

BEFORE THE ZONING BOARD OF APPEALS  
GLENWOOD VILLAGE HALL  
GLENWOOD, ILLINOIS

IN RE: )  
 )  
 )  
 Public Hearing to Consider a )  
 Residential Three Tier, Seven )  
 Foot Fence, )  
 )  
 and )  
 )  
 Public Hearing to Allow )  
 A Text Amendment to )  
 Article 4, Section 4.05.D.11.a. )  
 )  
 Petitioner: )  
 )  
 Diane DuBois. )

The Hearing in the above-entitled matter taken before RENEE C. KERR, Certified Shorthand Reporter, in the State of Illinois, County of Cook, at Glenwood Village Hall, One Asselborn Way, Glenwood, Illinois, at 5:30 p.m., on Thursday, October 24, 2019.

Reported By: Renee C. Kerr  
 License Number: 084-001508

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BOARD MEMBERS PRESENT

- Chairman Allen Scampini
- Howard Swacker
- Nanette Drisi
- Rick Miller
- William Miller

ALSO PRESENT:

- Ms. Carolyn D. Williamson
- Inspectional Services
- Village of Glenwood
- 708.753.2416

1 CHAIRMAN SCAMPINI: The meeting is  
2 called to order at 5:30 p.m.

3 We will do a roll call.

4 MR. SWACKER: Here.

5 MS. DRISI: Here.

6 MR. RICK MILLER: Here.

7 MR. WILLIAM MILLER: Here.

8 ALLEN SCAMPINI: Here.

9 This is everybody, all the Board  
10 members.

11 Ms. DuBois, would you want to  
12 tell us what you want to do in your yard?

13 MS. DUBOIS: Yes, yes.

14 You have all seen the property.  
15 I decided about six years ago that my way of  
16 going green would be to get rid of the  
17 lawnmower so instead of grass I have rock.

18 This fence I am proposing would  
19 be between my house and the house to the  
20 south. It is in keeping with the concept that  
21 I have for the front and back and side yards.

22 Because it is so open at the  
23 top, which is something that I really like, I  
24 am requesting that I be allowed to make the

1 fence seven feet high.

2 CHAIRMAN SCAMPINI: Now in the  
3 picture I am looking at, it's not a solid  
4 fence at the top. It is more of a design --  
5 is that the last two feet or one foot?

6 MS. DUBOIS: I think about the last  
7 20 inches.

8 MR. RICK MILLER: So, in other words,  
9 the privacy part of the fence is about six  
10 feet.

11 MS. DUBOIS: Yes.

12 MR. RICK MILLER: And the open part  
13 above and beyond that would be another foot.

14 MS. DUBOIS: Yes.

15 And, if possible, I would like  
16 the posts, the vertical posts that has some  
17 detail on it to be a little above -- maybe six  
18 inches above the horizontal beam, which would  
19 be at seven.

20 CHAIRMAN SCAMPINI: So the beam going  
21 across the seven and the decorative post just  
22 goes -- okay.

23 I just want to know what we are  
24 looking at here.

1                   This is a picture of the fence  
2 that is actually on the north side of the  
3 backyard.

4                   MS. DUBOIS: This will go on the  
5 south side.

6                   CHAIRMAN SCAMPINI: Right, but the  
7 picture is of the other side of the yard?

8                   MR. RICK MILLER: Or is this just an  
9 example of the fence?

10                  MS. DUBOIS: It is an example of the  
11 fence.

12                  CHAIRMAN SCAMPINI: You don't have  
13 this fence already, do you?

14                  MS. DUBOIS: No.

15                  CHAIRMAN SCAMPINI: You are just  
16 putting it on the south side?

17                  MS. DUBOIS: Exactly.

18                  CHAIRMAN SCAMPINI: From the looks of  
19 it from the drawing, it stretches from the  
20 front of the house to the front of the garage;  
21 is that right?

22                  MS. DUBOIS: It is the side of the  
23 garage. It is 80 feet, which is about halfway  
24 the length of the garage; and, the reason for

1 that is that I have bushes that start there.  
2 So the fence will go up to the bushes.

3 CHAIRMAN SCAMPINI: Which are right  
4 in the middle of the side of the garage?

5 MS. DUBOIS: Yes.

6 CHAIRMAN SCAMPINI: Because what was  
7 colored on the picture, it looked like the  
8 front of the garage.

9 MR. SWACKER: She has a colored  
10 picture of it.

11 CHAIRMAN SCAMPINI: Yes. What I was  
12 talking about is here, the drawing that was  
13 marked --

14 MS. DUBOIS: Yes. It is 80 feet. So  
15 that comes to the bushes.

16 MR. WILLIAM MILLER: Does that extend  
17 beyond the front of the house?

18 MS. DUBOIS: No.

19 CHAIRMAN SCAMPINI: It extends beyond  
20 the front of the garage.

21 MR. RICK MILLER: It is in the back;  
22 not across the front.

23 CHAIRMAN SCAMPINI: Any questions for  
24 from Board?

1                   Okay. Thank you.

2                   I have to address people here.

3 Does anyone have any comments?

4                   MS. DUBOIS: Can I do this detail  
5 higher than seven feet, the vertical?

6                   MR. RICK MILLER: Is there a reason  
7 why it has to be at seven feet? I mean, why  
8 can't it be at six feet?

