



MINUTES OF THE ZONING BOARD OF APPEALS

**VILLAGE OF TINLEY PARK,
COOK AND WILL COUNTIES, ILLINOIS**

HELD MARCH 14, 2013

The regular meeting of the Zoning Board of Appeals was held in the Kallsen Conference Center of the Village Hall on March 14, 2013.

ROLL CALL

Present and responding to roll call were the following:

Zoning Board Chair:	Sam Cardella
Zoning Board Members:	Ed Barta Patrick Conway Dave Samuelson Tom Hanna
Absent Zoning Board Members:	Michael Krause Jerry Radecky
Zoning Board Secretary:	Reem Hamden
Village Staff:	Amy Connolly, Planning Director Matt Panfil, AICP, Village Planner

CALL TO ORDER

Chairman Cardella called the meeting to order at 7:30 p.m.

APPROVAL OF MINUTES

Minutes of the January 24, 2013 Zoning Board of Appeals Meeting were presented for approval. A motion was made by BOARD MEMBER SAMUELSON, and seconded by BOARD MEMBER BARTA, to approve the minutes of January 24, 2013 as presented.

AYE: Board Members Patrick Conway, Dave Samuelson, Tom Hanna, Ed Barta, and Chairman Sam Cardella

NAY: None

ABSENT: Board Members Michael Krause and Jerry Radecky

THE MOTION WAS APPROVED UNANIMOUSLY by roll call; **CHAIRMAN CARDELLA** declared the motion approved.

TO: THE VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES
FROM: THE VILLAGE OF TINLEY PARK ZONING BOARD OF APPEALS
SUBJECT: THE MINUTES OF THE MARCH 14, 2013 MEETING
ITEM #1: CASE #Z-02-13 PUBLIC HEARING: MARK E. WILLIAMS – 9335 ETHYL LANE – SIDE YARD SETBACK AND MAXIMUM GARAGE FLOOR AREA VARIATIONS
GUEST(S): MARK WILLIAMS, 9335 ETHYL LANE
MIKE HUDAK, DELMAR BUILDERS

A Public Hearing was held on March 14, 2013 by the Zoning Board of Appeals to consider recommending that the Village Board grant the following variations: (1) a 2.1-foot variation to allow for a 2.9-foot side yard setback where a 5-foot side yard setback is required for an accessory structure (detached garage); and (2) a 259-square-foot variation to allow for a 979-square-foot accessory structure (detached garage) where a 720-square-foot garage is the maximum allowed. Both are at 9335 Ethyl Lane, zoned R-2 Single Family Residential and within the Tinley Gardens Subdivision.

Chairman Cardella administered the Oath to the Petitioner Mark E. Williams and confirmed with Mr. Panfil that the Public Notice had been sent to the surrounding neighbors.

Present and responding to roll call were the following:

Zoning Board Chair:	Chairman Sam Cardella
Zoning Board Members:	Patrick Conway Dave Samuelson Tom Hanna Ed Barta
Absent Zoning Board Members:	Michael Krause Jerry Radecky
Zoning Board Secretary:	Reem Hamden
Village Staff:	Amy Connolly, Planning Director Matt Panfil, AICP, Village Planner

DISCUSSION:

Petitioner Mark Williams (9335 Ethyl Lane) addressed the Zoning Board of Appeals at the request of Chairman Sam Cardella.

WILLIAMS: The request originated from a fire that damaged the garage. It was on the outside of the garage. I am trying to retain the property value of the house.

CARDELLA: Are you making any changes?

WILLIAMS: I am trying to rebuild what was damaged. I am not changing anything.

CARDELLA: So you are replacing what was there, correct?

WILLIAMS: Correct.

CARDELLA: You are not making any other changes?

WILLIAMS: No, I'm not. I'm building it to exactly what it was.

CARDELLA: Commissioner Samuelson, do you have any questions?

SAMUELSON: I was reviewing the findings of fact. Are you replacing the entire foundation or a part of it?

WILLIAMS: My builder can better address that question.

HUDAK: I'm Mike Hudak with Delmar Builders. I am Mr. Williams's contractor. The concrete slab foundation is going to be salvaged. The rest of the structure has to come down due to the fire.

SAMUELSON: Are the materials similar to the former garage materials?

HUDAK: Yes.

SAMUELSON: No businesses will be running out of the garage?

WILLIAMS: I do regular maintenance on my car, that's about it.

SAMUELSON: That's a personal matter. What is the garage height?

HUDAK: It will match the original garage. I believe eight feet.

SAMUELSON: It won't be taller than fifteen feet, correct?

HUDAK: No.

