



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

**May 19, 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:** April 21, 2026

III. **PUBLIC HEARINGS:**

**CASE:** ZBA 26-06

**APPLICANT:** Daniel Neamt  
8542 School Street  
Morton Grove, Illinois 60053

**LOCATON:** 8542 School Street  
Morton Grove, Illinois 60053

**PETITION:** Request for variations from Section 12-3-5:C to enclose a portion of the street side yard not in line with and behind the rear portion of the principal structure with a fence not meeting height and transparency requirements

**CASE:** ZBA 26-07

**APPLICANT:** Wayne Elston  
9205 Oketo Avenue  
Morton Grove, Illinois 60053

**LOCATON:** 9205 Oketo Avenue  
Morton Grove, Illinois 60053

**PETITION:** Request for variations from Section 12-3-5:C to enclose a portion of the street side yard not in line with and behind the rear portion of the principal structure with a fence not meeting height and transparency requirements

IV. **OTHER BUSINESS** None

V. **CLOSE MEETING**

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

Comments relating to this case may also be submitted no later than 12:00 p.m. on Tuesday, 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 APRIL 21, 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: Kintner, Liston, Mohr, Stein and Stone

Members Absent: Ingram and Hussaini with notice

Village Staff Present: Zoe Heidorn, Director of Community and Economic Development  
Anne Ryder Kirchner, Planner/Zoning Administrator, and Secretary  
James English, Building and Inspectional Services

Trustees Present: Minx, Thill, and White

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 acknowledged Board member Liston's 5-year anniversary on the Zoning Board of Appeals and Plan Commission. Kaitlyn Stone was welcomed as newly appointed to the Zoning Board of Appeals and the Plan Commission.

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

Board Member Liston voting	aye
Board Member Mohr voting	aye
Board Member Stein voting	abstain
Board Member Stone voting	abstain
Chairman Kintner voting	aye

Motion passes (3-0)

**CASE ZBA 26-04**

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

LOCATION: 8523 Austin Avenue  
Morton Grove, IL 60053

PETITION: Requesting for approval of a variation from Section 12-2-26 to allow an open accessory parking space in a side yard

Ms. Kirchner said 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.

Chairman Kintner asked if the width of the parking area is 32 feet. It measures 32 feet in width from the garage to the south property line.

The applicant was sworn in. Mr. McLean wishes to improve the surface of the parking area, keeping the same dimensions. He would like to install a basketball hoop for his grandchildren too.

Board member Stein asked if there would be an expansion joint or some type of demarcation line between the two properties. The applicant said they could supply one and said his neighbor supports the variation.

Board member Mohr asked how the drainage would flow off of the property. It will flow to the existing storm sewer in the alley.

James Blanchard, 8517 Austin, gave his support for the variation and for the inclusion of a demarcation between his sidewalk and the parking area.

Board member Stone made a motion to approve Case ZBA 26-04, a request for approval of variations from Section 12-2-6:G to allow the replacement of 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.
- 3) A demarcation line or joint will be placed between the applicant's driveway and the adjacent sidewalk at 8517 Austin Avenue

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

Board Member Liston voting	aye
Board Member Mohr voting	aye
Board Member Stein voting	aye
Board Member Stone voting	aye

Chairman Kintner voting                      aye

Motion passes (5-0)

Chairman Kintner asked for any other business or discussion.

Board Member Liston moved to adjourn the meeting, seconded by Board Member Stone. The motion to adjourn the meeting was approved unanimously pursuant to a roll call at 7:18 p.m.

Minutes respectfully submitted by Anne Ryder Kirchner.

DRAFT

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

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

**Date:** May 12, 2026

**Re:** ZBA 26-06 – 8542 School Street (10-20-117-005-0000)  
Request for variations from Section 12-3-5:C to enclose a portion of the street side yard not in line with and behind the rear portion of the principal structure with a fence not meeting height and transparency requirements.

## STAFF REPORT

### Public Notice

The Village of Morton Grove provided public notice for the May 19, 2026, Zoning Board of Appeals public hearing for ZBA 26-06 in accordance with the Unified Development Code. The *Morton Grove Champion* published a public notice on April 30, 2026. The Village mailed letters on April 30, 2026, notifying surrounding property owners, and placed a public notice sign on the subject property on, April 30, 2026.

### Request Summary

#### Property Background

The subject property at 8542 School Street in Morton Grove, Illinois, is an 8,897-square-foot corner lot located at the southwest corner of the School Street and South Park Avenue intersection. The subject property is zoned R-2 Single Family Residence and is improved with a single-family residence and detached garage. Surrounding properties are also zoned within the R-2 District and improved with single-family residences. The Village of Morton Grove Village Hall is across the intersection to the northeast and St. Martha/All Saints Parish is directly west.



