



AGENDA FOR REGULAR MEETING VILLAGE OF TINLEY PARK PLAN COMMISSION

September 1, 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

Approval of Minutes: Minutes of the August 4, 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 to allow additions in the subdivision 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 – 19330 FANE COURT, BRECHTEL – CORNER FENCE AND PATIO VARIATIONS

Consider recommending that the Village Board grant Dawn Brechtel (Property Owner) a Variation from Section III.J. (Fence Regulations) and Section III.H. (Permitted Encroachments) of the Zoning Code at the property located at 19330 Fane Court in the R-2 PD (Single Family Residential, Brookside Glen PUD). This Variation would permit the Petitioner to install a five-foot (5') high open style fence to encroach up to nine feet (9') into the required secondary front yard (located 16 feet from the property line). A Variation is also requested for the existing patio to be located in the secondary front yard where a patio is not permitted.

ITEM #3 PLAN COMMISSION DISCUSSION

- A. Fence Regulation Review/Ideas
- B. Active Transportation Plan Review
- C. APA-IL Training Date

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**

August 4, 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 August 4, 2022.

CALL TO ORDER – ACTING CHAIRPERSON GATTO called to order the Regular Meeting of the Plan Commission for August 4, 2022 at 7:00 p.m.

Lori Kosmatka, Associate Planner called the roll.

Present and responding to roll call were the following:

Acting Chairperson Gatto
James Gaskill

Terry Hamilton
Eduardo Mani
Andrae Marak
Brian Tibbetts

Kurt Truxal

Absent Plan Commissioners:

Chairman Garrett Gray
Ken Shaw

Village Officials and Staff:

Daniel Ritter, Planning Manager
Lori Kosmatka, Associate Planner
Jarell Blakey, Management Analyst

Petitioners:

Kathryn Whitman, Owner of 6862 Michael Circle
Andrew Birks, Owner of 17642 67th Ave

Members of the Public:

Mike Whitman, Son of Kathryn Whitman
Joyce Smith, Neighbor of Kathryn Whitman
Bob Maher, Dun Raven Villas Homeowner's Association
President
Bill Tasker

COMMUNICATIONS- Dan Ritter, Planning Manager thanked Commissioner Gatto for stepping in as Acting Chairperson. The previously continued Tinley Park Plaza Brixmor Phase II

development and the 6627 173rd Street duplex conversion items were taken off the agenda. When they resubmit, they will republish.

APPROVAL OF THE MINUTES - Minutes of the July 21, 2022 Regular Meeting of the Plan Commission were presented for approval. A motion was made by COMMISSIONER TRUXAL, seconded by COMMISSIONER MANI to approve the July 21, 2022 minutes as presented. ACTING CHAIRPERSON GATTO asked for a voice vote; all were in favor. She 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 AUGUST 4, 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).

Present Plan Commissioners:

Acting Chairperson Gatto
Terry Hamilton
Andrae Marak
Kurt Truxal
Brian Tibbetts
Ken Shaw
James Gaskill

Absent Plan Commissioners:

Chairman Garrett Gray
Ken Shaw

Village Officials and Staff:

Daniel Ritter, Planning Manager
Lori Kosmatka, Associate Planner
Jarell Blakey, Management Analyst

Petitioners:

Kathryn Wittman

Members of the Public:

Mike Wittman, Son of Kathryn Wittman
Joyce Smith, Neighbor of Kathryn Wittman
Bob Maher, Dun Raven Villas Homeowner's Association
President

ACTING CHAIRPERSON GATTO introduced Item #1, and then asked for a motion to open the Public Hearing.

COMMISSIONER TIBBETTS made a motion to open the public hearing seconded by COMMISSIONER MANI. ACTING CHAIRPERSON GATTO requested a voice vote asking if any were opposed to the motion; hearing none, she declared the motion carried.

Lori Kosmatka, Associate Planner presented the staff report.

COMMISSIONER TIBBETTS made a motion to open the public hearing. Second by COMMISSIONER MANI.

ACTING CHAIRPERSON GATTO certified proper public notice was made in accordance with state statutes.

COMMISSIONER GASKILL noted that the presented project does not qualify as a sunroom. It is more adjacent to a room addition.

COMMISSIONER TRUXAL agreed with the staff report and staff recommendation. He stated that the materials for the presented project would not conform to the existing sunrooms on neighboring properties. He asked what the addition's depth is.

Lori Kosmatka, Associate Planner responds it is a 12' 5" x 11' 3 1/2" addition that protrudes 6' from the rear façade to the property line.

COMMISSIONER TRUXAL noted the patio is six feet and that the addition will stick out another 6' then suggests that petitioner sticks with code and design of the existing sunrooms.

COMMISSIONER MANI agreed with the COMMISSIONERS and understands that the material requirement can make the project cost more but the addition needs to have more of a sunroom feel.

COMMISSIONER TIBBETTS commented that he would like to know what the process was in designing this sunroom as opposed to the other sunrooms in the subdivision. Noting that it would be helpful in the decision-making process.

COMMISSIONER HAMILTON stated that it appears that it is more of a mudroom. He asked if the plan was approved by the Homeowner's Association.

Maier HOA President stated yes.

COMMISSIONER HAMILTON stated that it appears that the people in the immediate area are okay with the plan. He commented that it looks okay to him.

ACTING CHAIRPERSON GATTO noted that she agreed with the Commissioners. She commented that she understands the need for uniformity is important and believes that the petitioner should keep with the two designs that are in place in the subdivision.

ACTING CHAIRPERSON GATTO Swears in Petitioner

Kathryn Whitman, Petitioner stated she has lived in Tinley for 45 years and feels like it is her townhouse and property. She stated she is not building something shabby, as it will cost her over \$25,000. She noted she has gone through so much since the start of this project, starting this a year ago last May. She felt the Village should not tell her what to do with her property. She cannot maintain the windows that are on the neighboring structures. She chose what she did because it is more feasible since she is older. She noted when she looks at the neighbor's

sunrooms she feels like they are in a fishbowl and she does not care for that but that is just her opinion. She noted she had to pay \$250. She asked if she would get her \$250 back since she can't do what she wants.

Daniel Ritter stated that is an application fee.

Kathryn Whitman asked that if she makes the addition similar to the other ones that are primarily windows if that would be okay.

ACTING CHAIRPERSON GATTO responds yes.

Kathryn then asked if the Commissioners will come and help her wash the windows when she puts them in.

Daniel Ritter noted that his recommendation is for the petitioner to revise the request. In doing so there appears that the Commission is willing to work with the petitioner to get to some common ground.

COMMISSIONER TRUXAL asked if staff be more open to half brick instead of all brick.

Daniel Ritter responded that it would be dependent on how it blends with the area.

COMMISSIONER TRUXAL noted the amount of vinyl stands out too much. The consistency of the construction in the area should be considered.

COMMISSIONER TIBBETTS noted the Petitioner is working with a contractor. He recommended the Petitioner work with the contractor to make it more of a sunroom appearance by increasing the windows. The windows could still be low. She could add shades to maintain privacy.

Kathryn Whitman stated she didn't think there was enough room. The one wall from the house comes out over half of the way, so there's only one and a half walls.

COMMISSIONER TIBBETTS noted that the petitioner's contractor may be able to work that out for her. He noted she may save some money by using Hardieboard in lieu of vinyl. Hardieboard is a little wider and might give you a more consistent look.

Kathryn Whitman stated the only reason she has vinyl is that it's on other areas of homes, that the other two have it. She stated that she does not care.

COMMISSIONER TIBBETTS said that maybe with the increase in window size that she'd reduce the amount of vinyl.

Daniel Ritter comments that while white is used on the front of the home, it is in stark contrast from the brick. Perhaps a red, brown, or tan may blend in better.

COMMISSIONER TIBBETTS commented that the sunroom is a removable addition. The next homeowner could tear it out and not damage the existing home. The brick would not hold anyway.

ACTING CHAIRPERSON GATTO swore in Mike Whitman.

Mike Whitman, son of the Petitioner, stated that she has been going through the process for over a year getting the runaround from the village. It is very disheartening to a person who has worked for the village for 33 years. When a village employee comes to the house and insinuated that she can afford to put the brick on the house it is very unprofessional. He didn't think that what she is looking to do is that big of a deal. Someone made a comment about it being a mudroom. Its not a mudroom it's a room that she is going to spend time in. She has spent money as a retired person to make something look nice. Based on the fact that she does not like the big windows should not waiver the Commission's decision. There is white vinyl on all the properties in the area. She is using licensed and bonded contractors and is following everything the village has required of her to do. He stated there were excuses.

COMMISSIONER GASKILL asked when she was going through the process if they told her it was against the code.

Mike Whitman stated that initially it was approved then it was denied, then they were told they could work with them. She started with Walter Smart then went to Dan Ritter then worked with Lori Kosmatka. He also made phone calls. It was more of a runaround than solution based.

COMMISSIONER GASKILL stated that he has been on the board for over a year and has not heard this case.

Mike Whitman responded that is because it was kept from getting to this point. It is the first time that it has gotten to this point. It has taken several individuals to get this project done now we're at where we're at. He thought that the decision based on the windows is the wrong decision. I don't think that she is putting anything up that is bad. It's a small addition that will give her some privacy.

COMMISSIONER TRUXAL states that it is not a sunroom, it is more adjacent to a room addition.

Mike Whitman states she was told that she has to cut a foot and a half off the patio.

Daniel Ritter responded that is because it is coming off of the property line. That was one of the issues the Village had to work through.

Mike Whitman stated that they got that resolved and they are taking a foot and a half off the patio.

COMMISSIONER MANI noted that the confusion is coming from noting the structure as a sunroom instead of a room addition. He goes on to state that if the vision is to do an addition the petitioner should revise the application materials to make it an addition not a sunroom.

Kathryn Whitman, noted I had a home for 45 years which had what was considered a sunroom similar to the style that she wants to do now.

Daniel Ritter noted by definition there is no difference between sunroom and room addition. Anything that is an addition has to match materials to the building to ensure uniformity. Glazing is discounted. Glazing with a brick base is permitted. Sunrooms are still additions.

ACTING CHAIRPERSON GATTO asked in a normal sunroom if there no brick requirement.

Daniel Ritter notes it depends on the materials of the home as it is supposed to be matching materials. This is for all homes, single family, townhomes, duplexes. Exceptions have been with glazing in sunrooms.

COMMISSIONER MANI notes that doing Hardieboard will maintain some element of uniformity to the existing property as opposed to something like gray metal.

Kathryn Whitman stated she had no problem with Hardieboard. She doesn't know what that is. She just picked white vinyl because that is what is on the house.

COMMISSIONER MANI explains to the petitioner that Hardieboard is a rectangular piece of material that is higher quality. It has a look and pattern of vinyl, but it is better quality and lasts longer. He doesn't agree with the brick requirement.

Daniel Ritter noted that the reason that we are here is to maintain consistency. There are 26 units in this development phase, and about another 30 in the first phase. The goal is not to have 50 different types of rear additions out there. This is why this is a Planned Unit Development. If someone moves in and builds something different, it is not what The goal is to have some consistency. Changes to the original plan have to go through this process. The original plan was for the units to have patios. The purpose is not to be difficult, but to ensure uniformity for the entire PUD.

Kathryn Whitman stated that the first two residents to build sunrooms paid less than 250

Dan Ritter noted that it was a lesser fee at that time, it was \$150. They went through the exact same process.

ACTING CHAIRPERSON GATTO swore in Joyce Smith.

Joyce Smith, member of the public stated that she appreciates the process that is going on here. She lives across Ms. Whitman on Michaels Circle. When she comes out in the morning to water her flowers she sees Kay out getting her sun in her garage with the garage door open. I want to attest to the fact that she is indeed wanting to use the addition as a sun room. She does appreciate the consistency of the subdivision and I appreciate That it's given a lot of attention. It's understood it may be possible to have the addition with some alterations.

