



AGENDA FOR REGULAR MEETING VILLAGE OF TINLEY PARK PLAN COMMISSION

August 4, 2022 – 7:00 P.M.

Council Chambers

Village Hall – 16250 S. Oak Park Avenue

Regular Meeting Called to Order

Pledge of Allegiance

Roll Call Taken

Communications:

Tinley Park Plaza (Brixmor) Phase 2 and 6627 173rd Place Duplex Conversion were removed from the Agenda. They will need to resubmit and republish for a future meeting.

Approval of Minutes:

Minutes of the July 21, 2022 Regular Meeting

ITEM #1 PUBLIC HEARING – 6862 MICHAEL CIRCLE / DUN RAVEN PLACE UNIT II TOWNHOMES – SPECIAL USE FOR SUBSTANTIAL DEVIATION TO THE PUD

Consider recommending that the Village Board grant Kathryn Wittman a Substantial Deviation from the Dun Raven Place Unit II Planned Unit Development with an Exception from the Zoning Ordinance to allow all sunroom additions in the subdivision to be constructed without required first-floor face brick located at the northeast corner of Centennial Drive and Centennial Circle in the R-6 PD (Medium Density Residential District, Dun Raven Place Unit II PUD).

ITEM #2 PUBLIC HEARING – 17642 67TH AVENUE, BIRKS – SIDE YARD SETBACK VARIATION

Consider recommending that the Village Board grant Andrew Birks (Property Owner) a side yard setback Variation from Section V.B. Schedule II of the Zoning Ordinance to permit the principal structure and construct an attached home addition (sunroom) for the property located at 17642 67th Avenue in the R-3 (Single-Family Residential) Zoning District. The requested 2.58 feet side yard setback variation will apply to the existing principal structure and allow the petitioner to construct a home addition (sunroom) located 5.42 feet from the side property line to the south, where the minimum required side yard setback is 8 feet.

Receive Comments from the Public

Good of the Order

Adjourn Meeting



**MINUTES OF THE REGULAR MEETING OF THE
PLAN COMMISSION, VILLAGE OF TINLEY PARK,
COOK AND WILL COUNTIES, ILLINOIS**

July 21, 2022

The meeting of the Plan Commission, Village of Tinley Park, Illinois, was held in the Council Chambers located in the Village Hall of Tinley Park, 16250 Oak Park Avenue, Tinley Park, IL on July 21, 2022.

CALL TO ORDER – CHAIRMAN GARRETT GRAY called to order the Regular Meeting of the Plan Commission for July 21, 2022 at 7:00 p.m.

Kimberly Clarke, Community Development Director called the roll.

Present and responding to roll call were the following:

Chairman Garrett Gray
Terry Hamilton
Andrae Marak
Kurt Truxal
Brian Tibbetts
Ken Shaw

Absent Plan Commissioners:

James Gaskill
Angela Gatto
Eduardo Mani

Village Officials and Staff:

Kimberly Clarke, Community Development Director
Lori Kosmatka, Associate Planner
Jarell Blakey, Management Analyst

Petitioners:

Magnus Ottenborn, Otten's Seafood
Mark Rogers, Liston & Tsantilis, PC
Julie Piszczek, Monoceros Corporation

Members of the Public:

None

COMMUNICATIONS- There were no communications from Village Staff.

APPROVAL OF THE MINUTES - Minutes of the July 7, 2022 Regular Meeting of the Plan Commission were presented for approval. A motion was made by COMMISSIONER TRUXAL, seconded by COMMISSIONER SHAW to approve the July 7, 2022 minutes as presented. CHAIRMAN GRAY asked for a voice vote; all were in favor. He declared the motion carried.

DRAFT

TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES

FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION

SUBJECT: MINUTES OF THE JULY 21, 2022 REGULAR MEETING

**ITEM #1 WORKSHOP/PUBLIC HEARING – TINLEY PARK PLAZA (BRIXMOR)
PHASE 2, 16039-16199 HARLEM AVENUE – SPECIAL USE FOR PUD
DEVIATION AND SITE PLAN/ARCHITECTURAL APPROVAL**

**Requested by Petitioner to continue to August 4, 2022 regular meeting.*

Consider recommending that the Village Board grant Andrew Balzar of Brixmor Property Group, on behalf of Centrol/IA Tinley Park Plaza, LLC (property owner) a Special Use for a Substantial Deviation from the Planned Unit Development for Phase 2 of the redevelopment of Tinley Park Plaza located at 16039-16199 Harlem Avenue in the B-2 PD (Community Shopping, Tinley Park Plaza) zoning district.

Present Plan Commissioners:

Chairman Garrett Gray
Terry Hamilton
Andrae Marak
Kurt Truxal
Brian Tibbetts
Ken Shaw

Absent Plan Commissioners:

James Gaskill
Angela Gatto
Eduardo Mani

Village Officials and Staff:

Kimberly Clarke, Community Development Director
Lori Kosmatka, Associate Planner
Jarell Blakey, Management Analyst

Petitioners:

None

Members of the Public:

None

CHAIRMAN GRAY introduced Item #1, and then referred it to Staff.

Kimberly Clarke, Community Development Director explained that the item was intended to be continued but due to a clerical error it was on tonight's agenda.

CHAIRMAN GRAY requested a motion to continue Item #1. Motion made by COMMISSIONER TRUXAL, seconded by COMMISSIONER TIBBETTS. Motion carried by way of unanimous voice vote.

TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES

FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION

SUBJECT: MINUTES OF THE JULY 21, 2022 REGULAR MEETING

ITEM #2 PUBLIC HEARING – MARCOTTE DUPLEX CONVERSION, 6627 173RD PLACE – VARIATIONS AND FINAL PLAT APPROVAL

**Requested by Petitioner to continued to August 4, 2022 regular meeting.*

Consider recommending that the Village Board grant Jason Marcotte (property owner) a Variation from Section V.B.Schedule II of the Zoning Ordinance (Lot, Yard & Bulk Regulations) to permit a reduced side yard setback and a reduced front yard setback, as well as a Variation from Section VIII (Parking) at 6627 173rd Place in the R-6 (Medium-Density Residential) zoning district. The Variation will allow for consolidation of two lots that allow for building additions and conversion of the existing structure from a single-family detached home to a duplex. A Plat of Consolidation is also requested.

Present Plan Commissioners:

Chairman Garrett Gray
Terry Hamilton
Andrae Marak
Kurt Truxal
Brian Tibbetts
Ken Shaw

Absent Plan Commissioners:

James Gaskill
Angela Gatto
Eduardo Mani

Village Officials and Staff:

Kimberly Clarke, Community Development Director
Lori Kosmatka, Associate Planner
Jarell Blakey, Management Analyst

Petitioners:

None

Members of the Public:

None

CHAIRMAN GRAY introduced Item #2, and then requested a motion to open the public hearing. Motion to open the public hearing made by COMMISSIONER SHAW seconded by COMMISSIONER TRUXAL. Motion carried by way of unanimous voice vote.

CHAIRMAN GRAY then requested a motion to continue the public hearing. Motion made by COMMISSIONER MARAK seconded by COMMISSIONER SHAW. Motion carried by way of unanimous voice vote.

DRAFT

**ITEM #3 PUBLIC HEARING – OTTEN’S SEAFOOD, 7313 DUVAN DRIVE –
VARIATIONS AND SITE PLAN/ARCHITECTURAL APPROVAL**

Consider recommending that the Village Board grant Variations from the Zoning Ordinance to permit masonry below the required minimum 75% of face brick and to contain more than 15% of an alternate building material on the front façade located at 7313 Duvan Drive in the MU-1 (Mixed Use Duvan Drive Overlay) Zoning District. The request will also include Site Plan Architectural approval.

Present Plan Commissioners:

Chairman Garrett Gray
Terry Hamilton
Ken Shaw
Brian Tibbetts
Kurt Truxal

Absent Plan Commissioners:

James Gaskill
Angela Gatto
Eduardo Mani

Village Officials and Staff:

Kimberly Clarke, Community Development Director
Lori Kosmatka, Associate Planner
Jarell Blakey, Management Analyst

Petitioners:

Magnus Ottenbourne on behalf of Otten Seafood.

Members of the Public:

None

CHAIRMAN GRAY introduced item #3. Then requested a motion to open the public hearing.

Motion made by COMMISSIONER TRUXAL second by COMMISSIONER TIBBETTS

Motion carried.

CHAIRMAN GRAY certified that he received notification of legal posting in accordance with state statutes. Then stated that anyone wishing to speak on the matter could do so but only after staff presentation.

Lori Kosmatka, Associate Planner, presented the staff report.

CHAIRMAN GRAY swore in petitioner

Magnus Ottenbourne, Petitioner, wanted to note that he offers apologies that he did not apply for the appropriate permits prior to work commencing.

COMMISSIONER HAMILTON states it looks like a nice addition

COMMISSIONER MARAK noted that he likes the appearance of the older brick. He also notes that it is important to keep with the aesthetic of the neighborhood but goes on to note that there is not one.

CHAIRMAN GRAY concurs with the

COMMISSIONER TRUXAL stated that he likes the new appearance

COMMISSIONER SHAW stated that he is inclined to recommend approval and wants to note a few points. He notes that nothing was removed and was applied over the existing brick. Stating that he did not alter the structure so it will not affect the ...

CHAIRMAN GRAY states that he agrees with his fellow commissioners. Mr. Gray asked how durable the material used for the frontage was.

Petitioner stated that he used cedar wood that does not age and it has been treated with fire coating to add further protection.

CHAIRMAN GRAY notes point three cohesive building design, he agrees that it is an improvement. Then goes on to note that the business will not exacerbate current traffic flows. Mr. Gray then stated that he was inclined to recommend approval.

CHAIRMAN GRAY requested a motion to close the public hearing.

COMMISSIONER TRUXAL made a motion to close the public hearing. Second by COMMISSIONER TIBBETTS.

Motion carried by way of unanimous voice vote.

Lori Kosmatka, Associate Planner presented the standards for a variation.

COMMISSIONER SHAW made motion #1 Second by COMMISSIONER TIBBETS

Motion Carried 6-0

COMMISSIONER TRUXAL made Motion #2____. Second by COMMISSIONER HAMILTON.

Kimberly Clarke, Community Development Director called the role.

Motion carried 6-0

TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES

FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION

SUBJECT: MINUTES OF THE JULY 21, 2022 REGULAR MEETING

**ITEM #4 PUBLIC HEARING – TOP HOSPITALITY LLC D/B/A MARRIOTT
COURTYARD & RESIDENCE INN, 9551 & 9555 183RD STREET**

Consider recommending that the Village Board grant Top Hospitality LLC (Property Owner) a Special Use for an Extended Stay, Map Amendment (rezoning) and Variations from the Zoning Code for two parcels that total approximately 8.7 acres in size at 9551 and 9555 183rd Street (off of White Eagle Drive and south of 183rd Street). The parcels are proposed to be zoned B-3 (General Business & Commercial) upon annexation. Upon Annexation, the granting of these requests will allow for the lots to be developed as two Marriott-brand hotels: Courtyard and Residence Inn. The request will also include a Plat of Resubdivision and Site Plan approval.

Present Plan Commissioners: Chairman Garrett Gray
Terry Hamilton
Andrae Marak
Ken Shaw
Brian Tibbetts
Kurt Truxal

Absent Plan Commissioners: James Gaskill
Angela Gatto
Eduardo Mani

Village Officials and Staff: Kimberly Clarke, Community Development Director
Lori Kosmatka, Associate Planner
Jarell Blakey, Management Analyst

Petitioners: Magnus Ottenborn, Otten's Seafood
Mark Rogers, Liston & Tsantilis, PC
Julie Piszczek, Monoceros Corporation

Members of the Public: None

CHAIRMAN GRAY introduced Item #4, and asked for a motion to open the Public Hearing.

COMMISSIONER TRUXAL made a motion to open the public hearing. Seconded by
COMMISSIONER MARAK.

CHAIRMAN GRAY certified that he received appropriate notice of posting in accordance with state statutes.

Lori Kosmatka, Associate Planner presented the staff report.

Petitioner noted that they are working with staff to address open items.

COMMISSIONER TIBBETTS noted that the petitioners have addressed a lot of the issues from the last meeting. He is looking forward to it being built.

COMMISSIONER SHAW noted the sign easement agreement would help address potential issues if the one property is sold. He asked for clarification on whether the boulevard would be included.

Lori Kosmatka, Associate Planner, responded yes.

COMMISSIONER SHAW noted that in respect to the land bank requirement, he feels that the parking is adequate but feels it is a good requirement. He asked if there is a specific measure to trigger the land bank clause. His concern is that in the future, the Village might want it but not be able to get it. He likes the concept however.

COMMISSIONER TRUXAL asked since this is a phased project, where will the topsoil will be stored until the next phase begins. His concern is if there will be a big dirt mountain next to the hotel.

The Petitioner, Julie Piszczek, Construction Manager for Monoceros Corporation, was sworn in. The Petitioner states that the plan is to do mass site grading to be pad ready for both buildings. It is not planned to leave dirt on site. They will work with engineering on the topsoil.

COMMISSIONER TRUXAL noted the Loyola building is across the street. His concern is that there would be an unsightly dirt mountain visible to them. His other concern was with the boulevard entry's width and turning radius noted by Staff. He asked if there is a problem with the boulevard and width if they would go back to the original plan with the two separate signs.

The Petitioner responded yes.

CHAIRMAN GRAY asks if there is a way to widen the boulevard entry's flare. In an emergency however the trucks may drive over the curb.

Kimberly Clarke, Director noted Staff would let them figure it out. There was a concern about widening it.

COMMISSIONER TRUXAL offered some alternatives to resolve the issue. He suggested lessening the curve along White Eagle Drive to make the turning radius less sharp by moving the blue lines toward the interior. The tree at the south side of the curve could be taken out. Overall this is a beautiful development.

CHAIRMAN GRAY concurred and clarified it could be tapered off at the first parking stall.

COMMISSIONER MARAK asks if the property will be corporate owned or franchise owned and if each property could be sold separately. It would depend on ownership structure.

Kimberly Clarke, Director, notes that they are subdividing with cross access with covenants for maintenance on common areas.

COMMISSIONER HAMILTON asked if extended stay hotels have different parking lot regulations.

Kimberly Clarke, Director, notes that the Village does not currently differentiate between extended stay and traditional hotels. Parking evolves with trends.

COMMISSIONER HAMILTON notes that he does not believe the boulevard sign would survive very long. He believes it would be hit often.

CHAIRMAN GRAY notes that he likes the addition of a putting green. He appreciates the work that the Petitioner did from the last meeting. He continues to note that he likes it and welcomes the addition to the Village.

COMMISSIONER TIBBETTS notes that the Petitioner should ask the engineer to include in the specs spraying or seeding the stockpile of soil to make it more aesthetically pleasing. It might be a cheaper alternative.

Petitioner notes the majority of the area would be developed in the first phase for the Residence Inn. The surface area for the taking of the topsoil would be a very small volume. It would be transported as needed if it's in excess.

CHAIRMAN GRAY noted typically you would strip the topsoil and do the cut and fill on the soils to balance the site for the pads and then redistribute the topsoil. It costs money to truck it offsite. It's best to store on-site when you can. Instead of mounding it up, you could cut it down. If you place grass seed, it may blend it a little better, but it can't be a big hill otherwise you can't get a riding mower up there.

