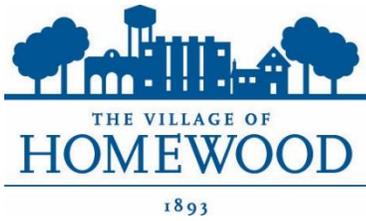


MEETING AGENDA



Planning and Zoning Commission

Village of Homewood

June 26, 2025

Meeting Start Time: 7:00 PM

Village Hall Board Room

2020 Chestnut Road, Homewood, IL

Commission Meetings will be held as in-person meetings. In addition to in-person public comment during the meeting, members of the public may submit written comments by email to pzc@homewoodil.gov or by placing written comments in the drop box outside Village Hall. Comments submitted before 4:00 p.m. on the meeting date will be distributed to all Commission members prior to the meeting.

Please see last page of agenda for virtual meeting information.

1. Call to Order

2. Roll Call

3. Minutes:

Approve minutes from the May 22, 2025 meeting of the Planning and Zoning Commission.

4. Public Comments

5. Regular Business:

A. **Public Hearing** for Case 25-23: Variance for Fence at 18657 Gottschalk Avenue

6. Old Business:

7. New Business:

8. Adjourn

The public is invited to the meeting using the link below to join Webinar:

<https://us06web.zoom.us/j/99184811606?pwd=UkU5TjBQcityOTd0QXkxektpaGRYdz09>

To listen to the Meeting via phone: Dial: 1-312-626-6799
Webinar ID: 991 8481 1606 Passcode: 573812

VILLAGE OF HOMEWOOD



MEETING MINUTES

DATE OF MEETING:

May 22, 2025

PLANNING AND ZONING COMMISSION

7:00 pm

Village Hall Board Room
2020 Chestnut Street
Homewood, IL 60430

CALL TO ORDER:

Chair Pro Tem Bransky called the meeting to order at 7:02pm.

ROLL CALL:

In attendance were Members Alfonso, Bransky, Cap, O'Brien and Castaneda. Present from the Village were Director of Economic & Community Development Angela Mesaros, serving as Staff Liaison, and Assistant Director of Economic & Community Development Noah Schumerth. There was one member of the public in attendance, and no members of the public attending on Zoom via webinar.

The meeting was paused after the completion of the roll call until Chair Sierzega arrived. Chair Sierzega arrived at 7:07pm.

APPROVAL OF MEETING MINUTES:

Chair Sierzega asked for any changes to the minutes from February 27, 2025. No changes were requested.

Motion made to approve minutes by Member O'Brien; second by Member Cap.

AYES: Members Alfonso, Bransky, Cap, O'Brien, Castaneda

NAYES: None

ABSTENTIONS: Chair Sierzega

ABSENT: Member Johnson

Chair Sierzega asked for any changes to the minutes from May 8, 2025.

On page 6, Member O'Brien noted that a comment should be clarified that he was asking for clarifying whether the building was 1,100 square feet or 1,300 square feet in area, rather than dictating one or the other.

On page 9, Member O'Brien said that a comment should be clarified that he was asking whether the owner was from Tinley Park, IL or Mokena, IL, not dictating one or the other. Chair Sierzega noted that Mokena was correct.

On page 7, Member O'Brien noted that the minutes do not clarify which way Harwood Avenue is proposed to go as a one-way, north or south. O'Brien said that the minutes do not note which side of the street that angled parking will be located.

Member O'Brien asked how the changes will impact the parking study received by the Commission in February. Staff Liaison Angela Mesaros said that the parking study included a recommendation to shift

Harwood Avenue to one-way traffic to increase parking availability. Mesaros noted that the shift in street direction came from the parking study.

Member O’Brien asked whether the contract for a parking lease with St. John Neumann Parish was completed and signed. Staff Liaison Mesaros said the contract was with the Archdiocese for final approval.

Member O’Brien stated that he provided a review of the special use standards and recommended to remove the duplication of the special use standards in staff memos and instead add relevant staff information under the applicant’s answers in italics in the final memo.

Member O’Brien stated that he had frustrations with the special use standards in the zoning ordinance not aligning with the questions on the applicant forms, including grammatical errors or changes in wording.

Member O’Brien said that he wanted to address this with staff later on.

Member O’Brien said that he was corrected when addressing private rents for a multi-family residential development approved in January 2025. Member O’Brien requested explanation of how one can discuss a special use standard about “negative monetary impact” and not also discuss the economics of a project, including tentative rent information.

Motion made to approve minutes as amended by Member Castaneda; second by O’Brien.

AYES: Members Bransky, Cap, Castaneda, Sierzega

NAYES: None

ABSTENTIONS: Members Alfonso, O’Brien

ABSENT: Member Johnson

PUBLIC COMMENT:

None.

REGULAR BUSINESS:

Case 25-14: Special use Permit for Salon and Spa Establishment at 18346 Governors Highway

Chair Sierzega introduced the case and asked if any comments had been received.

- **Assistant Director Schumerth stated no.**

Chair Sierzega swore in the petitioner, Diamond Rowels. Sierzega asked for background information on the proposed business.

Rowels explained her proposed salon business at 18346 Governors Highway. Rowels said that she has been doing salon services for several years. Rowels said she wishes to put 12 additional rooms inside as private salon suites, in addition to two booths for other services.

Chair Sierzega asked if there would be a total of 14 booths for salon services.

- **Rowels said yes.**

Chair Sierzega said that parking is not a concern for that particular location.

Sierzega requested comments from the Commission.

Member Alfonso asked how large each booth would be.

- **Rowels stated that there would be eight 90 square foot rooms, and four 120 square foot rooms.**

Member Alfonso asked if water would be provided to each unit.

- **Rowels said no. Water service for salon service providers would be in a central location in the facility in a separate room.**

Member Alfonso asked where laundry service would be provided.

- **Rowels said that in the existing break room, there are washer/dryer connections installed when the space was previously used as a salon.**

Member Alfonso asked how secure 24-hour access would be.

- **Rowels said that keys after hours would be available via lockbox. Rowels said the lockbox would be installed in the rear of the facility.**

Member Alfonso asked if there was sufficient lighting in the rear for after hours access.