COMMISSIONER MARAK noted that he is in favor of waiting for revision before holding a vote.

COMMISSIONER TIBBETTS stated that he agrees that he is in favor of a revision and resubmittal if the petitioner goes back and works with her contractor to increase the window size. He is okay with the vinyl. He stated the Petitioner mentioned there was vinyl elsewhere in the

development, so vinyl here could be consistent. He felt that Hardieboard might not be consistent.

Daniel Ritter notes that staff has met with petitioner's contractors before. Staff is willing to do that again. Our Building Official, who is an architect, may be available to meet as well. He may be able to help guide the Petitioner in how to get it done from a construction standpoint to fit the recommendations here. He asked the Petitioner if she wanted to look into some adjustments based on the Commission's feedback.

Kathryn Whitman stated she has no problem making adjustments, but that she feels that it is a never-ending cycle and she should not be told what she can and cannot do with her home. She also stated that when she bought her home the real estate agents told her that she could make the addition.

COMMISSIONER GASKILL asked Lori to scroll back in the presentation.

Daniel Ritter noted that real estate agents will tell you anything and one thing that we were able to resolve was the patio issue. If she can make a few adjustments, we can get to a consensus. One big hurdle that has been resolved was about getting it within the property lines. With a few tweaks like bigger windows or checking out the other materials, we could get to something for the Commission and Village Board. We are in the process now. If approved, you could get a permit the day after.

COMMISSIONER GASKILL said when we look at the front of these buildings there is minimal vinyl. The first floor is all brick. The project as proposed is primarily vinyl and all staff is asking to add similar materials to ensure uniformity. He stated that the point of the meeting is to come to common ground.

Daniel Ritter stated that the goal is to be sure that in the future there is a standard.

Kathryn Whitman states that vinyl is on the house. When you put the sliding glass door and windows, there is not much room for more. She will talk with the builder. She said the other sunrooms have white vinyl.

COMMISSIONER GASKILL responds that there is minimal vinyl siding on the home on the posts, and with minimal vinyl on the bottom of the existing sunrooms.

ACTING CHAIRPERSON GATTO noted that moving forward there should be two standard options available to residents. She compared the two existing sunroom differences, and prefers the one with slightly less glazing with about a foot or two of siding at the bottom.

Daniel Ritter stated the goal is for the variance to apply for the entire PUD so that there is uniformity moving forward if anyone in the PUD wants to build the addition. Originally the Petitioner was just going to apply for her unit. His recommendation was that she ask for it for the entire PUD. This way, there is some level of consistency.

ACTING CHAIRPERSON GATTO noted that it is odd that there are no provisions for this built into the HOA bylaws.

Daniel Ritter stated that is probably because there was none permitted.

Kathryn noted that some of the homes have patios and others are built higher and have porches which accounts for some of the variance as not all homes have the room in the back. Some of the people have enclosed the porches.

Daniel Ritter recommended that if the Petitioner is open to revisions, the case should be continued to allow for the proper revisions and notice to be made. The continuation should probably be for two meetings from now since the packet for the next meeting is already about to go out. Staff needs a little more time than that to work with the builder if needed for adjustments. He suggested the public hearing be continued to September 1st.

COMMISSIONER GASKILL made a motion to continue the public hearing to September 1st meeting.

Motion seconded by COMMISSIONER TIBBETS. Vote taken by Roll Call; all in favor, 7-0. ACTING CHAIRPERSON GATTO declared the motion carried.

Dan Ritter noted that Staff would reach out to the Petitioner tomorrow or Monday at the latest.

TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES

FROM: VILLAGE OF TINLEY PARK PLAN COMMISSION

SUBJECT: MINUTES OF THE AUGUST 4, 2022 REGULAR MEETING

**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.

Present Plan Commissioners:

Acting Chairperson Gatto
James Gaskill
Terry Hamilton
Eduardo Mani
Andrae Marak
Brian Tibbetts
Kurt Truxal

Absent Plan Commissioners:

Chairman Garrett Gray
Ken Shaw

Village Officials and Staff:

Daniel Ritter, Planning Manager
Lori Kosmatka, Associate Planner
Jarell Blakey, Management Analyst

Petitioners:

Andrew Birks, Owner of 17642 67th Ave

Members of the Public:

None

ACTING CHAIRPERSON GATTO introduced Item #2, and then asked for a motion to open the Public Hearing.

COMMISSIONER GASKILL made a motion to open the public hearing seconded by COMMISSIONER TRUXAL. ACTING CHAIRPERSON GATTO requested a voice vote asking if any were opposed to the motion; hearing none, she declared the motion carried.

ACTING CHAIRPERSON GATTO stated she received certification of the public hearing notice

as being published in the local newspaper as required by state law. She stated anyone wishing to speak on this matter will be sworn in to speak, but after Staff's presentation. She invited staff to start with the presentation of this item.

Lori Kosmatka, Associate Planner, presented the Staff Report.

ACTING CHAIRPERSON GATTO asked Commissioners for comments.

COMMISSIONER MANI notes that he is okay with it and it makes sense.

COMMISSIONER TIBBETTS stated he had no issues with it.

COMMISSIONER HAMILTON noted that it appears to be a large sunroom but no issues.

COMMISSIONER GASKILL asks if he is understanding that the house is built out of conformance and how that happens.

Lori Kosmatka, Associate Planner, responded the existing house is 5.42 feet from the lot line.

Daniel Ritter, Planning Manager, responded that there are several reasons that this could happen. It's an older issue. It could be from an older zoning code, or else built under the County and then annexing in.

COMMISSIONER GASKILL asked if there were other houses like that.

Dan Ritter, Planning Manager, responded, yes, in older parts of town. Sometimes the issues are in the side yards or front yards. In the past, there have been requests for additions in the front yards.

COMMISSIONER GASKILL clarified that the materials will be brick to match the house.

COMMISSIONER TRUXAL notes that he has no issues with the sunroom. The way it aligns with the principal property will follow the sight lines. The materials and windows are great.

COMMISSIONER MARAK and ACTING CHAIRPERSON GATTO both stated they had nothing to add.

ACTING CHAIRPERSON GATTO swore in Andrew Birks.

Andrew Birks, Petitioner, noted that he understands that the addition is large but that is due to the fact that they have a very large family and the home is too small to entertain them. The house itself is too small to handle everybody. He has entertained in the back yard, and would like to have an enclosed room on the back to avoid issues with weather. The main goal is to line up with the home to make the space more cohesive. He noted moving the addition over would look weird. He noted that he was shocked when he found out that the home was built in nonconforming fashion. He thanked Dan Ritter and Lori Kosmatka.

Dan Ritter notes that the variation ensures that if something were to happen the home will be able to be built in the same way.

ACTING CHAIRPERSON GATTO asked if there were any further questions or discussion. Hearing none, she asked for a motion to close the Public Hearing.

COMMISSIONER GASKILL made a motion to close the public hearing. Second COMMISSIONER TRUXAL. ACTING CHAIRPERSON GATTO requested a voice vote asking if any were opposed to the motion; hearing none, she declared the motion carried.

Lori Kosmatka, Associate Planner, presented the standards.

Motion - Variation:

COMMISSIONER GASKILL made a motion to recommend that the Village Board grant Andrew Birks 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.

Motion seconded by COMMISSIONER TRUXAL. Vote taken by Roll Call; all in favor, 7-0. ACTING CHAIRPERSON GATTO declared the motion carried.

ACTING CHAIRPERSON GATTO noted this item will go to the Village Board Tuesday, August 16th, 2022.

Dan Ritter, Planning Manager, noted that Lori Kosmatka would follow up with the Petitioner. Staff recommends the Petitioner attend the Village Board meeting. Unanimous votes typically do not have much discussion.

Receive Comments from the Public

Bill Tasker, member of the public asked about the 6627 173rd case that was originally on the agenda.

Daniel Ritter, responded that staff will be in contact with him.

Good of the Order

Daniel Ritter informed the commission that Loyola has gone vertical; Smoothie King has also gone vertical. Holiday Inn exterior is finishing up; Murphy Olcott variation was passed after revision to the plan. Next meeting may be canceled more information to come. Training still anticipated to happen it will just be pushed back.

COMMISSIONER GASKILL made a motion to adjourn second by COMMISSIONER TRUXAL.

Meeting Adjourned at 8:30pm.

PLAN COMMISSION STAFF REPORT

September 1, 2022 - Public Hearing

Dun Raven Place Phase 2 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) to permit a one-story addition on the structure she resides. The request will affect the entire Dun Raven Phase 2 PUD to thereby allow additions on all its residential properties with a consistent appearance. Village Staff recommended the Petitioner request a Substantial Deviation to the overall PUD rather than an individual lot to ensure the development has a more uniform aesthetic for all additions going forward.

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. The 26-unit Dun Raven Place Unit II PUD (subject development) consists of first-floor masonry. Currently there are only two existing sunroom additions in this PUD. Both additions previously received variations and, typical of sunrooms, largely consist of glazing rather than opaque material. The current proposal will be more reminiscent of an addition than a traditional sunroom.

The previous proposal at the August 4, 2022, Plan Commission Workshop requested vinyl siding and did not appear similar to the existing sunrooms. The lack of matching masonry to the principal structure required an Exception to the Zoning Ordinance. The petitioner considered the Commission's feedback and is now proposing to have the required matching first-floor face brick on the proposed addition. Revised architectural plans have not yet been provided but the proposed design will use the same with brick veneer matching the existing structure, instead of the previously proposed siding.

[Changes from the August 4, 2022, Plan Commission workshop are indicated in **Red.**]

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.

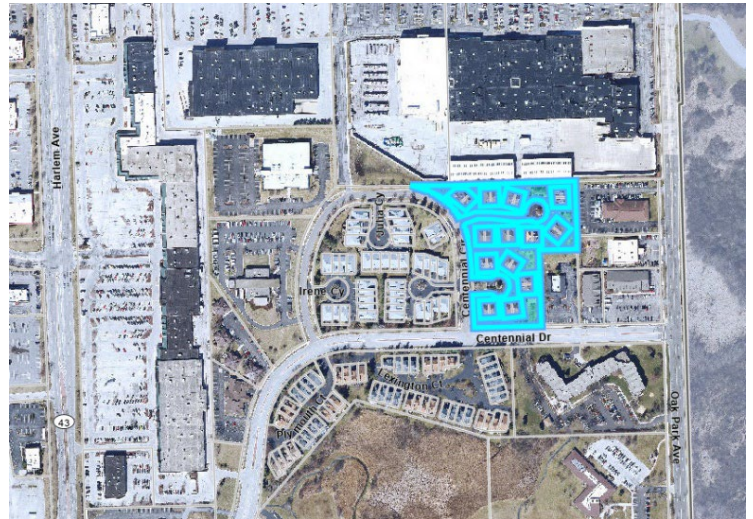
The subject development is the second phase of the Dun Raven Place townhome duplexes and was approved in 2001 (Ord. #2001-O-045) as the Dun Raven Place Unit II PUD. The initial phase was created in 1999 (Ord. #99-O-012), located northwest of Centennial Circle.

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.