CHAIRMAN GRAY asked if anyone from the public wished to speak. Hearing none, he entertained a motion to close the Public Hearing.

Motion to close the public hearing made by COMMISSIONER TRUXAL seconded by COMMISSIONER TIBBETTS. CHAIRMAN GRAY requested a voice vote asking if any were opposed to the motion; hearing none, he declared the motion carried.

Lori Kosmatka, Associate Planner presented the standards.

Motion 1-Map Amendment (Rezoning):

COMMISSIONER SHAW made a motion to recommend that the Village Board grant *the Petitioner, Top Hospitality LLC, a Rezoning (Map Amendment) of the properties located at 9551 & 9555 183rd Street (off of White Eagle Drive, South of 183rd Street) upon annexation to the B-3 (General Business & Commercial) zoning district and adopt the Findings of Fact submitted by the applicant and as proposed by Village Staff in the Staff Report.*

Motion seconded by COMMISSIONER TIBBETTS. Vote taken by Roll Call; all in favor. CHAIRMAN GRAY declared the motion carried.

Motion 2-Variations:

COMMISSIONER TRUXAL made a motion to recommend that the Village Board grant *the following Variations to the Petitioner, Top Hospitality LLC, at the properties located at 9551 & 9555 183rd Street (off of White Eagle Drive, South of 183rd Street) in the B-3 (General Business & Commercial) Zoning District, in accordance*

with the plans submitted and listed herein and adopt Findings of Fact as proposed by Village Staff in the Staff Report.

- 1. A 1.87 acre Variation from Section V.B. Schedule I (Schedule of Permitted Uses) to permit a hotel use on a 3.13 acre lot, instead of the required minimum of 5 acres (Residence Inn – Lot 2).*
- 2. A height Variation from Section V.B. Schedule II (Schedule of District Requirements) to permit a four story and approximately 55 ft. 10 in. tall building (Residence Inn) and a four story 54 ft. 9.5 in. tall building (Courtyard) instead of the permitted maximum of three stories and 35 ft.*
- 3. A two ft. Variation from Section VIII Table 2 (Parking Lot Dimension Guidelines) to permit a 24 ft. drive aisle instead of the permitted minimum of 26 ft.*
- 4. A Variation from Section V.C.7.F. and Section V.C.7.G. to permit both hotel buildings to utilize fiber cement board siding and panels to comply with the masonry requirements beyond face brick instead of the maximum of 15% of the building exteriors.*
- 5. A 19 space Variation from Section VIII.A.10. (Number of Parking Spaces Required) to permit the Residence Inn to have 124 parking spaces instead of the 143 parking spaces required.*
- 6. A 46 space Variation from Section VIII.A.10. (Number of Parking Spaces Required) to permit the Courtyard to have 129 parking spaces instead of the 175 parking spaces required.*
- 7. A front yard setback Variation from Section V.D.2.D.(2) to permit the Residence Inn (Lot 2) to have a front yard setback ranging from 42.5' to 274.92' instead of the permitted 20' maximum.*
- 8. A front yard setback Variation from Section V.D.2.D.(2) to permit the Courtyard (Lot 1) to have a front yard setback of 25' instead of the permitted 20' maximum.*
- 9. A Variation from Section V.D.2.B.(2).a. to permit parking to be located in the front yard on the Residence Inn (Lot 2).*
- 10. A Variation from Section V.D.2.B.(2).a. to permit parking to be located in the front yard on the Residence Inn (Lot 1).*
- 11. A Variation from Section V.D.2.C.(2).f. to permit two curb cuts on the Courtyard (Lot 1) instead of the permitted maximum of one.*
- 12. A Variation from Section IX.M.2. to permit an off-site sign for Lot 2 to be located on the single shared ground sign on Lot 1 with an approved signage easement*
- 13. A Variation from Section IX.D.2.c. to permit a freestanding sign to be setback five feet from the property line instead of the required ten foot minimum.*

Subject to the following Conditions:

- 1. The off-site sign for Lot 2 as part of the shared ground sign shall constitute the only ground sign permitted for that lot.*
- 2. An area land banked for parking, as indicate in the plans, shall be constructed by the owner of the Lot 1 (Courtyard) if it is determined that the proposed parking is not sufficient to accommodate the hotel or banquet uses.*

3. *A minimum of 50% face brick shall be utilized on both hotel exteriors, as indicated in the architectural plans.*

Motion seconded by COMMISSIONER MARAK. Vote taken by Roll Call; all in favor. CHAIRMAN GRAY declared the motion carried.

Motion 3-Site Plan/Architectural Approval:

COMMISSIONER TRUXAL made a motion to grant the Petitioner, Top Hospitality LLC, Site Plan Approval to construct two hotels at 9551 & 9555 183rd Street in the B-3 (General Business & Commercial) Zoning District, in accordance with the plans submitted and listed herein and subject to the following conditions:

1. *Directional signage and striping is required on the final plans at the hotel drop-off entrances.*
2. *The outdoor putting green shall utilize either no fencing or an open-style fence such as an aluminum wrought iron design. No chain-link fencing shall be utilized.*
3. *Site Plan Approval is subject to approval of the Rezoning and Variations by the Village Board.*
4. *The Final Plat approval is subject to Final Engineering Plan approval by the Village Engineer, MWRD, and the U.S. Army Corp of Engineers.*

Motion seconded by COMMISSIONER SHAW. Vote taken by Roll Call; all in favor. CHAIRMAN GRAY declared the motion carried.

Motion 4-Plat:

COMMISSIONER SHAW made a motion to recommend that the Village Board grant approval to the Petitioner, Top Hospitality LLC, Final Plat of Subdivision for the New Horizon Subdivision in accordance with the Final Plat submitted and dated June 9, 2022, subject to the following conditions:

1. *The Final Plat's sign easement location shall be revised to be five feet from west property line, and coordinated to be in the area of the boulevard entry's median.*
2. *The Final Plat approval is subject to Final Engineering Plan approval by the Village Engineer, MWRD, and the U.S. Army Corp of Engineers."*

Motion seconded by COMMISSIONER TIBBETTS. Vote taken by Roll Call; all in favor. CHAIRMAN GRAY declared the motion carried.

CHAIRMAN GRAY noted this Item will go to the Village Board Wednesday August 3rd.

Kimberly Clarke, Director, clarified it would go to First Reading.

Good of the Order

Kimberly Clarke, Community Development Director, stated there is nothing new happening.

COMMISSIONER TRUXAL asked what is going on with Magnuson.

Kimberly replied that staff has met with developer, should be receiving drawings soon, but has not received anything yet.

COMMISSIONER TRUXAL asked if there were any time limits on the need to file a permit

Kimberly noted that the Village Board conditioned that permit must be filed within 60 days and there are other provisions that hold the entitlements to a schedule

COMMISSIONER HAMILTON made a motion to close the meeting Seconded by COMMISSIONER Truxal. Meeting adjourned at 8:15pm.

PLAN COMMISSION STAFF REPORT

August 4, 2022 - Public Hearing

Dun Raven Place Phase 2 Sunroom Addition (6862 Michaels Circle)

Dun Raven Place Unit II Planned Unit Development

Petitioner

Kathryn Wittman, 6862
Michaels Circle

Property Location

Dun Raven Place Phase 2
Subdivision/PUD

PIN

28-19-104-025-0000

Zoning

R-6 PD, Medium Density
Residential

Approvals Sought

Special Use for
Substantial Deviation to
the PUD

Project Planner

Lori Kosmatka
Associate Planner



EXECUTIVE SUMMARY

The Petitioner, Kathryn Wittman, property owner of 6862 Michaels Circle, is requesting a Special Use for a Substantial Deviation from the Dun Raven Place Unit II Planned Unit Development (PUD) with an Exception from the Zoning Ordinance. To permit a sunroom addition on the structure she resides, she is requesting to allow sunroom additions on all residential structures in the Dun Raven Phase 2 PUD with a consistent look to what she is proposing. The proposal includes an Exception to construct the sunroom additions without required first-floor face brick. The Dun Raven Phase 2 Subdivision/PUD is located at the northeast corner of Centennial Drive and Centennial Circle in the R-6 Medium Density Residential District. Village Staff recommended the Petitioner request a Substantial Deviation to the overall PUD rather than an individual lot to ensure the development has a consistent appearance for all sunroom additions going forward.

If approved, the proposal would allow each unit in the 26-unit development to construct an addition by-right on their private lot per the specifications of the currently proposed design. The Petitioner's proposed one-story addition to the rear of the property largely consists of white vinyl lap siding on each of the three facades, with a sliding glass door and smaller 33.75"x56.75" windows, as opposed to a typical sunroom with larger windows and glazed area.

The 26-unit Dun Raven Place Unit II PUD (subject development) consists of first-floor masonry. Currently there are only two existing sunroom additions throughout. Both additions previously received variations and, typical of sunrooms, largely consist of glazing rather than opaque material. The Petitioner has cited financial reasons for proposing vinyl siding rather than masonry as required by code and prefers not to match the design of the existing sunrooms. Staff recommends considering alternative designs such as matching the existing sunroom design or using alternative materials that are higher quality and more closely match the existing development's character.

EXISTING SITE & HISTORY

The Petitioner, Kathryn Wittman, owns property at 6862 Michael Circle, which is within the Dun Raven Place Phase II subdivision. The 26-unit development is located northeast of Centennial Circle and Centennial Drive, situated along the Michaels Circle and Johns Circle cul-de-sacs.

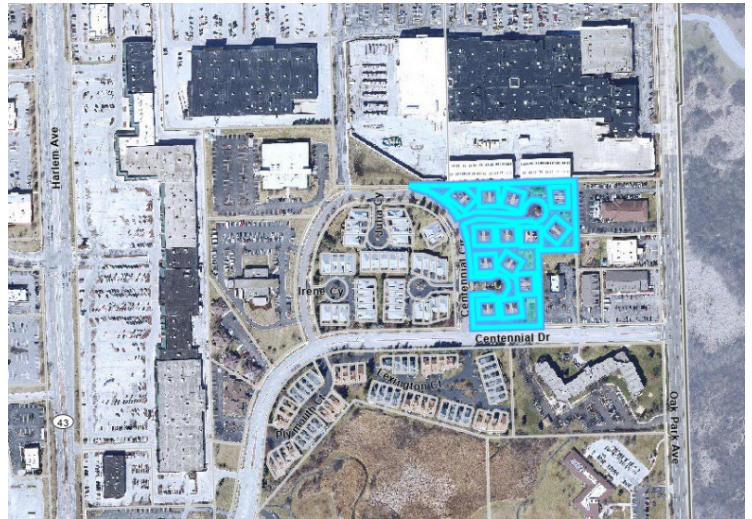
The subject development is the second phase of the Dun Raven Place townhome duplexes and was approved in 2001 (Ord. #2001-O-045) as the Dun Raven Place Unit II PUD. The initial phase was created in 1999 (Ord. #99-O-012), located northwest of Centennial Circle.

The two developments are under their own, separate homeowner's associations (HOAs). The Petitioner is applying on behalf of the 26-unit subject development (Phase II). The ruling HOA over the subject development, Dun Raven Villas Homeowner's Association, has provided a letter agreeing to the Petitioner's request.

The 26 units in the subject development are located in 13 buildings, five on Michaels Circle, 8 on Johns Circle. They are generally oriented to these streets with exception of the northwesternmost building (16077 Centennial Circle and 6876 Johns Circle). There are several mature trees located within the common areas between the buildings as well as along the north side of Centennial Drive.

There are currently two existing sunroom additions located at 6844 Johns Circle and 6851 Johns Circle. These sunrooms previously received variations in 2013 (Ord. #2013-O-021 and 2013-O-044). Both sunrooms are the same design largely constructed of glass with minimal white trim.

The subject development is in the R-6 Medium Density Residential Zoning District. To the west, across Centennial Circle is the initial phase of the Dun Raven townhomes, also within the R-6 Zoning District. To the south, across Centennial Drive, are multi-family properties in the R-7 High Density Residential Zoning District. To the east and north, are businesses within the B-2 Community Shopping Zoning District. They include a multi-tenant commercial center with medical office uses, CTF development center, Kindercare daycare, and a salon suites. Menards is located to the north.

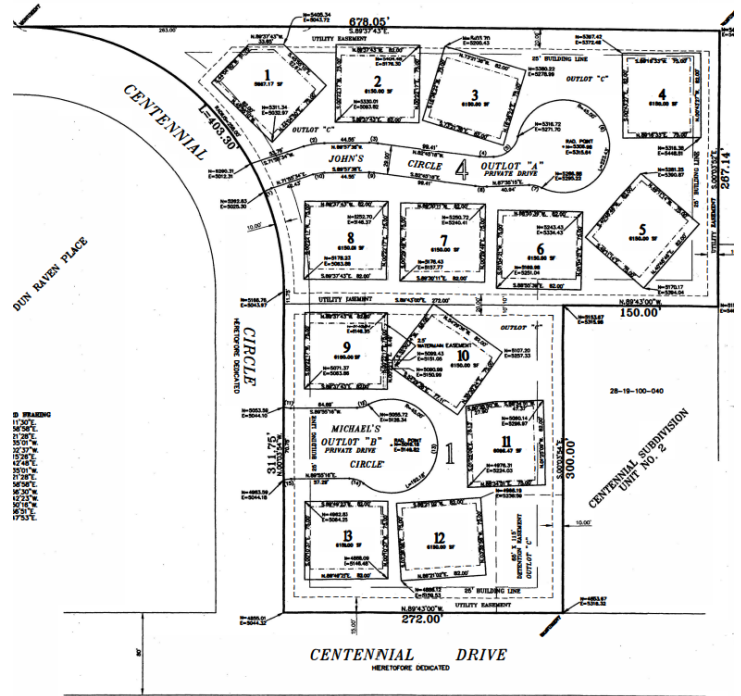


CODE BACKGROUND & ZONING

The Residential Masonry Requirements are currently located in Zoning Code Section V.C.4.B.:

"In all single-family detached, single-family attached, townhomes, and in all single-family semi-detached dwellings, exterior walls shall be constructed of face brick or decorative stone. Said construction shall commence from the finished grade and shall extend to the uppermost portion of the first story of such dwellings."

The masonry requirements for residential developments in Tinley Park have existed since the late 1970's and largely require first floor masonry (brick or stone) on all units. The requirement ensures a high level of aesthetics, building quality, and durability is held within new developments along with some improve building and fire protection. The code has remained in place with only minor changes including transitioning from the building code to the zoning code. Variations have been approved only for areas that were developed prior to the masonry requirements and have a neighborhood with varying material types.



