Zoning Board of Appeals Agenda

Sandra "Sandy" Frum Board Room
Village Hall
1225 Northbrook, IL 60062
Monday, September 29, 2025

7:00 PM

1. **ROLL CALL**
2. **MINUTES APPROVAL**
   A. Minutes for Approval - July 28, 2025
   Review and approve the July 28, 2025 Zoning Board of Appeals meeting minutes.
3. **PUBLIC COMMENT TIME**

This agenda item is reserved for members of the public who desire to address the Public Body on a topic that is within purview and jurisdiction of the Public Body, but that is not listed in another location on the agenda. If you would like to speak about a matter that is listed on the agenda, we ask that you wait until that agenda item is called, and we will give you an opportunity to speak then. Anyone desiring to speak should fill out a written speaker form (located in the back of the meeting room) and submit it to the Staff Liaison. “Public Comment Time” is not a forum for open dialogue or engagement with members of the Public Body. Rather, it is intended as an opportunity for you to make comments to the Public Body. While the Public Body will not immediately respond to public comments at this meeting, or engage in a back and forth discussion during the meeting, please be assured that the Public Body is actively listening to all comments, thoughts, and suggestions. All speakers will be limited to a total of three minutes. We request that everyone be respectful, civil, and non-repetitive; and we ask that members of the audience refrain from applauding or making any other comments during or after any speaker. Thank you for your understanding and taking the time to contribute to the success of our community.

4. **PUBLIC HEARING AND CONSIDERATION OF PETITIONS**
   A. DOCKET NO. ZBA25-0008 (1507 Windy Hill â€“ Petition by Jordan and Lauren Dubnow, for an exception to increase the height of a fence to 6â€™ in a corner side yard setback. The R-4 zoned property (PINs: 04-15-206-002-0000) is the site of a single-family residence. The exception has been requested to increase security and restrict access to the yard.
   Homeowners, Jordan and Lauren Dubnow, request an exception to increase fence height in the corner side yard of their residence which is located within the R-4 Single Family District.
   B. DOCKET NO. ZBA25-0009 (1601 Walters) â€“ Petition by Rachael Hardy Powers, for an exception to increase the height of a fence to 5â€™ in a corner side yard setback. The R-5 zoned property (PIN: 04-10-319-076-0000) is the site of a single-family residence. The exception has been requested to comply with pool safety requirements as well as maintain the functionality of the yard.
   Homeowner, Rachael Hardy Powers, seeks an exception to increase the height of a fence in the corner side yard of their residence which is located in the R-5 single family residential district.

5. DISCUSSION TOPICS

6. REMARKS FOR THE GOOD OF THE ORDER

7. ADJOURN

The Village of Northbrook is subject to the requirements of the Americans with Disabilities Act of 1990. Individuals with disabilities who plan to attend this meeting and who require certain accommodations in order to allow them to observe or participate in this meeting, or who have questions regarding the accessibility of the meeting or facilities, are requested to promptly contact the Village of Northbrook at (847) 272-5050, or the Illinois Relay Center at (800) 526-0844, to allow the Village of Northbrook to make reasonable accommodations for those persons.

MEMORANDUM

To: Zoning Board of Appeals
From: Zoning Administrator Richard Peters
Date: 2025-09-29
Subject: Minutes for Approval - July 28, 2025

Overview
Review and approve the July 28, 2025 Zoning Board of Appeals meeting minutes.

Fiscal Impact
N/A.

Recommendation
Review and Approval.

Background

MEMORANDUM

To: Zoning Board of Appeals
From: Zoning Administrator Richard Peters
Date: 2025-09-29
Subject: DOCKET NO. ZBA25-0008 (1507 Windy Hill) – Petition by Jordan and Lauren Dubnow, for an exception to increase the height of a fence to 6' in a corner side yard setback. The R-4 zoned property (PINs: 04-15-206-002-0000) is the site of a single-family residence. The exception has been requested to increase security and restrict access to the yard.

Overview
Homeowners, Jordan and Lauren Dubnow, request an exception to increase fence height in the corner side yard of their residence which is located within the R-4 Single Family District.

Fiscal Impact
N/A.

Recommendation

Conduct a Public Hearing and Approve, Deny, or Continue the Application.

Background
See attachments.

Exhibit A - Staff Report - 1507 Windy Hill ZBA25-0008
Exhibit B - ZBA Application_1507 Windy Hill Dr
Exhibit C - Letter of Hardship
Exhibit D - Plat of Survey
Exhibit E - Fence Site Plan
Exhibit F - Public Comments
Exhibit G - Draft Resolution

ZONING BOARD OF APPEALS - STAFF REPORT

HEARING DATE: September 29, 2025

TO: Zoning Board of Appeals

FROM: Richard Peters, Zoning Administrator

SUBJECT ADDRESS: 1507 Windy Hill Drive

ZONING: R-4, Single Family Residential

DOCKET NUMBER: ZBA25-0008

PETITIONERS & PROPERTY OWNERS: Jordan and Lauren Dubnow

Zoning Map with Notice Buffer



REQUESTED ACTION:

- Approve an exception to increase the maximum height of a fence located in a corner side yard setback to 6’.

The request will increase security and restrict access to the rear yard.

RELIEF FROM ZONING CODE SECTION(S):

- 9-107 L.

SITE CONDITIONS:

Table 1: Zoning Compliance Chart **Zoned R-4**, Single Family Residential

Zoning Compliance Chart			
Standard	**Code Standard**	**Existing Condition**	**Proposed**
Lot Size	13,000 sf	17.600 sf	-
Lot Width	100’	125’	-
Corner Side Yard	30’	30’	-
Maximum Height Fence – Corner Side Yard	3’	N/A	6’

PROJECT DETAILS:

The owners of 1507 Windy Hill seek an exception to install a 6-foot red cedar fence in the corner side yard setback. The subject property is located near a trail and park which generate additional pedestrian traffic. The applicants seek to increase privacy and safety with the additional fence height. The material for the fence was chosen to complement the modern farmhouse style in which the exterior of the house will be redesigned.

Figure 1: Plat of Survey/Fence Plan – Excerpt

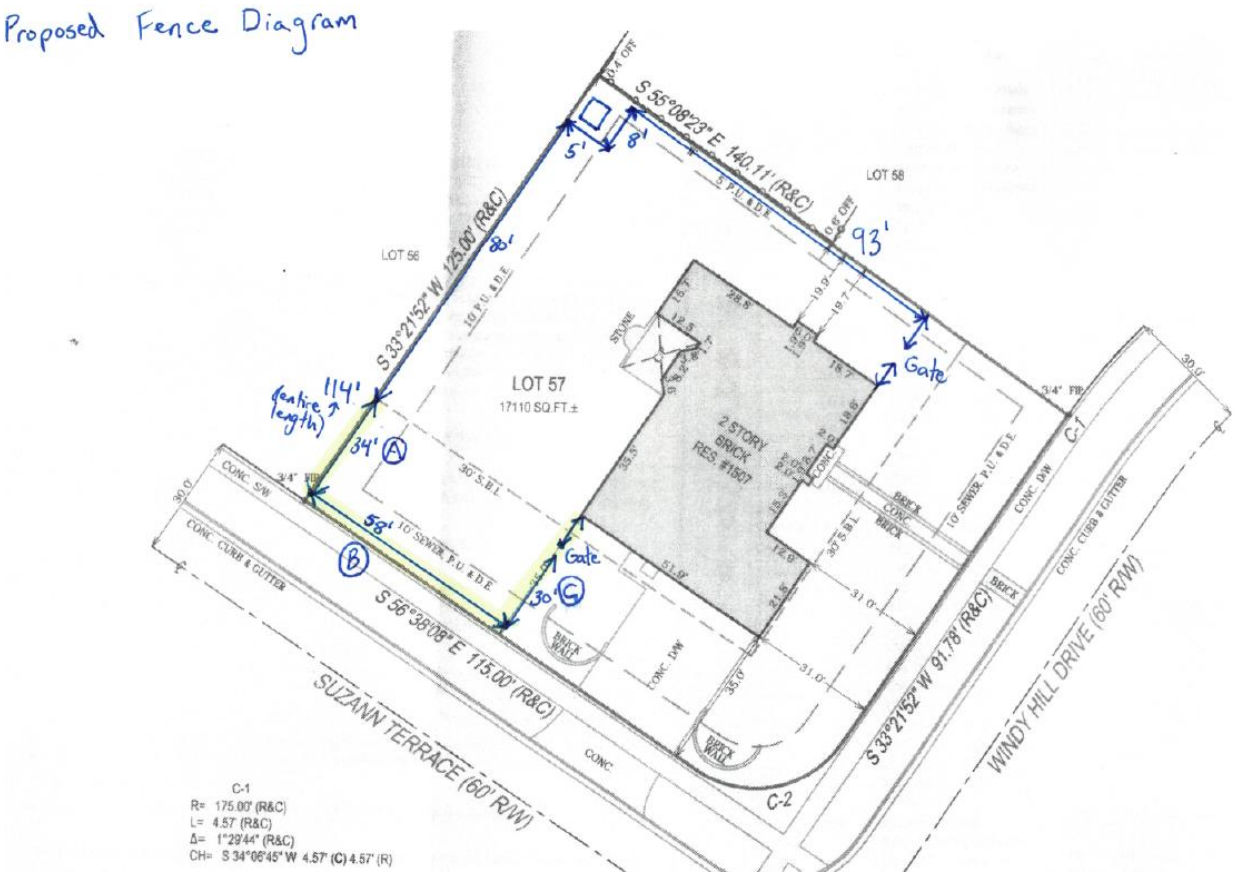


Photo 1: 1507 Windy Hill, View from Corner of Suzanne Ter and Windy Hill Dr.



Photo 2: 1507 Windy Hill, Corner Side Yard



Photo 3: 1507 Windy Hill, Corner Side Yard & Rear Yard



EXCEPTION ANALYSIS:

Regarding the standards for an exception, please consider the following key points:

1. **General Standard.**
   a) *Consistent with Code and Plan Purposes:*
   Fences are standard accessory structures which are intended to promote decor, privacy, and/or security needs expected within a residential district. The proposed fence follows these intended uses.

   b) No Undue Adverse Impact:
   There is little to no impact expected with the erection of the proposed fence to the area in general, however, the Zoning Board may wish to inquire about the visibility impact on the egress of the neighboring u-drive located at 1576 Suzann Ter.

   c) Compatible with Surrounding Area:
   The proposed 6-foot fence will deviate from the general streetscape along Suzann Ter., which may be softened by implementing landscaping.

   d) Adequate Public Facilities:
   No expected impact on public facilities, and the functional access to easements on the subject property will be maintained.

   e) No Traffic Congestion:
   The proposed fence will not result in traffic congestion; however, it may impact the pedestrian and vehicular access of the adjacent driveway on Suzann Ter. given the proposed height of 6 feet and construction of a solid board on board fence which reduces visibility.

   f) No Destruction of Significant Features:
   Not applicable.

g) *Compliance with Standards:*
The project otherwise complies with the zoning requirements.

h) *Quality Design and Construction:*
The proposal follows common design material/standards of fencing.

2. **Specific Standards for Individual Exception Requests*.***

a) Additional Standards for Fence Height Exceptions.

(1) No fence shall be installed that would cause a safety hazard with pedestrians on sidewalks or bicyclists or other vehicles on the nearby roadways and intersections:
The fence is proposed within the property lines of the subject property where the exception is requested, allowing for addition space along the sidewalk.

(2) The materials used for the fence must be compatible with those in the surrounding area. In general, the use of solid fences or "cyclone" fences are discouraged:
Red cedar is proposed.

(3) If the fence incorporates a gate system, the design and location of the gate must not cause vehicles to block the roadway when waiting for the gate system to open. No gate shall open onto a public right-of-way:
The gate will not be used by vehicles based on its position.

ITEMS SUBMITTED AND REVIEWED:

1. Zoning Board of Appeals Application, dated 8/19/25;
2. Plat of Survey, dated 5/28/24;
3. Site Plan (modified plat);
4. Letter of Hardship, dated 8/21/25;

DRAFT MOTION:

Once the Zoning Board of Appeals has made a determination as to whether or not the applicant has successfully met the standards required for an exception, the following motion is provided:

Move to **accept/deny** the proposed request by Jordan and Lauren Dubnow for a Zoning Code Exception to increase the maximum height of a fence in a corner side yard to 6', subject to the following condition(s):

- ***If approved***, that the construction of the fence shall be in substantial compliance with the plans reviewed by the Zoning Board of Appeals 9/29/2025.

Development and Planning Services
1225 Cedar Lane Northbrook, Illinois 60062
TELEPHONE: 847/664-4055; EMAIL: richard.peters@northbrook.il.us
www.northbrook.il.us

Zoning Board of Appeals

Application for Variations and Exceptions

APPLICATION REQUIREMENTS: As part of this formal application for a variation or exception, the applicant must submit all of pertinent information prior to the scheduling of a public hearing. ***Please note***: If any of the required information below is missing by the application deadline, you will not be permitted to proceed with the public hearing for the following month. You will be required to first submit all required materials and then apply to appear at the next available hearing. **A preliminary application submittal must be arranged with the Zoning Administrator at least one week prior to the deadline to ensure all is in order and allow time to make revisions if necessary prior to the final submittal cutoff.** Applications Will Not Be Accepted Without This Required Step. A copy of the notice of hearing, which is published in the local newspaper, will be mailed to the applicant. The notice must be mailed certified mail return receipt to all owners of properties within 250 feet of the subject property (excluding rights-of-way) and must be made not less than 15 days or more than 30 days prior to the hearing.

ADDRESS: **1507 Windy Hill Drive, Northbrook, IL 60062**

ZBA DOCKET:

Zoning Application Fee, payable to the "Village Northbrook" (if check):

Non-Refundable Fee

Residential…….	**$350.00***
….Non-Residential……	**$600.00**

***An additional $100 non-refundable fee will be applied for each applicant-requested continuance

☐ **Application** – Completed in its entirety

☐ **Zoning Worksheet or Fence Application**

☐ **Letter of Hardship**

Explain in detail the requested variation/exception, the characteristics of the property that prevent compliance with said Code provision, and a statement of how the variation sought would satisfy each of the standards set forth in either Subsection 11-503F or 11-505A of the Zoning Code (attached).