9                   MR. SWACKER: It is the aesthetics?

10                  MS. DUBOIS: Right.

11                  MR. RICK MILLER: So it would be  
12 considered a seven foot fence though.

13                  CHAIRMAN SCAMPINI: Yes. Even though  
14 this is just a design?

15                  MR. RICK MILLER: Right.

16                  CHAIRMAN SCAMPINI: Sir, did you have  
17 any comments, or --

18                  MR. JAYSON BROOKS: No.

19                         Actually, I want to build  
20 something similar to what she's having so I am  
21 trying to get an idea of what is about to  
22 happen.

23                  CHAIRMAN SCAMPINI: If there is no  
24 comments from the audience, I am ready to hold

1 a vote.

2 MR. RICK MILLER: Can I make another  
3 comment though?

4 CHAIRMAN SCAMPINI: Sure.

5 MR. RICK MILLER: The reason why you  
6 are here is the ordinance states that the top  
7 footage of a fence would be six feet. That  
8 would be it. So that's why you are here  
9 because you are asking for the extra foot.

10 I have to be point-blank. If we  
11 approve a seven foot fence for you, then I  
12 have to approve the seven foot fence for you  
13 and the next person that walks through this  
14 door.

15 I can't pick and choose. I  
16 don't feel comfortable. That is part of the  
17 reason why we went to the six foot fence in  
18 the first place.

19 MR. SWACKER: We are not approving  
20 this as a set ordinance so --

21 MR. RICK MILLER: I understand. It's  
22 a variance for the ordinance.

23 MR. SWACKER: You still have to go to  
24 the neighbors around you to get it.

1           CHAIRMAN SCAMPINI: My question is  
2 could you say this would be a six foot fence  
3 with decorative --

4           MR. RICK MILLER: That's what I was  
5 asking you.

6           MS. DUBOIS: Aesthetics?

7           CHAIRMAN SCAMPINI: Aesthetics is not  
8 a good word for the Zoning Board.

9           MR. RICK MILLER: I live, obviously,  
10 here in Glenwood, and I really don't want to  
11 see a seven, or eight, or nine foot fences  
12 going up. I mean, that's crazy. It would  
13 look terrible, and it opens up a whole can of  
14 worms.

15                   Your fence is beautiful -- don't  
16 get me wrong -- and your yard is gorgeous. I  
17 drive by it every day when I take my grandson  
18 to school. It is just totally gorgeous. I  
19 don't want to deny that, but looking at the  
20 whole picture, it is -- it is opening up a can  
21 of worms. So I don't know if we can reword  
22 it, or --

23           MR. SWACKER: We are not approving it  
24 as an overall ordinance like we did the six

1 foot fence. So if I wanted to come in and put  
2 up a seven foot fence and my neighbors within  
3 a hundred feet around me said no, I would be  
4 denied because my neighbors rejected it.

5 CHAIRMAN SCAMPINI: Well, a public  
6 hearing is being held in order to allow a text  
7 amendment to the Article in order to allow  
8 certain styles of six foot fence with -- six  
9 foot fence is the text amendment.

10 MR. SWACKER: We could approve one  
11 and not approve two, the way I see it. Maybe  
12 I am reading it wrong.

13 I don't want to give a general  
14 ordinance because I agree with Rick. If I  
15 wanted to put a seven foot privacy fence up  
16 that blocks everyone around me, that would be  
17 horrible.

18 I mean, if this goes up as a  
19 seven foot fence, we have a man right here who  
20 is interested in putting up a seven foot  
21 fence, and I'm not knocking you. Don't get me  
22 wrong. It is just -- it still comes down to  
23 she had to submit registered letters to all of  
24 her neighbors to get the approval. So I don't

1 want to change the ordinance and wave a magic  
2 wand and say seven foot fences are approved  
3 all around. I don't want to do that.

4 CHAIRMAN SCAMPINI: Do you want to  
5 approve it as a special use, special  
6 variance?

7 MR. SWACKER: I will go back to my  
8 garage, if you have seen it. I've got a two  
9 story barn in the backyard. I had to get a  
10 special variance to be able to build that  
11 barn.

12 It took me three years to do it,  
13 but --

14 CHAIRMAN SCAMPINI: Come up and state  
15 your name, please, sir.

16 MR. BROOKS: Jayson Brooks, 620 North  
17 Longwood Court.

18 The Village does not have any  
19 specific ordinance on arbors or trellises,  
20 whether it is attached or detached.

