MINUTES OF THE ZONING BOARD OF APPEALS

VILLAGE OF TINLEY PARK,
COOK AND WILL COUNTIES, ILLINOIS

APRIL 9, 2015

The regular meeting of the Zoning Board of Appeals was held in the Council Chambers of Village Hall on April 9, 2015 at 7:30 p.m.

ROLL CALL

Present and responding to roll call were the following:

Zoning Board Chairman:	Sam Cardella
Zoning Board Members:	Ed Barta Pat Conway Tom Hanna David Samuelson
Village Staff:	Ronald Bruning, Zoning Administrator Stephanie Kisler, Planner Debra Kotas, Commission Secretary

CALL TO ORDER

Zoning Board Chairman Cardella called to the meeting to order at 7:31 p.m. The Pledge of Allegiance was recited.

APPROVAL OF MINUTES

Minutes of the February 26, 2015 Zoning Board of Appeals Meeting were presented for approval. A motion was made by ZONING BOARD MEMBER BARTA seconded by ZONING BOARD MEMBER HANNA to approve the Minutes as presented.

THE MOTION WAS APPROVED UNANIMOUSLY by voice vote. ZONING BOARD CHAIRMAN CARDELLA declared the motion approved.

TO: **VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES**

FROM: **VILLAGE OF TINLEY PARK ZONING BOARD OF APPEALS**

SUBJECT: **MINUTES OF THE APRIL 9, 2015 MEETING**

PUBLIC HEARING #1: LAUREN GILBOY – 8801 BROWN LANE – VARIATION TO THE REQUIRED FRONT YARD SETBACK (SETBACK REQUIREMENTS WITHIN THE RADCLIFFE PLANCE PLANNED UNIT) – FENCE

Consider recommending that the Village Board grant a twenty foot (20') variation from the front yard setback requirement of 20' (per the Planned Unit Development) to allow for a six foot (6') tall fence to be installed at a zero foot (0') setback on the east side (88th Avenue) of this corner lot located at 8801 Brown Lane in the R-3 PD Single-Family Resident, Radcliffe Place Planned Unit Development Zoning District and within the Radcliffe Place subdivision.

Present were the following:

Zoning Board Chairman:	Sam Cardella
Zoning Board Members:	Ed Barta Pat Conway Tom Hanna David Samuelson
Village Staff:	Ronald Bruning, Zoning Administrator Stephanie Kisler, Planner Debra Kotas, Commission Secretary
Guest(s):	Lauren Gilboy Mark Donahue

ZONING BOARD CHAIRMAN CARDELLA opened the Public Hearing at 7:32 p.m. and requested the Petitioner(s) and anyone else present who wished to give testimony, comment, engage in cross-examination or ask questions during the Hearing stand and be sworn in.

STEPHANIE KISLER, Village Planner, provided confirmation that appropriate notice regarding the public hearing was published in the local March 22, 2015 edition of the Southtown Star newspaper in accordance with State law and Village requirements.

MS. KISLER presented the Staff report. She introduced the Petitioner, LAUREN GILBOY, stating MS. GILBOY is requesting a twenty foot (20') variation from the front yard setback requirement of 20', per the requirements of the Radcliffe Place PUD, in order to place a six foot (6') fence at the property line on the east side yard (88th Avenue). She added that this typically would have been a twenty-five foot (25') variation request; however, the PUD allows for the extra five feet (5').

MS. KISLER showed an aerial photograph noting the subject property is the northwest corner lot at 179th Street and 88th Avenue where there is a four-way stop sign.

MS. KISLER proceeded to show an aerial photo of nearby residences with existing fences, noting the corner lots within the neighborhood kept their fences aligned with the required setback of 20'. She reported that three (3) variations have been granted in the past for fences within Radcliffe Place. She also noted that properties on the south side of 179th Street and 88th Avenue are within different subdivisions and it is their rear yard that fully backs up to the intersection, rather than a rear yard and a front yard like the Petitioner's yard.

MS. KISLER expressed Staff concerns regarding setting a precedent in this regard by allowing the fence to be placed directly adjacent to the property line. She recommended the Petitioner align the fence with the home at the required setback of 20'; therefore, a variance would not be required. Using digital photos and renderings, she was able to show how the fence would appear at both the proposed location along the property line and with Staff recommendation of meeting the setback requirement.

LAUREN GILBOY, 8801 Brown Lane, presented her variation request stating that the fence is needed due to the extreme pedestrian and automobile traffic at the intersection of 179th Street and 88th Avenue. She stated that the fence is needed for safety since she has a dog and also has a baby due in September. She added that she and her husband plan to remain in Tinley Park and see this fence variance as a quality of life enhancement.

BOARD MEMBER CONWAY reported visiting the property, concurring that a hardship exists; however, is not sure of a variance of 20'. He noted grading and drainage easement on the south side of the yard does take away some of the backyard use. He expressed concerns regarding line-of-sight issues with installing the fence all the way to the sidewalk. He suggested the Petitioner consider amending the request to a five foot (5') variance.

