AGENDA FOR REGULAR MEETING
VILLAGE OF TINLEY PARK
ZONING BOARD OF APPEALS
August 25, 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 – July 28, 2016 Regular Meeting

<u>Public Hearing #1</u>: **COVIC – 6401 TERRACE DRIVE – VARIATION FROM THE REQUIRED FRONT YARD SETBACK – FENCE**

Consider recommending that the Village Board grant a Variation to the Petitioner, Mario Covic, that would allow for a fence, including:

1. A fifteen foot, six inch (15'6") 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 Petitioner to install a new four foot (4') tall chain-link fence in alignment with the existing home at a nine foot, six inch (9'6") setback on the east (Ridgeland Avenue) side of this corner lot at 6401 Terrace Drive in the R-4 (Single-Family Residential) Zoning District and within the Tinley Terrace Subdivision.

Close Public Hearing #1

Good of the Order

Receive Comments from the Public

Adjournment

MINUTES OF THE ZONING BOARD OF APPEALS

VILLAGE OF TINLEY PARK,
COOK AND WILL COUNTIES, ILLINOIS

JULY 28, 2016

The regular meeting of the Zoning Board of Appeals was held in the Council Chambers of Village Hall on July 28, 2016 at 7:30 p.m.

PLEDGE

ROLL CALL

Present and responding to roll call were the following:

Zoning Board Chairman:	Chris Verstrate
Zoning Board Members:	Bob Paszczyk Dave Samuelson Steve Sepessy Jennifer Vargas
Absent Zoning Board Members:	Michael Fitzgerald Paul Lechner
Village Officials and Staff:	Stephanie Kisler, Planner I Thomas Condon, Village Attorney

CALL TO ORDER
A motion was made by ZONING BOARD MEMBER SEPESSY, seconded by ZONING BOARD MEMBER PASZCZYK to open the regular meeting of the Zoning Board of Appeals at 7:30 p.m. ZONING BOARD CHAIRMAN VERSTRATE declared the Motion approved.

APPROVAL OF MINUTES
Minutes of the July 14, 2016 meeting of the Zoning Board of Appeals were presented for approval. A motion was made by ZONING BOARD MEMBER PASZCZYK seconded by ZONING BOARD MEMBER SEPESSY to approve the Minutes as presented. THE MOTION WAS APPROVED by voice call. ZONING BOARD CHAIRMAN VERSTRATE declared the Minutes approved.

DRAFT

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

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

SUBJECT: **MINUTES OF THE JULY 28, 2016 MEETING**

RE: **PUBLIC HEARING #1**
NELSON – 17100 FOXGROVE LANE – VARIATION FROM THE REQUIRED FRONT YARD SETBACK - FENCE

Consider recommending that the Village Board grant a Variation to the Petitioner, Russell Nelson, which would allow for a fence, including:

1. A twenty-four foot (24') 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 Petitioner to replace the existing fence with a six-foot (6') tall wood privacy fence at a one-foot (1') setback on the north (171st Street) side of this corner lot at 17100 Foxgrove Lane in the R-4 (Single-Family Residential) Zoning District and within the Old Oak Subdivision.

Present were the following:

Zoning Board Chairman:	Chris Verstrate
Zoning Board Members:	Bob Paszczyk Dave Samuelson Steve Sepessy Jennifer Vargas
Absent Zoning Board Members:	Michael Fitzgerald Paul Lechner
Village Officials and Staff:	Stephanie Kisler, Planner I Thomas Condon, Village Attorney
Guest(s)	Russell Nelson Nancy Koran

A motion was made by BOARD MEMBER SAMUELSON, seconded by BOARD MEMBER PASZCZYK to open the Public Hearing at 7:32 p.m. THE MOTION WAS APPROVED by voice call. CHAIRMAN VERSTRATE declared the Motion approved.

CHAIRMAN VERSTRATE confirmed Village Staff provided confirmation that appropriate notice regarding the public hearing was published in the local newspaper in accordance with State law and also sent to the surrounding area per Village requirements.

CHAIRMAN VERSTRATE requested the Petitioner, and anyone present who wished to give testimony, comment, engage in cross-examination or ask questions during any of the public hearings being held this evening stand and be sworn in.

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RUSSELL NELSON, 17100 Foxgrove Lane, explained that they are seeking to replace their existing six foot (6') tall wood fence with a new wood fence of the same height in the same location but need a Variance to allow for a one-foot (1') setback on the north (171st Street) side of their property.

STEPHANIE KISLER, Planner I, presented the staff report. She stated the Petitioner is requesting a twenty-four foot (24') 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 Petitioner to replace the existing fence with a six foot (6') tall wood privacy fence at a one foot (1') setback on the north (171st Street) side of this corner lot at 17100 Foxgrove Lane in the R-4 (Single-Family Residential) Zoning District and within the Old Oak Subdivision.

MS. KISLER has reviewed the Variation petition from the required front yard setback for the replacement of an existing fence on a corner lot at 17100 Foxgrove Lane. Staff notes that the Petitioner has an existing wood privacy fence parallel to 171st Street installed by a previous homeowner. The existing fence is in a deteriorated condition; the Petitioner wishes to replace it with a similar six foot (6') tall wood privacy fence at the same location.