21 When I did my original  
22 submission, it was submitted as a fence, but  
23 what I wanted wasn't actually a fence. It was  
24 a trellis, something like a gazebo, which

1 would fall into that category. It could be  
2 attached or detached. There is no height  
3 restriction on that.

4 Just looking at hers, would that  
5 be considered an attached trellis to the  
6 fence?

7 CHAIRMAN SCAMPINI: To me it's a  
8 decorative adornment to a six foot fence.

9 MR. BROOKS: Is that considered a  
10 trellis or an adornment?

11 CHAIRMAN SCAMPINI: Do we want to  
12 word it as we allow decorative additions to  
13 the six foot fence?

14 MR. SWACKER: It should be on a base  
15 by base, case by case.

16 MR. BROOKS: If it was detached from  
17 the fence and maybe sat in front of the fence  
18 so it's not a part of the fence now, but it's  
19 not a fence now, just a decorative trellis  
20 that is alongside the fence itself.

21 MR. RICK MILLER: In my idea, you're  
22 opening a can of worms. Decorative could be  
23 hardware, cloth, barbed wire, chicken wire.  
24 That's decorative to me.

1           MR. SWACKER: With Rick's theory on  
2 it, the neighbor right behind me, he went in  
3 his backyard, and he built himself an eight  
4 foot enclosure in his backyard, but it's all  
5 fence, and it is inside the fence area.

6           So if she wanted to go two feet  
7 inside her existing fence and put this up,  
8 it's not a fence. It is a trellis at this  
9 point. It's a design at this point.

10          MS. DRISI: If it's not a fence, what  
11 is it, a structure?

12          CHAIRMAN SCAMPINI: I have no problem  
13 with this, but I want to know how to word it  
14 so we don't open it up for seven foot fences.

15          MR. RICK MILLER: Well, the second  
16 one is allowing the six foot fences --

17          CHAIRMAN SCAMPINI: We did that  
18 already.

19          MR. RICK MILLER: So a person can put  
20 up -- all they need to do is get a building  
21 permit and put up their six foot fence.

22          MR. SWACKER: It still falls down  
23 to -- I don't think that is considered a fence  
24 because you are not seeing through it; you

1 can't block anything with it. It is just an  
2 adornment that is one foot above it. It is  
3 just an adornment one foot above it.

4 CHAIRMAN SCAMPINI: I am saying we  
5 have a request here for a text amendment.  
6 That is different than just a one time  
7 allowance.

8 Tell me how to word it, and I  
9 will word it.

10 MR. SWACKER: Well, we have a  
11 variance. It used to be when we wanted a six  
12 foot fence we had to get a variance for a six  
13 foot fence. Seven foot fence would be on a  
14 variance.

15 CHAIRMAN SCAMPINI: I will entertain  
16 a motion allowing seven foot fence on -- as a  
17 variance on a one by one vertical fence --

18 MR. SWACKER: On a case by case  
19 basis.

20 Because, remember, Rick, it used  
21 to be --

22 MR. RICK MILLER: I understand  
23 exactly what you are talking about. It is  
24 just that I go back sitting back in the days

1 of Asselborn, and we had to meet for six foot  
2 fences.

3           You can have a six foot fence,  
4 but you can't have a six foot fence; maybe you  
5 can have a six foot fence. I don't feel  
6 comfortable doing that at all.

7           MS. DRISI: I don't either.

8           MR. RICK MILLER: If we get language  
9 in there that a seven foot fence has been put  
10 in, somebody is going to want to come in and  
11 put in a seven foot fence because they have a  
12 pit bull next door that climbs a six foot  
13 fence. So I want a seven foot fence.

14           MR. SWACKER: You have to get a  
15 variance in order to do it, and in order to  
16 get a variance you have to get permission from  
17 all your neighbors within 100 feet of you.  
18 And if your neighbors say no, then it's no.  
19 That's how a variance works.

20           MR. RICK MILLER: I understand what  
21 you are saying.

22                   How many answers from your  
23 neighbors did we get, and how many were  
24 contacted? Three?

1 MS. DUBOIS: I contacted six. Two  
2 are women who live alone and they don't answer  
3 the door; and, then a third couple, they are  
4 gone all day, and I asked the wife about it,  
5 and she didn't have any idea about whether or  
6 not they had received it.

7 MR. SWACKER: That is the purpose of  
8 the variance is to be able to allow something  
9 here and there and not a general rule across  
10 the board.

11 My barn is a variance, but you  
12 are not going to get to build a barn in your  
13 backyard, so we put it in as a variance.