Dun Raven Place - Phase II Subdivision



Existing Building's Concrete Patio / Recessed Property Corner

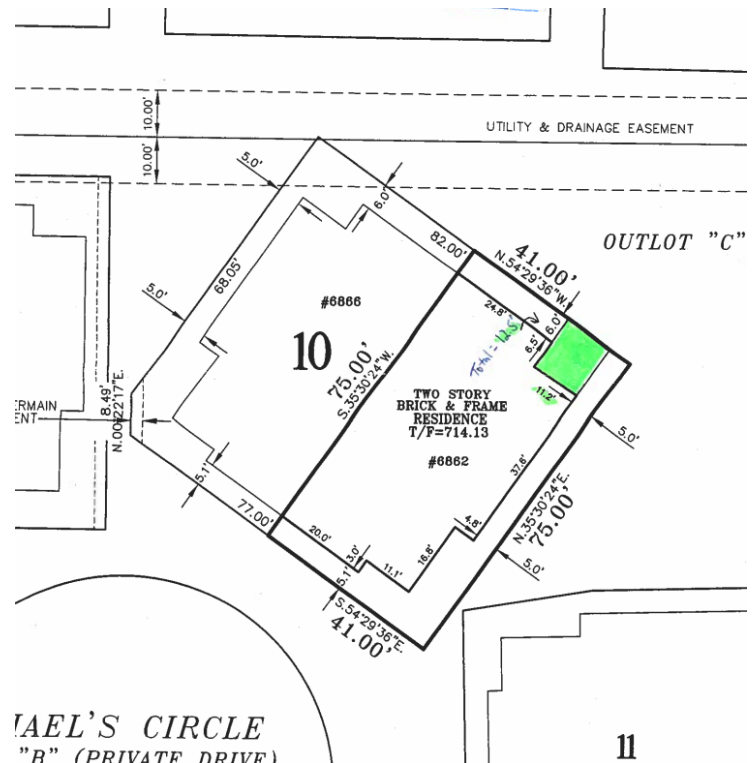
SUBSTANTIAL DEVIATION / ZONING EXCEPTION

The Petitioner currently has a concrete patio protruding from the rear recessed corner of her property at 6862 Michaels Circle. The Petitioner now proposes to construct a one-story sunroom addition in that location. The Petitioner states the footprint of the sunroom addition (*shown in green on the plat of survey*) will be similar to the patio, less 1.5 feet depth. The proposed addition will be 12'-5" by 11'-3 1/2" and will protrude out six feet from the rear building façade to meet the rear property line. There is landscaped common area beyond the property lines.

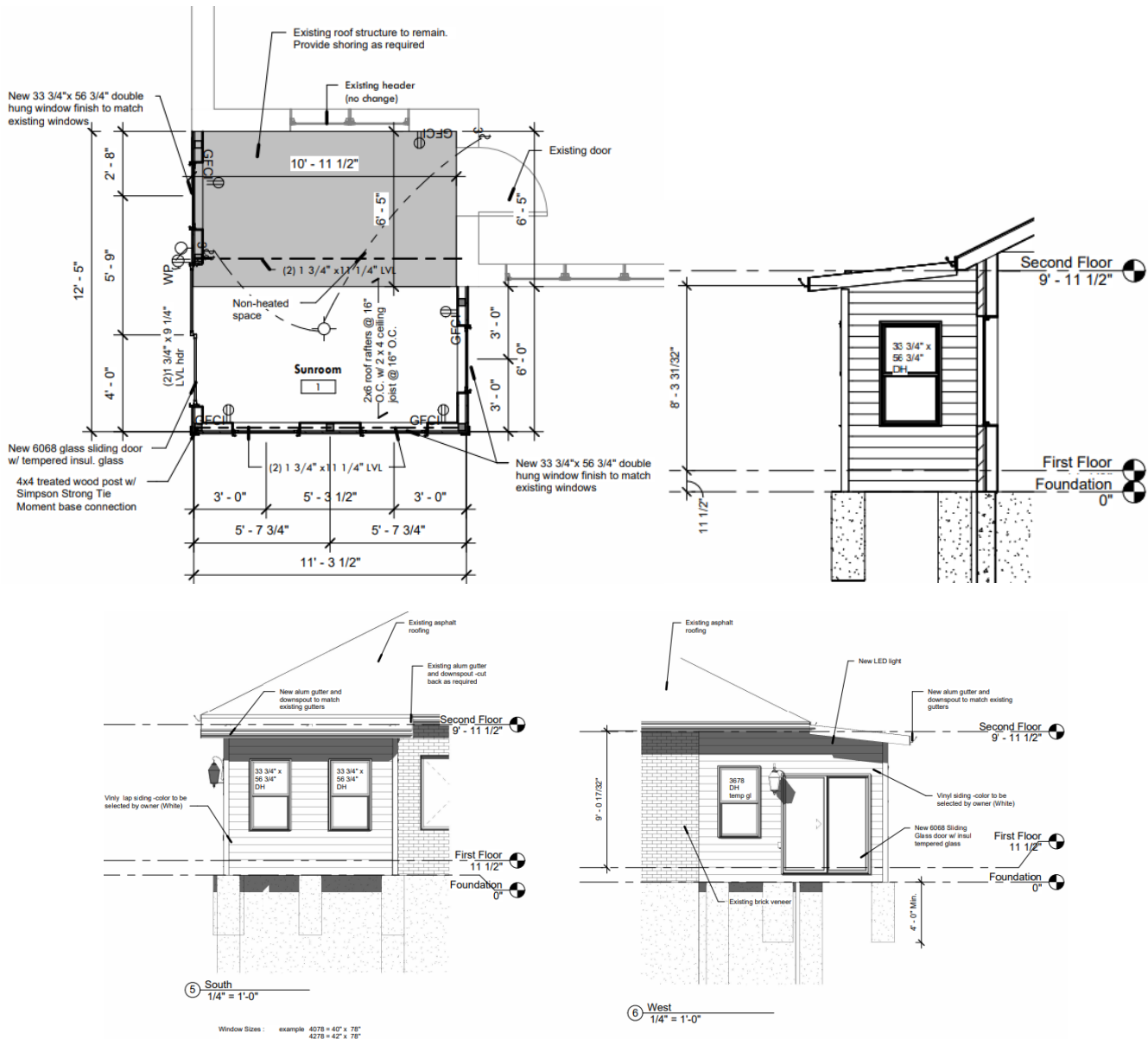
The proposed sunroom consists of white vinyl lap siding on the majority of the three facades, with one window on the east, two on the south, and one along with a sliding door on the west. The windows are 33.75"x56.75". The west façade also has a 5'-0"x5'-8" glass sliding door. The majority of the facades have more opaque material (as vinyl siding) rather than glazing, contrary to typical sunroom design. The Petitioner has provided architectural drawings showing the window sizes and placement. Based on the architectural drawings, the percentage of glass windows & doors are only approximately 26.6% on the east façade, 28.3% on the south façade, and 40.2% on the west façade. The Petitioner's proposed sunroom addition will not meet the masonry requirements in the Zoning Ordinance.

Village Staff notes a concern that if individual units pursue individual Variations in the future, then the subject development runs a risk of having an highly inconsistent aesthetic of a variety of materials and styles, which was not the intent of the development or PUD. Village Staff recommended that the subject development have a consistent aesthetic for all sunroom additions. Thus Staff requested the Petitioner pursue a Special Use for a Substantial Deviation with an Exception from the Zoning Ordinance for all sunroom additions in the subject development (Dun Raven Place Unit II PUD) be considered rather than a Variation for the single property at 6862 Michaels Drive. The Petitioner has brought this forward to the association as well to clarify that only the approved design will be permitted going forward.

Deviations from Village's Zoning Ordinance are considered Exceptions rather than Variations when located within a PUD and do not require the standard Variation Findings of Fact. Alternatively, Exceptions are looked at in terms of their conformance to their overall PUD's proposed design and goals. The Petitioner is requesting a Special Use Permit for the Exception from Zoning Ordinance Section V.C.4.B (Residential Masonry Requirements) to allow all for sunroom additions and to be constructed per the proposed design without required matching first-floor face brick.



6862 Michaels Circle Plat of Survey (proposed sunroom addition in green)



The Petitioner has contacted the HOA and received their approval for the addition as proposed for all future additions in their subject development. The Petitioner proposes the vinyl siding material instead of the brick masonry required by the Zoning Ordinance for financial reasons as vinyl is a cheaper exterior building material. Vinyl siding is not recognized as a high-quality and durable material when compared to masonry and other alternative materials such as fiber cement (Hardie Board) siding. Vinyl siding is only utilized as an accent material at roof peaks and at the top of the garages within the PUD. Though the proposed white color complements the other white accents on the existing buildings, the white color is considered a contrast to the red brick it is parallel to. A red or brown tone material that may better blend in. The development has multiple sets of outdoor rear stairs that are stained in shades of dark reddish browns. Staff previously suggested alternative materials and colors to the Petitioner who preferred the vinyl siding option due to cost.

While there are no specific standards set for residential architectural requests, it is useful to look at the context of the development similar to some of the standards set for commercial architectural plan reviews. The three most relevant standards used are listed below:

- Compatible Architecture – Is the new structure and proposed materials compatible with neighboring properties and the surrounding neighborhood's existing housing stock?

- b. Proposed Building Materials – Are the proposed materials of high-quality and durability? Do the proposed materials negatively affect the homes attractiveness or future marketability?
- c. Cohesive Building Design – Do the proposed materials compliment the style and design of the home, or do they detract compared to alternative materials? Do the proposed exterior materials compliment the architectural design and create natural breaks within the façade to transition between materials?

The standard the Village's Community Development Committee traditionally used was to review masonry Variations in context with the existing neighborhood's architecture. This ensures the character and quality of materials within a neighborhood does not degrade over time and that new construction is fit for the neighborhood. It is important that the proposed architecture/building materials are not so incongruent with the existing architecture/building material that it devalues existing property. The goal should be that the new "in-fill" development is compatible with the neighborhood, enhances rather than detracts, and will maintain value over time.

ARCHITECTURE

The subject development's architecture is consistent among all the buildings with the same massing, gable and dormer types, and materials. They largely consist of reddish-brown brick on the first floor. The brick has varying tones. Parts of the upper façade on the gables, dormers, and over the garage have cream (pale yellow) siding and white siding in a decorative pattern. The trim, entry columns, gutters, and undersides of the eaves, and garage doors are all white which serve as an intentional contrast to the brick. The shingles are gray.



Existing Building Frontage

The essential character of the subject development involves a consistent design aesthetic, with only two of the 26 units having existing sunrooms. The two existing sunrooms in the subject development are mainly constructed of glass with minimal white trim. One of the sunrooms has a low knee wall with plain white panels, while the other sunroom has glazing that runs farther down to a horizontal wood member at ground level. Aside from upper triangular area below the roof slope, the windows go up to the maximum possible height of the facades. Also, neither have vinyl siding. Due to the small amount of opaque material, both sunrooms have an overall transparent look and feel. The facades have an aesthetic of continuously framed windows as opposed



Existing Sunroom @ 6851 Johns Circle



Existing Sunroom @ 6848 Johns Circle



a few individual windows punched out in a wall consisting of vinyl lap siding. Staff has recommended the Petitioner match the design of the existing sunroom enclosures and they have not wished to have large window expanses.

to

Plan Commission Discussion

Staff recommends a few points for discussion by the Plan Commission:

- Discuss whether the proposal for all future sunroom additions is appropriate and compatible for the subject development.
- Consider whether the proposed design is cohesive to the existing building design.
- Consider compatibility with two previously approved sunrooms.
- Consider design elements such as:
 - Percentage and location of glazing (transparency) for a “sunroom”
 - Exterior materials (quality, durability, color, etc.)

STANDARDS FOR A SPECIAL USE

Section X.J.5. of the Zoning Ordinance lists standards that need to be considered by the Plan Commission. The Plan Commission is encouraged to consider these standards (listed below) when analyzing a Special Use request. Staff draft Findings of Fact are provided below for the Commission's review and approval.

X.J.5. Standards: No Special Use shall be recommended by the Plan Commission unless said Commission shall find:

- a. That the establishment, maintenance, or operation of the Special Use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare;
 - ***The proposed addition will not be detrimental to public health, safety, morals, comfort or general welfare. The proposed addition is one-story and does not extend into the common area but would not match with existing structures or materials as approved under the original PUD.***
- b. That the Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;
 - ***The proposed addition will be within each property's boundaries and are surrounded by common area. However, it does not create a uniform design with high quality materials as is existing under the current PUD regulations.***
- c. That the establishment of the Special Use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district;
 - ***The proposed addition will be attached to residences in a recessed location and protrude minimally within each property's boundaries. The overall boundaries of the development will not change but permits additions that are inconsistent with the PUD's existing development style.***
- d. That adequate utilities, access roads, drainage, and/or other necessary facilities have been or are being provided;
 - ***Adequate utilities, access roads, and/or other necessary facilities are already existing and are not proposed to change.***
- e. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; and
 - ***Adequate ingress and egress are already existing and are not proposed to change.***
- f. That the Special Use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the Village Board pursuant to the recommendation of the Plan Commission. The Village Board shall impose such conditions and restrictions upon the premises benefited by a Special Use Permit as may be necessary to ensure compliance with the above standards, to reduce or minimize the effect of such permit upon other properties in the neighborhood, and to better carry out the general intent of this Ordinance. Failure to comply with such conditions or restrictions shall constitute a violation of this Ordinance.
 - ***The Petitioner will conform to all other applicable regulations of the district.***
- g. The extent to which the Special Use contributes directly or indirectly to the economic development of the community as a whole.
 - ***The proposed addition will provide larger living accommodations and provide more taxable value.***

MOTION TO CONSIDER

If the Plan Commission wishes to act on the Petitioner's request, the appropriate wording of the motion is listed below. *Do note, the Commission can alternatively provide the petitioner with recommendations and continue the meeting to allow the petitioner time to consider and design alternatives that would be more acceptable to the Commissioners.*

The protocol for the writing of a motion is to write it in the affirmative so that a positive or negative recommendation correlates to the Petitioner's proposal. By making a motion, it does not indicate a specific recommendation in support or against the plan. The Commission may choose to modify, add, or delete from the recommended motions and recommended conditions: :

Special Use for a Substantial Deviation to the PUD

"...make a motion to recommend that the Village Board grant Kathryn Wittman a Substantial Deviation from the Dun Raven Place Unit II Planned Unit Development with an Exception from the Zoning Ordinance to allow all sunroom additions in the subdivision to be constructed without required first-floor face brick located at the northeast corner of Centennial Drive and Centennial Circle in the R-6 PD (Medium Density Residential District, Dun Raven Place Unit II PUD) in accordance with the plans submitted and adopt Findings of Fact as proposed in the August 4, 2022 Staff Report, subject to the following condition:

1. All future additions within the PUD shall be additions matching the proposed addition in color, material, and style. No further addition designs shall be permitted. "

LIST OF REVIEWED PLANS

	Submitted Sheet Name	Prepared By	Date On Sheet
	Application (Redacted) & Response to Standards	Applicant	6/23/22
	Narrative	Applicant	6/29/22
	Dun Raven Villas HOA Letter	HOA	6/30/22 Recd 7/5/22
	Plat of Survey	Applicant	n/a
	Architectural Drawing	AS	7/29/21
	Dun Raven Place Phase II PUD Subdivision Plat	Nekola	Recorded 8/30/1999
	Existing Conditions Additional Staff Photos	Staff	7/28/22

AS=Architectural Studio



JUN 23 2022

PL 2022 07 00367

Village of Tinley Park
Community Development Dept
16250 S. Oak Park Ave.
Tinley Park, IL 60477
708-444-5100

VILLAGE OF TINLEY PARK, ILLINOIS
PLANNING AND ZONING GENERAL APPLICATION

REQUEST INFORMATION

*Additional Information is Required for Specific Requests as Outlined in Specific Addendums

- ☐ Special Use for: _____
- ☒ Planned Unit Development (PUD) ☐ Concept ☐ Preliminary ☐ Final ☒ Deviation
- ☒ Variation ☒ Residential ☐ Commercial for McSentry
- ☐ Annexation
- ☐ Rezoning (Map Amendment) From _____ to _____
- ☐ Plat (Subdivision, Consolidation, Public Easement) ☐ Preliminary ☐ Final
- ☐ Site Plan
- ☐ Landscape Change Approval
- ☐ Other: _____

PROJECT & PROPERTY INFORMATION

Project Name: SUNROOM

Project Description: 12 1/2 x 11 Patio enclosed for a sunroom

Project Address: 6862 Michaels Circle Property Index No. (PIN): 28-19-104-038-0000

Zoning District: BREMEN Lot Dimensions & Area: _____

Estimated Project Cost: \$ 25 000

OWNER OF RECORD INFORMATION

Please supply proper documentation of ownership and/or designated representative for any corporation.