MS. GILBOY'S father, MARK DONAHUE was also in attendance. He noted the Staff Report indicated no specific line-of-sight concerns by the Police and Fire Departments.

BOARD MEMBER BARTA noted that the other homes along 88th Avenue within Radcliffe Place have their fences aligned with their homes rather than all the way to the sidewalk. He expressed concerns regarding setting a precedent by agreeing to the Petitioner's request and allowing the fence to be placed directly adjacent to the sidewalk. He suggested keeping the area uniform by aligning the fence with the side of the home.

MR. DONAHUE stated there is a greater precedence by the amount of traffic at the intersection of 179th Street and 88th Avenue. He referenced the three (3) variations granted for fences within Radcliffe Place and noted in the Staff Report.

BOARD MEMBER SAMUELSON also reported visiting the property. He inquired as to the type of fence being installed. MS. GILBOY stated it will be a 6' semi-private fence similar to that of their next door neighbor.

BOARD MEMBER SAMUELSON agreed with the overall safety for pets and children of installing a fence whether it be to the sidewalk or aligning with the home.. He recommended the Petitioner consider installing the fence ten feet (10') out rather than twenty feet (20').

BOARD MEMBER HANNA agreed with his colleagues. He explained he was apprehensive to vote for approval of the variation based on line-of-sight issues at that intersection and also setting precedence in this regard. He believes there was room for compromise, suggesting a 5-10' variance.

MR. DONAHUE stated that due to the width of the parkway, he believes there are no line-of-sight issues at that intersection. He believes the fence will appear unsightly if it is installed at the east side property line due to the drainage slope. He stated since the sidewalk is level, the fence will appear more attractive.

RONALD BRUNING, Zoning Administrator, inquired if the Petitioner would be willing to amend their request to less than 20'. MR. DONAHUE stated they do not wish to alter their request and would still like to proceed with the 20' variation request.

There being no further questions or comments, a motion was made by BOARD MEMBER SAMUELSON to recommend the Village Board grant the Petitioner a twenty foot (20') variation from the front yard setback requirement of 20' (per the Planned Unit Development) to allow for a six foot (6') tall fence to be installed at zero foot (0') setback on the east side (88th Avenue) of this corner lot located at 8801 Brown Lane in the R-3 PD Single-Family Residential Zoning District and within the Radcliffe Place subdivision with the following conditions:

1. That the Petitioner is and will remain responsible for the maintenance of the lawn area between the proposed fence and the curb of the street; and,
2. That the fence is to be constructed as open style in accordance with the covenants of the Radcliffe Place Planned Unit Development.

The Motion was seconded by BOARD MEMBER BARTA.

AYE: None

NAY: Zoning Board Members Ed Barta, Pat Conway, Tom Hanna, David Samuelson, and Chairman Sam Cardella

THE MOTION WAS UNANIMOUSLY DENIED by voice vote. ZONING BOARD OF APPEALS CHAIRMAN CARDELLA declared denial of the Motion.

CHAIRMAN CARDELLA reminded the Petitioner that despite denial by the ZONING BOARD OF APPEALS, they are a recommending body and the Petitioner may still present their request to the Village Board.

A motion was made by BOARD MEMBER BARTA, seconded by BOARD MEMBER HANNA to close the Public Hearing at 8:01 p.m. THE MOTION WAS APPROVED by voice call. ZONING BOARD OF APPEALS CHAIRMAN CARDELLA declared the Motion approved.

TO: **VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES**

FROM: **VILLAGE OF TINLEY PARK ZONING BOARD OF APPEALS**

SUBJECT: **MINUTES OF THE APRIL 9, 2015 MEETING**

PUBLIC HEARING #2: ALPHA MED – 17333 LA GRANGE ROAD – VARIATION TO THE SIGN HEIGHT LIMITATIONS (Section IX.D.4.a.(2)) – GROUND SIGN

Consider recommending that the Village Board grant a six feet, three inch (6'3") variation from Section IX.D.4.a.(2) where the maximum freestanding sign height is ten feet (10'). The Applicant, Bill Van Bruggen of Van Bruggen Signs, proposes to replace the existing ten foot (10') tall freestanding sign with a new sixteen foot, three inch (16'3") tall freestanding sign along the west side (La Grange Road) of the property at 17333 La Grange Road in the B-3 General Business and Commercial Zoning District.

Present were the following:

Zoning Board Chairman:	Sam Cardella
Zoning Board Members:	Ed Barta Pat Conway Tom Hanna David Samuelson
Village Staff:	Ronald Bruning, Zoning Administrator Stephanie Kisler, Planner Debra Kotas, Commission Secretary
Guest(s):	Bill Van Bruggen, Van Bruggen Signs Sam Van Bruggen, Van Bruggen Signs Javed Shiraz, M.D., Property Owner

ZONING BOARD CHAIRMAN CARDELLA opened the Public Hearing at 8:02 p.m. and requested the Petitioner(s) and anyone else present who wished to give testimony, comment, engage in cross-examination or ask questions during the Hearing stand and be sworn in.