- **Rowels said that security lighting was already installed near the door.**

Member Alfonso noted that the concept of salon suites is very popular, and asked if the applicant had an existing network of practitioners ready to lease space.

- **Rowels said yes.**

Member Bransky expressed appreciation in finding a more appropriate location after her previous application for a special use permit was denied.

Member Cap asked if there would be any uses occurring in the space which would not be permitted in the zone.

- **Rowels said that in her last application, she accepted that she would not be able to have a tattoo business in the space. She said that in this application, she would apply for the special use permit to allow tattoo artists unless it was not permitted, in which case she would not.**

Staff Liaison Mesaros said that there are buffer distance requirements for tattoo uses, and there is already a tattoo business in the same commercial center. Mesaros noted that this is the only issue that there would be with allowing tattoo artists to operate in this space.

Member O'Brien asked how a public bathroom would be accessible to members of the public.

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- **Rowels stated that only clients and practitioners leasing space would be allowed to use the restrooms in the building.**

Assistant Director Schumerth stated that while the restroom does not have to be fully public, it does need to be accessible for anyone at the business itself.

Member O'Brien asked staff if there are any other 24-hour operations in Homewood.

- **Staff Liaison Mesaros said that some gas stations may be open 24 hours, and the Essence Salon Suites on Halsted Street.**

Member O'Brien asked how the parking calculation was created. O'Brien noted that there were 68 more spaces in one parking count in the packet than other parking counts.

- **Assistant Director Schumerth noted that there is an additional parcel in the front of the center with 68 spaces which are not counted toward the Cherry Creek Shopping Center for zoning purposes, as they provide parking for the smaller plaza within that separate parcel.**

Member O'Brien noted that on page 20, there was missing text on the Non-Residential Zoning Review form completed by the applicant.

- **Assistant Director Schumerth stated that there were problems with the PDF export, and that staff could provide any information which did not appear in final versions of the packet.**

Member O'Brien said that on page 14, the phrase "planning and zoning commission failed to approve" was a poor choice of words. O'Brien stated that the Commission exercised their property responsibility to not approve the case.

Member Bransky asked that the matter be addressed separately outside of the agenda item.

Member Castaneda stated that the location was acceptable for the use, since it was formerly used as a salon.

Member Castaneda asked for confirmation that massage would not be a use offered at this location.

- **Rowels said massage would not be an allowed service with this business.**

Rowels asked if architectural blueprints would be required.

- **Staff Liaison Mesaros said that this would be discussed with the Building Division once a business operation certificate was applied for.**

Chair Sierzega asked how often late night services occur.

- **Rowels said it is very rare, except in emergency situations.**

Motion to approve made by Member Bransky; second by Member Alfonso.

AYES: Members Alfonso, Bransky, Cap, O'Brien, Castaneda, Chair Sierzega

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NAYES: None
ABSTENTIONS: None
ABSENT: Member Johnson

Chair Sierzega stated that he planned to temporarily skip the Sign Code Update (Case 25-01) and return to it after the next review.

Cases 25-08 and 25-19: Special use Permit and Variance for Indoor Commercial Place of Assembly at 18027 Dixie Highway

Chair Sierzega introduced the case and asked if any comments had been received.

- **Assistant Director Schumerth stated no.**

Chair Sierzega swore in the petitioner, Marcella Abrams. Abrams discussed details of her proposed business in a presentation. Abrams discussed the physical details of the tenant space and plans for operating the business.

Chair Sierzega requested comments from the Commission.

Member Castaneda noted that parking concerns caused a nearby business to be denied a special use permit several months prior.

Member O'Brien asked what was meant on page 37 that, according to the applicant, parking demand for the business would occur at times when traffic is expected to be lower.

- **Abrams stated that this was meant to describe evenings and weekends.**

Abrams noted that she had reached out to three other businesses to consider parking leases during events as needed, and identified several public parking areas she hopes to use to support the business. Abrams said no agreements were signed yet.

Member O'Brien asked why zoning map amendment was checked.

- **Assistant Director Schumerth said that it should be corrected.**

Member O'Brien asked for clarification on the exact name of the property owner.

Member Cap stated that parking is a real problem for advancing this business forward. Cap expressed that capacity limits were important to any success at this location, but said that the worst case scenario of 65 parking spaces will be hard to identify.

Member Cap said that he would have problems supporting any approval of the application under the current conditions. Cap recommended waiting until an agreement was completed to secure parking for the business before returning for further consideration by the Commission.

Member Bransky asked how the applicant planned to arrange a lease or agreement for parking spaces.

- **Abrams confirmed that it would be a “by need” arrangement, with payment only occurring when spaces are needed.**

Member Bransky asked what types of events will be most common at the event space.

- **Abrams said that the space will be a multi-purpose space. Abrams said that the applicants may want a brunch or a small event, and this is meant to be flexible to accommodate those small-scale events. Abrams also mentioned award ceremonies and other similar types of events. Abrams emphasized that it was more likely to host bridal showers vs. a wedding reception.**

Member Bransky said that there are concerns with parking, and on-street parking is determined by the market and it is up to the applicant to determine whether the parking on the street can actually help support the operation of the business.

Member Alfonso said that an agreement in hand and coming back to the Commission will be more effective than the application as presented.

Chair Sierzega asked if equipment like tables and chairs would be available for users.

- **Abrams said yes.**

Chair Sierzega asked if events would be held on “off-days” in Homewood.

- **Abrams said they will be as far as is possible. Abrams said that it will have a time limit of 11pm when all occupants must be out.**

Chair Sierzega echoed concerns about parking.

Chair Sierzega recommended looking into parking availability at the neighboring property, which is an office and residential building.

The applicant agreed to continue to explore options for a parking agreement and to return at a later undetermined date.

Member Cap made a motion to table the agenda item to an undetermined date; second by Member Bransky.

AYES: Members Alfonso, Bransky, Cap, O’Brien, Castaneda, Chair Sierzega

NAYES: None

ABSTENTIONS: None

ABSENT: Member Johnson

The Commission began a recess at 8:10pm. The meeting resumed at 8:15pm.

Case 25-01: Zoning Text Amendment for Village Sign Code Update

Chair Sierzega introduced the case. Assistant Director Schumerth noted that staff would provide a presentation on the Sign Code Update.