MS. KISLER stated that building permit records indicate that the wood fence line along the north side of the property was permitted in 2009; however, there no Variation was issued. When the Petitioner purchased the property in 2013, he received a permit to install a connection of chain-link fencing from the north side of the home to the fence that was installed in 2009 along the north property line (parallel to 171st Street). There is also no record of a Variation for the 2013 fence. Staff also noted that a shed was also permitted within the front yard setback without a Variation in 2009.

MS. KISLER explained that the Petitioner's Variation request would formalize the existence of both the 2009 wood fence line and the 2013 chain-link fence connection and allow the fence to extend twenty-four feet (24') into the twenty-five foot (25') required front yard setback. She added that the proposed fence would align with existing rear yard fences to the west.

MS. KISLER stated that the property is zoned R-4, so a twenty-five foot (25') setback is required for front yards per Section V.B. Schedule II (Schedule of District Requirements). The Variation request is for the fence to be installed at a one foot (1') setback. Per Section III.H.1. of the Zoning Ordinance, Staff is able to grant an Administrative Variation of up to ten feet (10') from the required setback. This would allow the Petitioner to maintain a setback for the fence fifteen feet (15') from the property line parallel to 171st Street. If granted, the administrative Variation would place the fence fourteen feet (14') further south than what the Petitioner is requesting, and would intersect with the non-conforming shed. While the shed was permitted without proper adherence to the front yard setback regulations, she noted that ideally the shed is best enclosed within the fence rather than outside of the fence and visible from the public right-of-way.

MS. KISLER explained that the Planning Department notes that there are no concerns with this Variation request with respect to line-of-sight since there are no intersections (street, driveway, or sidewalk) directly adjacent to the fence. The proposed fence would be one foot (1') off the property line, which is actually about two feet, six inches (2'6") from the sidewalk. In addition, the fence would align with other existing fences to the west, which are considered rear yard fences due to the orientation of their lots. She stated that the Petitioners' north property line is abutting a relatively major thoroughfare (171st Street) and the fence would be in a consistent location in comparison to fences at other properties along 171st Street.

MS. KISLER stated that Staff examined the existing conditions of fences along 171st Street between 84th Avenue and 88th Avenue. She gestured to a diagram found in the staff report, showing how the proposed fencing (retaining the location of the existing fence) would be consistent with the existing fencing along 171st Street. She also noted the difference in the orientation of the lots, which cause the majority of these fences to be considered as rear yard fences rather than front yard fences.

MS. KISLER then presented pictures that show how the existing fence is in deteriorating condition and may impede drainage due to the way the bottom of the fence was installed. Additionally, the overall height of the fence is inconsistent along the fence line. Installation of a new fence could address these concerns and correct the drainage.

MS. KISLER reported that Staff is currently investigating possible Text Amendments for fence setbacks in an attempt to alleviate the numerous requests for fence Variations. As a mature community that has developed over time under various codes and enforcement policies, there are many non-conforming fences that need to be addressed. Staff encourages dialogue amongst the Zoning Board of Appeals regarding this issue and seeks direction regarding future Text Amendments.

MS. KISLER reviewed the following draft Findings of Fact prepared by Staff for Standards of Variations:

1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located.
   - There are other options available to the Petitioners that would not require a Variation; however, there is an existing fence that was permitted in the proposed location in 2009 and the fence aligns with other existing fences to the west. The previous property owner also received a permit for a shed in 2009, which is located within the required front yard setback. If the fence were to be installed to meet code at a twenty-five foot setback, the shed would be outside of the fence. The proposed fence is consistent with the location of other fences along 171st Street.

2. The plight of the owner is due to unique circumstances.
   - There is an existing fence on the property that was permitted to a previous homeowner without a Variation in 2009. The Petitioner has had a fence in the proposed location and enjoyed the privacy and security that the fence provided. The proposed fence location is consistent with the location of other fences along 171st Street. The Village has encountered many fences on corner lots in the community that are illegal and/or non-conforming and Staff has begun to investigate a Text Amendment to address the issue.

3. The Variation, if granted, will not alter the essential character of the locality.
   - There is currently a deteriorating fence on the property in the same location as the proposed fence. If the Variation is granted, the fence will replace the existing fence and be aligned with existing fences to the west. It is not uncommon for fences along major thoroughfares, such as 171st Street, to be installed near or along the property line adjacent to the road.

CHAIRMAN VERSTRATE asked if there were any questions for Staff.

CHAIRMAN VERSTRATE asked MR. NELSON if there were any sight line problems with the extended fence. MR. NELSON stated there were none. MS. KISLER stated there were none. BOARD MEMBER VARGAS stated that she did in fact visit the property to view this issue and she too felt there were no sight line problems.

NANCY KORAN, 17110 Foxgrove Lane, requested to be sworn in to speak on this topic.

CHAIRMAN VERSTRATE swore MS. KORAN in.

