



Village of Lincolnwood Zoning Board of Appeals

Meeting
Wednesday, July 17, 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**
June 26, 2024 Meeting Minutes
4. **Case #ZB-06-24: 6531 North Knox Avenue – Variation Related to a Fence in the Interior Side Yard**
Request: Consideration of a request by Steven and Donna Horwitz, property owners, for approval of a Zoning Variation from Section 3.13(11)c at the property commonly known as 6531 North Knox Avenue. The Variation would allow for a six-foot tall, semi-private fence to continue from the rear yard into the interior side yard along the north lot line. Section 3.13(11)c allows for open fences not more than four feet in height in the interior side yard of a residential property. During the Public Hearing, the Zoning Board of Appeals may consider any additional relief related to this case.
5. **Discussion: 2022-2024 ZBA Biennial Report**
6. **Next Meeting: Wednesday, August 21, 2024**
7. **Public Comment**
8. **Adjournment**

Posted: July 12, 2024



**Draft MEETING MINUTES
OF THE
June 26, 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 Anna Velasquez

Absent: Commissioners Meldina Dervisevic and Aida Cantic

Staff Present: Doug Hammel, Planning and Economic Development Manager, Scott Mangum, Community Development Director, and Village Attorney Brooke Lenneman

I. Call to Order/Roll Call

Chairman Heller noted a quorum of four members and called the meeting to order at 7:12 p.m.

II. Pledge of Allegiance

III. Approval of May 15, 2024, ZBA Meeting Minutes

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

The motion was seconded by Commissioner Hussain.

Aye: Chairman Heller and Commissioners Hussain, Youkhanna and Velazquez

Nay: None

Abstain: None

Motion Approved: 4-0

IV. Case #ZB-07-24: 6548 North Christiana Avenue – Zoning Appeal Related to Appropriate Means of Vehicular Access to a Required Parking Space

Individuals providing testimonies, Planning and Economic Development, Doug Hammel and Appellant, Mrs. Zimmerman, were sworn in.

Mr. Hammel provided context to the Commissioners explaining that he would take a different role in the proceedings, no longer being an advisor to the Zoning Board, but defending a zoning

interpretation. Therefore, Village Attorney Brooke Lenneman's presence at the meeting was to advise on legal matters.

Mr. Hammel provided background about the Appellant's submittal process and explained the difference between a zoning variation and a zoning appeal. He reviewed the facts of the proposed improvement and outlined the communications that took place between him (Zoning Officer) and the Appellant.

The Appellant's plans included interior drywall (permitted), and a reduction of the 8'-wide garage doors to be replaced with double doors and side transoms, more typical of a residential entry, that would span 6'.

Mr. Hammel presented his reasoning for interpreting the code in a way that resulted in the denied request. He first noted that the zoning code does not list a minimum garage width, therefore, interpretation of the code was needed.

Mr. Hammel's relevant findings included that 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 that the proposed six-foot opening would not provide appropriate vehicular access along that path.

The findings were supported by industry standard research finding that the narrowest standard garage door width at major retailers was an 8' width. A review of the garage door widths of other properties in the vicinity also did not have garage door widths less than 8'. And, other than a select few compact cars (mirror tucked in), a 6' garage door width does not allow access for most personal vehicles. Therefore, the width of the door would not provide the appropriate means of vehicular access to qualify the space as a legal parking space.

The Appellant, Mrs. Zimmerman, presented her case explaining that the family intends to use the garage space as office space due to outgrowing the existing space of the home after two children. She noted that there will not be any permanent structures added to the garage to ensure it is maintained as a viable parking space. Mrs. Zimmerman explained her inability to find 8' doors that provided the level of insulation needed to use the area as an office space. She also stated her confusion with the interpretation of the code, pointing out that the code does not specify a minimum garage door width.

Commissioner Hussain asked the Appellant if insulation was not an issue, would the garage door still need to have a residential aesthetic. Mrs. Zimmerman stated that she does not want to remove the residential- looking doors.

Mr. Hammel clarified an earlier point, that the code states that a legal number of parking spaces must be maintained on a property, but the code does not require that you park in those spaces. He noted that the discussion should not be about how the Appellant intends to use the garage space, but to determine if the 6' garage door width provides enough space to consider the garage parking spot a legal parking spot.

