

**Planning and Zoning Commission Meeting
Minutes**

January 7, 2026

CALL TO ORDER

The Regular Meeting of the Planning and Zoning Commission of the Village of Mundelein was held on January 7, 2026 at 300 Plaza Circle, Mundelein. Commission Chairman T. Roswick called the meeting to order at 7:00 PM.

PLEDGE OF ALLEGIANCE

Chairman T. Roswick led the Pledge of Allegiance.

ATTENDANCE

Chair Roswick took the roll call. It indicated as follows:

Board Attendance

PRESENT: K. Anderson, K. Garesche, T. Roswick, K. Teehan
ABSENT: J. Holden, S. Petti, T. Wilson

Village Attendance

PRESENT: J. Marvin, Associate Planner; and E. Swanson, Recording Secretary

MINUTES APPROVAL

Approve the Planning and Zoning Commission Regular meeting minutes from December 17, 2025

K. Teehan moved, seconded by K. Anderson, a **Motion** to approve the Planning and Zoning Commission Meeting Minute from December 17, 2025.

RESULT:	Passed [Yes 4, No 0, Abstained 0]
MOVER:	Commissioner K. Teehan
SECONDER:	Commissioner K. Anderson
AYES:	T. Roswick, K. Anderson, K. Garesche, K. Teehan
NAYS:	None
ABSTAIN:	None

PUBLIC COMMENTARY

T. Roswick opened the floor to general public commentary.

There was no public commentary

T. Roswick closed the floor to general public commentary.

OLD PZC BUSINESS

There was no old business.

NEW PZC BUSINESS

Public Hearing - PZ2025-0040 - 445 Brice Avenue - Fence Variation

Open Public Hearing

K. Anderson moved, seconded by K. Teehan, a **Motion** to open Public Hearing PZ2025-0040.

RESULT:	Passed [Yes 4, No 0, Abstained 0]
MOVER:	Commissioner K. Anderson
SECONDER:	Commissioner K. Teehan
AYES:	T. Roswick, K. Anderson, K. Garesche, K. Teehan
NAYS:	None
ABSTAIN:	None

Staff Presentation

J. Marvin gave the attached presentation and gave a brief overview and history of the case. The petitioner is requesting a variation to allow a coated chain link fence within the required corner side yard setback at 445 Brice Avenue.

Petitioner Presentation

The petitioner, Daniel Coleman of 445 Brice Avenue was sworn in. He shared that they had hired a professional fence company for the installation of the new fence due to security issues and that the company hired had stated a permit was not required. The petitioner had stated that there are other nearby properties that also have coated chain link fences. J. Marvin confirmed that to be accurate.

The commission asked questions as to the work having been done without applying for a permit, corner sideyard setback requirements, and responsibility for pulling permits being the responsibility of both the property owner and the company hired to install.

Public Commentary

T. Roswick opened the floor to public commentary.

Robert Humann of 433 Brice Avenue was sworn in. He stated that he was in full support of the application and feels the fence adds value to the nearby properties.

Michelle Kainovic of 848 McKinley was sworn in. She stated that she is also in full support of the application.

Duane Christensen of 858 Lange Street was sworn in. He also stated that he was in full support of the application.

T. Roswick closed the floor to public commentary.

Commission Discussion

The commission shared a dislike of approving applications that did not apply for permits after the fact. However, after discussing the unique physical characteristics, it was found the the lack of permit was a separate issue from the land based hardships of the case. K. Garesche shared that residents come forward frequently for not meeting compliance and that is a separate issue in this case.

K. Teehan moved, seconded by K. Garesche, a **Motion** to recommend approval of a Variation to Section 20.52.050(G)(2)(d)(v) regarding a coated chain link fence located within the required corner side yard setback at the property located at 445 Brice Avenue, Mundelein, Illinois, including the Findings of Fact as presented.

RESULT:	Passed [Yes 4, No 0, Abstained 0]
MOVER:	Commissioner K. Teehan
SECONDER:	Commissioner K. Garesche
AYES:	T. Roswick, K. Anderson, K. Garesche, K. Teehan
NAYS:	None
ABSTAIN:	None

Close Public Hearing

K. Teehan moved, seconded by K. Anderson, a **Motion** to close Public Hearing PZ2025-0040.

RESULT:	Passed [Yes 4, No 0, Abstained 0]
MOVER:	Commissioner K. Teehan

SECONDER: Commissioner K. Anderson
AYES: T. Roswick, K. Anderson, K. Garesche, K. Teehan
NAYS: None
ABSTAIN: None

QUESTIONS AND COMMENTS

There were no further questions or comments.

ADJOURNMENT

Adjourn the Planning and Zoning Commission Meeting

K. Garesche moved, seconded by K. Teehan, a **Motion** to adjourn the Planning and Zoning Commission Meeting of January 7, 2026.