☐ **Plat of Survey Drawn to Scale**

- Legal description of property must be shown
- Plat must be dated and stamped by surveyor
- A mortgage/real estate survey is not acceptable

☐ **Site Plan Drawn to Scale**

- Prepared by the architect or surveyor detailing all building improvements and impervious areas, lot line dimensions, accessory structures, easements and all public and private right of ways.
- The site plan shall indicate the location of the proposed improvement requiring variation approval, highlighting the area of the setback encroachment.
- Dimensions/setbacks from all sides of the building to all adjacent lot lines must be shown.

****All materials must be submitted electronically, either via email attachments or on a thumb drive. Shared files and third party websites will not be accepted.**

☐ **Building Plans Drawn to Scale**

- Dated and stamped by an architect
- Existing and proposed floor plans with room names and dimensions, along with a clear outline of what is existing, what is new and which walls will be removed. The entire floor where the variation is requested must be shown. The floor plan must also show doors and windows.
- Existing and proposed elevations for all sides affected (at least 3) including building/ridge height, proposed roof slope pitch and existing and proposed exterior finishes.

☐ **Tree Survey**

Regardless of the proposed work, submit a tree survey showing all existing trees with diameter at breast height (DBH). A hand drawing of tree locations on a plat of survey is usually acceptable.

☐ **Proof of Ownership**

- **Only** a ***Warranty deed*** or ***owner's title policy*** in its entirety.
- If the property is held in trust, the Trust Agreement in its entirety.
- If petitioner is contract purchaser or lessee, notarized proof of authority to file on behalf of the owner is required.

☐ **Affidavit of Survey (Attached)**

Required for all surveys over one year old.

☐ **Other Exhibits Recommended**

- Photos, letters of support from adjacent neighbors, etc…

Requested Action

- ☐ **Yard or Setback Variation**
- ☒ **Fence Height Exception**
- ☐ **Parking/Loading Reduction**
- ☐ **Increase in Accessory Building Height**
- ☐ **Tennis Court Illumination**
- ☐ **Increase Maximum No. of Signs**
- ☐ **Pre-code Structure Moving or Restoration**
- ☐ **Other** _____

Brief Description of Variation or Exception Request Please refer to the enclosed Plat of Survey for reference areas. We are seeking an exception to build a 6 foot fence along the west, south and east facing borders of our property's side yard, highlighted in yellow on the Proposed Fence Diagram.

Applicant Information

Applicant Name/Company: Jordan and Lauren Dubnow

Address: 1507 Windy Hill Drive

City: Northbrook **State:** IL **Zip:** 60062

Telephone (646) 660-0655 **Email:** jmdubnow@gmail.com

Primary Contact Person

Name/Company: Jordan Dubnow

Address: Same as above

City: _____ **State:** _____ **Zip:** _____

Telephone (**)** Same as above **Email:** Same as above

Property Information

Site Location/Address: 1507 Windy Hill Drive, Northbrook, IL 60062

Real Estate Index Nos.: 04-15-206-002-0000

Size of Property: 0.39 acres / 17,110 sqft. **(square feet acres)**

Current Zoning: Residential R-2 **Current Use:** Residential Single Family

Is any portion of the property within the 100-year floodplain? Yes: _____ **No** X

Consultants (as applicable)

Attorney

Name _____
Company _____
Address _____
City, State, Zip _____
Phone No. _____
Email _____

Planning/Landscape Architect

Name _____
Company _____
Address _____
City, State, Zip _____
Phone No. _____
Email _____

Civil Engineer

Name _____
Company _____
Address _____
City, State, Zip _____
Phone No. _____
Fax No. _____
E-mail _____

Other

Name Jeff Athanas
Company Athanas Fence Company
Address P.O. Box 513
City, State, Zip Highland Park, IL 60035
Phone No. 847-420-2249
Fax No. 847-433-5361
E-mail office@athanasfence.com

Site Ownership and Control

List all legal and beneficial owners and their current mailing addresses:

Jordan Dubnow, 1507 Windy Hill Drive, Northbrook, IL 60062

Lauren Dubnow, 1507 Windy Hill Drive, Northbrook, IL 60062

Attach a copy of a document showing ownership of the property **and, if different,** the applicant's ownership, control of or interest in the property (Title Policy, real estate contract, deed, etc.). If property is in a trust, attach a certified copy of the trust agreement. (Check which documents are attached)

☐ **Title Policy**

☐ **Trust Agreement**

☒ **Deed**

Northbrook Ethics Code *(Potential conflicts of interest.)*
On a separate sheet of paper, list the name, address and nature and extent of any current or potential interest that any Village officer or employee may have in or with respect to the owner, the applicant or the property.
If none, check here: X (For more information, see Sections 2-71 through 2-85 of the Northbrook Municipal Code.)

Repeat Application
Has any other application for this property been submitted to the Village and denied within the last two years? _____ yes ___ no X
If yes, attach a statement of the grounds justifying reconsideration (See Zoning Code Sec. 11-302).

Applicant/Owner Acknowledgments
By execution of this application in the space provided below, the Applicant and Owner(s) do hereby certify, acknowledge, agree and affirm to the Village of Northbrook that:

1. The Village and its representatives have the right, and are hereby granted permission and license, to enter upon the property, and into any structures located thereon, for purposes of conducting any inspections that may be necessary in connection with this application.

2. I (We) have carefully read this application, the Northbrook Zoning Code and Northbrook Subdivision & Development Code and fully understand the terms and provisions of each.

3. I (We) waive any rights to exemption from disclosure under the Illinois Freedom of Information Act of any and all documents and information submitted in connection with this application.

4. I (We), in accordance with the requirements of the Annual Fee Ordinance, the Northbrook Zoning Code and the Northbrook Subdivision & Development Code, agree to pay all applicable filing fees and be responsible for the payment of all reimbursable expenses associated with the processing of this application.

Applicants may attach additional materials or exhibits to this application if necessary or helpful in explaining the relief requested.

Signature of Applicant Jordan Dalen Date 8/19/25

Signatures of Owner(s) [signature] Date 8/19/25

Jordan Dalen Date 8/19/25

WARRANTY DEED
ILLINOIS STATUTORY

THE GRANTORS, HOWARD A. HIRSCHHAUT, TRUSTEE OF THE HOWARD A. HIRSCHHAUT TRUST DATED MARCH 17, 2004 and SUANNE P. HIRSCHHAUT, TRUSTEE OF THE SUANNE P. HIRSCHHAUT TRUST DATED MARCH 17, 2004, husband and wife, of 1507 Windy Hill Dr., in the Village of Northbrook, County of Cook, State of Illinois for and in consideration of TEN & 00/100 DOLLARS, and other good and valuable consideration in hand paid, receipt of which is hereby duly acknowledged, CONVEYS and WARRANTS to JORDAN DUBNOW, AND LAUREN DUBNOW, husband and wife, both of 128 S. Aberdeen St. Unit PHH, in the City of Chicago, not as tenants in common but as tenants by the entirety, all interest in the following described Real Estate situated in the County of Cook in the State of Illinois, to wit:

LOT 57 IN PARK PLACE ESTATES OF NORTHBROOK PHASE 2, BEING A RESUBDIVISION OF LOT 47 (OUTLOT E) IN PARK PLACE ESTATES OF NORTHBROOK, BEING A SUBDIVISION IN THE NORTH ½ OF SECTION 15, TOWNSHIP 42 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

SUBJECT TO: covenants, conditions and restrictions of record and building lines and easements, if any, provided they do not interfere with the current use and enjoyment of the Real Estate; hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois; and general real estate taxes not due and payable at the time of closing.

Permanent Real Estate Index Numbers: 04-15-206-002-0000

Address of Real Estate: 1507 Windy Hill Dr., Northbrook, IL 60062

Dated this 8th day of May, 2024.

HOWARD A. HIRSCHHAUT, TRUSTEE
OF THE HOWARD A. HIRSCHHAUT
TRUST DATED MARCH 17, 2004

SUANNE P. HIRSCHHAUT, TRUSTEE
OF THE SUANNE P. HIRSCHHAUT
TRUST DATED MARCH 17, 2004

STATE OF ILLINOIS }
} SS.
COUNTY OF COOK }

NOTARY

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, CERTIFY THAT HOWARD A. HIRSCHHAUT and SUANNE P. HIRSCHHAUT, personally known to me to be the same person(s) whose name(s) is/are subscribed to the foregoing instrument, appeared before me this day, and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and official seal, this 8th day of May, 2024.

_____ (Notary Public)

"OFFICIAL SEAL"
D HARTLEY
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 3/24/2026

Prepared By: Baker Hartley, P.C.
5750 Old Orchard Rd, Suite 100
Skokie, IL 60077

Mail To:
Jordan and Lauren Dubnow
1507 Windy Hill Dr.
Northbrook, IL 60062

Name & Address of Taxpayer:
Jordan and Lauren Dubnow
1507 Windy Hill Dr.
Northbrook, IL 60062

11-503 F. Standards for Variations.

1. General Standard. No variation shall be granted pursuant to this Section unless the applicant shall establish that carrying out the strict letter of the provisions of this Code would create a particular hardship or practical difficulty. Such a showing shall require proof that the variation being sought satisfies each of the standards set forth in this Subsection F.

2. Unique Physical Condition. The subject property is exceptional as compared to other lots subject to the same provision by reason of a unique physical condition, including presence of an existing use, structure or sign, whether conforming or nonconforming; irregular or substandard shape or size; exceptional topographical features; or other extraordinary physical conditions peculiar to and inherent in the subject property that amount to more than a mere inconvenience to the owner and that relate to or arise out of the lot rather than the personal situation of the current owner of the lot.

3. Not Self-Created. The aforesaid unique physical condition is not the result of any action or inaction of the owner or his predecessors in title and existed at the time of the enactment of the provisions from which a variation is sought or was created by natural forces or was the result of governmental action, other than the adoption of this Code, for which no compensation was paid.

4. Denied Substantial Rights. The carrying out of the strict letter of the provision from which a variation is sought would deprive the owner of the subject property of substantial rights commonly enjoyed by owners of other lots subject to the same provision.

5. Not Merely Special Privilege. The alleged hardship or difficulty is not merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision, nor merely an inability to make more money from the sale of the subject property; provided, however, that where the standards herein set out exist, the existence of an economic hardship shall not be a prerequisite to the grant of an authorized variation.

6. Code and Plan Purposes. The variation would not result in a use or development of the subject property that would not be in harmony with the general and specific purposes for which this Code and the provision from which a variation is sought were enacted or the general purpose and intent of the Official Comprehensive Plan.

7. Essential Character of the Area. The variation would not result in a use or development on the subject property that:

   a) Would be materially detrimental to the public welfare or materially injurious to the enjoyment, use, development value of property or improvements permitted in the vicinity;
   b) Would materially impair an adequate supply of light and air to the properties and improvements in the vicinity;
   c) Would substantially increase congestion in the public streets due to traffic or parking;
   d) Would unduly increase the danger of flood or fire;
   e) Would unduly tax public utilities and facilities in the area; or
   f) Would endanger the public health or safety.

8. No Other Remedy. There is no means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject property.

Standards for Exceptions.

11-505 A. Standards for Exceptions.

1. General Standard. No exception shall be granted pursuant to this Section unless the applicant shall establish that the exception being sought satisfies each of the standards set forth below:

   a) Consistent With Code and Plan Purposes. The proposed exception will be in harmony with the general and specific purposes for which this Code was enacted and for which the regulations of the district in question were established and with the general purpose and intent of the Official Comprehensive Plan.

   b) No Undue Adverse Impact. The proposed exception will not have a substantial or undue adverse effect upon adjacent property, the character of the area or the public health, safety and general welfare.

   c) Compatible with Surrounding Area. The proposed exception will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable district regulations.

   d) Adequate Public Facilities. The proposed exception will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal, parks, libraries, and schools, or the applicant will provide adequately for such services.

   e) No Traffic Congestion. The proposed exception will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets.

   f) No Destruction of Significant Features. The proposed exception will not result in the destruction, loss or damage of natural, scenic or historic feature of significant importance.

   g) Compliance with Standards. The proposed exception otherwise complies with all additional standards imposed on it by the particular provision of this Code.

   h) Quality Design & Construction. The proposed exception demonstrates high quality design and uses construction materials and colors that are compatible with other structures on the property and other properties in the vicinity.

2. Specific Standards for Individual Exception Requests. In addition to the general standards for exceptions established in Paragraph 11-505F1, the following additional standards must be satisfied, as applicable:

   a. Additional Standards for Fence Height Exceptions.

      (1) No fence shall be installed that would cause a safety hazard with pedestrians on sidewalks or bicyclists or other vehicles on the nearby roadways and intersections.

      (2) The materials used for the fence must be compatible with those in the surrounding area. In general, the use of solid fences or “cyclone” fences are discouraged.

      (3) If the fence incorporates a gate system, the design and location the gate must not cause vehicles to block the roadway when waiting for the gate system to open. No gate shall open onto a public right-of-way.

      (4) The specifications of any gate system incorporated into a fence shall be subject to the review and approval of the Village Manager to ensure that emergency vehicles have safe and proper access to the property at all times.

   b. Additional Standards for Detached Garage Height Exceptions.

      (1) Any detached garage which receives a height exception pursuant to Paragraph 11-505 E2 of this Section shall be designed and constructed to be consistent with the architectural features of the principal structure on the property.

August 21, 2025

Zoning Board of Appeals
1225 Cedar Lane
Northbrook, IL 60062

Dear Members of the Northbrook Zoning Board:

We respectfully request a fence height exception for a 6’ tall fence to be installed on the side yard of our corner-lot property located at **1507 Windy Hill Drive, Northbrook.** Please refer to the enclosed Plat of Survey diagram for specific fence heights of each proposed section. We are seeking an exception to build a 6-foot fence along the west, south and east facing borders of our property's side yard, highlighted in yellow.

As new homeowners who purchased our property last year, we are eager to further improve our home, put down roots and make lasting contributions to our wonderful community. Our goal with this fence is to enhance the safety, privacy and functionality of our residence for years to come.

For aesthetics, we have hired an architect to redesign the exterior of our home and have selected a red cedar fence that matches our desired modern farmhouse exterior appearance. Currently, no fence exists on our property. We are located near the Ed Rudolph Velodrome, Meadowhill Park, Techny Prairie, a public playground on Suzann Terrace and public walking/running/bike trail that envelopes the surrounding public areas. This creates a significant amount of foot traffic around our property, both along the side yard and adjacent to the backyard, which results in pedestrians cutting through our yard at times, especially on public holidays such as July 4th when the area experiences a very heavy influx of non-residents to view the city fireworks.