STEPHANIE KISLER, Village Planner, provided confirmation that appropriate notice regarding the public hearing was published in the March 22, 2015 edition of the Southtown Star newspaper in accordance with State law and Village requirements.

MS. KISLER presented the Staff report regarding a six foot, 3 inch (6'3") variance to the maximum ten foot (10') height to install a sixteen foot, 3 inch (16'3") ground sign that will replace the existing Alpha Med sign.

MS. KISLER showed an aerial photograph of the property and the existing sign. She explained the property was already lower in elevation that some nearby properties; however, due to the La Grange Road improvements, the grade of the road has been elevated by three feet (3'). She showed photographs of the current elevation of the sign in relation to the road and traffic, noting the sign and parking lot are much lower.

MS. KISLER proceeded to show a rendering of the proposed sign noting that overall there is not much of a change aesthetically. She explained the proposed sign will keep the same footprint as the existing sign, not being any closer to the roadway, but increase in height by 6'3" with a brick base and refreshed landscaping at the base.

MS. KISLER reported neighboring medical centers have also received sign variances, including Pronger Smith Clinic, just south of Alpha Med, who received a 3'6" sign variance in 2000. She also noted that Pronger Smith site is actually more level in elevation to La Grange Road than Alpha Med, which is lower. Advocate Health Care also received a sign variance to allow a thirteen foot (13') tall sign in 2003.

In order to remain consistent, MS. KISLER reported Staff recommends a three foot (3') variance to construct a sign at a height of thirteen feet (13') due to the three foot (3') increase in elevation in La Grange Road and to be consistent with other sign variances along La Grange Road.

BILL VAN BRUGGEN, Van Bruggen Signs, 13401 Southwest Highway, Orland Park, IL complimented Staff on the presentation. He stated his client, Alpha Med, wishes to increase the visibility and usefulness of the sign due to the 3' elevation change of La Grange Road.

JAVED SHIRAZI, M.D., Alpha Med, 17333 La Grange Road, explained the sign will blend in with the existing building and the height of the proposed sign will balance nicely with the Pronger Smith sign. He explained Alpha Med is a cancer treatment center and visibility for patients is very important particularly with La Grange Road becoming a six lane highway, especially for those traveling south. He explained the patients coming to the building already have slower response times. He added that there are plans for Palos Community Hospital and Loyola University Medical Center to provide medical services within the Alpha Med building in the near future.

BOARD MEMBER HANNA agreed the bottom of the existing sign is basically buried due to the work on La Grange Road. He stated the variance request is appropriate and has no issues particularly with the electronic message board being well within Ordinance requirements.

BOARD MEMBER BARTA agrees with Staff recommendations stating that raising the sign three feet, three inches (3'3") would place the sign's message board equal to the windows of passing vehicles.

BOARD MEMBER SAMUELSON complimented Alpha Med on an attractive building and wonderful addition to the office corridor along La Grange Road. He believes the variance request is appropriate due to the speed of traffic along La Grange Road. He also stated this will be an intended medical destination for people versus a retail center; therefore visibility of the sign is important. He inquired about the Petitioner's Landscape Plan for the base of the sign. MR. VAN BRUGGEN stated that they plan to have a different variety of foundation plantings that will provide greenery throughout the year. He reported they will a landscape designer to submit a plan prior to the permit process.

MS. KISLER requested DR. SHIRAZI comment on other planned site improvements. DR. SHIRAZI reported in addition to the new sign, Alpha Med is converting the wetlands area (having permission) with enhanced landscaping, flowers, and a butterfly garden.

BOARD MEMBER CONWAY agreed there is a lack of visibility of the sign due to La Grange Road improvements and believes a hardship exists.

There being no further questions or comments, a motion was made by BOARD MEMBER SAMUELSON to recommend the Village Board grant the Petitioner a six feet, three inch (6'3") variation from Section IX.D.4.a.(2) where the maximum freestanding sign height is ten feet (10') to allow for a sixteen foot, three inch (16'3") tall freestanding sign to replace the existing freestanding sign along the west side (La Grange Road) of

the property at 17333 La Grange Road in the B-3 General Business and Commercial Zoning District with the following conditions:

1. That the landscaping around the base of the sign be formalized within the property's Landscape Plan.

The Motion was seconded by BOARD MEMBER BARTA.

AYE: Zoning Board Members Ed Barta, Pat Conway, Tom Hanna, David Samuelson, and Chairman Sam Cardella

NAY: None

THE MOTION WAS APPROVED UNANIMOUSLY by voice vote. ZONING BOARD OF APPEALS CHAIRMAN CARDELLA declared the Motion approved.

A motion was made by BOARD MEMBER BARTA, seconded by BOARD MEMBER HANNA to close the Public Hearing and the regular meeting of the Zoning Board of Appeals of April 9, 2015 at 8:31 p.m. THE MOTION WAS APPROVED by voice call. ZONING BOARD OF APPEALS CHAIRMAN CARDELLA declared the Motion approved.