



# Village of Lincolnwood Zoning Board of Appeals

*Special Meeting*  
**Wednesday, June 26, 2024**  
**7:00 P.M.**

*in the*  
**Gerald C. Turry Village Board Room**  
**Lincolnwood Village Hall - 6900 North Lincoln Avenue**

## Meeting Agenda

1. **Call to Order/Roll Call**
2. **Pledge of Allegiances**
3. **Approval of Minutes**  
May 15, 2024 Meeting Minutes
4. **Case #ZB-07-24: 6548 North Christiana Avenue – Zoning Appeal Related to Appropriate Means of Vehicular Access to a Required Parking Space**  
**Request:** Consideration of an appeal by Laura Zimmerman, property owner, regarding a determination by the Zoning Officer related to appropriate means of vehicular access to a required parking space pursuant to Section 7.06(3) of the Zoning Ordinance. During the Public Hearing, the Zoning Board of Appeals may consider any additional regulations related to this matter.
5. **Next Meeting: Wednesday, July 17, 2024**
6. **Public Comment**
7. **Adjournment**

Posted: June 21, 2024



**Draft MEETING MINUTES  
OF THE  
May 15, 2024  
ZONING BOARD OF APPEALS  
  
LINCOLNWOOD VILLAGE HALL  
Gerald C. Turry Village Board Room**

Zoning Board of Appeals Members Present: Chairman Bruce Heller, Commissioners Martin Youkhanna, Rizwan Hussain, and Aida Cantic

Absent: Commissioners Meldina Dervisevic and Anna Velasquez

Staff Present: Doug Hammel, Planning and Economic Development Manager

**I. Call to Order/Roll Call**

Chairman Heller noted a quorum of four members and called the meeting to order at 7:02 p.m.

**II. Pledge of Allegiance**

**III. Approval of March 21, 2024 ZBA Meeting Minutes**

**Motion:** Commissioner Hussain made a motion to accept the minutes as presented.

The motion was seconded by Commissioner Youkhanna.

**Aye:** Chairman Heller and Commissioners Hussain and Youkhanna

**Nay:** None

**Abstain:** Commissioner Cantic

**Motion Approved: 4-0**

**IV. Case #ZB-04-24: 7163 North East Prairie Avenue – Approval of a Special Fence Request**

Planning and Economic Development Manager Doug Hammel introduced the case. The subject property is in the R-3 Residential district and is across the street from a property that is zoned in the B-2 general Business zoning district and fronts on Touhy Avenue. That property is currently under renovation to accommodate a new restaurant.

Mr. Hammel explained the petitioner has requested approval to install a decorative fence that would enclose the rear yard and north side yard and the nature of the proposed masonry columns.

He explained that Section 3.13(8) states that certain types of fences are subject to Special Fence approval, among them are decorative wrought iron fences and masonry fences.

Additional considerations of the subject property were discussed. He explained that the petitioner changed the original design to meet zoning regulations. They reduced the height of the fence along the north side of the house, agreed to a three foot fence setback in the interior side yard, and eliminated a low masonry wall to avoid stormwater impacts.

One piece of public comment was received supporting the proposed fence.

Mr. Hammel presented prior similar requests comparable to the requested approval.

Commissioner Hussain asked Mr. Hammel to clarify where the petitioner agreed to the setback of the fence in the interior side yard.

Petitioner – Jamila Vega, Daughter of Property Owners, Angel and Judith Vega

Chairman Heller asked the petitioner to explain what the connector between the fence and the home in the interior side yard to the north would look like. She explained there would be a gate for access in and out.

Commissioner Youkhanna asked the petitioner if the property to the south had a fence and if the proposed fence would be replacing an existing fence on their shared lot line. The petitioner explained that the subject property has a six-foot wooden fence to the south located solely on the subject property that will be replaced should the proposed fence be approved.

There was some discussion about the impact on the neighbors and privacy concerns. Mr. Hammel clarified that approving the petitioner's fence request would not prevent the neighbors from building their own fence to restore privacy.

Commissioner Hussain asked about the intent of requiring the petitioner to have the fence setback three feet from the front façade of the home. He pointed out that the front façade was already setback due to the shape of the home.

Chairman Heller asked if the brick used in the masonry columns would match the brick material used on the property façade. The petitioner confirmed that they plan to match the brick materials of the fence and the house.

There was discussion about waiving the setback requirements and adding a variance to the recommended approval to allow the petitioners to make the fence flush with the front of the home in the interior side yard to the north. However, the petitioner stated that they are planning to provide the required setback.

**Motion:** Commissioner Hussain made a motion to recommend approval of the request as presented with the three-foot setback requirement.

Commissioner Hussain noted the special fence standards and concluded that the standards were sufficiently discussed by the Commissioners and that the standards were met, specifically that the fence is not located in the front yard.

The motion was seconded by Commissioner Youkhanna.

Chairman Heller reviewed the special fence standards list and the Commissioners decided that all standards were met. It was determined that the proposed fence will not endanger visibility, will be in harmony with architecture of the building and neighborhood, will not be injurious to the use and enjoyment of other properties, will not impede the installation of fences on adjacent properties, and conforms to all other regulations.

**Aye:** Chairman Heller and Commissioners Hussain, Cantic, and Youkhanna

**Nay:** None

**Abstain:** None

**Motion Approved: 4-0**

This item will go to the Village Board on June 4, 2024.

Mr. Hammel noted that the petitioner may not be able to attend the June 4, 2024, meeting, but that he would work with them to decide when to advance the case to the Village Board.

**IV. Case #ZB-05-24: 6708 North Kedvale Avenue – Approval of Zoning Variation Regarding the Setback of a Deck**

Planning and Economic Development Manager Doug Hammel introduced the case, explaining that the subject property is in the R-3 Residential district and is a single-family home that has unique configuration.