Chairman Heller asked if there were any concerns by the fire department regarding the 6' garage doors. Mr. Hammel said he was not aware of any code provision preventing this. Chairman Heller also asked if the height of the garage door was changing. Mrs. Zimmerman confirmed that the height of the door would not change.

Commissioner Velasquez asked if the transoms could be changed from fixed to movable to meet the 8' width but maintain the residential aesthetic of the double doors. Mrs. Zimmerman explained that, to her knowledge, the transoms could not be movable and if they were, it would most likely be out of her budget due to the customized request.

Commissioner Youkhanna asked the Appellant if she had considered glass sliding doors. She stated that glass would not provide enough insulation to use the space as an office, comfortably.

Chairman Heller asked why the Appellant decided to not install cabinets in the garage space. She explained that the insulation narrowed the width of the interior of the garage to a point where adding cabinetry would impede the ability to park a car in the space.

Commissioner Velasquez asked Mr. Hammel if he knew of any other 6' garage doors in the Village. He answered that he was not aware of any, but that staff looked at other properties in the subject property's vicinity for their garage door widths and none were under 8'.

Chairman Heller opened the floor to the Commissioners to discuss a final determination.

Commissioner Hussain stated that he agreed with the zoning officer's determination. He explained that there was a safety concern related to the impact to the sides of the car and garage doors if typical-sized cars would try to fit into the small opening. He noted that including a minimum width in the code should be explored. He also liked the approach of looking into movable transoms to get closer to the 8' width.

Commissioner Youkhanna asked about future house inspections and if this garage door width would pass those inspections. Chairman Heller explained that the issue with resale and what the homeowners would have to do if they sold the home was beyond the purview of the discussion. Village Attorney Brooke Lenneman agreed with Chairman Heller but explained that the idea that a future buyer might not think the door is a reasonable size does play into the determination.

Commissioner Velasquez stated that she agreed with the 8' wide standard for the garage door width.

Chairman Heller asked Mr. Hammel if the garage door had to be functional or if it could be cosmetic. Mr. Hammel answered that there are no specific regulations regarding the design of the door, as long as it can provide appropriate vehicular access to the required parking space.

Mrs. Zimmerman noted that the code does not state a minimum garage door width and therefore she should not have to comply with an 8' width. She asked the Zoning Board to focus their discussion on the code and not on future buyers of the property.

Commissioner Hussain noted that it is common to have parts of the code left up to interpretation by the authority in the jurisdiction. While the code does not state 8', the Zoning Officer does have the purview to determine a reasonable width in this situation. He explained that the nature of the Zoning Board discussion was a regular process.

Village Attorney Brooke Lenneman clarified with the Zoning Board that any motion made should be based on affirming or reversing the determination of the Zoning Officer, not whether a 6' garage door should be allowed.

Motion: Commissioner Hussain made a motion to recommend to affirm the determination of the Zoning Officer that the proposed 6' door opening to the garage does not provide safe, efficient, or appropriate means of access to the required garage space as required by 7.06(3) of the zoning code.

The motion was seconded by Commissioner Youkhanna.

Aye: Commissioners Hussain, Velasquez, and Youkhanna

Nay: Chairman Heller

Abstain: None

Motion Approved: 3-1

Mrs. Zimmerman asked the Zoning Board for more clarification on why one member answered "no" to the motion, in order to be prepared for her discussion with the Village Board and determine if she needs to come back with additional explanation. Chairman Heller explained that members of the Zoning Board do not have to explain their decisions. He said that if she wished to present the case in a different capacity before going to the Village Board, that could be worked out with Staff.

This item will go to the Village Board on July 16, 2024.

V. 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.

VI. Next Meeting

The next meeting of the Zoning Board of Appeals is scheduled for Wednesday, July 17, 2024.

VII. Adjournment

Motion to recommend adjournment was made by Commissioner Youkhanna.

The motion was seconded by Commissioner Hussain.

Aye: Chairman Heller and Commissioners Youkhanna, Hussain, and Velasquez

Nay: None

Abstain: None

Motion Approved: 4-0

The meeting was adjourned at 8:14 p.m.