14 MS. DRISI: Does there have to be a  
15 need for doing that kind of thing?

16 CHAIRMAN SCAMPINI: This one here is  
17 just so you can keep the feeling of the yard  
18 together.

19 MR. RICK MILLER: Can it be called  
20 something other than a fence?

21 MR. SWACKER: It is an adornment; a  
22 variance to an adornment to a six foot fence.

23 MR. RICK MILLER: Like I said, in  
24 this case, I don't have a problem with it at

1 all, but we may get somebody here who wants to  
2 put a seven foot fence around their entire  
3 yard because they want to fence themselves in  
4 big time. Then here comes someone with the  
5 eight foot fence and on and on.

6 MR. SWACKER: I know what you are  
7 talking about because when I brought Greses  
8 (pphonic) old house, and he was allowed to  
9 put that fence completely around the house  
10 except for the front door. So there was a six  
11 foot, falling down, privacy fence. I agree  
12 with you.

13 MS. DUBOIS: I chose this design  
14 because of the open spaces.

15 MR. RICK MILLER: I understand, and  
16 it is beautiful, and the open spaces I  
17 understand, but it is still going down as a  
18 fence.

19 CHAIRMAN SCAMPINI: I don't have a  
20 problem with this, but I want to know how to  
21 word it so we don't get inundated with seven  
22 foot fences.

23 MR. SWACKER: If you get a variance,  
24 it has to be voted on. It has to be approved

1 by the neighbors --

2 CHAIRMAN SCAMPINI: Not approved by  
3 the neighbors. The neighbors can dispute it,  
4 but the public hearing was called for a text  
5 amendment.

6 How do we word a text amendment  
7 that the seven foot fence is more of a design  
8 factor than a fence?

9 MR. SWACKER: I would put in a seven  
10 foot variance created for a decorative  
11 adornment.

12 MS. DRISI: What is the need for  
13 seven feet?

14 CHAIRMAN SCAMPINI: She is just  
15 trying to make it fit into the yard with all  
16 the --

17 MR. SWACKER: I am six foot tall. I  
18 can look over a six foot fence, and she wants  
19 an adornment above it.

20 MS. DRISI: You can look through it.

21 MR. SWACKER: Remember whatever we do  
22 can be overturned by the Village Board, too.

23 MR. RICK MILLER: Her yard is  
24 gorgeous. I don't know whether you have seen

1 it or not, but it is beautiful. And I can  
2 understand it. It will enhance it. It is  
3 really beautiful, but I have to kind of look  
4 at the big picture, too.

5 Right now it is kind of  
6 clouded.

7 MS. DUBOIS: Would the word screen  
8 work?

9 MR. RICK MILLER: It is like a  
10 screen.

11 MS. DUBOIS: It is more like a screen  
12 than it is opaque.

13 MR. SWACKER: Do you have an existing  
14 fence on that side already?

15 MS. DUBOIS: No.

16 MR. SWACKER: No fence at all?

17 MS. DUBOIS: No.

18 (Brief pause.)

19 CHAIRMAN SCAMPINI: Kevin feels we  
20 can do it as a variance. We will just make a  
21 variance with this address to allow this  
22 design fence.

23 MR. SWACKER: This is approved by the  
24 Board and technically by the neighbors

1 around.

2 CHAIRMAN SCAMPINI: Does this have to  
3 go through the regular Board?

4 MR. SWACKER: It always does.

5 CHAIRMAN SCAMPINI: We need a  
6 recommendation.

7 MR. SWACKER: We recommend this  
8 variance be approved for this address. The  
9 address is --

10 CHAIRMAN SCAMPINI: Say the address  
11 and make your motion.

12 MR. SWACKER: I make a motion that we  
13 approve a variance for 242 North Gay Court to  
14 allow the decorative adornment at seven foot.

15 WILLIAM MILLER: Yes.

16 RICK MILLER: Yes.

17 MR. SWACKER: Yes.

18 MS. DRISI: Yes.

19 CHAIRMAN SCAMPINI: Yes. Five,  
20 zero. Any other problems before the Board?  
21 Hearing none, I entertain a motion to  
22 adjourn.

23 MR. RICK MILLER: I move that we  
24 close.

1 MR. SWACKER: I second that. Yes.

2 MS. DRISI: Yes.

3 MR. RICK MILLER: Yes.

4 MR. WILLIAM MILLER: Yes.

5 CHAIRMAN SCAMPINI: Yes. Meeting is  
6 closed.

7 MR. SWACKER: Understand the Village  
8 Board has to approve our recommendation, or  
9 they can decline it.

10 MS. DUBOIS: So I will get a letter?

11 MR. SWACKER: I don't know if you get  
12 a letter or not. Watch the Village Board  
13 postings in the main lobby, and you will see  
14 when you are going to be on the agenda.

15 (Meeting adjourned at 6:00 p.m.,  
16 on Thursday, October 28, 2019.)

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