Due to our property’s unique configuration as a corner plot, our backyard abuts two neighbors’ properties (1576 Suzann Terrace and 1511 Windy Hill Drive), and our side-yard abuts the side of our neighbor’s property (1576 Suzann Terrace).

The proposed fence would enclose our side and backyard. By right, we would install a 6’ fence that borders the back yards of the aforementioned neighbors. The fence sections requiring a variance are:

A. a portion of the property border facing our western neighbor located at 1576 Suzann Terrace,
B. the side of our property along the cul-de-sac Suzann Terrace which would be approximately 12”-18” setback from the sidewalk, and
C. a section within the middle of our side yard extending from the sidewalk to the southwest corner of our home.

The sections above A, B and C are labeled within the enclosed Proposed Fence Diagram for clarity and ease of reference.

We seek this height exception due to the following critical reasons, noting our property's uniqueness and site-specific hardship:

1. **Safety:** we have two young daughters in our family, ages 8 and 5, and we desire to have a protected outdoor area where they can play safely on our property.
2. **Pedestrian Through-Traffic:** our property is located between two areas of a public walking/running/bike trail, and at times individuals have cut across our yard for a more expedient path.
3. **Liability Protection:** our property, exposed to the cul-de-sac and noted public spaces located in close proximity where children and members of the public frequent, currently lacks a barrier. A fence would create a defined separation providing protection from potential liability risks associated with people entering our yard uninvited.
4. **Privacy:** the current exposure of our yard to the cul-de-sac, and surrounding walkway significantly reduces our privacy. A 6-foot fence would provide appropriate seclusion from the openness of the surrounding area, allowing us to fully enjoy our outdoor space.

Standards for Exceptions:

1. **General Standard**
    a. **Consistent with Code and Plan Purposes:** the fence would promote security and privacy for this property without depriving neighbors of the same
    b. **No Undue Adverse Impact:** the fence would not negatively impact neighboring properties, the neighborhood's character or public health, safety and general welfare.
    c. **Compatible with Surrounding Area:** the fence would not dominate the immediate vicinity or interfere with the use and development of neighboring properties. The fence will match our desired exterior aesthetic, a modern farmhouse style, which is rapidly growing in popularity throughout Northbrook and other suburban towns throughout the North Shore.
    d. **Adequate Public Facilities:** The fence would not block access to any public facilities (e.g. utility easements), and it would not require a change in the level of service of public facilities.
    e. **No Traffic Congestion:** the fence would not cause any traffic issues, cause undue traffic congestion or draw significant amounts of traffic through residential streets. It is worth noting that there are only 5 houses located along Suzann Terrace, and only one house west on our side of the street. Suzann Terrace has very low amounts of vehicle traffic because it is a cul-de-sac.
    f. **No Destruction of Significant Features:** the fence will not destroy or cause the loss or damage of natural, scenic or historical features.
    g. **Compliance with Standards:** the fence would fully comply with all other applicable Code standards.
    h. **Quality Design & Construction:** the fence design and materials would be high quality red cedar wood, in similar style to many farmhouse properties. Red cedar

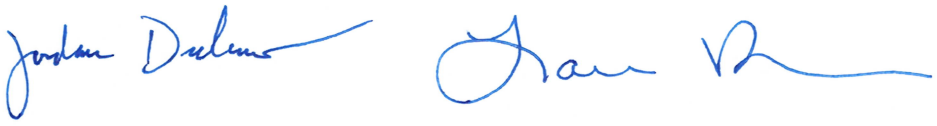
h. **Quality Design & Construction:** the fence design and materials would be high quality red cedar wood, in similar style to many farmhouse properties. Red cedar is a natural material that would blend in with the trees and foliage found throughout the neighborhood.

2. **Specific Standards**
   a. **Additional Standards for Fence Height Exceptions**
      (1) Fence would be within the boundaries of the private property, set back from the sidewalk so as to not interfere with pedestrians or bicyclists, or other vehicles on nearby roadways. The fence would not be near any intersection and would not encroach into right-of-way.
      (2) The material chosen is a high-quality red cedar wood, a traditional style fence whose color and material blends in with surrounding trees and foliage.
      (3) The gates would not cause vehicles to block the roadway, as the gates would not open into traffic lanes or open onto a public right-of-way. The gates would be on private property, set back in the yard.

We believe that our proposed fence balances safety, privacy and property aesthetics without negatively impacting the neighborhood's character. It will not require removal of any greenery, trees or foliage. We hope this request for a variance exception leads to a fair and practical solution that respects the City of Northbrook's zoning regulations, our property's unique shape and location relative to our neighbors and within the community, and can meet our desired objectives.

Thank you for your time and consideration of our request.

Sincerely,



Jordan and Lauren Dubnow

1507 Windy Hill Drive

Northbrook, IL 60062

Photos of 1507 Windy Hill Yard (without Fence):







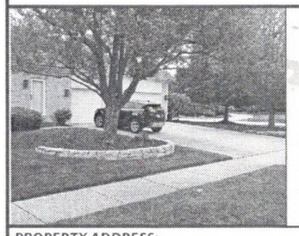






CLAS CLERKING
TRUSTED REAL ESTATE CLERKS

IL2402.3954
BOUNDARY SURVEY
COOK COUNTY





PROPERTY ADDRESS:
1507 WINDY HILL DRIVE, NORTHBROOK, ILLINOIS 60062

SURVEY NUMBER: IL2402.3954

DATE SIGNED: 05/28/24 | **FIELD WORK DATE:** 5/24/2024

REVISION DATE(S):
(REV.0 5/28/2024)

POINTS OF INTEREST
NONE VISIBLE

STATE OF ILLINOIS }SS
COUNTY OF LASALLE }

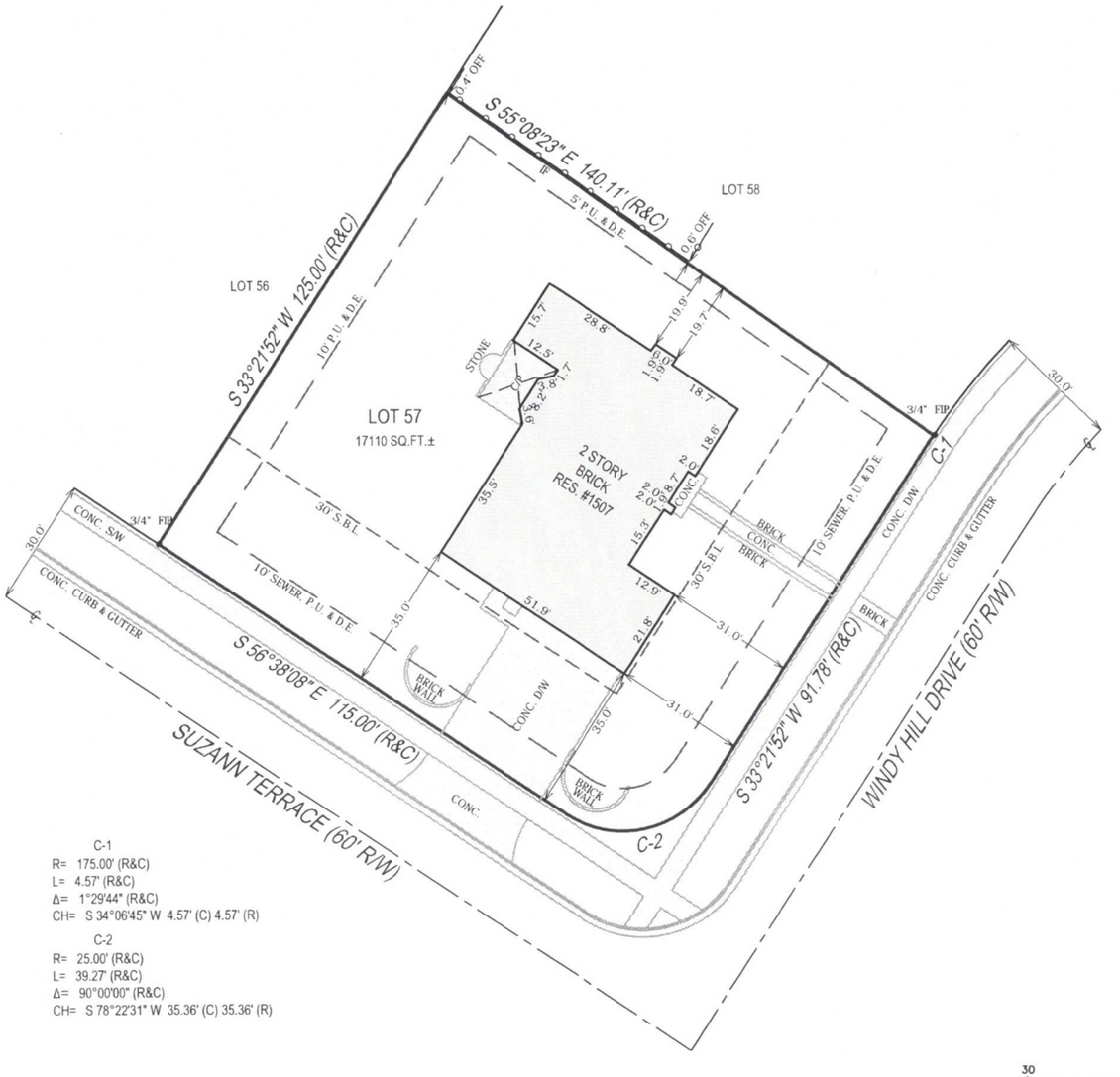
THIS IS TO CERTIFY THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. GIVEN UNDER MY HAND AND SEAL THIS DATE HEREON.

WARREN D. JOHNSON
035-002971
PROFESSIONAL LAND SURVEYOR
SANDWICH, IL
STATE OF ILLINOIS

ILLINOIS PROFESSIONAL LAND SURVEYOR No. 2971
LICENSE EXPIRES 11/30/2024
EXACTA LAND SURVEYORS, LLC
PROFESSIONAL DESIGN FIRM 184008059-0008

EXACTA Land Surveyors, LLC
Exacta Land Surveyors, LLC
PLS# 184008059
o: 773.305.4011
316 East Jackson Street | Morris, IL 60450

SurveySTARS



C-1
R= 175.00' (R&C)
L= 4.57' (R&C)
Δ= 1°29'44" (R&C)
CH= S 34°06'45" W 4.57' (C) 4.57' (R)

C-2
R= 25.00' (R&C)
L= 39.27' (R&C)
Δ= 90°00'00" (R&C)
CH= S 78°22'31" W 35.36' (C) 35.36' (R)

N

30 0 15 30
GRAPHIC SCALE (In Feet)
1 inch = 30' ft.

SEE PAGE 2 OF 2 FOR LEGAL DESCRIPTION

PROPERTY ADDRESS:
1507 WINDY HILL DRIVE, NORTHBROOK, ILLINOIS 60062

SURVEY NUMBER: IL2402.3954

CERTIFIED TO:
JORDAN DUBNOW, LAUREN DUBNOW; CT;

DATE OF SURVEY: 05/28/24

BUYER: JORDAN DUBNOW, LAUREN DUBNOW

LENDER:

TITLE COMPANY: CT

COMMITMENT DATE:

CLIENT FILE NO: 24ST00231SK

LEGAL DESCRIPTION:
LOT 57 IN PARK PLACE ESTATES OF NORTBROOK PHASE 2, BEING A RESUBDIVISION OF LOT 47 (OUTLOT E) IN PARK PLACE ESTATES OF NORTHBROOK, BEING A SUBDIVISION IN THE NORTH 1/2 OF SECTION 15, TOWNSHIP 42 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

FLOOD ZONE INFORMATION:

GENERAL SURVEYORS NOTES:

1. The Legal Description used to perform this survey was supplied by others. This survey does not determine nor imply ownership of the lands or any fences shown hereon. Unless the title Commitment Number is referenced on this survey, an examination of the abstract of title was NOT performed by the signing surveyor to determine which instruments, if any, are affecting this property.
2. The purpose of this survey is to establish the boundary of the lands described by the legal description provided and to depict the visible improvements thereon for a pending financial transaction. Underground footings, utilities, or other service lines, including roof eave overhangs were not located as part of this survey. Unless specifically stated otherwise the purpose and intent of this survey is not for any construction activities or future planning.
3. If there is a septic tank or drain field shown on this survey, the location depicted hereon was either shown to the surveyor by a third party or it was estimated by visual above ground inspection. No excavation was performed to determine its location.
4. This survey is exclusively for a pending financial transaction and only to be used by the parties to whom it is certified.
5. Alterations to this survey map and report by other than the signing surveyor are prohibited.
6. Dimensions are in feet and decimals thereof.
7. Any FEMA flood zone data contained on this survey is for informational purposes only. Research to obtain said data was performed at www.fema.gov and may not reflect the most recent information.
8. Unless otherwise noted "SIR" indicates a set iron rebar, 5/8 inch in diameter and twenty-four inches long.
9. The symbols reflected in the legend and on this survey may have been enlarged or reduced for clarity. The symbols have been plotted at the approximate center of the field location and may not represent the actual shape or size of the feature.
10. Points of Interest (POI's) are select above-ground improvements, which may appear in conflict with boundary, building setback or easement lines, as defined by the parameters of this survey. These POI's may not represent all items of interest to the viewer. There may be additional POI's which are not shown or called-out as POI's, or which are otherwise unknown to the surveyor.
11. Utilities shown on the subject property may or may not indicate the existence of recorded or unrecorded utility easements.
12. The information contained on this survey has been performed exclusively by and is the sole responsibility of Exacta Land Surveyors, LLC. Additional logos or references to third party firms are for informational purposes only.
13. Due to varying construction standards, building dimensions are approximate and are not intended to be used for new construction or planning.
14. Surveyor bearings are used for angular reference and are used to show angular relationships of lines only and are not related or orientated to true or magnetic north. Bearings are shown as surveyor bearings, and when shown as matching those on the subdivision plats on which this survey is based, they are to be deemed no more accurate as the determination of a north orientation made on and for those original subdivision plats. North 00 degrees East is assumed and upon preparation of this plat, the resulting bearing between found points as shown on this survey is the basis of said surveyor bearings as defined and required to be noted by Illinois Administrative Code Title 68, Chapter VII, Sub-Chapter B, Part 1270, Section 1270.56, Paragraph B, Sub-Paragraph 6, Item k.
15. THIS SURVEY IS A PROFESSIONAL SERVICE IN COMPLIANCE WITH THE MINIMUM STANDARDS OF THE STATE OF ILLINOIS. NO IMPROVEMENTS SHOULD BE MADE ON THE BASIS OF THIS PLAT ALONE. PLEASE REFER ALSO TO YOUR DEED, TITLE POLICY AND LOCAL ORDINANCES. COPYRIGHT BY EXACTA ILLINOIS SURVEYORS. THIS DOCUMENT MAY ONLY BE USED BY THE PARTIES TO WHICH IT IS CERTIFIED. PLEASE DIRECT QUESTIONS OR COMMENTS TO EXACTA ILLINOIS SURVEYORS, INC. AT THE PHONE NUMBER SHOWN HEREON.