Respectfully submitted,

Marcos Classen
Community Development Coordinator



Zoning Board of Appeals Staff Report

Case #ZB-06-24

July 17, 2024

Subject Property:
6531 North Knox Avenue

Zoning District: R-2 Residential

Petitioner: Steven and Donna
Horwitz, property owners

Requested Action: Approval of
Zoning Variation regarding the height
and design of a residential fence



Notification: Notice was published in the Lincolnwood Review on May 23, 2024, a public hearing sign was installed at the subject property at 6531 North Knox Avenue, and mailed notices dated May 23, 2024, were sent to properties within 250 Feet.

Summary of Request

Steven and Donna Horwitz, Petitioners, seek approval of a Zoning Variation to allow the installation of a six-foot tall semi-private fence in the interior side yard of their property at 6531 North Knox Avenue. The property is located in the R-2 Residential zoning district and hosts a single-family home with an attached garage. The property is surrounded by other single-family properties of generally the same lot characteristics.

Proposed Improvement

The Petitioners propose to install a six-foot tall shadowbox fence along a portion of the property's north lot line. The fence would run from the intersection with the rear lot west to about the midpoint of the home along that north lot line. According to the Petitioner's application, the intent of the fence is to provide additional privacy from the neighbor to the north. That neighbor's home is not as deep as the Petitioners'. As a result, the collection of belongings in the neighbor's yard is highly visible from inside the Petitioner's home. Photos on the following page illustrate the relationship between the Petitioners' home and the neighbor's property to the north.

Required Relief

Section 3.13(11) establishes regulations regarding fences on residential properties. Specifically, Section 3.13(11)b states that semi-private fences not more than six feet in height can be located along rear and side lot lines in rear yards. However, Section 3.13(11)c states that open fences not more than four feet are allowed in side yards. The portion of the proposed six-foot tall shadowbox fence in the rear yard (between the rear lot line and the rear corner of the home adjacent to the north lot line) is permitted. However, the portion west of the rear corner of the home must be “open” and no taller than four feet in height. (For the purposes of these regulation, a ‘semi-private’ fence is a fence that is either at least 33% transparent or shadowbox, and an “open” fence is one that is at least 50% transparent.) Because the portion of the fence along the side of the home must be “open” and no taller than four feet in height, a Variation from Section 3.13(11)c is required.



Photos showing the visibility from the Petitioners’ side yard (top) and interior space (bottom) into the neighbor’s rear yard

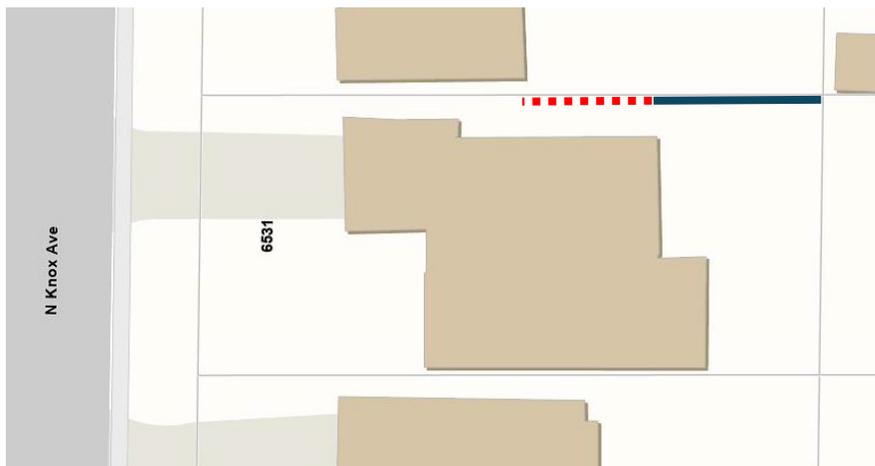


Diagram showing where the proposed six-foot tall semi-private fence is permitted (blue solid line) and where a Variation is required to allow it (red dashed line)

Considerations

The Zoning Board of Appeals (ZBA) may consider the following when discussing the appropriateness of the Petitioners' request.

Other Code Compliant Alternatives

Section 3.13(12) of the Zoning Ordinance establishes regulations related to landscape screening on residential properties. Specifically, subsection (a) states that "natural screening may be installed in rear and side yards, without restriction to height, provided such screening does not obstruct the Village line of sight distance regulations." Because of the location of the proposed fence, it can be concluded that natural screening, if installed in lieu of a fence, could have no height restriction and would not interfere with required sight triangles.

