



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

**April 21, 2026 - 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: March 12, 2026

III. PUBLIC HEARINGS:

CASE: ZBA 26-04

APPLICANT: Brian McLean  
8523 Austin Avenue  
Morton Grove, Illinois 60053

LOCATON: 8523 Austin Avenue  
Morton Grove, Illinois 60053

PETITION: Request for approval of variations from Section 12-2-6 to allow an open accessory parking space in a side yard

IV. OTHER BUSINESS None

V. CLOSE MEETING

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

Comments relating to this case may also be submitted no later than 12:00 p.m. on Thursday, April 21, 2026, 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 MARCH 12, 2026  
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, a 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, Liston, and Mohr

Members Absent: Stein 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  
Zoe Heidorn, Assistant Village Manager

Trustees Present: Minx, Thill White, and Mayor Witko

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 6 Board members were present.

Chairman Kintner acknowledged Board member Dorgan's 37 years of service on the Zoning Board of Appeals and Plan Commission. Board member Dorgan thanked the Board and announced his retirement from the Board and Commission after tonight's meeting.

Board Member Liston moved to approve the minutes, Board Member Hussaini seconded the motion. Chairman Kintner called for the vote.

Board Member Dorgan voting	abstain
Board Member Hussaini voting	aye
Board Member Ingram voting	aye
Board Member Liston voting	aye
Board Member Mohr voting	aye
Chairman Kintner voting	aye

Motion passes (5-0)

**CASE ZBA 26-03**

APPLICANT: Noreail Nissan

8801 Olcott Avenue  
Morton Grove, IL 60053

LOCATION: 8801 Olcott Avenue  
Morton Grove, IL 60053

PETITION: Requesting for approval of variations from Section 12-3-5 for a fence to enclose a portion of the street side yard not in line with and behind the rear portion of the principal structure, and does not observe required sight line triangles.

Ms. Kirchner said the applicant's fence permit application indicates they are replacing the existing damaged fence in the same location, at the same height and transparency. Fencing that is four feet in height and fifty percent (50%) transparent is allowed in the street side yard provided it is behind the rear portion of the principal structure.

Photos submitted with the application depict two types of picket fencing. A corner view of proposed fencing has the required 50% transparency, however, a photo showing a gate reflects fencing with twenty-five percent (25%) transparency. The applicant should speak to this discrepancy.

The proposal does not include the required sight line triangles at the Dempster Street access point. The fence would be low and 50% transparent, and the property has a second driveway and curb cut on Olcott Avenue.

Commissioner Ingram asked if the location would differ from the current location. The location is the same.

The applicants were sworn in. Mr. and Mrs. Nissan wish to replace the fence in the same location. The fence will have 50% transparency.

Discussion ensued regarding the gate along Dempster Street.

Mr. Linquist of 8808 Osceola asked if the fence would affect storm water drainage on his property.

A letter from Mr. James Simon was read into the record.

*I would like to inquire what type of fence is going up or just replacing the picket fence. The reason I am inquiring is for safety. With the current fence it is hard to see oncoming traffic's now to make a right or left turn. The other safety issue is no one follows the speed limit or enforces it either. You now can understand my concern over a different style fence. All comes down to safety. Thank you, for taking into account this current problem.*

Board member Liston made a motion to approve Case ZBA 26-03, a request for approval for variations from Section 12-3-5:C to allow a four feet high fence within a street side yard located 49 feet in front of the rear portion of the principal structure, with 50% transparency, not observing required sight line triangles, 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 2/3/2026.
- 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.

Board member Dorgan 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 Liston voting	aye
Board Member Mohr voting	aye
Chairman Kintner voting	aye

Motion passes (6-0)

Chairman Kintner asked for any other business or discussion.

Board Member Ingram moved to adjourn the meeting, seconded by Board Member Mohr. The motion to adjourn the meeting was approved unanimously pursuant to a roll call at 7:21 p.m.

Minutes respectfully submitted by Anne Ryder Kirchner.

