



**MEETING MINUTES
OF THE
July 17, 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 Meldina Dervisevic

Absent: Commissioners Anna Velasquez and Aida Cantic

Staff Present: Planning and Economic Development Manager Doug Hammel

I. Call to Order/Roll Call

Chairman Heller noted a quorum of four members and called the meeting to order at 7:10 p.m.

II. Pledge of Allegiance

III. Approval of June 26, 2024, ZBA Meeting Minutes

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

The motion was seconded by Commissioner Youkhanna.

Aye: Chairman Heller and Commissioners Hussain, Youkhanna and Dervisevic

Nay: None

Abstain: None

Motion Approved: 4-0

IV. Case #ZB-06-24: 6531 North Knox Avenue – Variation Related to a Fence in the Interior Side Yard

Planning and Economic Development Manager Doug Hammel went over the particulars of the case. The petitioner is looking to install a six-foot-tall shadowbox fence along a portion of the property's northern lot line. The proposed fence is intended to provide additional privacy from the current neighbor directly to the north. Mr. Hammel explained why the proposed fence requires zoning relief as well as other code compliant options the applicant could pursue. Mr. Hammel also provided a couple examples of similar cases that were reviewed by the ZBA in the recent past. Finally, Mr. Hammel provided 2 examples of public comment that showed support for the proposed variation.

Petitioners: Steven Horwitz and Donna Horwitz.

Mr. Horwitz gave some context for the proposed variation and gave some history for the adjacent property. He stated that the new tenants of the neighboring property include 7 children and they are very active in their rear yard and that increased activity has led him to look for additional privacy for his home. Mr. Horwitz also provided some additional photographs to the commissioners showing the equipment that the neighbors have in their back yard that is currently in plain view of the applicant's kitchen window. He reiterated that they are not looking to expand the existing fence, only to change the type and height of the fence.

Commissioner Hussain asked if a variation would be required if it was the northern neighbor that was requesting this type of fence at the proposed location.

Mr. Hammel stated that based on the configuration of the northern neighbor's property that they would not need a variation for a similar fence.

Mrs. Horwitz addressed the commission and reiterated the points made by her husband.

Public Comment provided by Jim Hirsh in support of the proposed variation.

Commissioner Hussain noted that what makes this case unique is that if the neighbors to the north were the party requesting this relief that they would not need a variation.

Commissioner Dervisevic asked staff for more information about the prior similar requests referenced in the presentation. Mr. Hammel went over some of the specifics about the case at 6838 N. Ramona (2017) and discussed the similarities between the two cases.

Commissioner Dervisevic asked about code enforcement options in relation to the activity of the northern neighbors. Mr. Hammel stated that staff has looked into this option and presented some of the difficulties with enforcing the nature of the perceived complaint. Also he mentioned the reluctance of the petitioner to formally request code enforcement actions because they do have to live next to these neighbors and do not want to increase any potential tension.

Mrs. Horowitz addressed the commission to agree with Mr. Hammel's assessment. She stated that they understand that the neighbors have kids and don't want to limit their activities, that they are just looking for an added layer of privacy.

The commissioners took a moment to review the Variation Standards before moving forward with a vote.

Motion: Commissioner Dervisevic made a motion to recommend approval of the variation as presented by staff.

The motion was seconded by Commissioner Hussain.

Aye: Chairman Heller and Commissioners Hussain, Youkhanna and Dervisevic

Nay: None

Abstain: None

Motion Approved: 4-0

This item will go to the Village Board on August 20, 2024.

V. Discussion: 2022-2024 ZBA Biennial Report

Planning and Economic Development Manager Doug Hammel went over the report explaining that each advisory board and commission provides a biennial report to the Village Board. This specific report covers the activities of the ZBA from May 2022 through May 2024.

Mr. Hammel highlighted the activities of the ZBA including eighteen different requests and three zoning text amendments as well as one joint Plan Commission/ Zoning Board of Appeals training session. Mr. Hammel also noted the suggested goals for the next 2 years for the ZBA.

Commissioner Hussain stated that he thinks that there may be a problem with the attendance of some members. Also noting that the ZBA is currently short a member doesn't help that fact.

Chairman Heller agreed with Commissioner Hussain about the current vacancy and attendance issues. He also wanted to express thanks to Mr. Hammel for the quality and attention to detail of the staff reports and meeting presentations. He also noted that when you look at how little the Village Board deviates from the recommendations provided by the ZBA he feels like the ZBA is doing their job as intended.

Commissioner Dervisevic noted that as a newer member she feels that more resources should be put into acclimating new commissioners on the expectations of being a commissioner including a better onboarding system including training. She also mentioned that the Village should look more into outreach when looking to fill seats on the ZBA.

Motion: Commissioner Hussain recommend approval of the Biennial Report to the Village Board

The motion was seconded by Commissioner Youkhanna.

Aye: Chairman Heller and Commissioners Hussain, Youkhanna and Dervisevic

Nay: None

Abstain: None

Motion Approved: 4-0

This item will go to the Village Board on August 20, 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.

VI. Next Meeting

The next meeting of the Zoning Board of Appeals is scheduled for Wednesday, August 21, 2024.

VII. Adjournment

Motion to recommend adjournment was made by Commissioner Hussain.

The motion was seconded by Commissioner Youkhanna.

Aye: Chairman Heller and Commissioners Hussain, Youkhanna and Dervisevic

Nay: None

Abstain: None

Motion Approved: 4-0

The meeting was adjourned at 7:58 p.m.

Respectfully submitted,

Marcos Classen
Community Development Coordinator