RESULT: Passed [Yes 4, No 0, Abstained 0]
MOVER: Commissioner K. Garesche
SECONDER: Commissioner K. Teehan
AYES: T. Roswick, K. Anderson, K. Garesche, K. Teehan
NAYS: None
ABSTAIN: None

The Meeting was adjourned at 7:33 PM

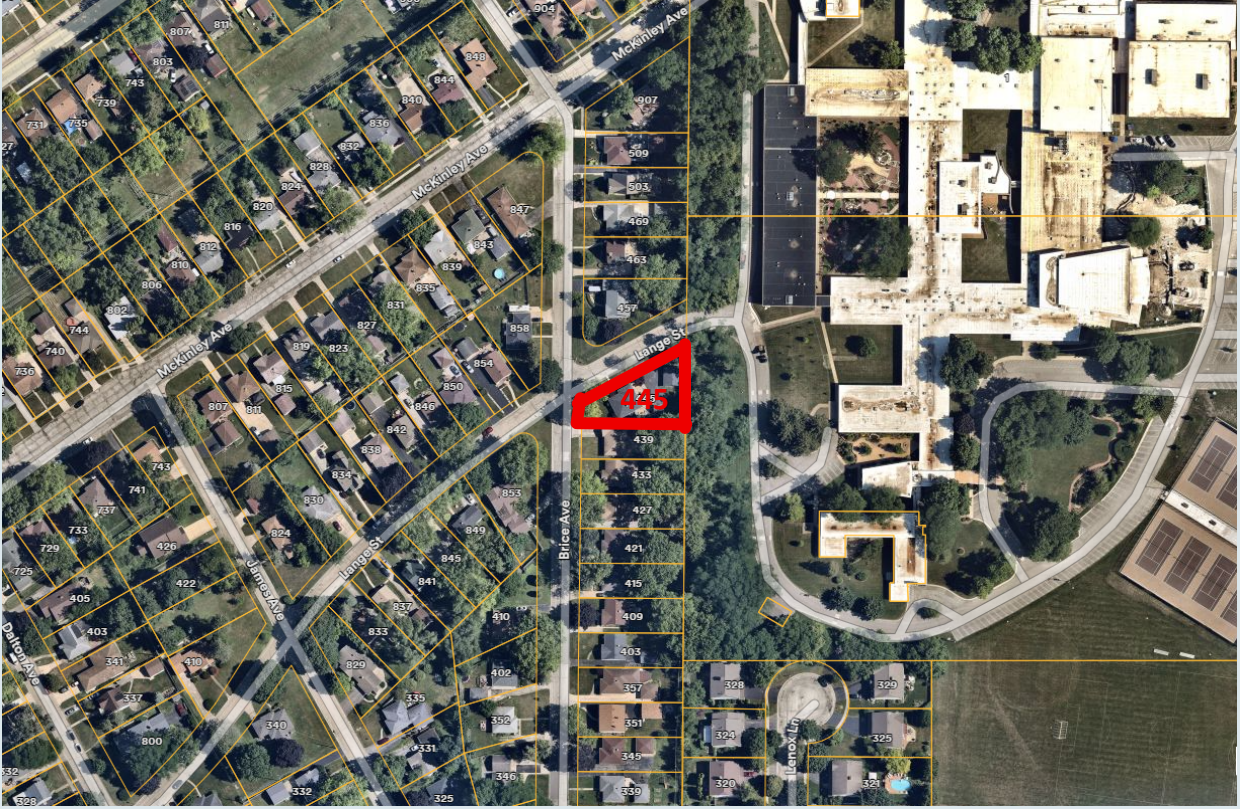
Erin Swanson

Erin Swanson, Recording Secretary

Village Staff Overview: 445 Brice Avenue

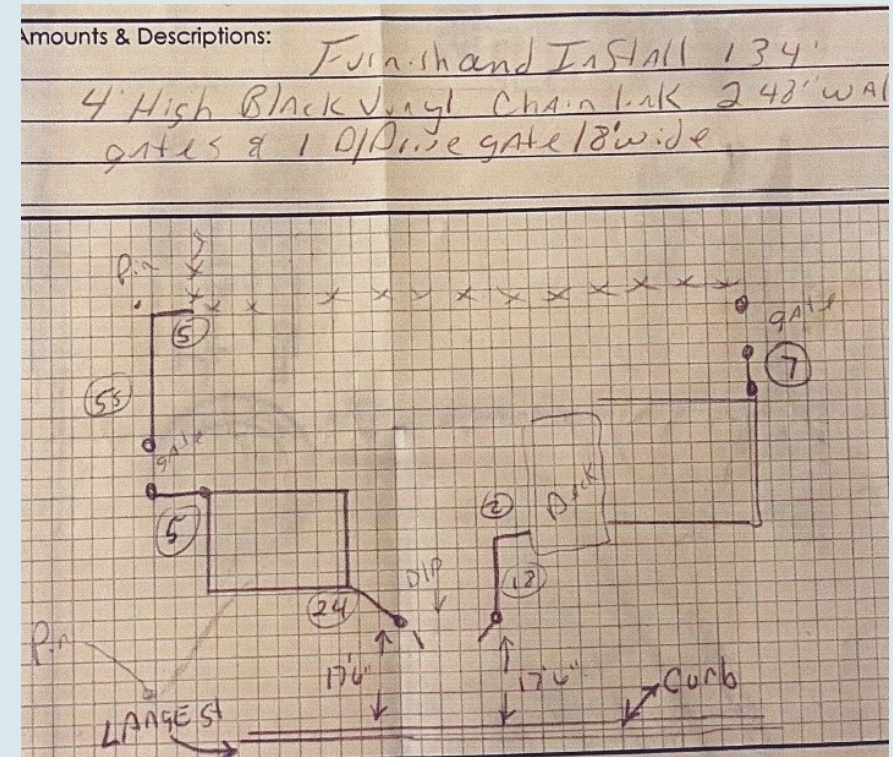
January 7, 2026

445 Brice Avenue



Background

- **September 2023 – April 2024:** A 4-foot black coated chain-link fence was installed within the required corner side yard setback at 445 Brice Avenue without a permit.
- **October 2025:** The Petitioner received a code enforcement violation.
- The fence is located approximately 2.6 feet from the corner side yard property line, encroaching 7.4 feet into the required 10-foot corner side yard setback.
 - Additionally, coated chain link fencing is not permitted within the required corner side yard setback.





Zoning Request

- Section 20.52.050(G)(2)(d)(v) establishes the permitted fence materials and limits coated chain link fencing to rear and interior side yards only.
- The Petitioner is requesting a variation from this section to allow the existing coated chain link fence to remain within the required 10-foot corner side yard setback.

Comprehensive Plan

- The Comprehensive Plan encourages preserving the character of existing single-family residential neighborhoods of the Village. The proposed addition is in character with the surrounding residential neighborhood and is proportionate to the size of the lot.

Analysis: Neighborhood Density and Character

- Zoned R-3 Single-Family Residential
 - Intended to accommodate moderate-density single-family neighborhoods in older areas of the Village.
- Multiple homes (12) in the Fair-Haven subdivision are situated on triangular or rounded corner lots, differing from the typical rectangular configuration.

Fair-Haven Subdivision





Analysis: Impact on Neighboring Properties

- **Property Location:** Bordered by single-family homes on three sides and Carmel Catholic School on the east.
- **Corner Side Yard Fence:** The Petitioner could have installed a fence up to 4 feet tall, using an open style and an approved material.
 - Permitted fence materials include treated wood, simulated wood, decorative brick or stone, wrought iron or simulated wrought iron, and vinyl; coated chain-link fencing is not allowed.
