

# **MEMORANDUM**

**TO: CHAIR MATHEWSON AND MEMBERS OF THE ZONING BOARD OF APPEALS**  
**FROM: SCOTT M. BUGNER, BUILDING AND ZONING ADMINISTRATOR**  
**DATE: MAY 16, 2023**  
**RE: REGULAR MAY MEETING**

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Please find enclosed the agenda and related materials for the regular May meeting of the Flossmoor Zoning Board of Appeals. The meeting will be held in on Tuesday, May 23<sup>rd</sup> beginning at 7:30 p.m. This meeting will be conducted in person and remotely via Zoom, which is permitted by Public Act 2020-640.

You may join the meeting from your computer, tablet or smartphone at the following link:

<https://us02web.zoom.us/j/82911284357?pwd=Z1NuWVhYkzd2OVhRZnJ1YVp6U1E0dz09>

Or you can also dial in using your phone:

**1 (312) 626-6799**

**Meeting ID: 829 1128 4357**

**Passcode: 60422**

There is one petition for variation scheduled for consideration:

- 1630 Pinehurst Lane - Variation from Section 285-21-1 F. (1) (a) [2] prohibiting fences in front or side yards.

Please telephone Jen Fisher at 957-4101 or e-mail her at [jfisher@flossmoor.org](mailto:jfisher@flossmoor.org) no later than 5:00 p.m. Monday, May 22<sup>nd</sup> to confirm your attendance. As always, it is important that we confirm as early as possible that a quorum will be available for the meeting.

If you have any questions or require any additional information please do not hesitate to contact me via e-mail at [sbugner@flossmoor.org](mailto:sbugner@flossmoor.org)

## ZONING BOARD OF APPEALS

MAY 23, 2022

7:30 P.M.

### FLOSSMOOR VILLAGE HALL

The May 23, 2022 meeting of the Zoning Board of Appeals will be conducted in person at Village Hall at 2800 Flossmoor Road and remotely via Zoom which is permitted by Public Act 2020-640. The public is invited to monitor the meeting using the dial-in number below. Public participation will be permitted in person only during the Public Hearing portion of the meeting agenda. Members of the public may also comment on the Public Hearing by email to [info@flossmoor.org](mailto:info@flossmoor.org). Comments received by 5:00 p.m. Monday, May 22, 2022 will be read into the record of the meeting.

You may join the meeting from your computer, tablet or smartphone at the following link:

<https://us02web.zoom.us/j/82911284357?pwd=Z1NuWVhYkzd2OVhRZnJ1YVp6U1E0dz09>

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### AGENDA

1. ROLL CALL
2. APPROVAL OF THE MINUTES OF THE MEETING OF JULY 26, 2022
3. HEARING OF PETITIONS
  - A. PUBLIC HEARING OF A PETITION FOR A VARIATION – STEWART – 1630 PINEHURST LANE – FENCE
4. OTHER BUSINESS
  - A. FINDINGS OF FACT FOR STEWARD PETITION
5. STAFF REPORTS
6. ADJOURNMENT

# **MEMORANDUM**

**TO: CHAIR MATHEWSON AND MEMBERS OF THE ZONING BOARD OF APPEALS**  
**FROM: SCOTT M. BUGNER, ZONING ADMINISTRATOR**  
**DATE: MAY 16, 2023**  
**RE: PUBLIC HEARING OF A REQUEST FOR A VARIATION FROM THE FLOSSMOOR**  
**ZONING ORDINANCE – STEWARD (1630 PINEHURST LANE) FENCE**

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We have received a request for a variation from Section **285-21-1 F. (1) (a) [2]** of the Flossmoor Zoning Ordinance prohibiting fences in front or side yards. The request has been submitted by Blair and Herb Steward, owners of the property located at 1630 Pinehurst Lane. The facts of the matter are as follows:

The subject property is a corner lot located at the southwest corner of Pinehurst Lane and Tina Lane in an **R-4** Zoning District. The property is improved with a single-family dwelling, and attached garage.