**Subject Property Location Map**

### Application Overview

The applicant and owner, Daniel Neamt, is requesting waivers from Section 12-3-5:C of the Unified Development Code to authorize the installation of a vinyl fence that is six (6) feet in height and provides zero percent (0%) transparency in a street side yard, portions of which are not behind the rear portion of the principal structure. The fencing will be located three (3) feet

east of the rear building line at the front of the home and continue west and south to enclose the street side yard ending at the northeast corner of the garage. A sight line triangle is not required where the fence meets the garage.

The subject property has an existing wood picket fence with a height of approximately three (3) feet that runs along a portion of the north lot line. This fence is proposed to be removed.

The same fencing is proposed along the rear lot line at the rear of the garage, continuing along the south property line and meeting the requirements of Section 12-3-5.

**Requested Waivers**

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

DIMENSIONAL CONTROL	ORDINANCE REQUIREMENT	PROPOSED	REQUESTED VARIATION
<b>Street Side Yard Fencing</b> (Section 12-3-5)	Maximum Height: 4 ft.  Minimum Transparency: 50%  Location: Must be behind the rear portion of the principal structure closest to the street side yard  Sight Line Triangle: Fences shall not be located within a 45-degree 10-foot by 10-foot sight line triangle at any point where the vehicular access way intersects a driveway, alley, sidewalk, or other vehicular or pedestrian access way.	Height: 6 ft.  Transparency: 0%  Location: 3 feet in front (east) of the rear portion of the structure closest to the street side yard  Sight Line Triangle: Fence ends 10 feet before driveway crosses property line	<b>Height: Waiver of 2 ft. to allow a fence height of 6 ft.</b>  <b>Transparency: Waiver of 50% to allow a fence transparency of 0%.</b>  <b>Location: Waiver of 3 ft. to allow street side yard fencing in front of the rear portion of the structure</b>  Sight Line Triangle: Compliant

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

- Section 12-3-5:C.2 Variation of three (3) feet to allow a fence that is not in line with and behind the rear portion of the principal structure closest to the street side yard property line.
- Section 12-3-5:C.3 Variation to allow a fence height of six (6) feet.
- Section 12-3-5:C.4 Variation to allow a fence with zero percent (0%) transparency.



**Subject Property Street View from South Park Avenue**

**Discussion**

The applicant is requesting a privacy fence to replace the existing picket fence in the same location and to add fence portions in place of current landscaping. The applicant prefers a 6-foot-high solid fence to provide a protected area for his children and maximize the enclosed yard area. This is similar to the neighboring property to the north.

### **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 26-06, staff recommends the following motion and conditions:

*Motion to approve Case ZBA 26-06, a request for variations from Section 12-3-5 to allow a six feet high fence within a street side yard located 3 feet in front of the rear portion of the principal structure, with 0% 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 4/7/2026.*
- 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.*

### **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: 26-06 Date Application Filed: 4/7/26

### APPLICANT INFORMATION

Applicant Name: DANIEL NEAMT  
Applicant Address: 8542 SCHOOL ST  
Applicant City / State / Zip Code: MORTON GROVE  
Applicant Phone: 224 260 6144  
Applicant Email: [REDACTED]  
Applicant Relationship to Property Owner: \_\_\_\_\_  
Applicant Signature: [Signature]

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

Owner Name: DANIEL NEAMT  
Owner Address: 8542 SCHOOL ST  
Owner City / State / Zip Code: MORTON GROVE 60053  
Owner Phone: 224 260 6144  
Owner Email: [REDACTED]  
Owner Signature: [Signature]

### PROPERTY INFORMATION

Common Address of Property: 8542 SCHOOL ST. MORTON GROVE 60053  
Property Identification Number (PIN): 10-20-117-005-0000  
Property Square Footage: \_\_\_\_\_  
Property Zoning District: R-2  
Property Current Use: Single family home

### APPLICATION INFORMATION

Applicant is requesting a variation from the following section(s) of the Morton Grove Unified Development Code:  
12-3-5  
Purpose of requested variation (attach as needed): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## 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.

YES The need for a 6 foot fence is not self-imposed but is due to the unique ~~use~~ conditions of the property, including its location along a side street with alley access. These conditions increase exposure to pedestrian traffic and unauthorized entry, making a taller fence with limited visibility necessary to provide reasonable privacy and security for the property and its occupants.

- 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 enforcement of the 4 foot fence limitation would deprive the property owners of reasonable use and enjoyment of their property by limiting privacy and security. There have already been instances of individuals entering the property and taking photos without consent. There is picture and video proof of these instances. Additionally children reside on the property, and a 6 foot fence is necessary to provide a safe secure environment. This request is based on safety and privacy concerns, not financial consideration.

- 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.

Granting this variance will not be detrimental to the public welfare. The proposed fence will be constructed in compliance with applicable safety standards and will not interfere with visibility for traffic or pedestrians. The fence will enhance safety by discouraging trespassing and unauthorized access to 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 proposed fence will not negatively impact the surrounding neighborhood. It will not impair light or air to adjacent properties, increase congestion, or pose safety risks. Additionally, similar fencing already exists in the immediate area, including a nearby property with a 6 foot fence of limited visibility. The proposed fence will be consistent with character of the neighborhood and properly maintained. See attached photos demonstrating similar existing fence and property exposure.