SURVEYORS LEGEND:

LINETYPES
- Boundary Line
- Center Line
- Chain Link or Wire Fence
- Easement
- Edge of Water
- Iron Fence
- Overhead Lines
- Structure
- Survey Tie Line
- Vinyl Fence
- Wall or Party Wall
- Wood Fence

SURFACE TYPES
- Asphalt
- Brick or Tile
- Concrete
- Covered Area
- Water
- Wood

SYMBOLS
- Benchmark
- Center Line
- Central Angle or Delta
- Common Ownership
- Control Point
- Catch Basin
- Elevation
- Fire Hydrant
- Find or Set Monument
- Guywire or Anchor
- Manhole
- Tree
- Utility or Light Pole
- Well

ABBREVIATIONS

(C) - Calculated
(D) - Deed
(F) - Field
(M) - Measured
(P) - Plat
(R) - Record
(S) - Survey
A/C - Air Conditioning
AE - Access Easement
ANE - Anchor Easement
ASBL - Accessory Setback Line
B/W - Bay/Box Window
BC - Block Corner
BFP - Backflow Preventer
BLDG - Building
BLK - Block
BM - Benchmark
BR - Bearing Reference
BRL - Building Restriction Line
BSMT - Basement
C - Curve
C/L - Center Line
C/P - Covered Porch
C/S - Concrete Slab
CATV - Cable TV Riser
CB - Concrete Block
CH - Chord Bearing
CHIM - Chimney
CLF - Chain Link Fence
CME - Canal Maintenance Easement
CO - Clean Out
CONC - Concrete
COR - Corner
CS/W - Concrete Sidewalk
CUE - Control Utility Easement
CVG - Concrete Valley Gutter
D/W - Driveway
DE - Drainage Easement
DF - Drain Field
DH - Drill Hole
DUE - Drainage & Utility Easement
ELEV - Elevation
EM - Electric Meter
ENCL - Enclosure
ENT - Entrance
EOP - Edge of Pavement
EOW - Edge of Water
ESMT - Easement
EUB - Electric Utility Box
F/DH - Found Drill Hole
FCM - Found Concrete Monument
FF - Finished Floor
FIP - Found Iron Pipe
FIPC - Found Iron Pipe & Cap
FIR - Found Iron Rod
FIRC - Found Iron Rod & Cap
FN - Found Nail
FN&D - Found Nail & Disc
FRRSPK - Found Rail Road Spike
GAR - Garage
GM - Gas Meter
ID - Identification
IE/EE - Ingress/Egress Easement
ILL - Illegible
INST - Instrument
INT - Intersection
IRRE - Irrigation Easement
L - Length
LAE - Limited Access Easement
LB# - License No. (Business)
LBE - Limited Buffer Easement
LE - Landscape Easement
LME - Lake/Landscape Maintenance Easement
LS# - License No. (Surveyor)
MB - Map Book
ME - Maintenance Easement
MES - Mitered End Section
MF - Metal Fence
MH - Manhole
MHWL - Mean High Water Line
NR - Non-Radial
NTS - Not to Scale
NAVD88 - North American Vertical Datum 1988
NGVD29 - National Geodetic Vertical Datum 1929
OG - On Ground
ORB - Official Records Book
ORV - Official Record Volume
O/A - Overall
O/S - Offset
OFF - Outside Subject Property
OH - Overhang
OHL - Overhead Utility Lines
OHWL - Ordinary High Water Line
ON - Inside Subject Property
P/E - Pool Equipment
PB - Plat Book
PC - Point of Curvature
PCC - Point of Compound Curvature
PCP - Permanent Control Point
PI - Point of Intersection
PLS - Professional Land Surveyor
PLT - Planter
POB - Point of Beginning
POC - Point of Commencement
PRC - Point of Reverse Curvature
PRM - Permanent Reference Monument
PSM - Professional Surveyor & Mapper
PT - Point of Tangency
PUE - Public Utility Easement
R - Radius or Radial
R/W - Right of Way
RES - Residential
RGE - Range
ROE - Roof Overhang Easement
RP - Radius Point
S/W - Sidewalk
SBL - Setback Line
SCL - Survey Closure Line
SCR - Screen
SEC - Section
SEP - Septic Tank
SEW - Sewer
SIRC - Set Iron Rod & Cap
SMWE - Storm Water Management Easement
SN&D - Set Nail and Disc
SQFT - Square Feet
STL - Survey Tie Line
STY - Story
SV - Sewer Valve
SWE - Sidewalk Easement
TBM - Temporary Bench Mark
TEL - Telephone Facilities
TOB - Top of Bank
TUE - Technological Utility Easement
TWP - Township
TX - Transformer
TYP - Typical
UE - Utility Easement
UG - Underground
UP - Utility Pole
UR - Utility Riser
VF - Vinyl Fence
W/C - Witness Corner
W/F - Water Filter
WF - Wood Fence
WM - Water Meter/Valve Box
WV - Water valve

JOB SPECIFIC SURVEYOR NOTES:

EXACTA Land Surveyors, LLC
Exacta Land Surveyors, LLC
PLS# 184.008059
o: 773.305.4011
316 East Jackson Street | Morris, IL 60450

SEE PAGE 1 OF 2 FOR MAP OF PROPERTY
PAGE 2 OF 2 - NOT VALID WITHOUT ALL PAGES

Development & Planning Services Department
1225 Cedar Lane
Northbrook, Illinois 60062
847-664-4055
www.northbrook.il.us

northbrook

Zoning Board of Appeals

Plat of Survey Affidavit

Required for plats of surveys over one year old

STATE OF ILLINOIS
COUNTY OF COOK

AFFIDAVIT

JORDAN DUBNOW, being first duly sworn upon oath, deposes and states that the Plat of Survey dated 05/28/24 for the property commonly known as 1507 Windy Hill Dr., Northbrook, Illinois shows all of the structures and impervious surfaces presently on the property.

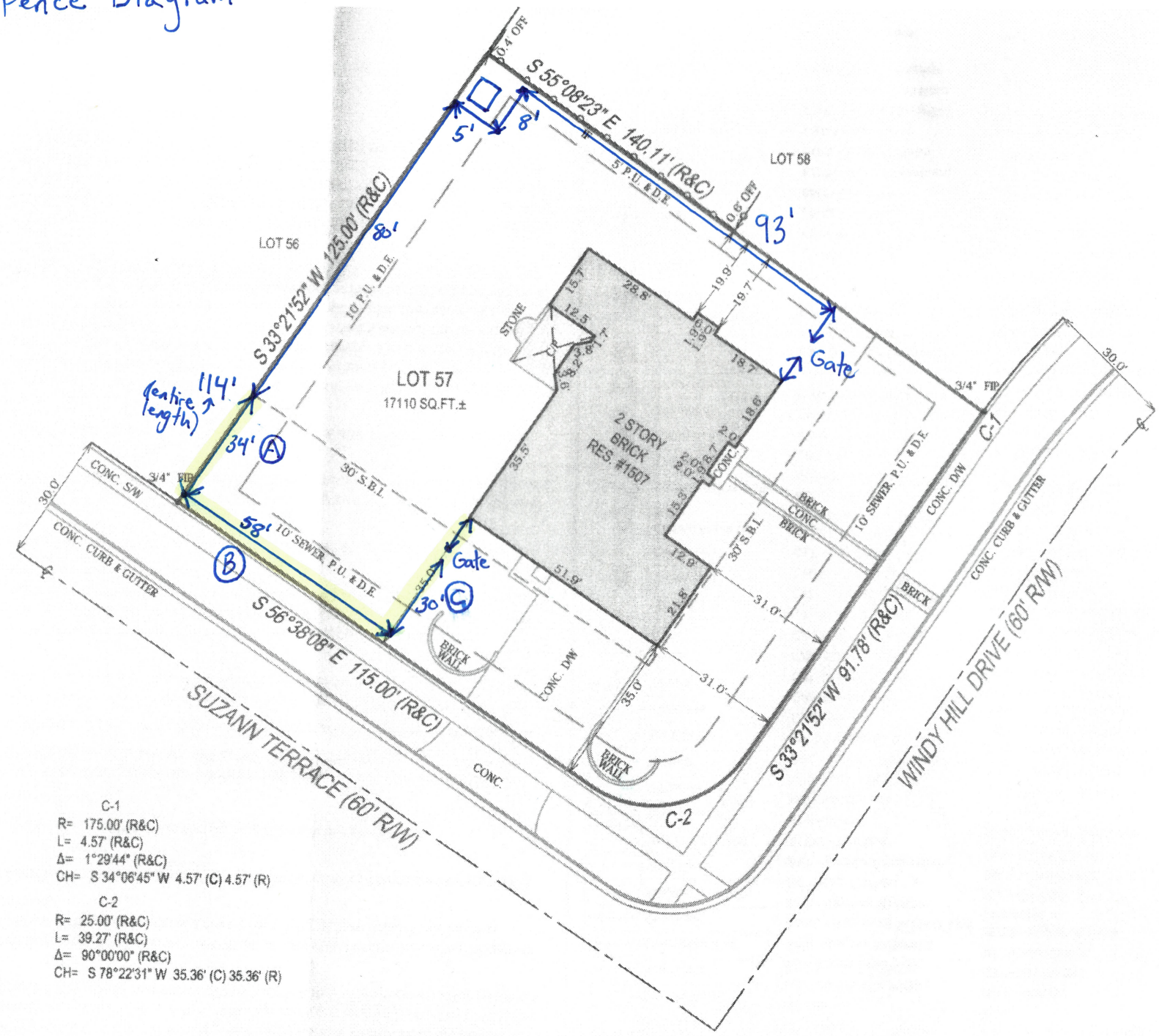
Jordan Dubnow
Affiant

Subscribed and sworn to before me this
18 day of August, 2025.

Stephanie Persin
Notary Public

OFFICIAL SEAL
STEPHANIE FRANCES PERSIN
Notary Public, State of Illinois
Commission No. 993506
My Commission Expires
July 11, 2026
(SEAL)

Proposed Fence Diagram



Jordan Dubnow fence request

1 message

sonic1511 <sonic1511@aol.com> Wed, Aug 27, 2025 at 11:19 AM
To: Jmdubnow@gmail.com

Attn: Northbrook Zoning Board,

We are writing in support of our neighbor Jordan Dubnow's request to install a 6 ft fence surrounding his property including the exception he is seeking for the side yard.

We also have a backyard adjacent to public property and understand the need for not only privacy but more importantly security for our family.

Sincerely,
Gene and Patty Ricciardi

Sent via the Samsung Galaxy S24+, an AT&T 5G smartphone

Fwd: Support for fencing exception

1 message

Joshua Dubnow <jdubnow@gmail.com> Fri, Aug 29, 2025 at 7:54 AM
To: Jordan Dubnow <jmdubnow@gmail.com>

---------- Forwarded message ---------
From: **Manny Gonzales** <mgonzales9@gmail.com>
Date: Fri, Aug 29, 2025 at 12:15 AM
Subject: Support for fencing exception
To: <jdubnow@gmail.com>

Greetings,
I am the homeowner at 1569 Suzann Terrace, across the street from the Dubnows' proposed property line fence. I support an exception to the zoning ordinance in order to allow the Dubnows to construct a fence around the side of their property that faces Suzann Terrace.

Sincerely,

Manny Gonzales
1569 Suzann Terrace, Northbrook, IL 60062
(303) 880-5954

Gmail

Jordan Dubnow <jmdubnow@gmail.com>

residential fence

Jerry Schwimmer <jerryschwimmer@sbcglobal.net> Sun, Aug 31, 2025 at 4:21 PM
Reply-To: Jerry Schwimmer <jerryschwimmer@sbcglobal.net>
To: "jmdubnow@gmail.com" <jmdubnow@gmail.com>

We support the Dubnow family in their desire to install a six-foot fence around their property, including the exception they seek for their side yard.

Jerry and Joan Schwimmer
1575 Suzann terrace
Northbrook 60062

Gmail Jordan Dubnow <jmdubnow@gmail.com>

Northbrook Zoning Board: Dubnow Support

1 message

Jamie Gelfand <jamie.l.gelfand@gmail.com> Wed, Sep 3, 2025 at 8:22 AM
To: jmdubnow@gmail.com

Dear Northbrook Zoning Board Members,

We support the Dubnow's desire to install a 6-foot fence around their property, including the exception they are seeking for the side yard. We hope you are able to grant their request and appreciate your time and consideration.

Many thanks,
Jamie Gelfand
1510 Windy Hill Dr, Northbrook, IL 60062

Fence Support

1 message

Freddie Kole <freddie@chicagopartybooker.com> Fri, Sep 19, 2025 at 1:43 PM
To: Jordan Dubnow <Jmdubnow@gmail.com>
Cc: Karen K <kidstein@gmail.com>

To Whom It May Concern:

We (owners of 1522 Windy Hill Dr) support the Dubnow's desire to install a 6-foot fence around their property, including the exception they are seeking for the side yard.

Thanks,

Freddie Kole

Chicago20Something.com- Bar Crawls, Booze Cruise, Holiday Parties & More

ChicagoPartyBooker.com - Let Us Book Your Party For Free!

ChicagoPartyBoat.com - Booze Cruises on Lake Michigan & The Chicago River

Peters, Richard

From: Robert Piech <robert.piech@gmail.com>
Sent: Friday, September 19, 2025 10:36 AM
To: Peters, Richard
Subject: Docket No. ZBA25-0008 (1507 Windy Hill)

Beware External Email - Think Before You Act

I don't know the new owners of this house, but although the previous owners did not feel the need for any fence, I have no objection to the installation of a standard height fence. I feel a 6 foot high fence is excessive and out of character in this neighborhood.