Assistant Director Schumerth provided a presentation on the proposed text amendment required to support a Sign Code Update. Schumerth introduced the background of the proposed sign code updates and explained that the text amendment was required to permit the sign code to be included into the Zoning Ordinance. Schumerth noted that there were limited attachments provided because the discussion is to be solely focused on whether the sign code outline as proposed is suitable to include in the Zoning Ordinance.

Assistant Director Schumerth explained the responsibilities of the Appearance Commission and the Planning and Zoning Commission as separate review bodies.

Member Cap said that he agreed that the sign code should be located in the Village zoning ordinance. Cap said that there is still a two-step process for applicants required for new developments. Cap stated that he was considering how a sign could potentially impact a zoning review, and that processes need to protect against that possibility.

Member Bransky noted that the placement of signs is within the review authority of the Planning and Zoning Commission.

- **Assistant Director Schumerth said this is correct. Schumerth noted that zoning review includes placement of signage against setbacks and other requirements. Schumerth said that not all signs, even freestanding signs, are included in the Site Plan Review process.**

Member Cap wished to ensure that the new code protects against signs located within the “sight triangle” required to be maintained by code.

Member Bransky reminded the Commission that material, shape, and other characteristics are within the responsibility of the Appearance Commission.

Staff Liaison Mesaros said that the Commission may choose to recommend changes or ideas to better look at cases between commissions and whether the sign code fits well with the existing Zoning Ordinance.

Member Cap asked for an explanation of how murals may be regulated by the new code.

- **Schumerth stated that the Appearance Commission will review murals through the Appearance Review process, with standards that clearly protect the content of the mural and regulate location, visibility, access, and other characteristics. Schumerth explained the difference between commercial speech in a painted sign and non-commercial speech in a mural.**

Schumerth also said that sight triangle requirements are clarified in the new sign code.

Member Cap asked how signs at existing buildings would be affected, such as sign copy in large multi-tenant commercial signs, and what threshold of sign change would trigger Appearance Commission review.

- **Assistant Director Schumerth noted that the reviews are generally discretionary; staff can review signs or elevate them to the Appearance Commission. Schumerth said that the new sign code requires more signs to go to the Appearance Commission.**

Staff Liaison Mesaros noted that currently, any sign requiring a variance must go to the Appearance Commission.

Member Cap asked about neighborhood identification signs in rights-of-way and whether the Sign Code would regulate these signs.

- **Staff Liaison said that the sign code regulates signage on private property, and public signs are not reviewed under this code.**

Assistant Director Schumerth identified some historic signs and other types of public-facing signs which are regulated by the Sign Code when they are placed on private property or in easements.

Member Cap asked about directional signs and parking lot signs and how they are regulated.

- **Staff Liaison Mesaros said that they are not regulated under the sign code.**

Member Bransky asked if IDOT regulations manage signage in public right-of-way.

- **Staff Liaison Mesaros mentioned that IDOT only regulates signs approved to be located in their right-of-way.**

Member Bransky asked how to provide comments on specifics of the sign code after reviewing, even if this approval is regarding the inclusion of the sign code approved by the Appearance Commission in the Zoning Ordinance.

Member Bransky said there is a need to create a singular place for ordinances regulating private property, such as zoning and sign regulations, and the need to give sign regulations teeth by including them in the same processes as the zoning ordinance.

Assistant Director Schumerth said there are two options for going forward from the meeting: approve the sign code's inclusion in the Zoning Ordinance and then provide comments to staff until approval by the Village Board, or review the sign code and then approve the inclusion of the new code in the Zoning Ordinance.

Member Cap asked if it was possible to present a unified recommendation with all members.

- **Staff Liaison Mesaros said it would not be an official, formal recommendation because the content is not in the review authority of the Planning and Zoning Commission.**

Member Bransky asked if a group recommendation could be provided by the Commission.

- **Member Castaneda said it would only be as private citizens. Assistant Director Schumerth agreed and said that comments made on the record would be included in the record, but that**

the decision remained as to whether the code itself could be added to the zoning ordinance as presented. Staff Liaison Mesaros said it would not be a formal recommendation.

Staff Liaison Mesaros encouraged members of the Planning and Zoning Commission to provide relevant comments to help improve the final draft of the sign code.

Assistant Director Schumerth stated that comfort level of the Commission is important, and if the Commission feels more comfortable knowing the exact language included in the sign code copy, then this approval could be continued.

Member O'Brien asked if there would be any other public discussion with the Planning and Zoning Commission on this item if approved.

- **Staff Liaison Mesaros said no. The Village Board hearing for the code would be the next meeting where this would be discussed.**

Member O'Brien asked for page numbers to be clarified.

- **Assistant Director Schumerth stated that the sign code provided is directly from the agenda packet of the Appearance Commission meeting on May 1, 2025. Schumerth said that item started on page 26; the first 25 pages were minutes from past meetings.**

Member O'Brien requested that references to "previous sign code" be changed to "current sign code."

Member O'Brien said that the sign code has expanded by three times, and that it reflects the modern challenges of regulating signage.

Member O'Brien stated that the Village needs to revisit signage for access drives and private driveways, such as the Homewood Brewing north access drive near the former Mama Mia Pizzeria.

Member Bransky made a motion of approval; second by Member O'Brien with an amendment of text in #5 of the Findings of Fact.

AYES: Members Alfonso, Bransky, Cap, O'Brien, Castaneda, Chair Sierzega

NAYES: None

ABSTENTIONS: None

ABSENT: Member Johnson

Staff Liaison Mesaros encouraged the Commission to provide comments on the final sign code text.

OLD BUSINESS:

None.

NEW BUSINESS:

None.

ADJOURN:

Member O'Brien made a motion to adjourn; seconded by Member Bransky. The meeting adjourned at 9:11pm.