MS. KORAN, a neighbor of MR. NELSON, stated that the fencing makes a large difference regarding noise, privacy, and the beautification of Tinley Park. MR. NELSON added that the new fence would reduce noise from traffic along 171st Street and that it would also be an aesthetic improvement. He added that it would be the same fence that is seen adjacent to his fence on the west side.

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CHAIRMAN VERSTRATE asked if there were any other questions or comments. Seeing no further questions or comments, CHAIRMAN VERSTRATE opened the meeting up for deliberations among the Board Members.

BOARD MEMBER PASZCZYK stated that this type of issue should be an Administrative Staff case due to the facts that 1) the fence was approved to prior owner according to code, 2) this fence is replacing the existing one and 3) it beautifies Tinley Park.

BOARD MEMBER SAMUELSON stated that this fence does not alter the character of the existing neighborhood. He also discussed the zoning concerns regarding corner lots and the opportunity to discuss alternatives in the future.

CHAIRMAN VERSTRATE commented on the current location of the shed possibly causing a hardship if it would have to be relocated.

BOARD MEMBER SEPESSY discussed the hardship of individuals purchasing a home and having to work with an old fence line thus not being able to utilize the majority of their property.

CHAIRMAN VERSTRATE inquired if there were any further questions or comments. No one offered any additional questions or comments.

There being no further questions or comments, a Motion was made by BOARD MEMBER SEPESSY, seconded by BOARD MEMBER PASZCZYK to close the Public Hearing at 8:00 p.m. CHAIRMAN VERSTRATE asked for a voice vote to close the Public Hearing portion of the first Agenda item. THE MOTION WAS APPROVED by voice vote.

CHAIRMAN VERSTRATE asked for a Motion to consider the Petitioner's request. A Motion was made by BOARD MEMBER SAMUELSON, seconded by BOARD MEMBER PASZCZYK to recommend the Village Board grant the Petitioner, Russell Nelson, a twenty-four foot (24') 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 Petitioner to replace the existing fence with a six foot (6') tall wood privacy fence at a one foot (1') setback on the north (171st Street) side of this corner lot at 17100 Foxgrove Lane in the R-4 (Single-Family Residential) Zoning District and within the Old Oak Subdivision.

CHAIRMAN VERSTRATE added that the findings are based upon the Findings of Fact to replace an existing fence. He noted that there was a permit issued for the previous fence in the past. Additionally, he noted there are no line-of-sight issues and that it will be an aesthetic improvement.

AYE: Zoning Board Members Bob Paszczyk, Dave Samuelson, Steve Sepessy, and Jennifer Vargas

NAY: None

ABSENT: Zoning Board Members Michael Fitzgerald, Paul Lechner

THE MOTION WAS APPROVED by voice vote. CHAIRMAN VERSTRATE declared the Motion approved.

RECEIVE COMMENTS FROM THE PUBLIC

CHAIRMAN VERSTRATE asked if anyone had a Public Comment. No one in the audience wished to comment.

DRAFT

GOOD OF THE ORDER
STEPHANIE KISLER introduced the new Commission Secretary, Patricia Meagher.

CHAIRMAN VERSTRATE inquired if the items requested by MS. KISLER in the prior meeting regarding variance issues should they added to the Agenda for this evening. BOARD MEMBER PASZCZYK prepared some considerations for Staff approval on Variances. MS. KISLER read the considerations as follows:

1. Approval by Police, Fire, Utilities, and Planning Department. *MS. KISLER stated that these approvals, except for the Fire Department, are handled during the building permit review process.*

2. No conflict with line-of-sight, either vehicular or pedestrian. *MS. KISLER stated that this is reviewed administratively also and it can be found within Section III.G. of the Zoning Ordinance. Further clarification could be added to this section.*

3. Replacement of existing fence that has been approved (with or without Variance Approval).

4. Consistency with neighboring properties.

5. Aesthetics (nothing that would be considered offensive, obscene, degrading or otherwise degrade the value of the property and/or neighborhood).

6. Setbacks determined by property location, i.e., thoroughfares (171st) different from side streets.

7. Standard dimensions for business signs listed as "not to exceed" measurements, either in square feet or eight/width. These can be segregated by type of business and location within the property as on the building or curbside. *MS. KISLER stated that there are already dimensional standards for signs overall, not by business use. She noted that sign regulations must be by Zoning District, not by use.*

8. What needs to be considered how parties can object to variations if not via open discussion/meetings? *MS. KISLER stated that, by law, Variation requests must be heard at a Public Hearing, a recommendation from the Zoning Board of Appeals or Plan Commission, and a final approval from the Village Board. The only way it would not follow this process is to alter the Zoning Ordinance with a Text Amendment giving more administrative authority to approve these types of situations within the Zoning Ordinance. She added that objectors are not heard if something is able to be approved administratively since there is no Public Hearing for projects that meet the Village's codes.*

CHAIRMAN VERSTRATE inquired about the Zoning Board's participation regarding Text Amendments. MS. KISLER stated that opinions from the Zoning Board would be welcomed when Staff investigates feasible solutions for future Text Amendments.

