



**AGENDA FOR REGULAR MEETING
VILLAGE OF TINLEY PARK
ZONING BOARD OF APPEALS
January 28, 2016 – 7:30 P.M.
Council Chambers
Village Hall – 16250 S. Oak Park Avenue**

Meeting Called to Order

Pledge of Allegiance

Roll Call Taken

Approval of Minutes – December 10, 2015 Regular Meeting

Public Hearing #1:

**INTERNATIONAL KIA – 8301 159TH STREET – VARIATION FROM THE
MAXIMUM ALLOWABLE SIGN HEIGHT FOR A FREESTANDING SIGN –
SIGN**

Consider recommending that the Village Board grant a four foot, one and one-fourth inch (4' 1 ¼") Variation from Section IX.D.4.a.(2) where the maximum allowable sign height is ten feet (10').

This Variation would allow the Petitioners, Brittany Bowen and Tabitha Bowen of All-Right Sign, Inc. on behalf of Pattison Sign Group and International Kia, to construct a freestanding sign with a maximum height of fourteen feet, one and one-fourth inches (14' 1 ¼") at the north (159th Street) side of the property at 8301 159th Street in the B-5 (Automotive Service) Zoning District and within the Gray Properties 159th Street Commercial Subdivision.

Close Public Hearing #1

Public Hearing #2:

**RUBAN – 18251 64TH COURT – VARIATION FROM THE REQUIRED FRONT
YARD SETBACK – FENCE**

Consider recommending that the Village Board grant a twenty-five foot (25') Variation from Section V.B. Schedule II (Schedule of District Requirements) where the front yard setback requirement is twenty-five feet (25').

This Variation would allow the Petitioners, Jason and Monica Ruban, to construct a five foot (5') tall PVC fence at a zero foot (0') setback on the south (183rd Street) side of this corner lot at 18251 64th Court in the R-4 (Single-Family Residential) Zoning District and within Pasquinelli's Willowlane Subdivision.

Close Public Hearing #2

Good of the Order

Adjournment

ORDER OF PUBLIC HEARING

- A. Opening of Public Hearing
- B. Swearing in Petitioner, Objectors, and Interested Persons
- C. Confirmation of notices being published and mailed in accordance with State law and Village Code/Zoning Ordinance requirements
- D. Petitioner Presentation
 - i. Cross Examination
 - ii. Questions by Public Body
- E. Objectors Presentation(s)
 - i. Cross Examination
 - ii. Questions by Public Body
- F. Interested Persons Presentation(s)
 - i. Cross Examination
 - ii. Questions by Public Body
 - iii. Rebuttal
- G. Petitioner Rebuttal (if any)
- H. Village Staff Presentation
 - i. Cross Examination
 - ii. Questions by Public Body
 - iii. Rebuttal
- I. Final questions by Public Body
- J. Closing remarks by Petitioner, Objectors, Interested Persons, and Village Staff
- K. Close or continuation of Public Hearing

PUBLIC HEARING REMINDERS

- All public hearings of a Public Body are meetings as defined by the Illinois Open Meetings Act (5 ILCS 120/1 et seq.).
- Prior to the commencement of the public hearing, the Chair will determine whether there are any Objectors or other Interested Persons and if an attorney represents any Objector, group of Objectors or Interested Persons.
- All individuals desiring to participate in the public hearing process shall sign in/register with Village staff prior to the public hearing.
- All individuals desiring to participate in the public hearing process must participate in a swearing of an oath.
- The Chair may impose reasonable limitations on evidence or testimony presented by persons and parties, such as barring repetitious, irrelevant or immaterial testimony.
- The Chair may take such actions as are required to maintain an orderly and civil hearing.



MINUTES OF THE ZONING BOARD OF APPEALS

VILLAGE OF TINLEY PARK, COOK AND WILL COUNTIES, ILLINOIS

DECEMBER 10, 2015

The regular meeting of the Zoning Board of Appeals was held in the Council Chambers of Village Hall on December 10, 2015 at 7:30 p.m.

ROLL CALL

Present and responding to roll call were the following:

Zoning Board Chairman:	Chris Verstrate
Zoning Board Members:	Bob Paszyk David Samuelson Steve Sepessy
Absent Zoning Board Members:	Ed Barta Sam Cardella
Village Officials and Staff:	Jacob Vandenberg, Trustee Ronald Bruning, Zoning Administrator Amy Connolly, Planning Director Stephanie Kisler, Planner Michael Marrs, Village Attorney Debra Kotas, Commission Secretary

CALL TO ORDER

ZONING BOARD CHAIRMAN VERSTRATE called the meeting to order at 7:30 p.m. The Pledge of Allegiance was recited.

APPROVAL OF MINUTES

Minutes of the August 27, 2015 meeting of the Zoning Board of Appeals were presented for approval. A motion was made by ZONING BOARD MEMBER SAMUELSON seconded by ZONING BOARD MEMBER PASZCYK to approve the Minutes as presented.

THE MOTION WAS APPROVED UNANIMOUSLY by voice vote. ZONING BOARD CHAIRMAN VERSTRATE 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 DECEMBER 10, 2015 MEETING

PUBLIC HEARING: GARY & CHRISTINE DEGNEGAARD – 6321 177TH STREET – VARIATION FROM THE REQUIRED FRONT YARD SETBACK – FENCE

Consider recommending that the Village Board grant an eighteen foot, ten inch (18'10") front yard setback variation from Section V. Schedule II (Schedule of District Requirements) where the front yard setback requirement is thirty feet (30').

The variation would allow the Petitioners to construct a five foot (5') tall wood fence to align with the existing home at an eleven foot, two inch (11'2") front yard setback at 6321 177th Street in the R-2 (Single-Family Residential) Zoning District and within the Elmore's Ridgeland Avenue Estates subdivision.

Present were the following:

Zoning Board Chairman: Chris Verstrate

Zoning Board Members: Bob Paszyk
David Samuelson
Steve Sepessy

Absent Zoning Board Members: Ed Barta
Sam Cardella

Village Officials and Staff: Jacob Vandenberg, Trustee
Ronald Bruning, Zoning Administrator
Amy Connolly, Planning Director
Stephanie Kisler, Planner
Michael Marrs, Village Attorney
Debra Kotas, Commission Secretary

Guest(s): Gary and Chris Degnegaard, Petitioners

A motion was made by BOARD MEMBER SEPESSEY, seconded by BOARD MEMBER PASZCZYK to open the Public Hearing at 7:31 p.m. Village Staff provided confirmation that appropriate notice regarding the Public Hearing was published in the local newspaper in accordance with State law and Village requirements along with notice being sent to surrounding residences.

ZONING BOARD CHAIRMAN VERSTRATE requested the Petitioner(s) and anyone present who wished to give testimony, comment, engage in cross-examination or ask questions during the Hearing stand and be sworn in.

ZONING BOARD CHAIRMAN VERSTRATE reviewed the Public Hearing process. He explained the Petitioner(s) will be allowed to present evidence in support of the variation request. He stated they have already

provided the written Findings of Fact to support the variance request and it will be their obligation to provide a burden of proof with facts and evidence to support the Findings that this Board requires before a variance can be granted. He explained the Village Staff will present their report with any objectors or interested parties being allowed to question both the Petitioner and Village Staff. He stated the Zoning Board will then deliberate and vote on the petition.

GARY DEGNEGAARD, 6321 177th Street, began his presentation stating he purchased his home in 2007; however, the home was originally built in 1935. He stated he wishes to construct a new 5' wood fence that will replace the existing 4' chain link fence that was put up by the previous owner sometime in the 1980's, adding that a permit was never obtained by the previous owner for the existing fence.

MR. DEGNEGAARD reported his home is approximately eleven feet (11') back from the property line; however, current Ordinance requires the fence be thirty feet (30') from the property line, which is the reason for his variance request. He cited safety concerns since his children's bedroom windows would be exposed outside of the fence. He reported the existing fence is old and rusting and it is becoming a hazard. He added that he has a new dog and expressed concern about it escaping from the yard due to the deteriorating fence. He reported there are no line of site issues since the fence and gate will be set back on the driveway. He indicated that he had spoken with surrounding neighbors who are supportive of the fence. He concluded by stating he is simply asking to replace the fence at its same location.

BOARD MEMBER PASZCZYK questioned if the gate will be locked should emergency personnel ever need access. MR. DEGNEGAARD stated it will not.

BOARD MEMBER SEPESSY inquired if there is any fencing around the pool. MR. DEGNEGAARD stated the pool itself did not have fencing attached; however, the entire yard is fenced.

BOARD MEMBER PASZCZYK inquired if the Petitioner has any future plans for developing the front of the home including a curved driveway. MR. DEGNEGAARD denied any future plans.

CHAIRMAN VERSTRATE inquired if the existing fence extends to the front of the house. Using photographs, MR. DEGNEGAARD noted the fence surrounds the entire property line along the south, east, and west sides but the existing fence is in-line with the house on the north side.

BOARD MEMBER SAMUELSON noted the Petitioner's primary reason for the variation request was safety; however, the fence placement either at the front or rear of the property will serve that purpose and also enclose the pool area. While he believes a new wood fence would be an improvement, he explained the Zoning Board cannot vote on aesthetics, but only consider its setback placement. He stated he is aware of the other fences in the area that were constructed without permits or variances; however, that is an enforcement issue.

BOARD MEMBER PASZCZYK requested clarification on the Ordinance's setback requirement of 30'. STEPHANIE KISLER, Planner, explained the 30' setback is the requirement for the R-2 Single-Family Zoning District. She reported R-1 Districts typically have larger lot sizes vs. R-4 Districts that have smaller lot sizes. She further elaborated on the front yard setback requirements for those areas that include a forty foot (40') setback requirement for R-1 Zoning District; thirty feet (30') for R-2; and, twenty-five feet (25') for R-3 and R-4 Zoning Districts. She stated that this results in larger lots being required to have larger setbacks.

There being no further questions from Board Members, objectors or other interested parties, MS. KISLER presented the Staff report. She reviewed the Petitioner's request for an 18' 10" front yard setback variation where the requirement is 30' in order to place a fence at an 11' 2" setback, which would allow the fence to be aligned with the existing home. She confirmed the home was built in 1935, likely prior to the 30' setback requirement.

She explained that the fence would be approximately 36' from the street; however, it is measured from the property line not the street.

MS. KISLER showed an aerial photograph of the subject property noting its location on 177th Street between Ridgeland and Highland Avenues in a more rural area of the Village with varied home and lot sizes. She proceeded to review street-level photographs showing various views of the home and existing fence. She confirmed that a permit or variation was not obtained for the existing fence. She reported the Petitioner wishes to replace the existing chain link fence with a wood fence to address privacy and safety concerns. She added the proposed fence would align with the home and have a gate across the driveway that would be linked to the neighbor's fence. She reported there is no record for a permit being obtained for the neighbor's fence.

MS. KISLER reviewed nearby homes and their respective distances to the street and setbacks noting most of the homes meet the setback requirement. She indicated the proposed fence would be in front of the homes to both the east and west. She stated Staff typically supports aligning a fence with the home, however, since the Petitioners' home is the closest home to the street on this block, it would be setting a precedent for other homes to receive a similar variance to having their fence that far forward. She further elaborated the intent of the Ordinance is not to have front yard fences. She commented that while the proposed wood fence would be an improvement over the existing chain link fence, it may not be appropriate to place the fence at this location due to its impact to the neighbors. She added that the Petitioner cited safety concerns with the children's bedroom windows being on the side of the home and wishing to keep the windows within the area of the fence. Staff does not believe the location of the bedroom windows should be considered a safety factor since homes can have bedroom windows in the front part of the home and that would not necessarily be a reason to allow a fence in the front yard.

MS. KISLER reported the Petitioner provided Staff with photographs of nearby properties that appear to have fence encroachments in the front yard setback. She reported that Staff researched the addresses provided, as well as some other properties in the surrounding area, noting that the vast majority did not have a variation or permit on file with the Village.

BOARD MEMBER SEPESSY noted there are no curbed streets inquiring if there would be any impact if a sidewalk were to be installed. MS. KISLER reported there are no plans for sidewalks in that area, although if a sidewalk was added in the future that the sidewalk would be in the public right-of-way and it would not impact the Petitioner's current property lines or setback requirements.

BOARD MEMBER SAMUELSON requested confirmation that the Police Department had no comments or concerns. MS. KISLER confirmed the Police Department reviewed the variation request and had no comments regarding line-of-sight or public safety issues since there are no sidewalks and the property is not a corner lot. She added the Petitioner adequately addressed any impact on the neighbors' line-of-sight by providing photos and explaining the current visibility with the driveways.

ZONING BOARD CHAIRMAN VERSTRATE requested a motion to close the Public Hearing for deliberation. A motion was made by BOARD MEMBER SEPESSY, seconded by BOARD MEMBER PASZCZYK to close the Public Hearing for deliberation.

BOARD MEMBER PASZCZYK reported driving by the property and believes the new wood fence would be aesthetically more pleasing but also provides the added security stated by the Petitioner. He concurred that there are no sidewalks for possible line-of-sight issues and would not hinder any public movement or interfere with traffic.

Noting that the Petitioner's subdivision is not a "cookie cutter" subdivision with varied sized homes and lots, concerns regarding low bedroom windows, and concerns for his pet, BOARD MEMBER SEPESSY believes the Petitioner proved his case. He noted the Fire Department also did not have any comments or concerns.

ZONING BOARD CHAIRMAN VERSTRATE stated he sympathizes with having a fence in front of the front yard setback line and sees that other fences in the area are not in compliance; however, it would set a precedent for the current case whether there is particular hardship or practical difficulty.

There being no further questions or comments, a motion was made by BOARD MEMBER SAMUELSON to recommend the Village Board grant the Petitioner an eighteen foot, ten inch (18'10") front yard setback variation from Section V. Schedule II (Schedule of District Requirements) where the front yard setback requirement is thirty feet (30'). This variation would allow the Petitioners to construct a five foot (5') tall wood fence to align with the existing home at an eleven foot, two inch (11'2") front yard setback at 6321 177th Street in the R-2 (Single-Family Residential) Zoning District and within the Elmore's Ridgeland Avenue Estates subdivision based on the evidence provided at this Hearing and also the following:

That the Petitioners have provided evidence establishing that they have met the standards for variations contained in Section X.G.4. of the Tinley Park Zoning Ordinance.

The Motion was seconded by BOARD MEMBER SEPESSY.

AYE: Zoning Board Members Bob Paszczyk, David Samuelson, and Steve Sepessy

NAY: Zoning Board Chairman Chris Verstrate

ABSENT: Zoning Board Members Ed Barta, Sam Cardella, and Paul Lechner

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

A motion was made by BOARD MEMBER SEPESSY, seconded by BOARD MEMBER PASZCZYK to close the Public Hearing at 8:06 p.m.

GOOD OF THE ORDER

TRUSTEE JACOB VANDENBERG welcomed new Zoning Board Members and congratulated them on their appointment.

ADJOURNMENT

A motion was made by BOARD MEMBER SAMUELSON, seconded by BOARD MEMBER PASZCZYK to close the regular meeting of the Zoning Board of Appeals of December 10, 2015 at 8:11 p.m. THE MOTION WAS APPROVED by voice call. ZONING BOARD OF APPEALS CHAIRMAN VERSTRATE declared the Motion approved.



ZONING BOARD OF APPEALS STAFF REPORT

January 28, 2016

INTERNATIONAL KIA (8301 159th Street)

Variation from the Maximum Allowable Sign Height

Petitioners

Brittany Bowen and
Tabitha Bowen of All-Right
Sign, Inc. on behalf of
Pattison Sign Group and
International Kia

Property Address

8301 159th Street

PIN

27-23-202-010-0000

Parcel Size

3.01 acres ±
(131,440 square feet)

Zoning

B-5 (Automotive Service)

Subdivision

Gray Properties 159th
Street Commercial
Subdivision

Publication

Daily Southtown
(January 10, 2016)

Requested Action

Consider making a motion
to recommend the
requested Variation to the
Village Board

Project Planner

Stephanie Kisler
Planner I



SUMMARY OF VARIATION REQUEST

The Petitioners, Brittany Bowen and Tabitha Bowen of All-Right Sign, Inc. on behalf of Pattison Sign Group and International Kia, are requesting a four foot, one and one-fourth inch (4' 1 ¼") Variation from Section IX.D.4.a.(2) where the maximum allowable sign height is ten feet (10').

This Variation would allow the Petitioners to construct a freestanding sign with a maximum height of fourteen feet, one and one-fourth inches (14' 1 ¼") at the north (159th Street) side of the property at 8301 159th Street in the B-5 (Automotive Service) Zoning District and within the Gray Properties 159th Street Commercial Subdivision.

According to the Petitioners' Application, the Variation has been requested due to the need to remain competitive with nearby car dealerships and to be compliant with corporate standards. The proposed sign is lower than the existing sign that is currently at the site.

VILLAGE STAFF COMMENTS

Planning Department

The Planning Department has reviewed the petition for a Variation from the maximum allowable sign height for the new International Kia car dealership located at 8301 159th Street. The proposed sign is slightly shorter than the existing sign, which was granted a Variation in 2014. The proposed sign features a silver base with red and white colored “Kia” branding. This new sign will be an aesthetic improvement upon the current sign, which is the former Mini of Tinley Park sign that has been covered with a temporary banner and may be difficult to read from 159th Street. A visual comparison of the existing and proposed signage is shown below, followed by a table of calculations for the proposed sign.



Existing Sign (formerly used by Mini)



Proposed Sign

Proposed Sign Calculations	
<u>Sign Face Area:</u>	37.37 sq.ft. (4' 3 7/8" x 8' 7 3/4") <i>Maximum of 60 sq.ft. allowed in the updated Sign Regulations*.</i>
<u>Sign Height:</u>	14' 1 1/4" <i>Maximum of 10' allowed in the current and updated Sign Regulations*.</i>
<u>Required Landscaping:</u>	75 sq.ft. of landscaping <i>2 sq.ft. of landscaping is required per 1 sq.ft. of sign face area in the updated Sign Regulations*.</i>

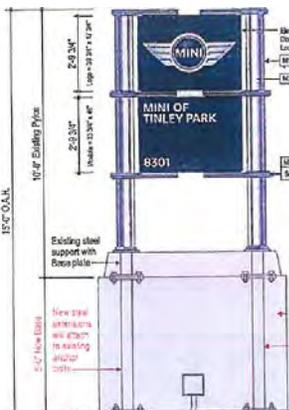
*Staff has recently proposed Text Amendments to Section IX (Sign Regulations) within the Zoning Ordinance. These Text Amendments were recommended by the Plan Commission earlier in January 2016 and will be heard by the Village Board in February 2016. While these changes to the Zoning Ordinance have not officially been adopted, Staff believes that it is important to note these regulations in this report. In summary, the proposed Text Amendments will provide more clarification upon the current Sign Regulations by providing new graphics, tables, and definitions. Only minor changes have been made to the regulations, such as standardizing the method of calculating sign face area, adding a maximum letter height for wall signs, and creating additional standards for electronic message signage. A full copy of the proposed Text Amendments has been provided within the meeting packet.

The existing sign at the site was utilized by the previous car dealership, Mini of Tinley Park (also owned by International Imports). In 2014, this dealership petitioned for a Variation for sign height after installing a five-foot (5') tall base on their existing ten foot (10') tall sign without a permit. The Zoning Board of Appeals ultimately recommended the requested Variation to the Village Board to allow for a fifteen foot (15') tall sign. The Village Board then approved the Variation by Ordinance 2014-O-002 on April 1, 2014. The Variation was granted for the specific Mini of Tinley Park sign and the Variation cannot be applied to the proposed Kia sign.