AYES: Members Alfonso, Bransky, Cap, O'Brien, Castaneda, Chair Sierzega

NAYES: None

ABSTENTIONS: None

ABSENT: Member Johnson

Respectfully submitted,

Noah Schumerth

Noah Schumerth, Assistant Director of Economic and Community Development

VILLAGE OF HOMEWOOD



MEMORANDUM

DATE OF MEETING: June 26, 2025

To: Planning and Zoning Commission

From: Noah Schumerth, Assistant Director of Economic and Community Development

Through: Angela Mesaros, Director of Economic and Community Development

Topic: Case 25-23: Variance for Fence, 18657 Gottschalk

APPLICATION INFORMATION

APPLICANT	Matt Barry
ACTION REQUESTED	Variance – Section 44-05-09.(b).(2)
ADDRESS	18657 Gottschalk Avenue
PIN	32-06-212-017

ZONING & LAND USE

SUBJECT PROPERTY	ZONING	LAND USE
CURRENT	R-2 Single-Family Residence	Single-Family Residential
SURROUNDING	N: R-2 Single-Family Residence	Single-Family Residential
	E: R-2 Single-Family Residence	Single-Family Residential
	S: R-2 Single-Family Residence	Single-Family Residential
	W: R-2 Single-Family Residence	Single-Family Residential

LEGAL NOTICE Legal notice was published in *Daily Southtown* on June 11, 2025; letters were sent to property owners and residents within 250’.

DOCUMENTS FOR REVIEW

Title	Pages	Prepared by	Date
Residential Zoning Application	2	Mark Barry, Applicant	05/20/2025
Standards for Variance Worksheet	2	Mark Barry, Applicant	05/20/2025
Fence Contract	1	Fence Masters Inc., Contractor	05/20/2025
Plat of Survey	1	Mark Barry, Applicant	04/29/2025
Site Photos	2	Mark Barry, Applicant	05/27/2025
Photos from Similar Properties	5	Mark Barry, Applicant	05/27/2025
Letter of Support from Neighboring Property Owners	1	Mark Barry, Applicant	06/12/2025
Staff Exhibits	3	Noah Schumerth, Asst. Dir. ECD	06/13/2025

BACKGROUND

The applicant, Mark Barry, has requested a variance to allow a fence with a height of 6' within 3 feet of an exterior side yard setback.

Section 44-05-09.(b).(2) requires that any 6' fence within an exterior side yard must set back a minimum of 3' from the property line. The fence must be 80% opaque, and a landscaping buffer on the side of the fence facing the side street is required.

The proposed variance would permit the 6' fence to be located within 3' of the property line along 186th Place and allow the applicant to construct the fence without a landscaping buffer.

DISCUSSION

The applicant has proposed the construction of a 6' fence in the location of an existing 4' fence. The fence is currently located on the exterior side lot line of the subject property. The original fence was constructed prior to the applicant taking ownership of the property.

The applicant has proposed the construction of the fence in a white vinyl material, similar to the material of the adjacent property owner's fence. The proposed vinyl is an approved fence material as stated in Section 44-05-09.(a) of the Zoning Ordinance.

The applicant has proposed the installation of a 4' gate to allow for access to the rear yard. The gate will be built in a similar vinyl material.

The fence is proposed to be located adjacent to a large Village-owned parkway located along 186th Place. There are two mature trees located within the parkway with no sidewalk or other walkway installed. The Village does not plan to extend sidewalks or walkways in this location. The parkway is approximately 15' in width.

The current fence is in alignment with the 4' fence located along the exterior side lot line of the adjacent property owner to the east. This fence was approved for construction in that location in 2006.

The applicant has stated that the purpose of the 6' fence is to screen visibility into the home from 186th Place and improve privacy of the property. The applicant has stated that there are numerous pedestrians who walk along the parkway adjacent to the home on 186th Place, who choose to walk within the parkway due to the lack of a sidewalk along 186th Place. The home is designed such that common areas and bedrooms of the home face 186th Place. The applicant has stated that pets walking along 186th Place frequently disrupt pets at the subject property with the current fence. The applicant has also stated that they wish to maximize yard space and ensure visual alignment with the neighboring property owner's fence.

The applicant has noted that there are numerous instances of 6' fences on corner lot lines in the neighborhood. Some of these fences were approved previously via variance before the adoption of the current zoning ordinance. The applicant has provided photos of similar fences which have been constructed within a ¼ mile of the subject property.

VARIANCE STANDARDS

The Zoning Ordinance requires a 3-foot minimum setback from the exterior side lot line for any fence greater than 4' in height. The fence must be constructed to be no more than 80% opaque, and a 3-foot landscape buffer with shrubs and other plantings must be provided adjacent to the fence.

Such a variance must be reviewed against the Variance Standards found in Section 44-07-12 of the Village Zoning Ordinance.

Staff has reviewed the application using the Variance Standards to assess potential hardship or unique circumstances which may require relief via the variance process. The applicant has provided responses to the Variance Standards which are attached with this memo.

The application must be determined by the Planning and Zoning Commission to meet each of the following three standards:

a. Can the property in question yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located? **The property will not lose full economic return if operated under the conditions of the zoning ordinance.** While the property owner will lose approximately 289 square feet of usable area within the fenced yard, the property will not lose reasonable return as a single-family residential property.

However, the design of the home and the regular use of the parkway area create unique privacy concerns which partially restrict reasonable privacy expected for the full enjoyment of a single-family home located in another location or district. **A 4' fence as currently exists on the property may negatively impact the reasonable enjoyment of the single-family residential property.**

b. Is the plight of the owner due to unique circumstances? **There are unique circumstances which impact the property owner and may cause negative impacts should the fence be constructed conforming to the requirements of the Zoning Ordinance.**

There is no sidewalk adjacent to the property, creating a much wider parkway area than that found adjacent to many other properties in the vicinity. The large parkway may soften the impact of a 6' fence along the street. The lack of sidewalk may lead pedestrians to use the parkway and walk closely to the current fence line of the property owner.

The neighboring property having a previously approved fence located on the property line could negatively impact the appearance of a fence set back 3' from the property line, given the lack of alignment between fences and the appearance of a smaller yard.

The existing attached garage of the home is constructed approximately 8' from the property line. A 3' setback will reduce the length of fence extending from the home in the side yard to approximately 5'. The reduced length will impact the ability to construct a gate in the location proposed, and severely restrict the usability of yard space to the south of the garage.