CHAIRMAN VERSTRATE addressed the concern of vegetation coming through fencing onto the sidewalks. MS. KISLER stated that it is each property owner's responsibility for keeping all vegetation trimmed and out of the right-of-way. She noted that anyone can submit a complaint for property maintenance issues to the Building Department's Code Enforcement Officers and they will follow up with the property owner.

ADJOURNMENT
A Motion was made by BOARD MEMBER SEPESSY, seconded by BOARD MEMBER PASZCZYK to close the regular meeting of the Zoning Board of Appeals of July 28, 2016 at 8:16 p.m. THE MOTION WAS APPROVED by voice call. CHAIRMAN VERSTRATE declared the Motion approved.

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ZONING BOARD OF APPEALS STAFF REPORT
August 25, 2016

COVIC (6401 Terrace Drive)
Variation from the Required Front Yard Setback for a Fence

Petitioner
Mario Covic

Property Address
6401 Terrace Drive

PIN
28-19-411-009-0000

Parcel Size
0.16 acres ±
(7,088 square feet)

Zoning
R-4 (Single-Family Residential)

Subdivision
Tinley Terrace

Publication
Daily Southtown
(August 7, 2016)

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

Project Planner
Stephanie Kisler, AICP
Planner I

Photo of Petitioner's House (from Terrace Drive)

SUMMARY OF VARIATION REQUEST

The Petitioner, Mario Covic, is seeking a fifteen foot, six inch (15'6") 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 Petitioner to install a new four foot (4') tall chain-link fence in alignment with the existing home at a nine foot, six inch (9'6") setback on the east (Ridgeland Avenue) side of this corner lot at 6401 Terrace Drive in the R-4 (Single-Family Residential) Zoning District and within the Tinley Terrace Subdivision.

VILLAGE STAFF COMMENTS

Staff has reviewed the Petitioner's Variation request, which would align the new fence with the side of the Petitioner's home. Staff notes that there are mature trees along the east side of the property and within the public right-of-way along Ridgeland Avenue.

LEGEND	
Red Dashed Line	Property Lines
Pink Dotted Line	25' Required Front Yard Setback Lines
Yellow Line	Fence Allowed By Code
reen Line	Variation Request for Fence
Blue Line	Administrative Variation Location