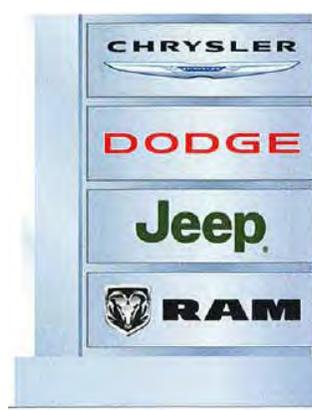
The Village Board has approved several Variations to the maximum allowable sign height to car dealerships along 15th Street in the recent past, including:



Audi of Orland Park
(15' tall sign, 2014)



Mini of Tinley Park
(15' tall sign, 2014)



Bettenhausen
(14' tall sign, 2014)



Apple Chevrolet
(18' tall sign, 2012)

One reason that the Village has granted Variations for sign height to car dealerships is that the Village of Orland Park allows their car dealerships along 159th Street to have freestanding signs that are a maximum of eighteen feet (18') tall (see *Village of Orland Park Land Development Code, Article 6, Part 3, Section 6-307.P1.b.3.*). In order for the car dealerships in Tinley Park to remain competitive, several car dealerships have requested Variations to allow for more equivalent visibility along a roadway with a high traffic count.

Staff has examined the Findings of Fact that were supplied by the Petitioners and believes evidence has been provided for each topic. Staff considers that the Petitioners have a hardship in having a sign that is ten feet (10') tall because several other nearby competing car dealerships have either been allowed to install taller signs or have been granted Variations that allow taller signs. Staff also notes that the proposed sign is lower than the sign that currently exists at the same location today. The Kia dealership cannot use the existing sign because of corporate branding policies.

This type of Variation request is unique to car dealerships in Tinley Park along 159th Street, but not solely to this particular Petitioner. Staff notes that granting these sign height Variations for car dealerships continues to set a

precedent for future Variation requests for sign height. The proposed sign will not only be shorter than the existing sign, but also slightly narrower at the base, which would aid in providing better visibility around the sign and not be detrimental to safety and the line-of-sight. Staff believes that the proposed sign will not alter the character of the 159th Street corridor since it is similar to many other car dealerships within that area.

Public Works Department/Engineering

The Public Works Department and Engineering have reviewed the variation request and offer no comments.

Building Department

The Building Department has reviewed the variation request and offers no comments.

Fire Department

The Fire Department has reviewed the variation request and offers no comments.

Police Department

The Police Department has reviewed the variation request and offers no comments.

QUESTIONS TO ASK THE PETITIONERS/STANDARDS FOR GRANTING A VARIATION

1. What is the hardship or practical difficulty in conforming to the existing Zoning Ordinance? Is it a hardship or a mere inconvenience? If there is a hardship, is it due to the owner or is it a unique circumstance?
2. What will be the impact on neighboring properties? Will it alter the character of the neighborhood?
3. Can the property yield a reasonable return if the variation is not granted?
4. Will the installation of a taller sign impair an adequate supply of light or air to adjacent properties? Will it increase the danger of fire, impair drainage, or endanger public safety?
5. Would the conditions upon which the request is based be generally applicable to other properties in the subdivision or the Village, with similar zoning?
6. Is the purpose of the request based exclusively upon a desire to make money out of the property?
7. Would granting the request be detrimental to the public welfare or injurious to other property or improvements nearby?

APPROPRIATE MOTION

If the Zoning Board of Appeals wishes to make a motion, the following motion is in positive form:

“...make a motion to consider recommending that the Village Board grant the Petitioners a four foot, one and one-fourth inch (4’ 1 ¼”) Variation from Section IX.D.4.a.(2) where the maximum allowable sign height is ten feet (10’). This Variation would allow the Petitioners, Brittany Bowen and Tabitha Bowen of All-Right Sign, Inc. on behalf of Pattison Sign Group and International Kia, to construct a freestanding sign with a maximum height of fourteen feet, one and one-fourth inches (14’ 1 ¼”) at the north (159th Street) side of the property at 8301 159th Street in the B-5 (Automotive Service) Zoning District and within the Gray Properties 159th Street Commercial Subdivision.”

...With the following conditions:

1. *That a minimum of seventy-five (75) square feet of landscaping be provided at the base of the sign.*
2. *[any conditions that the Zoning Board of Appeals would like to recommend.]*

...Based on the evidence provided at this hearing and the following:

1. That the Petitioners have provided evidence establishing that they have met the standards for variations contained in Section X.G.4. of the Zoning Ordinance.
2. *[any other facts or unique circumstances that the Zoning Board of Appeals would like to mention.]*

**VILLAGE OF TINLEY PARK
APPLICATION FOR ZONING ORDINANCE VARIANCE**

The undersigned hereby Petitions the Village of Tinley Park Zoning Board of Appeals and/or Plan Commission to consider a Variation from the terms of the Zoning Ordinance as follows:

PETITIONER INFORMATION

Name: Brittany Bowen / Tabitha Bowen

Mailing Address: 31228 Union Ave

City: Steger State IL Zip 60475

Day Phone: 708 754 6366 Evening Phone: Same

Cell Phone: N/A Fax Number: 708 754 6066

Email Address: allrightsign@comcast.net

Nature of Petitioner's interest in the property and/or relationship to the owner:
(Applications received on behalf of the owner of record must be accompanied by a signed letter of authorization)

Agent on behalf of the owner + Pattison Sign Group

PROPERTY INFORMATION

Street Address: 8301 W. 159th St

Owners: REM Properties, LLC
Francis International Inc

SPECIFIC TYPE OF VARIANCE REQUESTED (see examples below):

4' 1/4"
A' Variance to the 10' maximum allowable height for
a sign to allow for a 14' 1/4" high monument sign
at the commercial property

Examples of Specific Type of Variance Requested:

This refers to the exact number of feet, the exact dimensions of a structure, exact height/type of fence. For example:

"A 15 foot Variance to the Front Yard Setback on the East side of the property to allow for a 6 foot tall cedar fence on this corner lot."

"A 180 square foot variance to the 720 square foot maximum allowable size of an accessory structure to allow for a 30 foot by 30 foot or 900 square foot garage on this residential property."

"A 10' Variance to the 10' maximum allowable height for a sign to allow for a 20' high monument sign on this commercial property."

REASON THAT THE VARIANCE IS NEEDED: (see examples below)

We would like to have a 14' 1/4" Overall height sign to optimize the viewable distance. The existing sign is 15' overall height and would like to maintain our current visibility

Examples of Reasons that the Variance is needed:

"We would like to extend our fence 15 feet toward the street from the front corner of the house so that we can enclose a pool, swingset, shed, landscaping, trees, side entrance, etc., and provide a safe area for our children to play"

"We would like to build an oversized garage on our property so that we may store our antique vehicle, snow mobiles, riding lawn mower, etc., inside, as well as our two other cars, which are currently parked in the driveway"

The Petitioner certifies that all of the above statements and other information submitted as part of this Application and Findings of Fact are true and correct to the best of his or her knowledge:

Signature B. Bowen Brittany Bowen Date 12/8/15
Printed Name Brittany Bowen

OFFICE USE ONLY:

Current Zoning of Property _____ Present Use _____

Notes

FINDINGS OF FACT

ADDITIONAL INFORMATION TO BE PRESENTED TO SUPPORT A VARIATION REQUEST FROM THE TERMS OF THE VILLAGE OF TINLEY PARK ZONING ORDINANCE

Section X.G.1 of the Village of Tinley Park Zoning Ordinance requires that the Zoning Board of Appeals determine compliance with the following standards and criteria. In order for a variance to be approved, the Petitioner must respond to all the following questions with facts and information to support the requested Variation:

- A. Describe the difficulty that you have in conforming with the **current** zoning regulations and restrictions relating to your property, and describe how this hardship is not caused by any persons presently having an interest in the property. (Please note that a mere inconvenience is insufficient to grant a Variation). For example, does the shape or size of the lot, slope, or the neighboring surroundings cause a severe problem in completing the project in conformance with the applicable Ordinance requirement?

Reducing the height of the sign would decrease the visibility of the dealership. The surrounding dealerships have taller signs creating a visibility hardship for

- B. Describe any difficulties or hardships that **current** zoning regulations and restrictions would have in decreasing your property value compared to neighboring properties.

International Kia is currently facing a hardship because the existing dealerships within the area have signage standing between 15-18' tall. The zoning ordinance only allows for 10'. International Kia is only requesting a 14' sign which will allow the dealership stay competitive among neighbors & compliant w/ corp's standards.

- C. Describe how the above difficulty or hardship was created.

Kia Motors changed their corporate branding and is requiring all dealers to update the existing signage with the new rebrand signage. The proposed sign is lower than the current Kia sign that was previously variances. The other surrounding dealerships on 159th have variances to have sign taller than 10'

FINDINGS OF FACT CONTINUED

- D. Describe the reasons this Variance request is unique to this property only and is not applicable, in general, to other properties within the same Zoning District:

The Variance requested is unique as the suggested changes are in violation of the current ordinance slightly. The request is only coming forward so International Kia may stay compliant w/ corporate branding.

- E. Explain how this Variance **would not** be regarded as an attempt at financial gain, but only because of personal necessity. For example, the intent of the Variance is to accommodate related living for an elderly relative as opposed to adding an additional income source.

Kia motors is requiring the sign signage to be updated if the dealer does not they will lose their corporate branding. The intent of the taller sign is to remain competitive with the surrounding dealerships. Kia is only requesting an addition 4' in height in comparison to the 18' overall height most of the surrounding dealerships have.

- F. Describe how granting this Variance request will not be detrimental to the public welfare or injurious to other properties or improvements in the neighborhood in which the property is located: (Example: fencing will not obstruct view of automobile traffic).

The proposed sign will be lower than the existing and will not obstruct any viewing for vehicular traffic. The sign does not have a message center & will not be changing displays or colors.

- G. Explain how granting this Variance will not alter the essential character of the neighborhood or locality:

Given the character of the neighborhood when considering the proposed signage, one can see that the recommended changes are inline w/ the existing appearance of other signage as is lower than the existing 18' overall height that the other dealerships are located in Orland's side of 159th Street have.

FINDINGS OF FACT CONTINUED

H. Describe how the requested Variance will not:

1. Impair an adequate supply of light and air to adjacent properties.

~~The existing sign that was previously variances is~~ it
The proposed overall sign size is 14' 1 1/4" x 8' 7 3/4" IT IS
approximately 100' away from the building allowing adequate
light and air flow

2. Substantially increase the congestion of the public streets.

The suggested changes will not substantially
increase congestion as the sign height is only
going above the recommended ordinance by 4' feet
and other competitor neighbors have much
larger signage within Tinley & other neighboring
towns. There will be no negative impacts on visibility nor
will it distract drivers since there are no moving or changing
color displays.

3. Increase the danger of fire.

~~SOPE~~ All electrical components are UL listed and will
be installed in accordance to the NECA standards +
the village codes

4. Impair natural drainage or create drainage problems on adjacent property:

The current sign base ~~is~~ is comparable to the new
proposed foundation based on the size of the signs.
The foundation is 3' diameter + 1' 3" deep + will use approximately
1.44 cubic yards of concrete. This amount of concrete and the
size of the hole are smaller than what would be used for the 18' tall signs
that have been used.

5. Endanger the public safety

The suggested changes will not endanger the
public's safety as the sign will be installed
by a licensed & bonded sign company with 25
years of installation experience. Plus the sign will
be inspected by village for approval. It does not create
any line of site issues for 159th st. traffic or customers leaving the dealership

6. Substantially diminish or impair property values within the neighborhood:

~~The sign will not affect the property values because it~~
will not be per.

The proposed signage is in line with the current signage along
159th st. Updating the sign will continue to raise the standards for
future signs. This will help keep the property values up rather than impairing
them.



LETTER OF AUTHORIZATION

Note: All items in bold to be filled in.

R6M PROPERTIES LLC

Property Owner / Agent Address

Company Name:

Mailing Address:
8031 W. 159th ST
TINLEY PARK IL 60477

Contact: VICKI RENIEL

Tel: 708-468-1109

Fax: 708-468-1209

Email: VRENIEL@IADLLANDPARK.COM

Site Address Information

Company Name:

Mailing Address:

Contact:

Tel:

Fax:

Email:

I, **(PLEASE PRINT NAME) Francis Maww** owner/agent of
8301 W 159th st
 (Location Site) **Tinley Park IL 60477**

property, give **PATTISON SIGN GROUP Inc** authorization to install signage at the above mentioned property

This letter shall also serve to authorize **PATTISON SIGN GROUP Inc** to act as our agent when applying for the necessary municipal approvals and permits.

Date: **8/15/15**
 Owner/Agent: **Francis Maww**

Legal description of property: _____



International Kia

8301 W. 159th Street

Tinley Park, IL 60477

Re: Letter of Authorization to Obtain Sign Permits and Install Signs

Please accept this letter as authorization from Pattison Sign Group for All-Right Sign at 3628 Union Ave. Steger, IL 60475 to obtain any necessary permits as well as install new signage at International Kia at 8301 W. Tinley Park, IL 60477.

Jennifer Hebar
Owner Signature

12-14-15
Date

Jennifer Hebar
Printed Name

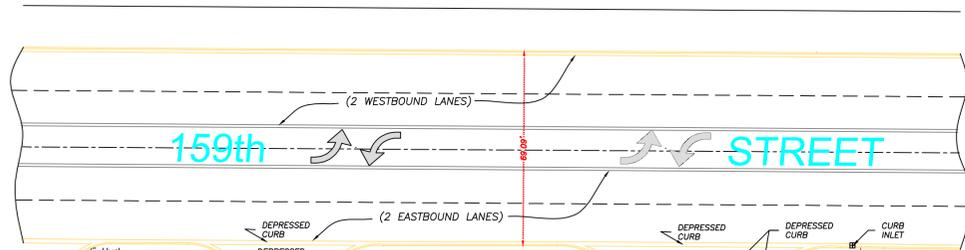
ALTA/ACSM LAND TITLE SURVEY

LOT 3 AND THE EAST 30 FEET OF LOT 2 IN GRAY PROPERTIES 159TH STREET COMMERCIAL SUBDIVISION OF THE NORTH 650.00 FEET OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS (EXCEPT THAT PART THEREOF DEEDED TO THE COMMONWEALTH EDISON COMPANY AND EXCEPT THAT PART THEREOF PREVIOUSLY DEDICATED FOR HIGHWAY PURPOSES), ACCORDING TO THE PLAT THEREOF RECORDED JULY 31, 1987 AS DOCUMENT 87421369, IN COOK COUNTY, ILLINOIS.

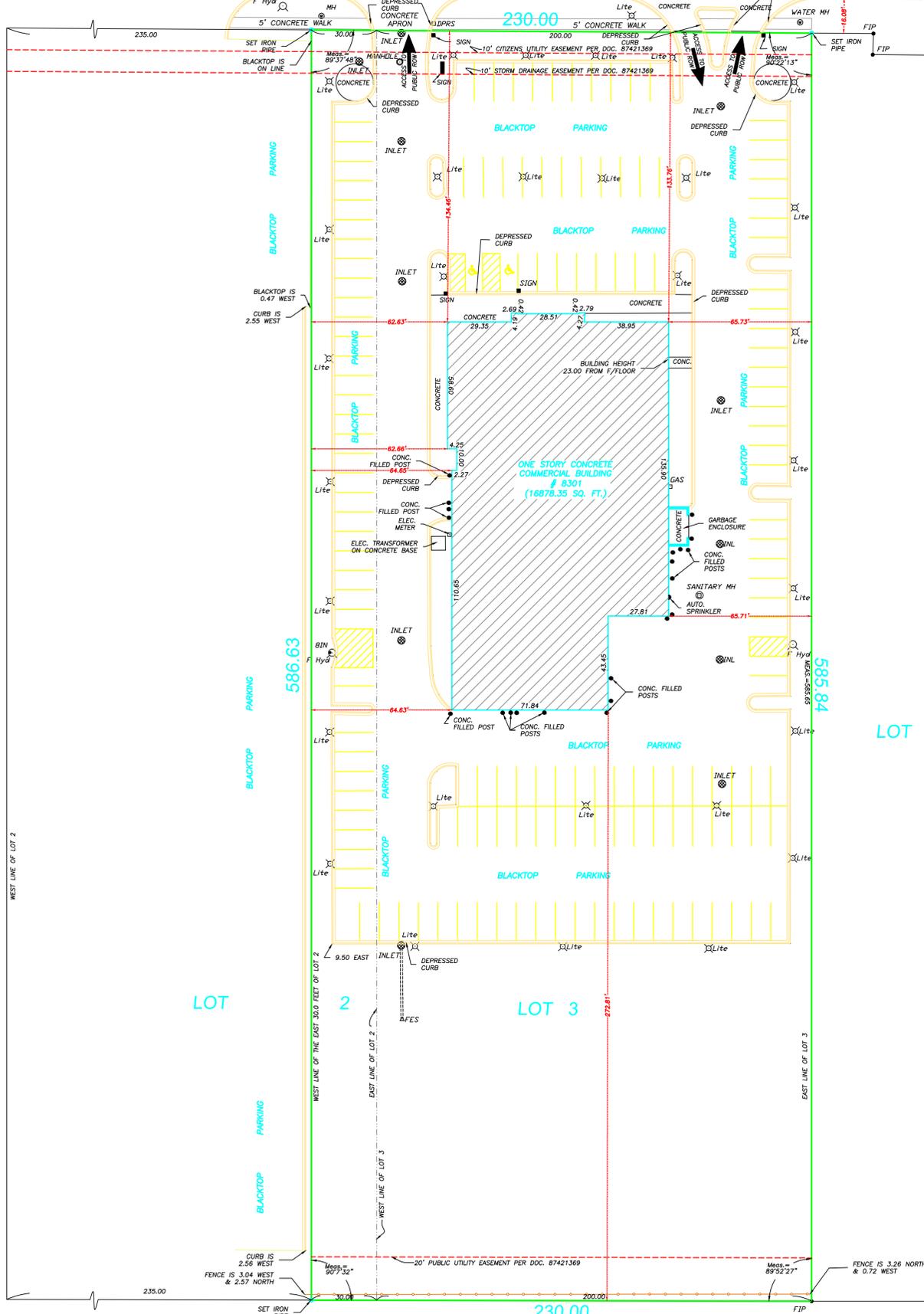
P.I.N.: 27-23-202-003
27-23-202-008



Vicinity Map
n.t.s.



ASSUMED NORTH



CERTIFIED TO:
GARTNER HOLDINGS, INC.
MB FINANCIAL BANK, N.A.
CHICAGO TITLE INSURANCE COMPANY

ALTA/ACSM CERTIFICATION:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS" JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND ACSM IN 1990, INCLUDES ITEMS 1, 2, 3, 4, 7A, 7B), 8, 9, 10, 11(a), 13 AND 15 OF TABLE A THEREOF, AND PURSUANT TO THE ACCURACY STANDARDS (AS ADOPTED BY ALTA AND ACSM AND IN EFFECT ON THE DATE OF THIS CERTIFICATION) OF AN "URBAN SURVEY".