The parkway also features large mature trees will likely impact the success of planting landscaping as a buffer required in Section 44-05-09.(b).(2), or as an alternative method of screening on the side of the property. The applicant also cites concerns about impacts on required landscaping by pets passing the property.

c. If granted, will the variance alter the essential character of the locality? The variance is unlikely to negatively alter the character of the area surrounding the property. The variance will permit the property owner to align the proposed fence with the neighbor's fence, which may create a more harmonious visual appearance along the segment of 186th Place adjacent to both properties.

Additionally, the Planning and Zoning Commission may wish to consider the following secondary standards in considering a variance request. No one of these secondary standards is binding:

d. Do the particular physical surroundings, shape, or topographical conditions of the subject property pose a particular hardship upon the owner, as distinguished from a mere inconvenience, under the strict application of these regulations? There are no unique physical or topographical conditions which pose a hardship on the owner under the strict application of regulations. The lot is a standard rectangular shape with flat topography and similar dimensions to other properties in the immediate vicinity.

e. Would the conditions upon which the petition for variance is based be generally applicable to other property within the same zoning classification? There are multiple unique circumstances which would not be applicable to other property within the same zoning classification.

The standard width parkway without a sidewalk along the side of the property is unique to this location. Many other properties have sidewalks installed within adjacent right-of-way, or have reduced right-of-way width when a sidewalk is not present. The existing condition of the parkway increases the buffer distances between any road or walkway and the proposed fence in a manner not generally applicable to residential properties in the R-2 district.

The existing exterior side yard fence alignment of the adjacent property at 18656 Homewood is also unique, having been approved directly on the property line in 2006. The fence creates a unique visual impact from the enforcement of the existing ordinance, where the new fence will be set back from other adjacent fences. The existing 4' wood fence aligns with the fence on the adjacent property.

Finally, the location of the house on the subject property constitutes a unique circumstances which is not true of other properties in the area. The home was built approximately 8' from the exterior side lot line, which makes the house a legal non-conforming structure (20' minimum setback required as of 2023). Other homes in the area have larger setbacks from the exterior side yard lot line and may have less impact from a fence setback from the exterior side of the lot.

f. Has the alleged practical difficulty or particular hardship been created by any person presently having an interest in the property? The decision to propose the fence within 3' of the property line is the decision of the owner, and the owner is able to place the fence further back without undue financial burden or hardship. However, the practical difficulties caused by the enforcement of the Zoning Ordinance and unique conditions of this property are not created by the property owner. The home,

fence, adjacent property’s fence, and parkway were all constructed prior to the ownership of the property by the applicant.

g. If granted, will the variance be detrimental to the public welfare or injurious to other neighboring property? **No negative impacts on public welfare or neighboring property are anticipated by the granting of the variance.** Due to the large existing parkway with no plans or practical feasibility for the installation of a sidewalk or expanded roadway, the reduced setback is unlikely to cause aesthetic or functional harm to neighboring property or the surrounding area.

h. If granted, will the variance: 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 values of neighboring property? **No negative impacts on light or air on adjacent property are anticipated. The fence will not cause any increase in fire danger or impair the value of any adjacent property.**

FINDINGS OF FACT

The staff has prepared the draft findings of fact following the standards outlined in Section 44-07-12 of the Zoning Ordinance variance applications. The findings of fact, as proposed or as amended, may be entered into the record:

1. The subject property is a 0.21-acre property at 18657 Gottschalk Avenue;
2. The subject property is owned by Mark and Ann Barry of Homewood, Illinois;
3. The subject property is located within the R-2 Single-Family Residence zoning district;
4. Section 44-05-09.(b).(2) requires a minimum three (3) foot setback from exterior side lot lines for fences taller than 4’ in height. Any fence along the exterior side of a lot must have a minimum of 80% opacity and a landscape buffer.
5. The proposed variance is to permit construction of a 6’ tall fence within the required setback and without a required landscape buffer.
6. The proposed fence is proposed to have 80% opacity and will be constructed from vinyl, an approved material for fences per Section 44-05-09.(a) of the Zoning Ordinance;
7. The enforcement of standards in Section 44-05-09 of the Zoning Ordinance is determined to negatively impact reasonable return for a single-family residential property, including enjoyment and full use of property as reasonably expected for a single-family residential property;
8. The plight of the applicant is determined to be caused by unique circumstances affecting the subject property;
9. The granting of the requested variance is determined to not directly alter the condition of the locality surrounding the subject property;

10. The unique conditions related to this variance are not generally applicable to other properties within the same zoning classification, nor to properties within the vicinity of the subject property;

11. The practical hardship impacting the property owner is determined to have not been created by any person presently having an interest in the current property.

RECOMMENDED PLANNING & ZONING COMMISSION ACTION

The Planning and Zoning Commission may wish to consider the following motion:

Recommend **approval** of Case 25-23, a request for a variance to permit the construction of a 6’ fence within the required exterior side yard setback; and

AND

Approve the draft Findings of Fact and incorporate the Findings of Fact into the record.



2020 Chestnut Road, Homewood, IL 60430

PROPERTY INFORMATION

Street Address: 18657 Gottschalk Avenue Homewood, IL 60430

Property Index Number(s): 32062120170000

Zoning District:

- R-1 B-1
- R-2 B-2
- R-3 B-3
- R-4 B-4

Lot Size: _____ sq. ft. _____ acres

If the subject property is multiple lots, provide the combined area. Lots held in common ownership should be consolidated.

APPLICANT

Name Mark Barry
 Company _____
 Address 18657 Gottschalk Avenue

 Phone 708-243-0442
 Email mjbarry681@yahoo.com
 Role _____

PROPERTY OWNER

Name _____
 Company _____
 Address _____

 Phone _____
 Email _____
 Check box if the applicant is the property owner

Application Request

Select all applicable boxes for use or zoning requests below. Write a brief description in the space provided. For any construction work, complete page 2 to the best of your ability.

- Limited Use Permit
- Special Use Permit
- Temporary Use Permit

Requested Use *Describe any requested principal, accessory, or temporary use(s).*

- Variance
- Administrative Exception
- Zoning Text Amendment
- Zoning Map Amendment

Zoning Variance or Amendment *Describe any requested zoning relief or changes below.*

Corner Lot - Allow for 6-foot partial privacy fence on existing fence/property line to replace current 20yo deteriorating fence. Reducing exterior side fence setback from 3-feet to zero

I acknowledge and attest that:

- » All the information and exhibits submitted with this application are true and accurate to the best of my knowledge;
- » Village representatives are permitted to make reasonable inspections of the subject property necessary to process this application;
- » I agree to pay all required fees;
- » No work may be done without first obtaining a Building Permit. All work shall be completed in accordance with Village Codes and Ordinances.