He reviewed the proposed improvement of a 310 square foot deck. The deck would have the same elevation as the ground floor interior of the home (31 inches above grade) and have stairs providing access to the rear yard to the west and the new patio to the south.

Mr. Hammel outlined that Section 3.10.01 of the Zoning Ordinance states that decks are permitted to be in the rear yard of the property, but they must meet the required setback for the building. He noted that the proposed deck could not be classified as a patio (which would have lesser setback requirements) because it is more than 1-foot above grade.

Mr. Hammel explained the staff interpretation of the rear lot lines due to the unique configuration of the property. The designation prevents any size deck from being built without a zoning variation.

It was noted that the petitioner installed the deck without a permit, but has been acting in good faith to come into compliance.

Mr. Hammel explained the unique configuration of the property and an easement that runs along the entirety of the rear yard setback. Additionally, the proposed deck would cover an existing concrete mass and expand the area by 58 square feet.

Mr. Hammel explained that the petitioners already installed arborvitae along the entire length of the rear lot line to provide them and their neighbors with privacy. He suggested that if the Commissioners determine that screening is necessary, they could require that natural screening remain in place as a condition of approval.

One letter of support for the proposed improvement was provided prior to the presentation, and letters of support from two additional property owners were provided to Commissioners at the hearing.

The requested relief was a zoning variation from Section 3.10.01 to reduce the required rear yard setback from 30' to one foot to accommodate a deck attached to the rear portion of the home.

Petitioner – Sol Ashback, Property Owner

Chairman Heller asked the petitioner the dimensions and setback measurements of the existing concrete slab. Mr. Ashback stated that the pinch point of the existing concrete slab has a four-foot setback.

The petitioner provided context to the issues of the unique configuration of the property and explained the difficulties of working within the required setbacks.

Chairman Youkhanna asked Mr. Hammel if the deck were to be added to the footprint of the existing concrete slab, would a zoning variation still be needed. Mr. Hammel confirmed that while the concrete slab is legal non-conforming, any changes to its dimensions would need a variation.

There was discussion about the variation standards as they applied to the case. The Commissioners determined that the requested variation met all variation standards. A hardship related to the property configuration is present, the improvement is not solely for enhancing the value of the property, the hardship was not created by any person, and is not detrimental to public welfare.

**Motion:** Commissioner Cantic made a motion to recommend approval of the request as presented with the condition that landscaping screening be maintained along the rear lot line adjacent to the deck.

There was discussion about the quantity of landscape screening that should be included in the condition of approval and how that would affect neighboring properties or future property owners.

Commissioner Hussain suggested a condition requiring landscape screening or a six-foot tall fence to provide more flexibility.

The petitioner stated that he had no intention of removing the landscape screening, and a condition upon approval would not affect him. However, portions of the arborvitae along the rear lot line are

across both the subject property and the neighboring property. Should the neighbor wish to remove the landscaping, the subject property owner would need to replant the landscape screening on his property.

Mr. Hammel confirmed that if the Commissioners add a stipulation to a variance, that variance stays with the property even after a change in property owners.

**Motion:** Commissioner Cantic made a motion to recommend approval of a variation for Section 3.10.01 to reduce the required setback of the deck from 30' to 1' with the condition that there be maintained landscape screening or a 6' fence in the area adjacent to the proposed deck.

The motion was seconded by Commissioner Youkhanna.

**Aye:** Chairman Heller and Commissioners Youkhanna, Hussain, and Cantic

**Nay:** None

**Abstain:** None

**Motion Approved: 4-0**

This item will go to the Village Board on June 4, 2024.

## **VI. Public Comment**

The public was asked if anyone participating in the meeting would like to address the Zoning Board of Appeals. Let the record state that no one came forward.

## **VII. Next Meeting**

The next meeting of the Zoning Board of Appeals is scheduled for Wednesday, June 19, 2024.

## **VIII. Adjournment**

**Motion to recommend adjournment** was made by Commissioner Hussain. The meeting was adjourned at 8:15 p.m.

The motion was seconded by Commissioner Cantic.

**Aye:** Chairman Heller and Commissioners Youkhanna, Hussain, and Cantic

**Nay:** None

**Abstain:** None

**Motion Approved: 4-0**

Respectfully submitted,

Marcos Classen  
Community Development Coordinator



## Zoning Board of Appeals Staff Report

### Case #ZB-07-24

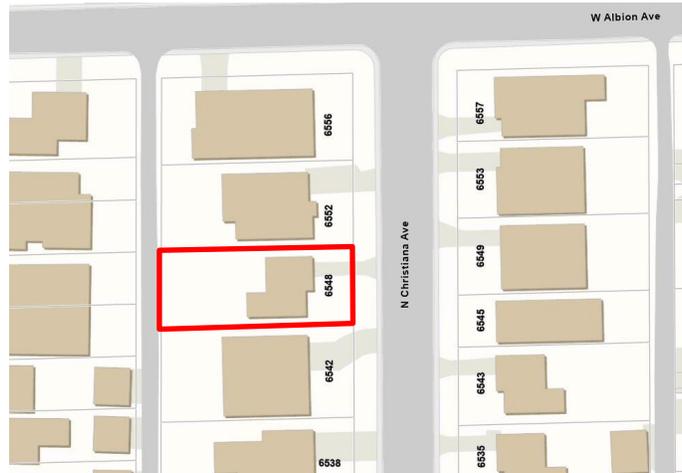
June 26, 2024

**Subject Property:**  
6548 North Christiana Avenue

**Zoning District:** R-3 Residential

**Appellant:** Laura Zimmerman,  
property owner

**Requested Action:** Consideration of an  
Appeal of the Zoning Officer's  
Determination Regarding Appropriate  
Means of Vehicular Access to a required  
Parking Space



**Nature of Request:** The Petitioner seeks consideration of an Appeal regarding the Zoning Officer's determinations that a proposed improvement does not result in an appropriate means of vehicular access to a required parking space

**Notification:** As per Section 5.13(3) of the Village Code, all interested parties, which in this case includes the Appellant/property owner, were provided notice of the date, time, and location of the public hearing. (The Zoning Ordinance does not require legal notice to surrounding properties or in a local newspaper that would normally be required for a public hearing related to a Variation or Special Use.)