DATE: _____

SIGNED: _____
ILLINOIS LAND SURVEYOR No. 1863

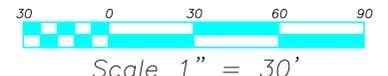


Miscellaneous Notes

Property Area= 134898.79 Sq. Ft. or 3.0948 Acres.
Building Area= 16878.35 Sq. Ft.
Building Height= 23.0 Feet (From Finish Floor)

Regular Parking Spaces = 155
Handicapped Parking Spaces = 2
Total Parking Spaces = 157

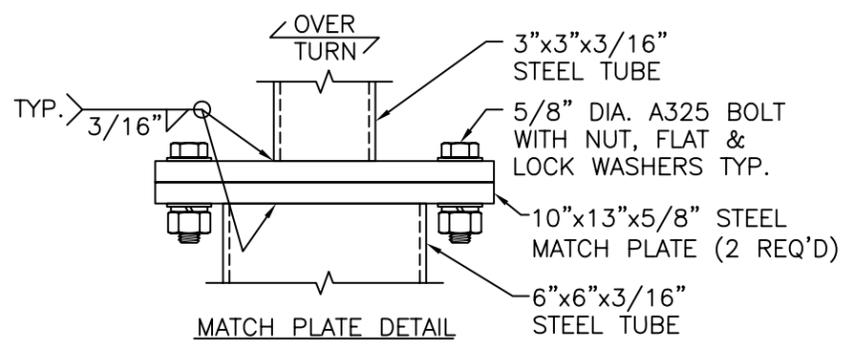
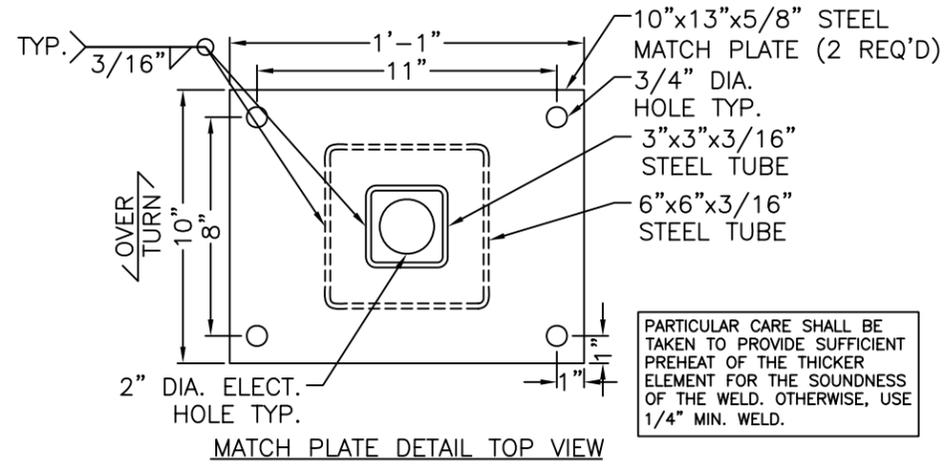
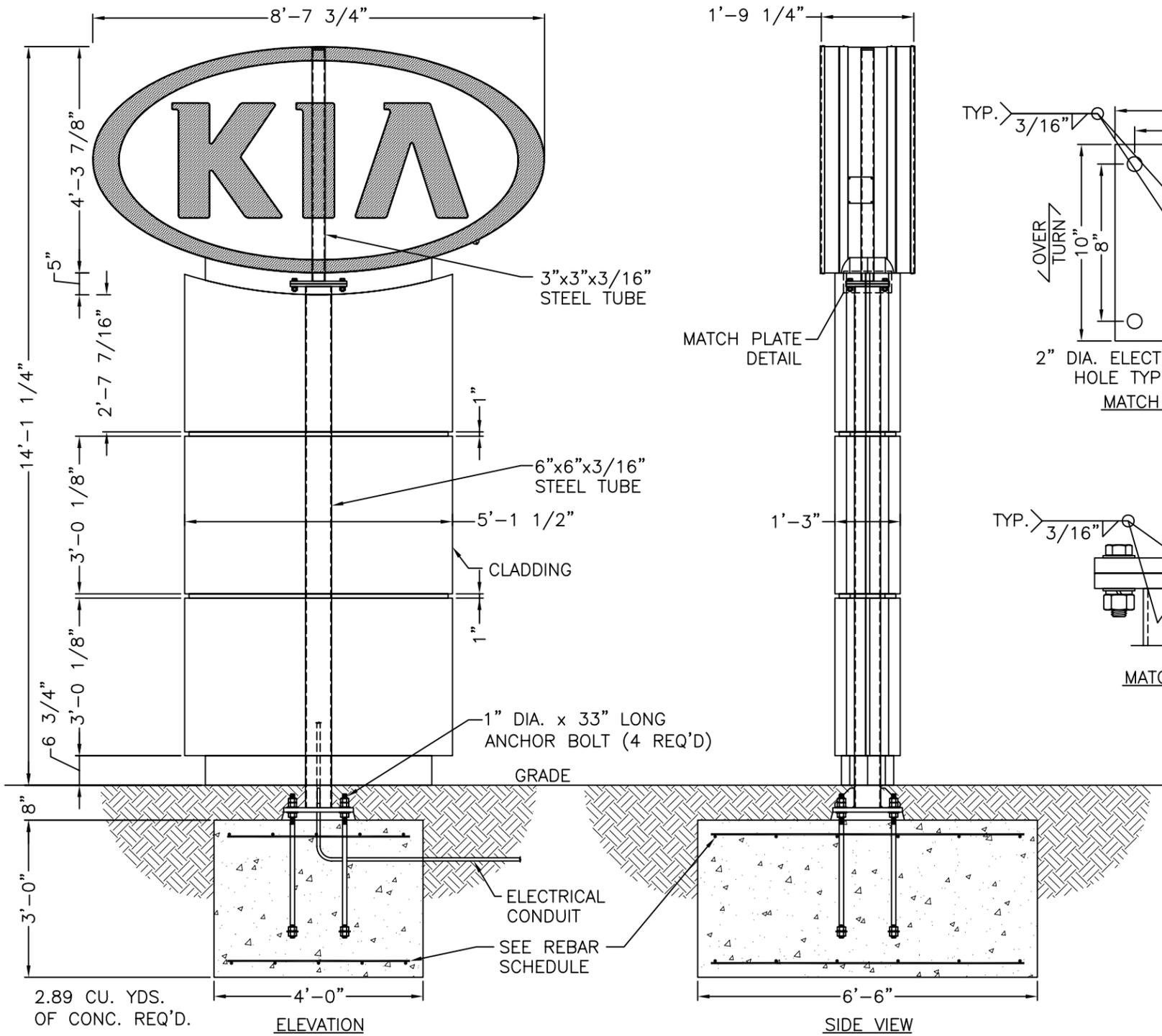
FLOOD NOTE:
By graphic plotting only, this property is in Zone "X" of the Flood Insurance Rate Map, Community Panel No. _____ which bears an effective date of _____ and is not in a Special Flood Hazard Area.



LEGEND

- ⊙ = CATCH BASIN/INLET
- ⊕ = FIRE HYDRANT
- ⊗ = GAS VALVE
- ⊗ = LIGHT
- ⊗ = FLARED END SECTION
- ⊙ = SANITARY MANHOLE
- ⊙ = STORM MANHOLE
- ⊙ = deciduous tree
- ⊙ = coniferous tree
- ⊙ = electric transformer
- ⊙ = telephone vault
- ⊙ = utility pole
- ⊙ = water box (8"b-box)
- ⊙ = water vault
- ⊙ = CURB INLET
- CONC. = CONCRETE
- FR = FOUND IRON ROD
- FIP = FOUND IRON PIPE
- INV. = INVERT
- (M) = MEASURED
- M.E.S. = MITERED END SECTION
- M.H. = MANHOLE
- PVC = POLYVINYL CHLORIDE PIPE
- (P) = DESCRIBED BY PLAT
- R.C.P. = REINFORCED CONCRETE PIPE
- R.W. = RIGHT OF WAY
- P.B. = PLAT BOOK
- T.O.B. = TOP OF BANK
- T.O.S. = TOP OF SLOPE
- U.G. = UNDERGROUND
- EL = ELEVATION
- EDP = EDGE OF PAVEMENT
- FW = WATER VALVE
- FHA = FIRE HYDRANT ASSEMBLY

SHEET NO. 1 OF 1	ALTA/ACSM LAND TITLE SURVEY	THIS SURVEY PREPARED FOR: CLINGEN, CALLOW	PREPARED BY: LAMBERT AND ASSOCIATES 320 SOUTH REBER STREET WHEATON, ILLINOIS 60187 PHONE (630) 653-6331 FAX (630) 653-6396	DWN	RBZ					
				PC	RBZ					
				CK'D.	NVL					
				DATE:	12-01-04					
				ORDER:	04 K 161					
FILE No.	04 1616	REVISION		NO.		DATE		BY		



- NOTES:
- Design is based on 90 mph 3 second gust design wind speed per IBC 2006, Category II; Exposure C.
 - Spread foundation analysis is based on a safe vertical soil bearing pressure minimum of 2000 psf. Caisson & vertical foundations are based on a safe lateral soil bearing pressure of 300 psf per foot of depth. Soil report was not furnished. Allowable bearing pressure should be verified prior to placement of concrete. Do not place foundation in fill.
 - Concrete shall be mixed to attain a minimum compressive strength of 3000 psi in 28 days.
 - Support members shall be free from defects and shall meet ASTM A500 grade B with a minimum yield strength of 46000 psi for tube. Plate and angle shall meet ASTM A36.
 - Structural bolts shall be zinc coated A325 unless otherwise noted.
 - Anchor bolts shall be cut from A36 round stock. Exposed surfaces shall be galvanized or coated to prevent corrosion.
 - All voids between column base plate and foundation surface shall be completely filled with high strength, non-shrink grout.
 - Welds shall be made with E70xx electrodes by persons qualified in accordance with AWS standards within the past two years.
 - Steel reinforcing bars shall conform to ASTM A615 grade 60 with deformations in accordance with ASTM A-305. Welding of reinforcing bars is prohibited.
 - This design is prototypical and is intended to provide general installation guidelines. For site specific applications, code compliance review and approval by a competent Professional Engineer are required.

REBAR SCHEDULE
SPREAD FOUNDATION

DO NOT WELD REBAR
3" MIN. COVER

PLACEMENT	SIZE	SPACING	QUANTITY
LONG BOTTOM STEEL	#4	10"	5
LONG TOP STEEL	#4	10"	5
BOTTOM CROSS STEEL	#4	14"	6
TOP CROSS STEEL	#4	14"	6

WHERE THE EXTREME FROST PENETRATION DEPTH REQUIREMENT IS GREATER THAN THE SPECIFIED DEPTH OF THIS FOUNDATION, THE FOUNDATION DESIGN SHOULD BE ALTERED TO MEET THE LOCAL FROST DEPTH REQUIREMENTS.

ALL STEEL BELOW GRADE, INCLUDING EXPOSED ANCHOR BOLTS, SHALL BE COATED WITH CARBOLINE BITUMASTIC 50 COAL TAR OR EQUAL AFTER INSTALLATION AND PRIOR TO LANDSCAPING.

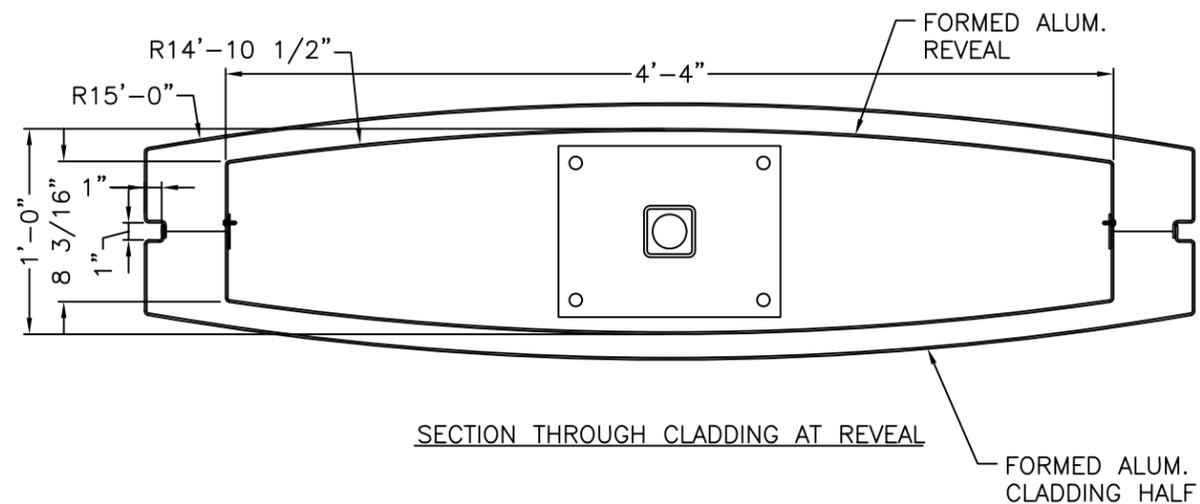
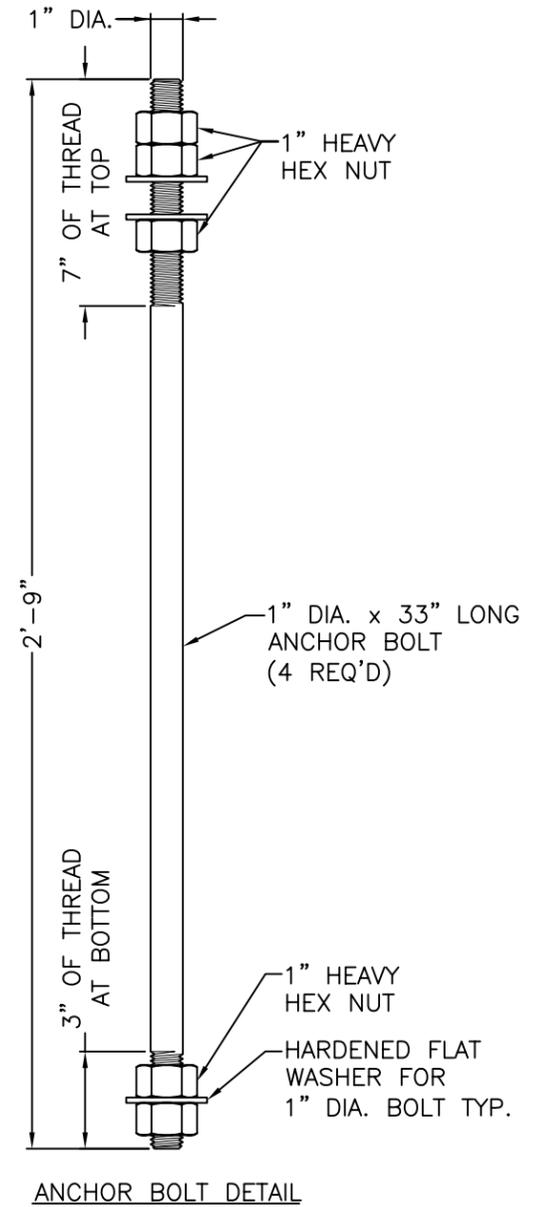
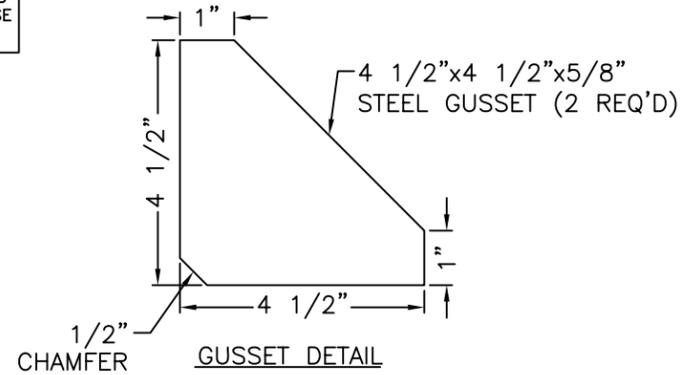
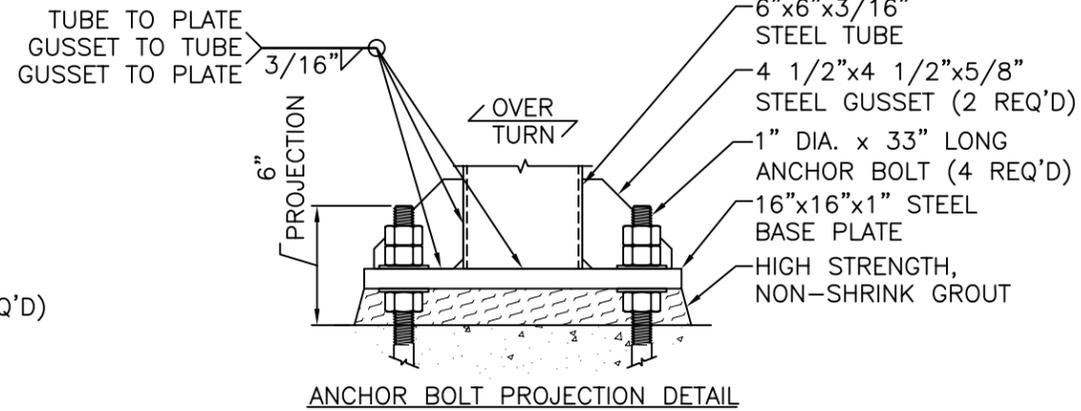
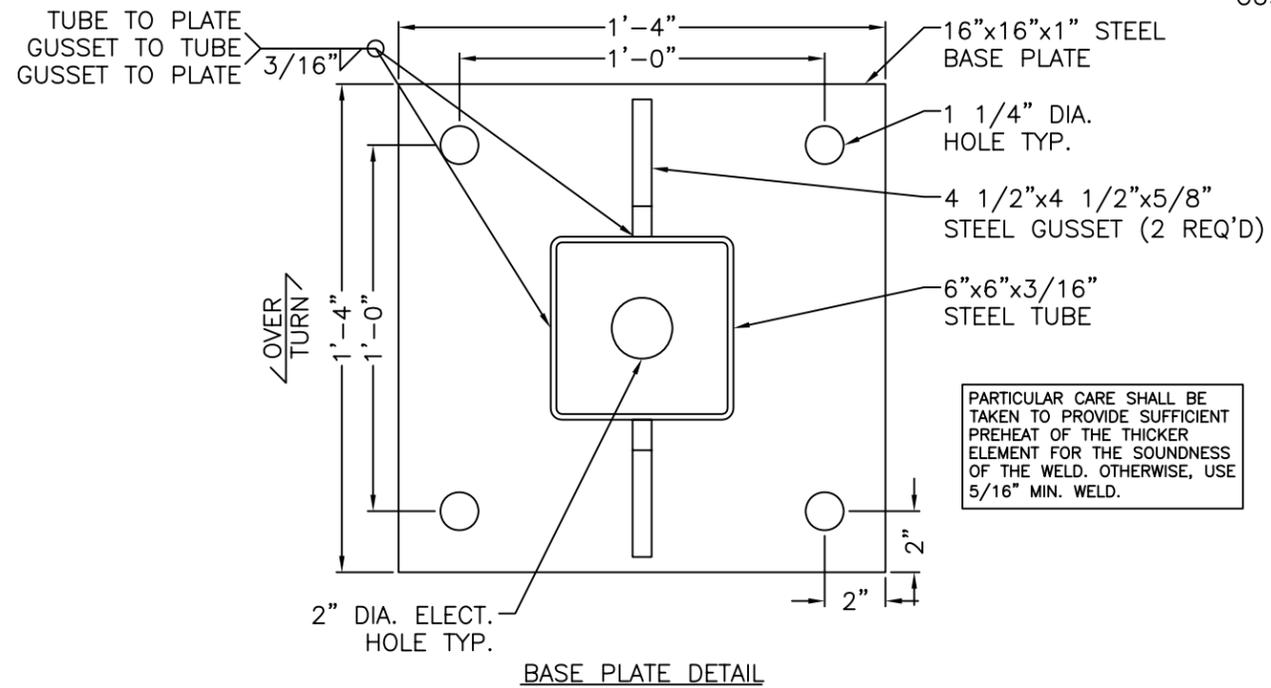
INSTALLATION ADDRESS:
KIA
KPSN15 PYLON INSTALL
90 MPH DESIGN INTENT

CLIENT:

410 N. CEDAR BLUFF RD. • SUITE 101 • KNOXVILLE, TN 37923
• Tel (865) 693-1105 • Fax (865) 693-1106 • Toll Free (866) 218-1976

SHT.	1	BY:	TRR	Project Number:	12-0840
OF	3	DATE:	12/4/12	Drawing Number:	B258359