Mark Barry
 Applicant Name

Mark J. Barry
 Applicant Signature

05/20/2025
 Date

PROPOSED DEVELOPMENT

Description: **Replace current deteriorating fence with 6-foot partial privacy fence on current fence-line/property-line. Reducing exterior side fence setback from 3-feet to zero**

Select the box for all existing and proposed structures. Provide the area of existing and proposed buildings, structures, and impervious surfaces, to complete the form to the best of your abilities. Enter any area of demo as a negative number.

Principal Structure	Existing			New		
	No Change	Demo	Building Footprint	Addition	New Build	Building Footprint
Single family detached dwelling	<input checked="" type="checkbox"/>	<input type="checkbox"/>	sf	<input type="checkbox"/>	<input type="checkbox"/>	sf
Duplex dwelling	<input type="checkbox"/>	<input type="checkbox"/>	sf	<input type="checkbox"/>	<input type="checkbox"/>	sf
Townhouse dwelling	<input type="checkbox"/>	<input type="checkbox"/>	sf	<input type="checkbox"/>	<input type="checkbox"/>	sf
Other:	<input type="checkbox"/>	<input type="checkbox"/>	sf	<input type="checkbox"/>	<input type="checkbox"/>	sf
Accessory Structure(s)	No Change	Demo	Area	Addition	New Build	Area
Accessory dwelling unit, attached/internal	<input type="checkbox"/>	<input type="checkbox"/>	sf	<input type="checkbox"/>	<input type="checkbox"/>	sf
Accessory dwelling unit, detached	<input type="checkbox"/>	<input type="checkbox"/>	sf	<input type="checkbox"/>	<input type="checkbox"/>	sf
Garage, attached	<input type="checkbox"/>	<input type="checkbox"/>	sf	<input type="checkbox"/>	<input type="checkbox"/>	sf
Garage, detached	<input type="checkbox"/>	<input type="checkbox"/>	sf	<input type="checkbox"/>	<input type="checkbox"/>	sf
Deck, Porch, or Patio	<input type="checkbox"/>	<input type="checkbox"/>	sf	<input type="checkbox"/>	<input type="checkbox"/>	sf
Shed, Cabana, Greenhouse, Playhouse, Gazebo	<input type="checkbox"/>	<input type="checkbox"/>	sf	<input type="checkbox"/>	<input type="checkbox"/>	sf
Solar energy collection, roof	<input type="checkbox"/>	<input type="checkbox"/>	sf	<input type="checkbox"/>	<input type="checkbox"/>	sf
Solar energy collection, ground	<input type="checkbox"/>	<input type="checkbox"/>	sf	<input type="checkbox"/>	<input type="checkbox"/>	sf
Swimming Pool or Spa	<input type="checkbox"/>	<input type="checkbox"/>	sf	<input type="checkbox"/>	<input type="checkbox"/>	sf
Other:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	sf	<input type="checkbox"/>	<input checked="" type="checkbox"/>	sf
Impervious Surfaces	No Change	Demo	Area	Addition	New Build	Area
Driveway	<input checked="" type="checkbox"/>	<input type="checkbox"/>	sf	<input type="checkbox"/>	<input type="checkbox"/>	sf
Parking Pad	<input checked="" type="checkbox"/>	<input type="checkbox"/>	sf	<input type="checkbox"/>	<input type="checkbox"/>	sf
Walkways	<input checked="" type="checkbox"/>	<input type="checkbox"/>	sf	<input type="checkbox"/>	<input type="checkbox"/>	sf
Other:	<input type="checkbox"/>	<input type="checkbox"/>	sf	<input type="checkbox"/>	<input type="checkbox"/>	sf
Impervious Lot Coverage			Area			Area
Total Impervious Area			0 sf			0 sf
Percentage of Total Site Area			0 %			0 %

Staff Notes

Do not write below this line.

CASE NO: _____ Fee: _____ Paid Date Received: _____

Request: _____ Action: _____ Comments/Conditions: _____ Date: _____

This application has zoning approvals and may proceed to obtain Building Permits or a Certificate of Occupancy.

Name: _____ Signature: _____ Date: _____



STANDARDS FOR: VARIANCE

2020 Chestnut Road, Homewood, IL 60430

Street Address: 18657 Gottschalk Avenue Homewood, IL 60430

Requested Variance: Reduce exterior side fence setback from 3-feet to zero

Zoning Requirement: 6 foot fence must be a minimum of 3-feet from property line with landscaping

Ordinance Reference: 44-05-09.B

Applicant Name: Mark Barry **Date:** 05/20/25

Provide responses to each question below using complete sentences and specific to the property and relief requested.

The Planning and Zoning Commission and Village Board shall consider the following responses to the Standards for a Variance in evaluating the application.

No variance shall be granted unless the findings of fact for each application demonstrate a true hardship and the least deviation from the Ordinance necessary, as provided by the applicant's response to the following:

1. Can the property in question yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located?

Describe why you cannot comply with the zoning regulations and how it impacts the property value.

Placing the fence 3-foot in from property line would reduce the usable backyard space and would create an awkward look in comparison to the neighbors fence and the majority of fences on 186th Place. Also, the current 4-foot fencing does not provide any level of privacy from folks walking thru the easement next to the fence and placing the fence 3-feet into the property would further reduce privacy and drive more foot traffic which would then run thru our property.

2. Is the plight of the owner due to unique circumstances?

Describe why this request is unique to you; would it apply to your neighbors as well?

The issues above impact corner lot houses and 186th Place is a high-traffic stretch between Ashland and Dixie Highway. Non-corner lot houses do not have the same privacy issues with their backyards and fencing requirements.

3. If granted, will the Variance alter the essential character of the locality?

Describe how the property, with this relief, will compare to the surrounding properties.

There are quite a few corner lot houses in the Soutgate neighborhood and other areas in Homewood that have 6-foot fences that are either fully private or not 3-foot in from the property line. Our partial privacy fence (which the style has been approved) would not look out of place and continue the visual flow from the neighbors back fencing/landscaping

Continued on following page.

