

## **APPEALS & REVIEW BOARD**

Oak Lawn Municipal Center – Village Hall Auditorium  
9446 Raymond Avenue Oak Lawn IL 60453  
Tuesday, November 23, 2021 at 7:00 p.m.  
Regular Meeting Minutes #2021-5

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**I. ROLL CALL:** Meeting called to order at 7:00 p.m.

A.) Chairman: Jay Lurquin

B.) Members: Joe Cwiklinski (*ABS*) Chuck Miller (*ABS*)  
Matt Dillon Pat Pulver  
Kai Grant Bill Vail (*ABS*)  
Jay Lurquin

C.) Staff: Donald E. McKenna, Building & Zoning Administrator  
Deanne Adasiak, Recording Secretary

**II. PLEDGE OF ALLEGIANCE:**

The Pledge of Allegiance was led by Commissioner Lurquin.

**III. ELECTION OF CHAIRMAN:**

*A motion was made by Commissioner Pulver to elect Commissioner Lurquin as Chairman.  
The motion was seconded by Commissioner Grant.*

Roll call: Pulver, yes; Grant, yes; Dillon, yes; Lurquin, yes.

Motion passes: 4-0.

**IV. APPROVAL OF PRIOR MEETING MINUTES:**

A.) Regular Meeting #2021-04 – July 27, 2021

*A motion was made by Commissioner Lurquin to approve the Meeting Minutes #2020-4 – July 27, 2021. The motion was seconded by Commissioner Pulver.*

Roll call: Dillon, abstain; Grant, yes; Lurquin, yes; Pulver, yes.

Motion to approve carries: 3-0-1.

*The Oath was administered by Chairman Lurquin.*

**V. NEW BUSINESS**

A.) Pet. #A-2021-10-Request for a 25.0' Corner Front Yard Variation @ 10633 Lockwood Ct.,  
Caroline & John Cunningham, Petitioner

*Mr. John Cunningham, 10633 Lockwood Ct., Oak Lawn, Illinois 60453*

The petitioner stated that he recently purchased and closed on his home. He expressed a request to extend his fence to the front of his property. He indicated that he was going to construct a new fence between his house and his neighbor's property. The petitioner stated that the proposed change would expand his backyard and allow him to add a pool in the near future. The petitioner wishes to locate the proposed fence along the south-west lot line approximately 1" inside the sidewalk.

Commissioner Lurquin stated for clarification that Lockwood Avenue is the front yard and Lockwood Ct. is the side yard.

Mr. McKenna mentioned a letter written by the petitioner's neighbor to be added to the record. He pointed out that the petitioner's neighbor is not happy about the proposed fence.

*(See Attachment A)*

Commissioner Grant asked for clarification about the front yard. Mr. McKenna explained that for a corner lot, the Village Ordinance states that the smaller street frontage of a lot shall be considered the front of the property regardless of the orientation of the residence, therefore, the yard abutting Lockwood Avenue is considered the front yard and the yard abutting Lockwood Court is considered the street side yard. The rendering provided in the packet references that the length of the property on Lockwood Avenue is 86' and the length of Lockwood Court is 90'.

Commissioner Dillon commented that the problem with the proposed fence is that the property is on a corner lot. Mr. McKenna reminded the Board that Village Ordinance states that the front yard facing the street for a corner lot must be the greater of 25' and mandates that the required setback be unoccupied and unobstructed by any structure, or portion of, from the ground upward. Mr. McKenna reiterated that Lockwood Avenue is the front yard; he stated that all of the homes south-east of the petitioner's residence have 25' front yards, so the petitioner's front yard must match the neighbors to the south and east's front yard.

The petitioner stated that his proposed fence will only extend to the middle of the house's side and will not extend all the way to the front. Commissioner Grant expressed that she feels based on the neighbor's letter, the concern is that the fence on Lockwood Avenue extends too far. The petitioner replied that is correct. He said he believes his neighbor does not support a 25-foot-long fence in the front yard and would be okay with a fence 18' off the sidewalk. The petitioner stated that when he initially spoke with Mrs. Collins, she did not express any concerns. He mentioned that she appeared to be okay with the proposed fence's 45' angle. The petitioner indicated that he is willing to compromise and move the fence back. He also reminded the Board that he wants to place an air conditioning unit on the Lockwood Avenue side.

Commissioner Grant questioned the other Board members on their feelings about the fence being moved back 18'. Commissioner Dillon estimated that it would be 7' away from the house. Mr. McKenna clarified that it would be 7' off the setback, not the house. Commissioner Dillon believes that cutting the fence angle at 45 degrees is a good idea.

Mr. McKenna asked the petitioner what portion of the lot line he plans to extend to; the petitioner replied, "Whatever works." Mr. McKenna described to the petitioner that if he pushes the fence back 18' and the fence forward by 18' at the south lot line, what happens at the other end of the fence? The petitioner reiterated that he feels his neighbor appears to believe the plan is to extend the fence along the entire side of the house on Lockwood Court, whereas his plan is to only go halfway. Commissioner Dillon asked the petitioner whether his other neighbor (10627 Lockwood Court) had any concerns. Commissioner Grant pointed out that the letter was also signed by that neighbor. Mr. McKenna reminded the Commissioners that the homeowner who wrote the letter has the right to file

an appeal in response to this petition. Commissioner Pulver remarked that he believes that based on the letter that the concern appears to be about the fence placement along the driveway. Commissioner Grant added that the neighbors also appear to believe the fence will extend all the way to the sidewalk.

Commissioner Pulver stated that he would consider an 8' x 8' fence at a 45-degree angle. He said he believes it will suffice. He expressed that he is not sure if it will satisfy the petitioner's neighbor. Commissioner Dillon stated that he agrees. Commissioner Grant asked the petitioner if he was okay with the 8' x 8' dimensions. Commissioner Lurquin commented that the fence would come off the sidewalk 8' and then the driveway 8'. Mr. McKenna said that it would not be 8' all the way along the lot line. Mr. McKenna explained the proposed option to the petitioner. Commissioner Dillon pointed out that there will be 1' off the driveway *and then* the 8' x 8' fence. Commissioner Grant said there would be visibility for the neighbor from her driveway. Mr. McKenna restated the proposed option: he indicated that the fence will be 8' from the two lot lines, the southern lot line and the western lot line; or he stated another way saying "8' in each direction and then you connect the dots". Mr. McKenna asked the petitioner if he understands the proposed option. The petitioner replied yes.

*A motion was made by Commissioner Pulver to approve Pet. #A-2021-10-Request for a 25.0' Corner Front Yard Variation @ 10633 Lockwood Ct. as amended to include an 8' x 8' site triangle at the southwest corner of the property, to allow an air conditioning unit on the Lockwood Avenue side, and to allow for a swimming pool in the front yard in the future; Caroline & John Cunningham, Petitioner. The motion was seconded by Commissioner Grant.*

Roll call: Pulver, yes; Lurquin, yes; Grant, yes; Dillon, no.

Motion to approve Pet. #A-2021-10 with condition passes: 3-1.

**VI. OTHER BUSINESS BY:**

A.) Chairman: *None.*

B.) Members: *None.*

C.) Staff: *None.*

**VI. ADJOURNMENT:**

*A motion to adjourn was made by Member Lurquin and seconded by Member Pulver.*

Voice Vote: All in favor, Aye.

The meeting adjourned at 7:28 p.m.

(SEE ATTACHMENT A)