

# VILLAGE OF NORRIDGE

4000 North Olcott Avenue • Norridge, Illinois 60706-1199  
708/ 453-0800 FAX 708/ 453-9335  
www.villageofnorridge.com  
Zoning Board of Appeals

## Zoning Board of Appeals Meeting Minutes

### Village of Norridge

**PRESIDENT**

Daniel Tannhauser

**CHAIRPERSON**

Janice J. Magnuson

**SECRETARY**

Allan J. Budnik

**MEMBERS**

Christian Giacalone

Christopher Miroslaw

Christopher O'Leary

Richard Thompson

The Zoning Board of Appeals of the Village of Norridge, Cook County, Illinois  
Convened on the 13<sup>th</sup> day of July 2020, 7:00 P.M. at its regular meeting place,  
4000 N. Olcott Avenue, Norridge, IL 60706

Per Executive Order 2020-07 issued by Governor JB Pritzker on March 16, 2020, Section 6:  
During the duration of the Gubernatorial Disaster Proclamation, the provisions of the Open  
Meetings Act, 5 ILCS 120, requiring or relating to in-person attendance by members of a  
public body are suspended. Specifically, (1) the requirement in 5 ILCS 120/2.01 that  
"members of a public body must be physically present" is suspended.

Due to Governor Pritzker's Executive Order 2020-10, Executive Order in response to COVID-19  
(COVID-19 Executive Order No.8), board members did not meet in person at the Village of  
Norridge. Each board member connected via video (Zoom) at 7:00 P.M. The meeting was called to  
order by Chairperson Magnuson and upon roll call the following named members answered present:

- Roll Call:**
- Present in person: Janice Magnuson, Chairperson  
Richard Thompson, Member
  - Present via Video: Allan Budnik, Secretary  
Christopher Miroslaw, Member  
Christopher O'Leary, Member  
Christian Giacalone, Member
  - Absent: None
  - Also attending: Brian Gaseor, Village Engineer  
Joan Cherry, Board Attorney (via video)  
Joanna Skupien, Village Administrator  
Jack Bielak, Village Trustee

### **Approval of Minutes - Motion**

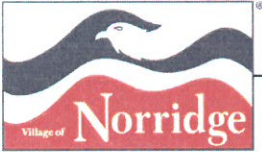
To approve the Board Minutes with a corrected date of June 22, 2020 was made by Mr. Thompson,  
seconded by Mr. O'Leary. A roll call was taken:

- Yes – Thompson, Miroslaw, O'Leary, Giacalone, Budnik, Magnuson
- No – None

### **MOTION CARRIED**

### **Update on Future Cases**

There will be two hearings in the future. There will be one case in August for a PUD. A different  
case will be probable for September.



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## Hearing – 5235 N. Cumberland Ave.

The Chairperson opened the hearings reading the rules of the hearing and swearing in all present.

The Secretary read the letter from the petitioner.

Mr. Wajih Alkayed is from the construction company that would be the builder for the petitioner Munther Sharawi. Mr. Alkayed stated that they had a prior request for this property to be townhomes but was rejected. They are now asking to build two single family homes. The homes would be all brick with one home about 3500 square feet and the other 3000 square feet. These homes will blend into the neighborhood and other homes.

### Questions from the Board:

Q. How soon if this was approved are you to build these homes?

A: Ready to proceed.

Q: Will you build one at a time or both at the same time?

A: Probably both at the same time.

Q: Last time the request for the town homes were for you and the other for family. Who will live in these homes?

A: We are purchasing/building a total of four homes in Norridge for me and my three sons. Not sure who will live where but probably me and one son will be in these homes.

Q: Can you share with us the corner lot landscaping?

A: The side setback is to the property line but there is still about an additional 5 feet to the sidewalk, so with my projected setback of about 7 feet, there will be about five more feet in addition to that

### Visitors Comments:

Frank from 8334 Farragut - a resident on the block asked will the homes face Cumberland or Farragut because the property only has one address.

A: They will face Farragut

Frank stated later in the meeting that when it rains, water comes down the street from Chicago and is a problem. Can anything be done about this?

A: Mr. Gaseor addresses this issue with him.

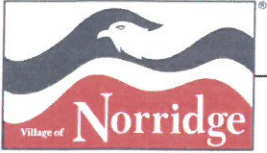
At a later time Frank and Mr. Gaseor had a short discussion about parking on the street.

Dorothy Kryzanowski from 8337 Farragut stated that she tried to split her lots 10 years ago and was denied from zoning stating the sewer system could not handle it. What has changed since then?