# Village of Morton Grove Fence Permit Application

Project #JFEN 26-0016

JOB ADDRESS 8542 SCHOOL ST CONSTRUCTION COST \$ 7000

PROPERTY OWNER NAME <u>DANIEL NEAMT</u>	CONTRACTOR BUSINESS NAME <u>OWNER</u>
ADDRESS (NO P.O. BOX) <u>8542 SCHOOL ST.</u>	BUSINESS ADDRESS (NO P.O. BOX)
CITY/STATE/ZIP CODE <u>MORTON GROVE 60053</u>	CITY/STATE/ZIP CODE
PHONE <u>224 260 6144</u>	PHONE LICENSE
EMAIL <u>[REDACTED]</u>	EMAIL

**RECEIVED**  
MAR 31 2026  
VILLAGE OF MORTON GROVE

### Proposed Fence

Height 6ft Running Length 270 ft Percent Transparency less than 50%

Material (check one)  chain link  coated chain link  wrought iron/aluminum  wood  
 masonry  composite material  other \_\_\_\_\_

Type/Style (check one)  picket  wrought iron style  stockade  board-on-board  
 split rail  open chain link  chain link with slats  shadow box  
 other \_\_\_\_\_

Installation (check all that apply)  new  repair  replacement

Check "replacement" if proposed new fence replaces an existing fence or portion of fence in the same location. Check "new" if proposed fence is a new fence in a new location. Check both if the proposed fence is both a replacement and extension. If a replacement, provide below in comments, the characteristics of the existing fence and percent amount of existing fence proposed to be replaced.

Purpose of Fence/Additional Description/Comments: \_\_\_\_\_

- ✓ Attach 3 copies of plat of survey accurately noting proposed fence location with highlighter. If multiple fence heights are proposed, indicate the proposed height of each portion of fencing.
- ✓ Attach copy of the signed job proposal with the scope of work.

J.U.L.I.E – Arrangements shall be made for adequate protection against interference with underground utilities by calling J.U.L.I.E (1-800-892-0123 OR 811) and Morton Grove Public Works (847-470-5235)

#### Notice and Disclaimer

It is the responsibility of both the property owner and fence installer to ensure that fence installation is accurately installed on the subject property and does not encroach upon any adjoining property or public right-of-way. The Village of Morton Grove expressly disclaims any liability for improper fence installation, property encroachment or any property dispute that may arise from fence installation. Fences installed in utility easements may be subject to removal by utility companies performing work. In such cases, any fence replacement is the responsibility of the owner.

I have read the above disclaimer and hereby acknowledge my responsibility to ensure that fence installation does not encroach upon the public right-of-way or an adjoining property. I understand the Village fence regulations and inspection requirements, attest that I will comply with these requirements and hereby apply for a Village fence permit.

\_\_\_\_\_  
Property Owner Signature

\_\_\_\_\_  
Contractor Signature

\_\_\_\_\_  
Date

Office Use Only

Approved by \_\_\_\_\_ Issue Date \_\_\_\_\_ Fee Paid \$ \_\_\_\_\_



PROPERTY ADDRESS:  
8542 SCHOOL STREET, MORTON GROVE, ILLINOIS 60053

SURVEY NUMBER: IL2602.0484

DATE SIGNED: 02/06/26      FIELD WORK DATE: 2/4/2026

REVISION DATE(S):  
(REV.1 2/6/2026)

POINTS OF INTEREST  
NONE VISIBLE

STATE OF ILLINOIS      SS  
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 DATE HEREON.



*Kenneth Kennedy*

ILLINOIS PROFESSIONAL LAND SURVEYOR No. 3403  
LICENSE EXPIRES 1/30/2026  
EXACTA LAND SURVEYORS, LLC  
PROFESSIONAL DESIGN FIRM 184008059-0008