DRAFT

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

**From:** Zoe Heidorn, Community and Economic Development Director;  
Anne Ryder Kirchner, Planner/Zoning Administrator

**Date:** April 14, 2026

**Re:** ZBA 26-04 – 8523 Austin Avenue (010-20-217-037-0000)  
Request for approval of a variation from Sections 12-2-6:G to allow the replacement an open accessory parking area with a setback less than 3 feet

## STAFF REPORT

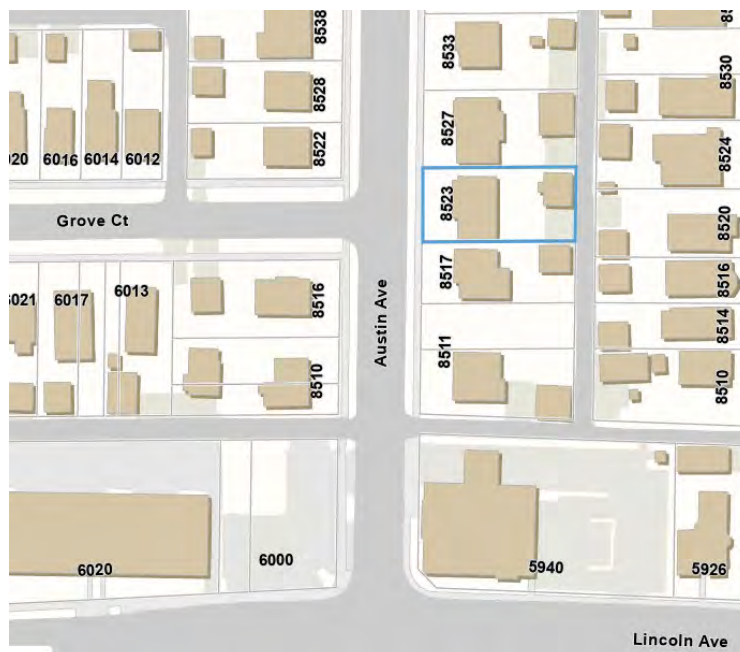
### Public Notice

The Village of Morton Grove provided public notice for the April 21, 2026 Zoning Board of Appeals public hearing for ZBA 26-04 in accordance with the Unified Development Code. The *Morton Grove Champion* published a public notice on March 26, 2026. The Village mailed letters on April 2, 2026, notifying surrounding property owners, and placed a public notice sign on the subject property on April 2, 2026.

### Request Summary

#### Property Background

The subject property at 8523 Austin Avenue is located on the east side of Austin Avenue between Lincoln Avenue and south Park Avenue. The property is within an R-2 Single Family Residence District and is improved with a single-family dwelling. Surrounding properties are also zoned in the R-2 Single Family Residence District and are improved with single-family residences.



*Subject Property Location Map*

### Application Overview

The Applicant and property owner, Brian McLean, is requesting waivers from Section 12-2-6:G to replace an existing open accessory parking space with a setback less than 3 feet from the south side lot line. Approval of the request as presented will

authorize the in-kind replacement of the existing asphalt driveway. The property complies with maximum impervious lot coverage restrictions for the R-2 District.

Requested Waivers

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

DIMENSIONAL CONTROL	ORDINANCE REQUIREMENT	PROPOSED	REQUESTED WAIVERS
<b>Open Accessory Parking Area</b> 12-2-6:G	Min. 3 ft. from all lot lines, not permitted in front or street side yards	0 ft. setback at south side lot line, permitted open accessory parking	<b>Waiver of 3 ft. to allow setback of 0 ft. at south side lot line.</b>
<b>Rear Yard Coverage</b> 12-2-5:B	In no event may the total coverage of accessory structures and impermeable surfaces combined exceed 50% of a rear yard.  (2,040 sq. ft.)	Total rear yard lot coverage 49%  (2,020 sq. ft.)	Compliant

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

- Section 12-2-6:G: Waiver of 3 feet to the minimum 3-foot side setback for open accessory parking spaces to allow a setback of 0 feet from the south side lot line.



**Subject Property Alley View**

Discussion

The Applicant is requesting waivers to allow the in-kind replacement of an existing, asphalt open accessory parking space adjacent to his neighbor’s new proposed concrete sidewalk.

The neighbor’s sidewalk is along the north side of the garage and has a permit for replacement. The walk does not need to observe the required 3 feet setback as the yard along the garage is less than 6 feet in width.

The applicant wishes to have their parking area replaced at the same time as the neighbor’s sidewalk, replace the asphalt with concrete, and not observe the 3-foot minimum required setback.

### 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 incomplete responses to these standards in the Variation Application and is expected to discuss how the project meets the standards at the ZBA hearing.