1/23/13	ADDED POWER SUPPLY ACCESS PANEL	TRR	IK
REV.	DATE	DESCRIPTION	BY



INSTALLATION ADDRESS:
KIA
KPSN15 PYLON INSTALL
90 MPH DESIGN INTENT

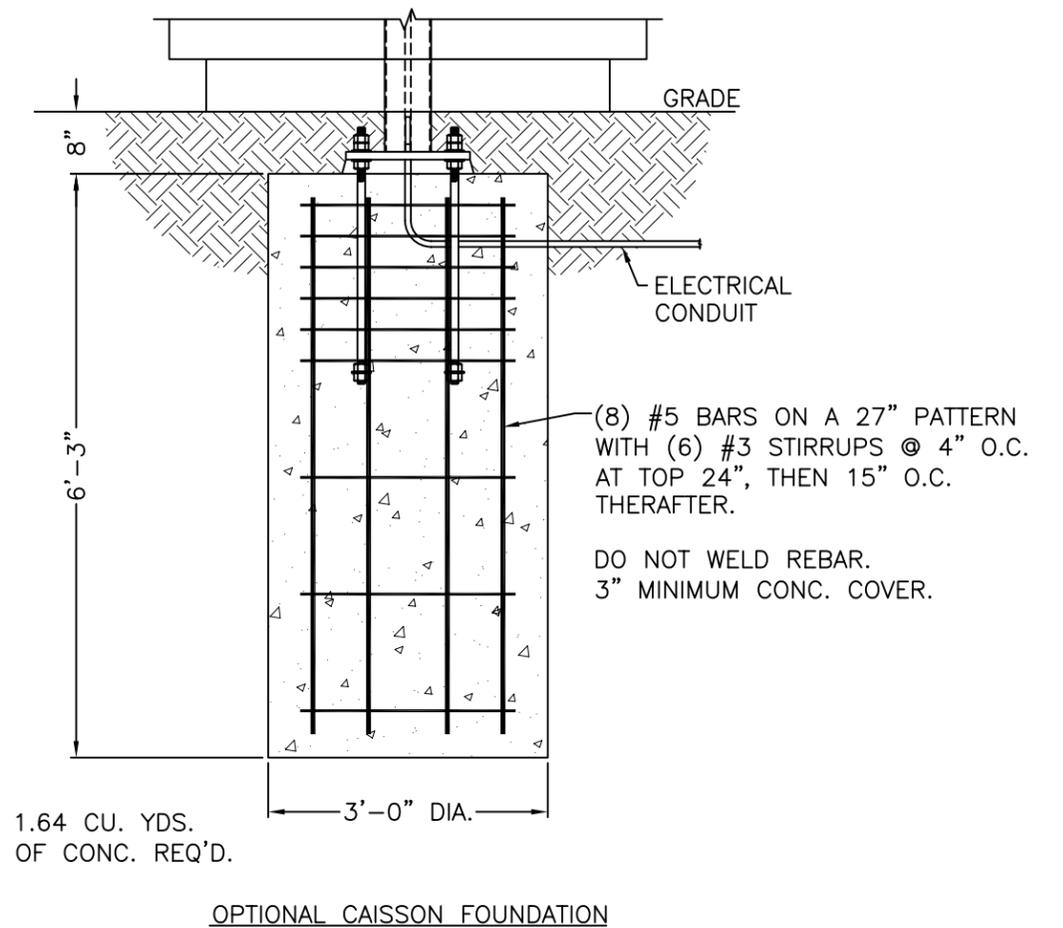
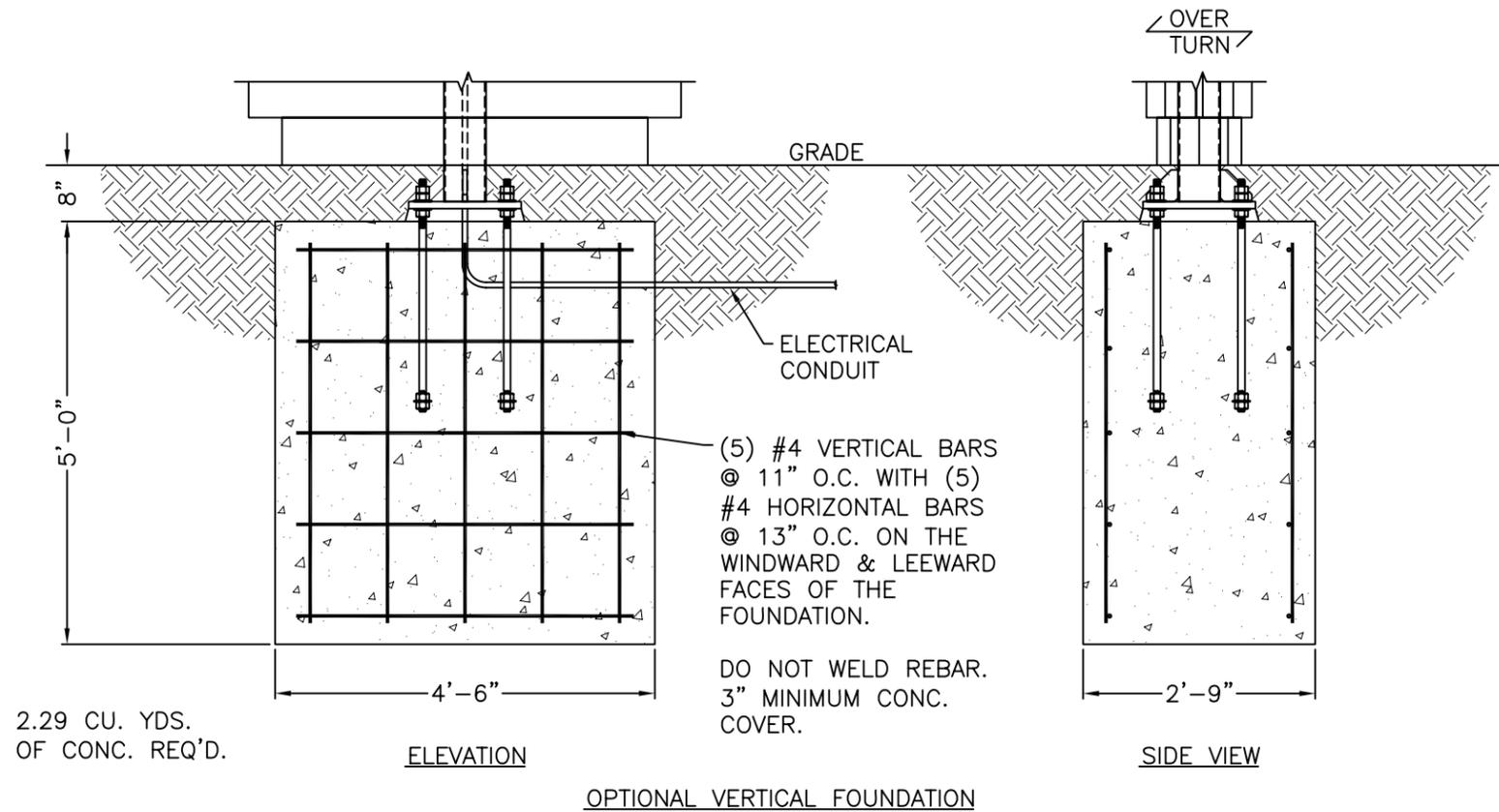
CLIENT:



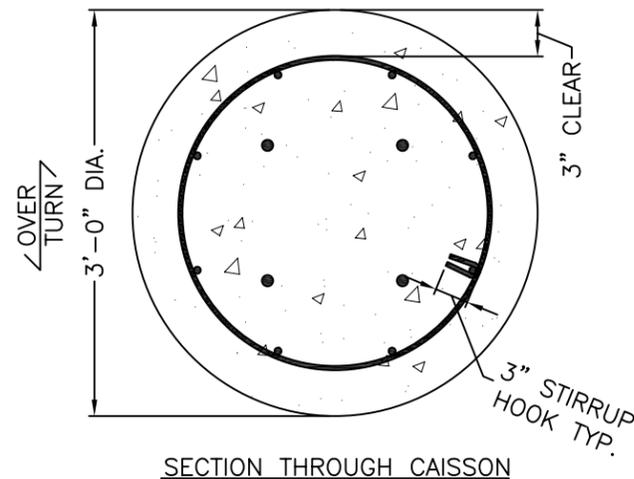
410 N. CEDAR BLUFF RD. • SUITE 101 • KNOXVILLE, TN 37923
• Tel (865) 693-1105 • Fax (865) 693-1106 • Toll Free (866) 218-1976

SHT.	2	BY:	TRR	Project Number:	12-0840
OF	3	DATE:	12/4/12	Drawing Number:	B258359

1/23/13	ADDED POWER SUPPLY ACCESS PANEL	TRR	IK
REV.	DATE	DESCRIPTION	BY



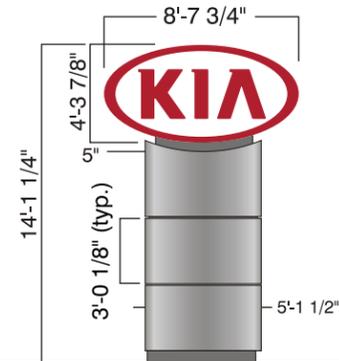
ALL STEEL BELOW GRADE, INCLUDING EXPOSED ANCHOR BOLTS, SHALL BE COATED WITH CARBOLINE BITUMASTIC 50 COAL TAR OR EQUAL AFTER INSTALLATION AND PRIOR TO LANDSCAPING.



INSTALLATION ADDRESS:			
KIA KPSN15 PYLON INSTALL 90 MPH DESIGN INTENT			
CLIENT:			
 PATTISON SIGN GROUP INC. <small>410 N. CEDAR BLUFF RD. • SUITE 101 • KNOXVILLE, TN 37923 • Tel (865) 693-1105 • Fax (865) 693-1106 • Toll Free (866) 218-1976</small>			
SHT.	3	BY:	TRR
Project Number:	12-0840		
OF	3	DATE:	12/4/12
Drawing Number:	B258359		

△	1/23/13	ADDED POWER SUPPLY ACCESS PANEL	TRR	IK
REV.	DATE	DESCRIPTION	BY	APR

Ε01 KPSN15 Pylon Sign



Sign Head:
37.37 Sq.Ft.
Scale: 1/8" = 1'-0"

Head:
Fabricated aluminum channel letters/oval, mounted to white backer panel.
White acrylic faces with Kia red vinyl applied first surface.
Red trim caps & returns
LED illumination

Column/Cladding:
Steel pole construction with Formed aluminum cladding painted silver

Existing

NOTE: Dealer to remove existing sign. Existing foundation will NOT be used for new Kia pylon sign

Proposed



Any non-compliant Kia logo (i.e., window vinyl, doors/entry vinyl, parking signs, directional signs, multi-tenant signs, reader board graphics, etc.) not represented in this proposal must be updated by the Dealer to the current compliant Kia logo or must be removed.

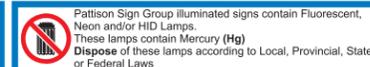
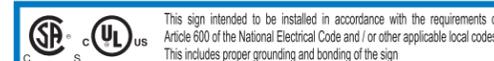


410 N. CEDAR BLUFF RD. • SUITE 101 • KNOXVILLE, TN 37923
• Tel (865) 693-1105 • Fax (888) 694-1106 • Toll Free (866) 218-1976

Customer Approval:

Date: _____

NOTE: DIMENSIONS ARE APPROXIMATE PENDING FINAL ENGINEERING

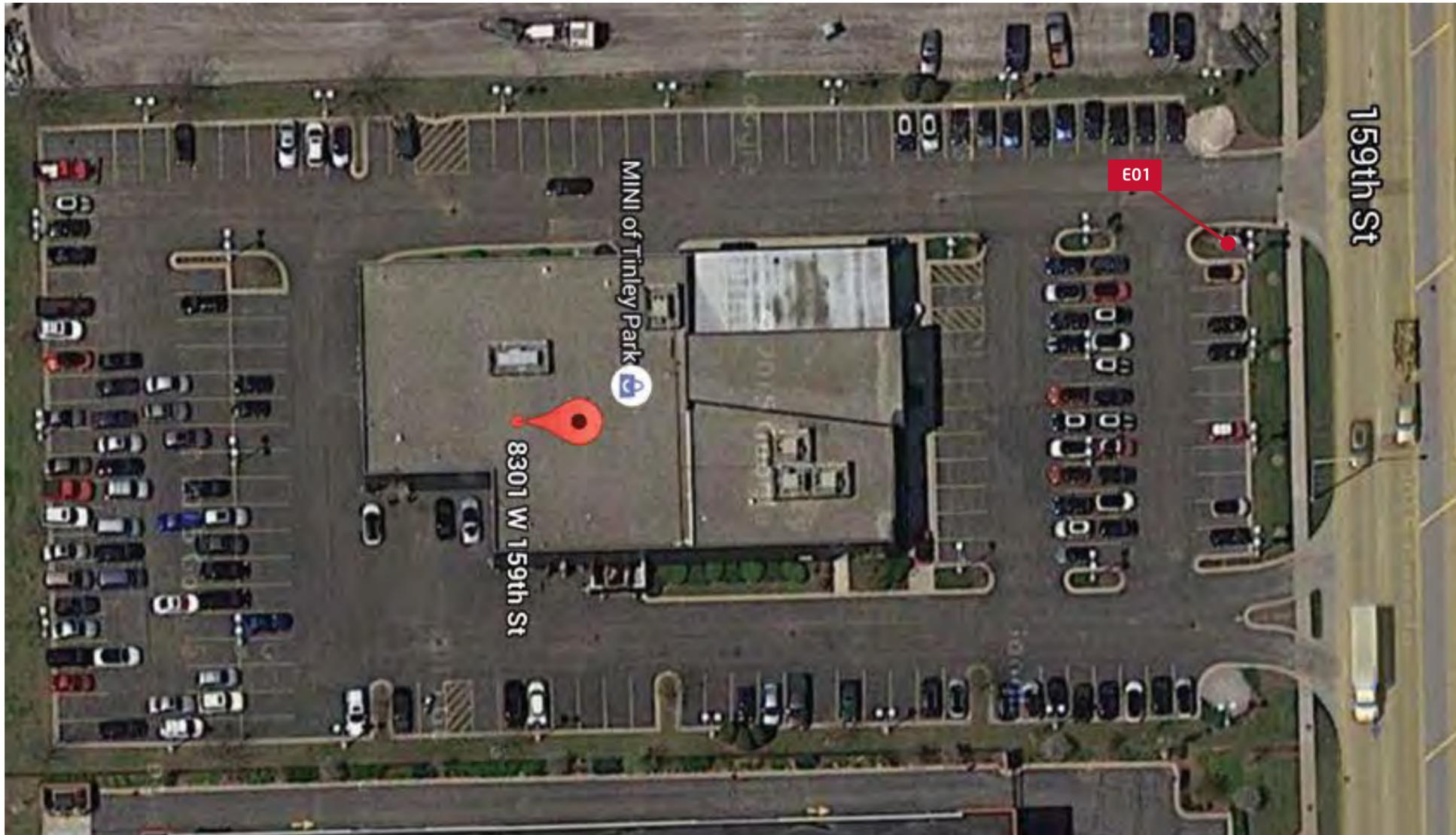


IT IS AGREED THAT THE CLIENT IS ENTIRELY RESPONSIBLE TO INSTALL THE CONCRETE BASE AS PER PATTISON SIGN INC. TECHNICAL DRAWINGS OR THE EQUIVALENT, WHERE AN EXISTING BASE IS USED, THE CLIENT AGREES TO CHECK THAT THE CONCRETE BASE CAN SUPPORT THE SIGN AS SUPPLIED BY PATTISON SIGN INC. PATTISON SIGN GROUP INC. WILL NOT ACCEPT ANY LIABILITY.

© PATTISON SIGN GROUP INC. ALL RIGHTS RESERVED, NO PART OF THIS DRAWING MAY BE REPRODUCED IN ANY FORM WITHOUT WRITTEN PERMISSION FROM PATTISON SIGN GROUP INC.

www.pattisonsign.com

CLIENT:	IL073 - International Kia		
LOCATION:	8301 W 159th Street Tinley Park, IL 60477		
DESIGNER:	R. Andree	DATE:	07/07/15
REVISED BY:		REV:	07/08/15 r1
PAGE:	1 / 2	SCALE:	as noted



E01 KPSN15 Pylon Sign

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Customer Approval: _____

Date: _____

NOTE: DIMENSIONS ARE APPROXIMATE PENDING FINAL ENGINEERING



This sign intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and / or other applicable local codes. This includes proper grounding and bonding of the sign.



Pattison Sign Group illuminated signs contain Fluorescent, Neon and/or HID Lamps. These lamps contain Mercury (Hg). Dispose of these lamps according to Local, Provincial, State, or Federal Laws.

IT IS AGREED THAT THE CLIENT IS ENTIRELY RESPONSIBLE TO INSTALL THE CONCRETE BASE AS PER PATTISON SIGN INC. TECHNICAL DRAWINGS OR THE EQUIVALENT, WHERE AN EXISTING BASE IS USED, THE CLIENT AGREES TO CHECK THAT THE CONCRETE BASE CAN SUPPORT THE SIGN AS SUPPLIED BY PATTISON SIGN INC. PATTISON SIGN GROUP INC. WILL NOT ACCEPT ANY LIABILITY.

CLIENT:	IL073 - International Kia		
LOCATION:	8301 W 159th Street Tinley Park, IL 60477		
DESIGNER:	R. Andree	DATE:	07/07/15
REVISED BY:		REV:	07/08/15
PAGE:	2/2	SCALE:	as noted

LEGAL NOTICE

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT the Zoning Board of Appeals of the Village of Tinley Park, Cook and Will Counties, Illinois, will conduct a Public Hearing beginning at the hour of **7:30 p.m. on Thursday, January 28, 2016** at the Village Hall in the Council Chambers, 16250 South Oak Park Avenue, Tinley Park, Illinois, to consider recommending that the Village Board grant a four foot, one and one-fourth inch (4' 1 ¼") Variation from Section IX.D.4.a.(2) where the maximum allowable sign height is ten feet (10'). This Variation would allow the Petitioner to construct a freestanding sign with a maximum height of fourteen feet, one and one-fourth inches (14' 1 ¼") at the north (159th Street) side of the property at 8301 159th Street in the B-5 (Automotive Service) Zoning District and within the Gray Properties 159th Street Commercial Subdivision.

LEGAL DESCRIPTION: LOT 3 AND THE EAST 30 FEET OF LOT 2 IN GRAY PROPERTIES 159TH STREET COMMERCIAL SUBDIVISION OF THE NORTH 650.00 FEET OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 36 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS (EXCEPT THAT PART THEREOF DEEDED TO THE COMMONWEALTH EDISON COMPANY AND EXCEPT THAT PART THEREOF PREVIOUSLY DEDICATED FOR HIGHWAY PURPOSES), ACCORDING TO THE PLAT THEREOF RECORDED JULY 31, 1987 AS DOCUMENT 87421369, IN COOK COUNTY, ILLINOIS.

PARCEL IDENTIFICATION NUMBER: 27-23-202-010-0000

COMMONLY KNOWN AS: 8301 159th Street, Tinley Park, Illinois

PETITIONER: Brittany Bowen and Tabitha Bowen of All-Right Sign, Inc. on behalf of Pattison Sign Group and International Kia

The proposed Variation may be added to, revised, or eliminated as a result of the Public Hearing. All persons interested may appear at the Public Hearing and will be given an opportunity to be heard relative to the proposed Variation. The Zoning Board of Appeals reserves the right to continue said meeting from time to time as may be required by the Illinois Open Meetings Act.

BY ORDER OF THE TINLEY PARK ZONING BOARD OF APPEALS, COOK AND WILL COUNTIES, ILLINOIS.

CHRIS VERSTRATE, CHAIRMAN, ZONING BOARD OF APPEALS.

Daily Southtown

8301 159th Street

1/10/2016

Certificate of Publication

The **Daily Southtown** is a secular newspaper, has been continuously published weekly for more than fifty (50) weeks prior to the first publication of the attached notice, is published in the city of **Tinley Park**, county of **Cook County**, State of Illinois, is of general circulation throughout that county and surrounding areas, and is a newspaper as defined by 715 ILCS 5/5.