Past Similar Requests

The past similar requests below were identified by staff because they specifically related to fence relief requested in order to provide additional privacy or screening from a neighboring residential property. It is worth noting that the Village Board has approved other fence-related Variations, but they tend to relate to encroachment into a corner side yard or other characteristics not applicable to the Petitioners' request.

7020 North Keystone Avenue (2017)

The Property Owner sought approval to install a solid fence in a portion of their rear yard in order to inhibit visibility to what they claimed to be a nuisance dog. The owner claimed that permitted types of fences allowed for the neighbor's dog to see theirs then bark loudly and aggressively. The owners request included a solid fence along two of the rear lot lines. The ZBA recommended approval of a revised request to limit the length of the solid fence to the locations abutting the nuisance property, and the Village Board granted the relief.

6638 North Ramona Avenue (2017)

The Property Owner sought approval to install a six-foot tall semi-private fence in his southern interior side yard. The basis for the request was the close proximity of the adjacent property, which is a corner lot with its northern façade in close proximity to the shared lot line. (Like many corner lots in the Village, the configuration of the neighbor's property resulted in no rear yard, so the neighbor would store materials along the lot line adjacent to the Petitioner's southern façade.) The ZBA recommended approval of the Petitioner's request, and the Village Board granted the relief.

Zoning Variation Standards

When considering the appropriateness of a Variation request, Section 5.15(7) of the Zoning Code states that "*there shall be taken into consideration the extent to which the following facts are established:*

- a) The requested major variation is consistent with the stated intent and purposes of this Zoning Ordinance and the Comprehensive Plan;*
- b) The particular physical surroundings, shape or topographical conditions of the subject property would bring a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of this Zoning Ordinance is enforced;*
- c) The conditions upon which the petition for the variation is based would not be applicable generally to other property within the same zoning district;*

- d) *The variation is not solely and exclusively for the purpose of enhancing the value of or increasing the revenue from the property;*
- e) *The alleged difficulty or hardship has not been created by any person presently having an interest in the property;*
- f) *The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located;*
- g) *The variation granted is the minimum change to the Zoning Ordinance standards necessary to alleviate the practical hardship on the subject property; and*
- h) *The proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the danger of fire, or otherwise endanger the public safety, or substantially diminish or impair property values within the neighborhood.”*

Public Comment

Staff received two public comments regarding this case. Jim Hirsch and Nina Wong, residents of 6530 North Knox Avenue, and Adam Levinson, owner of 6505 North Knox Avenue, stated their support for the Petitioner’s request. Their comments can be found in their entirety as an attachment to this report. Should any other public comments be received by staff, they will be made available to the Zoning Board of Appeals as part of the public hearing.

Conclusion

The Petitioner seeks approval of a Zoning Variation from Section 3.13(11)c to allow a six-foot tall semi-private fence to extend from the rear yard into the interior side yard along the north lot line of 6531 North Knox Avenue.

Documents Attached

- 1. Public Hearing Application
- 2. Plat of Survey
- 3. Photos of the Subject Property Submitted by the Petitioner
- 4. Public Comment
- 5. Relevant Regulations
- 6. ZBA Commissioner Checklist of Variation Standards



VILLAGE OF LINCOLNWOOD

6900 Lincoln Ave. | Lincolnwood, IL 60712 | Phone: 847-673-7402

www.lincolnwoodil.org | commdev@lwd.org

Public Hearing Application - Variations

SUBJECT PROPERTY

Property Address: 6531 N. Knox Ave.

Permanent Real Estate Index Number(s): 10-34-317-007-0000

Zoning District: _____ Lot Area: #26

List all existing structures on the property. Include fencing, sheds, garages, pools, etc.
Single family dwelling with chain link fence bordering back yard and parts of both sides

Are there existing development restrictions affecting the property? Yes ___ No ___
(Examples: previous Variations, conditions, easements, covenants) If yes, describe: _____

REQUESTED ACTION

- | | |
|---|--|
| <input checked="" type="checkbox"/> Variation - Residential | <input type="checkbox"/> Variation - Signs/Special Signs |
| <input type="checkbox"/> Variation - Non-Residential | <input type="checkbox"/> Minor Variation |
| <input type="checkbox"/> Variation - Off-Street Parking | <input type="checkbox"/> Other |
| <input type="checkbox"/> Variation - Design Standards | |

PROJECT DESCRIPTION

Describe the Request and Project: Request a variance to construct a 6' semi-private wood fence to replace the chain link fence on the north side which would include part of the side yard

PROPERTY OWNER/PETITIONER INFORMATION

Property Owner(s): *(List all Beneficiaries if Trust)*

Name: Steven/Donna Horwitz

Address: 6531 N. Knox Ave.