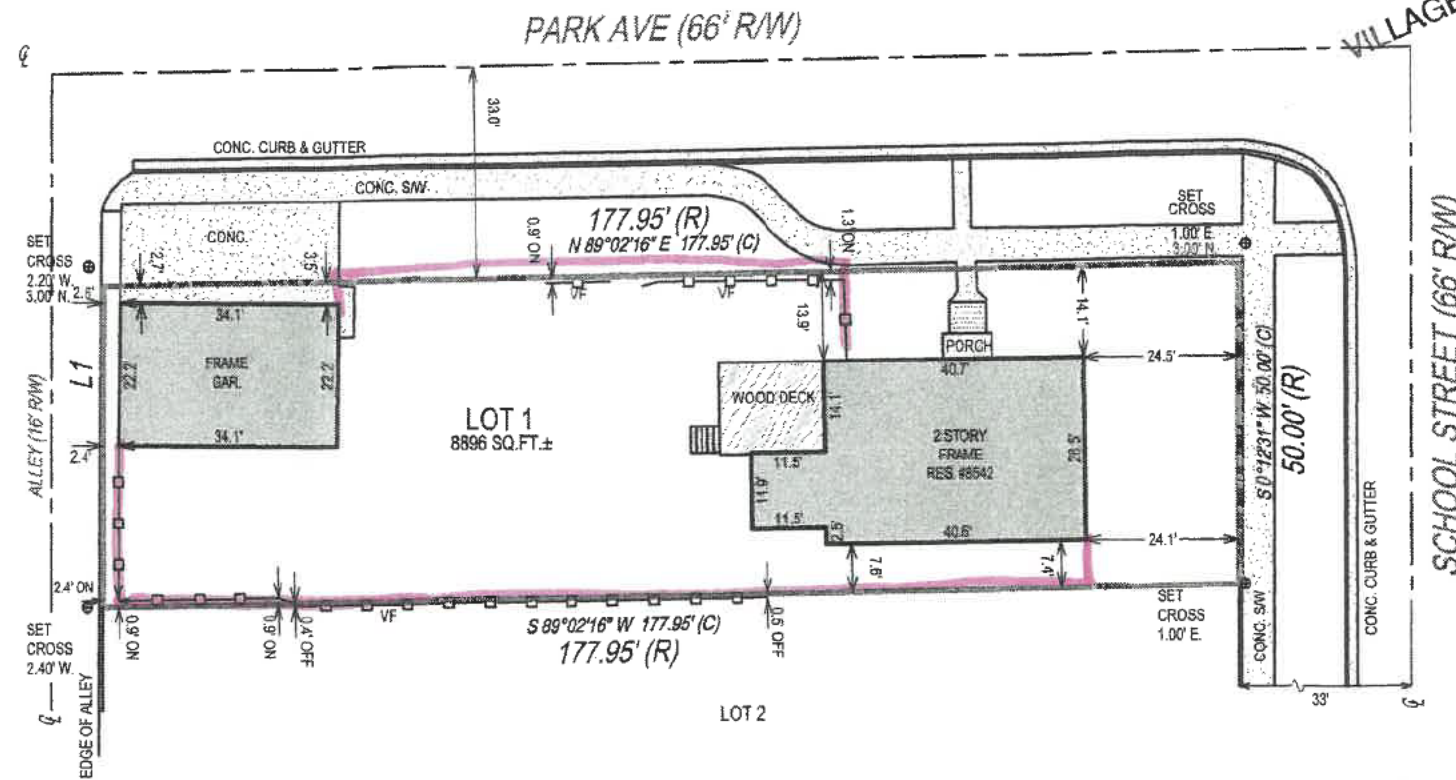
Exacta Land Surveyors, LLC  
PDF # 184008059  
o: 773.305.4011  
316 East Jackson Street | Morris, IL 60450



IL2602.0484  
PLAT OF SURVEY  
COOK COUNTY, ILLINOIS

RECEIVED  
MAR 31 2025

VILLAGE OF MORTON GROVE



LINE TABLE:  
L1 50.00' (R)  
N 0°12'31\"/>

PROPERTY WAS SNOW COVERED AT TIME OF SURVEY



GRAPHIC SCALE (In Feet)  
1 inch = 30' ft.



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

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

**Date:** May 12, 2026

**Re:** ZBA 26-07 – 9205 Oketo Avenue (09-13-202-060-0000)  
Request for variations from Section 12-3-5:C to enclose a portion of the street side yard not in line with and behind the rear portion of the principal structure with a fence not meeting height and transparency requirements.

## STAFF REPORT

### Public Notice

The Village of Morton Grove provided public notice for the May 19, 2026, Zoning Board of Appeals public hearing for ZBA 26-07 in accordance with the Unified Development Code. The *Morton Grove Champion* published a public notice on April 30, 2026. The Village mailed letters on April 30, 2026, notifying surrounding property owners, and placed a public notice sign on the subject property on, April 30, 2026.

### Request Summary

#### Property Background

The subject property at 9205 Oketo Avenue in Morton Grove, Illinois, is an 8,469-square-foot corner lot located at the southeast corner of the cul-de-sac ending at Oketo Avenue and Church Street. The subject property is zoned R-1 Single Family Residence and is improved with a single-family residence. Surrounding properties are also zoned within the R-1 District and are improved with single-family residences. The Com-Ed transmission line utility easement is directly south.



**Subject Property Location Map**

### Application Overview

The applicant and owner, Wayne Elston, is requesting waivers from Section 12-3-5 of the Unified Development Code to authorize the installation of a replacement fence of cedar or vinyl that is six (6) feet in height providing zero percent (0%) transparency in a street side yard, portions of which are not behind the rear portion of the principal structure.

The fencing will be located eight (8) feet west of the rear building line at the front of the home and continue east and north to enclose the street side yard and rear yard. The subject property qualifies for street side yard fencing due to its orientation to the block face. A sight-line triangle is not required where the fence meets the adjacent property as the neighboring driveway is more than ten (10) feet from the proposed fence.