Name of Owner: KATHRYN WITTMAN Company: _____

Street Address: 6862 Michaels Circle City, State & Zip: Tinley Pk IL 60477

E-Mail Address: _____ Phone Number: _____

APPLICANT INFORMATION

☒ Same as Owner of Record

All correspondence and invoices will be sent to the applicant. If applicant is different than owner, "Authorized Representative Consent" section must be completed.

Name of Applicant: _____ Company: _____

Relation To Project: _____

Street Address: _____ City, State & Zip: _____

E-Mail Address: _____ Phone Number: _____



Village of Tinley Park
Community Development Dept.
16250 S. Oak Park Ave.
Tinley Park, IL 60477
708-444-5100

VILLAGE OF TINLEY PARK, ILLINOIS PLANNING AND ZONING GENERAL APPLICATION

Authorized Representative Consent

It is required that the property owner or his designated representative be present at all requests made to the Plan Commission and Zoning Board of Appeals. During the course of a meeting, questions may arise regarding the overall project, the property, property improvements, special conditions attached to recommendations among other aspects of any formal request. The representative present must have knowledge of the property and all aspects of the project. They must have the authority to make commitments related to the project and property. Failure to have the property owner or designated representative present at the public meeting can lead to substantial delays to the project approval. If the owner cannot be present or does not wish to speak at the public meeting, the following statement must be signed by the owner for an authorized repetitive.

I hereby authorize _____ (print clearly) to act on my behalf and advise that they have full authority to act as my/our representative in regards to the subject property and project, including modifying any project or request. I agree to be bound by all terms and agreements made by the designated representative.

Property Owner Signature: _____

Property Owner Name (Print): _____

Acknowledgements

- Applicant acknowledges, understands and agrees that under Illinois law, the Village President (Mayor), Village Trustees, Village Manager, Corporation Counsel and/or any employee or agent of the Village or any Planning and Zoning Commission member or Chair, does not have the authority to bind or obligate the Village in any way and therefore cannot bind or obligate the Village. Further, Applicant acknowledges, understands and agrees that only formal action (including, but not limited to, motions, resolutions, and ordinances) by the Board of Trustees, properly voting in an open meeting, can obligate the Village or confer any rights or entitlement on the applicant, legal, equitable, or otherwise.
- Members of the Plan Commission, Zoning Board of Appeals, Village Board as well as Village Staff may conduct inspections of subject site(s) as part of the pre-hearing and fact finding review of requests. These individuals are given permission to inspect the property in regards to the request being made.
- Required public notice signs will be obtained and installed by the Petitioner on their property for a minimum of 10 days prior to the public hearing. These may be provided by the Village or may need to be produced by the petitioner.
- The request is accompanied by all addendums and required additional information and all applicable fees are paid before scheduling any public meetings or hearings.
- Applicant verifies that all outstanding fees and monies owed to the Village of Tinley Park have been paid.
- Any applicable recapture, impact, engineering, contracted review or other required fees and donations shall be paid prior to issuance of any building permits, occupancy permits, or business licenses.
- The Owner and Applicant by signing this application certify that the above information and all supporting addendums and documentation is true and correct to the best of their knowledge.

Property Owner Signature: _____

Property Owner Name (Print): _____

Applicant Signature:
(If other than Owner)

Applicant's Name (Print): _____

Date: _____

6-23-2022

STANDARDS AND CRITERIA FOR A SPECIAL USE

Section X.J. of the Village of Tinley Park Zoning Ordinance requires that no Special Use be recommended by the Plan Commission unless the Commission finds that all of the following statements, A-G listed below, are true and supported by facts. Petitioners must respond to and confirm each and every one of the following findings by providing the facts supporting such findings. The statements made on this sheet will be made part of the official public record, will be discussed in detail during the public meetings and will be provided to any interested party requesting a copy. Please provide factual evidence that the proposed Special Use meets the statements below. If additional space is required, you may provide the responses on a separate document or page.

- A. That the establishment, maintenance, or operation of the Special Use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare.

will have no bearing on the other home owners in the association

- B. That the Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.

will increase property value not conflicting with any other property owners

- C. That the establishment of the Special Use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.

will not impede any of the easements or common ground

- D. That adequate utilities, access roads, drainage, and/or other necessary facilities have been or are being provided.

none required enclosing patio attached to the house

- E. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

not affecting the streets in any way

- F. That the Special Use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the Village Board pursuant to the recommendation of the Plan Commission.

the sun room is acceptable to the Association

- G. The extent to which the Special Use contributes directly or indirectly to the economic development of the community as a whole.

will be visually appealing and will not hinder any other development

Applicant Narrative - 6/29/2022

From: [REDACTED]
To: [Lori Kosmatka](#)
Subject: Sunroom at 6862 Michaels Circle, Tinley Park, IL 60477
Date: Wednesday, June 29, 2022 12:58:38 PM

External Message Disclaimer

CAUTION: This email originated from outside of Tinley Park. DO NOT click links, open attachments or forward unless you recognize the sender and know the content is safe. Please delete or report suspicious emails to the helpdesk at x5087.

I am proposing to enclose the existing patio of my townhouse to construct a Sunroom. It will be 12 1/2 ft by 11 2. the plan is to have 4 windows and 1 sliding door. The windows and walls surrounding them will be white vinyl to match the trim on the existing structure. The existing roof overhang will be extended and the same shingles as the rest of the house will be used.

Kay Wittman

DUN RAVEN VILLAS
HOMEOWNERS ASSOCIATION



Robert Maher – President

Mary Jo Reis – Secretary

Marjorie Schultz – Treasurer

Kay Wittman – Vice President

Theresa O'Leary – Trustee

June 30, 2022

BOARD MEMBERS;

Kay Wittman of 6862 Michaels Circle is proposing to build a sunroom by enclosing the existing patio and also using white vinyl on the exterior walls. This does not follow village ordinance saying you need to use brick on exterior walls. Therefore, she is requesting an exception, she will pay the fees for the exception and going forward any owner who chooses to build a sunroom will use white vinyl without a fee.

Please sign below next to your name to indicate your approval so that she can have Her sunroom built.

Robert Maher

Robert Maher

Mary Jo Reis

Mary Jo Reis

Marjorie Schultz

Marjorie Schultz

Theresa O'Leary

Theresa O'Leary

Kay Wittman

Kay Wittman



On Behalf Of

Dun Raven Villas Townhome Association

June 28, 2022

Kay Wittman
6862 Michaels Circle
Mokena, IL 60448

Re: Sunroom/Sunporch Approval

Dear Kay;

The Board of Directors reviewed the plan you submitted for your sunroom/sunporch request. We are pleased to inform you that the plan as submitted for is approved.

You may move forward with the installation of the sunroom at your unit.

Sincerely,

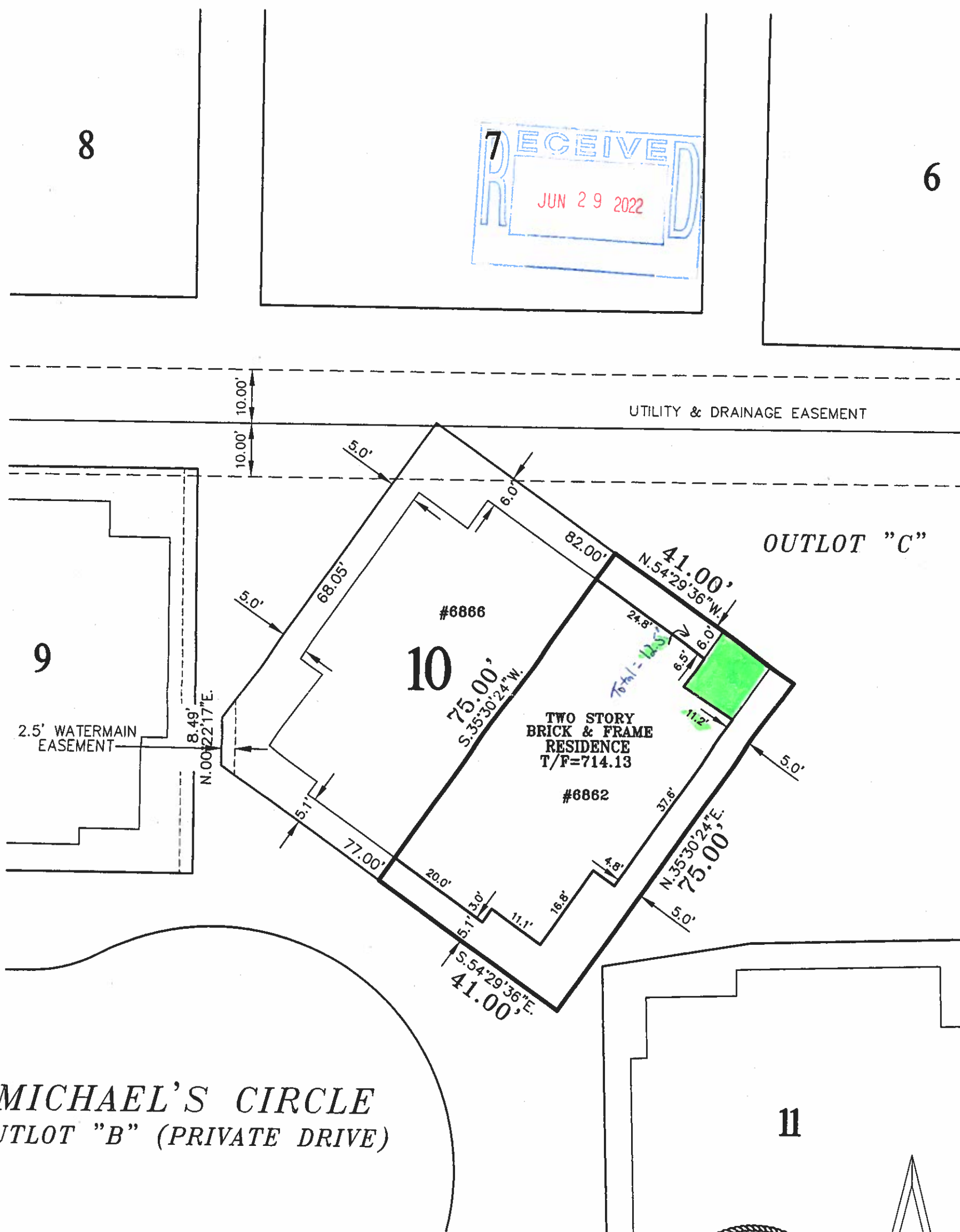
Christine Economous

Christine Economous
Cardinal Property Management, Inc.
On Behalf of The Dun Raven Villas Townhome Association

PLAT OF SURVEY

OF

THE SOUTHEAST 41 FEET OF LOT 10 IN DUNRAVEN PLACE PHASE 2, BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 36 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.



MICHAEL'S CIRCLE
OUTLOT "B" (PRIVATE DRIVE)

PREPARED FOR: BANNER
JOB ADDRESS: 6862 MICHAEL'S CIRCLE, TINLEY PARK, IL.
JOB NO.: 02-04-1001-B

NEKOLA

SIGNATURE SURVEY
A DIVISION OF MORRIS ENGINEERING
5100 S. LINCOLN
LISLE, IL. 60532
(630)271-0599 phone (630)271-0922 fax

NO IMPROVEMENTS SHOULD BE MADE ON THE BASIS OF THIS PLAT ALONE. FIELD MONUMENTATION OF CRITICAL POINTS SHOULD BE ESTABLISHED PRIOR TO COMMENCEMENT OF ANY AND ALL CONSTRUCTION. FOR BUILDING LINES, EASEMENTS AND OTHER RESTRICTIONS NOT SHOWN HEREON REFER TO YOUR DEED, ABSTRACT, TITLE POLICY, CONTRACTS AND LOCAL BUILDING AND ZONING ORDINANCES.