Robert Piech
1551 Suzann Terrace
Northbrook, IL 60062

Peters, Richard

From: Roy Asmussen <royasmussen@gmail.com>
Sent: Tuesday, September 23, 2025 2:14 PM
To: Peters, Richard
Cc: Roy Asmussen
Subject: Zoning Board of Appeals Docket # ZBA25-0008

Beware External Email - Think Before You Act

Mr. Richard Peters,

Re: the upcoming Zoning Board of Appeals Public Hearing and Docket # ZBA25-0008

I sincerely believe the Zoning Board has done a fantastic job for all Northbrook residents in passing and enforcing the current zoning laws. Accordingly, as a neighbor of the petitioner, I would ask the Appeals Board to enforce the existing zoning laws and deny the petitioner's appeal for an exception.

Respectfully,
Roy Asmussen
1581 Suzann Terrace, Northbrook, IL 60062

RESOLUTION NO. ZBA25-0008
VILLAGE OF NORTHBROOK
ZONING BOARD OF APPEALS
DOCKET NO. ZBA25-0008 – 1507 WINDY HILL DRIVE

WHEREAS, **Jordan and Lauren Dubnow** own the property commonly known as **1507 WINDY HILL DRIVE** (PIN. 04-15-206-002-0000) and hereafter referred to as the "Subject Property"; and

WHEREAS, **Jordan and Lauren Dubnow,** are the applicants (the "Applicants") seeking approval of certain exception request(s) for the Subject Property; and

WHEREAS, DOCKET NO. **ZBA25-0008** (the "Application") is a request filed by the Applicants requesting the following exception(s) of the Northbrook Zoning Code:

- **Increase the maximum height of a fence from 3 feet to 6 feet in the corner side yard – 9-107 L.**

WHEREAS, a Public Notice for this Application was duly published on **September 11, 2025** in the "Northbrook Star" and said Public Notice was provided to all of the property owners in the vicinity as required by the Northbrook Zoning Code, and

Whereas a Public Hearing was held by the Northbrook Zoning Board of Appeal during a meeting on **September 29, 2025** for the purpose of considering this Application matter, with the final decision being rendered at the Zoning Board of Appeal's Regular Meeting on **September 29, 2025**; and

WHEREAS, the Zoning Board of Appeals has considered the evidence presented, as follows:

1. **Zoning Board of Appeals Application, dated 8/19/25;**
2. **Plat of Survey, dated 5/28/24;**
3. **Site Plan (modified plat);**
4. **Letter of Hardship**

NOW, THEREFORE, BE IT RESOLVED, by the Zoning Board of Appeals of the Village of Northbrook, Cook County, Illinois, that:

Section 1. The Northbrook Zoning Board of Appeals does hereby find that the exception requested under Docket No. ZBA25-0008 [**Does/Does Not] Satisfy** the standards for authorizing exceptions set forth in Section 11-505 F. of the Northbrook Zoning Code.

Section 2. In accordance with Section 11-505 K. of the Northbrook Zoning Code "Limitations on Exceptions", **no exception shall be valid for a period longer than one year after the date of its approval**, unless a building permit is issued and construction has actually begun within that period and is thereafter diligently pursued to completion or unless a Certificate of Occupancy is issued and a use is commenced within that period.

The Northbrook Zoning Board of Appeals does hereby order **[PENDING VOTE]** of the exception requested under Docket No. **ZBA25-0008.**

Voted on This Day, the **29th day of September, 2025**

AYES: (0)
NAYS: (0) **[COUNT PENDING VOTE]**
ABSTAIN: (0)
ABSENT: (0)

ATTEST:

[SIGNATURE PENDING VOTE]

Zoning Administrator – Richard Peters

MEMORANDUM

To: Zoning Board of Appeals
From: Zoning Administrator Richard Peters
Date: 2025-09-29
Subject: DOCKET NO. ZBA25-0009 (1601 Walters) – Petition by Rachael Hardy Powers, for an exception to increase the height of a fence to 5' in a corner side yard setback. The R-5 zoned property (PIN: 04-10-319-076-0000) is the site of a single-family residence. The exception has been requested to comply with pool safety requirements as well as maintain the functionality of the yard.

Overview
Homeowner, Rachael Hardy Powers, seeks an exception to increase the height of a fence in the corner side yard of their residence which is located in the R-5 single family residential district.

Fiscal Impact
N/A.

Recommendation

Conduct a Public Hearing and Approve, Deny, or Continue the Application.

Background
See attachments.

Exhibit A - Staff Report - 1601 Walters ZBA25-0009
Exhibit B - ZBA Application_1601 Walters
Exhibit C - Letter of Hardship
Exhibit D - Plat of Survey
Exhibit E - Fence Site Plan
Exhibit F - Public Comment
Exhibit G - Draft Resolution

ZONING BOARD OF APPEALS - STAFF REPORT

HEARING DATE: September 29, 2025

TO: Zoning Board of Appeals

FROM: Richard Peters, Zoning Administrator

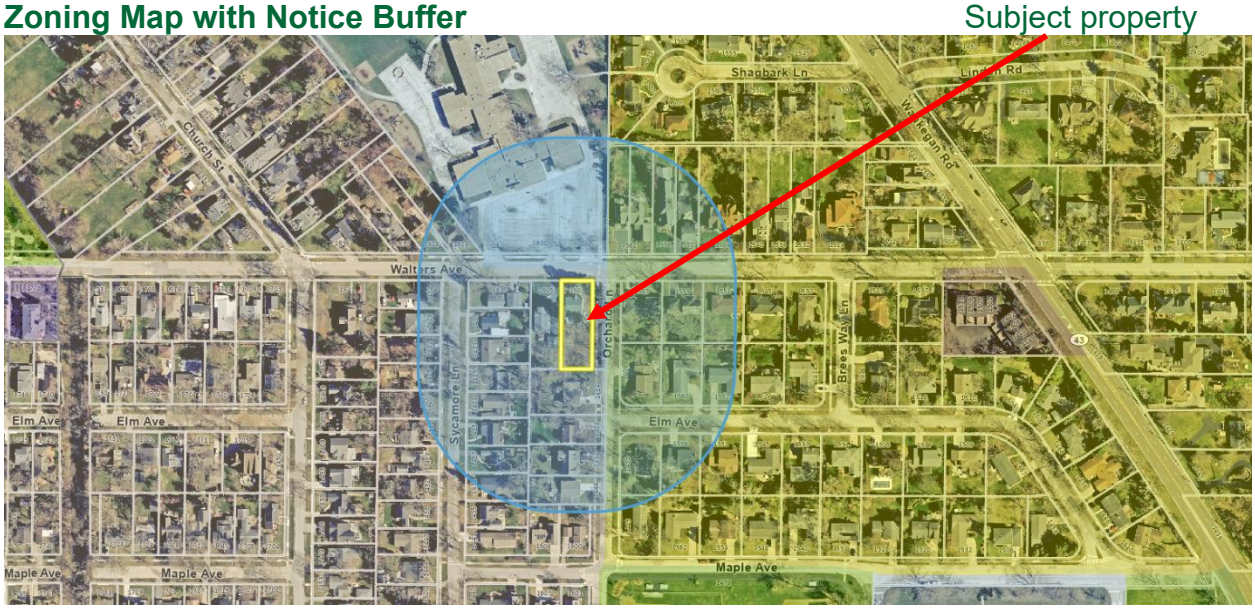
SUBJECT ADDRESS: 1601 Walters Ave.

ZONING: R-5, Single Family Residential

DOCKET NUMBER: ZBA25-0009

PETITIONER & PROPERTY OWNER: Rachael Hardy Powers

Zoning Map with Notice Buffer



REQUESTED ACTION:

- Approve an exception to increase the maximum height of a fence located in a corner side yard setback to 5’.

The request will satisfy the fence requirement for a pool while maintaining functionality of the backyard.

RELIEF FROM ZONING CODE SECTION(S):

- 9-107 L.

SITE CONDITIONS:

Table 1: Zoning Compliance Chart **Zoned R-4**, Single Family Residential

Zoning Compliance Chart			
Standard	**Code Standard**	**Existing Condition**	**Proposed**
Lot Size	9,000 sf	12.989 sf	-
Lot Width	75’	68’	-
Corner Side Yard	25’	25’	-
Maximum Height Fence – Corner Side Yard	3’	N/A	5’

PROJECT DETAILS:

The owner of 1601 Walters seeks an exception to install a 5-foot fence in the corner side yard. The purpose of the fence is to satisfy the fence requirement for a pool that is planned and depicted in the submitted documents. Additionally, the applicant has a therapy dog and proposes the fence along the corner side yard to maintain the backyard space to exercise the dog. The subject property is nonconforming as it does not meet lot width requirements which adds to the constraint.

Figure 1: Plat of Survey/Fence Plan – Excerpt



Photo 1: 1601 Walters, Front Yard



Photo 2: 1601 Walters, Corner Side Yard



Photo 3: 1601 Walters, Corner Side Yard and Rear Yard



EXCEPTION ANALYSIS:

Regarding the standards for an exception, please consider the following key points:

1. **General Standard.**
   a) *Consistent with Code and Plan Purposes:*
   Fences are used as a barrier and in the case of pools, are a required safety feature.

   b) No Undue Adverse Impact:
   There is little to no impact expected with the erection of the proposed fence, any of which will be in part mitigated by the use of an aluminum fence with four-inch open slots as well as planned landscaping along the fence.

   c) Compatible with Surrounding Area:
   Fences are typical accessory structures in residential districts, and the impact of the additional height will be softened by the style of fencing and landscaping.

   d) Adequate Public Facilities:
   Not applicable.

   e) No Traffic Congestion:
   The fence proposed as being only 5 feet in height and not a solid fence, but aluminum slats will allow for visibility to accommodate the neighboring driveway on Orchard.

   f) No Destruction of Significant Features:
   The fence is in close proximity to several large trees and the installation will need to ensure the trees remain healthy and vibrant.

   g) Compliance with Standards:
   The project otherwise complies with the zoning requirements.

   h) Quality Design and Construction:

The proposal implements quality materials and conservative styling along with future landscaping with a goal of mitigating potential impacts.

2. **Specific Standards for Individual Exception Requests.**

a) Additional Standards for Fence Height Exceptions.

(1) No fence shall be installed that would cause a safety hazard with pedestrians on sidewalks or bicyclists or other vehicles on the nearby roadways and intersections:

No safety hazard or adverse impact on the abutting traffic is expected.

(2) The materials used for the fence must be compatible with those in the surrounding area. In general, the use of solid fences or "cyclone" fences are discouraged:

An aluminum fence with four-inch open slots is proposed.

(3) If the fence incorporates a gate system, the design and location of the gate must not cause vehicles to block the roadway when waiting for the gate system to open. No gate shall open onto a public right-of-way:

No vehicle access nor an opening out to the right of way is indicated.

ITEMS SUBMITTED AND REVIEWED:

1. Zoning Board of Appeals Application, dated 8/25/25;
2. Plat of Survey, dated 3/15/23;
3. Site Plan (modified plat);
4. Letter of Hardship;

DRAFT MOTION:

Once the Zoning Board of Appeals has made a determination as to whether or not the applicant has successfully met the standards required for an exception, the following motion is provided:

Move to **accept/deny** the proposed request by Rachael Hardy Powers for a Zoning Code Exception to increase the maximum height of a fence in a corner side yard to 5', subject to the following condition(s):

- ***If approved***, that the construction of the fence shall be in substantial compliance with the plans reviewed by the Zoning Board of Appeals 9/29/2025.

Development and Planning Services
1225 Cedar Lane Northbrook, Illinois 60062
TELEPHONE: 847/664-4055; EMAIL: richard.peters@northbrook.il.us
www.northbrook.il.us

Zoning Board of Appeals

Application for Variations and Exceptions

APPLICATION REQUIREMENTS: As part of this formal application for a variation or exception, the applicant must submit all of pertinent information prior to the scheduling of a public hearing. ***Please note***: If any of the required information below is missing by the application deadline, you will not be permitted to proceed with the public hearing for the following month. You will be required to first submit all required materials and then apply to appear at the next available hearing. **A preliminary application submittal must be arranged with the Zoning Administrator at least one week prior to the deadline to ensure all is in order and allow time to make revisions if necessary prior to the final submittal cutoff.** Applications Will Not Be Accepted Without This Required Step. A copy of the notice of hearing, which is published in the local newspaper, will be mailed to the applicant. The notice must be mailed certified mail return receipt to all owners of properties within 250 feet of the subject property (excluding rights-of-way) and must be made not less than 15 days or more than 30 days prior to the hearing.

ADDRESS: 1601 Walters Ave, Northbrook IL

ZBA DOCKET:

☑ **Zoning Application Fee, payable to the "Village of Northbrook" (if check):**

Non-Refundable Fee

Residential…….. $350.00*
….Non-Residential……. $600.00

***An additional $100 non-refundable fee will be applied for each applicant-requested continuance

☑ **Application** – Completed in its entirety

☑ **Zoning Worksheet or Fence Application**

☑ **Letter of Hardship**

Explain in detail the requested variation/exception, the characteristics of the property that prevent compliance with said Code provision, and a statement of how the variation sought would satisfy each of the standards set forth in either Subsection 11-503F or 11-505A of the Zoning Code (attached).

☑ **Plat of Survey Drawn to Scale**

- Legal description of property must be shown
- Plat must be dated and stamped by surveyor
- A mortgage/real estate survey is not acceptable

☑ **Site Plan Drawn to Scale**

- Prepared by the architect or surveyor detailing all building improvements and impervious areas, lot line dimensions, accessory structures, easements and all public and private right of ways.
- The site plan shall indicate the location of the proposed improvement requiring variation approval, highlighting the area of the setback encroachment.
- Dimensions/setbacks from all sides of the building to all adjacent lot lines must be shown.

****All materials must be submitted electronically, either via email attachments or on a thumb drive. Shared files and third party websites will not be accepted.**

☒ **Building Plans Drawn to Scale** N/A rhp 8.25.25

- Dated and stamped by an architect
- Existing and proposed floor plans with room names and dimensions, along with a clear outline of what is existing, what is new and which walls will be removed. The entire floor where the variation is requested must be shown. The floor plan must also show doors and windows.
- Existing and proposed elevations for all sides affected (at least 3) including building/ridge height, proposed roof slope pitch and existing and proposed exterior finishes.