### **Introduction**

Section 5.13 of the Zoning Ordinance establishes the ability to appeal the determination of the Zoning Officer, and the process by which an appeal is to be heard by the Zoning Board of Appeals (ZBA) and, ultimately, the Village Board. As per that section, Laura Zimmerman, owner of 6548 North Christiana Avenue, recently submitted an appeal regarding the Zoning Officer's determination regarding whether a proposed improvement provides an appropriate means of vehicular access to a required parking space.

This report, drafted and submitted by Village staff, provides general information about the subject property, information regarding the appeals process and the nature of the determination the ZBA is being asked to make, and information regarding the proposed improvement and Zoning Officer's determination that led to the Appellant's filing of an appeal. Additional

information for consideration by the ZBA from both the Zoning Officer and Appellant are provided as individual attachments to this report.

### **Information About the Subject Property**

The subject property is located in the R-3 residential zoning district and is surrounded by other properties in that same district. The property hosts a single-family home with an attached garage. It has an area of just over 6,000 square feet and a width of 50 feet. The attached garage is located in the front of the home and is accessed directly from a driveway from North Drake Avenue.



*Google Streetview Image (2022)  
of the Subject Property*

### **ZBA Consideration of a Zoning Appeal**

The ZBA regularly hears requests related to Zoning Variations, more rarely hears requests related to zoning appeals. This section is intended to provide context regarding the ZBA's consideration of this appeal and how it differs from other requests the ZBA more regularly hears.

### **Zoning Appeals Process**

As noted earlier in this report, Section 5.13 of the Zoning Ordinance establishes procedures related to a zoning appeal. A summary of relevant provisions is as follows:

- An appeal can be issued by any party aggrieved by a determination made by the Zoning Officer with respect to the provisions of the Zoning Ordinance.
- An Appellant is required to file an appeal with the Village Clerk within 45 days of the Zoning Officer's determination. The Appellant met all requirements for the filing of an appeal in this case.
- The ZBA holds a hearing regarding the facts of the appeal and testimony from the Appellant and Zoning Officer, makes findings related to those facts and testimony, and provides a recommendation for final consideration by the Village Board.
- The Village Board considers the ZBA's recommendation, facts of the case and testimony, and hold final authority regarding whether to find in favor of the Zoning Officer's determination or the Appellant's appeal.

### **Zoning Variations versus Appeals of a Determination by the Zoning Officer**

It is important for all parties involved in this matter to understand the difference between a request for a Zoning Variation and an appeal of a determination by the Zoning Officer. At its most fundamental level, a request for a Zoning Variation is an effort to seek relief from a certain provision or provisions of the Zoning Ordinance. Such a request is typically based upon the unique circumstances of a property or its surroundings.

An appeal of a determination by the Zoning Officer is an effort to demonstrate that certain provisions of the Zoning Ordinance were wrongly interpreted or applied to a proposed use or improvement to a property.

### **Relevance of Hardship and Zoning Variation Standards**

Because a zoning appeal is not a request for relief from a zoning provision, the determination of a hardship based on the characteristics of the property is not relevant. Nor are the Zoning Variation standards that are found in Section 5.15(7) of the Zoning ordinance and referenced when making findings of fact related to a Zoning Variation request.

Instead, the ZBA is asked to consider arguments presented by the Appellant and Zoning Officer to determine whether certain provisions of the Zoning Ordinance were wrongly interpreted or applied. Those arguments from the Appellant and Zoning Officer are provided as separate attachments to this report. Both the Appellant and Zoning Officer will be provided an opportunity to address the ZBA as part of the hearing, and will be available for additional questions or clarifications during ZBA deliberations.

### **Implications of a Decision Related to an Appeal Request**

The implications of a decision regarding a zoning appeal are different than those of a Zoning Variation. A Zoning Variation is granted to a specific petitioner based on the facts of their proposed improvement, property characteristics, and practical ability to meet relevant zoning regulations. While such an approval is applicable to a single property, there may be some consideration of precedent for other properties with similar claims of hardship.

When a zoning appeal is upheld, Village officials are essentially directing staff to interpret certain zoning provisions in a manner that is different than their initial determination. As such, it can be presumed that that interpretation will be applied to all applications for similar property improvements going forward.

### **Proposed Improvement and Zoning Officer Determination**

The Appellant recently submitted plans for an alteration to the attached garage as part of a Building Permit application. Those plans indicate that the existing garage door has a width of eight feet. The proposed alteration would include the removal of the existing garage door and installation of a double front door with a total width of six feet, and a non-operable transom panel on each side of the double door configuration. Images on the following page show the existing configuration of the garage, its proposed configuration, and proposed front elevation.



**Initial Zoning Officer Determination**

Upon reviewing the plans, the Zoning Officer determined that the proposed width of the operable door opening is inadequate. His finding is based on Section 7.06(3), which reads as follows:

*“7.06 General standards for off-street parking facilities.*

*Off-street parking facilities shall be provided in accordance with regulations hereinafter set forth.*

*(3) Access. Each required off-street parking space shall open directly upon an aisle or driveway of such width and design as to provide safe and efficient means of vehicular access to such parking space. All off-street parking facilities shall be designed with appropriate means of vehicular access to a street or alley in a manner which will least interfere with traffic movement.”*

Based on that determination, it was found that the proposed improvement would result in the elimination of a parking space that is required pursuant to other provisions of Article 7: Off-Street Parking and Loading of the Zoning ordinance.