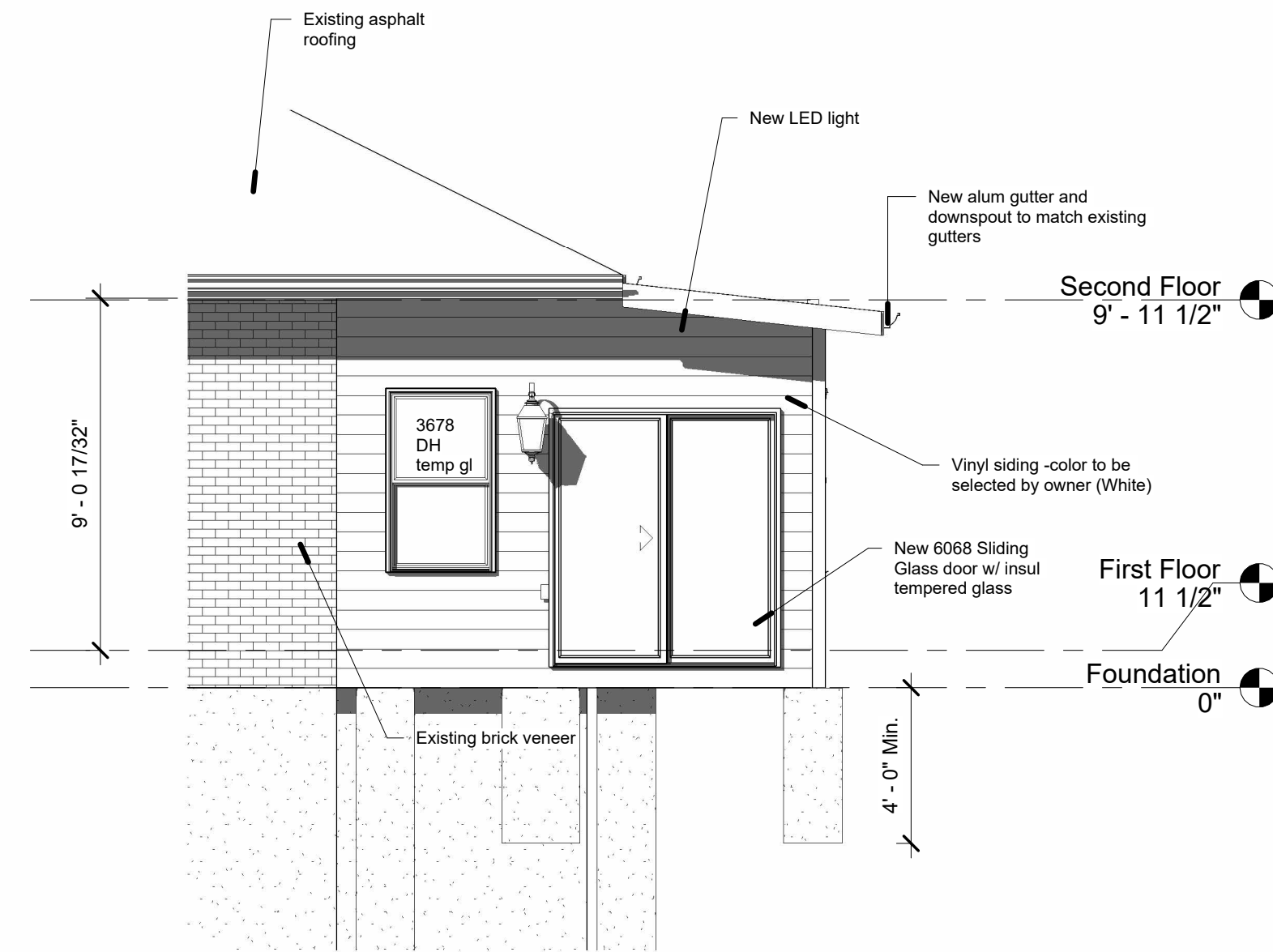
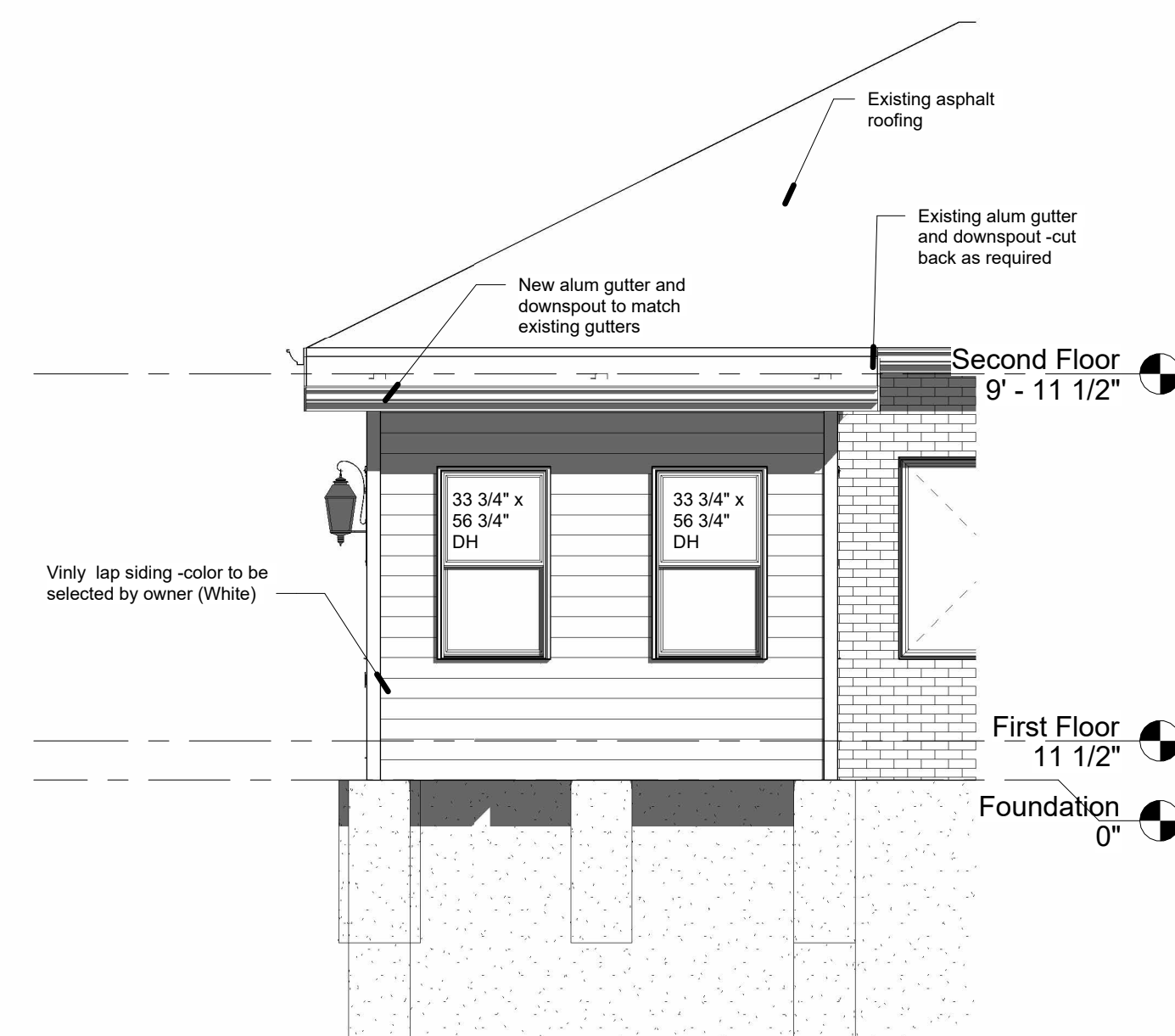
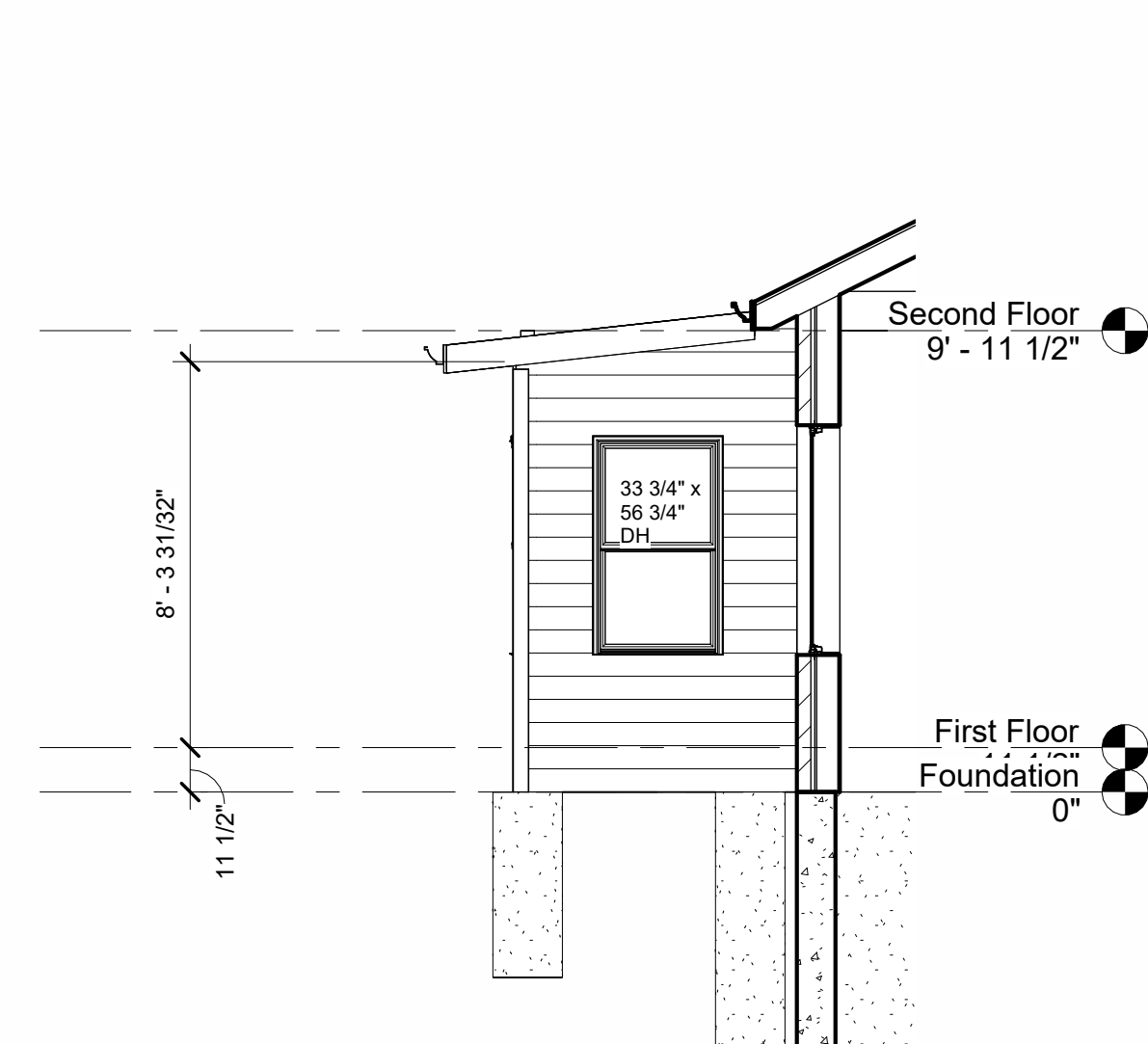
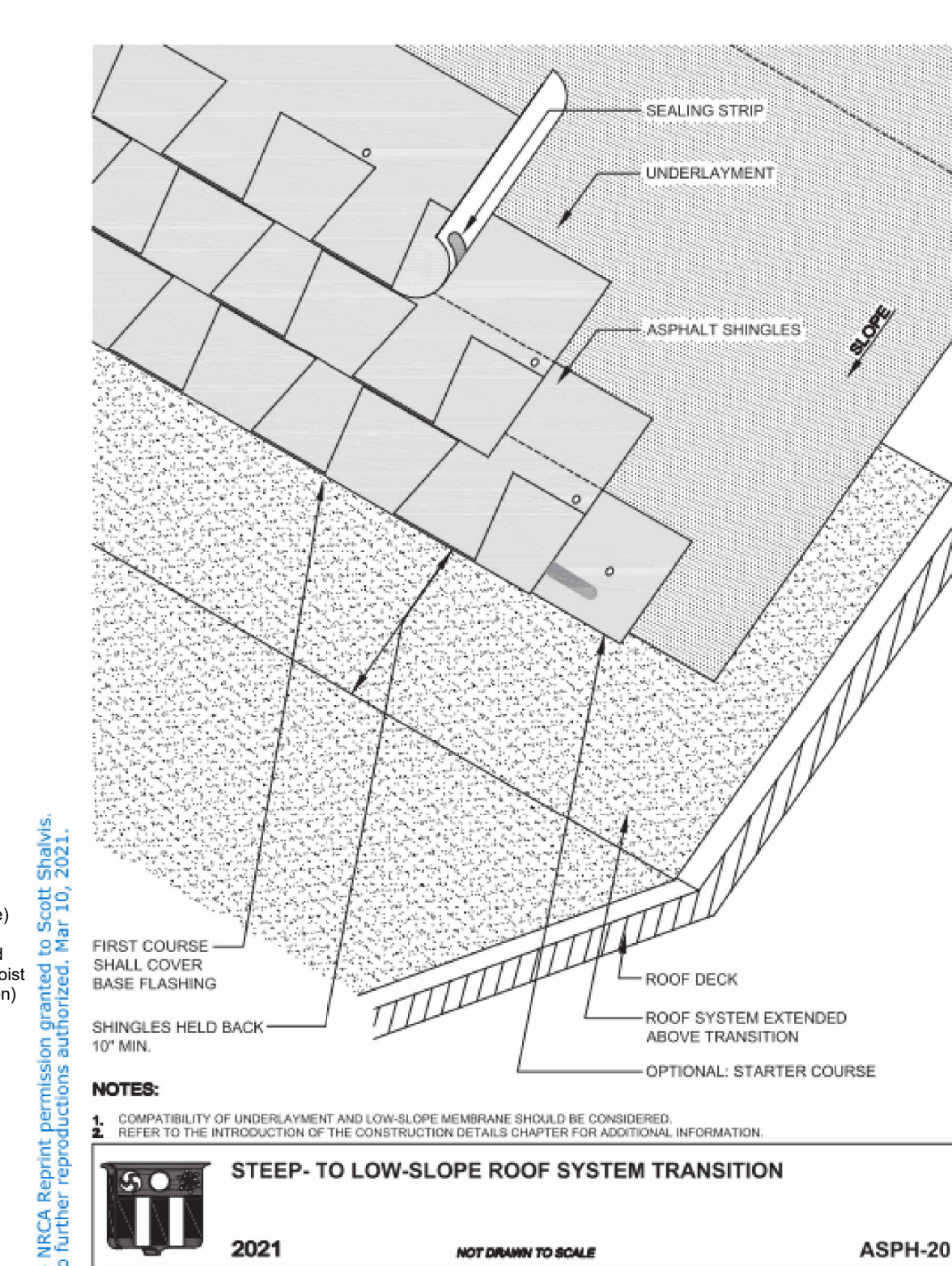
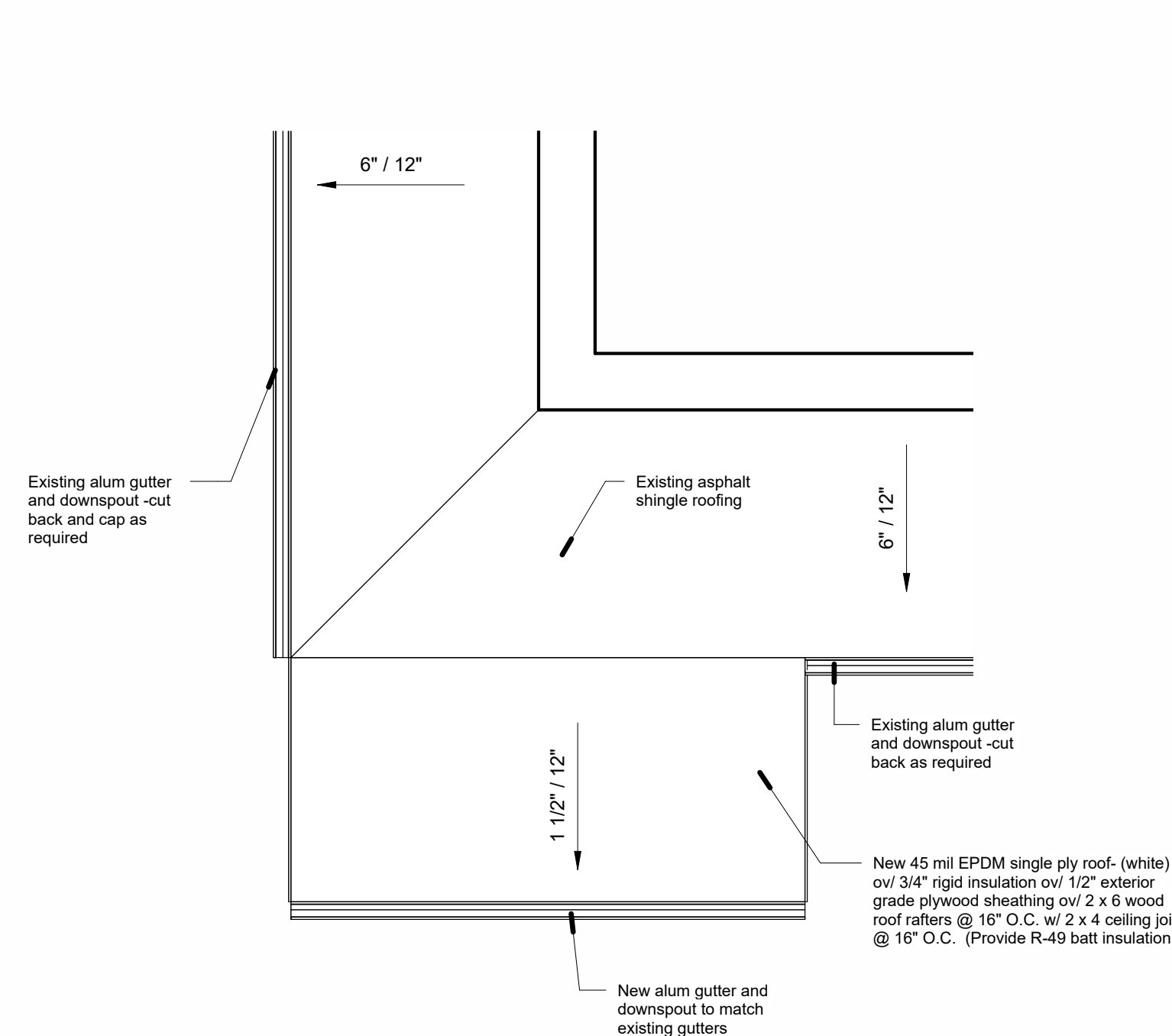
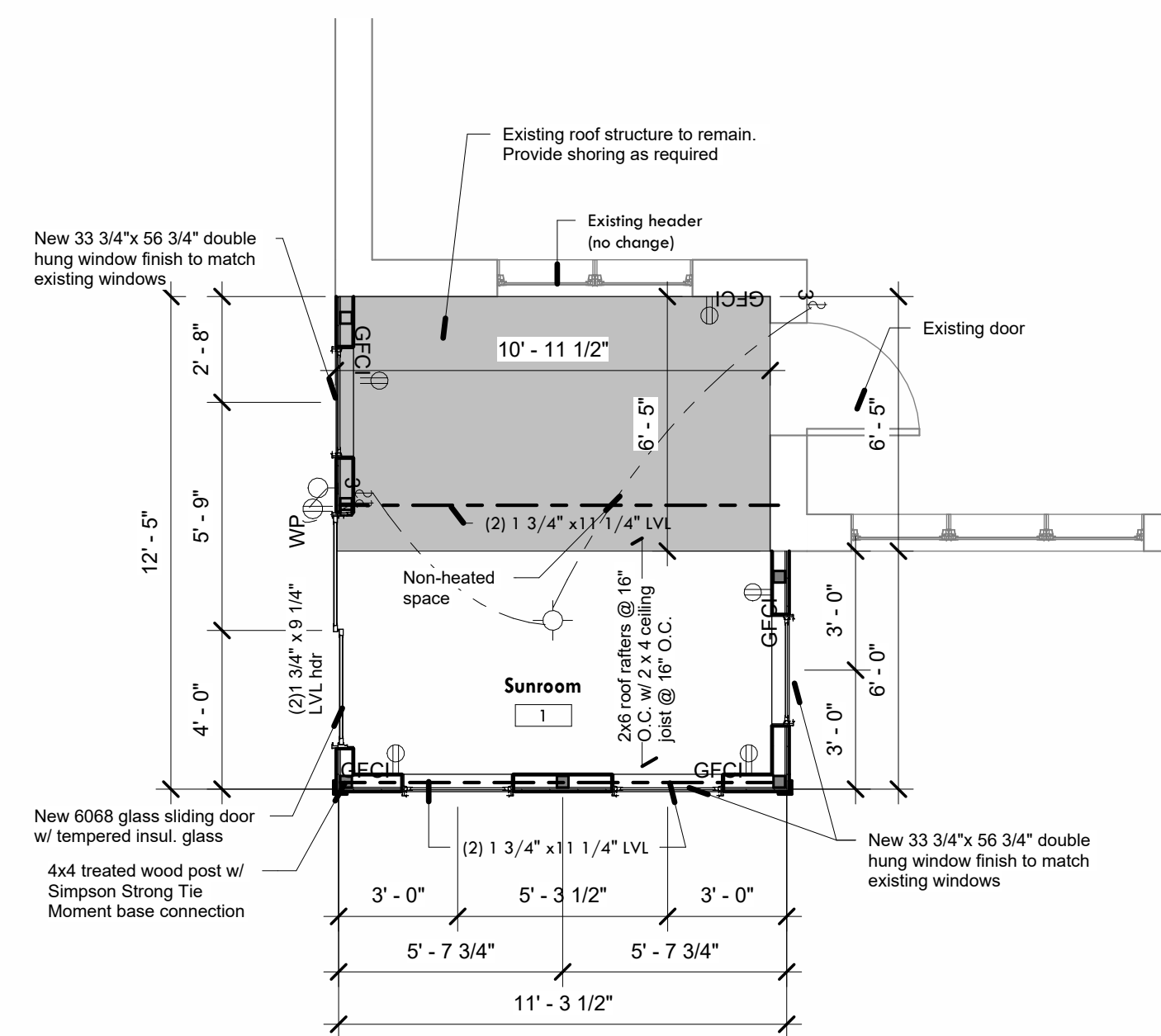
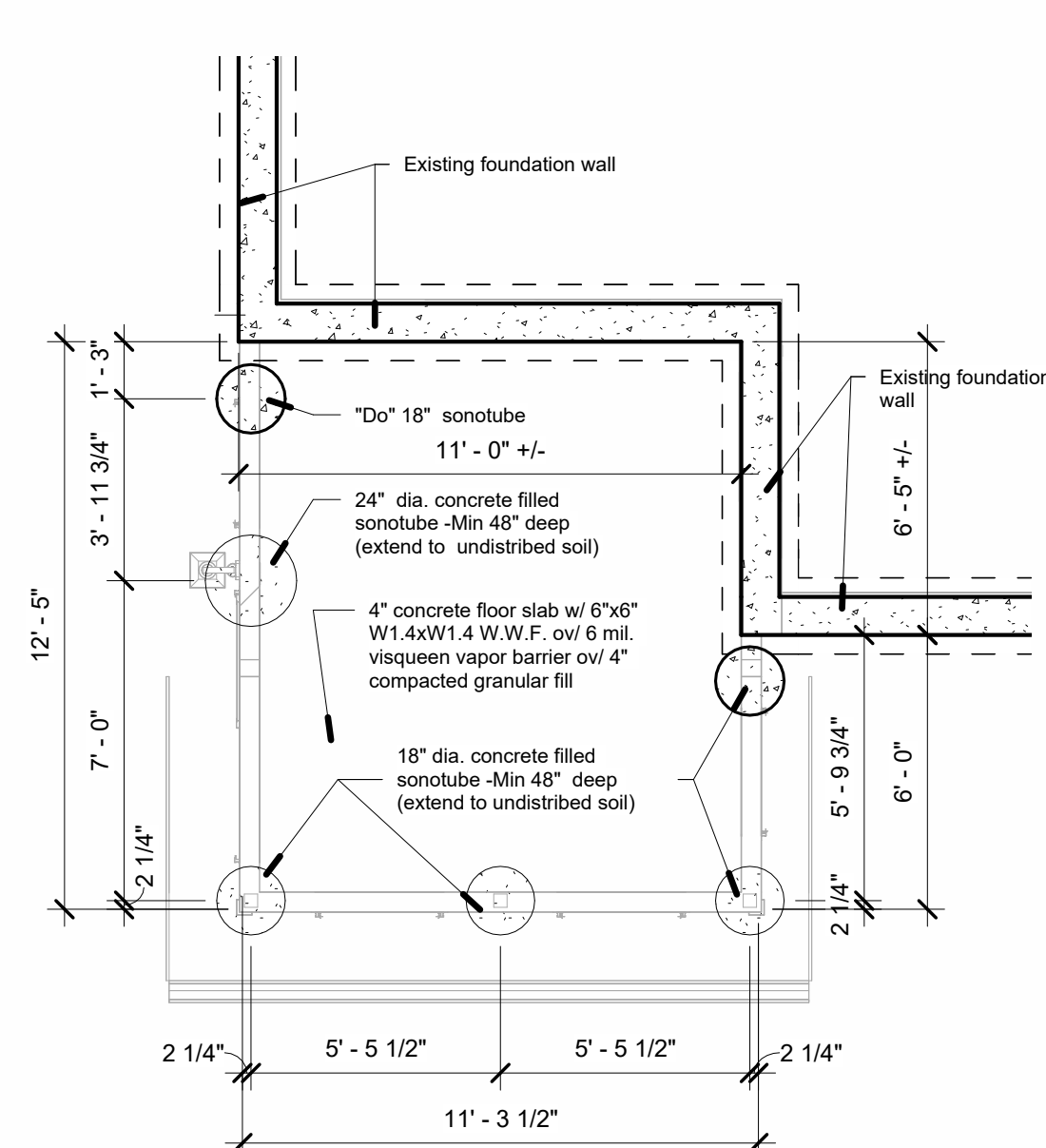
(STATE OF ILLINOIS)
(COUNTY OF DUPAGE) SS