- **Existing Fence:** In place for over a year; Code Enforcement Officer has received no complaints.



Analysis: Zoning Ordinance Intent

- Staff is of the opinion that the requested variation respects the spirit and intent of the Zoning Ordinance.
- The purpose of the minimum corner side yard setback requirement is to **discourage construction near the corner property line**, thereby protecting neighboring properties from potential adverse impacts associated with structures, while also **prioritizing traffic and pedestrian safety and visibility**.
- In this case, the existing chain link fence encroaches 7.4 feet into the required 10-foot corner side yard setback. However, the property benefits from a deep right-of-way measuring approximately 15 feet from the Petitioner's corner side property line to Lange Street, **and the fence is located 17.6 feet from the Lange Street curb**.

Standards for Granting a Variation

1. No variation from the provisions of this Ordinance shall be granted unless the Zoning Administrator, Planning and Zoning Commission and Village Board makes specific written findings based on the standards imposed by this section. These standards are as follows:

1. The strict application of the terms of this Ordinance will result in undue hardship.
2. The plight of the owner is due to unique circumstances.
3. The variation, if granted, will not alter the essential character of the locality.

2. The Zoning Administrator, Planning and Zoning Commission and Village Board, in making its findings, may inquire into the following evidentiary issues, as well as any others deemed appropriate:

1. The particular physical surroundings, shape or topographical conditions of the specific property impose a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.
2. The alleged difficulty or hardship has not been created by any person presently having a proprietary interest in the property in question.
3. The granting of the variation will not be detrimental to the public welfare in the neighborhood in which the property is located.
4. The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, increase the danger of fire, endanger the public safety or impair property values within the neighborhood.
5. The proposed variation is consistent with the spirit and intent of this Ordinance and Village land use policies.
6. The value of the property in question will be substantially reduced if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located.