On April 30, 2024, the Zoning Officer provided the following plan review comment, which led to a designation of “revisions needed” for this plan review:

*“Previous plan reviews sought information regarding whether the garage is being converted into something other than an area for parking a vehicle. The revised submittal states that it will still be a garage, but the width of the doors would not provide access for vehicles typically available to residential vehicle owners. The design must provide practical access for a vehicle in order to be considered an improvement that does not eliminate the garage space that currently exists.”*

**Appellant’s Response to Initial Zoning Officer Determination**

On May 1, 2024, the Petitioner provided the following written response through the Village’s Building Permit application portal:

*“The current garage space is not practical for vehicles typically available to residential vehicle owners. With the existing opening of 8 ft wide and the interior brick to brick width of the garage of 9’5” and the typical width of a car at 6ft with a typical door of 42 inches. Although the opening does allow for you to park the car in the garage it does not allow you to get out of the car due to the remaining space of 19 inches on each side of the car. For this reason, the Zimmermans’s were not able to park their typical car in the garage. They plan on using the garage space in the same manner of storage of bicycles, extra storage, yard equipment, shop work to maintain household equipment, ect.*

*The new design that is esthetically appealing gives access to a small compact car ( a car that you can actually open the door and get out of once you’re in the garage) Motorcycles, Bicycles, garden and yard equipment, outdoor furniture storage, ect. The Zimmermans plan on using the garage in the same manner that they use their garage now. Although it will be more appealing inside and out and will give them year-round garage shop work capability.*

*The Zimmerman’s have also noted that there are many garages in the neighborhood with similar doors and even some with no doors just windows.”*

**Zoning Officer's Response to Appellant's Response**

On May 13, 2024, the Zoning Officer provided the following plan review comment in response to the Appellant's response submitted on May 1, 2024:

*"The applicant submitted a response on May 1 2024 suggesting that the existing garage is impractical and that the proposed improvement would operate in a similar manner. The design plans show the existing garage door as having a width of 8', which is a practical industry standard width for a one-car garage door. The design plans show that the new double doors would have a width of 6'. This is not a practical width for an industry standard one-car garage door. Because the existing door meets the industry standard and the new door does not, the Zoning Officer has no choice but to deem the proposed improvement as removing a qualifying on-site parking space."*

Following the provision of the Zoning Officer's plan review comment on May 13, 2024, Village staff and the Appellant maintained communications regarding this matter. However, with the matter going unresolved, the Appellant filed her appeal with the Village Clerk in accordance with Section 5.13 of the Zoning Ordinance on June 4, 2024.

**Action Requested by Staff**

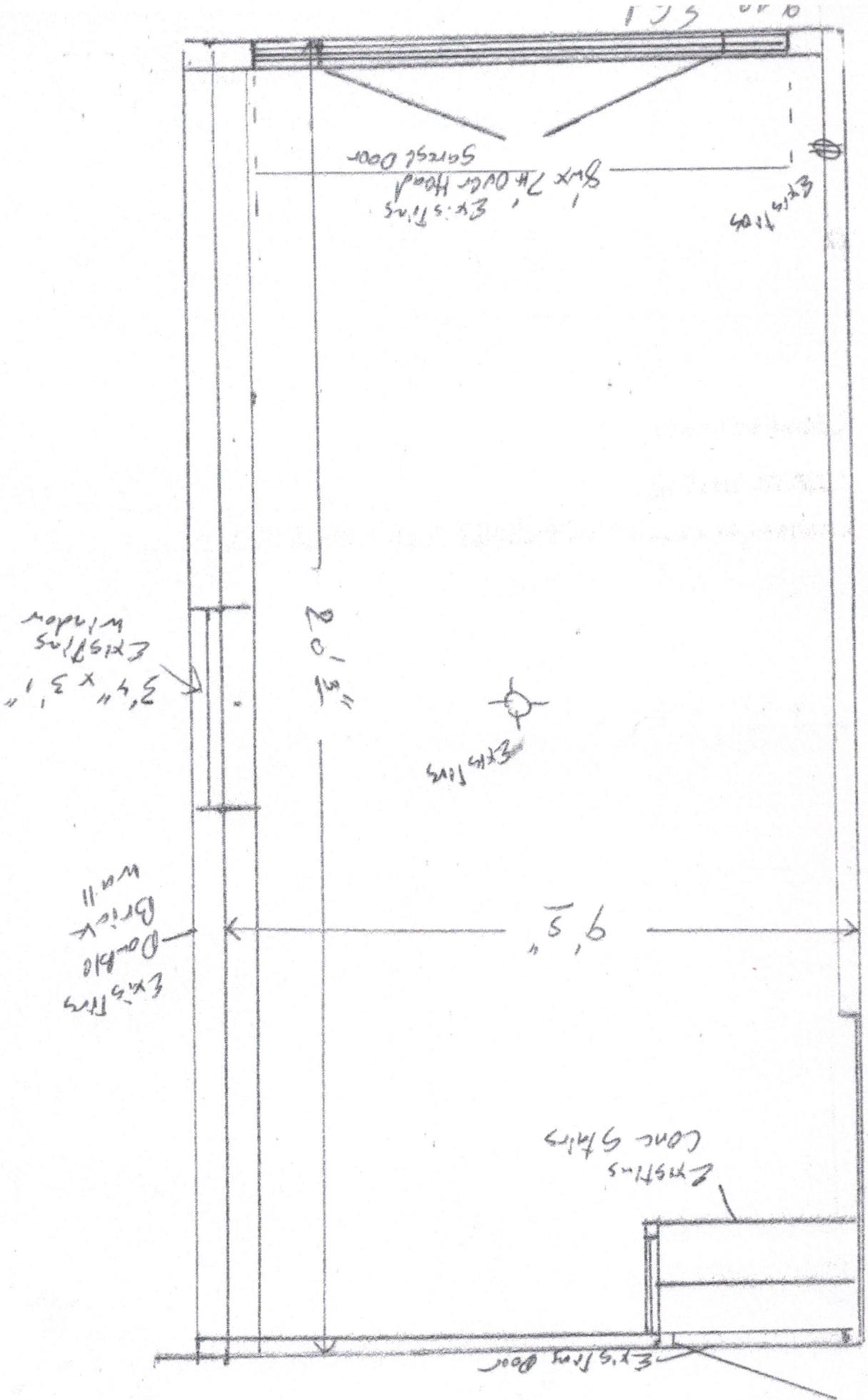
Staff requests that the ZBA review the arguments presented by the Appellant and Zoning Officer, as represented by separate attachments to this report. After consideration of the facts of this matter and the arguments made by each party, staff requests that the ZBA provide a recommendation to the Village Board regarding whether to either uphold the Zoning Officer's determination, or find on favor of the Appellant's appeal.