A: Mr. Gaseor explained the dual sewer system that is in place in Norridge.

Later in the meeting, Dorothy again stated that her lot was identical to this one and was denied the split so we should deny this one.

A: The Board looked at her property dimensions and it was noted that her property was almost twenty feet less in width and would have resulted in two 45' lots unlike the almost 60' lots requested here. The Board noted that a decision in the past or a current decision does not set precedence and that each case is evaluated on its own merit.



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Dorothy again stated that the other Cumberland Ave. lot there was the same size as the petitioners and would we split that one?

A: The Board stated that the lot she was referencing was also smaller than the petitioners but cases would be evaluated as they were presented.

Kurt Ortwig from 8324 Farragut asked at what point in time do you decide to sub-divide lots? And when do you say No?

A: The Board stated that we do not seek out properties and say that this lot or property should be divided. An owner would request the variance and then the Zoning Board would have a public hearing on the matter.

Karen Bellin from 8321 Farragut stated that the value of other properties will go down if this property gets divided. She also provided a written statement which was read later in the meeting.

Thaddeus Cedrize from 8345 Farragut stated that he didn't understand where water will drain with the building of the property.

A: The Board stated that the petitioner was not asking for a variance of the intensity of lot usage for either lot. That in fact if the owner wanted to build just one large home that the same if not greater footprint could be built without ever having to have a public hearing on the matter.

Uros Kistic from 8322 Farragut stated he bought his house a few years ago and he thinks the economic value of his house will go down if the petitioner's property is divided.

Wajih Alkayed (the potential builder for the petitioner) stated that based on his experience, the value of property can go down if design is poor and careless. In this case, they have unique design that fits the neighborhood and the value of other properties will go up if they build.

Resident from 8225 Farragut stated that he did not understand a two car garage and home with that square footage would fit on the property.

A: Mr. Gaseor stated that a minimum two car garage was required for any new home and a photo of the proposed home was shown.

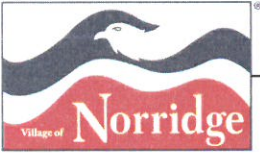
At this time Chairperson Magnuson read the stated that Karen Bellin submitted prior to the hearing.

## **Board Discussion**

The Board asked another question of the petitioner.

Q: Can the corner lot home with the side yard setback be redesigned to not require the variance or describe the hardship for the request.

A: after a short explanation they stated yes it could be designed for a smaller home.



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The Chairperson stated if the property is to be subdivided then there are certain subdivision regulations that would need to be varied from what is stated in Village Code. These variances pertain to lot depth, lot area and corner side-yard setback lines.

## VARIATION 1

The minimum depth of lots shall be 125 feet. The request is for 2 lots that are 110' X 59.5'. The proposed plat is short of depth by 15 feet. The variation will be for 15 feet less than required. (The requested lot depth for the subdivision approval is consistent with the lot depth of other lots on this block.)

Chairperson Magnuson read the Findings.

### **Findings: -**

- (a) Will not impair an adequate supply of light and air to adjacent property.
- (b) Will not increase the hazard from fire and other dangers to said property.
- (c) Will not diminish the taxable value of land and buildings throughout the Village.
- (d) Will not increase the congestion of the public streets
- (e) Will not otherwise impair the public health, safety, comfort, morals and welfare of the inhabitants of said property.
- (f) The purpose of the variation is not based exclusively upon a desire to make more money out of the property.

There were no absolutes against the Findings.

Chairperson Magnuson: A motion would be to recommend or to deny a 15 foot variation from the lot depth requirement in Chapter 86-102A of the Village Code.

**Motion:** A motion was made by Mr. Thompson seconded by Mr. Budnik to recommend to the Village Board to **Approve** the 15 foot lot variation.

A roll call vote was taken:

Yes – Thompson, Miroslaw, O’Leary, Giacalone, Budnik, Magnuson

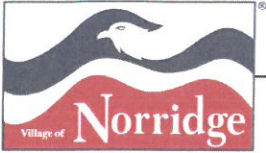
No – None

**MOTION CARRIED.**

## VARIATION 2

Lot area regulations for the Village state that the minimum lot size is 7500 sq. feet. The request is for each lot in the proposed subdivision to be 109.90' X 59.68' = 6559 sq. feet. A variation of 941 sq. feet on lot area is requested.

(This requested area reduction would result in two lots that are each 1,159 sq. feet larger than the two lots next door to the property at issue that already have houses built on them).



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Chairperson Magnuson read the Findings.