NEKOLA SIGNATURE SURVEY DOES HEREBY CERTIFY THAT IT HAS SURVEYED THE TRACT OF LAND ABOVE DESCRIBED, AND THAT THE HEREON DRAWN PLAT IS A CORRECT REPRESENTATION THEREOF.

DATED THIS 20TH DAY OF APRIL, 2002.

Wayne W. Nekola
PLS No. 2923



[illegible]

Kay Wittman

6862 Michaels Circle
First Floor Plan

Project number	2021-069
Date	07-29-2021
Drawn by	SAS
Checked by	Checker

A1

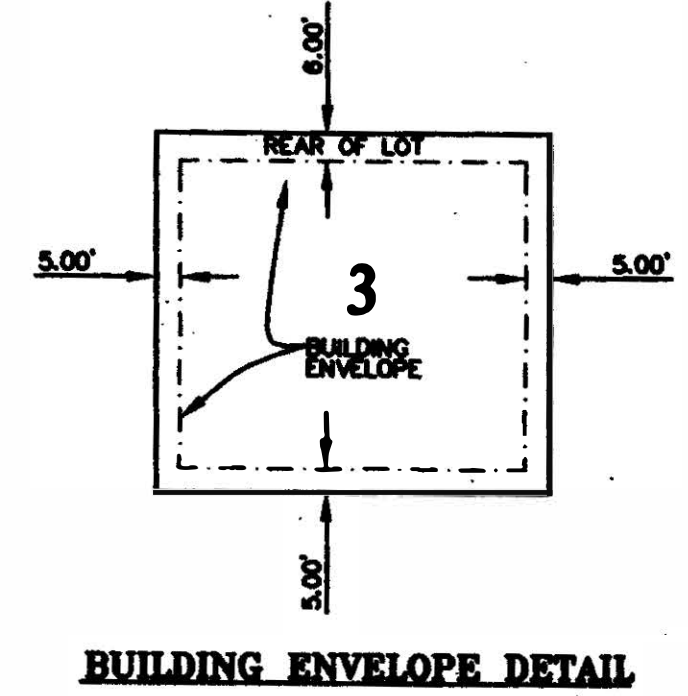
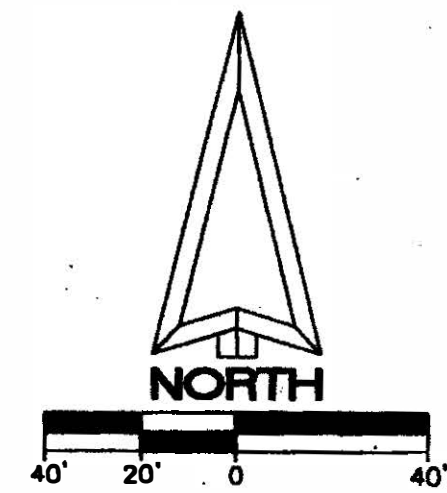
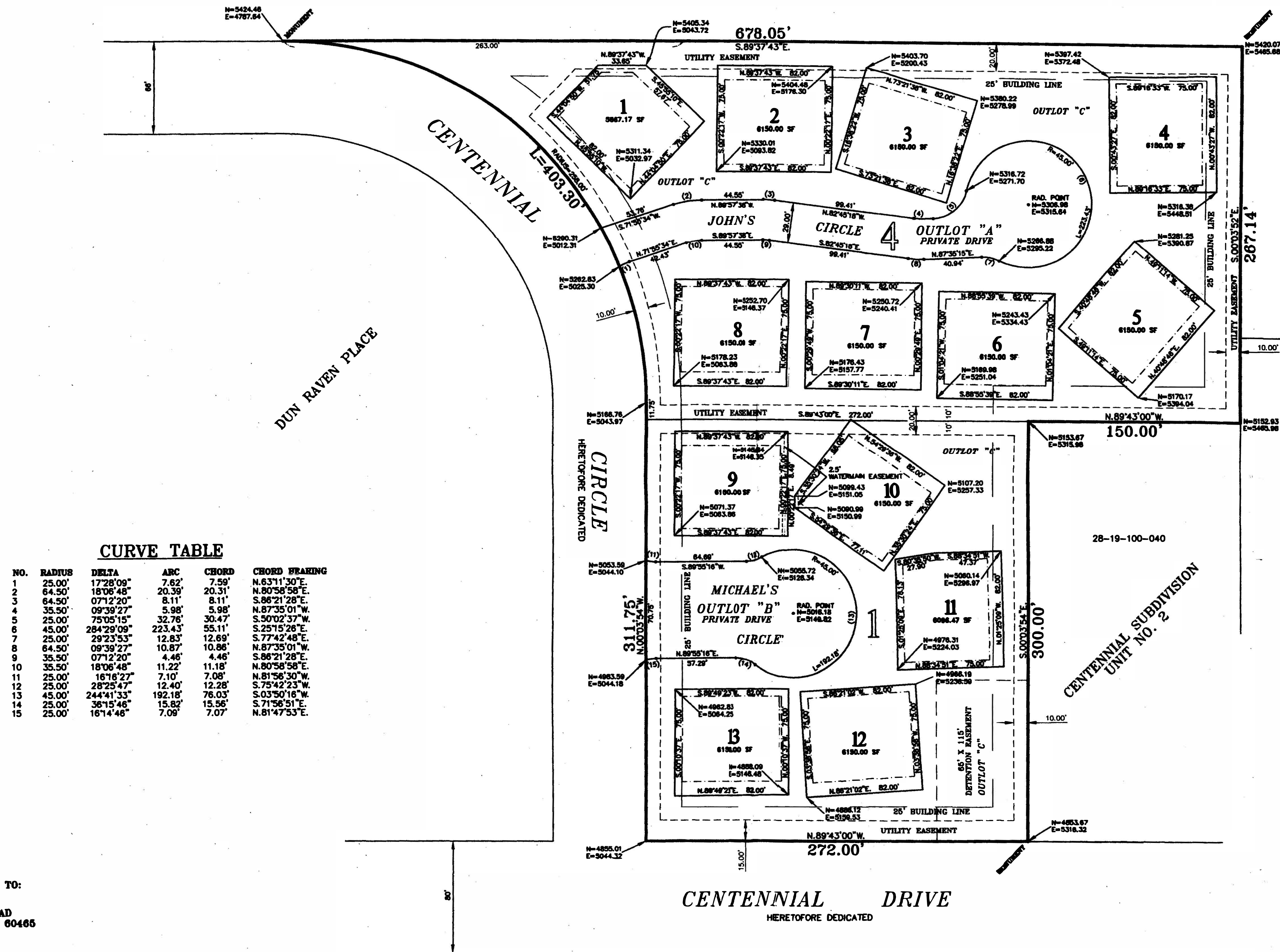
Scale	1/4" = 1'-0"
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Dun Raven Place - Phase II

A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 19, TOWNSHIP 36 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PIN NO. 28-19-100-046
28-19-100-048



NOTE: COORDINATES SHOWN ARE ON AN ASSUMED BASIS.