Dun Raven Place - Phase II Subdivision



Existing Building's Concrete Patio / Recessed Property Corner

CODE BACKGROUND & ZONING

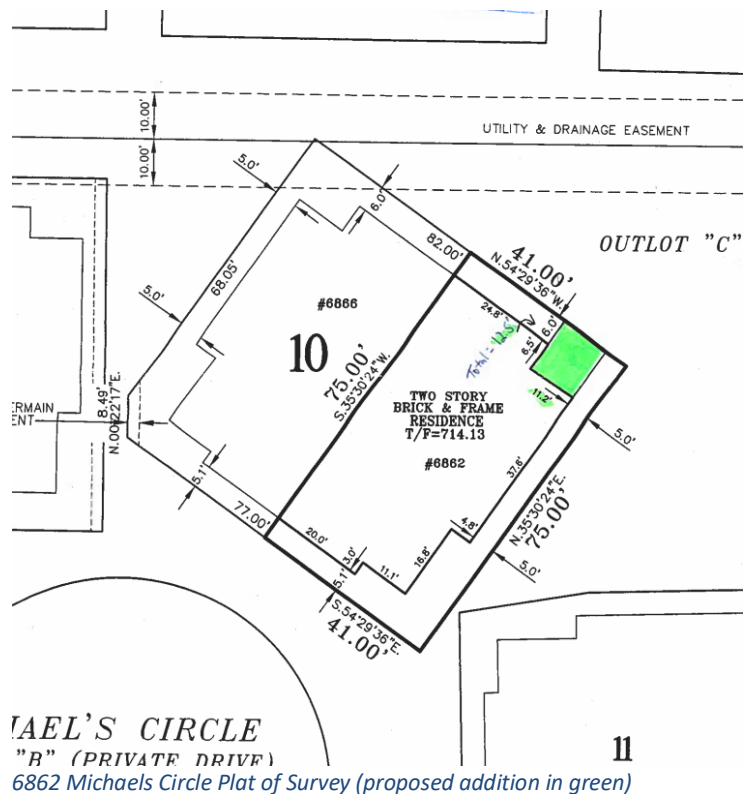
The Residential Masonry Requirements are currently located in Zoning Code Section V.C.4.B.:

"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."

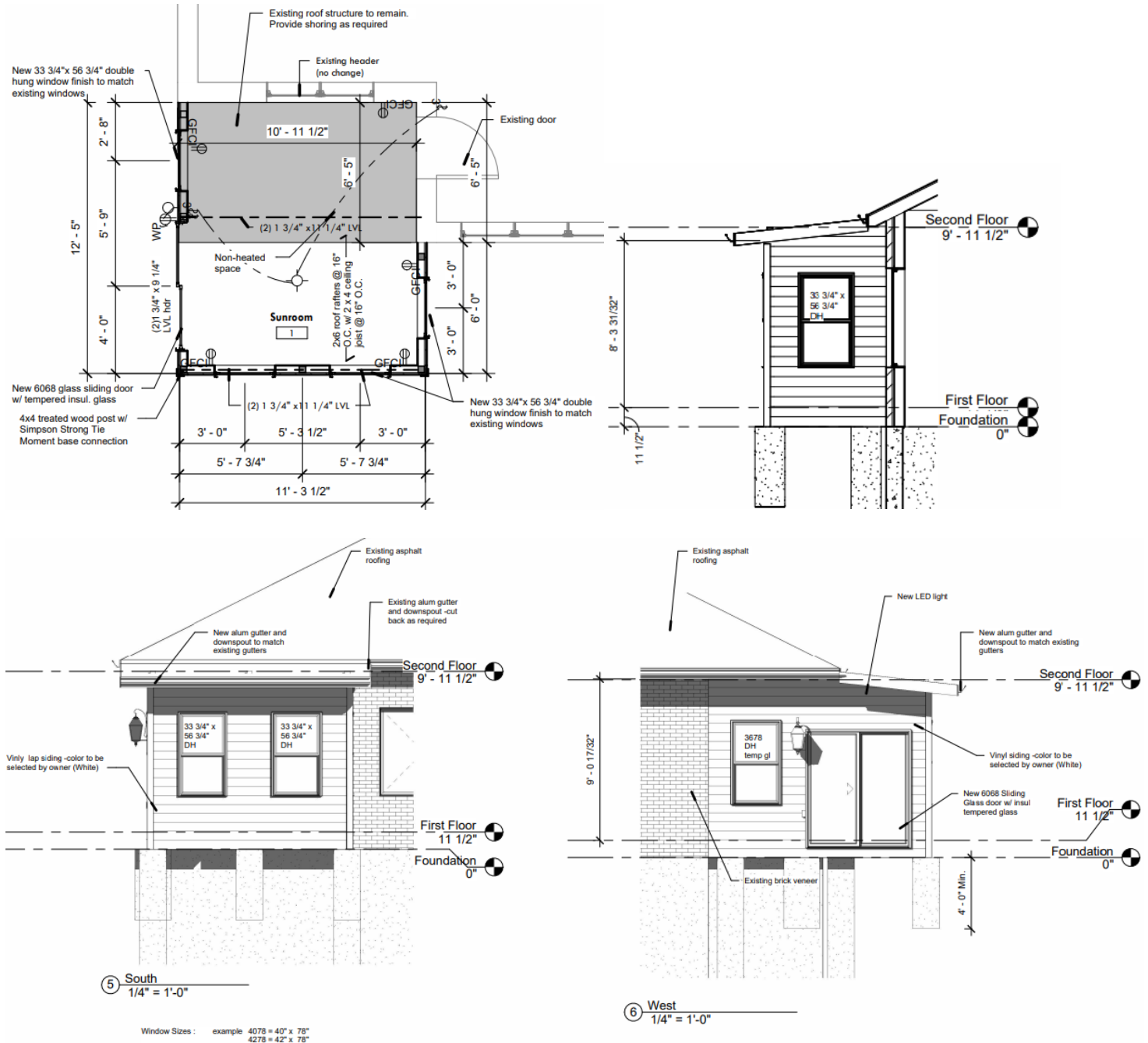
The masonry requirements for residential developments in Tinley Park have existed since the late 1970's and largely require first floor masonry (brick or stone) on all units. The requirement ensures a high level of aesthetics, building quality, and durability is held within new developments along with 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.

SUBSTANTIAL DEVIATION

The Petitioner currently has a concrete patio protruding from the rear recessed corner of her property at 6862 Michaels Circle. The Petitioner proposes to construct a one-story addition in that location. The Petitioner states the footprint of the 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 currently proposed addition will consist of thin brick on the three facades. The Petitioner no longer proposes vinyl siding. The Petitioner previously provided architectural drawings for the Plan Commission Workshop, showing the window sizes and placement, with vinyl siding (material no longer being proposed). Those drawings showed the windows as 33.75" x 56.75" with a 5'-0" x 5'-8" glass sliding door. The percentage of glass windows & doors indicated in those drawing is 26.6% on the east façade, 28.3% on the south façade, and 40.2% on the west façade. The majority of the facades have an opaquer material rather than glazing, contrary to typical sunroom design.



The Petitioner has not yet provided updated architectural drawings showing the proposed brick veneer. Staff recommends the exterior facade material at 6862 Michaels Circle shall be first-floor face brick color matching the principal structure. Staff additionally recommends conditioning the Substantial Deviation approval to require all future additions within the PUD shall either match the proposed addition at 6862 Michaels Circle or the existing additions at 6844 Johns Circle and 6851 Johns Circle in color, material, and style, with the sizing and placement of glazing also to match. The proposed addition and existing sunroom additions will create two options of uniform design with high quality materials as is existing under the current PUD regulations. The condition states no further addition designs shall be permitted.



Existing Sunroom @ 6851 Johns Circle



Existing Sunroom @ 6844 Johns Circle



Open Item #1: Discuss staff's recommendation to condition the approval to require the exterior facade material at 6862 Michaels Circle shall be first-floor face brick color matching the principal structure.

Open Item #2: Discuss staff's recommendations for condition of approval to consider future additions within the Planned Unit Development shall either match the proposed addition at 6862 Michaels Circle or the existing additions at 6844 Johns Circle and 6851 Johns Circle in color, material, and style, with sizing and placement of glazing also to match. No further addition designs shall be permitted.

Village Staff recommended that the subject development have a consistent aesthetic for all additions. Thus, Staff requested the Petitioner pursue a Special Use for a Substantial Deviation for all additions in the subject development (Dun Raven Place Unit II PUD).

The Petitioner contacted the HOA and received their approval for the addition as previously proposed for all future additions in their subject development.

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:

- a. 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?

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. The development has multiple sets of outdoor rear stairs that are stained in shades of dark reddish browns.



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. 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.

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 and existing sunroom additions will not be detrimental to public health, safety, morals, comfort or general welfare. The proposed addition and existing sunroom additions are one-story. The additions consist of mostly glazing or matching brick and retain a uniform design through the development.*
- 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 surrounded by common area. The proposed addition and existing sunroom additions will create two options of 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 and additions can only happen on private lots (not common area). The proposed addition and existing sunroom additions are consistent 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 and attractive home.*

MOTION TO CONSIDER

If the Plan Commission wishes to act on the Petitioner's request, the appropriate wording of the motion is listed below. 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 to allow additions in the subdivision 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 September 1, 2022 Staff Report, subject to the following conditions:

1. The exterior facade material at 6862 Michaels Circle shall be first-floor face brick color matching the principal structure in color, size, texture, and overall design.
2. All future additions within the Planned Unit Development shall either match the proposed addition at 6862 Michaels Circle or the existing additions at 6844 Johns Circle and 6851 Johns Circle in color, material, and style, with sizing and placement of glazing to also match. All additions shall be on private lots and all other zoning codes must be met. 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	Architectural Studio	7/29/21
	Dun Raven Place Phase II PUD Subdivision Plat	Nekola	Recorded 8/30/1999
	Existing Conditions of 6862 Michaels Circle and Sunrooms at 6844 Johns Circle, and 6851 Johns Circle	Staff	7/28/22



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,

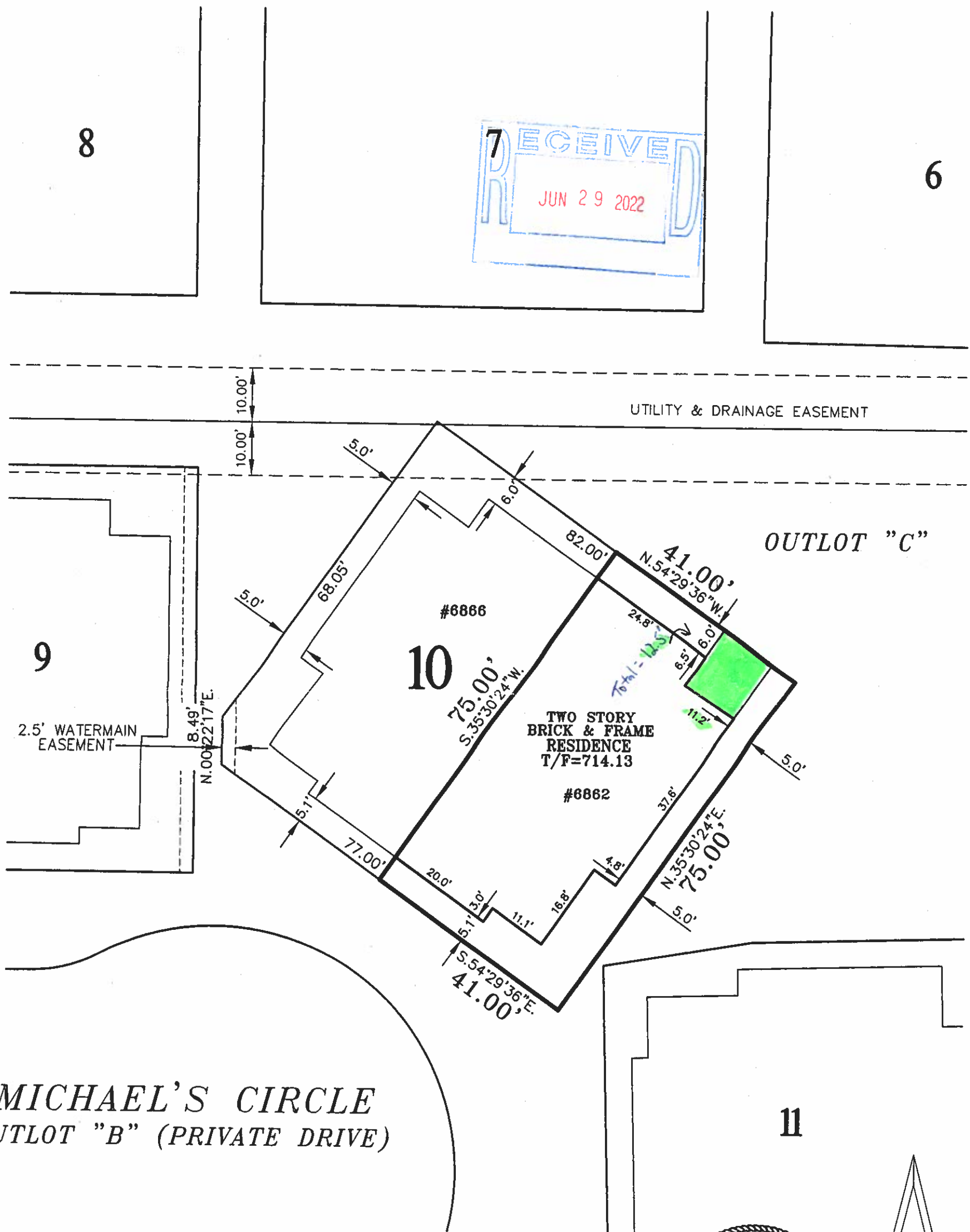
Christine Economous

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.