It is worth noting that in addition to the narrative argument and photo submitted by the Appellant and included in Attachment #2, the Appellant has provided a video as part of her evidence. That video is embedded as a clickable icon in Attachment #2. If any members of the ZBA are unable to open and view the link, staff can attempt to circulate it via email.

**Documents Attached**

1. Plans Illustrating the Proposed Improvement
2. Appellant's Submittal
3. Zoning Officer's Submittal
4. Relevant Regulations

Existing Garage  $\frac{1}{2}'' = 1'$  scale



Scale  $\frac{1}{2}'' = 1'$

Interior Garage Finish

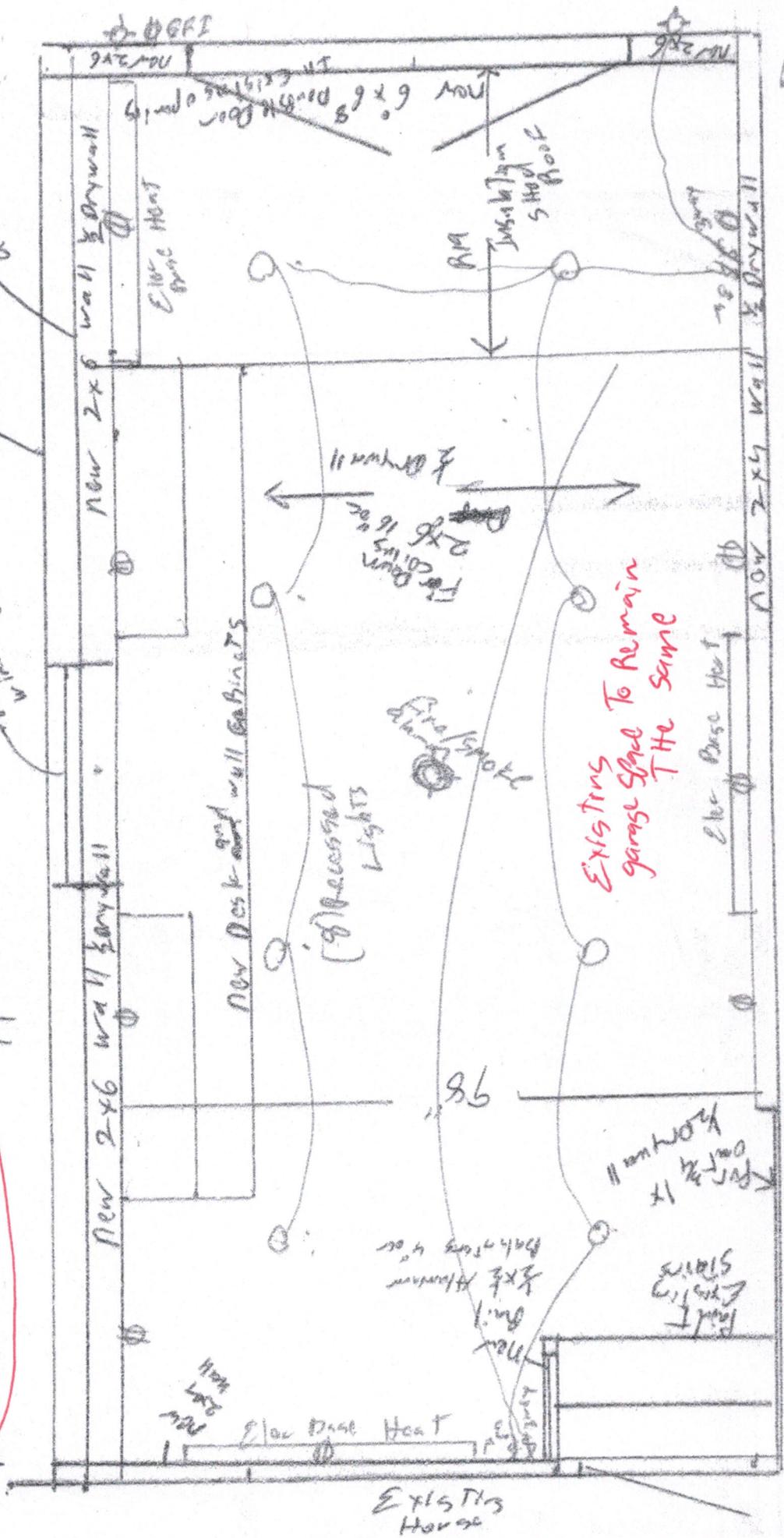
- all new Baseboard Heat Circuit to Existing Panel
- all new 20 AMP outlets/circuits to Existing Panel
- all new 15 AMP Lighting Circuit to Existing Panel

Electric per Code

Garage To Be Used as a Garage NOT Living Space

No Paint, Gasoline or Flammable Liquids To Be Stored

Existing wall  
 Existing units  
 All trim to R19  
 Existing wall  
 New window in Existing  
 New 2x6 wall & Drywall  
 New 2x4 wall & Drywall





## Attachment #2. Appellant's Submittal

June 3, 2024

Ref Code: STE72N

6548 N. Christiana Ave.

To whom it may concern:

I am submitting this appeal to contest the lack of Zoning Ordinance on the following grounds that there is no code stating what width garage doors need to be. The zoning provisions in play are the following:

**Section 15- 7.06(3):** *Each required off-street parking space shall open directly upon an aisle or driveway of such width and design as to provide safe and efficient means of vehicular access to such parking space.*

We meet the requirements of Section 7.06(3) and 7.06(6), which establishes a minimum parking space dimension of 9' wide by 18' deep.