This notice, a copy of which is attached, was published **One** times in **Daily Southtown**, namely one time per week for **One** successive weeks.

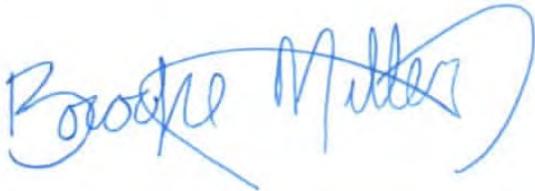
The first publication of the notice was made in the newspaper, dated and published on **1/10/2016** and the last publication was **1/10/2016**

The notice was also placed on a statewide public notice website as required by 715 ILCS 5/2.1.

In witness, Daily Southtown has signed this certificate by its registered agent.

Daily Southtown

By:



Registered Agent

Legal Text

LEGAL NOTICE NOTICE OF PUBLIC HEARING NOTICE IS HEREBY GIVEN THAT the Zoning Board of Appeals of the Village of Tinley Park, Cook and Will Counties, Illinois, will conduct a Public Hearing beginning at the hour of 7:30 p.m. on Thursday, January 28, 2016 at the Village Hall in the Council Chambers, 16250 South Oak Park Avenue, Tinley Park, Illinois, to consider recommending that the Village Board grant a four foot, one and one-fourth inch (4' 1 1/4") Variation from Section IX.D.4.a.(2) where the maximum allowable sign height is ten feet (10'). This Variation would allow the Petitioner to construct a freestanding sign with a maximum height of fourteen feet, one and one-fourth inches (14' 1 1/4") at the north (159th Street) side of the property at 8301 159th Street in the B-5 (Automotive Service) Zoning District and within the Gray Properties 159th Street Commercial Subdivision. LEGAL DESCRIPTION: LOT 3 AND THE EAST 30 FEET OF LOT 2 IN GRAY PROPERTIES 159TH STREET COMMERCIAL SUBDIVISION OF THE NORTH 650.00 FEET OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 23,

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SECTION IX SIGN REGULATIONS

A. PURPOSE - *no change*

B. APPLICABILITY OF SIGN REGULATIONS AND PERMITS REQUIRED

1. **Applicability** *no change*

2. **Permits Required:** No sign shall be erected, altered, relocated, or changed (e.g. face change) without a permit issued by the Building Department except as otherwise provided herein. Where Electrical Permits are required, they shall be obtained at the same time as the Sign Permit. A permit application shall be made upon forms provided by the Building Department and shall include the following information:

- a. Name, address, **email address**, and telephone number of the applicant **and/or Management Company**;
- b. Location of the building, structure, or parcel of property to which, or upon which, the sign is to be attached or erected;
- c. Position of the sign in relation to nearby buildings, structures, street's grade, easements, and overhead utilities, **dimensioned on a Plat of Survey**;
- d. Two copies of plans and specifications showing method of construction, illumination, location, and support sealed by a registered architect or structural engineer;
- e. Sketch showing sign faces, exposed surfaces, and proposed message thereof accurately represented in scale as to size, (with dimensions noted on plan) proportion, and color (**color elevations**);
- f. **Indicate building/tenant frontage and Gross Floor Area (GFA) of building and/or tenant space**;
- g. Name of person, firm, corporation, or association erecting the sign;
- h. Written consent of the owners of the building, structure, or land on or to which the sign is to be erected; and
- i. Such other information as the Building Inspector shall require to show full compliance with this and all other laws and Ordinances of the Village.

3. **Issuance of Permits:** *no change*

4. **Permit Fees:** *no change*

5. **Bond:** *no change*

6. **Interpretation and Construction:** *no change*

C. GENERAL PROVISIONS

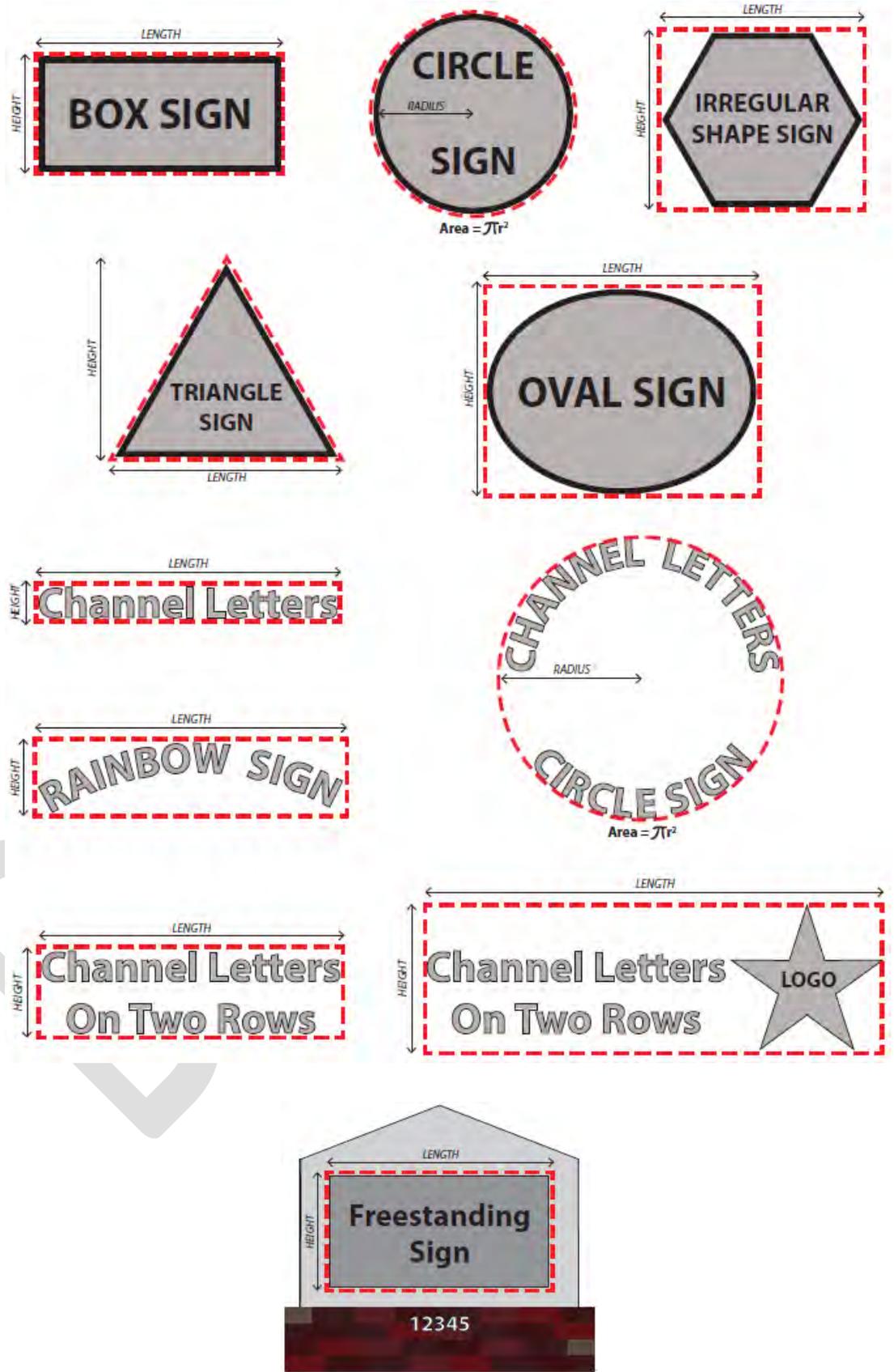
1.- 9. *no change; add the following:*

10. **Removal of Obsolete Signs:** *Add to the end of the existing paragraph: If the sign to be removed is located on a multi-panel freestanding sign, the panel must be completely replaced with a plain panel consistent in color to the existing panels.*
11. **Exemption:** *no change except for the deletion of Section k. "Institutional Signs" and incorporate and supplement existing regulations into Section D.2.*

D. DEVELOPMENT STANDARDS FOR SIGNS BY ZONING DISTRICT – *This section (1 through 5) has been reformatted to categorize sign regulations by Zoning District. The majority of the existing regulations remains intact or has been aggregated into a table format.*

1. **General Regulations:** These regulations apply to all signs except as provided in Section H. (Sign Regulations for Special Areas and Particular Uses).
 - a. **SIGN FACE AREA** *This section proposes a new way of calculating sign area.*

The area of a sign face shall be determined by calculating the area within a single continuous perimeter encompassing the entire advertising copy or art designed to attract attention. This shall include the extreme limits of characters, lettering, illustrations, ornamentation or other figures, together with any other material, design or color forming an integral part of the display. The area within the single continuous perimeter shall be calculated by determining the area of the smallest measurable square, circle, rectangle, or triangle within the single continuous perimeter, including the frame, border, or other material, which forms an integral part of the display and is used to differentiate such sign from the wall or background against which it is placed.



b. WALL SIGNS

- i. *This was not clearly stated in the existing ordinance however it is the way sign area is currently calculated. Regulations for Wall Signs are determined by the linear frontage of the building or tenant space (tenant frontage limits) facing a public right-of-way. For uses in single tenant or multi-tenant buildings that do not face a public right-of-way, the allowable area for a wall sign shall be determined by the linear frontage of the building façade or tenant space which includes the primary entrance.*



- ii. All wall signs shall be located on the same zoning lot as the use they identify.
- iii. No wall sign shall extend above the top line of the face of the building, nor shall any wall sign project into the public right-of-way, or extend more than twelve (12) inches from the face of the building.
- iv. Wall signs are not allowed for residential uses, including home occupations.
- v. Businesses located within another business, without having a distinct secured entrance, are not eligible for a wall sign.
- vi. When the sign background for individual letters is made of a color different from the color of the building, the entire area of contrasting color shall be measured and shall constitute the sign area if such area is larger than the geometric forms encompassing the sign message.



- vii. No more than two lines of lettering shall be allowed on any wall sign.
- viii. This amendment creates a uniform way to locate wall signs.

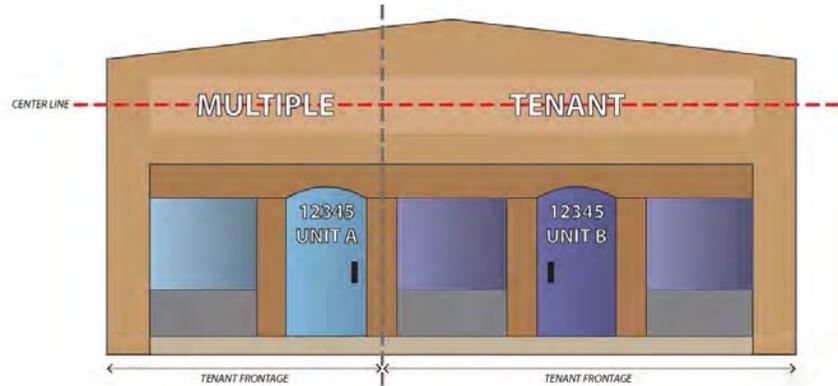
Location requirements for Wall Signs:

1. Building with a Single Tenant: The location of the sign should be as close to the entrance of the business as possible. Effort shall be made to not conflict with the architectural elements of the building façade.



2. Building with Multiple Tenants: The location of the sign should be centered within the tenant's frontage limits along the building frontage of the business. Effort shall be made to not conflict with the architectural elements of the building façade. In cases where

architectural elements conflict with centering the sign on the building frontage, the tenant shall locate the sign as close to the center of the building frontage as possible. All wall signs for multi-tenant structures must be placed in accordance with an established center line for all signs.

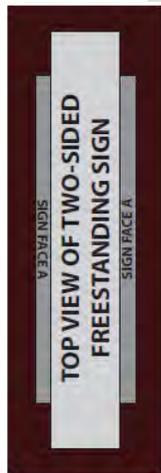


c. FREESTANDING SIGNS

- i. Any permanent freestanding sign constructed in any residential, business, office or industrial district shall be architecturally compatible with the building(s) it identifies. Such architectural compatibility shall be determined by the Plan Commission through the Site Plan Approval process for new construction. Architectural compatibility for permanent freestanding signs constructed by an existing business or use shall be determined by the Zoning Administrator through the permit approval process. **The following architectural guidelines shall be considered in the review of freestanding signs:**
 1. **Same or similar materials (color, scale, finish) to the materials used for the principal building;**
 2. **In harmony or consistent in design to the principal building;**
 3. **Similar architectural treatments as on the principal building; and**
 4. **Sign shall not block or obstruct architectural features of the principal building.**
- ii. Structural supports for a freestanding sign shall be fully enclosed and be equal in width to the sign face or wider; structure supports shall not be exposed to view. The base of the freestanding sign shall be designed to be an architectural enhancement to the sign.
- iii. Any permanent freestanding sign constructed in any residential, business, office, or industrial district shall include extensive landscaping around the base of the sign to screen the base of the sign from view from the adjoining

street and adjoining properties. The total area devoted to landscaping around the base of the sign shall be equal to two (2) square feet per each one (1) square foot of freestanding sign face area, but in no case shall the total area of landscaping be less than 20 square feet and need not be greater than 200 square feet. The landscape area shall contain well-maintained living landscape materials.

- iv. No advertising or lettering of any type shall be permitted on such sign base except for the address.
- v. When two identical freestanding sign faces are placed back to back so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure, the total sign face area shall be the sign face area of one side of the sign. In all other circumstances, the sign face area of a freestanding sign shall be the total sign face area of all sign faces on the freestanding sign. Freestanding signs shall not project into, over or otherwise encroach upon a public right-of-way and must be located on private property in appropriate easements if necessary.

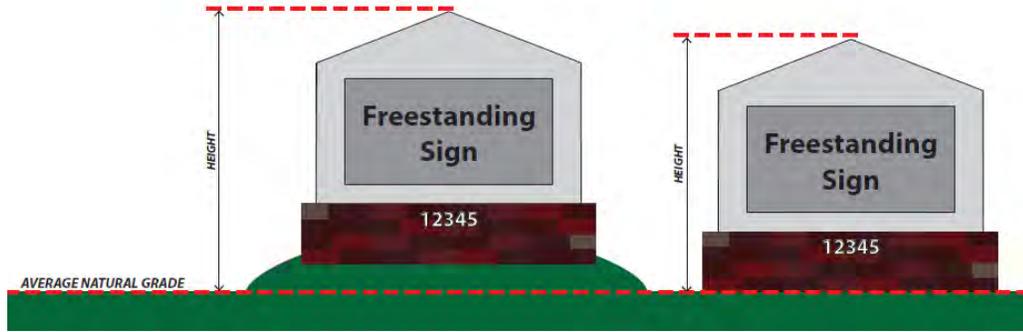


Total Sign Face Area = Sign Face A



Total Sign Face Area = Sign Face A + Sign Face B

- vi. Same intent as current ordinance; clarifies method of measuring height. The height of a freestanding sign is a measurement of the full height of the sign, including the base or support structure and any design element surrounding or enclosing the sign face. The measurement includes the vertical distance from the adjacent existing, natural ground level to the top of the sign, including any decorative element, which may enclose the sign.



- vii. All sign panels advertising individual businesses within a freestanding sign must be consistent in color, method of illumination, material, and design.

2. **Residential Zoning Districts (R-1, R-2, R-3, R-4, R-5, R-6, & R-7)**

Signs in residential districts shall be illuminated by non-flashing direct or indirect illumination from a source of artificial lighting customarily accessory to residential uses. Signs in multi-family districts shall include only the name and address of the building or the management company. Wall and freestanding signs shall be allowed in the residential districts in accordance with the following table:

SIGNS IN R-1, R-2, R-3, R-4, R-5, R-6, & R-7 ZONING DISTRICTS					
Land Use	Sign Type	# of Signs	Allowable Sign Face Area	Maximum Letter Height	Maximum Height
Residential	Wall Sign	<i>Prohibited</i>			
	Freestanding Sign	1 per entrance ¹ ; maximum of 2	5 SF	N/A	5'
Non-Residential & Institutional	Wall Sign	1 per building frontage; maximum of 2	½ SF per one (1) LF of building/tenant frontage; maximum of 60 SF per sign	36"	84"
	Freestanding Sign	1 per building/tenant frontage; maximum of 2	30 SF	N/A	6'

¹ Per entrance to residential subdivision, residential community, or project.

GFA= Gross Floor Area
 SF= Square foot
 LF= Linear foot

3. Business Zoning Districts (B-1, B-2, B-3, & B-5)

- a. WALL SIGNS: Wall signs shall be restricted to the business or trademarked name and/or logo, principal product or service offered for sale on the premises, or a combination of these. Wall signs shall be allowed in the business districts (B-1, B-2, B-3, & B-5) in accordance with the following table:

WALL SIGNS IN B-1, B-2, B-3, & B-5 ZONING DISTRICTS				
Gross Floor Area	# of Signs	Maximum Allowable Sign Face Area	Maximum Letter Height	Maximum Sign Height
Up to 10,000 SF of GFA for business/tenant	1 per building/tenant frontage; maximum of 2 wall signs	One (1) SF per one (1) LF of building/tenant frontage not to exceed 120 SF per sign.	30" (2.5')	78" (6.5')
10,001- 25,000SF of GFA for business/tenant	1 per building/tenant frontage; maximum of 2 wall signs	One (1) SF per one (1) LF of building/tenant frontage not to exceed 120 SF per sign.	36" (3')	84" (7')
25,001-80,000 SF of GFA for business/tenant	1 per building/tenant frontage; maximum of 2 wall signs	One (1) SF per one (1) LF of building/tenant frontage not to exceed 120 SF per sign.	48" (4')	84" (7')
Over 80,000 SF of GFA for business/tenant	1 per building/tenant frontage; maximum of 2 wall signs	One (1) SF per one (1) LF of building/tenant frontage not to exceed 120 SF per sign.	96" (8')	96" (8')

GFA= Gross Floor Area
 SF= Square foot
 LF= Linear foot

b. FREESTANDING SIGNS

- i. Buildings shall be allowed one (1) freestanding sign per public frontage but with a maximum of two (2) freestanding signs, except those businesses with lot frontages greater than five hundred (500) linear feet may have two (2) freestanding signs on the frontage(s) that are greater than five hundred (500) linear feet. Businesses with lot frontages greater than one thousand (1,000) linear feet may have up to three (3) freestanding signs on the frontage(s) that are greater than one thousand (1,000) linear feet. In no case shall freestanding signs be located closer than three hundred (300) feet apart.
- ii. Freestanding signs are limited to ten (10) feet in height.
- iii. The allowable sign area for freestanding signs shall be one (1) SF per 2.5 LF of lot frontage but determined in accordance with the following limitations:

Gross Floor Area	Maximum Allowable Sign Face Area
< 350,000 SF	60 SF
350,000-500,000 SF	100 SF
>500,000 SF	125 SF

4. **Business Zoning Districts (B-4)**

- a. WALL SIGNS: Wall signs shall be restricted to the business or trademarked name and/or logo, principal product or service offered for sale on the premises, or a combination of these. Wall signs shall be allowed in the B-4 districts in accordance with the following table:

WALL SIGNS IN B-4 ZONING DISTRICTS			
# of Signs	Maximum Allowable Sign Face Area	Maximum Letter Height	Maximum Sign Height
1 per building/tenant frontage; maximum of 2 wall signs	One-half (1/2) SF per one (1) LF of building/tenant frontage not to exceed 60 SF per sign.	30" (2.5')	78" (6.5')

GFA= Gross Floor Area
 SF= Square foot
 LF= Linear foot

b. **FREESTANDING SIGNS**

- i. Buildings shall be allowed one (1) freestanding sign per public frontage for a maximum of two (2) freestanding signs per building.
- ii. Freestanding signs are limited to ten (10) feet in height.
- iii. The allowable sign area for freestanding signs shall be one (1) SF per 2.5 LF of lot frontage but determined in accordance with the following limitations:

Gross Floor Area	Maximum Allowable Sign Face Area
< 350,000 SF	40 SF
350,000-500,000 SF	100 SF
>500,000 SF	125 SF

5. **Office and Restricted Industrial (ORI) and General Manufacturing (M-1) Zoning Districts**

- a. WALL SIGNS: Wall signs shall be restricted to the business or trademarked name and/or logo. Wall signs shall be allowed in the ORI and M-1 Districts in accordance with the following table:

WALL SIGNS IN ORI & M-1 ZONING DISTRICTS			
# of Signs	Maximum Allowable Sign Face Area	Maximum Letter Height	Maximum Sign Height
1 per building/ tenant frontage; maximum of 2 wall signs	One-half (1/2) SF per one (1) LF of building/ tenant frontage not to exceed 120 SF per sign.	36" (3')	84" (7')

GFA= Gross Floor Area
SF= Square foot
LF= Linear foot

b. FREESTANDING SIGNS

- i. Buildings shall be allowed one (1) freestanding sign per public frontage but with a maximum of two (2) freestanding signs per building.
- ii. Freestanding signs are limited to ten (10) feet in height.
- iii. The allowable sign area for freestanding signs shall be one (1) SF per 2.5 LF of lot frontage but determined in accordance with the following limitations:

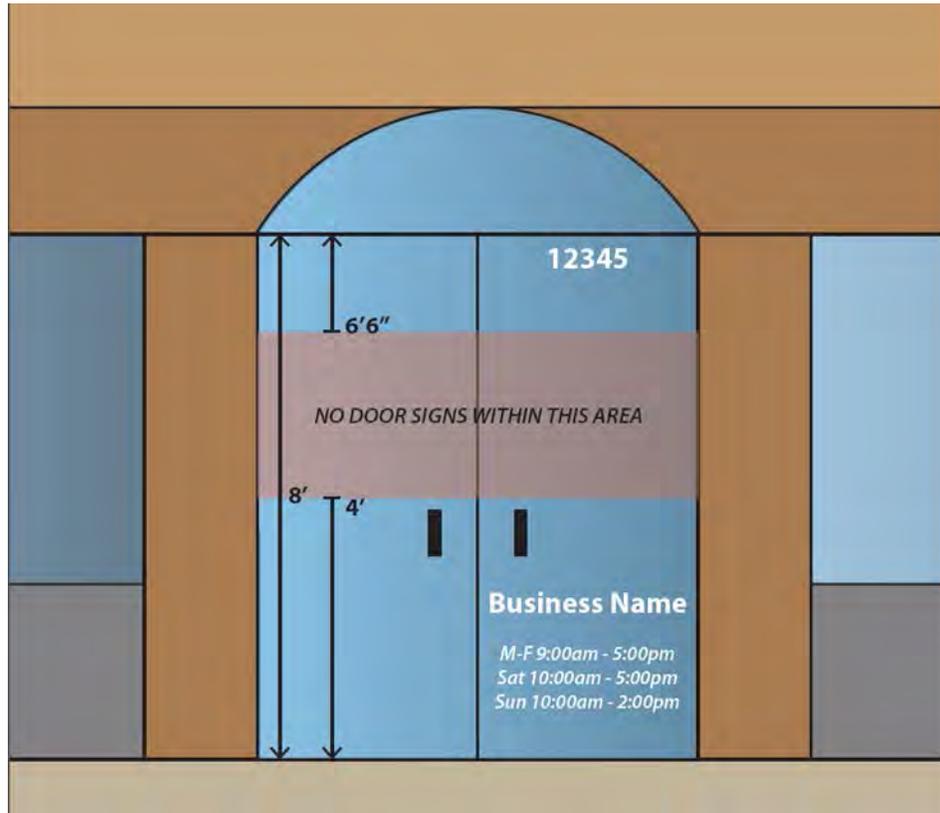
Gross Floor Area	Maximum Allowable Sign Face Area
< 350,000 SF	60 SF
≥350,000 SF	80 SF
>4 Stories	80 SF

- iv. The name of the center/ building and address must be included on the freestanding sign.

6. PROHIBITED SIGNS a.- l. unchanged.; add m-p.

- m. Vehicle Signs or signs attached, affixed or painted on vehicles or trailers that are parked in a public right-of-way, public property or private property for the purpose of advertising a product, a service or directing people to a business or activity located on the same or nearby property, unless the vehicle with vehicle signs, as defined herein, is used during business hours for deliveries or an activity related to the subject business, except in no case shall said vehicle with vehicle signs, as defined herein, park in a public right-of-way, public property or private property in close proximity to the subject business during non-business hours of the subject business.
- n. Door Signs, except individual letters affixed to the door of a business indicating the business name and business hours of operation only; letters must be of one consistent color, a maximum of four (4) inches in height and may only be affixed to the door at a height 4' and below, or at 6.5' and

above. Logos are not permitted as part of a door sign. Addresses may be affixed on the door but at a height of 6.5' or above.



- o. Off-premise signs.

7. TEMPORARY SIGNS *no changes*

8. CONSTRUCTION SIGNS *no changes*

9. ELECTRONIC MESSAGE CENTERS (EMC) AND SIGNS, AND DYNAMIC VARIABLE ELECTRONIC MESSAGE (DVEM) *amended*

General Regulations: These regulations apply to all electronic message signs except as provided in Section I (Sign Regulations for Special Areas and Particular Uses).

- a. Electronic message centers shall be located on a freestanding sign as defined herein, and shall not be constructed upon or mounted to any other type of building or structure;
- b. Freestanding signs containing electronic message centers shall conform to all other regulations applicable to freestanding signs as regulated by the zoning district of the subject property;
- c. Changes of images shall be instantaneous and shall not use blinking, fading, rolling, shading, dissolving, or similar effects as part of the change, nor shall the images

- and messages displayed on the dynamic display sign flash or blink. They must be static, complete in themselves, without continuation in content to any other sign and must remain visible for at least an eight (8) second interval before being reset or replaced with another message, content or image;
- d. Transition between messages must be a minimum of two (2) seconds;
 - e. The electronic message center portion of a freestanding sign shall comprise no more than fifty (50) percent of the total sign face area of the freestanding sign;
 - f. Electronic message signs shall use automatic level controls to reduce light levels at night and under cloudy and other darkened conditions, in accordance with the following:
 - i. All electronic message signs shall have installed ambient light monitors, and shall at all times allow such monitors to automatically adjust the brightness level of the sign based on ambient light conditions.
 - ii. Maximum brightness levels for electronic or digital display signs shall not exceed 5000 nits when measured from the sign's face at its maximum brightness during daylight hours.
 - iii. Maximum brightness levels for electronic, digital display signs shall not exceed 500 nits when measured from the sign's face at its maximum brightness, between sunset and sunrise, as those times are determined by the National Weather Service.
 - iv. Written certification from the sign manufacturer must be provided at the time of application for a building permit certifying that the light intensity of the sign has been preset not to exceed the illumination levels established by this Ordinance, and that the preset intensity level is protected from end user manipulation by password protected software or other approved method.
 - v. Electronic message signs must be equipped with a dimmer control and a photo cell which constantly keep track of ambient light conditions and adjust sign brightness accordingly.
 - g. Audio speakers in association with such signs are prohibited.
 - h. Any electronic message sign that malfunctions, fails, or ceases to operate in its usual or normal programmed manner, causing motion, movement, flashing or any similar effects, shall be restored to its normal operation conforming to the requirements of this ordinance within 24 hours.
 - i. Electronic message signs shall not display any type of animation, flashing text, or symbols, and other attention getting display styles;
 - j. The illumination from an electronic message center shall not encroach onto or create a visual nuisance to residential properties; and

- k. Properties with freestanding signs containing electronic message centers shall not be permitted to have any other type of temporary signage, including but not limited to “For Sale”, “For Rent”, or “For Lease” signs.
- l. **The Village of Tinley Park may request public service announcements related to community events to be displayed upon signs with electronic message centers. Additionally, the Village may exercise its police powers to protect public health, safety, and welfare by requiring emergency information to be displayed upon signs with electronic message centers. Upon notification, the sign operators shall promptly display specific messages as provided by the Village.**

F. NONCONFORMING SIGNS *no changes*

G. REVOCATION OF PERMITS *no changes*

H. SIGN REGULATIONS FOR SPECIAL AREAS AND PARTICULAR USES *no change-relocated to this section*

1. **I-80 Corridor**: For properties that directly abut the right-of-way of Interstate 80 between the boundaries of 183rd Street, 191st Street, Ridgeland Avenue, and the westernmost boundary of the Village of Tinley Park (the “I-80 Corridor”), will be allowed additional wall signage over the maximum allowable wall signage in a particular zoning district. The amount of additional wall signage shall be limited to no more than four (4) percent of the building face area that most directly faces Interstate 80. Such signage shall be limited to wall signs only which shall be mounted on the building face directly facing I-80 only.
2. **Automobile Service Stations**: Each service station shall be allowed to display, in addition to signs permitted under Section IX of this ordinance, one double-faced gasoline rate sign not to exceed twenty (20) square feet in area. Said sign shall be attached to the main identification sign.

I. DEFINITIONS *This section adds the following definitions to Section IX (some of which are duplicative of Section II) and deletes some definitions from Section II.*

The following signs supplement definitions provided in Section II.

Area, Freestanding Sign: The area within a single continuous perimeter encompassing the entire advertising copy of art designed to attract attention. This shall include the extreme limits of characters, lettering, illustrations, ornamentation or other figures, together with any other material, design or color forming an integral part of the display, however it shall not include any structural or framing element lying outside the limits of the sign face and not forming an integral part of the display.

Area, Wall Sign: The area within a single continuous perimeter encompassing the entire advertising copy of art designed to attract attention. This shall include the extreme limits of

characters, lettering, illustrations, ornamentation, or other figures, together with any other material, design, or color forming an integral part of the display.

Box Sign: A translucent back-lit panel enclosed within a frame.

Building Frontage: The facade of the building that faces a public right-of-way, and/or includes the primary entrance to the business.

Door Signs: A sign affixed or painted on an entrance door located on the building frontage that includes information other than the address of the business.

Floor Area, Gross: The Gross Floor Area is the sum of the gross horizontal areas of the floors within outside walls of a building including basements, elevator shafts, and stairwells at each story; floor space used for mechanical equipment, penthouse, half story, and mezzanine or interior balcony, and the gross floor area of any and all accessory buildings.

Freestanding Sign: Any sign supported wholly or in part by some structure other than the building or buildings housing the use to which the sign pertains. Freestanding signs shall also include Ground, Monument, and Pylon Signs.

Height, Freestanding Sign: The vertical distance from the top of the sign including the support structure and any decorative design element, to the average adjacent natural grade. If the ground at the base is augmented in a manner that adds height to the sign but not the surrounding buildings, the height shall be measured from the nearest paved travel way.

Height, Wall Sign: The greatest vertical dimension of the single continuous perimeter line used to define the sign area.

Institutional Uses: Public, charitable, educational, or religious uses. Also, traditional non-residential uses that are typically allowed in residentially zoned properties, such as nursing homes, congregate elderly housing, convalescent home, public library, hospital, transit facility, medical use in a residential zoning district, childcare center in a residential zone, or cemetery.

Nit: A unit of luminance or visible-light intensity, commonly used to specify a level of brightness. The nit is a comparatively small unit of brightness with 1 Nit equal to .29185396 foot candles.

Roof Sign: A sign erected, constructed, supported, or maintained in whole or part upon or above the highest point of the roof line, parapet, or fascia of the building. For buildings with a hip, gambrel, or gable roof this would be above the eave line; for mansard roofs, this would be above the deck line for the roof, for flat roofs it would be above the edge of the wall.

Sign: A Sign may be a name, identification, description, illustration, display, or device which is affixed to, painted, or represented upon a structure or land and which directs attention to a product, place, activity, person, institution, or business. A Sign shall also include a Permanent Sign located within a building in such a manner as to be viewed or

intended for view primarily from the exterior of the building or entrance to the use. For the purpose of definition, a Sign may be single-face or double-face.

Sign, Advertising: An Advertising Sign is a structure, including a Billboard, on which is portrayed information that directs attention to a business, commodity, service, or entertainment, or other activity not related to use on the lot upon which the sign structure is located.

Sign, Business: A Business Sign is a sign that directs attention to a business, commodity, service, entertainment, or other activity conducted on the lot upon which such sign is located.

Sign, Flashing: A Flashing Sign is an illuminated sign on which the artificial light is not maintained constant, or stationary in intensity or color, at all times when such a sign is in use. For the purpose of this Ordinance, a revolving, illuminated sign shall be considered a Flashing Sign.

Sign, Dynamic Variable Electronic Message (DVEM): Also called an electronic message or digital sign, which is a fixed or changing display/message composed of a series of lights that may be changed through electronic means, and may involve a specialized form of silver casting in which multimedia content is displayed. A DVEM sign usually consists of a computer or playback device connected to a large, bright digital screen such as an LCD or plasma display. These signs display moving images and/or display of text in digital formats over the internet or on television or similar transmission device. DVEM signs shall also include Tri-Vision Signs.

Sign, Identification: An Identification Sign is a sign indicating the name and address of a building, or the name of an occupant thereof, and the practice of a permitted occupation therein.

Sign, Vehicle: Any advertising or business sign attached to a transportation vehicle for the purpose of identification or advertising a business, public or quasi-public institution.

Sign, Wall: A Wall Sign is a Sign that is affixed to an exterior wall of any building, which shall project not more than eighteen (18) inches from the building wall or parts thereof.

Sign Tri-Vision: A three-message sign that consists of triangular prisms placed inside a frame. The prisms rotate 120°, each showing a new message of advertisement and/or information. As implied, three individual images, or messages, can be displayed on a Tri-vision sign.

Tenant Frontage: The portion of the facade of the building that includes only the individual tenant's premises that faces a public right-of-way and/or includes the primary entrance to the tenant space.

Tenant Frontage Limits: The width of the tenant space as measured along a portion of the total building's frontage.

The following definitions are hereby deleted from Section II since they conflict with the proposed sign amendments:

Sign, Ground: A Ground Sign is a sign which is supported by one or more uprights or braces in or upon the ground.

Sign, Roof: A Roof Sign is a sign erected, constructed, and maintained above the roof of any building.

Sign, Surface Area: The Surface Area of a Sign comprised of individual channel letters shall be calculated as the sum of the Surface Areas of the individual letter, number, or symbol faces excluding any voids within or in between the individual letter faces. The Surface Area of Box Signs shall be calculated as the entire area within a single continuous perimeter enclosing the extreme limits of such Sign; however, such perimeter shall not include any structural or framing element lying outside the limits of such sign and not forming an integral part of the display. The Surface Area of freestanding signs containing electronic message centers shall include the Surface Area of the electronic message center.

DRAFT



ZONING BOARD OF APPEALS STAFF REPORT

January 28, 2016

RUBAN (18251 64th Court)

Variation from the Required Front Yard Setback

Petitioners

Jason and Monica Ruban

Property Address

18251 64th Court

PIN

28-31-414-015-0000

Parcel Size

0.24 acres ±
(10,693 square feet)

Zoning

R-4 (Single-Family Residential)

Subdivision

Pasquinelli's Willowlane Subdivision

Publication

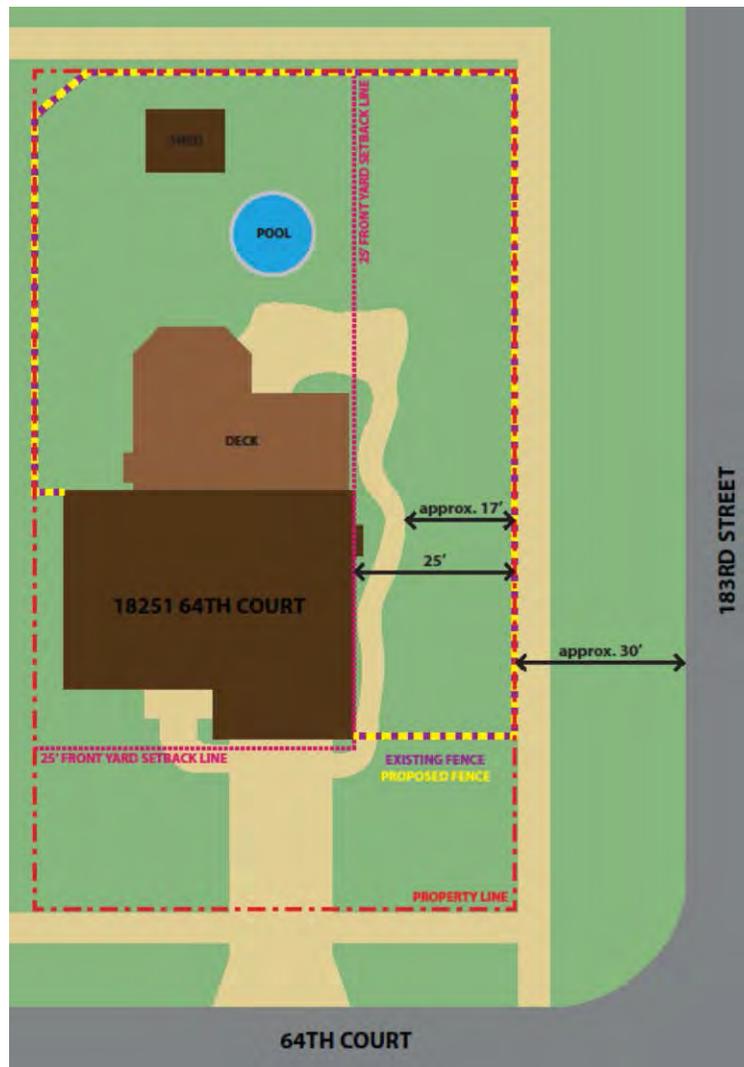
Daily Southtown
(January 10, 2016)

Requested Action

Consider making a motion to recommend the requested Variation to the Village Board

Project Planner

Stephanie Kisler
Planner I



SUMMARY OF VARIATION REQUEST

The Petitioners, Jason and Monica Ruban, are requesting a twenty-five foot (25') Variation from Section V.B. Schedule II (Schedule of District Requirements) where the front yard setback requirement is twenty-five feet (25').

This Variation would allow the Petitioners to construct a five foot (5') tall PVC fence at a zero foot (0') setback on the south (183rd Street) side of this corner lot at 18251 64th Court in the R-4 (Single-Family Residential) Zoning District and within Pasquinelli's Willowlane Subdivision.

The proposed fence would replace an existing fence at the same location.

PHOTOS OF THE PROPERTY



Front of Home



West Side of Existing Fence



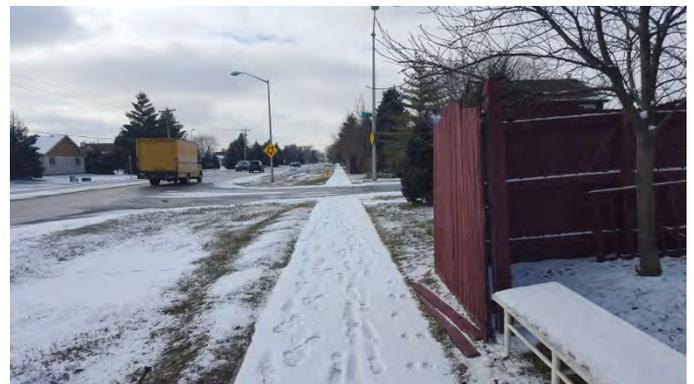
View of Existing Fence (Looking East)



View of Existing Fence (Looking East)



View of Existing Fence (Looking Northwest)



View of Existing Fence (Looking West)



Panoramic View (Looking Northwest)

VILLAGE STAFF COMMENTS

Planning Department

The Planning Department has reviewed the petition for a Variation from the required front yard setback to replace an existing fence. The Petitioners have stated that the existing fence was recently damaged by wind and a long segment along the south side of the fence has been taken down (see photo at right).