**Requested Waivers**

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

DIMENSIONAL CONTROL	ORDINANCE REQUIREMENT	PROPOSED	REQUESTED VARIATION
<b>Street Side Yard Fencing</b> (Section 12-3-5)	Maximum Height: 4 ft.  Minimum Transparency: 50%  Location: Must be behind the rear portion of the principal structure closest to the street side yard  Sight Line Triangle: Fences shall not be located within a 45-degree 10-foot by 10-foot sight line triangle at any point where the vehicular access way intersects a driveway, alley, sidewalk, or other vehicular or pedestrian access way.	Height: 6 ft.  Transparency: 0%  Location: 8 feet in front (west) of the rear portion of the structure closest to the street side yard  Sight Line Triangle: Fence ends 10 feet before driveway crosses property line	<p><b>Height: Waiver of 2 ft. to allow a fence height of 6 ft.</b></p> <p><b>Transparency: Waiver of 50% to allow a fence transparency of 0%.</b></p> <p><b>Location: Waiver of 8 ft. to allow street side yard fencing in front of the rear portion of the structure</b></p> <p><i>Sight Line Triangle: Compliant</i></p>

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

- Section 12-3-5:C.2 Variation of eight (8) feet to allow a fence that is not in line with and behind the rear portion of the principal structure closest to the street side yard property line.
- Section 12-3-5:C.3 Variation to allow a fence height of six (6) feet.
- Section 12-3-5:C.4 Variation to allow a fence with zero percent (0%) percent transparency.



**Subject Property Street View from Church Street**

### Discussion

The applicant is proposing a new fence in the same location, but set back on the property line, removing the current one (1) foot encroachment on the Village right-of-way. The adjacent existing patio width will be decreased by one (1) foot to allow the fence to be at sidewalk level and not on top of the patio, screening the raised patio elevation from the street.

The current fence is in disrepair. The applicant would like to maintain the fence height at six (6) feet and not have a section at four (4) feet in height fence connecting with the permitted section of taller fencing with a height of six (6) feet in the rear yard.

### 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 26-07, staff recommends the following motion and conditions:

*Motion to approve Case ZBA 26-07, a request for variations from Section 12-3-5 to allow a six feet high fence within a street side yard located 8 feet in front of the rear portion of the principal structure, with 0% 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 4/20/2026.*
- 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.*

### 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: 26-07 Date Application Filed: 4/20/26

### APPLICANT INFORMATION

Applicant Name: WAYNE ELSTON  
Applicant Address: 9322 KEYSTONE  
Applicant City / State / Zip Code: SKOKIE IL 60076  
Applicant Phone: 847-712-2169  
Applicant Email: [REDACTED]  
Applicant Relationship to Property Owner: FATHER + CO-OWNER  
Applicant Signature: [Signature]

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

Owner Name: MARY ELSTON  
Owner Address: 9205 OKETO  
Owner City / State / Zip Code: MORTON GROVE IL 60053  
Owner Phone: 312-719-2169  
Owner Email: [REDACTED]  
Owner Signature: [Signature]

### PROPERTY INFORMATION

Common Address of Property: 9205 OKETO MORTON GROVE IL 60053  
Property Identification Number (PIN): 09-13-202-060-0000  
Property Square Footage: 1293 INTOR 7480 SQFT LOT  
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:

Purpose of requested variation (attach as needed): REPLACE FENCE ON PROPERTY LINE  
SAME HEIGHT 6' LEVEL + PRIVACY

## RESPONSES TO STANDARDS FOR VARIATION

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

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

FENCE + PATIO WERE EXISTING WHEN  
PROPERTY WAS PURCHASED

- 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.

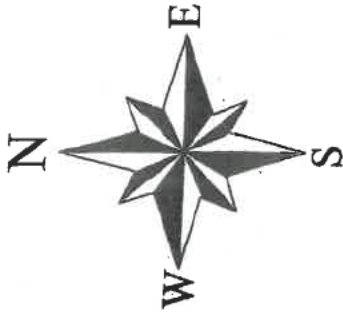
5' OF YARD ON SOUTH END OF REAR YARD  
WOULD BE LOST.

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

THIS IS AN UPGRADE FROM EXISTING FENCE  
AND WOULD NOT HAVE ANY EFFECT ON  
PUBLIC WELFARE AND WOULD IMPROVE NEIGHBORHOOD 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.