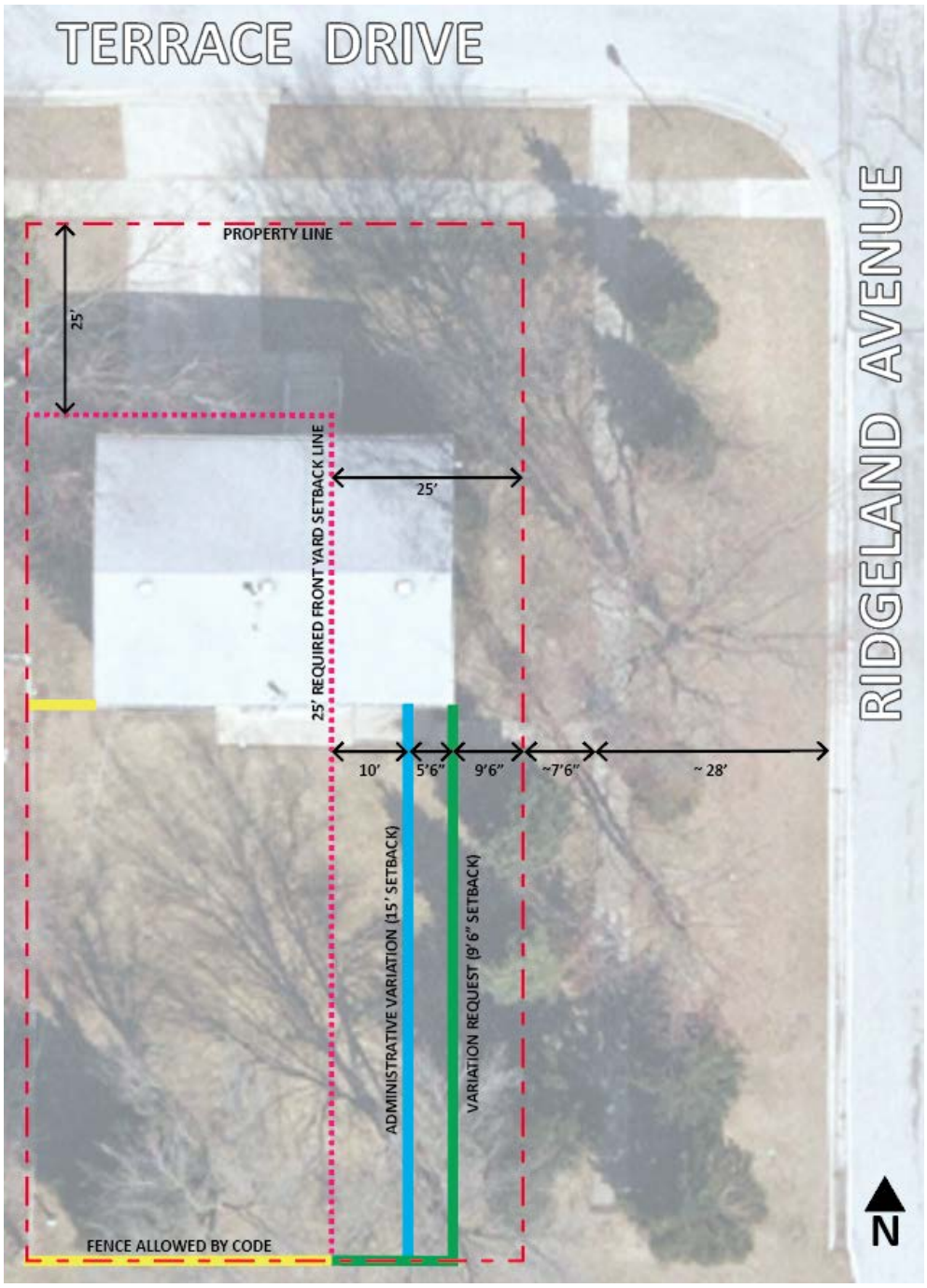


Diagram Showing Variation Request and Relevant Measurements

The proposed fence would be screened by the mature trees on the east side of the property (see photo below). The proposed fence will visible along the south property line where the Petitioner's property abuts the Tinley Park Reformed Church. The south line of the fence would be located on the Petitioner's property line and would align with an existing chain-link fence on the property to the west.

Photo Showing Existing Mature Trees at East Side of Property and Right-of-Way

As seen in the photo above, the existing sidewalk terminates at roughly the same place as the Petitioner's south property line and does not connect further south to the church. Staff notes that the proposed fence would not be directly adjacent to the sidewalk nor would it be adjacent to any intersections. The proposed fence will not create a line-of-sight issue. The proposed fence will be about seventeen feet (17') from the sidewalk and about forty-five feet (45') from the curb of Ridgeland Avenue.

The property is zoned R-4, so a twenty-five foot (25') setback is required for front yards per Section V.B. Schedule II (Schedule of District Requirements). The **Variation request** is for the fence to be installed at a nine foot, six inch (9'6") setback from the east property line.

Per Section III.H.1. of the Zoning Ordinance, Staff is able to grant an **administrative Variation** of up to ten feet (10') from the required setback. This would allow the Petitioner to maintain a setback for the fence fifteen feet (15') from the property line parallel to Ridgeland Avenue. However, as seen in the diagram on the previous page, this would align the fence with the location of the rear patio (see photo at right).

Staff notes that aligning the fence with the setback of the house is the intent of the code; however, the setback of this home is nonconforming to the twenty-five foot (25') setback that is required for both sides of corner lots that are adjacent to public rights-of-way. Most other homes within the Tinley Terrace subdivision meet the front yard setback requirement and few have fences that encroach the sidewalk. In this instance, the Petitioner's request is to have the fence align with the home. A rendering showing the proposed fence location is provided below. The proposed fence is a four foot (4') tall chain-link fence indicated in purple.

Rendering Showing Proposed Location of Fence on Photo

Staff is currently investigating possible Text Amendments for fence setbacks in an attempt to alleviate the numerous requests for fence Variations. As a mature community that has developed over time under various codes and enforcement policies, there are many nonconforming fences that need to be addressed. Staff encourages dialogue amongst the Zoning Board of Appeals regarding this issue and seeks direction regarding future Text Amendments.

DRAFT FINDINGS OF FACT AS PREPARED BY STAFF

Per Section X.G.4. of the Zoning Ordinance, the Zoning Board of Appeals shall not recommend a Variation of the regulations of the Zoning Ordinance unless it shall have made Findings of Fact, based upon the evidence presented for each of the Standards for Variations listed below. Staff has prepared draft responses for the Findings of Fact (listed in bullet points) based on the information supplied by the Petitioner and the information researched by Staff as of August 17, 2016. The Zoning Board of Appeals may accept, delete, or amend the following findings based on information provided during the Public Hearing and enter them as part of the record.

1. **The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located.**
    - There are other options available to the Petitioners that would not require a Variation; however, these other options would place the fence in the middle of the back yard and the fence would not be able to align with the east side of the home. The proposed location of the fence would be consistent with the intent of the ordinance.

2. **The plight of the owner is due to unique circumstances.**
    - The proposed location of the fence is requested because the existing home is nonconforming to the current 25' setback requirement. The existing home is setback 9'6" and the Petitioner would like to align the fence with the setback of the home. It is unique for a home on a corner lot to have a nonconforming setback to which Staff cannot administratively grant a sensible location for the fence.

3. **The Variation, if granted, will not alter the essential character of the locality.**
    - The proposed fence will not alter the essential character of the locality because it will be in alignment with the existing home and will be adequately screened by mature trees that exist on the east side of the property. Additionally, the Petitioner is proposing to use chain-link, which matches the existing chain-link fence to the west of his property.