The petitioner is seeking to install a fence in a front and side yard.

Section 285-21-a F. (1) (a) [2] of the Zoning Ordinance prohibits fences in front or side yards.

The petitioners are requesting to construct a fence from the southeast corner of the house to the east property line, then south along the east property line to the southeast corner, then west along the south property line. The petitioners advise that the proposed placement would be 123 feet from the intersection of Pinehurst Lane and Tina Lane and would not obstruct visibility to pedestrians or vehicle operators.

The petitioners argue that the house is placed at approximately a 45-degree angle on the parcel and that the zoning ordinance fence regulations unduly restrict and full-safe access and enjoyment of the back yard. They advise that they have three young children and that they are requesting the variance to enclose their back yard for their full use and enjoyment.

The petitioners further argue that other corner lots in the subdivision have been granted similar variances.

To assist you in your consideration of this matter please find attached the following materials:

- Application for Zoning Variance
- Survey showing proposed fence location requiring a variance
- Photos of subject property and other corner lots with variances
- Legal Notice and Notice to residents
- Address Map locating the subject property

# VILLAGE OF FLOSSMOOR

Office of the Zoning Administrator

## Application for Zoning Variance

This form shall be used to request any variation from the requirements of the Village's Zoning Ordinance. Applicants should read the application carefully before completing it. The completed application, any supporting documents/letters and the application fee should be returned to the Building Department at Village Hall. No request will be scheduled for a Public Hearing until a completed application, all required submittals and the application fee has been submitted to the Building Department.

### PROPERTY INFORMATION

1630 Pinehurst Lane, Flossmoor, IL 60422

Address/Location of Property for which a Variance is being requested (Subject Property)

Blair and Herb Steward

Name of Applicant

736 E, 42nd Street, Chicago, IL 60653

Applicant's Mailing Address

Home (912) 322-8128

Applicant's Telephone Numbers

Work ( )

Owners ( as of 04-27-2023)

Applicant's interest in Subject Property (Owner, contract, purchaser, etc)

*If the applicant is not the owner of the property please provide the following information:*

Owner's Name

Owner's Address

Home ( )

Applicant's Telephone Numbers

Work ( )

RECEIVED  
APR 28 2023  
By \_\_\_\_\_

A variance is permission to depart from the strict application of the requirements of the Village's Zoning Ordinance. Variances are granted only after a Public Hearing of the request is conducted by the Flossmoor Zoning Board of Appeals and passage of an ordinance by the Flossmoor Village Board. A variance only modifies the dimensional requirements of a specific zoning district and does not include the substitution of uses assigned to other zoning districts. For example, you cannot request a variance that would allow a retail store in a residential neighborhood.

For a variance to be granted the Zoning Board of Appeals must find, with the concurrence of the Village Board, that strict enforcement of the Zoning Ordinance, as it applied to a specific property, would create an undue hardship and/or present a practical difficulty. It is the obligation of the petitioner to demonstrate that a hardship and/or practical difficulty exists or will result if the variance is not granted. "Hardships", as defined in this procedure, do not include those that are self imposed or personal in nature.

Any grant of a variance must conform to the "Standards for Variations" as contained in Section 26-106.3 of the Flossmoor Zoning Ordinance. A copy of these standards is attached to this application form.

**ALL APPLICANTS MUST ANSWER THE FOLLOWING QUESTIONS:**

**1. Please state the nature of the requested variance, giving distances and dimensions where appropriate if possible, attach site plans, drawings, and/or sketches illustrating the requested variance.**

This variance request concerns the construction of a back yard privacy fence on a corner lot. The zoning ordinance restricts the location of the proposed fence because the house is located on a corner lot.

Attachment 1 illustrates the placement required by a strict interpretation of the zoning ordinance and the proposed placement.