THIS VARIATION DOES NOT HAVE A PROPERTY ADJACENT  
AND NO EFFECT ON TRAFFIC NOR INCREASE POTENTIAL  
FIRE RISK OR PUBLIC SAFETY. IT WOULD BEAUTIFY  
THE PROPERTY + INCREASE SAFETY

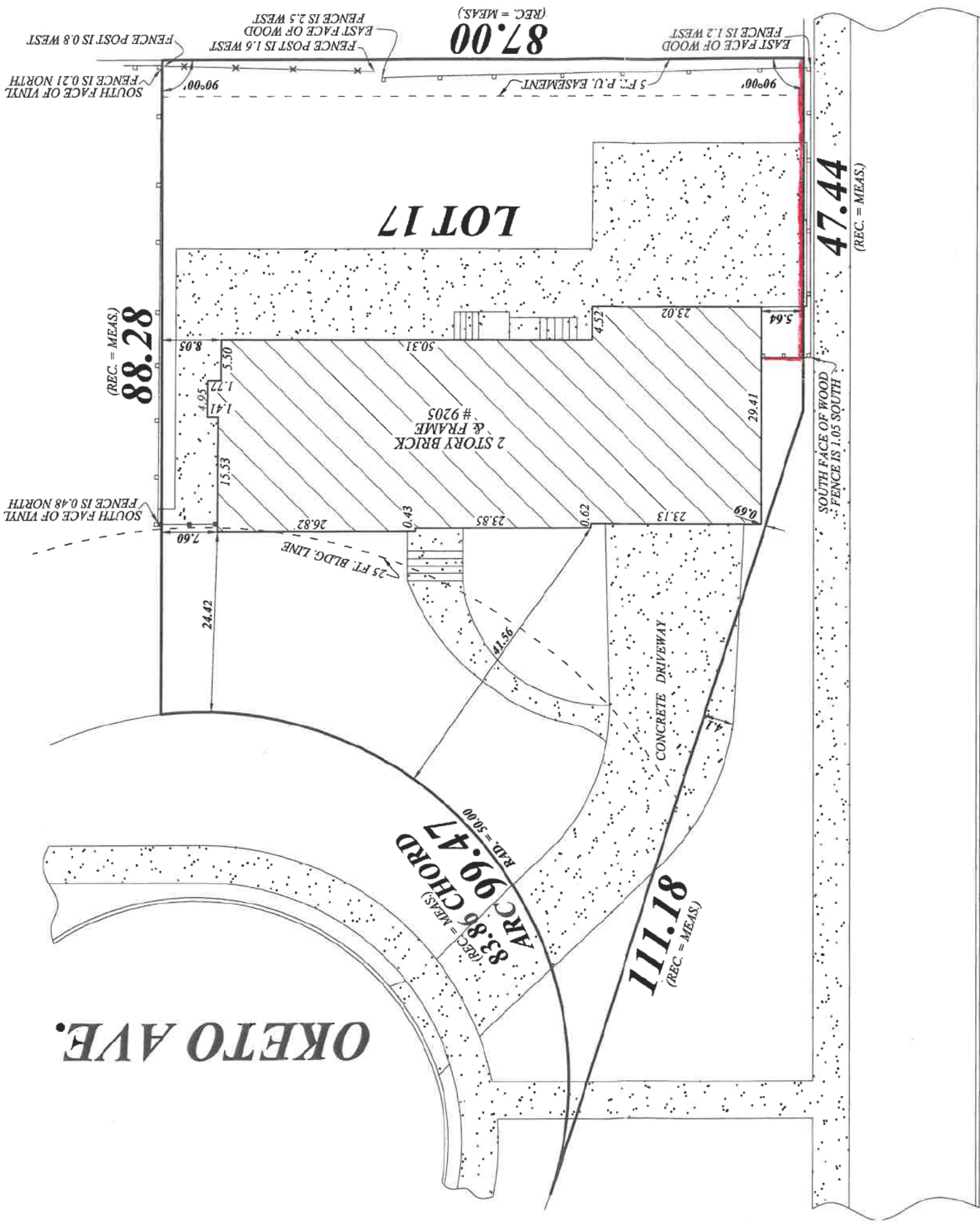


# PLAT OF SURVEY

DESCRIBED AS :

LOT 17 IN UNIT NO. 2 OF THE NORTHERN CONSTRUCTION COMPANY'S SUBDIVISION OF PART OF THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

TOTAL LAND AREA: 8469.3 SQ. FT.



## CHURCH ST.



- LEGEND**
- - - CHAIN LINK FENCE
  - - - WOOD FENCE
  - - - IRON FENCE
  - - - CONCRETE PAVEMENT
  - - - ENCLOSED FRAME PORCH
  - - - OPEN FRAME PORCH
  - - - SIDE BOUNDARY LINE
  - - - EASEMENT LINE
  - - - BLDG. SETBACK LINE
  - - - CENTER LINE

ALL DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

SCALE: 1" = 16'

ORDERED: MARC W. SARGIS

JOB NO : 211207M  
FIELDWORK  
COMPLETION  
DATE : DECEMBER 3, 2021

MUNICIPALITY : MORTON GROVE

THE LEGAL DESCRIPTION NOTED ON THIS PLAT IS A COPY OF THE ORDERS AND FOR ACCURACY MUST BE COMPARED WITH THE DEED.

STATE OF ILLINOIS      COUNTY OF COOK      SS.      SIGNATURE, DATE:      ...DECEMBER 7, 2021...

I, ANDRZEJ MURZANSKI, AN ILLINOIS REGISTERED LAND SURVEYOR, DO HERBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY.