Telephone: (847) 804-5223 Fax: (____) _____ E-mail: sdhorwitz@sbcglobal.net

Petitioner: *(if Different from Owner)*

Name: _____ Relationship to Property: _____

Address: _____

Telephone: (____) _____ Fax: (____) _____ E-mail: _____

ATTESTMENT AND SIGNATURE

I hereby state that I have read and understand the Village cost reimbursement requirement, as well as the requirements and procedures outlined in Article V of the Village Zoning Ordinance, and I agree to reimburse the Village within 30 days after receipt of an invoice therefor. I also understand that if I desire a Reasonable Accommodation from the Zoning Code based on disability or handicap, that I must complete and submit a different application for consideration and by submitting this application for a Variation, I am attesting that I am not seeking a Reasonable Accommodation. I further attest that all statements and information provided in this application are true and correct to the best of my knowledge and that I have vested in me the authority to execute this application.

PROPERTY OWNER:

PETITIONER: (if Different than Property Owner)

Steven D. Horwitz
Signature

Signature

Steven D. Horwitz
Print Name

Print Name

May 1, 2024
Date

Date

VARIATION STANDARDS

To be approved, each Variation request must meet certain specific standards. These standards are listed below. After each listed standard, explain how your Variation request satisfies the listed standard. Use additional paper if necessary.

- 1. The requested Variation is consistent with the stated intent and purposes of the Zoning Ordinance and the Comprehensive Plan.

The adjacent home was sold in 2023 with the new owners removing almost all the trees in the back yard. A new family has moved in with considerable equipment and noise now present.

- 2. The particular physical surroundings, shape or topographical conditions of the subject property would bring a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of this Zoning Ordinance is enforced.

The adjacent house's yard is now markedly unpleasant.

7. The Variation granted is the minimum change to the Zoning Ordinance standards necessary to alleviate the practical hardship on the subject property.

We are requesting only replacement of the north portion of the present chain link fence with the gate (replacement) still 25' from the front of the house.

8. The proposed Variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the danger of fire, or otherwise endanger the public safety, or substantially diminish or impair property values within the neighborhood.

The proposed variation would no effect at all on sunlight reaching the adjacent yard and would have no effect on that house's property value.

SIGN VARIATION STANDARDS

For all Sign Variation and/or Special Sign requests, the Applicant shall also complete Questions 9 through 12.

9. The proposed Variation is consistent with the statement of purpose set forth in Section 11.01 of the Zoning Ordinance.

10. The proposed sign complies with any additional standards or conditions set forth in Article XI of the Zoning Ordinance.



VILLAGE OF LINCOLNWOOD COMMUNITY DEVELOPMENT DEPARTMENT

PUBLIC HEARING FEES AND DEPOSIT SCHEDULE

Plan Commission

Hearing Type	Hearing Fee*	Hearing Deposit**
Special Use - Non Residential Property	\$500	\$2,000
Special Use - Residential Property	\$250	NA
Reasonable Accommodation	\$250	\$2,000
Text Amendment	\$500	\$2,000
Map Amendment	\$500	\$2,000
Planned Unit Development (PUD) 0 to 5 Acres	\$1,250	\$10,000
Planned Unit Development (PUD) 5 to 10 Acres	\$2,500	\$10,000
Planned Unit Development (PUD) Over 10 Acres	\$3,000	\$10,000
Minor Subdivision	\$250	NA
Major Subdivision	\$500	\$2,000

Zoning Board of Appeals

Hearing Type	Hearing Fee*	Hearing Deposit**
Major Variation - Non Residential Property	\$500	NA
Major Variation - Residential Property	\$250	NA
Variation - Off-Street Parking	\$500	NA
Variation - Design Standards	\$250	NA
Minor Variation	\$125	NA
Sign Variation/Special Signs	\$500	NA