SAMUELSON: I'm assuming Dottie Kirwan is one of your neighbors; she's at 9329 Ethyl Lane. She is to your west.

WILLIAMS: I don't know their name, but possibly.

SAMUELSON: They signed the Petition; that's why I was asking. As part of the package that we received from Staff, the neighbors signed a Petition indicating they had no issues with the garage being built.

WILLIAMS: The only two I did not talk to was a police officer and detective that were not home.

SAMUELSON: A lot of people in the neighborhood signed that they did not have a problem with it. It appears your neighbors on Ethyl Lane and Lenore didn't have any issues and they would be the most affected. I don't see any issues. Is there any flooding?

WILLIAMS: No.

SAMUELSON: Are there drainage issues? Will it be looked at during the building permit process?

PANFIL: That will be looked at during permitting. There was no initial response from Public Works on any flooding issues.

SAMUELSON: That's all I have, sir.

CARDELLA: Commissioner Conway?

CONWAY: Commissioner Samuelson covered most of my concerns. Any questions I had have already been answered. I would echo this comment. You have an impressive list of neighbors that have no problem with this Petition. Your findings of fact are in order as far as I'm concerned.

CARDELLA: Commissioner Hanna?

HANNA: I'd have to echo the same answer. My only concern I had was whether it was going to be the same type of garage and if the same material will be used and not exceed the maximum height.

WILLIAMS: I'm just looking to replace what was there. I'm not doing anything different.

HANNA: Commissioner Samuelson did a good job.

SAMUELSON: Thank you, I appreciate that.

CARDELLA: Commissioner Barta?

BARTA: How long ago was the old garage built?

WILLIAMS: I'm not sure. I purchased the house in 2003, and it already existed. Prior to that, I'm not sure. It was before Tinley Park annexed the area.

CARDELLA: Would anyone else care to speak? If not, a motion would be in order.

MOTION WAS MADE BY BOARD MEMBER SAMUELSON: Consider recommending to the Village Board to grant: (1) a 2.1-foot variation from the required five- (5) foot side yard setback for an accessory structure (Section III.I.1.e of the Zoning Ordinance) to allow for a 2.9-foot side yard setback for an accessory structure at the western property line; (2) a 259-square foot variation from the required maximum 720-square foot floor area for an accessory structure (Section III.I.2.b) to allow for a 979-square foot garage, with the condition that the garage will not exceed (15) fifteen feet in height to the peak of the roof, for the property located at 9335 West Ethyl Lane, zoned R-2 Single Family Residential and within the Tinley Gardens Subdivision.

The motion was seconded by BOARD MEMBER HANNA.

AYE: Board Members Patrick Conway, Dave Samuelson, Tom Hanna, Ed Barta, and Chairman Sam Cardella

NAY: None

ABSENT: Board Members Michael Krause and Jerry Radecky

THE MOTION WAS APPROVED UNANIMOUSLY by roll call; CHAIRMAN CARDELLA declared the motion approved.

BARTA: I would like to include the reason why you are getting this oversized garage is because it's grandfathered in, and you are putting in exactly the same as what was burnt. If you change it in any way, then this would not be approved.

A motion is needed to close Public Hearing #1 at 7:42 p.m.

Motion to close Public Hearing #1 was made by BOARD MEMBER BARTA.

Motion SECONDED by BOARD MEMBER HANNA.

THE MOTION WAS APPROVED UNANIMOUSLY by roll call; CHAIRMAN CARDELLA declared the motion approved.

TO: THE VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES
FROM: THE VILLAGE OF TINLEY PARK ZONING BOARD OF APPEALS
SUBJECT: THE MINUTES OF THE MARCH 14, 2013 MEETING
ITEM #2: CASE #Z-03-13 PUBLIC HEARING: STEPHEN & PATRICIA CLARKE – 17730 SOUTH ASH STREET REAR YARD SETBACK VARIATION
GUEST(S): STEPHEN & PATRICIA CLARKE
ROBERT OFFEN

A Public Hearing was held on March 14, 2013 by the Zoning Board of Appeals to consider recommending that the Village Board grant the following variation: a 4.4-foot variance to allow for a 25.6-foot rear yard setback where a 30-foot rear yard setback is required at 17730 South Ash Street, Single Family Residential Planned Development Zoning District and within the Timber Edge IIC Subdivision.

Chairman Cardella administered the Oath to the Petitioners Stephen and Patricia Clarke and confirmed with Mr. Panfil that the Public Notice had been sent to the surrounding neighbors.