4. **Additionally, the Zoning Board of Appeals shall also, in making its determination whether there are practical difficulties or particular hardships, take into consideration the extent to which the following facts favorable to the Petitioner have been established by the evidence:**
    a. The particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out;
    b. The conditions upon which the petition for a Variation is based would not be applicable, generally, to other property within the same zoning classification;
    c. The purpose of the Variation is not based exclusively upon a desire to make more money out of the property;
    d. The alleged difficulty or hardship has not been created by the owner of the property, or by a previous owner;
    e. The granting of the Variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; and
    f. The proposed Variation will not impair an adequate supply of light and air to an adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

APPROPRIATE MOTION

If the Zoning Board of Appeals wishes to make a motion, the following motion is written in the affirmative for the Board's consideration:

"...make a motion to consider recommending that the Village Board grant the Petitioner, Mario Covic, a fifteen foot, six inch (15'6") 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 Petitioner to install a new four foot (4') tall chain-link fence in alignment with the existing home at a nine foot, six inch (9'6") setback on the east (Ridgeland Avenue) side of this corner lot at 6401 Terrace Drive in the R-4 (Single-Family Residential) Zoning District and within the Tinley Terrace 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.]*

TERRACE DRIVE
RIDGELAND AVENUE
PROPERTY LINE
25'
25'
25' REQUIRED FRONT YARD SETBACK LINE
10'
5'6"
9'6"
~7'6"
~ 28'
ADMINISTRATIVE VARIATION (15' SETBACK)
VARIATION REQUEST (9'6" SETBACK)
FENCE ALLOWED BY CODE
N

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: Mario Covic

Mailing Address: 6401 Terrace Drive

City: Tinley Park State: IL Zip: 60477

Day Phone: [redacted] Evening Phone: [redacted]

Cell Phone: [redacted] Fax Number:

Email Address: [redacted]

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 accompanies by a signed letter of authorization).

PROPERTY INFORMATION

Street Address: 6401 Terrace Drive

Owners: Mario Covic

SPECIFIC TYPE OF VARIANCE REQUESTED (See Examples Below):

A 15.5 ft. variance on the East side front yard to allow for a 4 ft. Chain link fence to be installed at a 9.5 ft. setback.

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.

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

The way the code requires it would put my fence at my patio which is halfway through the yard. I would like to have a useable backyard that would not have the fence splitting it in half.

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, swing set, 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: [redacted] Date: 8/2/16

Printed Name: Mario Covic

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?

My house is built at a 9 1/2 foot setback. Putting it at 25 ft. will put the fence at my patio halfway through the yard.

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

It would make my patio door outside of the fence and it wouldn't look aesthetically correct.

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

House was built with a lesser set-back

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.

I am on a corner lot and on a 9 1/2 ft. setback.

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. I would like to have this fence for security Purposes and to have an enclosed yard for my dog.

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).

Fencing will not obstruct any views for automobile/ Pedestrian traffic from any angle of the Property.

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

It is not unlikely for neighoring houses to have this type of fencing.

FINDINGS OF FACT (Continued)

H. Describe how the requested Variance **will not:**

1. Impair an adequate supply of light and air to adjacent properties.
Standard 4 ft. Chain link fence. No blockage of light or air.