AFTER RECORDING RETURN TO:

GRIFFIN & GALLAGHER
10001 S. ROBERTS ROAD
PALOS HILLS, ILLINOIS 60465

PREPARED FOR:

BLACKWATER DEVELOPMENT COMPANY

PREPARED BY:

NEKOLA
SIGNATURE SURVEY
A DIVISION OF MORRIS ENGINEERING
6100 S. LINCOLN
Lisle, IL 60532
(630) 271-0600 phone (630) 271-0622 fax

SURVEY No. 01-07-6002R1

Existing Conditions – Additional Photos by Staff 7/28/22

6862 Michaels Circle



Existing Sunrooms 6851 & 6862 Johns Circle





Existing Reddish-Brown Color @ Stairways



Existing Mature Trees at Common Areas



PLAN COMMISSION STAFF REPORT

August 4, 2022 – Public Hearing

Petitioner

Andrew Birks

Property Location

17642 67th Avenue

PIN

28-31-205-013-0000

Zoning

R-3, Single Family
Residential

Approvals Sought

Variation

Project Planner

Lori Kosmatka
Associate Planner

Andrew Birks – Side Yard Setback Variation – Existing Home & Addition

17642 67th Avenue



EXECUTIVE SUMMARY

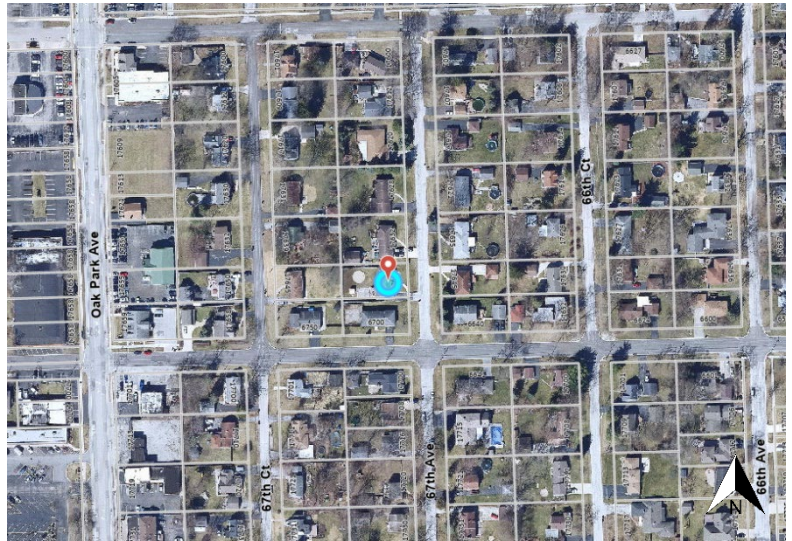
The Petitioner Andrew Birks is requesting a side yard setback Variation to permit the principal structure and construct an attached home addition (sunroom) for property at 17642 67th Avenue in the R-3 (Single-Family Residential) Zoning District. The requested variation is for a 2.58 ft. side yard setback for the principal structure and proposed addition to be setback 5.42 ft. from the south side property line instead of the minimum required 8 ft. The Variation will apply to the existing principal structure and allow the Petitioner to construct an attached patio structure that is planned to later be upgraded to a full home addition (sunroom).

The existing principal structure is nonconforming on the side yard setbacks, lot area, and lot width. The Petitioner had started construction of an attached covered open patio structure aligning flush with the existing principal structure, without a permit and would increase the existing structure's non-conforming setback. The Petitioner wishes to phase the proposal, eventually upgrading the covered open patio to an enclosed sunroom in approximately two years when financially feasible.

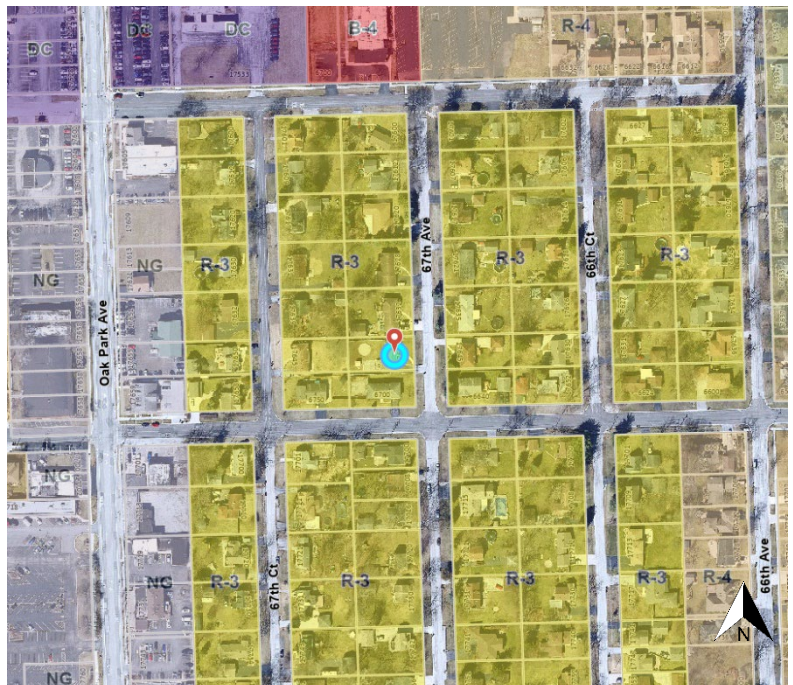
The proposed structure would keep a consistent setback line with the existing structure's non-conforming setback. The Petitioner has noted this is a more appealing option than setting the structure in 2.58 ft. and creating a "jog" in the wall to meet the code.

EXISTING SITE & ZONING

The subject property is a conventional interior lot and 9,359 sq. ft. in size (70'x133.7') that is located in the Reuter and Company's Tinley Park Gardens subdivision. The area was annexed in 1929, and developed in the 1950's under the Village Zoning Code at that time. The subject lot appears smaller than the majority of the properties in the immediate neighborhood one block north and one block south of 177th Street between Oak Park and 66th Avenue. Most of these properties are wider and approximately 13,350 sq. ft. The corner lot abutting to the south however, is also a smaller property of approximately 10,122 sq. ft.



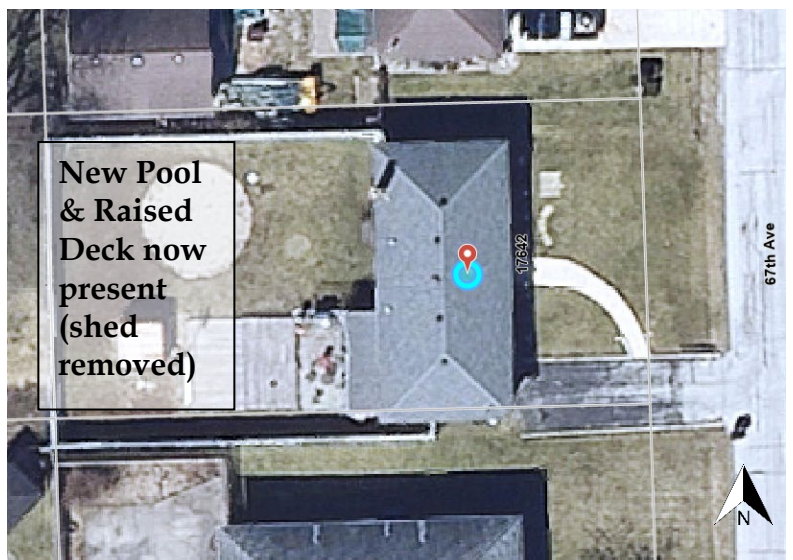
The existing property has a principal structure, approximately 1,589 sq. ft., as well as a covered open patio structure attached to the principal structure, which is not permitted. There is an aboveground pool at the northern portion of the rear yard, as well as a raised deck at the southern portion which was recently permitted in July 2022. The newly permitted and constructed raised deck (*not shown on aerial or plat*) is set back five feet from the south and rear property lines, located west of the addition structure. The property also has a 6 ft. privacy fence which appears to be along the property's edge but is not indicated on the plat of survey.



Zoning

The subject property is zoned R-3 (Single-family Residential). All the surrounding properties are also detached single-family homes also within the R-3 Zoning District.

The R-3 Zoning District has minimum yard requirements which include minimum eight feet side yard setbacks, with a minimum 16 feet total of two side yards. Other minimum yard setbacks per the R-3 Zoning District include 25 feet front yard, and 30 feet rear yard. The minimum lot area is 10,000 sq. ft. and minimum lot width is 75 feet.



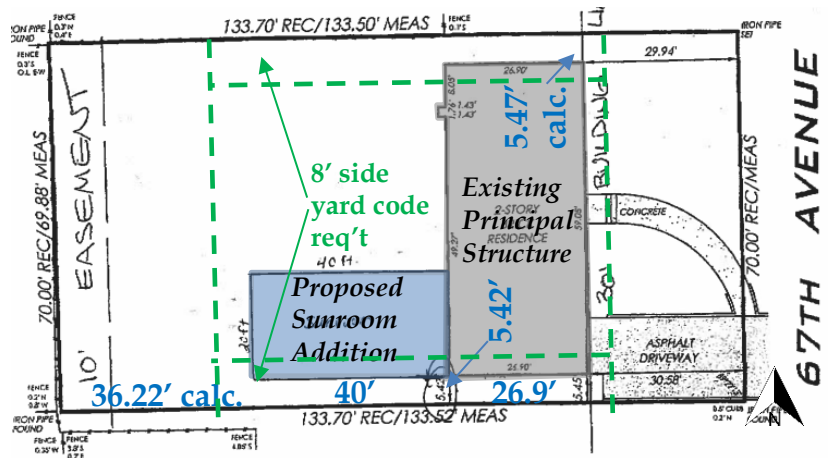


The subject property has some existing nonconformities. It is 641 sq. ft. below the lot area requirement, and five feet below the lot width requirement. The home meets front and rear yard requirements but does not meet side yard requirements. The south side yard is 5.42 feet (2.58 ft. below requirement) and the north side yard is 5.47 feet (2.53 ft. below requirement) per calculations from the plat of survey. The combined side yard setback is 10.89 feet, which is 5.11 feet below requirement.

VARIATION REQUEST

The Petitioner proposes to allow for an existing 20 ft. wide x 40 ft. deep covered open patio attached structure with the ability to eventually make it an enclosed one-story brick and glass sunroom addition of the same size in the same location, to be flush with the existing one-story principal structure along the south elevation.

The Petitioner wishes to phase the proposal, eventually replacing the covered open patio (started without a permit) to an enclosed sunroom in approximately two years when financially feasible.



Marked Up Plat of Survey

The addition's roof gable will run perpendicular to the existing home's gable. The existing principal structure has 26.90 feet length of which that is currently setback 5.42 ft. from the south property line, encroaching 2.58 ft. into the minimum required eight-foot side yard setback. The proposed addition would be located at the same setback encroachment. Together, if approved, the addition and existing principal structure would total 66.90 feet length at the 5.42 feet south side yard setback, with the newly existing raised deck continuing westward. However, most of the south façade will be constructed of glazing as shown in the renderings. The large amount of façade running the encroachment should be considered. Conversely, the aesthetics and functionality should also be considered where the total façade of the existing home with addition would be flush (as the non-permitted existing covered open patio structure currently is) rather than jogging in 2.58 feet to meet code. The Petitioner can comply to the code requirement, however the small 2.58 ft. jog in south elevation results in an awkward appearance.

Regarding other code requirements, the addition would be located 36.22 feet from the rear property line, thus meeting the code required 30-foot minimum rear yard setback. Also, the Petitioner has confirmed to Staff that the eaves and gutters will not project more than 3 feet into the side yard and will not be out any further than the gutters on the existing principal structure. Regarding the material construction, Petitioner has confirmed to Staff that the half walls on the addition will be brick to match the existing structure (light pinkish brown) in compliance with the Zoning Code's masonry requirements for additions. The majority of the sunroom facades will be glazing.

The Petitioner requests the variation with reasons cited in the submittal. Mainly the Petitioner states the variation will align the addition with the existing home for aesthetic and functional reasons. Additionally, the Petitioner notes adding living space will maximize the property sale. He notes this is not an attempt for financial gain but solely for purposes of enjoying an expanded usable space while improving the look and functionality of the home. He cites the hardship is that the home was already constructed and is existing nonconforming. The Petitioner also notes that there are several other homes with additions in the neighborhood, though the proximity to lot lines have not been identified.

Staff notes the property is undersized and is short five feet of the 75-foot minimum lot width requirement, which may be an additional consideration to the variation request. Additionally, the existing home is already existing and has a smaller footprint of approximately 1,589 sq. ft. While an addition is not required, it is a typical improvement expected with homes today. Also, the area of the addition's encroaching area is relatively small at 103.2 sq. ft. (40'x2.58').



Renderings Proposed Addition with Existing Home

Adjacency to Neighbor

As an interior lot, the subject property's south side property line is adjacent to a neighboring lot at 6700 177th Street. The distance between the roof lines of the subject property's home to the neighbor's home is approximately 21 feet. That property is an undersized corner lot with a one-story home. The neighboring home's side façade is a straight wall with high windows and a side door. Part of the rear portion of that property has an existing fence set in from their property line.



Adjacency to 6700 177th Street (Neighbor to South)

STANDARDS FOR A VARIATION

Section X.G.4. of the Zoning Ordinance states the Plan Commission 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. The Plan Commission must provide findings for the first three standards; the remaining standards are provided to help the Plan Commission further analyze the request. Staff prepared draft responses for the Findings of Fact below.

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.
 - ***While an addition is not required, it is a typical improvement expected with homes today. The addition will help increase the property's functionality and value. The Variation for the encroachment does not cause the property to yield additional return as the structure could still be constructed elsewhere on the property.***
2. The plight of the owner is due to unique circumstances.
 - ***The lot is undersized for the code requirements of lot area and lot frontage. The principal structure is also already existing at the requested amount of encroachment. If the proposed addition were to meet code, it would not align with the existing principal structure's south elevation, creating an awkward appearance.***
3. The Variation, if granted, will not alter the essential character of the locality.
 - ***The neighborhood largely has older homes and varying setbacks. The existing principal structure appears to meet the essential character of the neighborhood. The proposed addition will be behind the existing principal structure, thus having minimal impact on the frontage to the neighborhood.***
4. Additionally, the Plan Commission 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.