☑ **Tree Survey**

Regardless of the proposed work, submit a tree survey showing all existing trees with diameter at breast height (DBH). A hand drawing of tree locations on a plat of survey is usually acceptable.

☑ **Proof of Ownership**

- **Only** a ***Warranty deed*** or ***owner's title policy*** in its entirety.
- If the property is held in trust, the Trust Agreement in its entirety.
- If petitioner is contract purchaser or lessee, notarized proof of authority to file on behalf of the owner is required.

☑ **Affidavit of Survey (Attached)**

Required for all surveys over one year old.

☑ **Other Exhibits Recommended**

- Photos, letters of support from adjacent neighbors, etc…

Requested Action

- ☐ **Yard or Setback Variation**
- ☒ **Fence Height Exception**
- ☐ **Parking/Loading Reduction**
- ☐ **Increase in Accessory Building Height**
- ☐ **Tennis Court Illumination**
- ☐ **Increase Maximum No. of Signs**
- ☐ **Pre-code Structure Moving or Restoration**
- ☐ **Other** _____

Brief Description of Variation or Exception Request Exception is needed for the fence in the corner side yard. (i.e., the eastern twenty-five ft of the lot along Orchard Lane) Exception of fence height from three ft to five ft on Orchard Lane to meet Pool Fence requirement.

Applicant Information

Applicant Name/Company: Rachael Hardy Powers

Address: 1601 Walters Ave

City: Northbrook **State:** IL **Zip:** 60062

Telephone (954)226-0100 **Email:** rachardy@gmail.com

Primary Contact Person

Name/Company: Rachael Hardy Powers

Address: 1601 Walters Ave

City: Northbrook **State:** IL **Zip:** 60062

Telephone (954) 226-0100 **Email:** rachardy@gmail.com

Property Information

Site Location/Address: **1601 Walters Ave.**

Real Estate Index Nos.: **04-10-319-076-0000**

Size of Property: **Lot size=12,945 building=1,152** **sq ft**

Current Zoning: R5 **Current Use:** Residential

Is any portion of the property within the 100-year floodplain? _____ **No** _____

Yes:

Consultants (as applicable)

Attorney

Name _____

Company _____

Address _____

City, State, Zip _____

Phone No. _____

Email _____

Planning/Landscape Architect

Name _____

Company _____

Address _____

City, State, Zip _____

Phone No. _____

Email _____

Civil Engineer

Name Bernie Bono, P.E.

Company Bono Consulting Civil Engineers

Address 1018 Busse Highway

City, State, Zip Park Ridge, IL 60068

Phone No. 847-823-6454

Fax No. _____

E-mail rwalker@bonoconsulting.com

Other

Name james Trout

Company First Fence Company

Address 4900 Harrison St.

City, State, Zip Hillside IL, 60162

Phone No. 630-553-9594

Fax No. 708-547-7580

E-mail james@firstfencecompany.com

Site Ownership and Control

List all legal and beneficial owners and their current mailing addresses:

Rachael Hardy Powers

1601 Walters Ave

Northbrook IL 60062

Attach a copy of a document showing ownership of the property **and, if different,** the applicant's ownership, control of or interest in the property (Title Policy, real estate contract, deed, etc.). If property is in a trust, attach a certified copy of the trust agreement. (Check which documents are attached)

☐ **Title Policy**

☐ **Trust Agreement**

☑ **Deed**

Northbrook Ethics Code *(Potential conflicts of interest.)*
On a separate sheet of paper, list the name, address and nature and extent of any current or potential interest that any Village officer or employee may have in or with respect to the owner, the applicant or the property.
If none, check here: X (For more information, see Sections 2-71 through 2-85 of the Northbrook Municipal Code.)

Repeat Application
Has any other application for this property been submitted to the Village and denied within the last two years? _____ yes ___ no X
If yes, attach a statement of the grounds justifying reconsideration (See Zoning Code Sec. 11-302).

Applicant/Owner Acknowledgments
By execution of this application in the space provided below, the Applicant and Owner(s) do hereby certify, acknowledge, agree and affirm to the Village of Northbrook that:

1. The Village and its representatives have the right, and are hereby granted permission and license, to enter upon the property, and into any structures located thereon, for purposes of conducting any inspections that may be necessary in connection with this application.

2. I (We) have carefully read this application, the Northbrook Zoning Code and Northbrook Subdivision & Development Code and fully understand the terms and provisions of each.

3. I (We) waive any rights to exemption from disclosure under the Illinois Freedom of Information Act of any and all documents and information submitted in connection with this application.

4. I (We), in accordance with the requirements of the Annual Fee Ordinance, the Northbrook Zoning Code and the Northbrook Subdivision & Development Code, agree to pay all applicable filing fees and be responsible for the payment of all reimbursable expenses associated with the processing of this application.

Applicants may attach additional materials or exhibits to this application if necessary or helpful in explaining the relief requested.

Signature of Applicant _____ Date 08/25/2025

Signatures of Owner(s) _____ Date 08/25/2025

_____ Date

Development & Planning Services Department
1225 Cedar Lane
Northbrook, Illinois 60062
847-664-4055
www.northbrook.il.us

northbrook

Zoning Board of Appeals

Plat of Survey Affidavit

STATE OF ILLINOIS
COUNTY OF COOK

AFFIDAVIT

Rachael Hardy Powers, being first duly sworn upon oath, deposes and states that the Plat of Survey dated 11/30/2024 for the property commonly known as 1601 Walters Ave, Northbrook, Illinois shows all of the structures and impervious surfaces presently on the property.

Rachael Powers
Affiant

Subscribed and sworn to before me this
25 day of Aug, 2025.

Official Seal
NOELLE HARDY
Notary Public, State of Illinois
Commission No. 611569
My Commission Expires May 5, 2029

Notary Public

_____(SEAL)

24GNW122210NB Bm

SPECIAL WARRANTY DEED CT 1 of 2

(The Above Space for Recorder's Use Only)

THE GRANTOR Schwall Builders Inc., a Corporation licensed to conduct business in Illinois, at 1611 Techny Road, Northbrook, Cook County, Illinois for and in consideration of TEN AND 00/100 DOLLARS ($10.00), and other good and valuable considerations in hand paid by Grantee, the receipt whereof is hereby acknowledged, and pursuant to authority of the Board of Schwall Builders, Inc, by these presents, hereby grants, bargains, sells, and conveys to GRANTEE, Rachael Hardy Powers, a single woman , of 425 North Andrews Avenue, #405, Fort Lauderdale, FL 33301, in fee simple absolute, the following described real estate and improvements thereon situated in the County of Cook, in the State of Illinois, to wit:

SEE ATTACHED LEGAL DESCRIPTION ATTACHED AS EXHIBIT "A"

Permanent Index Number(s): 04-10-319-076-0000

Property Address: 1601 Walters Avenue, Northbrook, IL 60062

together with all and singular the hereditaments and appurtenances thereto; to have and to hold the same, with the appurtenances thereto, forever, subject to the following matters: Covenants, conditions and restrictions of record and building lines and easements, if any, provided they do not interfere with the current use and enjoyment of the Real Estate; and general real estate taxes not due and payable at the time of Closing.

This is not a Homestead Property

Dated this 15TH day of _____, 2024.

Edward J. Schwall, President of Schwall Builders Inc.

Glenn R. Schwall, ~~Vice~~ President of Schwall Builders Inc.

STATE OF ILLINOIS)
) **SS,**
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, do hereby certify that Edward J. Schwall, in his capacity as President, and Glenn R. Schwall, in his capacity as Vice President, both of Schwall Builders Inc., personally known to me, appeared before me this day in person and acknowledged that they signed, sealed, and delivered the foregoing instrument as their free and voluntary act on behalf of Schwall Builders Inc., for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and notarial seal, this 15TH day of OCTOBER 2024.

Notary Public

OLGA SCHOLZ
Official Seal
Notary Public - State of Illinois
My Commission Expires Sep 9, 2026

THIS INSTRUMENT PREPARED BY
Margaret Sauser
Law Offices of Margaret F. Sauser LLC
360 S. Waukegan, Suite C
Deerfield, IL 60015

MAIL TO:

Anthony V. Panzica
Law Office of Anthony V. Panzica
2510 W. Iriving Park Rd.
Unit B
Chicago, IL 60618

SEND SUBSEQUENT TAX BILLS TO:

Rachael Hardy Powers
1601 Walters Avenue
Northbrook, IL 60062

To Members of the Northbrook Zoning Board,

I’m requesting an exception for a side-yard fence in harmony with the general and specific purposes dictated by the Village of Northbrook zoning code. The pool and yard (including the eastern 25 ft. of the lot along Orchard Lane) require a fence with a minimum height of 5' according to the village code.

I went blind at twenty-two and was diagnosed with Multiple Sclerosis. MS is a degenerative disease exacerbated by environmental and lifestyle factors. I follow strict diet, exercise, and medical protocols to maintain full use of my body for as long as possible.

One of the main reasons for purchasing the property is the large yard. It would enable me to install a therapeutic pool and accommodate my and my service animal's needs. I can't walk my service dog in severe temperatures. The yard allows my service animal freedom to exercise and use a dog door on days when I am recovering from my immunosuppressant medication.

Heat is a significant MS trigger. That’s why I have relocated from Florida to Chicago. I'm installing an aquatic therapy pool at 1601 Walters Ave to have a controlled environment in which to exercise daily. The pool will have the proper chemical composition and temperature essential for controlling my MS, as well as four egresses and interior ledges.

Cold temperatures also present dog walking challenges due to sidewalk obstructions, snow, and ice. In short, I fall a lot.

The exception of moving the fence in 25' excessively cuts down the yard space needed to exercise my service animal. Exercise is crucial for his physical and emotional well-being and helps prevent burnout and behavioral issues. Playtime allows for bonding, relaxation, and continued enrichment and task training.

Running is a way for dogs to expend a lot of energy quickly. Exploring in a safe environment, along with engaging in games like fetch, frisbee, or using a "flirt pole," are great options to exert physical and mental energy.

A three-foot fence would allow nefarious individuals easy access to my service animal. After six years of training and bonding, losing him would have a devastating effect on my day-to-day. It's not an acceptable risk considering my circumstances.

I'm requesting to put a 5 ft aluminum fence with 4-inch open slots, no more than two inches from the ground, with self-closing/latching gates. This type of fence is see-through, and the black will blend best with future landscaping. In early spring 2026, I plan to have landscaping done (colorful flowers, bushes, and trees) to blend and maintain the profile of the street seamlessly.

The fence will not impede or dominate the immediate vicinity or interfere with the use and development of neighboring properties or essential public facilities or services. It will not affect traffic congestion, nor will it draw significant amounts of traffic. It will not destroy any significant features of the block, nor will it result in the loss, destruction, or damage of natural, scenic, or historic features of significant importance. The fence won't cause safety hazards to pedestrians, bicyclists, or other vehicles on nearby roadways or intersections. All gates will open inward and never impede parking areas, public rights-of-way, or emergency vehicle access.

Please grant my exception for the fence in the corner side yard (i.e., the eastern 25 ft. of the lot along Orchard Ln). I am seeking to enclose the entire side yard with a fence height of 5 ft, which is the village's minimum fence height requirement for pools. This exception would accommodate my hardship, service animal yard needs, and be consistent with the architectural features of the community.

Standards for Exceptions.

11-505 A. Standards for Exceptions.

Each of the standards are satisfied.

a) The proposed exception will be in harmony with the general and specific purposes for the Code accommodating pool and yards.

- Pools must be enclosed by a fence with a minimum height of 5 feet.
- The fence may enclose the entire yard or the pool itself.
- There cannot be more than a 2" gap underneath the fence.
- Gates must be self-closing and self-latching.

Consistent With Code and Plan Purposes. The proposed exception will be in harmony with the general

and specific purposes for which this Code was enacted and for which the regulations of the district in

question were established and with the general purpose and intent of the Official Comprehensive Plan.

b) The proposed exception will not have a substantial or undue adverse effect

upon adjacent property, the character of the area or the public health, safety and general welfare.

c) Since the fence is see through it will be compatible with surrounding area. The proposed exception will be constructed, arranged and operated so as not to dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable district regulations. In fact, after the medicinal aquatic therapy pool and fence are installed, the landscaping can be started. Flowers, blushes, hedges will add in helping to make the fence indistingushable.

6) N/A

Adequate Public Facilities. The proposed exception will be served adequately by essential public

facilities and services such as streets, public utilities, drainage structures, police and fire protection,

refuse disposal, parks, libraries, and schools, or the applicant will provide adequately for such services.

e) N/A

NoTraffic Congestion. The proposed exception will not cause undue traffic congestion nor draw

significant amounts of traffic through residential streets.

f) N/A

No Destruction of Significant Features. The proposed exception will not result in the destruction, loss

or damage of natural, scenic or historic feature of significant importance.

g) Compliance with Standards. The proposed exception otherwise complies with all additional standards

imposed on it by the particular provision of this Code.

h) The premium aluminum fencing offers a clean polished look, which enhances the property's curb appeal. Also, black aluminum fences "disappear" into the landscapes blending into the scenery colors that are compatible with other structures and other properties in the vicinity.

2a. Additional Standards for Fence Height Exceptions.

(1) The fence will not cause a safety hazard with pedestrians on sidewalks or bicyclists or other vehicles on the nearby roadways and intersections.

(2) The neighbor directly across the street has a solid wood fence which is discouraged. The premium aluminum fencing offers a clean polished look, which enhances the property's curb appeal. It's 4" wide, open slates makes it a see through fence, keeping compatibility to the open yards "look" on the block.

(3) Any gate open into the yard on the property. It does not block the roadway or impede into the parking areas at all. The gate does not open onto a public right-of-way.

(4) AGREED BUT N/A

The specifications of any gate system incorporated into a fence shall be subject to the review and approval of the Village Manager to ensure that emergency vehicles have safe and proper access to the property at all times.

b. Additional Standards for Detached Garage Height Exceptions.