**Findings: -**

- (a) Will not impair an adequate supply of light and air to adjacent property.
- (b) Will not increase the hazard from fire and other dangers to said property.
- (c) Will not diminish the taxable value of land and buildings throughout the Village.
- (d) Will not increase the congestion of the public streets
- (e) Will not otherwise impair the public health, safety, comfort, morals and welfare of the inhabitants of said property.
- (f) The purpose of the variation is not based exclusively upon a desire to make more money out of the property.

There were no absolutes against the Findings.

Chairperson Magnuson: A motion would be to recommend or to deny a 941 sq. foot variation from the lot area requirement in Chapter 86-102B of the Village Code.

**Motion:** A motion was made by Mr. Thompson seconded by Mr. O'Leary to recommend to the Village Board to **Approve** the 941 sq. foot variation.

A roll call vote was taken:

- Yes – Thompson, Miroslaw, O'Leary, Giacalone, Budnik, Magnuson
- No – None

**MOTION CARRIED.**

### VARIATION 3

The petitioner requests that the corner side yard setback (on the street side) be reduced from 20% (11.9') to 13% (7.67'). R-1 zoning requires exterior side-yard (street side) setbacks be a minimum on 20% of the lot size.

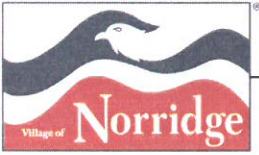
(This requested reduction would be on the Cumberland street side of the corner lot)

Chairperson Magnuson read the Findings.

**Findings: -**

- (a) Will not impair an adequate supply of light and air to adjacent property.
- (b) Will not increase the hazard from fire and other dangers to said property.
- (c) Will not diminish the taxable value of land and buildings throughout the Village.
- (d) Will not increase the congestion of the public streets
- (e) Will not otherwise impair the public health, safety, comfort, morals and welfare of the inhabitants of said property.
- (f) The purpose of the variation is not based exclusively upon a desire to make more money out of the property.

There were no absolutes against the Findings.



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Chairperson Magnuson: A motion would be to recommend or to deny a 4.23 foot variation from the setback lines requirement in Chapter 86-102A of the Village Code.

**Motion:** A motion was made by Mr. Miroslaw seconded by Mr. Thompson to recommend to the Village Board to **Deny** the 4.23 foot variation

A roll call vote was taken:

Yes – Thompson, Miroslaw, O’Leary, Giacalone,  
No – Budnik, Magnuson

**MOTION CARRIED.**

## **R-1 ZONING REGULATIONS VARIATION 4**

Required Lot Size: Minimum total area of seven thousand five hundred (7500) square feet with a minimum width of sixty (60) feet.

Lot area regulations for the Village state that the minimum lot size is 7500 sq. feet. The request is for each lot in the proposed subdivision to be 109.90’ X 59.68’ = 6559 sq. feet. A variation of 941 sq. feet on lot area is requested. No Green space variation is requested. (This requested area reduction would result in two lots that are each 1,159 sq. feet larger than the two lots next door to the property at issue that already have houses built on them).

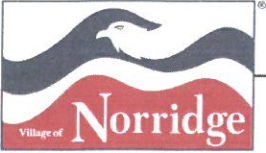
Chairperson Magnuson read the Findings.

### **Findings: -**

- (a) Will not impair an adequate supply of light and air to adjacent property.
- (b) Will not increase the hazard from fire and other dangers to said property.
- (c) Will not diminish the taxable value of land and buildings throughout the Village.
- (d) Will not increase the congestion of the public streets
- (e) Will not otherwise impair the public health, safety, comfort, morals and welfare of the inhabitants of said property.
- (f) The purpose of the variation is not based exclusively upon a desire to make more money out of the property.

There were no absolutes against the Findings.

Chairperson Magnuson: A motion would be to recommend or to deny a 941 sq. foot variation from the lot area requirement in Article IV, Section 3.1 of the Zoning Ordinance.



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**Motion:** A motion was made by Mr. Thompson seconded by Mr. O'Leary to recommend to the Village Board to **Approve** the 941 sq. foot variation.

A roll call vote was taken:

Yes – Thompson, Miroslaw, O'Leary, Giacalone, Budnik, Magnuson  
No – None

**MOTION CARRIED.**

## VARIATION 5

The petitioner requests that the corner side yard setback (on the street side) be reduced from 20% (11.9') to 13% (7.67'). R-1 zoning requires exterior side-yard (street side) setbacks be a minimum on 20% of the lot size.

(This requested reduction would be on the Cumberland street side of the corner lot)

Chairperson Magnuson read the Findings.