**Email from Doug Hammel on 5/14:** *"It is the opinion of the Zoning Officer that the proposed 6' width of the door does not meet this requirement."*

- Code interpretation is not applicable because there is no code citing the dimensions for the width of a vehicle or the width of a garage door.

**Email from Doug Hammel on 5/13:** *"The opening must be at least 8' in width."*

- **There is not a code provision specifically establishing a minimum width for a garage door.**

Our home's current garage opening is 8 feet wide, and I have installed 6 feet wide doors with 1 foot of trim on either side. A vehicle can fit in the 6-foot-wide doors safely and efficiently which satisfies the above code. Below is a list of vehicles that can enter in and out of 6ft wide doors if it pleases the Board.

### List of vehicles that can fit in 6 ft wide doors (72 inches):

Fiat 500 - Approximately 64 inches wide.  
Chevrolet Spark - Approximately 62.8 inches wide.  
Mitsubishi Mirage - Approximately 65.6 inches wide.  
Smart Fortwo - Approximately 61.4 inches wide.  
Mini Cooper - Approximately 68 inches wide.  
Toyota Yaris - Approximately 66.7 inches wide.  
Honda Fit - Approximately 67 inches wide.  
Kia Rio - Approximately 67.9 inches wide.  
Nissan Versa - Approximately 68.5 inches wide.  
Hyundai Accent - Approximately 68.1 inches wide.  
Mazda MX-5 Miata - Approximately 68.3 inches wide.  
Ford Fiesta - Approximately 67.8 inches wide.  
Suzuki Swift - Approximately 68.3 inches wide.  
Scion iQ - Approximately 66.1 inches wide.  
Toyota Aygo - Approximately 66 inches wide.  
Volkswagen Up! - Approximately 64.6 inches wide.

The scope of this appeal is to be kept to the above section in question. "Open air parking" is not in question as we will be complying with the code and maintaining a parking space. If the city wishes to discuss "open air parking" then please advise this will be a topic of discussion so I may be prepared in advance. I can then provide the city a few questions to prepare for as well.

- Laura Zimmerman

Image showing a vehicle entering the six-foot wide garage door opening



[Link to a video showing a vehicle entering the six-foot wide garage door opening](#)  
(double click to activate the link)



Zimmerman\_Car in  
Garage video.MOV

## Attachment #3. Zoning Officer's Submittal

This attachment summarizes the rationale used by the Zoning Officer to make his initial determination regarding the Appellant's proposed improvement. Where possible, that initial rationale is supplemental by research to provide context for the ZBA's consideration of the Appellant's appeal. The Zoning Officer's initial determination was based on the following considerations:

- Zoning Officer discretion in lieu of a specific minimum standard related to garage door width;
- The size of garage doors typically offered as industry standards for residential one-car garages;
- The characteristics of other one-car garages in the Village; and
- The size of vehicles typically owned and stored by occupants of residential properties.

The information in this submittal is structured based on those considerations.

### Zoning Officer Discretion Regarding Section 7.06(3)

As noted in the staff report, Section 7.06(3) establishes the following standard:

*"7.06 General standards for off-street parking facilities.*

*Off-street parking facilities shall be provided in accordance with regulations hereinafter set forth.*

*(3) Access. Each required off-street parking space shall open directly upon an aisle or driveway of such width and design as to provide safe and efficient means of vehicular access to such parking space. All off-street parking facilities shall be designed with appropriate means of vehicular access to a street or alley in a manner which will least interfere with traffic movement."*

The Zoning Officer acknowledges that neither this provision nor any other provision in the Zoning Ordinance establish a specific minimum dimension for a garage door. However, the Zoning Officer often has to apply reasonable discretion and judgment related to this provision and several other zoning provisions. In this instance, that discretion was used to determine that 1) the opening of a garage door is a necessary part of the means of vehicular access between a required parking space and the street, and 2) that the proposed six-foot opening does not provide appropriate vehicular access along that path.

### Industry Standards for Residential Garage Doors

Staff research found several sources, including retailers of garage doors, that state that the standard minimum width of a one-car garage door is eight feet. While it is acknowledged that custom doors of any size can likely be produced, most doors that are generally available for residential use are either eight feet or nine feet in width. No retailers list six-foot side doors as available as a standard size, and staff found no online resources that specifically identify six feet as a viable garage door width in the United States.

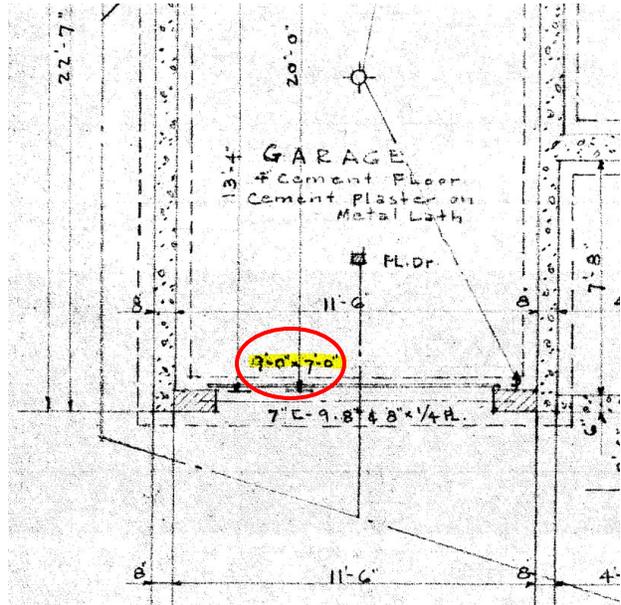
### Other Local Examples of One-Car Garages

Following the filing of the Appellant's appeal, staff researched the size of one-car garage doors in the area immediately surrounding the subject property. Several of those properties have garage doors with a width of eight feet, and one has a width of nine feet. None of the surrounding properties have a garage door width of less than eight feet.