The existing fence was installed by a previous homeowner in 2000. This fence was permitted by the Building Department; however, a Variation was not granted. Staff believes that the front yard setback requirement may not have been enforced for non-addressed front yards at the time that the existing fence was issued in error in 2000.

According to the Petitioners' Findings of Fact, the Petitioners have stated that their difficulty with conforming to the current required front yard setback is that the fence was existing when they purchased the home. They were likely unaware that a Variation was not granted for the fence to be constructed as it stands. If the Petitioners were to remove the existing fence and only construct a fence that meets the current code, their fenced portion of the yard would be reduced by approximately 2,650 square feet or 44% (see blue area in the diagram below). It should be noted that the Petitioners' lot is the largest within this subdivision. An analysis of the lot sizes and approximate rear yard sizes for this subdivision have been provided in the table below for comparison.



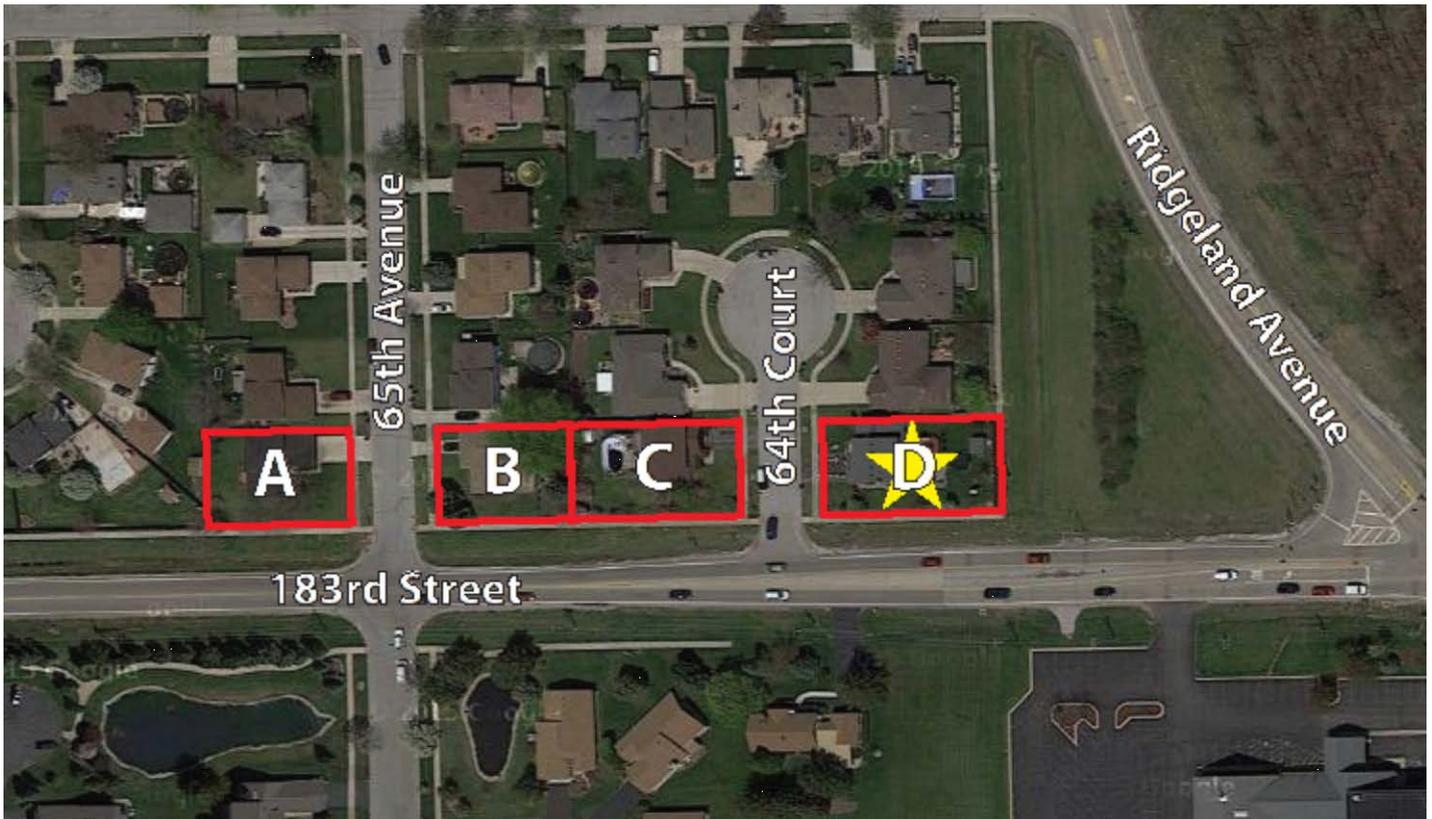
Diagram Showing Sizes of Yard Sections



Trace Resubdivision of Pasquinelli's Willowlane Subdivision Lot Size Data

Address	Lot Size	Rear Yard Size
18250 64 th Court	9,814 sq.ft.	~4,975 sq.ft.
18244 64 th Court	8,213 sq.ft.	~2,540 sq.ft.
18238 64 th Court	8,028 sq.ft.	~2,425 sq.ft.
18239 64 th Court	9,458 sq.ft.	~2,745 sq.ft.
18245 64 th Court	8,832 sq.ft.	~2,500 sq.ft.
18251 64th Court	10,693 sq.ft.	5,979 sq.ft.

Staff examined the properties with similar conditions and location to see if Variations from the front yard setback had been granted in the past for fences. The diagram and table below show the location of the surveyed properties and the information found from building permits. The Petitioners’ property is denoted with a yellow star on the diagram and a yellow highlight in the table.



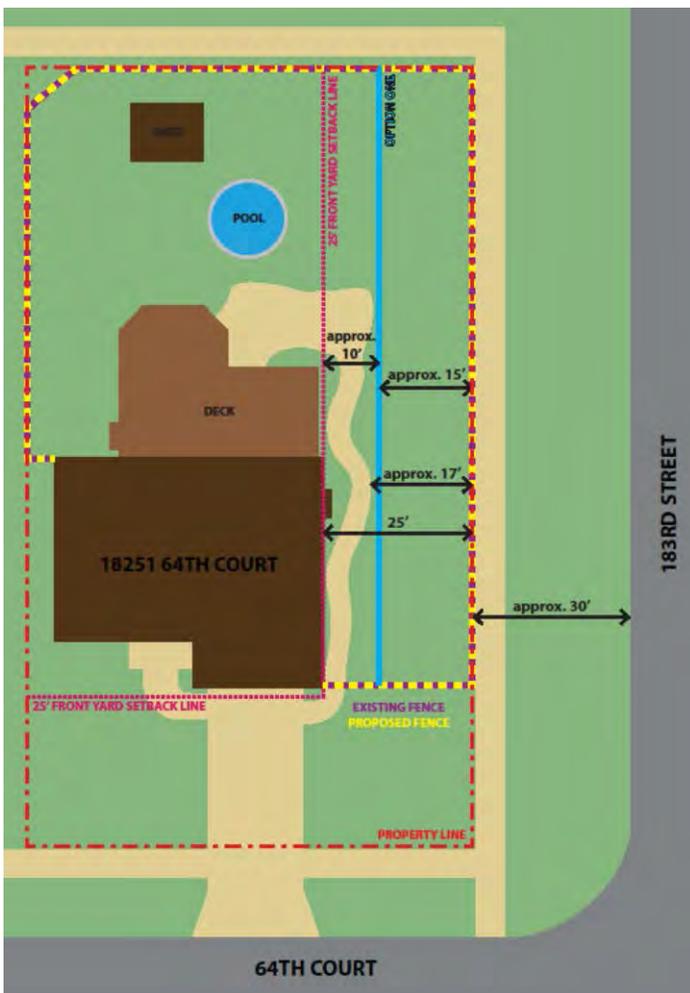
Fence Data for Nearby Properties Along 183 rd Street					
	Address	Fence?	Permit?	Variation?	Notes
A	18248 65 th Avenue	No	n/a	n/a	n/a
B	18251 65 th Avenue	Yes	Yes	Yes, 2004-O-007; 25' Variation	2003. 6' tall wood fence installed along the south property line.
C	18250 64 th Court	Yes	Yes	No	1997. 6' tall wood fence installed along the south property line.
D	18251 64 th Court	Yes	Yes	No	2000. 6' tall wood fence installed along the south property line.

Based on the above research, Staff notes that property “B” received a Variation similar to the Variation that the Petitioners have requested. According to the minutes of the Zoning Board of Appeals meeting when this Variation request was heard in 2003, the Petitioner had already installed the fence without a permit and was sent a letter stating that a permit and a Variation would be necessary to have a fence at this location. Property “C” did receive a permit, but did not receive a Variation, which – similarly to our current request – may also be because the Zoning Ordinance was not being enforced fairly for non-addressed front yard setbacks.

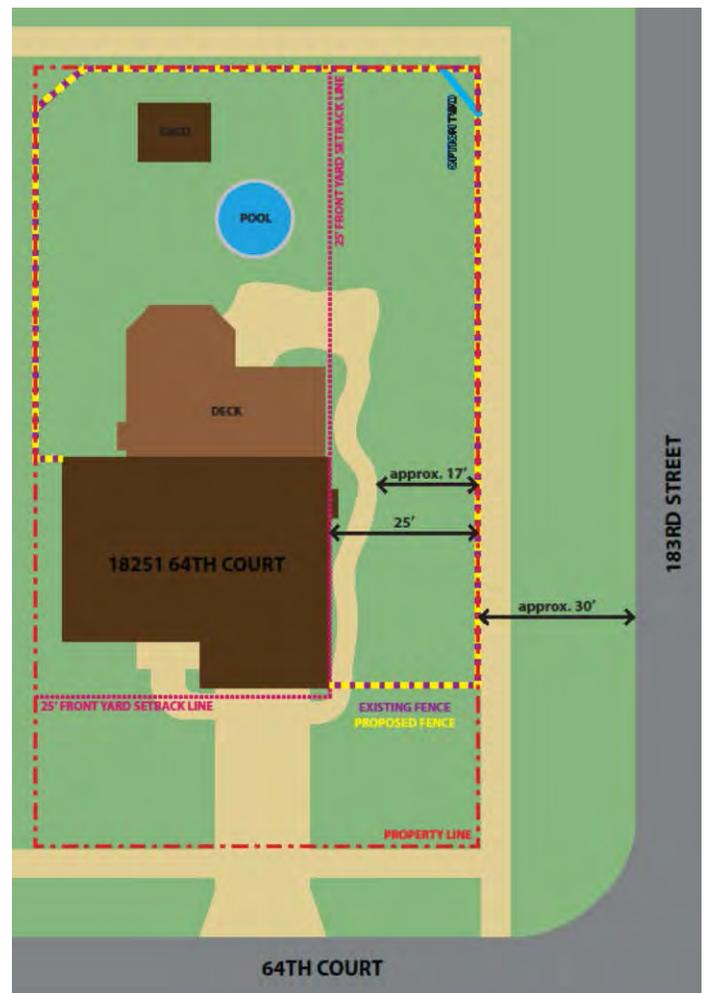
It should also be noted that single-family residential properties west of property “A” do have fences that are directly adjacent to the sidewalk along 183rd Street. These fences are permitted to extend to their property lines since those are the rear lot lines in that instance.

Although a precedent for fencing along the southernmost lot line has been set in this particular area of Tinley Park, Staff has not historically supported non-addressed side front yard fence encroachments – especially when the proposed fence placement has been requested to be greater than ten feet (10’) from where the existing residential structure lies. Staff understands that the Petitioners purchased the home with the existing fence and the existing yard area, but believes that some options exist for maintaining an acceptable amount of yard area that do not require such a large Variation. Staff has provided a diagram below showing an option (see Option 1, blue line) where a fence could enclose the existing walkway and only require a ten foot (10’) Variation. This option may impact some existing play equipment that is located within the non-addressed front yard setback, but play equipment can be relocated. Play equipment is not considered to be “structures” and therefore are not required to receive building permits from the Village.

Additionally, Staff has provided an option with the proposed fence placement where the southeast corner has been cut at a diagonal to allow for better line-of-sight by way of a clear vision triangle around the sidewalk at the corner of the fence (see Option 2, blue line). Note that the property directly east of the Petitioners’ property is Village right-of-way and could someday be developed into a public street. The diagonal cut is a typical requirement for corner fences along public streets, especially when the fence comes to the extent of the property lines.



Option 1: Lesser Variation



Option 2: Diagonal Cut at Southeast Corner

Staff encourages the members of the Zoning Board of Appeals to discuss the Petitioners’ Findings of Fact to determine if the Standards for Granting a Variation have been met.

Public Works Department/Engineering

The Public Works Department and Engineering have reviewed the variation request and offer no comments.

Building Department

The Building Department has reviewed the variation request and offers no comments.

Fire Department

The Fire Department has reviewed the variation request and offers no comments.

Police Department

The Police Department has reviewed the variation request and offers no comments.

QUESTIONS TO ASK THE PETITIONERS/STANDARDS FOR GRANTING A VARIATION

1. What is the hardship or practical difficulty in conforming to the existing Zoning Ordinance? Is it a hardship or a mere inconvenience? If there is a hardship, is it due to the owner or is it a unique circumstance?
2. What will be the impact on neighboring properties? Will it alter the character of the neighborhood?
3. Can the property yield a reasonable return if the variation is not granted?
4. Will the installation of a fence impair an adequate supply of light or air to adjacent properties? Will it increase the danger of fire, impair drainage, or endanger public safety?
5. Would the conditions upon which the request is based be generally applicable to other properties in the subdivision or the Village, with similar zoning?
6. Is the purpose of the request based exclusively upon a desire to make money out of the property?
7. Would granting the request be detrimental to the public welfare or injurious to other property or improvements nearby?

APPROPRIATE MOTION

If the Zoning Board of Appeals wishes to make a motion, the following motion is in positive form:

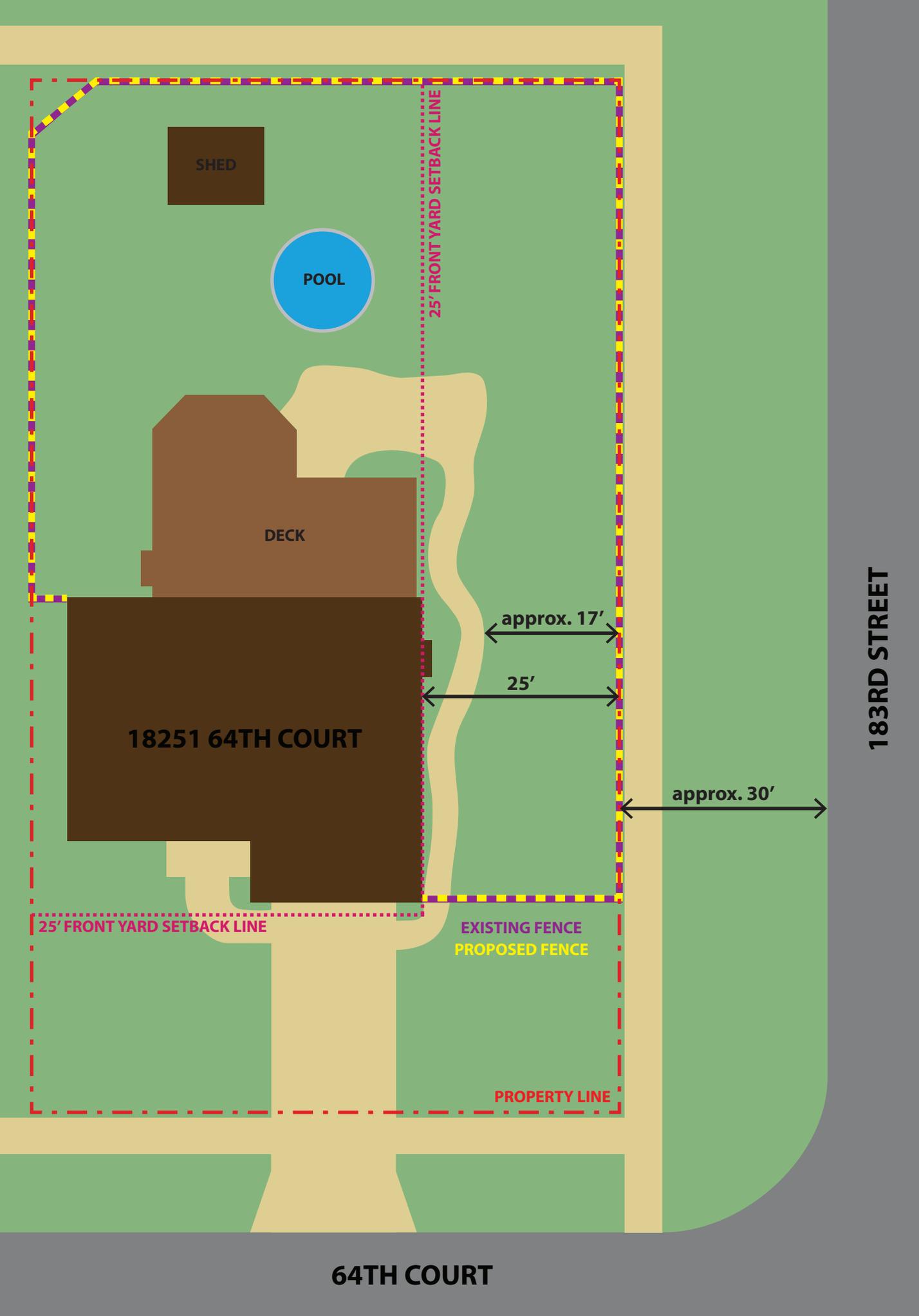
“...make a motion to consider recommending that the Village Board grant the Petitioners a twenty-five foot (25’) Variation from Section V.B. Schedule II (Schedule of District Requirements) where the front yard setback requirement is twenty-five feet (25’). This Variation would allow the Petitioners, Jason and Monica Ruban, to construct a five foot (5’) tall PVC fence at a zero foot (0’) setback on the south (183rd Street) side of this corner lot at 18251 64th Court in the R-4 (Single-Family Residential) Zoning District and within Pasquinelli’s Willowlane Subdivision.”