### Recommendation

Should the Board approve Case ZBA 26-04, staff recommends the following motion and conditions:

*Motion to approve Case ZBA 26-04, a request for approval of variations from Section 12-2-6:G to allow the replacement of a an open accessory parking area with a setback less than 3 feet for the property commonly known as 8523 Austin Avenue, subject to the following conditions:*

- 1) *The proposed driveway shall be installed in accordance with the plans submitted by the Applicant in the Variation Application dated 2/26/2026*
- 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)



Incredibly Close ✦ Amazingly Open

# 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: 26-04 Date Application Filed: 2/26/2026

### APPLICANT INFORMATION

Applicant Name: BRIAN MCLEAN  
Applicant Address: 8523 AUSTIN AVE  
Applicant City / State / Zip Code: MORTON GROVE, IL 60053  
Applicant Phone: 847-610-0649  
Applicant Email: [REDACTED]  
Applicant Relationship to Property Owner: SAME  
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: 8523 Austin Ave  
Property Identification Number (PIN): 10-20-217-037-0000  
Property Square Footage: 7440 sq ft  
Property Zoning District: \_\_\_\_\_  
Property Current Use: Residential

### APPLICATION INFORMATION

Applicant is requesting a variation from the following section(s) of the Morton Grove Unified Development Code:  
12-4-2:0 12-2-6:G

Purpose of requested variation (attach as needed):  
Waiver of 3 ft. to allow zero setback at side lot line.

**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.

*REPLACING BLACKTOP WITH CONCRETE*

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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.

*WOULD LIKE TO REPAVE IN KIND WITH CURRENT DRIVEWAY*

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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.

*NOT DETRIMENTAL*

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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.

*NOT DETRIMENTAL*

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A Affordable Sealcoating L.L.C  
 1616 E Algonquin rd Des Plaines il DATE: 6/29/2025  
 Phone 773-671-7175 GOOD FOR 10 DAYS

TO: Name: Brian Mclean  
 Address: 8523 N Austin ave Morton Grove il  
 Phone: 847-610-0649

**Work to Be Done as Follows:**

- Remove and Replace project. 24X36 asphalt driveway in the back, side sidewalk 4x63 and front stoop.
- New concrete driveway/parking pad in the back, sidewalk and front stoop
- Remove old Asphalt driveway
- There will be disposal of damaged pavement
- Regrade with CA-6 gravel/compact gravel for stability and strong base
- Go over grades to make sure we have the right water drainage and pitch
- Concrete Thickness 5in driveway 4in sidewalk Apply wire mesh. Control joints where needed
- Regular brush finish
- Install 6 bag mix concrete with sealer. 4000 psi

All material is guaranteed to be as specified, and the above work to be performed in accordance with the specifications. WE ARE INSURED, LICENSE AND BONDED

Submitted for above work and complete in a substantial workmanlike manner for the sum of \$12,500 Fifty percent (50%) of the total cost must be paid before the project commences.

Once the project has been completed, the entire balance must be paid immediately. No changes or alterations to the project can be made. If any changes are requested, no additional contract will be drawn up with the changes requested with an additional charge for the new project. NO GUARANTEE AGAINST ANY CRACKS.

Please sign and date below

Owner/Contractor

A Affordable Sealcoating LLC.

BM

*Brian P Mclean*  
 6-30-2025

THANK YOU FOR YOUR BUSINESS!