* *Hearing fees are non-refundable.*

** *Hearing deposits shall be applied to out-of-pocket expenses incurred by the Village as the result of the Public Hearing process. If additional costs are incurred, or if no deposit is provided, such out-of-pocket expenses will be billed directly to the applicant.*















From: [Jim Hirsch](#)
To: [Hammel.Douglas](#)
Cc: [Nina Wong](#)
Subject: Regarding case #ZB-06-24
Date: Friday, May 24, 2024 1:00:45 PM

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Dear Mr. Hammel,

On behalf of my partner, Nina Wong, and myself, owners of the property located at 6530 N. Knox Avenue, we are writing to strongly encourage the zoning board to grant the variation requested to erect a fence in the Horowitz's yard.

Jim Hirsch
Nina Wong

From: [Levinson, Adam](#)
To: [Hammel.Douglas](#)
Subject: Regarding Support for Case #ZB-06-24
Date: Saturday, June 15, 2024 10:39:39 AM
Attachments: [image001.png](#)

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Dear Mr. Hammel,

My name is Adam Levinson and am homeowner at 6505 N Knox writing to strongly support the approval for zoning variation requesting to erect a privacy fence at the Horowitz's residence located at 6531 N Knox.

Thanks for your consideration,

Adam Levinson, CISSP, CSM
VP, Managed Cloud Services, ISBN Cloud Operations
SAP Americas 111 North Canal Street, Chicago, IL 60606 United States
E: adam.levinson@sap.com
T: [312.763.4277](tel:312.763.4277)
Join me online: [LinkedIn](#)



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Attachment #5. Relevant Regulations

3.13 Fences and natural screening.

- (11) Fence types and height in residential districts.
 - b. Open fences and semiprivate fences, shall not be more than six feet in height as allowed in rear and side lot lines of rear yards. Notwithstanding the foregoing, chain link fences shall not exceed four feet in height as may be erected in rear and side yards.
 - c. Open fences of all types allowed by this regulation not more than four feet in height are allowed in side yards. Notwithstanding the foregoing wrought iron fences, as defined herein, up to a maximum six feet in height, may be erected in rear and side yards.
- (12) Natural screening in residential districts.
 - a. Natural screening may be installed in rear and side yards, without restriction to height, provided such screening does not obstruct the Village line of sight distance regulations.

5.15 Major variations.

- (7) Standards. In determining whether in a specific case there are practical difficulties or particular hardships in the way of carrying out the strict letter of this Zoning Ordinance, there shall be taken into consideration the extent to which the following facts are established:
 - a. The requested major variation is consistent with the stated intent and purposes of this Zoning Ordinance and the Comprehensive Plan;
 - b. The particular physical surroundings, shape or topographical conditions of the subject property would bring a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of this Zoning Ordinance is enforced;
 - c. The conditions upon which the petition for the variation is based would not be applicable generally to other property within the same zoning district;
 - d. The variation is not solely and exclusively for the purpose of enhancing the value of or increasing the revenue from the property;
 - e. The alleged difficulty or hardship has not been created by any person presently having an interest in the property;
 - f. The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located;
 - g. The variation granted is the minimum change to the Zoning Ordinance standards necessary to alleviate the practical hardship on the subject property; and
 - h. The proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the danger of fire, or otherwise endanger the public safety, or substantially diminish or impair property values within the neighborhood.

Village of Lincolnwood Plan Commission: Variation Standards Checklist

ZBA Worksheet for Variation Requests

Commissioners can separate this worksheet from their packet and make their own notes in advance of the hearing. This is intended to assist in the establishment of findings of fact that may support a recommendation to be forwarded to the Village Board.

How the Standards Should Be Applied

Section 5.15(7) states that *“in determining whether in a specific case there are practical difficulties or particular hardships in the way of carrying out the strict letter of this Zoning Ordinance, there shall be taken into consideration the extent to which the following facts are established....”*

Variation Standards Worksheet

Address: 6531 North Knox Avenue

Case #: ZB-06-24

Requested Variation: Variation to allow a 6’ tall semi-private fence in the interior side yard

Standards	Comments/Additional Questions for Discussion
A. The requested major variation is consistent with the stated intent and purposes of this Zoning Ordinance and the Comprehensive Plan	
B. The particular physical surroundings, shape or topographical conditions of the subject property would bring a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of this Zoning Ordinance is enforced	
C. The conditions upon which the petition for the variation is based would not be applicable generally to other property within the same zoning district	
D. The variation is not solely and exclusively for the purpose of enhancing the value of or increasing the revenue from the property	
E. The alleged difficulty or hardship has not been created by any person presently having an interest in the property	