*Andrzej Murzanski*

ANDRZEJ MURZANSKI PLS. NO. 35-3258 EXPIRES 11/30/2022  
THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

ANY DISCREPANCY IN MEASUREMENT SHOULD BE PROMPTLY REPORTED TO THE SURVEYOR FOR EXPLANATION OR CORRECTION.

FOR EASEMENTS, BUILDING LINES AND OTHER RESTRICTIONS NOT SHOWN ON THIS PLAT REFER TO YOUR ABSTRACT, DEED, TITLE POLICY AND LOCAL BUILDING REGULATIONS.

NO CORNERS WERE MONUMENTED PER CUSTOMER REQUEST.

**ANDRZEJ MURZANSKI**  
LAND SURVEYORS, INC  
PROFESSIONAL DESIGN FIRM  
NO. 184-004748

240 COUNTRY LANE  
GLENVIEW, IL 60025  
PHONE : 847-486-8731

amurzanski@outlook.com

OPTION 1 CEDAR



OPTION 2 VINYL





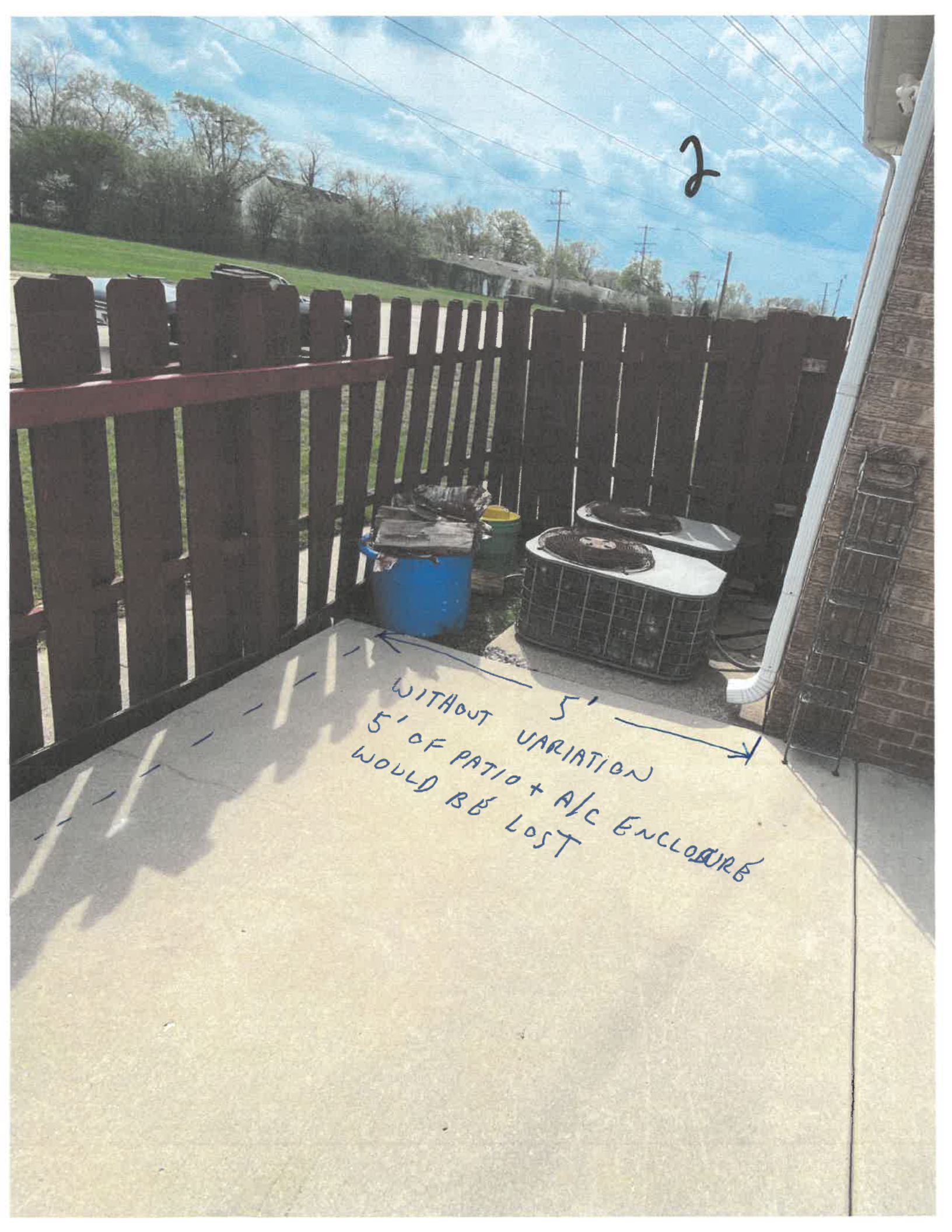
OUR CURRENT FENCE ON CHURCH  