Present and responding to roll call were the following:

Zoning Board Chair:	Chairman Sam Cardella
Zoning Board Members:	Patrick Conway Dave Samuelson Tom Hanna Ed Barta
Absent Zoning Board Members:	Michael Krause Jerry Radecky
Zoning Board Secretary:	Reem Hamden
Village Staff:	Amy Connolly, Planning Director Matt Panfil, AICP, Village Planner

DISCUSSION:

Petitioners Stephen & Patricia Clarke (17730 South Ash Street) addressed the Zoning Board of Appeals at the request of Chairman Sam Cardella.

CLARKE, S: I am Steve Clarke. I am the homeowner. The gentleman with us tonight is the contractor we are using to put up the sunroom as a home improvement project.

CARDELLA: Please explain your hardship.

OFFEN: The hardship would be that they want to construct a room on the back of the home. The distance they need to go out is not allowable because of the setback requirement. They need the variance to be able to do that.

CARDELLA: Mr. Panfil, was the notices sent out to the surrounding neighbors?

PANFIL: Yes, they were.

CARDELLA: Commissioner Conway?

CONWAY: In your findings of fact, I find it admirable that you have a desire and want to remain in Tinley Park and, in order to do so; you came before us to receive a variance. I think Tinley Park is the best community in the southwest suburbs and in the entire metropolitan area. I may be biased, but that is my opinion. There is plenty of precedence for this type of variance. We had one in my neighborhood near St. George Church. We had a variance of this nature a few years ago. I don't recall the exact address, but I'm sure Matt knows what I am referring to. We have done that and others in the town within the last five years where we granted this type of variance. I don't have any questions. Precedence has been established for these types of variances. That's all I have to say.

CARDELLA: Commissioner Hanna?

HANNA: It's self-explanatory, so not a lot of questions. What type of materials will you be using?

OFFEN: It's an aluminum frame construction and glass windows.

HANNA: What is the height of it?

OFFEN: The peak height does not exceed the peak that is there now.

HANNA: That's all the questions I have.

CARDELLA: Commissioner Barta?

BARTA: It's a 4.4-variance requested. Do you still have the pool?

CLARKE, S: Yes, sir.

BARTA: Will that be moved?

CLARKE, S: No, it won't.

BARTA: So the sunroom will be going next to it?

CLARKE, S: Yes.

BARTA: What is in front of your building near the sidewalk?

CLARKE, S: We have a side loading attached garage.

OFFEN: Do you mean on the front of the home or the side of the home?

BARTA: The rear of the home.

OFFEN: There is an existing deck.

SAMUELSON: That's going to be removed as part of the addition, correct?

CLARKE, S: That's going to be in its place.

SAMUELSON: Do the materials match the rest of the house?

OFFEN: Yes, color wise.

SAMUELSON: Is this a sunroom or a living room?

OFFEN: It's a sunroom.

SAMUELSON: Is it an actual living area?

CLARKE, S: No, it's not.

CARDELLA: Does anyone else care to speak on this matter? If not, I will entertain a motion.

MOTION WAS MADE BY BOARD MEMBER SAMUELSON: Consider recommending to the Village Board to grant: 4.4-foot variation to the required thirty- (30) foot rear yard setback to allow a 25.6-foot rear yard setback to accommodate an approximately 210-square foot addition on the rear façade of the existing residence at 17730 South Ash Street, zoned R-3, Single Family Residential and within the Timbers Edge IIC Planned Development and Subdivision.

The motion was seconded by BOARD MEMBER CONWAY.

AYE: Board Members Patrick Conway, Dave Samuelson, Tom Hanna, Ed Barta, and Chairman Sam Cardella

NAY: None

ABSENT: Board Members Michael Krause and Jerry Radecky

THE MOTION WAS APPROVED UNANIMOUSLY by roll call; **CHAIRMAN CARDELLA** declared the motion approved.

A motion is needed to close Public Hearing #2 at 7:50 p.m.

Motion to close Public Hearing #2 was made by BOARD MEMBER BARTA.

Motion **SECONDED** by BOARD MEMBER HANNA.

THE MOTION WAS APPROVED UNANIMOUSLY by roll call; **CHAIRMAN CARDELLA** declared the motion approved.

ADJOURNMENT

There being no further business, CHAIRMAN CARDELLA requested a motion to adjourn. A motion was made by BOARD MEMBER BARTA to adjourn the regular meeting of March 14, 2013 at 7:50 p.m.

The motion was seconded by BOARD MEMBER HANNA.

AYE: Board Members Patrick Conway, Dave Samuelson, Tom Hanna, Ed Barta, and Chairman Sam Cardella

NAY: None

ABSENT: Board Members Michael Krause and Jerry Radecky

THE MOTION WAS APPROVED UNANIMOUSLY by voice call; BOARD MEMBER BARTA declared the meeting ADJOURNED.