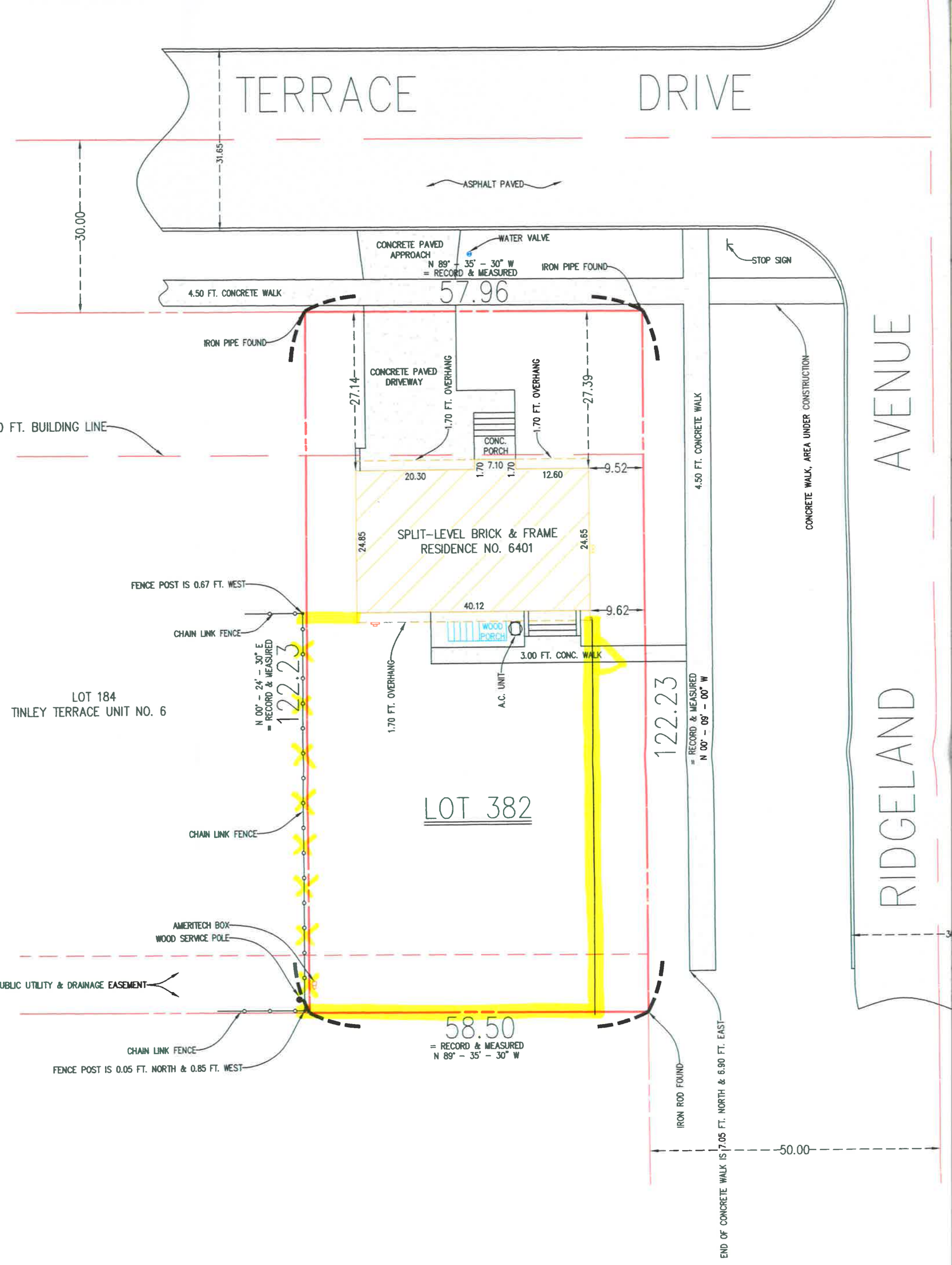
2. Substantially increase the congestion of the public streets.
Will not be near any public streets.

3. Increase the danger of fire.
Not an ignition source for fire or flammable.
Will comply with Tinley Park codes

4. Impair natural drainage or create drainage problems on adjacent property.
Will comply with Tinley drainage codes.

5. Endanger the public safety.
Being built to code and not obstructing public visibility.

6. Substantially diminish or impair property values within the neighborhood.
Standard fencing. Multiple neighbors have same fencing.


TERRACE DRIVE
31.65
30.00
ASPHALT PAVED
CONCRETE PAVED APPROACH
WATER VALVE
N 89° - 35' - 30" W = RECORD & MEASURED
IRON PIPE FOUND
STOP SIGN
4.50 FT. CONCRETE WALK
57.96
IRON PIPE FOUND
CONCRETE PAVED DRIVEWAY
27.14
1.70 FT. OVERHANG
1.70 FT. OVERHANG
27.39
CONC. PORCH
20.30
1.70
7.10
1.70
12.60
9.52
4.50 FT. CONCRETE WALK
CONCRETE WALK, AREA UNDER CONSTRUCTION
AVENUE
FT. BUILDING LINE
24.85
SPLIT-LEVEL BRICK & FRAME RESIDENCE NO. 6401
24.85
FENCE POST IS 0.67 FT. WEST
CHAIN LINK FENCE
40.12
9.62
WOOD PORCH
3.00 FT. CONC. WALK
N 00° - 24' - 30" E = RECORD & MEASURED
122.23
1.70 FT. OVERHANG
A.C. UNIT
LOT 184
TINLEY TERRACE UNIT NO. 6
122.23
= RECORD & MEASURED N 00° - 09' - 00" W
LOT 382
CHAIN LINK FENCE
AMERITECH BOX
WOOD SERVICE POLE
UBLIC UTILITY & DRAINAGE EASEMENT
RIDGELAND
58.50
= RECORD & MEASURED N 89° - 35' - 30" W
CHAIN LINK FENCE
FENCE POST IS 0.05 FT. NORTH & 0.85 FT. WEST
IRON ROD FOUND
END OF CONCRETE WALK IS 7.05 FT. NORTH & 6.90 FT. EAST
50.00

REVISED
Date: 8/6/16

Ameri Dream
Fence & Deck, Inc.