6' SEMI PRIVACY  
COMMON SIDE YARD  
STREET

FENCE RUNNING  
OUT TO  
PUBLIC SIDEWALK

TO BE  
REPLACED 1' FURTHER INTO  
PROPERTY

2

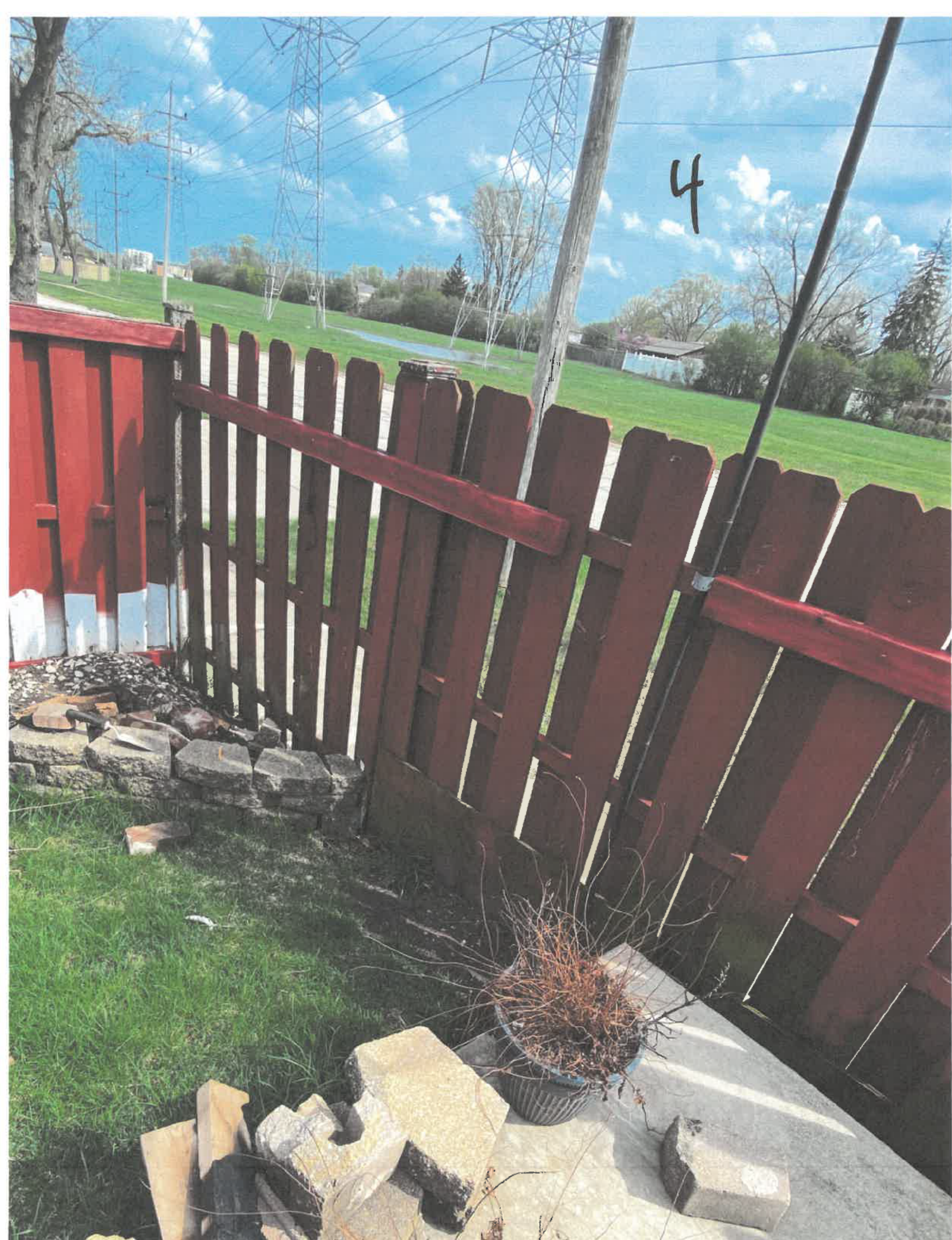
5'  
WITHOUT VARIATION  
5' OF PATIO + A/C ENCLOSURE  
WOULD BE LOST





CUT CONCRETE 1' IN TO  
KEEP FENCE AT SIDEWALK LEVEL

4



5

COMMON  
SIDE YARD  
STREET SIDE

VIEW OF OUR  
REAR FENCE  
TO BE REPLACED  
AND ALSO THE  
NEIGHBORS  
EXISTING  
PRIVACY  
FENCES

HARLEM + GOLF

1

PRIVACY  
CORNER SIDE YARD  
STREET



HARLEM

2

SPEED  
LIMIT  
30

↑  
PRIVACY  
COMMON SIDE YARD  
STREET



6' PRIVACY  
COMMON SIDBYARD  
STREET

FENCE RUNNING OUT TO  
PUBLIC SIDEWALK

3



4



6' SEMI PRIVATE  
CORNER SIDE YARD  
STABBT  
NOT STARTING AT CORNER OF  
HOUSE