(1) N/A

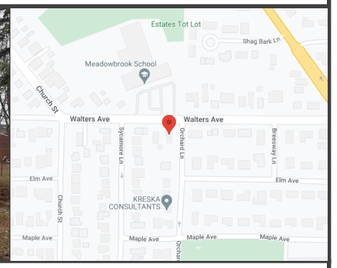
Any detached garage which receives a height exception pursuant to Paragraph 11-505 E2 of this

Section shall be designed and constructed to be consistent with the architectural features of the

EXACTA
Land Surveyors, LLC

www.exactaland.com | office: 773.305.4011





PROPERTY ADDRESS:
1601 WALTERS AVENUE, NORTHBROOK, ILLINOIS 60062

SURVEY NUMBER: 2302.3919

DATE SIGNED: 03/15/23 | **FIELD WORK DATE:** 3/3/2023

REVISION DATE(S):
(REV.1 3/27/2023) (REV.1 3/15/2023)

POINTS OF INTEREST
NONE VISIBLE

STATE OF ILLINOIS }
COUNTY OF LASALLE } SS

THIS IS TO CERTIFY THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. GIVEN UNDER MY HAND AND SEAL THIS DATE HEREON.

WARREN D. JOHNSON
035-002971
PROFESSIONAL LAND SURVEYOR
SANDWICH, IL
STATE OF ILLINOIS

ILLINOIS PROFESSIONAL LAND SURVEYOR No. 2971
LICENSE EXPIRES 11/30/2024
EXACTA LAND SURVEYORS, LLC
PROFESSIONAL DESIGN FIRM 184008059-0008

EXACTA Land Surveyors, LLC
Exacta Land Surveyors, LLC
PLS# 184008059
o: 773.305.4011
316 East Jackson Street | Morris, IL 60450

SurveySTARS

2302.3919
ALTA/NSPS LAND TITLE SURVEY
COOK COUNTY

LEGEND:
SD = STORM DRAIN

LINE TABLE:
L1 68.13' (R)
N 89°20'18" E 68.13' (C)
L2 190.29' (R)
S 0°24'34" W 190.68' (C)

TOTAL AREA OF PROPERTY SURVEYED 12989 SQ.FT.±

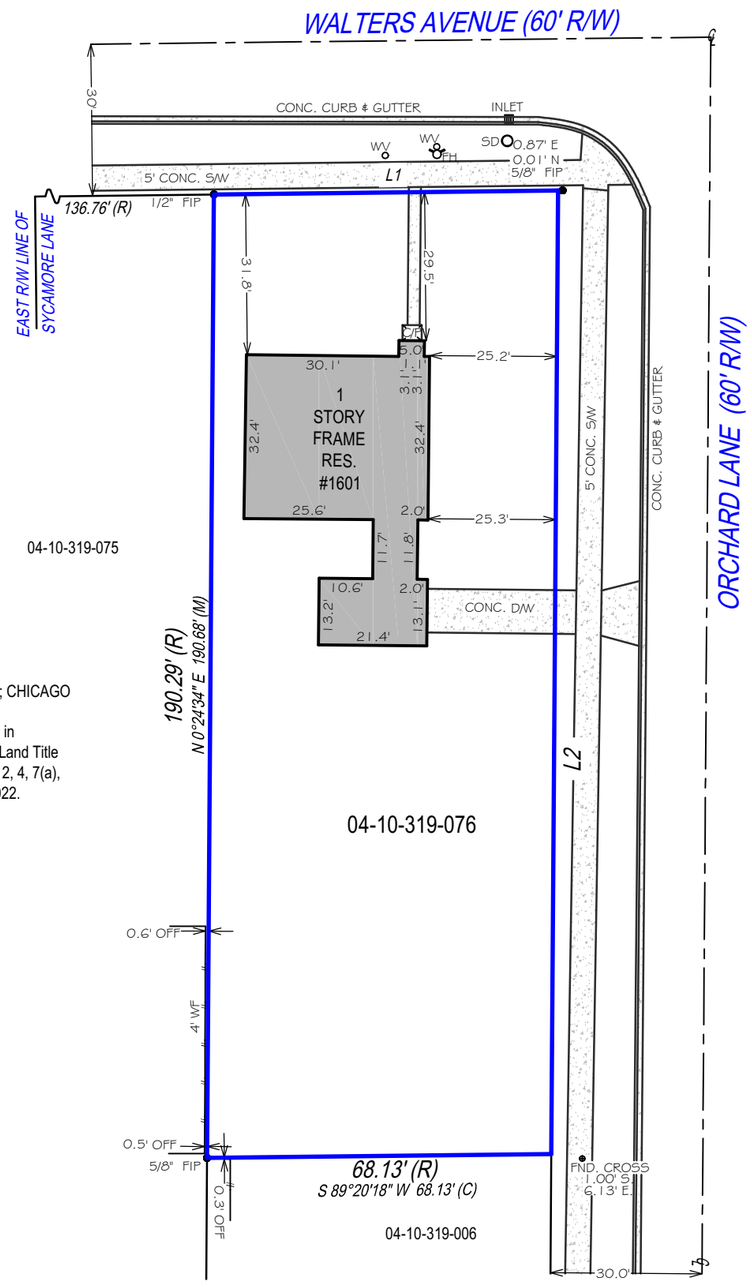
ALTA/NSPS "TABLE A" ITEMS

1. AS SHOWN HEREON
2. AS SHOWN HEREON
4. GROSS LAND AREA IS 18708', MORE OR LESS
7a. AS SHOWN HEREON
7b. BUILDING SQ. FT. = 1579'
7c. BUILDING HEIGHT = 18.57'
8. AS SHOWN HEREON
14. AS SHOWN HEREON

REVIEW OF TITLE:
CHICAGO TITLE INSURANCE COMPANY
COMMITMENT NO.: 23GSC164008LP
COOK COUNTY, ILLINOIS
SCHEDULE B-II
EFFECTIVE MARCH 15, 2023

EXCEPTIONS 1-15: NO SURVEY OR PLOTTABLE MATTERS; AFFECTS THE SUBJECT PROPERTY

TO SCHWALL BUILDERS INC.; LAW OFFICES OF MARGARET F. SAUSER, LLC; CHICAGO TITLE INSURANCE COMPANY
This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1, 2, 4, 7(a), 7(b), 7(c) 8, 14 of Table A thereof. The field work was completed on MARCH 03, 2022.
Date of Plat or Map: 03/14/1874
(Surveyor's signature, printed name and seal with Registration/License Number)



SEE PAGE 2 OF 2 FOR LEGAL DESCRIPTION

PROPERTY ADDRESS:
1601 WALTERS AVENUE, NORTHBROOK, ILLINOIS 60062

SURVEY NUMBER: 2302.3919

CERTIFIED TO:
SCHWALL BUILDERS INC.; LAW OFFICES OF MARGARET F. SAUSER, LLC; CHICAGO TITLE INSURANCE COMPANY

DATE OF SURVEY: 03/15/23

BUYER: Schwall Builders Inc.

LENDER:

TITLE COMPANY: LAW OFFICES OF MARGARET F. SAUSER, LLC

COMMITMENT DATE: NOT REVIEWED | **CLIENT FILE NO:**

LEGAL DESCRIPTION:
THAT PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 42 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS, TO WIT: BEGINNING AT A POINT IN THE SOUTH LINE OF WALTERS AVENUE, BEING A POINT 30 FEET SOUTH OF THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 10 AFORESAID DISTANT WEST ALONG THE SOUTH LINE OF WALTERS AVENUE 98.13 FEET FROM THE EAST LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND RUNNING THENCE SOUTH IN A LINE PARALLEL WITH SAID EAST LINE 190.29 FEET TO THE NORTH LINE OF THE SOUTH 1100 FEET OF SAID SOUTHEAST QUARTER, THENCE EAST ALONG THE NORTH LINE OF SAID 1100 FEET 98.13 FEET TO THE EAST LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER, THENCE NORTH ALONG SAID EAST LINE OF THE SOUTH LINE OF WALTER AVENUE AFORESAID, THENCE WEST ALONG SAID SOUTH LINE TO THE PLACE OF BEGINNING (EXCEPT THE EAST 30 FEET OF SAID TRACT).

FLOOD ZONE INFORMATION:

GENERAL SURVEYORS NOTES:

1. The Legal Description used to perform this survey was supplied by others. This survey does not determine nor imply ownership of the lands or any fences shown hereon. Unless otherwise noted, an examination of the abstract of title was NOT performed by the signing surveyor to determine which instruments, if any, are affecting this property.
2. The purpose of this survey is to establish the boundary of the lands described by the legal description provided and to depict the visible improvements thereon for a pending financial transaction. Underground footings, utilities, or other service lines, including roof eave overhangs were not located as part of this survey. Unless specifically stated otherwise the purpose and intent of this survey is not for any construction activities or future planning.
3. If there is a septic tank or drain field shown on this survey, the location depicted hereon was either shown to the surveyor by a third party or it was estimated by visual above ground inspection. No excavation was performed to determine its location.
4. This survey is exclusively for a pending financial transaction and only to be used by the parties to whom it is certified.
5. Alterations to this survey map and report by other than the signing surveyor are prohibited.
6. Dimensions are in feet and decimals thereof.
7. Any FEMA flood zone data contained on this survey is for informational purposes only. Research to obtain said data was performed at www.fema.gov and may not reflect the most recent information.
8. Unless otherwise noted "SIR" indicates a set iron rebar, 5/8 inch in diameter and twenty-four inches long.
9. The symbols reflected in the legend and on this survey may have been enlarged or reduced for clarity. The symbols have been plotted at the approximate center of the field location and may not represent the actual shape or size of the feature.
10. Points of Interest (POI's) are select above-ground improvements, which may appear in conflict with boundary, building setback or easement lines, as defined by the parameters of this survey. These POI's may not represent all items of interest to the viewer. There may be additional POI's which are not shown or called-out as POI's, or which are otherwise unknown to the surveyor.
11. Utilities shown on the subject property may or may not indicate the existence of recorded or unrecorded utility easements.
12. The information contained on this survey has been performed exclusively by and is the sole responsibility of Exacta Land Surveyors, LLC. Additional logos or references to third party firms are for informational purposes only.
13. Due to varying construction standards, building dimensions are approximate and are not intended to be used for new construction or planning.
14. Surveyor bearings are used for angular reference and are used to show angular relationships of lines only and are not related or orientated to true or magnetic north. Bearings are shown as surveyor bearings, and when shown as matching those on the subdivision plats on which this survey is based, they are to be deemed no more accurate as the determination of a north orientation made on and for those original subdivision plats. North 00 degrees East is assumed and upon preparation of this plat, the resulting bearing between found points as shown on this survey is the basis of said surveyor bearings as defined and required to be noted by Illinois Administrative Code Title 68, Chapter VII, Sub-Chapter B, Part 1270, Section 1270.56, Paragraph B, Sub-Paragraph 6, Item k.
15. THIS SURVEY IS A PROFESSIONAL SERVICE IN COMPLIANCE WITH THE MINIMUM STANDARDS OF THE STATE OF ILLINOIS. NO IMPROVEMENTS SHOULD BE MADE ON THE BASIS OF THIS PLAT ALONE. PLEASE REFER ALSO TO YOUR DEED, TITLE POLICY AND LOCAL ORDINANCES. COPYRIGHT BY EXACTA ILLINOIS SURVEYORS. THIS DOCUMENT MAY ONLY BE USED BY THE PARTIES TO WHICH IT IS CERTIFIED. PLEASE DIRECT QUESTIONS OR COMMENTS TO EXACTA ILLINOIS SURVEYORS, INC. AT THE PHONE NUMBER SHOWN HEREON.

SURVEYORS LEGEND:

LINETYPES
Boundary Line
Center Line
Chain Link or Wire Fence
Easement
Edge of Water
Iron Fence
Overhead Lines
Structure
Survey Tie Line
Vinyl Fence
Wall or Party Wall
Wood Fence

SURFACE TYPES
Asphalt
Brick or Tile
Concrete
Covered Area
Water
Wood

SYMBOLS
Benchmark
Center Line
Central Angle or Delta
Common Ownership
Control Point
Catch Basin
Elevation
Fire Hydrant
Find or Set Monument
Guywire or Anchor
Manhole
Tree
Utility or Light Pole
Well

ABBREVIATIONS
(C) - Calculated
(D) - Deed
(F) - Field
(M) - Measured
(P) - Plat
(R) - Record
(S) - Survey
A/C - Air Conditioning
AE - Access Easement
ANE - Anchor Easement
ASBL - Accessory Setback Line
B/W - Bay/Box Window
BC - Block Corner
BFP - Backflow Preventer
BLDG - Building
BLK - Block
BM - Benchmark
BR - Bearing Reference
BRL - Building Restriction Line
BSMT - Basement
C - Curve
C/L - Center Line
C/P - Covered Porch
C/S - Concrete Slab
CATV - Cable TV Riser
CB - Concrete Block
CH - Chord Bearing
CHIM - Chimney
CLF - Chain Link Fence
CME - Canal Maintenance Easement
CO - Clean Out
CONC - Concrete
COR - Corner
CS/W - Concrete Sidewalk
CUE - Control Utility Easement
CVG - Concrete Valley Gutter
D/W - Driveway
DE - Drainage Easement
DF - Drain Field
DH - Drill Hole
DUE - Drainage & Utility Easement
ELEV - Elevation
EM - Electric Meter
ENCL - Enclosure
ENT - Entrance
EOP - Edge of Pavement
EOW - Edge of Water
ESMT - Easement
EUB - Electric Utility Box
F/DH - Found Drill Hole
FCM - Found Concrete Monument
FF - Finished Floor
FIP - Found Iron Pipe
FIPC - Found Iron Pipe & Cap
FIR - Found Iron Rod
FIRC - Found Iron Rod & Cap
FN - Found Nail
FN&D - Found Nail & Disc
FRRSPK - Found Rail Road Spike
GAR - Garage
GM - Gas Meter
ID - Identification
IE/EE - Ingress/Egress Easement
ILL - Illegible
INST - Instrument
INT - Intersection
IRRE - Irrigation Easement
L - Length
LAE - Limited Access Easement
LB# - License No. (Business)
LBE - Limited Buffer Easement
LE - Landscape Easement
LME - Lake/Landscape Maintenance Easement
LS# - License No. (Surveyor)
MB - Map Book
ME - Maintenance Easement
MES - Mitered End Section
MF - Metal Fence
MH - Manhole
MHWL - Mean High Water Line
NR - Non-Radial
NTS - Not to Scale
NAVD88 - North American Vertical Datum 1988
NGVD29 - National Geodetic Vertical Datum 1929
OG - On Ground
ORB - Official Records Book
ORV - Official Record Volume
O/A - Overall
O/S - Offset
OFF - Outside Subject Property
OH - Overhang
OHL - Overhead Utility Lines
OHWL - Ordinary High Water Line
ON - Inside Subject Property
P/E - Pool Equipment
PB - Plat Book
PC - Point of Curvature
PCC - Point of Compound Curvature
PCP - Permanent Control Point
PI - Point of Intersection
PLS - Professional Land Surveyor
PLT - Planter
POB - Point of Beginning
POC - Point of Commencement
PRC - Point of Reverse Curvature
PRM - Permanent Reference Monument
PSM - Professional Surveyor & Mapper
PT - Point of Tangency
PUE - Public Utility Easement
R - Radius or Radial
R/W - Right of Way
RES - Residential
RGE - Range
ROE - Roof Overhang Easement
RP - Radius Point
S/W - Sidewalk
SBL - Setback Line
SCL - Survey Closure Line
SCR - Screen
SEC - Section
SEP - Septic Tank
SEW - Sewer
SIRC - Set Iron Rod & Cap
SMWE - Storm Water Management Easement
SN&D - Set Nail and Disc
SQFT - Square Feet
STL - Survey Tie Line
STY - Story
SV - Sewer Valve
SWE - Sidewalk Easement
TBM - Temporary Bench Mark
TEL - Telephone Facilities
TOB - Top of Bank
TUE - Technological Utility Easement
TWP - Township
TX - Transformer
TYP - Typical
UE - Utility Easement
UG - Underground
UP - Utility Pole
UR - Utility Riser
VF - Vinyl Fence
W/C - Witness Corner
W/F - Water Filter
WF - Wood Fence
WM - Water Meter/Valve Box
WV - Water valve