Questions?

Erin Swanson

From: Christopher Anderson <c.m.ander25@gmail.com>
Sent: Tuesday, January 6, 2026 6:36 PM
To: Planning
Subject: EXTERNAL -Public commentary, Case # PZ2025-0040

Caution: This message originated outside of the Village of Mundelein -- DO NOT CLICK on links or open attachments unless you are sure the content is safe. If you have any doubt, contact the sender by phone to confirm.

To whom it may concern:

My name is Christopher M. Anderson, and I am reaching out to provide commentary regarding case # PZ2025-0040. I live at 469 Brice Ave, Mundelein, IL, which is two houses to the north of Daniel Coleman's residence at 445 Brice Ave.

I am fully in favor of the village allowing the variation from section 20.52.050(G)(2)(d)(v).

Prior to being aware that there was even an ordinance regarding chain link fences, I would think to myself while passing by Dan and Ashley's property that their fence looks great. I've been told by other people in the area that they think the same thing. The fence, if anything, improves the appearance of their property and suits the layout. Frankly, the execution of this particular application makes me question why the ordinance even exists. That is all.

Sincerely,

Chris Anderson

FINDINGS OF FACT – 445 BRICE AVENUE

1. Variation – Fence Encroachment

CASE NUMBER	PZ2025-0040
PUBLIC HEARING DATE	January 7, 2026
VARIATION	A variation from Section 20.52.050(G)(2)(d)(v) regarding a chain link fence located within the required corner side yard setback.
DRAFT MOTION	<u>Motion</u> by K. Teehan, second by K. Garesche to approve the Findings of Fact as published for a variation from Section 20.52.050(G)(2)(d)(v) regarding a chain link fence located within the required corner side yard setback at 445 Brice Avenue, Mundelein, IL.

On January 7, 2026, the Planning and Zoning Commission voted 4 - 0 for **approval** of a variation from Section 20.52.050(G)(2)(d)(v) regarding a chain link fence located within the required corner side yard setback in the R-3 Residential Zoning District at the property located at 445 Brice Avenue, Mundelein, Illinois.

No variation from the provisions of this Ordinance shall be granted unless the Zoning Administrator, Planning & Zoning Commission, and Village Board makes specific written findings based on the standards imposed by this section. These standards are as follows:

1. The strict application of the terms of this Ordinance will result in undue hardship;

The strict enforcement of this Ordinance would place an undue burden on the Petitioner, as the residence is situated on a triangular corner lot that differs from the typical rectangular configuration. Additionally, the subject property includes a deep right-of-way measuring approximately 15 feet from the Petitioner’s corner side property line to Lange Street.

2. The plight of the owner is due to unique circumstances;

The property is subject to unique circumstances, as the residence is located on a triangular corner lot and the property includes a deep right-of-way of approximately 15 feet from the corner side property line to Lange Street.

3. The variation, if granted, will not alter the essential character of the locality;

The variation will not alter the essential character of the locality, as the subject property includes a deep right-of-way measuring approximately 15 feet from the Petitioner’s corner side property line to Lange Street, and the fence is located approximately 17.6 feet from the Lange Street curb.

The Zoning Administrator, Planning & Zoning Commission, and Village Board, in making its findings, may inquire into the following evidentiary issues, as well as any others deemed appropriate.

1. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship or difficulty to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.

The Commission finds that there is hardship attributable to the shape, surroundings, and topographical conditions of the property.

2. The alleged difficulty or hardship has not been created by any person presently having a proprietary interest in the property in question.

The Commission finds that the Petitioner has successfully demonstrated that the requested variation was not caused by any person currently holding a proprietary interest in the Subject Property.

3. The granting of the variation will not be detrimental to the public welfare in the neighborhood in which the property is located.

The Commission finds that the granting of the requested variation will not be detrimental to the public welfare in which the property is located, as the fence is located 17.6 feet from the corner side property line to Lange Street.

4. The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, increase the danger of fire, endanger the public safety, or impair property values within the neighborhood.

The proposed variation will not impair an adequate supply of light and air to adjacent property, substantially increase congestion in the public streets, increase the danger of fire, endanger the public safety, or impair property values within the neighborhood.

5. The proposed variation is consistent with the spirit and intent of this Ordinance and Village land use policies.

The Commission finds that the proposed variation is consistent with the spirit and intent of this Ordinance and Village land use policies as the corner side yard setback restrictions are intended to discourage construction near the corner property line, thereby protecting neighboring properties from potential adverse impacts associated with structures.

6. The value of the property in question will be substantially reduced if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located.

The value of the property in question could be substantially reduced if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located, as it limits the amount of fencible yard area.