As indicated on Attachment 1, the variance request is to extend the fence from the southeast corner of the house to the eastern property line; then south along the eastern property line to the southeast corner; then west along the southern property line. The closest portion of the proposed fence placement would be 123 feet from the intersection of Tina Lane and Pinehurst Lane. Therefore there are no visibility obstruction issues. Likewise, the proposed fence will parallel the existing driveway allowing increased visibility for pedestrians and vehicle operators.

**2. What is the nature of the practical difficulty or hardship that would result if the requirements of the Zoning Ordinance are strictly applied to your property?**

The zoning ordinance's fence placement regulations unduly restricts full-safe access and enjoyment of the back yard. We are requesting the variance so we can enclose our back yard for the full use and enjoyment of our three young children.

As indicated on Attachment 1, the house is on a corner lot and placed at an angle of approximately 45 degrees on the parcel. We are requesting the minimum variance required from ordinance's requirements to enjoy the same use of our property as our neighbors who have been granted similar variances.

**3. Would other properties in your immediate neighborhood have similar characteristics and/or problems? If so, how many?**

Several properties in the neighborhood on corner lots have been granted similar variances. Attachment 2 provides photographs of the neighboring properties at 1627 Markey Lane and 1624 Markey Lane. In both these cases, the fence has been allowed to be placed along the sidewalk and connecting back to the house fully enclosing the backyards.

**4. What effect will the requested variance have on adjoining property and the neighborhood in general?**

As stated, many of the homes in the neighborhood on corner lots have placed fences along the sidewalk in a similar fashion.

The neighbor to the south, 1627 Markey Lane has an existing chain link fence. Our proposed privacy fence would parallel this existing fence.

**5. Within the last year have you applied for a similar variance for this property? If so please provide the date when you applied and the results of your request.**

NO

Applicant's Signature

Date

4/27/2023

Owner's Signature

(Applications must have property owner's signature)

Date

DO NOT WRITE BELOW, FOR OFFICE USE ONLY.