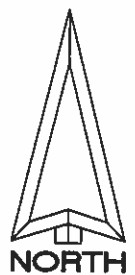
PREPARED FOR: BANNER
JOB ADDRESS: 6862 MICHAEL'S CIRCLE, TINLEY PARK, IL.
JOB NO.: 02-04-1001-B

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.



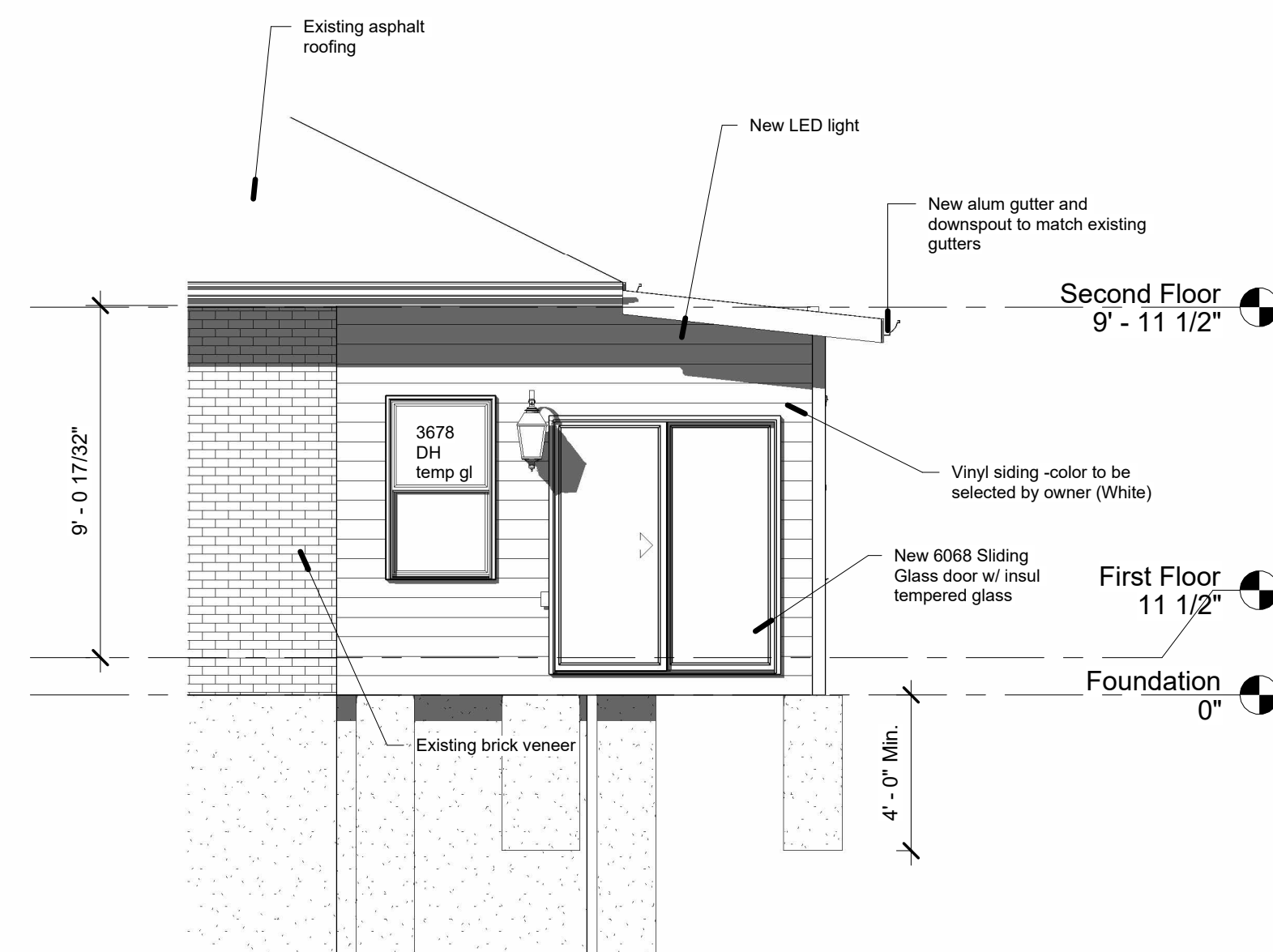