MOTION TO CONSIDER

If the Plan Commission wishes to act on the Petitioner's request, the appropriate wording of the motion is listed below. *Do note, the Commission can alternatively provide the petitioner with recommendations and continue the meeting to allow the petitioner time to consider and design alternatives that would be more acceptable to the Commissioners.*

The protocol for the writing of a motion is to write it in the affirmative so that a positive or negative recommendation correlates to the Petitioner's proposal. By making a motion, it does not indicate a specific recommendation in support or against the plan. The Commission may choose to modify, add, or delete from the recommended motions and recommended conditions:

Variation:

"...make a motion to recommend that the Village Board grant Andrew Birks (Property Owner) a 2.58 ft. side yard setback Variation from Section V.B. Schedule II of the Zoning Ordinance to permit the principal structure and an attached patio structure (to eventually be upgraded to an attached home addition/sunroom) to be setback 5.42 ft instead of the required 8 ft. minimum at the property located at 17642 67th Avenue in the R-3 (Single-Family Residential) Zoning District in accordance with the plans and Findings of Fact as listed in the August 4, 2022 Staff Report."

LIST OF REVIEWED PLANS

Submitted Sheet Name		Prepared By	Date On Sheet
	Application (Redacted)	Applicant	5/13/22
	Response to Standards	Applicant	5/13/22
	Narrative	Applicant	n/a
	Existing Conditions Photos per Applicant	Applicant	7/12/22
	Plat of Survey	Applicant	7/12/22
	Structural Detail Drawing	Applicant	5/13/22
	Color Renderings	Applicant	7/12/22
	Photos of Neighborhood Examples per Applicant	Applicant	7/12/22



PL 2022-06-00366

Village of Tinley Park
Community Development Dept.
16250 S. Oak Park Ave.
Tinley Park, IL 60477
708-444-5100

VILLAGE OF TINLEY PARK, ILLINOIS
PLANNING AND ZONING GENERAL APPLICATION

REQUEST INFORMATION

*Additional Information is Required for Specific Requests as Outlined in Specific Addendums

- ☐ Special Use for: _____
- ☐ Planned Unit Development (PUD) ☐ Concept ☐ Preliminary ☐ Final ☐ Deviation
- ☒ Variation ☒ Residential ☐ Commercial for _____
- ☐ Annexation
- ☐ Rezoning (Map Amendment) From _____ to _____
- ☐ Plat (Subdivision, Consolidation, Public Easement) ☐ Preliminary ☐ Final
- ☐ Site Plan
- ☐ Landscape Change Approval
- ☐ Other: _____

PROJECT & PROPERTY INFORMATION

Project Name: Addition of Sunroom to existing primary structure

Project Description: Attach roof and sunroom walls to main house in line with existing walls

Project Address: 17642 67th Ave. Property Index No. (PIN): 28-31-205-013-0000

Zoning District: R-3 Lot Dimensions & Area: _____

Estimated Project Cost: \$ 20 - 30k

OWNER OF RECORD INFORMATION

Please supply proper documentation of ownership and/or designated representative for any corporation.

Name of Owner: Andrew Birks Company: _____

Street Address: 17642 67th Avenue City, State & Zip: Tinley Park, IL 60477

E-Mail Address: ABIRKS@comcast.net Phone Number: 708-200-3676

APPLICANT INFORMATION

☒ Same as Owner of Record

All correspondence and invoices will be sent to the applicant. If applicant is different than owner, "Authorized Representative Consent" section must be completed.

Name of Applicant: _____ Company: _____

Relation To Project: _____

Street Address: _____ City, State & Zip: _____

E-Mail Address: _____ Phone Number: _____

VILLAGE OF TINLEY PARK, ILLINOIS
PLANNING AND ZONING GENERAL APPLICATION

Authorized Representative Consent

It is required that the property owner or his designated representative be present at all requests made to the Plan Commission and Zoning Board of Appeals. During the course of a meeting, questions may arise regarding the overall project, the property, property improvements, special conditions attached to recommendations among other aspects of any formal request. The representative present must have knowledge of the property and all aspects of the project. They must have the authority to make commitments related to the project and property. Failure to have the property owner or designated representative present at the public meeting can lead to substantial delays to the project approval. If the owner cannot be present or does not wish to speak at the public meeting, the following statement must be signed by the owner for an authorized repetitive.

I hereby authorize _____ (print clearly) to act on my behalf and advise that they have full authority to act as my/our representative in regards to the subject property and project, including modifying any project or request. I agree to be bound by all terms and agreements made by the designated representative.

Property Owner Signature: _____

Property Owner Name (Print): _____

Andy Birks
Andy Birks

Acknowledgements

- Applicant acknowledges, understands and agrees that under Illinois law, the Village President (Mayor), Village Trustees, Village Manager, Corporation Counsel and/or any employee or agent of the Village or any Planning and Zoning Commission member or Chair, does not have the authority to bind or obligate the Village in any way and therefore cannot bind or obligate the Village. Further, Applicant acknowledges, understands and agrees that only formal action (including, but not limited to, motions, resolutions, and ordinances) by the Board of Trustees, properly voting in an open meeting, can obligate the Village or confer any rights or entitlement on the applicant, legal, equitable, or otherwise.
- Members of the Plan Commission, Zoning Board of Appeals, Village Board as well as Village Staff may conduct inspections of subject site(s) as part of the pre-hearing and fact finding review of requests. These individuals are given permission to inspect the property in regards to the request being made.
- Required public notice signs will be obtained and installed by the Petitioner on their property for a minimum of 10 days prior to the public hearing. These may be provided by the Village or may need to be produced by the petitioner.
- The request is accompanied by all addendums and required additional information and all applicable fees are paid before scheduling any public meetings or hearings.
- Applicant verifies that all outstanding fees and monies owed to the Village of Tinley Park have been paid.
- Any applicable recapture, impact, engineering, contracted review or other required fees and donations shall be paid prior to issuance of any building permits, occupancy permits, or business licenses.
- The Owner and Applicant by signing this application certify that the above information and all supporting addendums and documentation is true and correct to the best of their knowledge.

Property Owner Signature: _____

Property Owner Name (Print): _____

Applicant Signature:
(If other than Owner) _____

Applicant's Name (Print): _____

Date: _____

5/13/2022

STANDARDS AND CRITERIA FOR A VARIATION

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 statements and questions related to the Standards with factual evidence and information to support the requested Variation. If additional space is required, you may provide the responses on a separate document or page.

- 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?
- The current ordinance requires a side yard setback of 8ft. My existing primary structure was built prior to ordinance and sits 5.42 ft from the property line. I would like to add a Sunroom, attached to the primary structure, that will line up with the existing wall of the primary structure for functionality and aesthetic reasons. Requesting a variance for this as well as the primary structure.
- B. Describe any difficulties or hardships that current zoning regulations and restrictions would have in decreasing your property value compared to neighboring properties.
- There are many homes in the area that have built additions which line up with their primary structure. Ability to add a structure that becomes a part of the primary structure properly is needed for maximum property value.
- C. Describe how the above difficulty or hardship was created.
- The hardship was created by the home being constructed before the ordinance was put in place.
- 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 hardship created is likely not unique as the whole neighborhood was built before the ordinance was put in place, the variance is unique for my property to ensure the new addition will not block a door and two windows on the primary structure.
- 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.
- There is no attempt for financial gain. It is solely for our own purposes, enjoyment, and expansion of usable space in our home.
- 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.
- There is no relation to public welfare or potential harm to the neighborhood.
- G. Explain how granting this Variance will not alter the essential character of the neighborhood or locality.
- The variance will not alter the neighborhood character in any way. It will improve the look and functionality to increase surrounding home values.

H. Describe how the requested Variance will not:

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

The variance will not impair light and air. The new structure will be the same height as the existing single story structure. No other properties will be impacted by this.

2. Substantially increase the congestion of the public streets.

No risk of increased traffic congestion. Project is in backyard

3. Increase the danger of fire.

No increased danger of fire.

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

Drainage will not be impacted. Existing grade is not changed.

5. Endanger the public safety.

No danger to public safety

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

Expectation is that this will raise property values

To Whom it may concern,

I have a desire to add a sunroom to the back of my home and am requesting a variance to add the structure in a way that can work for my situation. Currently I am unable to obtain a permit to build due to side yard setback requirements. I would like to have the sunroom built to line up with my existing home side wall however my existing home is out of compliance with the side yard setback requirement because it was built prior to the ordinance being put in place. The current side yard setback requirement is 8 feet, and my house is sitting at 5.42 feet.

The reason for the variance request is that if I move the sunroom over 2.58 feet to comply with existing ordinance, I will be required to put a wall in the middle of a kitchen window and a basement window, and it won't line up with the existing house. The current plan would be to get the roof structure built out this year and enclose it in a year or two when it is financially feasible for us to do so. In the meantime, it will operate as an open-air covered patio.

I am also enclosing a computer rendering that depicts a generalized idea of what the final outcome would look like.

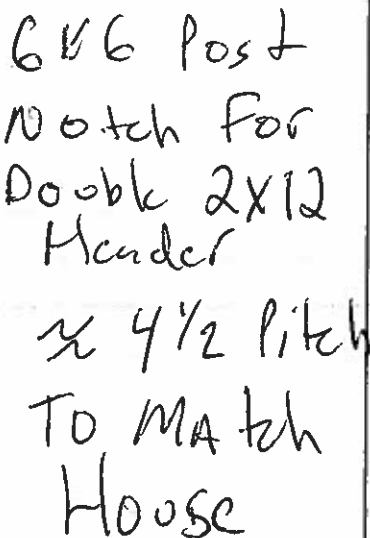
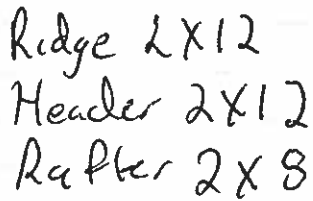
Thank you for your consideration on this matter,
Andy Birks





project

tasks



Roof

6x6 Post 42" Deep

Double $11\frac{1}{4} \times 1\frac{3}{4}$ Header
10' Apart

2x8x12' Rafters

2x6x6' - Collar ties

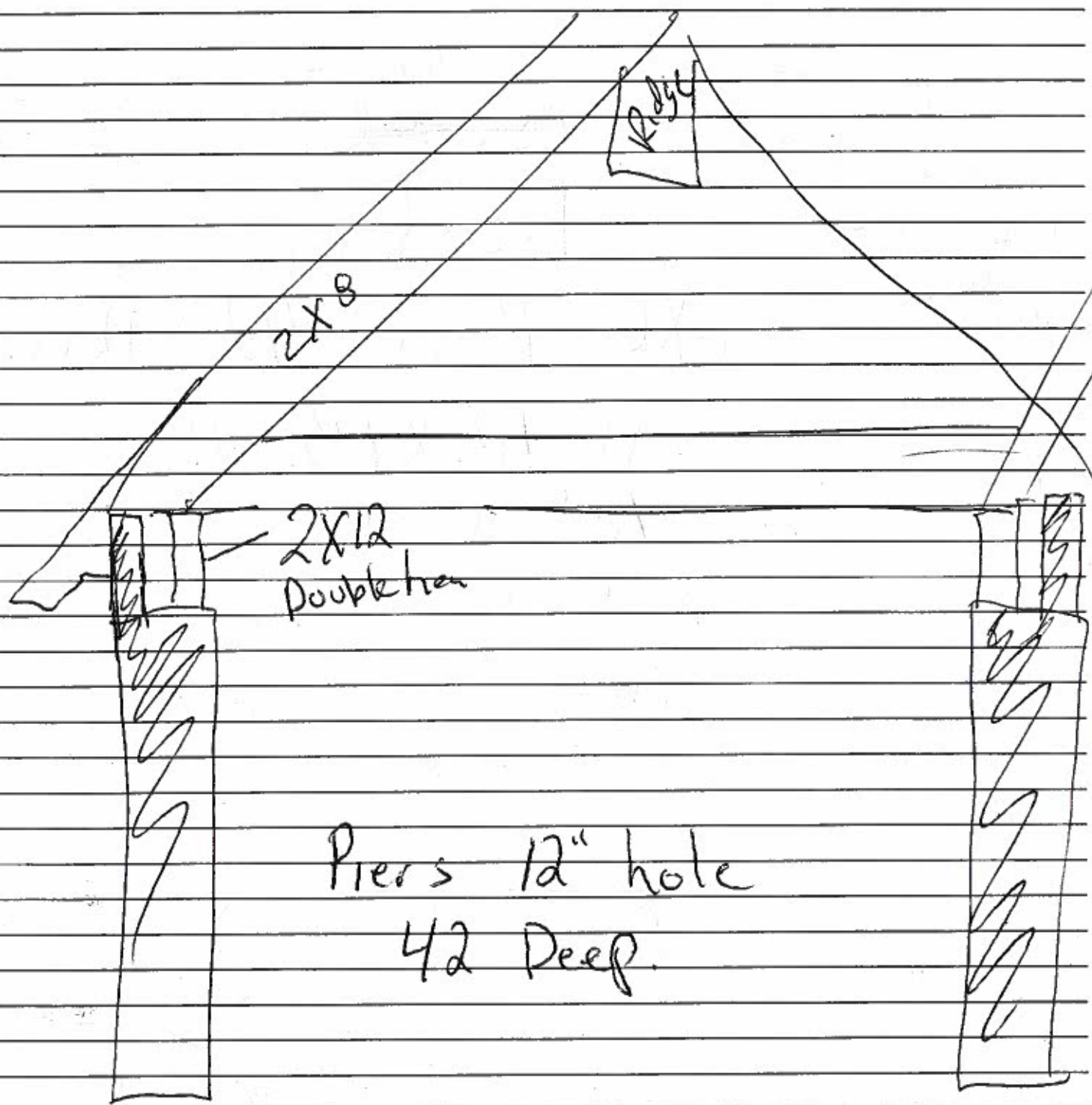
2x12 Ridge

20

Gable End

Collar ties
Down 4'

House







From:

To:

Subject:

Date:

Attachments:



Neighborhood Photos per Applicant Andy Birks 7/12/22 email

[Lori Kosmatka](#)

17642 67th Avenue - Neighborhood Example Photos

Tuesday, July 12, 2022 10:06:39 AM

[Screen Shot 2022-07-12 at 9.52.18 AM.png](#)

[Screen Shot 2022-07-12 at 9.51.16 AM.png](#)

[Screen Shot 2022-07-12 at 9.44.02 AM.png](#)

[Screen Shot 2022-07-12 at 9.43.17 AM.png](#)

[Screen Shot 2022-07-12 at 9.42.47 AM.png](#)

[Screen Shot 2022-07-12 at 9.41.39 AM.png](#)

[Screen Shot 2022-07-12 at 9.39.01 AM.png](#)

[Screen Shot 2022-07-12 at 9.37.30 AM.png](#)

[17758_67th.png](#)

[176stSouthSideofStreet.png](#)

[176stEastofStGeorgeLot.png](#)

[3HousesNorth.png](#)

[smime.p7s](#)

[ATT00001.txt](#)

[ATT00002.htm](#)

Hi Lori,

Here are some pictures from the couple of blocks surrounding my house showing other additions.