The following summarizes the characteristics of the on-car garages on surrounding properties. The dimensions of the garage door openings were determined based on a review of the construction plans for the original homes.

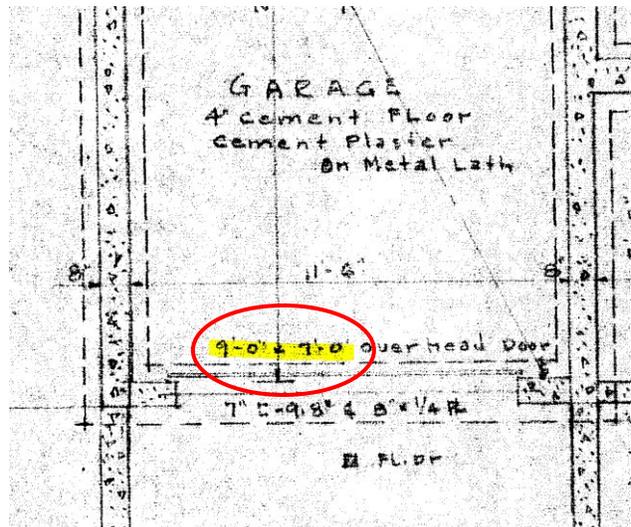
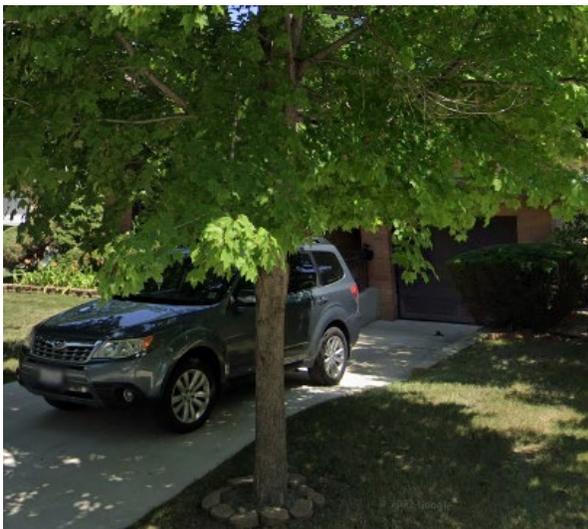
*6552 N Christiana Ave (property to the north)*

**Garage Opening: 9'**



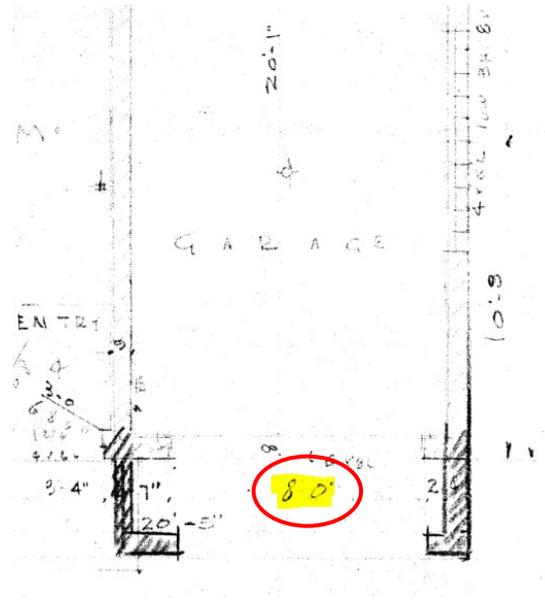
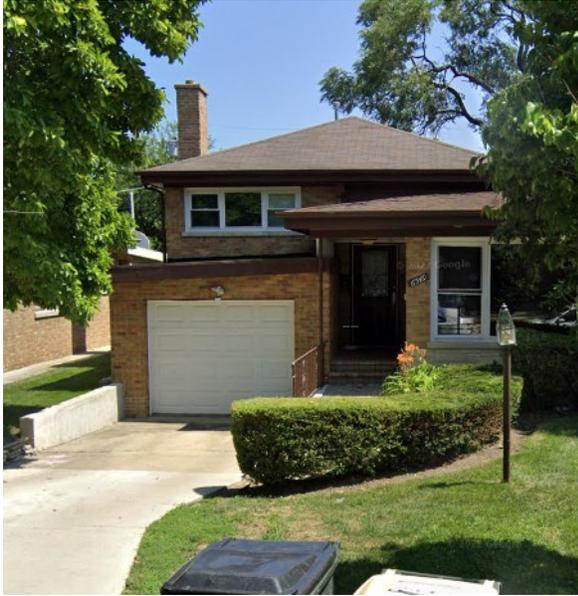
*6557 N Christiana Ave (property across the street)*

**Garage Opening: 9'**



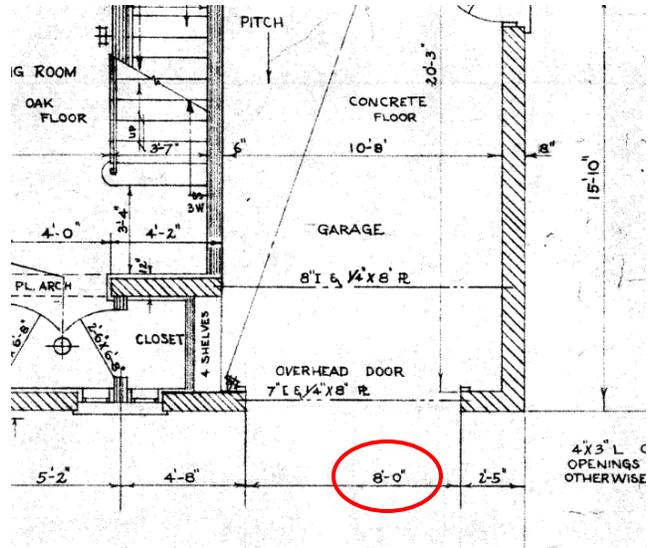
6549 N Christiana Ave (property across the street)