Supplemental to the above standards, the decision-making authority shall also consider and make findings of fact on the character of the alleged hardship and the potential impacts to neighboring properties of granting the Variance, as provided in the applicant’s responses to each of the following standards. No one of the standards is controlling.

- 4. Do the particular physical surroundings, shape, or topographical conditions of the subject property pose a particular hardship upon the owner, as distinguished from a mere inconvenience, under the strict application of these regulations?

Describe the unique characteristics of the site that limit use or development without the requested relief.

The lack of privacy does limit the use of the backyard space at times. Also, having folks walk thru the yard/easement right next to the 4-foot fence creates noise nuisance issues with both our dog and neighbor dogs which in-turn limits our ability to use/enjoy our outdoor space in a level of peace

- 5. Would the conditions upon which the petition for Variance is based be generally applicable to other property within the same zoning classification?

Do your neighbors have the same circumstances?

The conditions listed previously only impact other neighbors with corner lot houses

- 6. Has the alleged practical difficulty or particular hardship been created by any person presently having an interest in the property?

Provide information about any personal gains related to the hardship.

N/A

- 7. If granted, will the Variance be detrimental to public welfare or injurious to other neighboring properties?

Describe any potential negative impacts on neighboring properties and mitigation efforts.

No

- 8. If granted, will the Variance: impair an adequate supply of light and air to adjacent property; substantially increase the danger of fire or otherwise endanger the public safety; or, substantially diminish or impair values of neighboring property?

Explain how the requested relief will not create a hazard or de-value adjacent property.

No



Fence Masters, Inc.

20400 S. COTTAGE GROVE AVE.
 CHICAGO HEIGHTS, IL 60411
 (708) 758-5250 • (219) 465-5600 • FAX (708) 758-5251
 WWW.FENCEMASTERSINC.COM

- PERMIT
- PLAT SURVEY

SOLD TO: Mark Barry
 ADDRESS: 18657 Gottschalk Ave
 CITY, STATE: Homewood IL ZIP: 60430
 EMAIL: _____ SALES REP: John

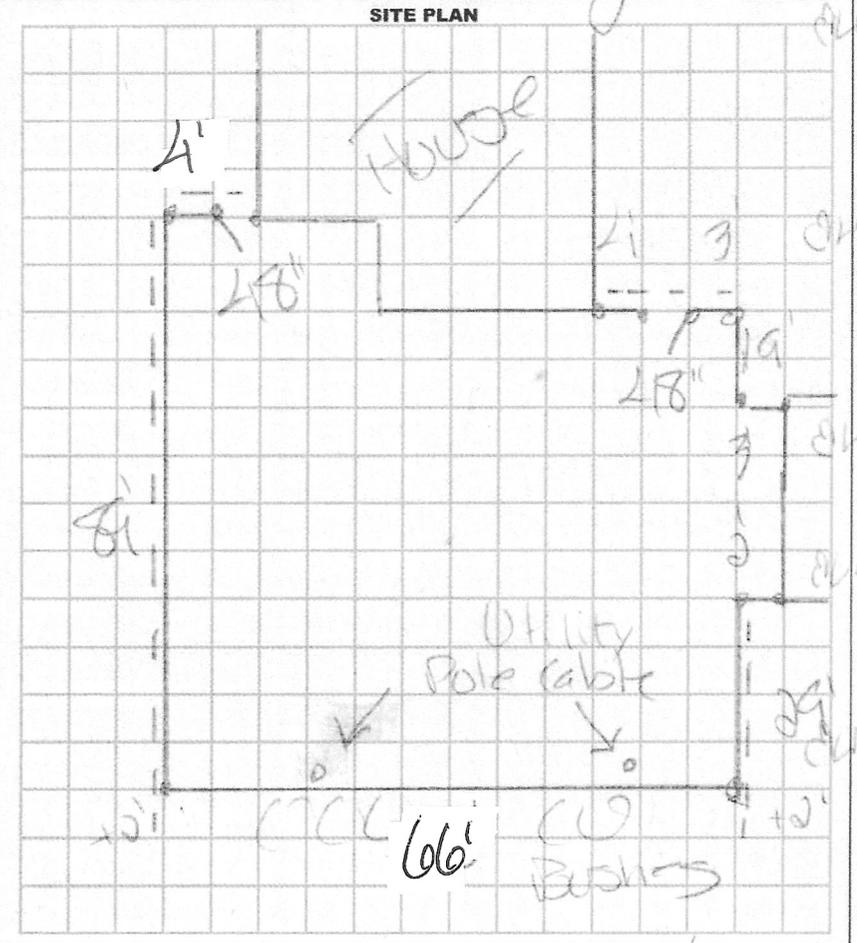
DATE: 4-27-25
 CELL PHONE: 708-0 Item 5. A.
 HM PHONE: _____
 WK PHONE: _____
 CONCRETE BREAKS/PULLS
 ASPHALT BREAKS
 DIRT REMOVAL 36
 DIG #:
 GOOD
 T/D/H 153
 CONCRETE SAW
 CORE DRILL

PVC	IRON/ALUM.
TOTAL FOOTAGE: <u>231'</u>	TOTAL FOOTAGE:
TOTAL HEIGHT: <u>6'9"</u>	TOTAL HEIGHT:
STYLE FENCE: <u>Aluminum</u>	POST SPACED:
POST SPACED: <u>8'0" / C</u>	COLOR:
SECTIONS: <u>lattice all</u>	SECTIONS:
POSTS: <u>515</u>	POSTS:
CAPS: <u>Pyramid</u>	CAPS:
COLOR: <input type="checkbox"/> WHITE	SYTLE: <input type="checkbox"/> GALV. TUBING
<input type="checkbox"/> TAN	<input type="checkbox"/> SOLID
<input checked="" type="checkbox"/> CLAY	RAILS: <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4
GATES:	GATES:
SINGLE	SINGLE
<u>4'0" X 8'0"</u> X	X
<u>2'0" X 8'0"</u> X	X
DOUBLE	DOUBLE
X	X
S	S
CHAIN LINK	WOOD
TOTAL FOOTAGE:	TOTAL FOOTAGE:
TOTAL HEIGHT:	TOTAL HEIGHT:
STYLE FENCE:	STYLE FENCE:
GAUGE <input type="checkbox"/> 9 <input type="checkbox"/> 8	POST SPACED:
POST SPACED:	RAILS:
TOP RAIL:	BOARDS:
LINE POST:	POSTS:
TERMINAL:	PANELS:
GATE POST:	<input type="checkbox"/> DOG EAR <input type="checkbox"/> ARCHED
OTHER:	<input type="checkbox"/> STRAIGHT <input type="checkbox"/> SCALLOP
GATES:	GATES:
SINGLE	SINGLE
X	X
X	X
DOUBLE	DOUBLE
X	X
S	S