**RECEIVED**

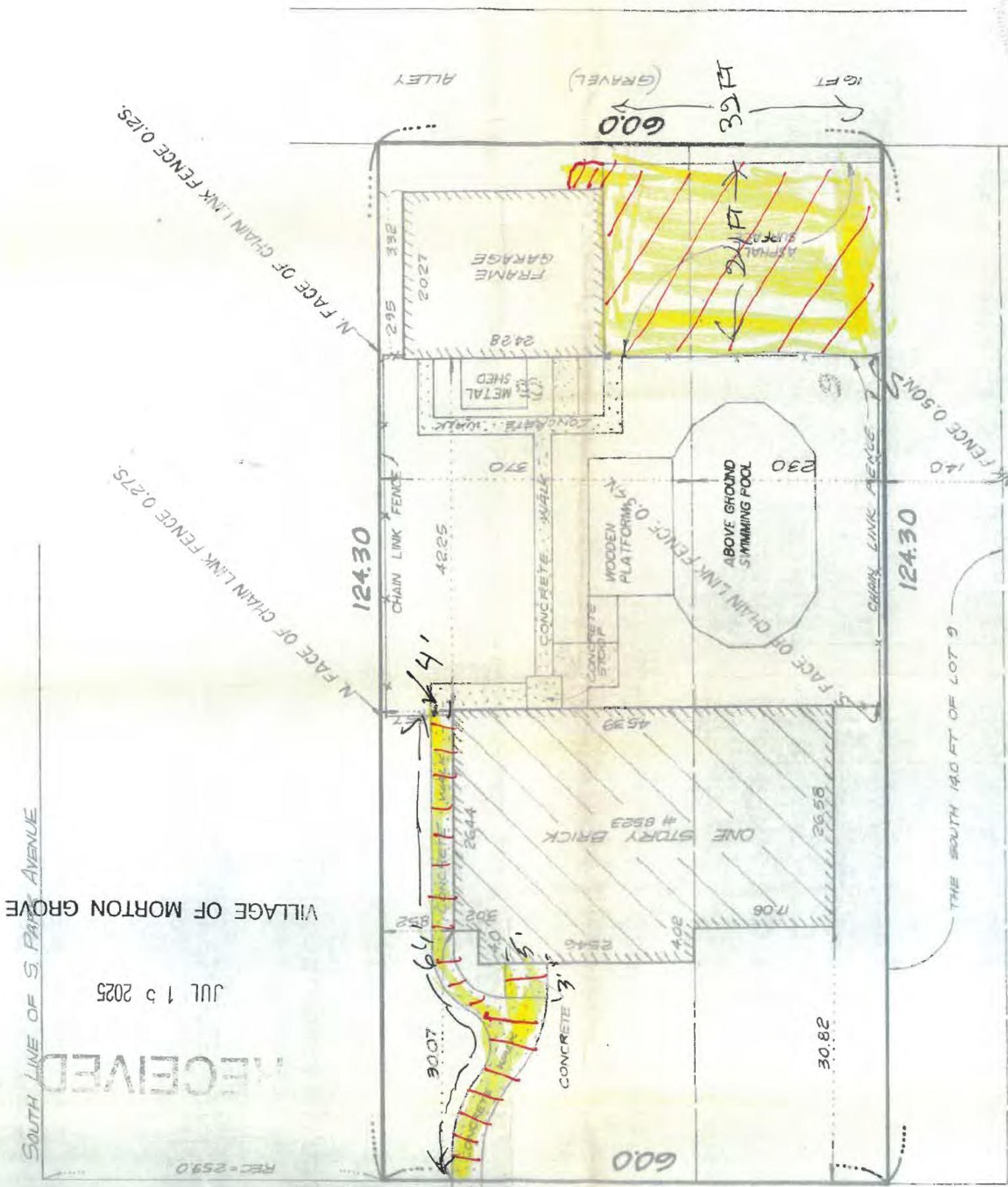
JUL 15 2025

VILLAGE OF MORTON GROVE

# PLAT OF SURVEY GREMLEY & BIEDERMANN INC.

LOT 8 AND LOT 9 (EXCEPT THE SOUTH 14 FEET THEREOF) IN BROOK'S SUBDIVISION OF LOT 7 OF CIRCUIT COURT PARTITION OF LOTS 19 AND 24 IN COUNTY CLERKS DIVISION OF SECTION 20, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, AND THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 19 AND THAT PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 20 LYING BETWEEN AND BOUNDED BY THE SOUTH LINE OF SAID LOT 24 AND THE NORTH LINE OF MILLER'S MILL ROAD ALSO THAT PART OF LOT 14 IN COUNTY CLERKS DIVISION LYING BETWEEN SAID MILLER'S MILL ROAD AND SAID LOT 7 ABOVE DESCRIBED ALL IN TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

RECEIVED  
JUL 13 2025  
VILLAGE OF MORTON GROVE



State of Illinois } ss.  
County of Cook }

We, GREMLEY & BIEDERMANN, INC. hereby certify that

DISTANCES ARE MARKED IN FEET AND DECIMAL PARTS THEREOF. COMPARE ALL POINTS REFERRED TO BY THIS PLAT TO THE ORIGINAL SURVEY RECORDS.

DRAWN	CHECKED
RL	RL

MA McLEAN

LEAN