**Garage Opening: 8'**



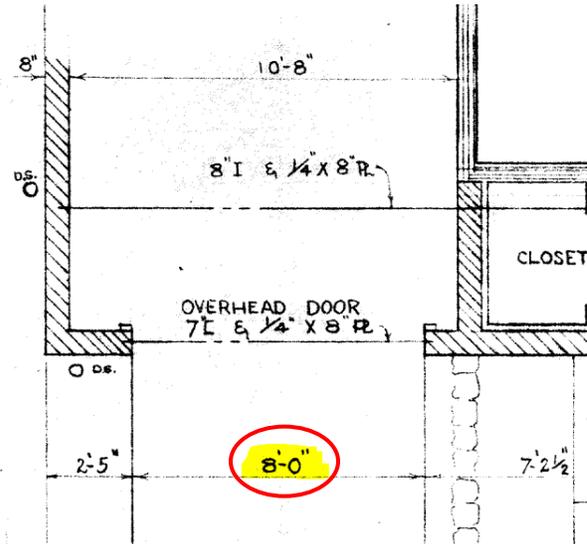
6543 N Christiana Ave (property across the street)

**Garage Opening: 8'**



6535 N Christiana Ave (property across the street)

**Garage Opening: 8'**



### Typical Vehicle Sizes

At the time of the Zoning Officer's determination, he conducted brief online research and determined that, while some vehicle categories have bodies that would fit within a six-foot garage door opening, many categories of vehicles would not. This finding is supported by more detailed research conducted by staff. The following table summarizes staff's research regarding the widths of various categories of vehicles.

Category of Car	Average Car Width (Mirrors not included)
Compact Cars	5.8' to 6'
Midsize Cars	About 6'
Full-Size Cars	Greater than 6'
Sports Cars	5.7' to 6.5'
SUVs and Crossovers	6' to 7'
Pickup Trucks	6.3' to 6.8'
Minivans	6' to 6.8'
Luxury Cars	About 6'
Station Wagons	5.8' to 6.2'

It is important to note that the dimensions shown above do not include the additional width of side view mirrors. As the table above indicates, there are some categories of vehicles, or at least some specific makes and models within certain categories, that would fit into a garage with a six-foot opening. However, there are many categories of vehicles regularly purchased in the United States that would not.

It is worth noting that, when applying reasonable discretion to a finding, it is important to consider a variety of potential users of a property. In this instance, while it is possible that the Appellant could specifically seek to purchase a vehicle that could fit within the six-foot opening, there is no assurance that a future owner would do the same. That is not to say that all garage doors should be required to accommodate the largest possible private vehicle. Rather, the intent is to use a combination of factors (such as industry standards and local examples) to determine an appropriate minimum standard that is believed to meet the spirit and intent of the Zoning Ordinance.

## Attachment #4. Relevant Regulations

### Article 5 Development Review, Administration and Enforcement, Part D Administration and Enforcement

#### 5.13 Appeals.

(1) Authority. The Board of Trustees, after a public hearing and recommendation by the ZBA, may decide appeals from an administrative order, requirement, decision or determination made by the Zoning Officer with respect to the provisions of this Zoning Ordinance. For purposes of such appeals, the Board of Trustees is the board of appeals for the Village.

(2) Initiation. An appeal may be taken to the Board of Trustees by any person, firm or corporation, or by any office, department, board, bureau or commission aggrieved by an administrative order, requirement, decision or determination made by the Zoning Officer with respect to the provisions of this Zoning Ordinance.

(3) Processing and public hearing. An appeal shall be filed in writing with the Village Clerk within 45 days after the date of the action complained of. The Village Clerk shall then forward the appeal to the ZBA, which shall hold a public hearing of the appeal within 90 days after receipt of the written appeal. The Zoning Officer shall give notice of the date of the hearing on the appeal to all interested parties.

(4) ZBA recommendation. Within 90 days after receipt of the written appeal, or such further time to which the appellant may agree, the ZBA shall make findings and recommend whether the order, requirement, decision or determination should be reversed, affirmed, or modified, in whole or in part, and shall transmit such recommendation in writing to the Board of Trustees.

(5) Action by Board of Trustees. The Board of Trustees, within 45 days after receipt of the findings and recommendations of the ZBA, or such further time to which the appellant may agree, shall reverse, affirm, or modify, in whole or in part, the order, requirement, decision or determination. The concurring vote of four members of the Village Board of Trustees shall be necessary to reverse or modify any order, requirement, decision or determination of the Zoning Officer. The decision of the Board of Trustees shall be in writing. The failure of the Board of Trustees to act within the time period specified in this Section 5.13(5), or such further time to which the applicant may agree, shall be deemed to be a decision of the Board of Trustees affirming in whole the order, requirement, decision or determination. All decisions of the Board of Trustees on appeals filed pursuant to this Section 5.13 shall, in all instances, be final administrative determinations and shall be subject to judicial review in accordance with the Illinois Administrative Review Law, 735 ILCS 5/3-101 et seq., as may be amended.

### Article 7 Off-Street Parking and Loading

#### 7.06 General standards for off-street parking facilities.

Off-street parking facilities shall be provided in accordance with regulations hereinafter set forth.

(3) Access. Each required off-street parking space shall open directly upon an aisle or driveway of such width and design as to provide safe and efficient means of vehicular access to such parking space. All off-street parking facilities shall be designed with appropriate means of vehicular access to a street or alley in a manner which will least interfere with traffic movement.