- FOLLOW CONTOUR OF GROUND
- KEEP TOP OF FENCE STRAIGHT
- CUSTOMER HAS SEEN & APPROVED FENCE LOCATION PRIOR TO INSTALLATION

CUSTOMER'S APPROVAL Mark Barry

★ BALANCE PAYABLE UPON COMPLETION ★



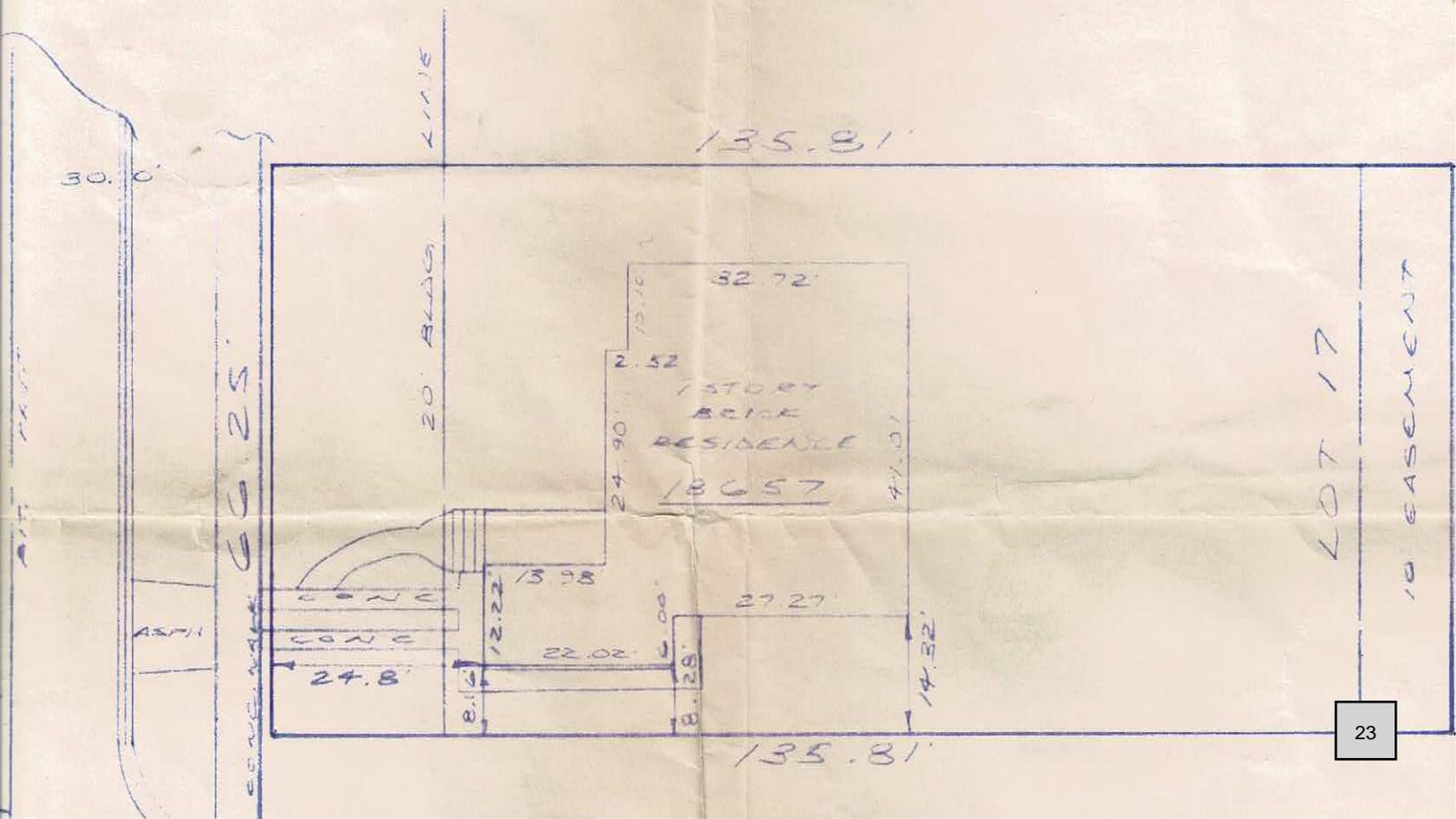
PLEASE PAY INSTALLER BALANCE ON DAY OF INSTALLATION
 USE CHECK OR MONEY ORDER
 PAYABLE TO FENCE MASTERS, INC.
FENCE MASTERS ACCEPTS NO CONTRACT WITHOUT DEPOSIT.
CUSTOMER IS RESPONSIBLE FOR OBTAINING PERMIT.
ANY AND ALL WARRANTIES WILL BE VOID IF BALANCE IS NOT PAID IN FULL DAY OF INSTALLATION.

TOTAL \$13,587
 TAX _____
 TOTAL \$13,587
 1/2 DOWN \$6,600
 BALANCE DUE ON DAY OF INSTALLATION \$7,000 BALANCE _____

PLAT OF SURVEY

HOME

LOT 17 IN BLOCK 10 IN SOUTHGATE, BEING A SUBDIVISION OF PART OF THE SOUTH HALF OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 35 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.



Our house with reverse layout where garage access and window view/access on the corner side

Item 5. A.



Current fence-line view with rear neighbor



Examples of 6-foot full privacy fences in Southgate with our model and reverse layout

Item 5. A.



Examples of 6-foot full privacy fences in Southgate and other Homewood neighborhoods

Item 5. A.