JOB SPECIFIC SURVEYOR NOTES:

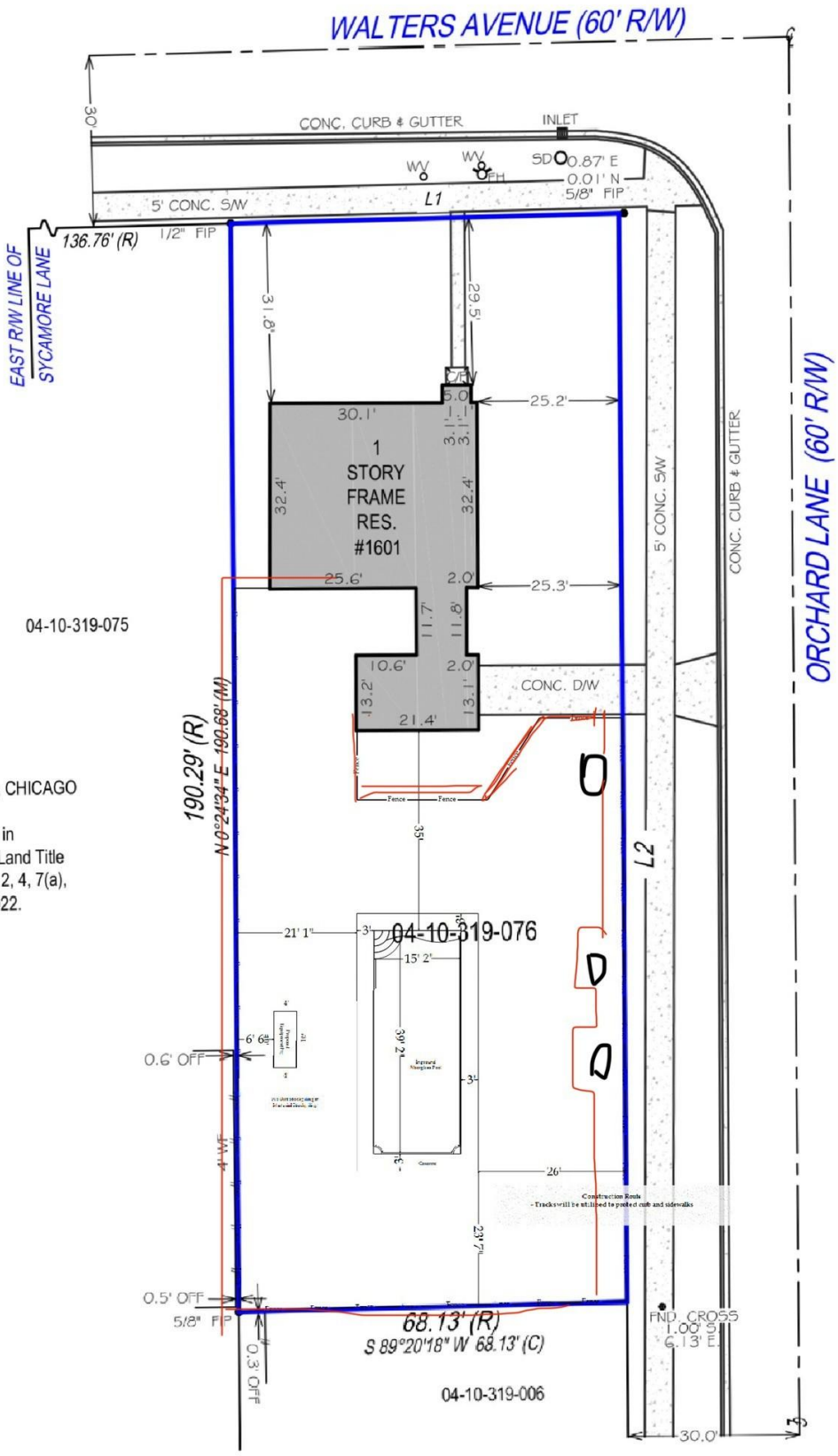
EXACTA Land Surveyors, LLC
Exacta Land Surveyors, LLC
PLS# 184008059
o: 773.305.4011
316 East Jackson Street | Morris, IL 60450

SEE PAGE 1 OF 2 FOR MAP OF PROPERTY

EXHIBIT A
LEGAL DESCRIPTION

THAT PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 42 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS, TO-WIT; BEGINNING AT A POINT IN THE SOUTH LINE OF WALTER AVENUE, BEING A POINT 30 FEET SOUTH OF THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 10 AFORESAID DISTANT WEST ALONG THE SOUTH LINE OF WALTER AVENUE 98.13 FEET FROM THE EAST LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER AND RUNNING THENCE SOUTH IN A LINE PARALLEL WITH SAID EAST LINE 190.29 FEET TO THE NORTH LINE OF THE SOUTH 1100 FEET OF SAID SOUTHEAST QUARTER THENCE EAST ALONG THE NORTH LINE OF SAID 1100 FEET 98.13 FEET TO THE EAST LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER THENCE NORTH ALONG SAID EAST LINE OF THE SOUTH LINE OF WALTER AVENUE AFORESAID THENCE WEST ALONG SAID SOUTH LINE TO THE PLACE OF BEGINNING (EXCEPT THE EAST 30 FEET OF SAID TRACT), IN COOK COUNTY, ILLINOIS.

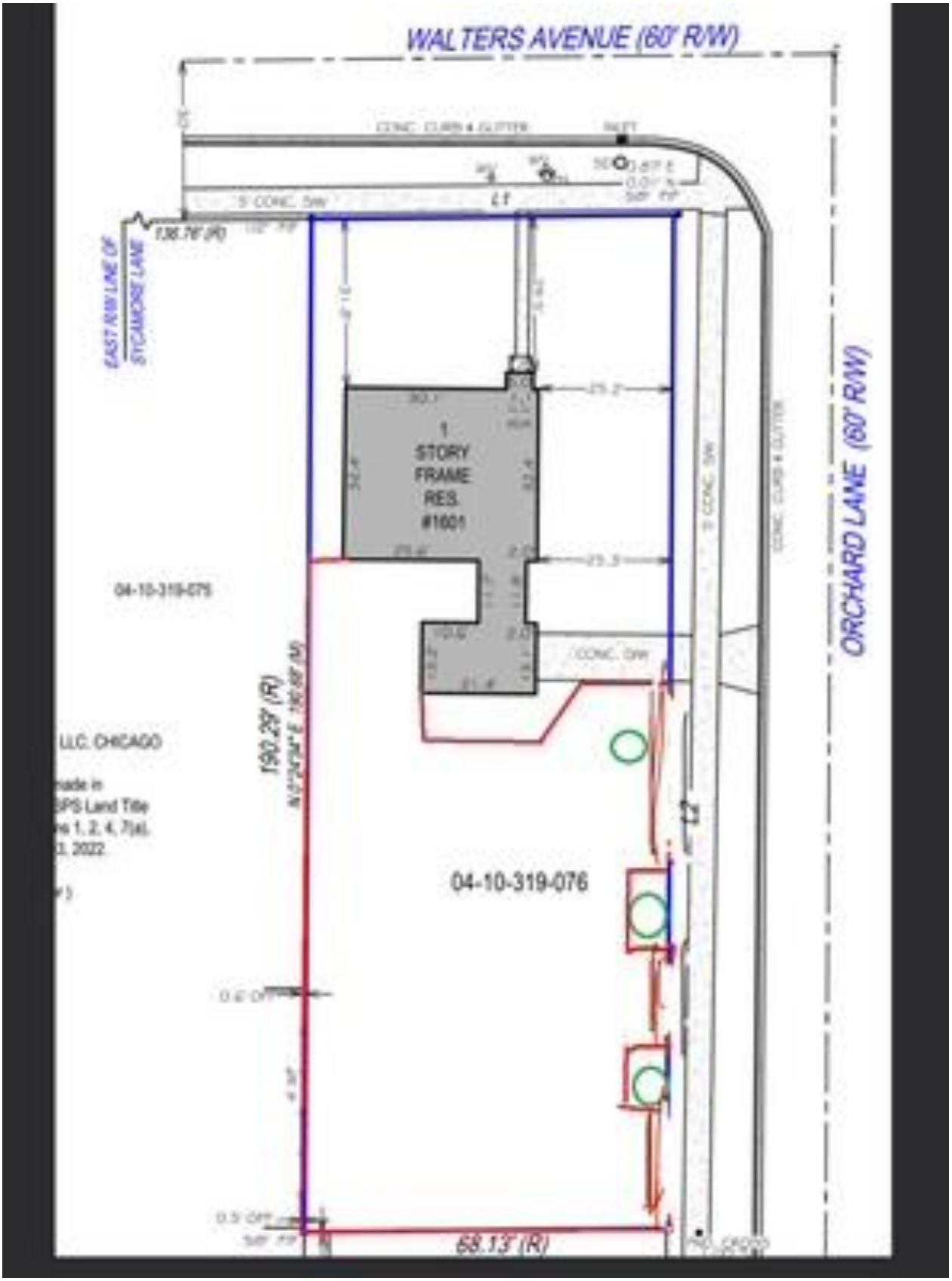
Permanent Index Number(s): 04-10-319-076-0000
Property Address: 1601 Walters Avenue, Northbrook, IL 60062



JSER, LLC; CHICAGO

were made in
LTA/NSPS Land Title
les items 1, 2, 4, 7(a),
RCH 03, 2022.

Number)


WALTERS AVENUE (60' R/W)
ORCHARD LANE (60' R/W)
EAST R/W LINE OF SYCAMORE LANE
136.76' (R)
1 STORY FRAME RES. #1601
04-10-319-075
04-10-319-076
190.29' (R)
68.13' (R)
CONC. DW
5' CONC. SW

Peters, Richard

From: Patrick Wetter <patrickwetter5@yahoo.com>
Sent: Friday, September 12, 2025 11:43 AM
To: Peters, Richard
Subject: 1601 Walters Zoning Appeal

Beware External Email - Think Before You Act

Hello,
We wanted to let you know we support the proposed petition ZBA25-0009 @ 1601 Walters.

Thanks,
Katy and Patrick Wetter 1632 Walters Ave

RESOLUTION NO. ZBA25-0009
VILLAGE OF NORTHBROOK
ZONING BOARD OF APPEALS
DOCKET NO. ZBA25-0009 – 1601 WALTERS AVENUE

WHEREAS, **Rachael Hardy Powers** owns the property commonly known as **1601 WALTERS AVENUE** (PIN. 04-10-319-076-0000) and hereafter referred to as the "Subject Property"; and

WHEREAS, **Rachael Hardy Powers,** is the applicant (the "Applicant") seeking approval of certain exception request(s) for the Subject Property; and

WHEREAS, DOCKET NO. **ZBA25-0009** (the "Application") is a request filed by the Applicants requesting the following exception(s) of the Northbrook Zoning Code:

- **Increase the maximum height of a fence from 3 feet to 5 feet in the corner side yard – 9-107 L.**

WHEREAS, a Public Notice for this Application was duly published on **September 11, 2025** in the "Northbrook Star" and said Public Notice was provided to all of the property owners in the vicinity as required by the Northbrook Zoning Code, and

Whereas a Public Hearing was held by the Northbrook Zoning Board of Appeal during a meeting on **September 29, 2025** for the purpose of considering this Application matter, with the final decision being rendered at the Zoning Board of Appeal's Regular Meeting on **September 29, 2025**; and

WHEREAS, the Zoning Board of Appeals has considered the evidence presented, as follows:

1. **Zoning Board of Appeals Application, dated 8/25/25;**
2. **Plat of Survey, dated 3/15/23;**
3. **Site Plan (modified plat);**
4. **Letter of Hardship,**

NOW, THEREFORE, BE IT RESOLVED, by the Zoning Board of Appeals of the Village of Northbrook, Cook County, Illinois, that:

Section 1. The Northbrook Zoning Board of Appeals does hereby find that the exception requested under Docket No. ZBA25-0009 [**Does/Does Not] Satisfy** the standards for authorizing exceptions set forth in Section 11-505 F. of the Northbrook Zoning Code.

Section 2. In accordance with Section 11-505 K. of the Northbrook Zoning Code "Limitations on Exceptions", **no exception shall be valid for a period longer than one year after the date of its approval**, unless a building permit is issued and construction has actually begun within that period and is thereafter diligently pursued to completion or unless a Certificate of Occupancy is issued and a use is commenced within that period.

The Northbrook Zoning Board of Appeals does hereby order **[PENDING VOTE]** of the exception requested under Docket No. **ZBA25-0009.**

Voted on This Day, the **29th day of September, 2025**

AYES: (0)
NAYS: (0) **[COUNT PENDING VOTE]**
ABSTAIN: (0)
ABSENT: (0)

ATTEST:

[SIGNATURE PENDING VOTE]

Zoning Administrator – Richard Peters