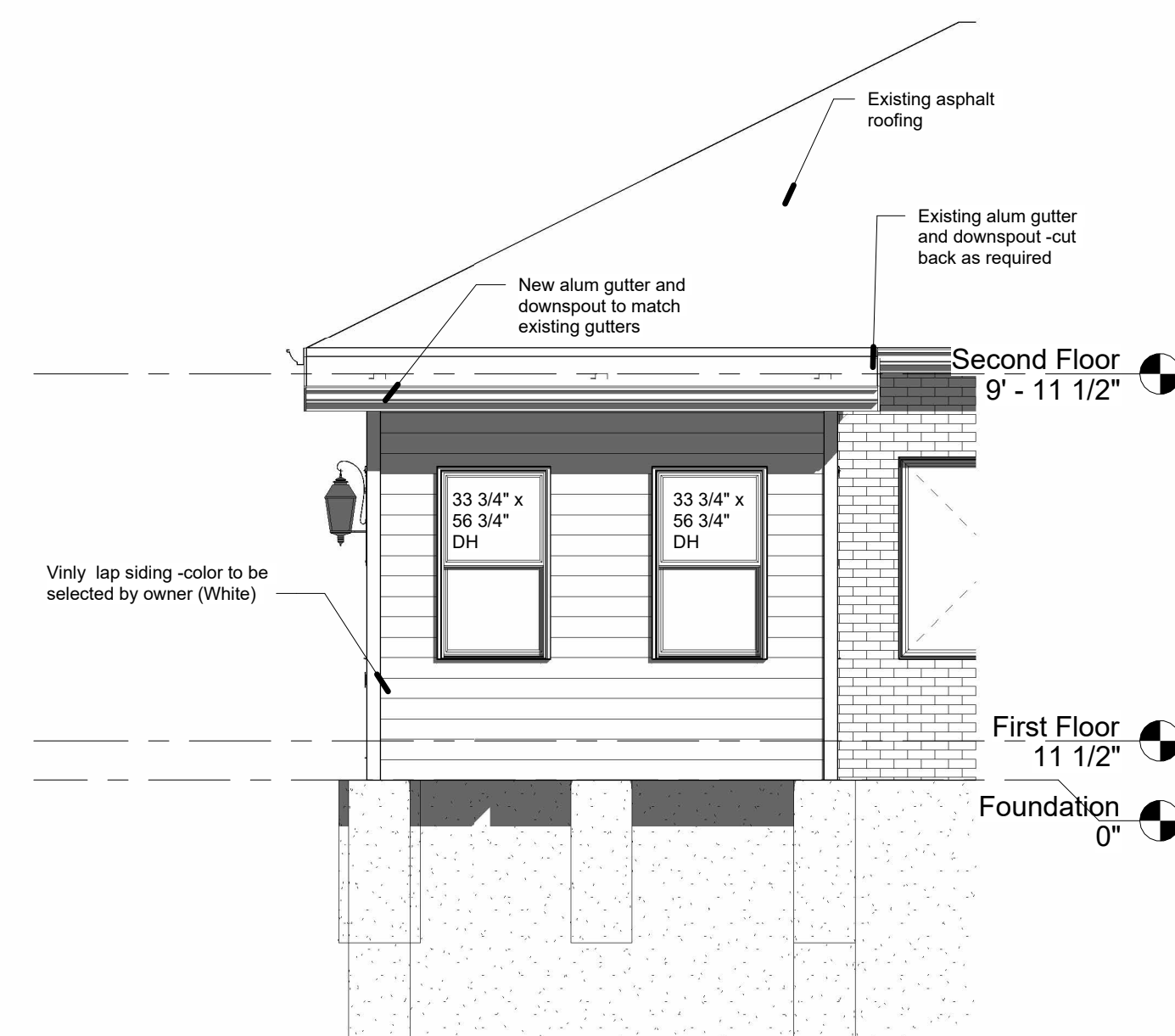
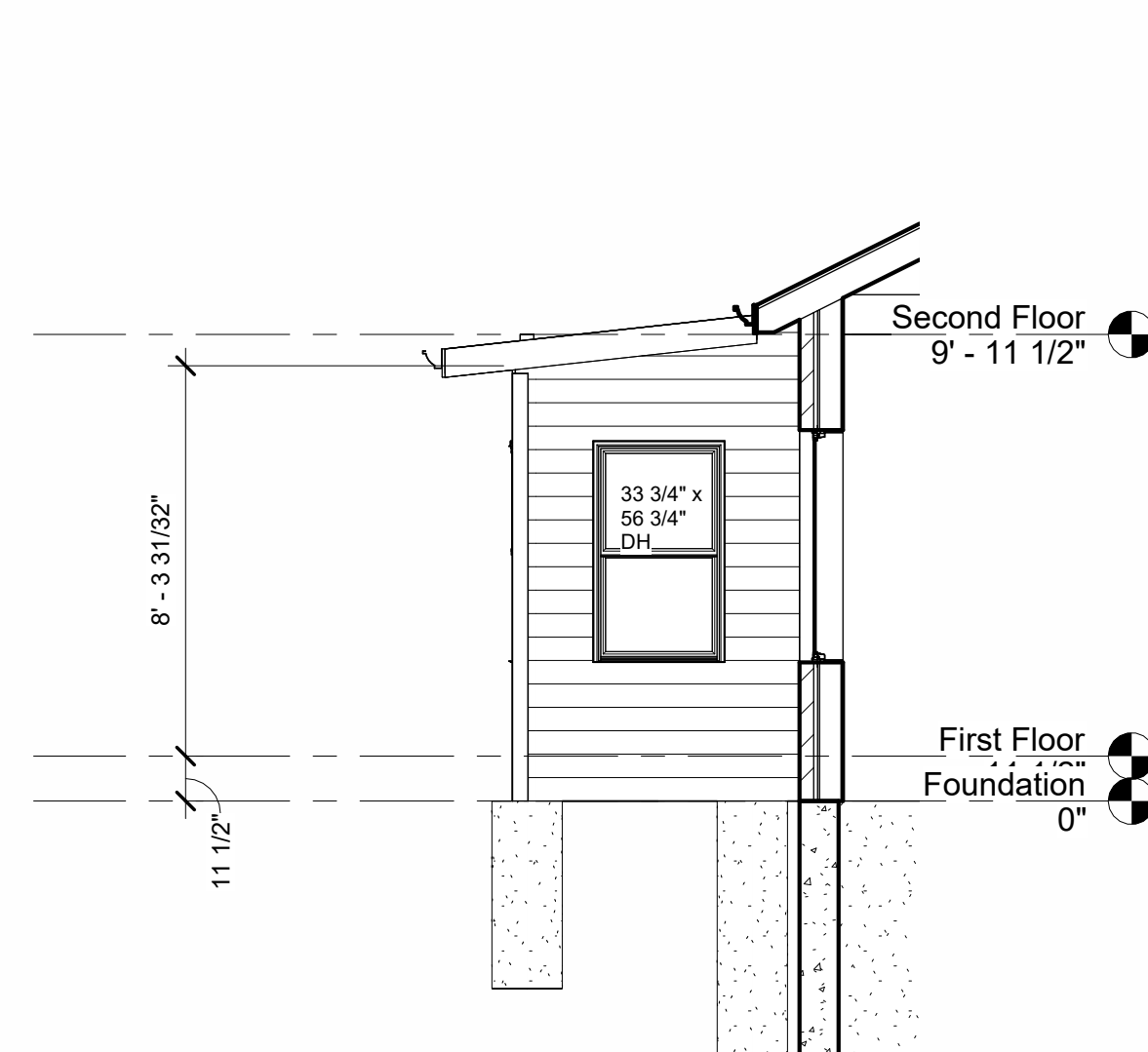
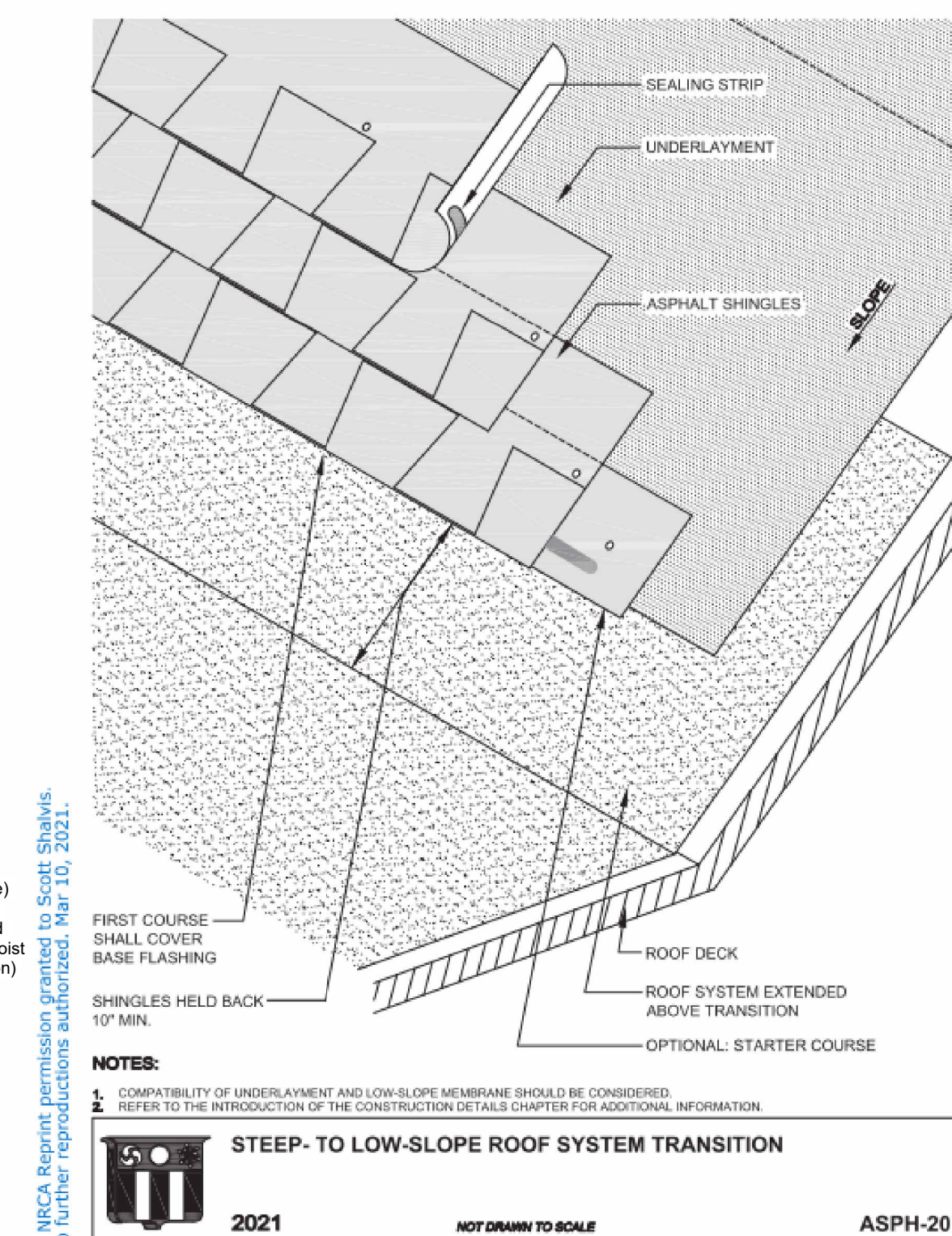
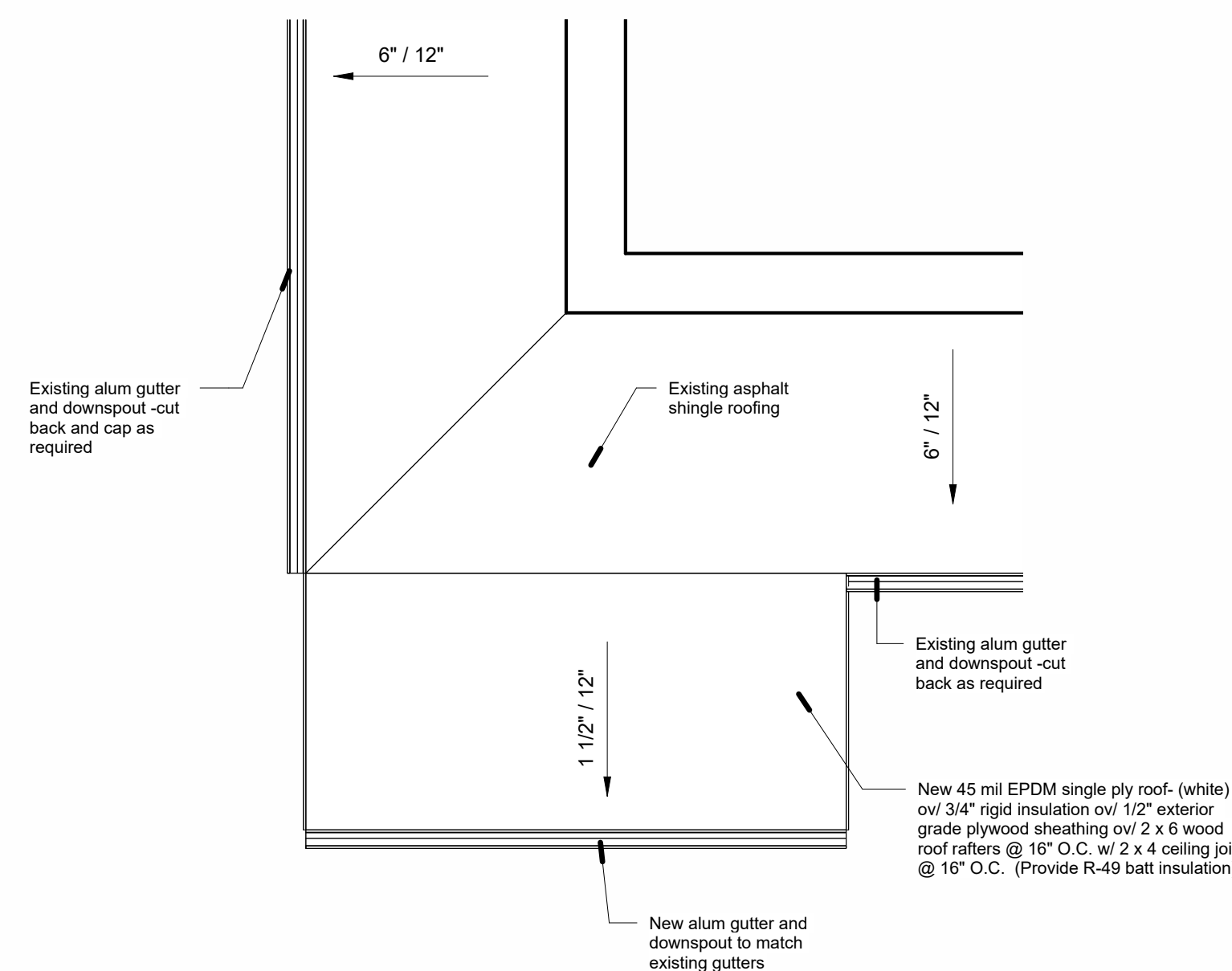
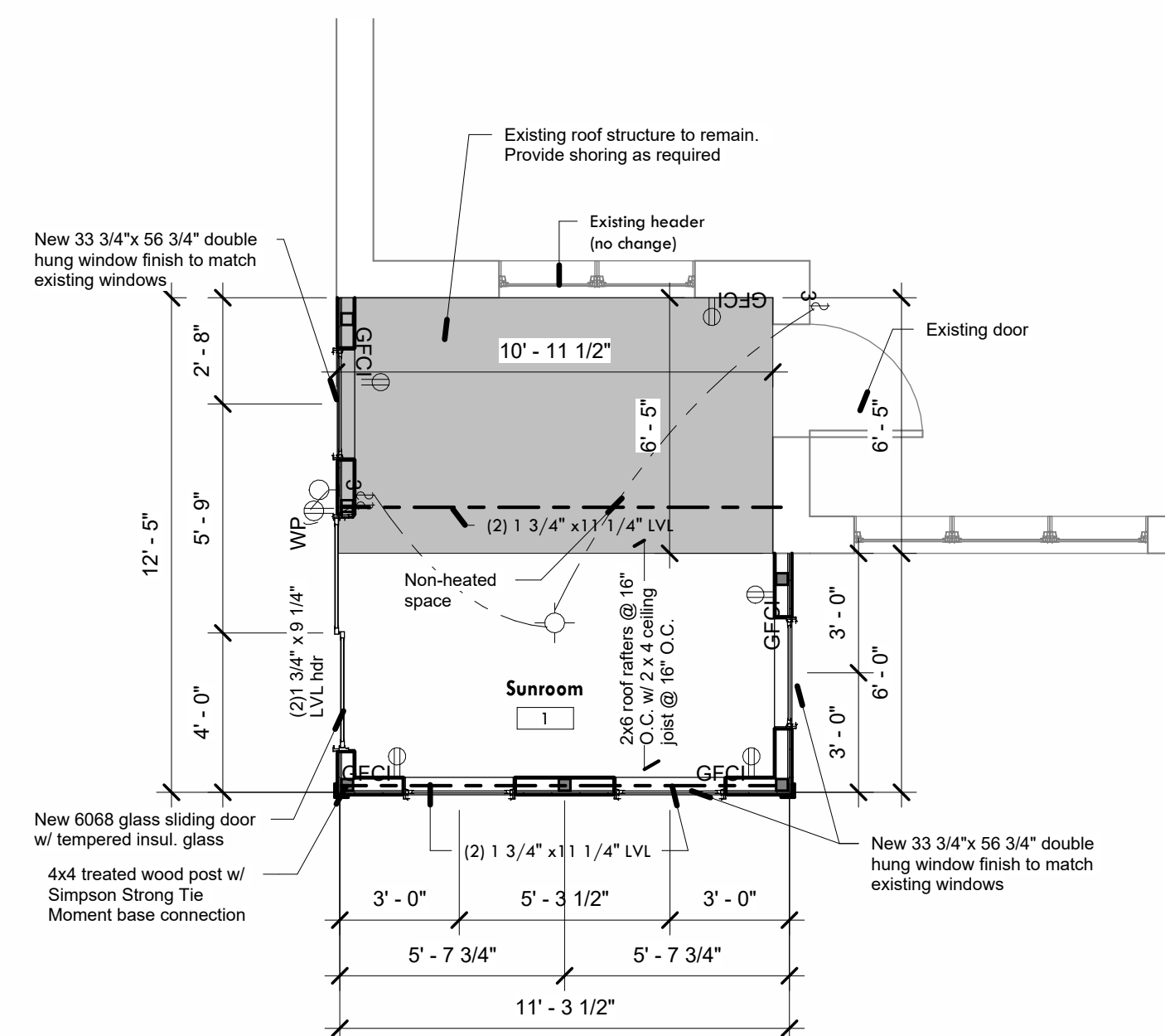
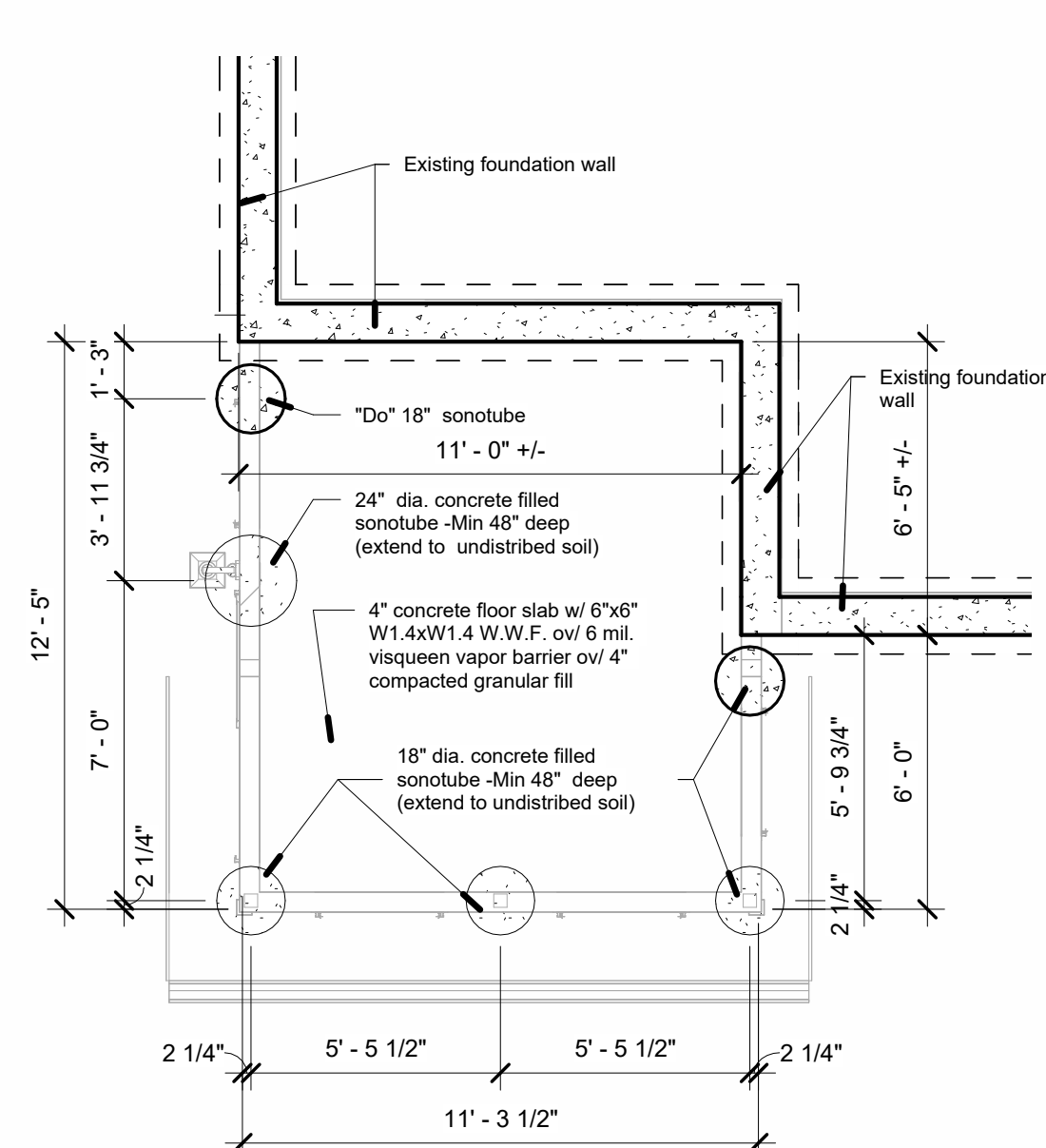
SCALE: 20'