DATE SUBMITTED: 4/28/23 **PAID**

APR 28 2023

FEE PAID: \$300.00 By \_\_\_\_\_

REQUESTED HEARING DATE: 5/23/23

DATE PUBLISHED: 5/7/23

DATE RESIDENTS NOTIFIED: 5/15/23

# Attachment 1

R.H. GRANATH  
SURVEYING SERVICE, P.C.  
PH: (708) 371-4478  
FAX (708) 371-3922

## PLAT OF SURVEY

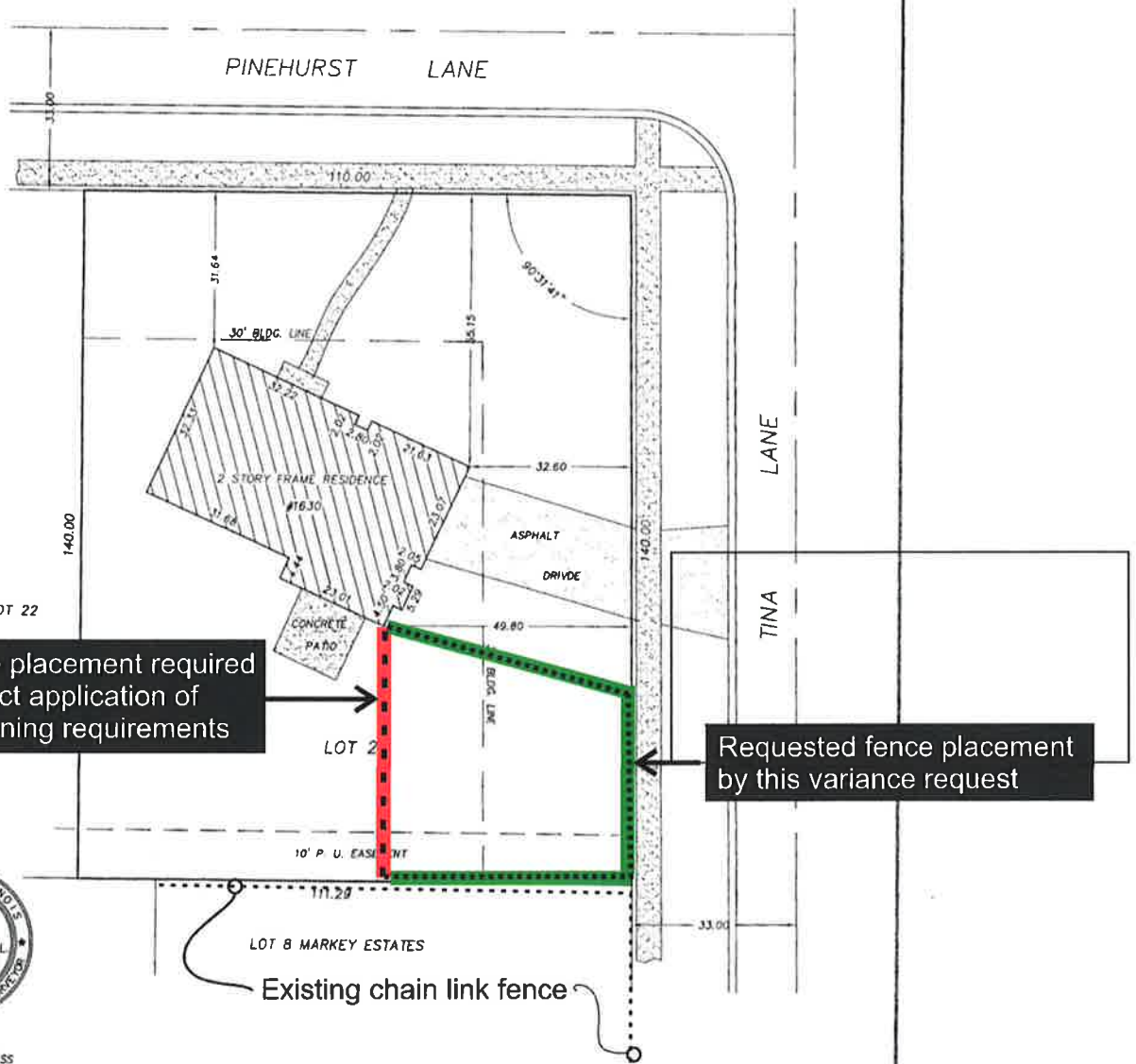
R.H. GRANATH  
SURVEYING SERVICE, P.C.  
6006 W. 159th STREET  
BUILDING B UNIT 1-SOUTH  
OAK FOREST, ILL. 60452

of

LOT 21 IN PINEHURST OF FLOSSMOOR, BEING A SUBDIVISION OF THE NORTH 337.33 FEET OF THE SOUTHEAST 1/4 OF SECTION 7, LYING EASTERLY OF DIXIE HIGHWAY AND THE EAST 984.13 FEET OF THE SOUTH 177.05 FEET OF THE NORTH 514.38 FEET OF THE SOUTHEAST 1/4 OF SECTION 7, LYING EASTERLY OF DIXIE HIGHWAY, ALL IN TOWNSHIP 35 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.



SCALE 1"=20'



Fence placement required by strict application of the zoning requirements

Requested fence placement by this variance request



STATE OF ILLINOIS }  
COUNTY OF COOK } SS

THIS IS TO CERTIFY THAT R.H. GRANATH SURVEYING SERVICE, P.C. HAS ISSUED THIS PLAT FROM FIELD SURVEY DATA OBTAINED AT THE PROPERTY INDICATED IN THE CAPTION LEGAL DESCRIPTION AND PUBLIC RECORDS, AND THAT THE FOREGOING IS A TRUE AND CORRECT REPRESENTATION OF THE SAME. THIS PLAT OF SURVEY CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS OF PRACTICE FOR A BOUNDARY SURVEY PER TITLE 68 CHAPTER VII, SUBCHAPTER b, SECTION 1270.56 OF THE RULES FOR THE ILLINOIS PROFESSIONAL LAND SURVEYOR ACT. NO BOUNDARY CORNERS WERE SET DURING THIS FIELD SURVEY OF THE SUBJECT PROPERTY BY CLIENT AGREEMENT (ITEM 30 OF SAID RULES). ALL DIMENSIONS ARE IN FEET AND DECIMAL PARTS THEREOF.