### Findings: -

- (a) Will not impair an adequate supply of light and air to adjacent property.
- (b) Will not increase the hazard from fire and other dangers to said property.
- (c) Will not diminish the taxable value of land and buildings throughout the Village.
- (d) Will not increase the congestion of the public streets
- (e) Will not otherwise impair the public health, safety, comfort, morals and welfare of the inhabitants of said property.
- (f) The purpose of the variation is not based exclusively upon a desire to make more money out of the property.

There were no absolutes against the Findings.

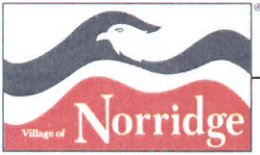
Chairperson Magnuson: A motion would be to recommend or to deny a 4.23 foot variation from the setback lines requirement in Article IV, Section 3.4.5 of the Zoning Ordinance.

**Motion:** A motion was made by Mr. Thompson seconded by Mr. Miroslaw to recommend to the Village Board to **Deny** the 4.23 foot variation

A roll call vote was taken:

Yes – Thompson, Miroslaw, O'Leary, Giacalone,  
No – Budnik, Magnuson

**MOTION CARRIED**



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## VARIATION 6

Article XV of the Zoning Ordinance Section 3.3 - Authorized Variations – Limitations

Variations from the regulations of this Zoning Ordinance shall be granted by the Board of Trustees only in accordance with the standards set forth in this section and may be granted only in the following instances, but no such variation shall be made in any case unless the same shall comply with the following limitations:

(a) Such variation, whether applicable to new buildings or to additions or to alterations of extensions, of existing buildings, shall not reduce the required [ . . . ] reduce the required total lot area by more than five percent (5%).

The petitioner's request is for a 941 sq. ft. reduction in area which is about a 12.50% reduction in total lot area which exceeds the 5% maximum for lot area reduction in the Zoning Ordinance (ARTICLE 15 SECTION 3.3a).

(This requested area reduction would result in two lots that are each 1,159 sq. feet larger than the two lots next door to the property at issue that already have houses built on them).

Chairperson Magnuson read the Findings.

### Findings: -

- (a) Will not impair an adequate supply of light and air to adjacent property.
- (b) Will not increase the hazard from fire and other dangers to said property.
- (c) Will not diminish the taxable value of land and buildings throughout the Village.
- (d) Will not increase the congestion of the public streets
- (e) Will not otherwise impair the public health, safety, comfort, morals and welfare of the inhabitants of said property.
- (f) The purpose of the variation is not based exclusively upon a desire to make more money out of the property.

There were no absolutes against the Findings.

Chairperson Magnuson: A motion would be to recommend or deny a variation from the 5% requirement in Article XV, Section 3.3a of the Zoning Ordinance.

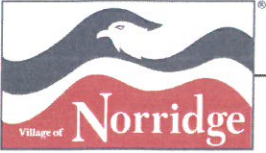
**Motion:** A motion was made by Mr. Thompson seconded by Mr. Miroslaw to recommend to the Village Board to **Approve** the greater than 5% variation.

A roll call vote was taken:

Yes – Thompson, Miroslaw, O'Leary, Giacalone, Budnik, Magnuson  
No – None

**MOTION CARRIED.**





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Chairperson Magnuson: A Final motion would be to recommend or deny that the property located at 5235 Cumberland Avenue be subdivided into two zoning lots to develop the property subject to each of the recommended variations to applicable provisions of the Village Code and the Zoning Ordinance.

**Motion:** A motion was made by Mr. Thompson seconded by Mr. Budnik to recommend to the Village Board to **Approve** the property be subdivided into two lots.

A roll call vote was taken:

Yes – Thompson, Miroslaw, O’Leary, Giacalone, Budnik, Magnuson  
No – None

**MOTION CARRIED.**

The petitioner is required to meet all of the other conditions in the Village Code for subdivision approval.

**Case was closed.**

**Discussion: CMAP Recommendations**

Tabled at this time.

**Public Comment – None**

**MOTION -** By Mr. Thompson, seconded by Mr. Giacalone that the meeting be adjourned. A roll call was taken:

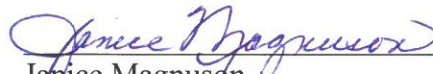
Yes – Thompson, Miroslaw, O’Leary, Giacalone, Budnik, Magnuson  
No – None

**MOTION CARRIED.**

MEETING ENDED at 8:40 P.M. Next meeting scheduled for August 3, 2020, 7:00 P.M.

Respectfully submitted,

  
Allan J. Budnik  
Secretary

  
Janice Magnuson  
Chairperson