(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]

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

A1

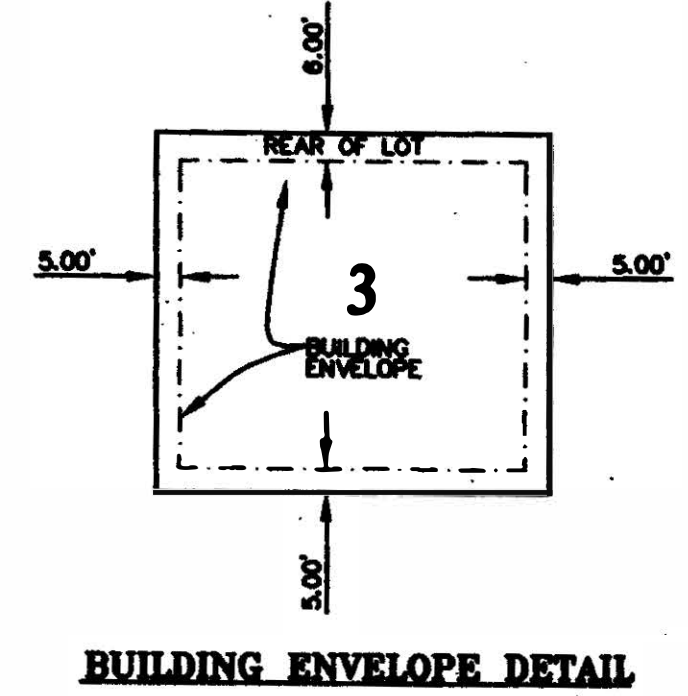
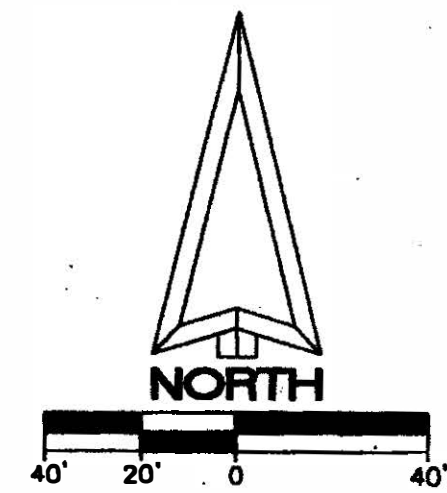
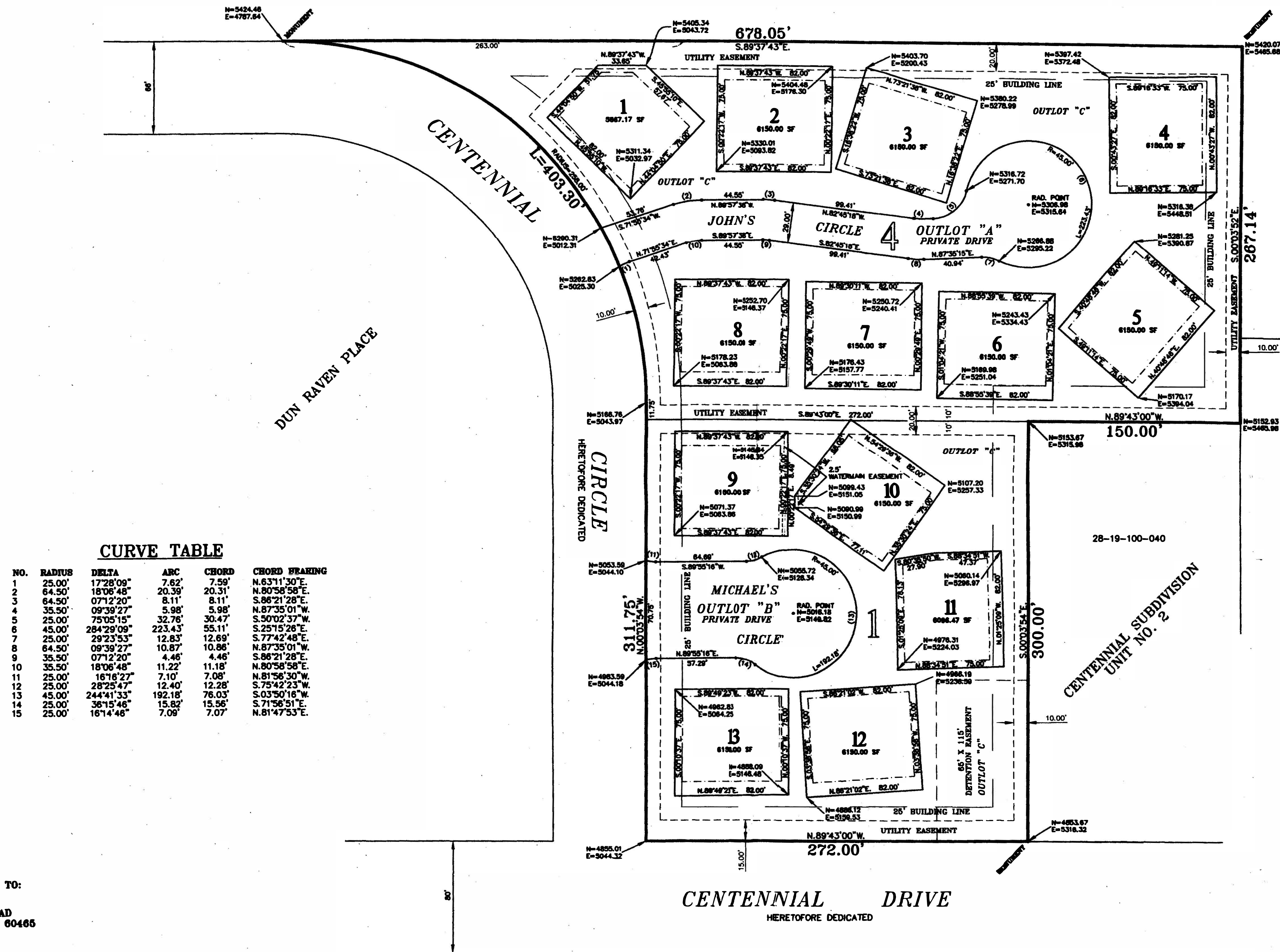
Scale	1/4" = 1'-0"
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Dun Raven Place - Phase II

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) 271-0500 phone (630) 271-0022 fax

SURVEY No. 01-07-6002R1

SHEET 1 OF 2

Existing Conditions: Dunraven Place Unit II PUD, July 28, 2022

6862 Michaels Circle



Existing Sunroom 6851 Johns Circle:



Existing Sunroom 6844 Johns Circle:



PLAN COMMISSION STAFF REPORT

September 1, 2022 Public Hearing

Brechtel – Corner Lot Fence Setback and Patio Variations

19330 Fane Court

Petitioner

Dawn Brechtel

Property Location

19330 Fane Ct.

PIN

19-09-12-102-092-0000

Zoning

R-2 PD, Single-Family
Residential

Approvals Sought

Variation



EXECUTIVE SUMMARY

The Petitioner, Dawn Brechtel, is seeking Variations from Section III.J (Fence Regulations) and Section III.H (Permitted Encroachments) to allow installation of a five-foot (5') high open style fence to encroach up to nine feet (9') into the required secondary front yard, and to allow the existing patio to be located approximately nine feet into the secondary front yard where a patio is not permitted at 19330 Fane Court. Fences are required to be at or behind the Required Setback Line in the primary front yard and secondary front yard. The Brookside Glen Planned Unit Development allows for front yard setbacks of 25' foot front yard in some situations, instead of the standard 30 foot setback required in the R-2 zoning.

