WE'RE LOOKING TO KEEP THE SAME SIZE AS IT'S BEEN THERE FOR OVER 20 YRS.

- 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.

ALTHOUGH, THROUGH THE YEARS VARIATIONS MAY CHANGE, THE CONTINUED SAFE CHANGE WILL NOT EFFECT OUR NEIGHBORS. NOT LOOKING TO CHANGE OR DISTURBE THE EXISTING LOOK.

- 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.

OUR GOAL IS TO STILL PRESERVE THE LOOK, AND SAFETY OF THE DRIVEWAY. WE WANT THE PROPERTY TO CONTINUE LOOKING PROPORTIONALLY SIZED.

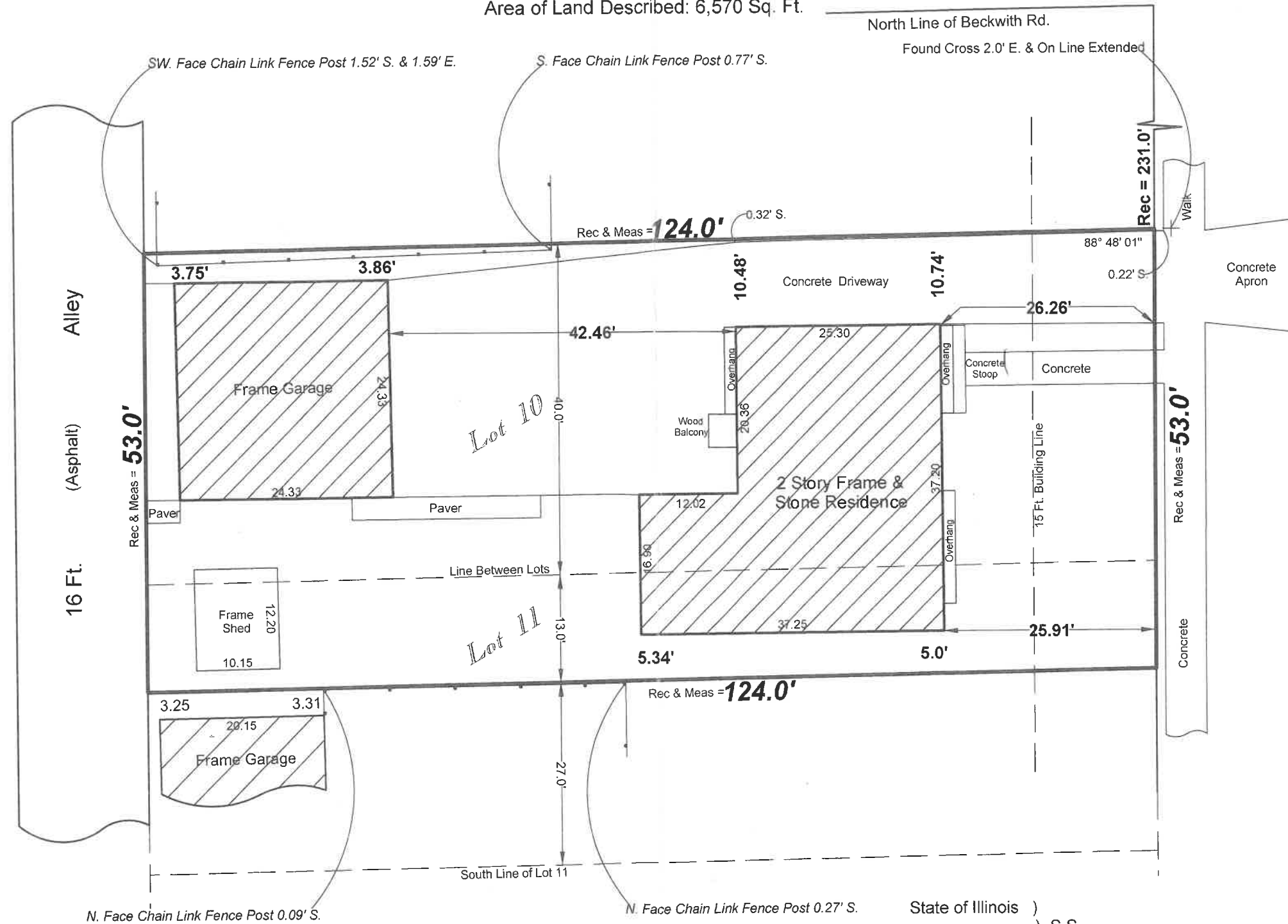
6415 N. Caldwell Ave.  
Chicago, Il. 60646

# Plat of Survey *by* Central Survey LLC

Phone (773) 631-5285  
Fax (773) 775-2071  
www.Centralsurvey.com



Legal Description  
Lot 10 and the North 13 feet of Lot 11 in Block 2 in Golf View Gardens, being a Subdivision in the West 1/2 of Section 18, Township 41 North, Range 13 East of the Third Principal Meridian, according to the plat thereof recorded February 10, 1927 in Book 103, Pages 30 and 31 as Document 9547835, in Cook County, Illinois  
Commonly Known as: 9230 Newcastle Ave., Morton Grove, Illinois  
Area of Land Described: 6,570 Sq. Ft.



RECEIVED

JUL 21 2025

VILLAGE OF MORTON GROVE

Newcastle Ave.

**Legend**

- N. = North
- S. = South
- E. = East
- W. = West
- (TYP) = Typical
- Rec = Record
- Meas = Measure
- St. = Street
- Ave. = Avenue

Decimal/Inch Conversions		
0.01" = 1/8"	0.08" = 1"	0.58" = 7"
0.02" = 1/4"	0.17" = 2"	0.67" = 8"
0.03" = 3/8"	0.25" = 3"	0.75" = 9"
0.04" = 1/2"	0.33" = 4"	0.83" = 10"
0.05" = 5/8"	0.42" = 5"	0.92" = 11"
0.06" = 3/4"	0.50" = 6"	1.00" = 12"

NOTES: \*Property corners were NOT staked per customer.  
\*AutoCad file will not be provided under this contract. \*For building restrictions refer to your abstract, deed, contract, title policy and local ordinances. \*Assume no dimension from scaling upon this plat. \*Compare all points before building and report any difference at once.

Scale: 1 Inch equals 15 Feet.

Ordered By: Melissa Davito  
Order Number: 9230

State of Illinois )  
                          ) S.S.  
County of Cook )

Central Survey LLC does hereby certify that an on the ground survey per record description of the land shown hereon was performed on July 20, 2022 and that the map or plat hereon drawn is a correct representation of said survey. When bearings are shown the bearing base is assumed. Dimensions are shown in feet and hundredths and are correct at a temperature of 68° Fahrenheit.

Dated this 20th day of July 2022

*William R. Webb*

William R. Webb P.L.S. #2190 (exp.11/30/2022) Professional Design Firm Land Surveying LLC (#184.005417)



This professional service conforms to current Illinois minimum standards for a boundary survey.

**From:** [REDACTED]  
**To:** [Anne Ryder Kirchner](#)  
**Subject:** Case ZBA 25-20  
**Date:** Friday, September 19, 2025 3:06:26 PM

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[REDACTED]

I say no to this variation.  
Rules are for everyone to follow not make exemptions because someone feels they are special.