STEVEN R. GRANATH, P.L.S., No. 3189

DATE: DECEMBER 3, 2021

CLIENT: DEADRA WOODS STOKES & ASSOCIATES P.C.

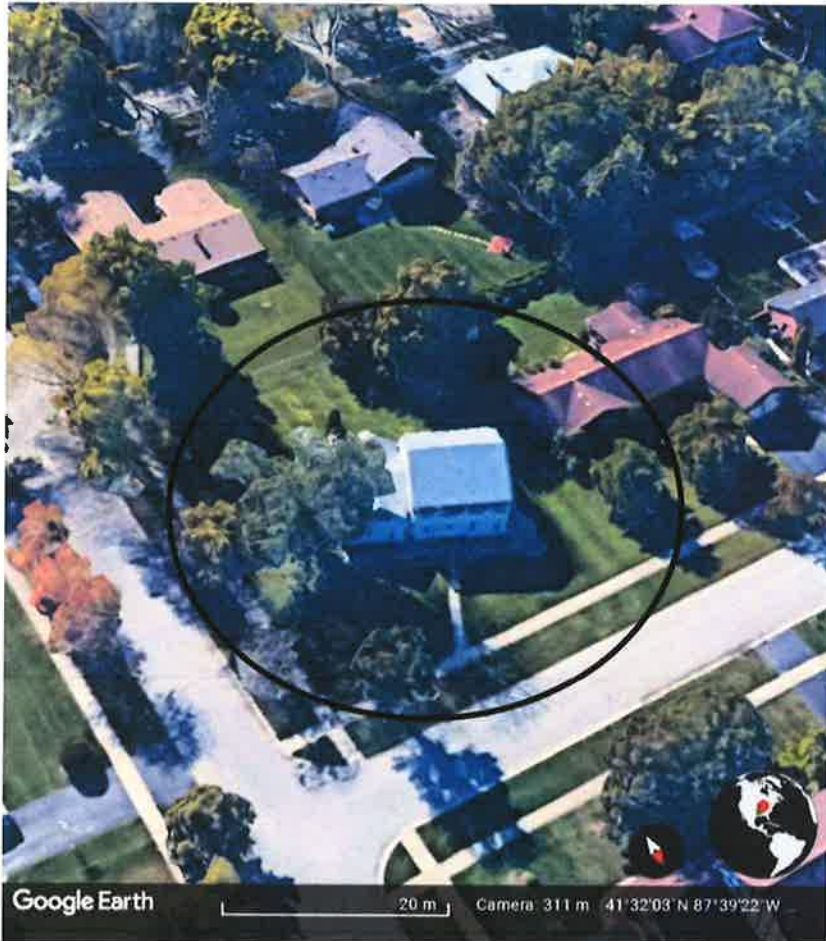
R.H.G. ORDER NO. MS 2021-12-001

VALID ONLY IF EMBOSSED SEAL IS AFFIXED

COMPARE ALL DIMENSIONS BEFORE BUILDING AND REPORT ANY DISCREPANCIES AT ONCE.



# Attachment 2



**Subject**  
**1630 Pinehurst Lane**



## Attachment 2 (p2)

1627 Markey Lane



This property is directly to the south of Subject.  
Chain link fence along common property line and sidewalk.

## Attachment 2 (p3)

### 1624 Markey Lane



White fence placed in similar fashion to requested variance. Fence is placed along the sidewalk and comes into yard setback that applies to corner lots.



Looking northwest at the southeast corner of the property.