The fence setback Variation is requested due to the unique shape and configuration of the lot and existing house. The Variation for the existing patio is also requested to bring the site into conformance since it appears to have been constructed without a permit by the previous owner and relates to the proposed fence, location. Unlike other corner lot homes the lot is irregularly shaped, has a large front yard that is adjacent to right of way, the house is situated at an angle, and is in close proximity to its rear (13.5 ft. to the west property line) which means there is very limited contiguous land area otherwise not restricted by front yard requirements.

The proposed fence will not cause visibility concerns from intersections or private driveways. Additionally, the variations requested have a reduced degree of encroachment and maintain typical angles, for the patio to the house and for the fence. Roughly half of the patio is set within a cornered recess of the house and complies with the setback.

Project Planner

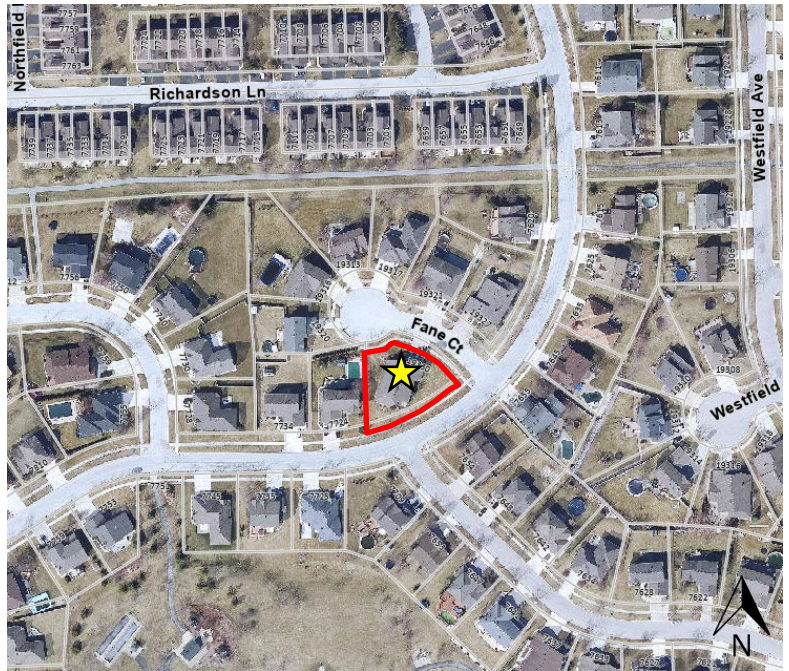
Lori Kosmatka
Associate Planner

EXISTING SITE & HISTORY

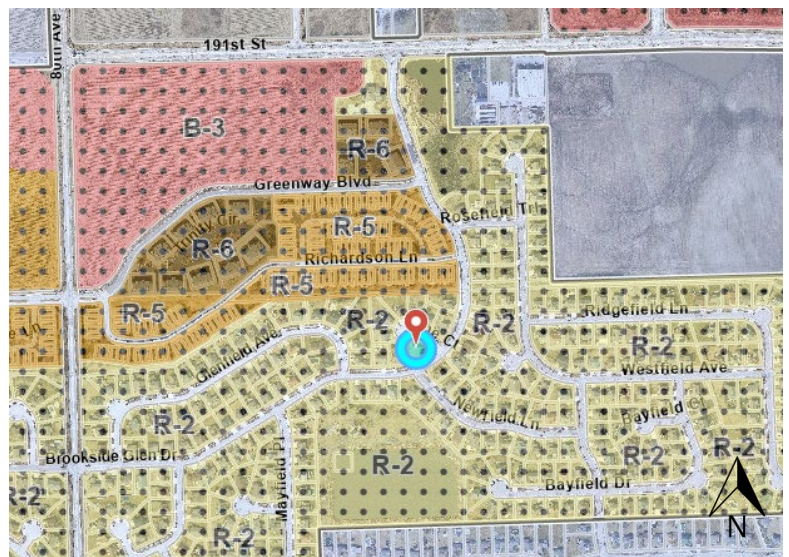
The subject property is a corner lot within the Brookside Glen Planned Unit Development with underlying R-2 Zoning District. Residences in the neighborhood are similarly zoned. The lot is approximately 15,569 sq. ft. and roughly triangular in shape, extending the length of Fane Ct. from the cul-de-sac to Brookside Glen Drive. Though the lot is larger than some interior lots, it is not overall distinctly larger than nearby properties. The home received a building permit in 2002 and completed in 2003.

There is an existing 202.8 sq. ft. concrete patio (12.0 ft. x 16.9 ft.) fitting within a cornered recess of the south portion of the home. The patio's corner is 16 feet from the property line along Brookside Glen Drive. The patio is within a front yard and nonconforming to code. The patio appears to have been constructed without a permit. Roughly half of the patio is set within a cornered recess of the house. It would not be able to be replaced by-right. There is abundant landscaping surrounding the patio, including a small tree located near the corner of the patio.

There are only a few homes in the area which appear to have fences in secondary front yards (such as 7755 Glenfield Ave. and 19410 Mayfield Place), however these were likely due to being constructed prior to the current, more restrictive 2018 fence regulations.



Location Map



Zoning Map



View Looking West, Looking East, and Existing Patio

ZONING & NEARBY LAND USES

The subject property is part of the Brookside Glen Planned Unit Development and is within the R-2 Single Family Residential Zoning District. The Zoning Ordinance typically requires primary and secondary yard setbacks of 30 feet each in the R-2 Zoning District. However, the Brookside Glen Planned Unit Development allows a reduction to 25 feet front yards in certain situations and has been applied to this property. The subject property's approximate lot area is 15,569 sq. ft., which is smaller than the minimum lot area for corner lots in the R-2 Zoning District which is 16,250 sq. ft.

Section III.J. *"Fence Regulations"* states that for corner lots, fences are only permitted at or behind the Required Setback Line in the primary front yard and secondary front yard. Section III.J.3.a (*Administrative Approvals of Secondary Front Yard*), states administrative approvals may be granted for open style fences up to five feet in height in secondary front yards however, they may only encroach up to ten feet into the Required Setback Line in the secondary front yard. Allowable fence encroachments also require that the fence must not obstruct sight lines and cannot abut a neighboring primary front yard.



7755 Glenfield Ave.



19410 Mayfield Pl.

VARIATION REQUEST

The Petitioner requests two variations which are related to each other. The Petitioner requests a fence setback Variation due to an existing physical hardship based on unique shape and configuration of the lot and existing house. The Petitioner also requests a Variation for the existing patio since it relates to the proposed fence, and to bring it into conformance.

Requested Fence Variation

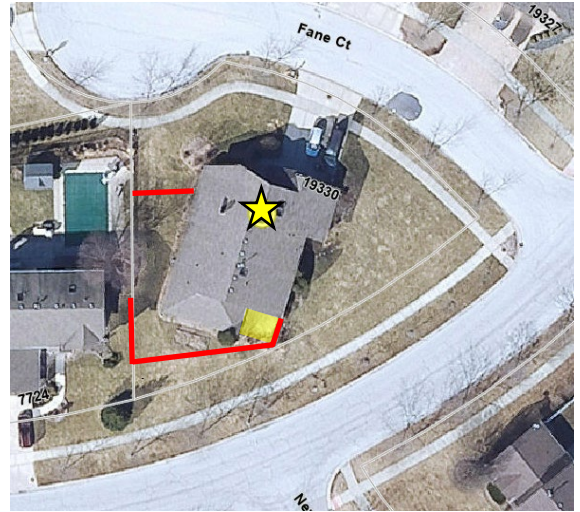
The Petitioner proposes to construct a new five ft. high open-style fence, similar to others in the neighborhood, on the western part of the property, with a portion at the north, and portion at the south. These portions will connect into and match the style of the neighbor's existing fence. The north portion will comply with code. Part of the southern portion will encroach into the 25-foot secondary front yard on Brookside Glen Drive, thus requiring a Variation. The fence will begin at the house, wrap 12' along the existing concrete patio and run 63 feet westerly and then run at a right angle 30' northerly to terminate at the neighbor's fence. The fence will encroach nine feet into the 25-foot secondary front yard, thus located 16 feet from the southerly property line, but the encroachment lessens as the fence runs westerly. At the west property line adjacent to the neighbor (at 7724 Brookside Glen Drive), the fence will be located 35 feet from the southerly property line which more than complies with the 25-foot secondary front yard requirement. The fence has been angled as to not encroach within the abutting primary front yard of the neighbor at 7724 Brookside Glen Drive.

Requested Patio Variation

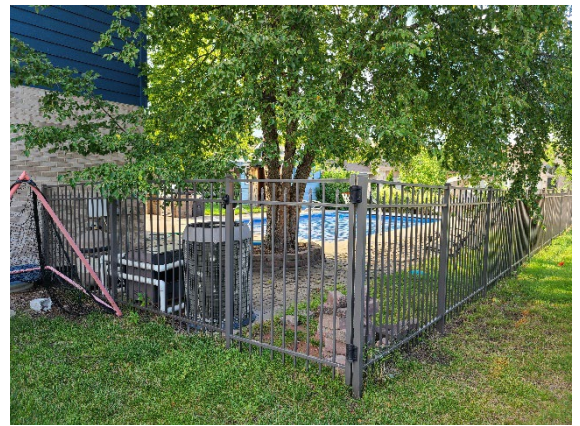
The Petitioner also proposes to request a Variation for the existing patio which would allow it to be replaced in the future. The existing concrete patio is 16.9 feet by 12.0 feet, but is nonconforming as it is located within the secondary front yard. The patio appears to have not received a permit when constructed by the previous owner. The edge of the patio is approximately 16 feet from the front (south) property line, thus it encroaches approximately nine feet into the secondary front yard.

Unique Site / Hardship

Staff believes there is a physical hardship to the property largely justified by the lot's unique shape and configuration. A significant portion of the lot is within the 25-foot primary and secondary front yard setback area. The shape of the lot is roughly triangular with unique frontages adjacent to Brookside Glen Drive, all of Fane Ct. and part of its cul-de-sac. Also, unlike other corner lot homes in the nearby area, the house is situated at angles protruding along the property lines and is in close proximity to its rear (13.5 ft. to the west property line) which means there is limited available contiguous land area otherwise not restricted by front yard requirements.



Approx. existing patio & proposed fence location



Neighbor's Existing Fence (south connecting point)



Close Proximity House to West Property Line



View from front

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 draft Findings of Fact are provided below for the Commission's review and approval.