...With the following conditions:

1. *[any conditions that the Zoning Board of Appeals would like to recommend.]*

...Based on the evidence provided at this hearing and the following:

1. That the Petitioners have provided evidence establishing that they have met the standards for variations contained in Section X.G.4. of the Zoning Ordinance.
2. *[any other facts or unique circumstances that the Zoning Board of Appeals would like to mention.]*



SHED

POOL

DECK

18251 64TH COURT

25' FRONT YARD SETBACK LINE

approx. 17'

25'

approx. 30'

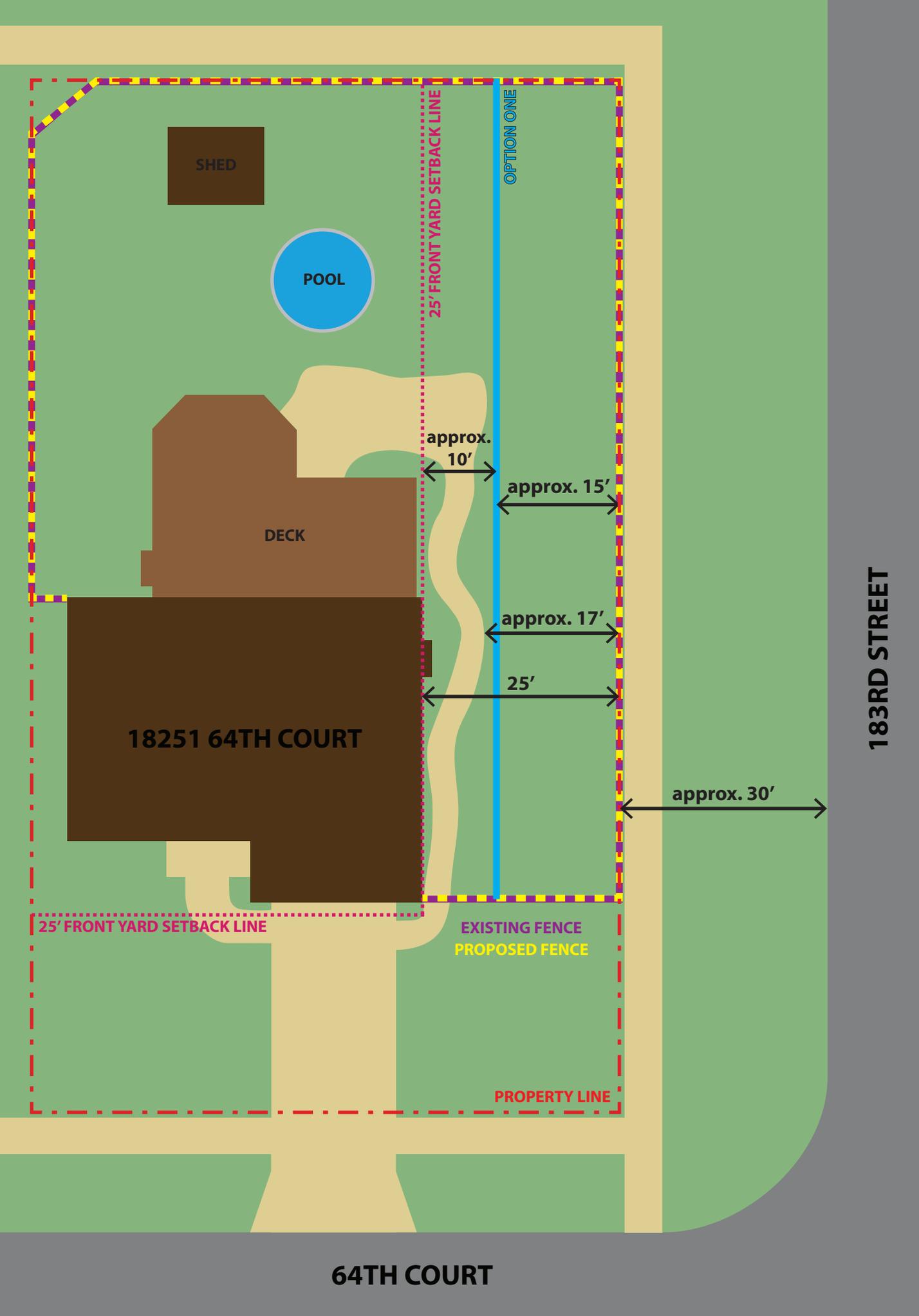
25' FRONT YARD SETBACK LINE

EXISTING FENCE
PROPOSED FENCE

PROPERTY LINE

183RD STREET

64TH COURT



SHED

POOL

DECK

18251 64TH COURT

25' FRONT YARD SETBACK LINE

OPTION ONE

approx.
10'

approx. 15'

approx. 17'

25'

approx. 30'

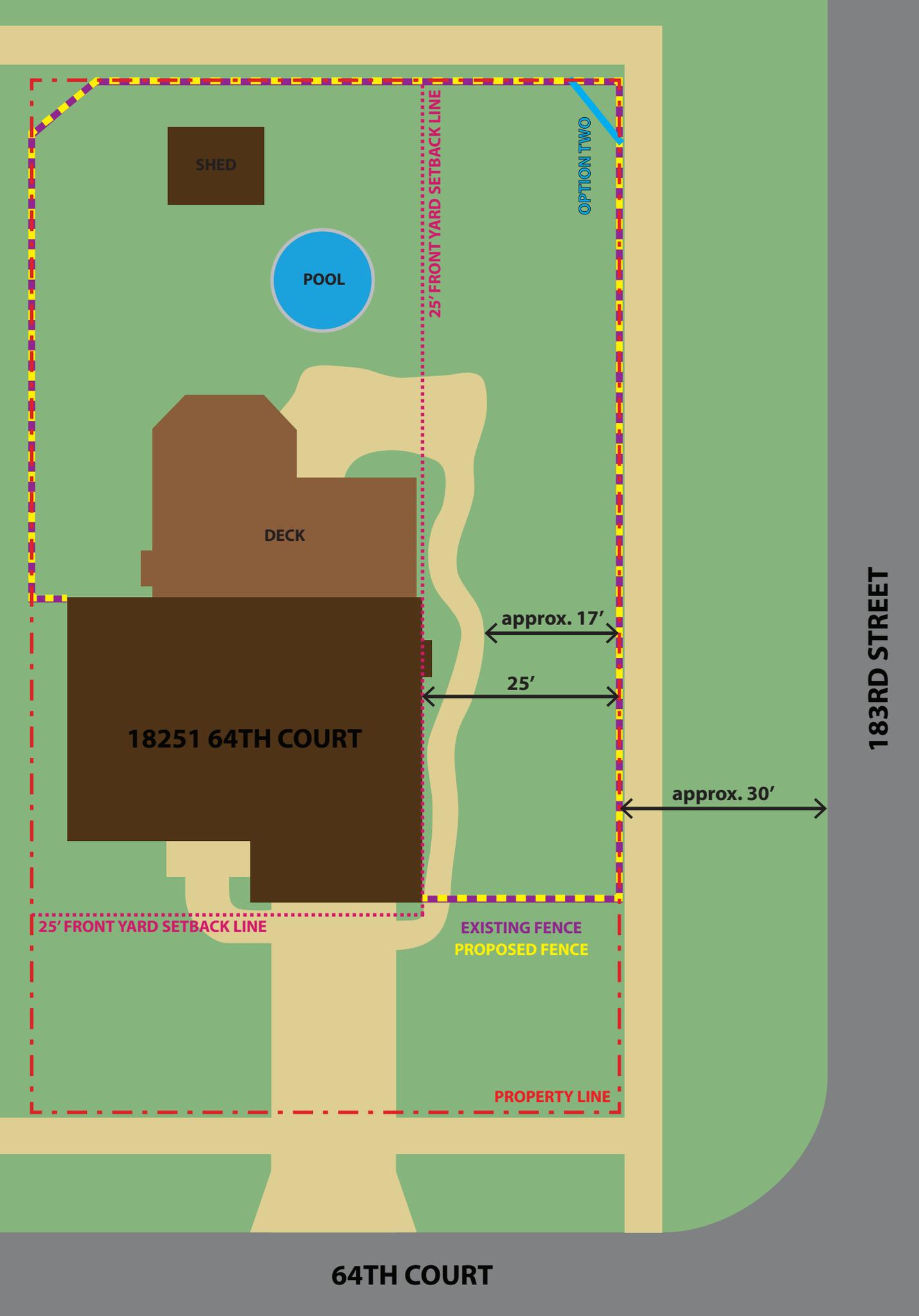
25' FRONT YARD SETBACK LINE

EXISTING FENCE
PROPOSED FENCE

PROPERTY LINE

183RD STREET

64TH COURT



SHED

POOL

DECK

18251 64TH COURT

OPTION TWO

25' FRONT YARD SETBACK LINE

25' FRONT YARD SETBACK LINE

EXISTING FENCE
PROPOSED FENCE

PROPERTY LINE

approx. 17'

25'

approx. 30'

183RD STREET

64TH COURT

VILLAGE OF TINLEY PARK
APPLICATION FOR ZONING ORDINANCE VARIANCE

The undersigned hereby Petitions the Village of Tinley Park Zoning Board of Appeals and/or Plan Commission to consider a Variation from the terms of the Zoning Ordinance as follows:

PETITIONER INFORMATION

JASON + Name: MONICA Ruban
Mailing Address: 18251 64th ct
City: Tinley Park IL State: IL Zip: 60477
Day Phone: 708 291 0214 Evening Phone: SAME
Cell Phone: SAME Fax Number: _____
Email Address: MONRUBAN@GMAIL.COM

Nature of Petitioner's Interest in the property and/or relationship to the owner:
(Applications received on behalf of the owner of record must be accompanied by a signed letter of authorization).

PROPERTY INFORMATION

Street Address: 18251 64th ct. 60477
Owners: MONICA + JASON Ruban

SPECIFIC TYPE OF VARIANCE REQUESTED (See Examples Below):

25 ft VARIANCE FROM FRONT YARD
Set back requirement

Examples of Specific Type of Variance Requested:

This refers to the exact number of feet, the exact dimensions of a structure, exact height/type of fence.
For example:

"A 15 foot Variance to the Front Yard Setback on the East side of the property to allow for a 6-foot tall cedar fence on this corner lot."

"A 180 square foot variance to the 720 square foot maximum allowable size of an accessory structure to allow for a 30 foot or 900 square foot garage on this residential property."

"A 10 foot variance to the 10 foot maximum allowable height for a sign to allow for a 20 foot high monument sign on this commercial property."

25 ft VARIANCE

REASON THAT THE VARIANCE IS NEEDED: (See Examples below)

We would like to maintain our current property value as well as we would like to continue using this part

Examples of Reasons that the Variance is needed:

OF OUR YARD FOR PERSONAL USE -

"We would like to extend our fence 15 feet toward the street from the front corner of the house so that we can enclose a pool, swing set, shed, landscaping, trees, side entrance, etc., and provide a safe area for our children to play"

DOG AREA - TRAMPOLINE

"We would like to build an oversized garage on our property so that we may store our antique vehicle, snow mobiles, riding lawn mower, etc., inside, as well as our two other cars, which are currently parked in the driveway"

The Petitioner certifies that all of the above statements and other information submitted as part of this Application and Findings of Fact are true and correct to the best of his or her knowledge:

Signature:

Monica Kwan

Date:

12.14.15

Printed Name:

MONICA Kwan

OFFICE USE ONLY:

Current Zoning on Property _____ Present Use _____

Notes

FINDINGS OF FACT

ADDITIONAL INFORMATION TO BE PRESENTED TO SUPPORT A VARIATION REQUEST FROM THE TERMS OF THE VILLAGE OF TINLEY PARK ZONING ORDINANCE

Section X.G.1 of the Village of Tinley Park Zoning Ordinance requires that the Zoning Board of Appeals determine compliance with the following standards and criteria. In order for a variance to be approved, the Petitioner must respond to all the following questions with facts and information to support the requested Variation:

- A. Describe the difficulty that you have in conforming with the **current** regulations and restrictions relating to your property, and describe how this hardship is not caused by any persons presently having an interest in the property. (Please note that a mere inconvenience is insufficient to grant a Variation). For example, does the shape or size of the lot, slope, or the neighboring surroundings cause a severe problem in completing the project in conformance with the applicable Ordinance requirement?

We have lived in our house for 8 years. Our current fence was severely damaged by the wind storm last month. We would like to replace fence as it was / what we ^{are} used to.

- B. Describe any difficulties or hardships that **current** zoning regulations and restrictions would have in decreasing your property value compared to neighboring properties.

The current code would cut off a fenced area of a significant part of our yard. I believe this would affect the value.

- C. Describe how the above difficulty or hardship was created.

We are asking nothing more than having a new fence put in exactly as the old fence (15 years - permitted by village) was. The way the fence is situated it poses absolutely zero danger to people. This is a safe way to fence our property.

FINDINGS OF FACT (CONTINUED)

- D. Describe the reasons this Variance request is unique to this property only and is not applicable, in general, to other properties within the same Zoning District.

This is a corner lot. It will be exactly the same as it has been for 15 years. Zero Risk for Danger."

- E. Explain how this Variance **would not** be regarded as an attempt at financial gain, but only because of personal necessity. For example, the intent of the Variance is to accommodate related living for an elderly relative as opposed to adding an additional income source.

It will be exactly as it has been for 15 years. We would gain nothing financially. Fence cost = \$12,000 PERMIT - \$50 VARIANCE \$150

- F. Describe how granting this Variance request will not be detrimental to the public welfare or injurious to other properties or improvements in the neighborhood in which the property is located: (Example: fencing will not obstruct view of automobile traffic).

It will be exactly as it has been for 15 years. NO INJURIES. NO DANGER. NO RISK.

- G. Explain how granting this Variance will not alter the essential character of the neighborhood or locality:

It will be exactly as it has been for the last 15 years.

NO INJURIES. NO DANGER. NO RISK.

FINDINGS OF FACT (Continued)

H. Describe how the requested Variance will not:

1. Impair an adequate supply of light and air to adjacent properties.

It has been safe for the past 15 years so nothing will change.

2. Substantially increase the congestion of the public streets.

It has been safe for the past 15 years so nothing will change.

3. Increase the danger of fire.

There is no increase of a fire as the fence will be in the same place as it has been for 15 years. NO FIRES

4. Impair natural drainage or create drainage problems on adjacent property.

Drainage was not impaired before and since nothing will change the drainage will not be impaired. 15 years!

5. Endanger the public safety.

The public safety has never been an issue before so since nothing will change the public safety is a non-issue.

6. Substantially diminish or impair property values within the neighborhood.

The property value may increase as the fence will be new.



Fence Masters, Inc.

"SPECIALISTS IN PVC & ORNAMENTAL IRON"

20400 S. COTTAGE GROVE AVE. 1109 U.S. HWY. 30
 CHICAGO HEIGHTS, IL 60411 VALPARAISO, IN 46383
 (708) 758-5250 • (800) 662-0177 (219) 465-5600
 FAX (708) 758-5251

WWW.FENCEMASTERSINC.COM

DATE: 12.2.15

JOB LOG #: _____

HM PHONE: 708.291.0214

WK PHONE: _____

CONCRETE BREAKS 13

ASPHALT BREAKS

DIRT MOVED TO: _____

DIRT REMOVAL BY F.M.

DIG #: _____

GOOD

T/D/H BY F.M.

TOOLS NEEDED

SOLD TO: MONICA RUBAN
 ADDRESS: 18251 64th COURT
 CITY, STATE: TINLEY PARK IL ZIP: _____
 EMAIL: _____ SALES REP: DAVE

PVC	IRON/ALUM.
TOTAL FOOTAGE: <u>132</u>	TOTAL FOOTAGE: _____
TOTAL HEIGHT: <u>5'</u>	TOTAL HEIGHT: _____
STYLE FENCE: <u>HANNIBAL</u>	POST SPACED: _____
POST SPACED: <u>8' MAX</u>	COLOR: _____
SECTIONS: <u>16</u>	SECTIONS: _____
POSTS: <u>19</u>	POSTS: _____
CAPS: <u>PYRAMID</u>	CAPS: _____
COLOR: <input type="checkbox"/> WHITE	SYTLE: <input type="checkbox"/> GALV. TUBING
<input type="checkbox"/> TAN	<input type="checkbox"/> SOLID
<input checked="" type="checkbox"/> CLAY	RAILS: <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4
GATES: <u>1</u>	GATES: _____
<u>@ 43"</u> SINGLE	SINGLE
X	X
X	X
DOUBLE	DOUBLE
X	X
S	S
CHAIN LINK	WOOD
TOTAL FOOTAGE: _____	TOTAL FOOTAGE: _____
TOTAL HEIGHT: _____	TOTAL HEIGHT: _____
STYLE FENCE: _____	STYLE FENCE: _____
GAUGE <input type="checkbox"/> 9 <input type="checkbox"/> 8	POST SPACED: _____
POST SPACED: _____	RAILS: _____
TOP RAIL: _____	BOARDS: _____
LINE POST: _____	POSTS: _____
TERMINAL: _____	PANELS: _____
GATE POST: _____	<input type="checkbox"/> DOG EAR <input type="checkbox"/> ARCHED
OTHER: _____	<input type="checkbox"/> STRAIGHT <input type="checkbox"/> SCALLOP
GATES: _____	GATES: _____
SINGLE	SINGLE
X	X
X	X
DOUBLE	DOUBLE
X	X
S	S

FOLLOW CONTOUR OF GROUND CUSTOMER HAS SEEN & APPROVED
 KEEP TOP OF FENCE STRAIGHT FENCE LOCATION PRIOR TO INSTALLATION

CUSTOMER'S APPROVAL: [Signature]

★ BALANCE PAYABLE UPON COMPLETION ★

SITE PLAN

PAID
2197.00
CASH 12/2/15
12.2.15

5' HIGH CLAY HANNIBAL w/ PYRAMID CAPS
 w/ (1) 4' WIDE GATE
 ALL POSTS IN BELL HOLES IN REAL CONCRETE
 LIFETIME TRANSFERABLE PARTS WARRANTY
 5 YEAR LABOR WARRANTY
 1-2 WEEK LEAD TIME
 THANK YOU!

FOR YOUR PROTECTION, PAY INSTALLER ON DAY OF INSTALLATION TOTAL _____
 ON PAYMENT TO US, USE CHECK OR MONEY ORDER
 PAYABLE TO FENCE MASTERS, INC. TAX _____
FENCE MASTERS ACCEPTS NO CONTRACT WITHOUT DEPOSIT
 CUSTOMER IS RESPONSIBLE FOR OBTAINING PERMIT TOTAL \$6194.00
ANY AND ALL WARRANTIES WILL BE VOID IF BALANCE
IS NOT PAID IN FULL DAY OF INSTALLATION DOWN _____
 BALANCE DUE ON DAY OF INSTALLATION BALANCE _____

LEGAL NOTICE

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT the Zoning Board of Appeals of the Village of Tinley Park, Cook and Will Counties, Illinois, will conduct a Public Hearing beginning at the hour of **7:30 p.m. on Thursday, January 28, 2016** at the Village Hall in the Council Chambers, 16250 South Oak Park Avenue, Tinley Park, Illinois, to consider recommending that the Village Board grant a twenty-five foot (25') Variation from Section V.B. Schedule II (Schedule of District Requirements) where the front yard setback requirement is twenty-five feet (25'). This Variation would allow the Petitioners to construct a five foot (5') tall PVC fence at a zero foot (0') setback on the south (183rd Street) side of this corner lot at 18251 64th Court in the R-4 (Single-Family Residential) Zoning District and within Pasquinelli's Willowlane Subdivision.

LEGAL DESCRIPTION: LOT 4 IN TRACE RESUBDIVISION OF LOT "A" IN PASQUINELLI'S WILLOWLANE SUBDIVISION, BEING A SUBDIVISION OF THE EAST 1000 FEET OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 31, TOWNSHIP 36 NORTH, RANGE 15, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL IDENTIFICATION NUMBER: 28-31-414-015-0000

COMMONLY KNOWN AS: 18251 64th Court, Tinley Park, Illinois

PETITIONERS: Jason and Monica Ruban

The proposed Variation may be added to, revised, or eliminated as a result of the Public Hearing. All persons interested may appear at the Public Hearing and will be given an opportunity to be heard relative to the proposed Variation. The Zoning Board of Appeals reserves the right to continue said meeting from time to time as may be required by the Illinois Open Meetings Act.

BY ORDER OF THE TINLEY PARK ZONING BOARD OF APPEALS, COOK AND WILL COUNTIES, ILLINOIS.

CHRIS VERSTRATE, CHAIRMAN, ZONING BOARD OF APPEALS.

Daily Southtown

Legal Notice

1/10/2016

Certificate of Publication

The **Daily Southtown** is a secular newspaper, has been continuously published weekly for more than fifty (50) weeks prior to the first publication of the attached notice, is published in the city of **Tinley Park**, county of **Cook County**, State of Illinois, is of general circulation throughout that county and surrounding areas, and is a newspaper as defined by 715 ILCS 5/5.

This notice, a copy of which is attached, was published **One** times in **Daily Southtown**, namely one time per week for **One** successive weeks.

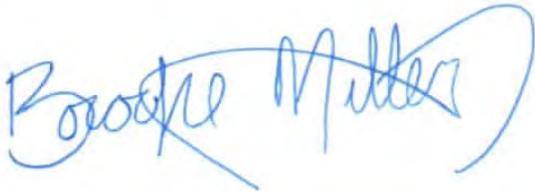
The first publication of the notice was made in the newspaper, dated and published on **1/10/2016** and the last publication was **1/10/2016**

The notice was also placed on a statewide public notice website as required by 715 ILCS 5/2.1.

In witness, Daily Southtown has signed this certificate by its registered agent.

Daily Southtown

By:



Registered Agent

Legal Text

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