Order ID: 7428971

\* Agency Commission not included

**GROSS PRICE \* :** \$90.00

**PACKAGE NAME:** IL Govt Legal Daily Southtown

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**Product(s):** SubTrib\_Daily Southtown, Publicnotices.com

**AdSize(s):** 1 Column

**Run Date(s):** Sunday, May 7, 2023

**Zone:** Full Run

**Color Spec.** B/W

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## Preview

**LEGAL NOTICE  
PUBLIC HEARING  
FLOSSMOOR  
ZONING BOARD OF APPEALS**

Notice is hereby given that on Tuesday, May 23, 2023, the Flossmoor Zoning Board of Appeals will hold a public hearing to consider a request for a variation from the 1981 Comprehensive Amendment to the Flossmoor Zoning Ordinance Section 285-2-1-1 F. (a) [2]. If approved it would allow the installation of a fence in a provided front or side yard.

**LEGAL DESCRIPTION:**  
LOT 21 IN PINEHURST OF FLOSSMOOR, BEING A SUBDIVISION OF NORTH 337.33 FEET OF THE SOUTHEAST ¼ OF SECTION 7, LYING EASTERLY OF DIXIE HIGHWAY AND THE EAST 984.13 FEET OF THE SOUTH 177.05 FEET OF THE NORTH 514.38 FEET OF THE SOUTHEAST ¼ OF SECTION 7, LYING EASTERLY OF DIXIE HIGHWAY, ALL IN TOWNSHIP 35 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

**LOCATION:**  
1630 Pinehurst Lane – PIN # 32-07-410-009-0000

**APPLICANT:**  
Blair and Herb Steward

**HEARING DATE:**  
Tuesday, May 23, 2023, beginning at 7:30 p.m. in the Flossmoor Village Hall, 2800 Flossmoor Road, Flossmoor, Illinois. This meeting will be held in person and remotely. For dial-in instructions please visit [www.flossmoor.org](http://www.flossmoor.org)

All interested parties are encouraged to attend and to present oral or written testimony.

/s/ Mark Mathewson, Chairperson  
Flossmoor Zoning Board of Appeals  
5/7/2023 7428971



**FLOSSMOOR**

*Welcoming. Beautiful. Connected.*

**Village of Flossmoor**  
Building Department  
2800 Flossmoor Road  
Flossmoor, Illinois 60422  
Phone: 708.957.4101  
TDD: 708.647.0179  
Fax: 708.335.5490  
www.flossmoor.org

Building and Zoning Administrator  
Scott Bugner

Mayor  
Michelle I. Nelson

Trustees  
Joni Bradley-Scott  
Gary Daggett  
Brian Driscoll  
Rosalind Henderson Mustafa  
George Lofton  
James Mitros

Village Clerk  
Gina LoGalbo

Village Manager  
Bridget A. Wachtel

May 15, 2023

**\*THIS IS A COURTESY NOTICE ONLY**

Dear Resident:

On Tuesday, May 23, 2023, the Flossmoor Zoning Board of Appeals will hold a public hearing to consider a request for approval of a variance from the Flossmoor Zoning Ordinance regulating fences. If approved the variance would permit the installation of a fence in a front or side yard at 1630 Pinehurst Lane as depicted on the attached survey.

A map locating the property is shown on the back of this letter.

The meeting will be held in person at Village Hall and remotely beginning at 7:30 p.m. All interested parties are encouraged to attend and to present oral or written testimony. Members of the public may also comment on the Public Hearing by email to [info@flossmoor.org](mailto:info@flossmoor.org). Comments received by 5:00 p.m. Wednesday, May 22, 2023 will be read into the record.