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.
 - ***The proposed fence location and existing patio both create a more useful property that utilizes limited available contiguous land area otherwise not restricted by front yard requirements. The location of the fence and patio both have a reduced degree of encroachment.***
2. The plight of the owner is due to unique circumstances.
 - ***The lot and existing house have a unique shape and configuration. The lot area of the subject property is not distinctly larger than nearby properties. A significant portion of the lot is within the 25 foot primary and secondary front yard setback area. Unlike other corner lot homes in the nearby area, the house is situated at angles protruding along the property lines and is in close proximity to its rear (13.5 ft. to the west property line). There is limited available contiguous land area otherwise not restricted by front yard requirements.***
3. The Variation, if granted, will not alter the essential character of the locality.
 - ***The proposed fence location and existing patio both will not alter the essential character of the locality. The fence will connect to the neighboring property's existing fence. The patio aligns with house's recessed corner. There is a variety of lot sizes and shapes due to block irregularity, including short cul-de-sacs and curved roadways with staggered "T" intersections. The five-foot open style fence is also similar to other fences in the neighborhood and has been angled back to align with the neighboring property's front yard setback.***
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 requests, the appropriate wording of the motions are listed below. 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:

1. Variation - Fence

"...make a motion to recommend that the Village Board grant the Petitioner, Dawn Brechtel a Variation from Section III.J. (Fence Regulations) of the Zoning Ordinance, to permit a five-foot high open fence encroaching nine feet into the required 25 foot secondary front yard, where a fence encroachment is not permitted at 19330 Fane Court in the R-2 PD (Single-Family Residential, Brookside Glen PUD) Zoning District, consistent with the Submitted Plans and adopt Findings of Fact as proposed by Village Staff in the September 1, 2022 Staff Report."

2. Variation - Patio

"...make a motion to recommend that the Village Board grant the Petitioner, Dawn Brechtel a Variation from Section III.H. (Permitted Encroachments) of the Zoning Ordinance, to permit an existing 202.8 sq. ft. patio encroaching approximately nine feet into the required 25 foot secondary front yard, where a patio encroachment is not permitted at 19330 Fane Court in the R-2 PD (Single-Family Residential, Brookside Glen PUD) Zoning District, consistent with the Submitted Plans and adopt Findings of Fact as proposed by Village Staff in the September 1, 2022 Staff Report."

LIST OF REVIEWED PLANS

Submitted Sheet Name		Prepared By	Date On Sheet
	Application (Redacted) and Response to Standards	Applicant	6/10/22
	Applicant Narrative	Applicant	6/10/22
	Plat of Survey (Marked)	Applicant	8/10/22



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 representative.

I hereby authorize Susan Schlomas OR Scott Brechtel (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 agree [redacted] e.

Property Owner Signature: [redacted]

Property Owner Name (Print): Dawn Brechtel

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 [redacted]

Property Owner Signature: [redacted]

Property Owner Name (Print): Dawn Brechtel

Applicant Signature:
(If other than Owner)

Applicant's Name (Print):

Date: 6-10-22



PL 2022 08 00371

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 fence
- ☐ Annexation
- ☐ Rezoning (Map Amendment) From _____ to _____
- ☐ Plat (Subdivision, Consolidation, Public Easement) ☐ Preliminary ☐ Final
- ☐ Site Plan
- ☐ Landscape Change Approval
- ☐ Other: _____

PROJECT & PROPERTY INFORMATION

Project Name: Fence Installation

Project Description: Install fence around property

Project Address: 19330 Fane Ct. Property Index No. (PIN): 19-09-12-102-092-0000

Zoning District: R2 Lot Dimensions & Area: 135.52x180.30x99.56x47.45

Estimated Project Cost: \$6,000

OWNER OF RECORD INFORMATION

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

Name of Owner: Dawn M Brechtel Company: N/A

Street Address: 19330 Fane Ct. City, State & Zip: Tinley Park, IL 60487

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: _____

H. Describe how the requested Variance will not:

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

The style of this fence will not impair adequate supply of light and air to adjacent properties because the style of fence is an open style allowing view and ventilation.

- 2. Substantially increase the congestion of the public streets.**

The fence will be set back from the public streets and will not cause congestion.

- 3. Increase the danger of fire.**

It is an aluminum fence and will not increase the danger of fire.

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

There is one adjacent property with a similar fence and it is an open style fencing. The open style fence will not impair natural draining or create any drainage problems on the adjacent property.

- 5. Endanger the public safety.**

The aluminum fence will not cross or inhibit public walkways or streets, therefore not endangering the public safety.

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

Fencing style is similar to neighborhood properties and will not impair property values in the neighborhood.

Request for Fence and Patio Variance at 19330 Fane Court, Tinley Park, IL. 60487

Dawn Brechtel
19330 Fane Court



I am requesting a fence and patio variance for my home. The existing patio was on the property when we purchased the home. Installation of a fence that allows access to the yard from the back entrance is not feasible according to the current fence regulations due to the unique shape of the corner lot and the position of the home on the property.

The style of this fence will not impair adequate supply of light and air to adjacent properties because the style of fence is an open style allowing view and ventilation. The fence will be set back from the public streets and will not cause congestion. It is an aluminum fence and will not increase the danger of fire. There is one adjacent property with the same fence style we have chosen and it is an open style fencing. The open style fence will not impair natural draining or create any drainage problems on the adjacent property. The aluminum fence will not cross or inhibit public walkways or streets, therefore not endangering the public safety. Fencing style is similar to neighborhood properties and will not impair property values in the neighborhood.

Dawn Brechtel
19330 Fane Court



July 2022

Dear Committee members,

I am requesting a variance for the installation of a fence on the property located at 19330 Fane Court, Tinley Park, IL.

My husband has an illness that requires much help and support from family and friends. We recently moved to Tinley Park to be closer to family and we chose the home we live in because of the one level floor plan to accommodate physical limitations.

The installation of a fence around our property is needed for my husband's health and safety to help keep him contained on the property and assist in avoiding confusion and wandering away.

Because of the way that the home is positioned on the property, installing a fence encompassing the back entrance in accordance with the current corner lot fence regulations is not feasible. Thank you for your consideration.

Sincerely,



R.H. GRANATH
SURVEYING SERVICE, P.C.
PH: (708) 371-4478
FAX (708) 371-3922

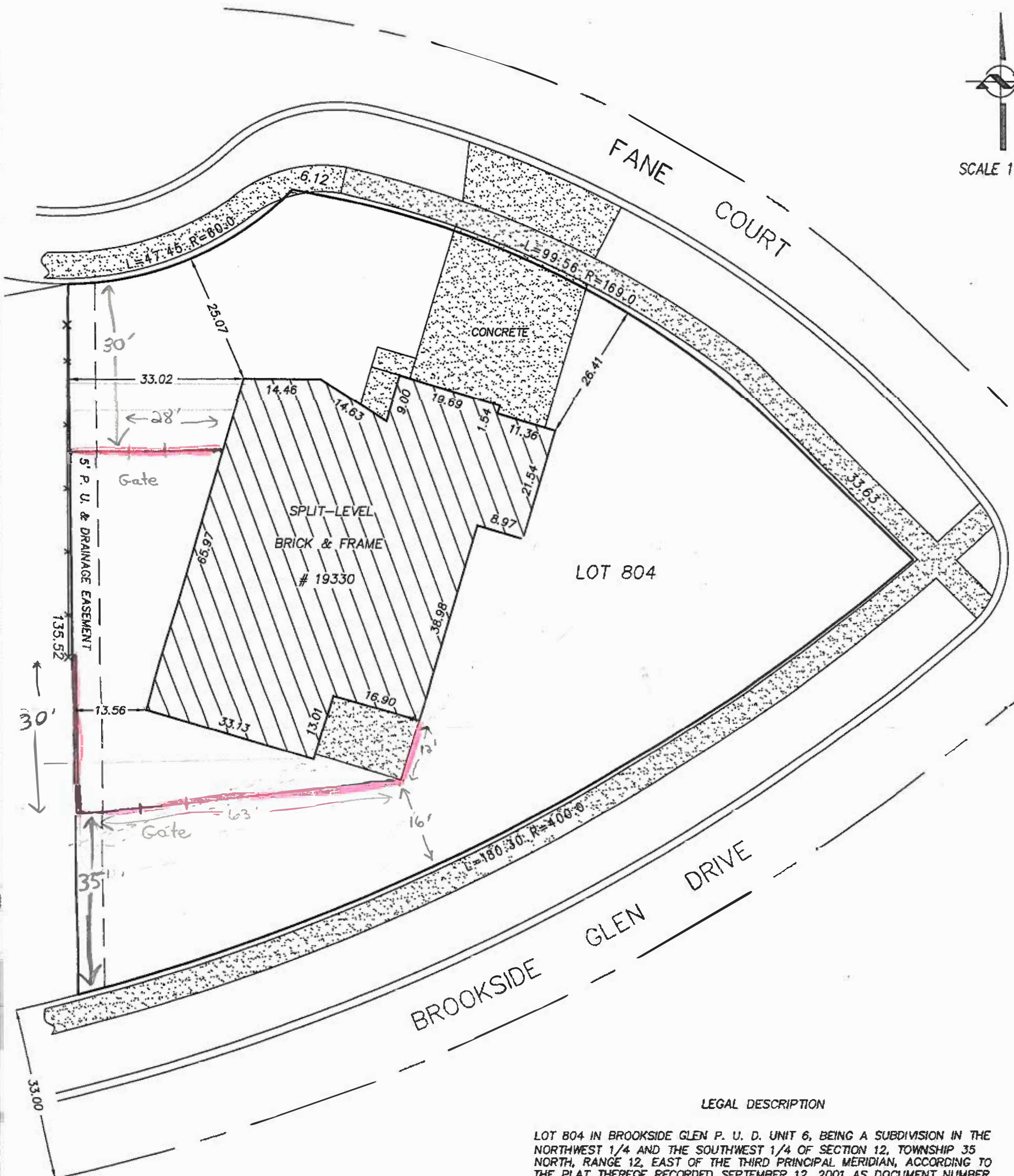
PLAT OF SURVEY

of

R.H. GRANATH
SURVEYING SERVICE, P.C.
6006 W. 159th STREET
BUILDING B UNIT 1-SOUTH
OAK FOREST, ILL. 60452



SCALE 1"=20'



LEGAL DESCRIPTION

LOT 804 IN BROOKSIDE GLEN P. U. D. UNIT 6, BEING A SUBDIVISION IN THE NORTHWEST 1/4 AND THE SOUTHWEST 1/4 OF SECTION 12, TOWNSHIP 35 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 12, 2001 AS DOCUMENT NUMBER R2001-120663, IN WILL COUNTY, ILLINOIS.



STATE OF ILLINOIS }
COUNTY OF COOK } SS

THIS IS TO CERTIFY THAT R.H. GRANATH SURVEYING SERVICE, P.C. HAS ISSUED THIS PLAT FROM FIELD SURVEY DATA OBTAINED AT THE PROPERTY INDICATED IN THE CAPTION LEGAL DESCRIPTION AND PUBLIC RECORDS, AND THAT THE FOREGOING IS A TRUE AND CORRECT REPRESENTATION OF THE SAME. THIS PLAT OF SURVEY CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS OF PRACTICE FOR A BOUNDARY SURVEY PER TITLE 68 CHAPTER VII, SUBCHAPTER b: SECTION 1270.56 IN THE RULES FOR THE ILLINOIS PROFESSIONAL LAND SURVEYOR ACT. NO BOUNDARY CORNERS WERE SET DURING THIS FIELD SURVEY OF THE SUBJECT PROPERTY BY CLIENT AGREEMENT (ITEM 3D OF SAID RULES). ALL DIMENSIONS ARE IN FEET AND DECIMAL PARTS THEREOF.

DATE: APRIL 8, 2022

CLIENT: LAW OFFICE OF DAVID R. MACK

R.H.G. ORDER NO. MS 2022-03-142

STEVEN R. GRANATH, P.L.S. No. 3169

VALID ONLY IF EMBOSSED SEAL IS AFFIXED

COMPARE ALL DIMENSIONS BEFORE BUILDING AND REPORT ANY DISCREPANCIES AT ONCE.