1431 E. Cass St., Joliet IL 60432 **Office:** (815) 726-1127 **Fax:** (815) 722-7566 **E-Mail:** ameridreamfence@gmail.com **Website:** www.ameridreamfenceanddeck.net

Name: MARIO COVIC Phone #: [redacted] E-Mail: [redacted]

Address: 6401 TERRACE DR. City: Tinley PK County: Will Sub: 60477

Target Install Date: 8/20/16 J.U.L.I.E. _____ Clear Date: ___/___/___ Time: ___:___

Customer Responsibilities:
- Obtain Permit (If needed)
- Seek HOA Approval If needed
- Provide a Survey prior to install
- Clear Fence Line of any debris, plants and/or obstacles

(X) **Customer Initials:** _____

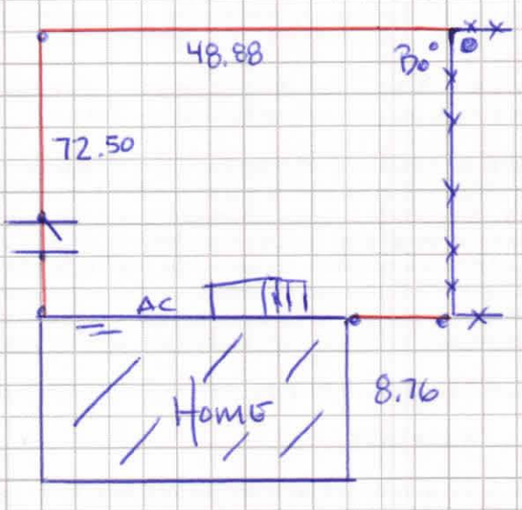
Please Review:
- Customer understands that the fence will follow the existing grade or contours of the ground unless otherwise specified.
- Ameri Dream Fence & Deck, Inc. assumes no responsibility for damage occurring to sprinkler lines, sump pump lines, drain tiles, gas lines to outdoor grills, private electric lines, invisible fences or any other wires or pipes not located by J.U.L.I.E. or Digger Comp.
- Customer understands that cracks (checking) of cedar (wood) is normal and is due to the natural expansion and contraction of cedar. This normal checking has no impact on the structural integrity of the fence or deck.
- Dirt removal is not included unless otherwise specified.

(X) **Customer Initials:** _____

# of Ft. 130.14 Height: 4' Color: GALV Material: CHAIN LINK ☐ **Special Job/Order**

Style: _____ Name: _____

130 FT OF 4' GALVANIZED CHAIN LINK
10YR WARRANTY ON MATERIALS
9 GUAGE 2X2 WIRE 1 3/8" TOP RAIL
2" LINES 10FT ON CENTER
2 1/2" ENDS + CORNER POSTS
CONCRETE SET
(1) 48" GATE, STANDARD LATCH
HAUL AWAY DIRT. 5YR WARRANTY ON INSTALL



Include Coupon, PUT → FACEBOOK DISCOUNT

Construction
- ☒ Face Nail
- ☐ Toe Nail
- ☐ M & T

Double Gate: _____
Single Gate: (1) 48"

Frames
- ☐ 2 x 4 _____
- ☐ 1/2 Log Rail
- ☐ 2 x 7 _____

Boards
☐ 3" ☐ 4" ☐ 6" ☐ 7"
~~Board~~ Top: 1 3/8"
Spaced: 2x2
Post: 2 1/2 - 2"
☐ Cedar Post ☐ Treated Post
☒ Steel Post ☐ Vinyl Post
☐ Round Post
Caps: DOME
Trim Boards: _____
Dirt Removal: ☒ Yes ☐ No
Take Down: ☐ Yes ☐ No
Haul Away: ☐ Yes ☐ No
Concrete Break: ◯ ☐
☐ Dry Set ☒ Wet Set CONCRETE
Job Condition: ☐ Ready to Go ☐ New Sod ☐ Grade Dirt
Advertizing Comp.: SB/FB
List Price $ _____
Discount $ Incl
Total $ 1950.00
Deposit $ 975
Balance $ 975

Left Gate: ◢ ___ Width ___ Rack ___
Other Gates: ◢ ___ Width ___ Rack ___ ___ ◣ Width ___ Rack ___
Right Gate: ___ ◣ Width ___ Rack ___

Date: __/__/__ $ ____.____ Check # _____ VISA C.C. #____-____-____-____ Exp: ___/___ CVV: _____

Date: __/__/__ $ ____.____ Check # _____ VISA C.C. #____-____-____-____ Exp: ___/___ CVV: _____

I authorize the above named business to charge the credit card indicated in this authorization form according to the terms outlined above. This payment authorization is for the goods/services described above, for the amount indicated above only. I certify that I am an authorized user of this credit card and that I will not dispute the payment with my credit card company; so long as the transaction corresponds to the terms indicated in this form.

Valid for: Deposit Initials_____ and / or Balance Initials _____

If Balance is not paid in full the warranty is void and after 90 days late you authorized for the fence to be reposed. **Initials:** _____

The undersigned has read each of the provisions and specifications on this page (page1), and the "Condition of Sale" (page 2) of this contract. The undersigned understands the same, and by signing hereafter, agrees to the same. This proposal becomes a binding and enforceable contract when received by Ameri Dream Fence & Deck, Inc. either (a) bearing the customer's signature or (b) without signature but accompanied by down payment from the customer as required. All agreements are contingent upon strikes, delays, or accidents beyond our control. The provisions, specifications and conditions in this contract are hereby accepted. Payment will be made as set forth above.

(X) Customer Signature _____ Date: __/__/__ Company Rep [redacted] Date: 8/6/16

[redacted]