**Join Zoom Meeting:**

**+1 (312) 626-6799**

**Meeting ID: 829 1128 4357**

**Passcode: 60422**

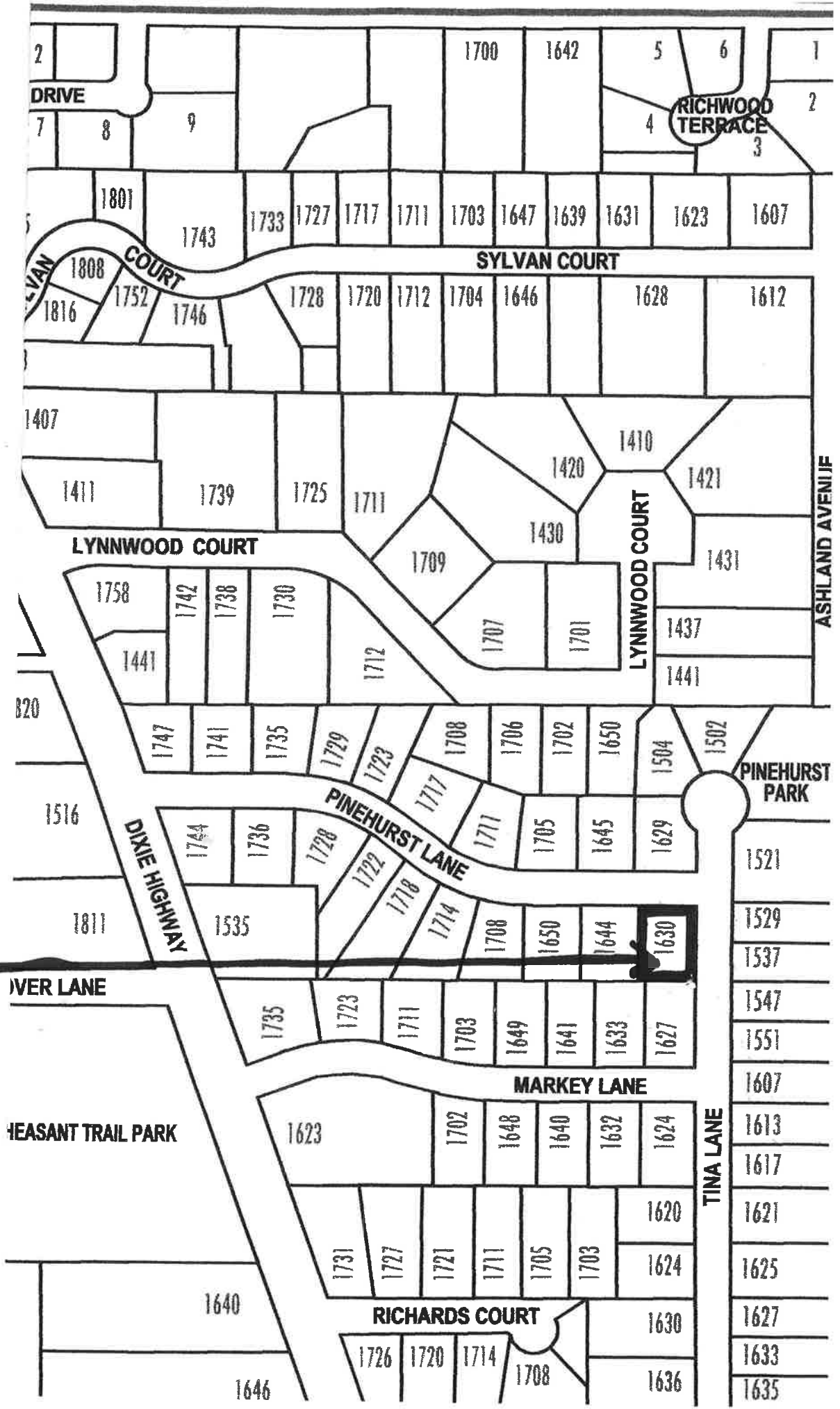
Please call me at 708-957-4101 or email me at [sbugner@flossmoor.org](mailto:sbugner@flossmoor.org) if you have any questions.

Sincerely,

Scott M. Bugner

Director of Building and Zoning

SMB/jf



**Subject Property**