Village of Lincolnwood Plan Commission: Variation Standards Checklist

<p>F. The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located</p>	
<p>G. The variation granted is the minimum change to the Zoning Ordinance standards necessary to alleviate the practical hardship on the subject property</p>	
<p>H. The proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the danger of fire, or otherwise endanger the public safety, or substantially diminish or impair property values within the neighborhood</p>	
<p>I. For variations from Article XI (Signs) of this Zoning Ordinance:</p> <ul style="list-style-type: none">(1) The proposed variation is consistent with the statement of purpose set forth in Section 11.01 of this Zoning Ordinance;(2) The proposed sign complies with any additional standards or conditions set forth in Article XI of this ordinance;(3) The proposed sign will substantially enhance the architectural integrity of the building or other structure to which it will be attached, if any; and(4) The proposed sign conforms with the design and appearance of nearby structures and signs.	



MEMORANDUM

TO: Bruce Heller, Chairman, and
Members of the Zoning Board of Appeals

FROM: Doug Hammel, AICP
Development Manager

DATE: July 17, 2024

SUBJECT: Biennial Board Report and Meeting with the Village Board

The biennial meeting of the Zoning Board of Appeals (ZBA) and Village Board is tentatively scheduled for the Committee of the Whole meeting on August 20, 2024. As part of that meeting, the ZBA's Biennial Report will be received by the Village Board. In addition to receiving the Biennial Report, the intent of the biennial meeting is to have an open dialog on matters or issues pertinent to the ZBA. The Village Board has instituted biennial meetings with all of the recommending bodies.

Attached is a draft of the ZBA's Biennial Report for the period starting in May 2022 and going through May 2024. At the July 17, 2024, meeting, it is requested that the ZBA discuss and finalize the report, and move to adopt the final report so that it may be presented to the Village Board at their meeting scheduled for August 20.

Recommended Motion:

Move to approve the 2022-2024 Zoning Board of Appeals Biennial Report.

1. **Documents Attached:**
2022-2024 Zoning Board of Appeals Biennial Report

Village of Lincolnwood

Village Board Committee of the Whole

Commission: Zoning Board of Appeals

Membership: Bruce Heller (Chair)
Rizwan Hussain
Aida Cantic
Martin Youkhanna
Meldina Dervisevic (appointed during this reporting period)
Anna Velasquez (appointed during this reporting period)

Previous ZBA Members who served during this report period:
Syed Mudassir

Summary of Significant Activities of the Previous Two Years:

- Held **12** public meetings between May 2022 and May 2024
- Considered **18** requests:
 - 10 Residential Cases
 - 8 Non-residential Cases
- Held **1** Joint Plan Commission/ Zoning Board of Appeals Training
- Breakdown of Type of Variation Requests Considered (may not add up to the total number of Public Hearing cases because some cases included several Variation requests):
 - 5 Variations related to residential setbacks
 - 4 Variations related to the number of commercial wall signs*
 - 4 Special fence approvals*
 - 3 Variations related to residential fence design*
 - 1 Variation related to off-site parking capacity for a non-residential use
 - 1 Variation related to parking lot screening and landscaping
 - 1 Variation related to a transition yard
 - 1 Variation related to fence in front yard
 - 1 Variation related to the type of commercial wall signs
 - 1 Variation related to open-air parking pad
 - 1 Variation related to parking lot, landscaping screening
 - 1 Zoning Appeal related to the development of a proposed single-family home development

** Indicates cases which led to Zoning Text Amendments related to either a) fences encroaching into the corner side yard, b) additional wall signs for multi-tenant, multi-story buildings, or c) security gates*

FY 2024-2026 Anticipated Activities/Goals

- Continue to provide clear findings of fact based on the Variation standards established in the Zoning Ordinance.
- Maximize the participation of all ZBA members in order to capitalize on a diverse range of technical and professional expertise.

Specific Questions or Comments for the Village Board:

- *(SEEKING INPUT FROM THE ZBA MEMBERS DURING THE July 17, 2024 ZBA MEETING)*