

**ORDINANCE GRANTING A VARIANCE FROM THE ZONING REGULATIONS  
OF THE VILLAGE OF THORNTON, COOK COUNTY, ILLINOIS  
2024-001**

WHEREAS, an application for variance has been filed by Colin Lamkin with the Village Clerk in accordance with the Illinois Compiled Statutes, as amended and the Zoning Ordinance of the Village of Thornton, Illinois; and

WHEREAS, said Petition has been reported to the Village of Thornton by the Zoning Board of Appeals acting after conducting a public hearing in regard to said Petition, and the Board has recommended that the real estate involved in the aforementioned Petition be granted certain variances under the zoning regulations of the Village of Thornton; and

WHEREAS, the Zoning Board of Appeals has recommended said variances finding that the applicant has met the standards for variance enumerated in Section 11-10-5; and

WHEREAS, the President and Board of Trustees of the Village of Thornton, after due investigation and consideration has adopted and approved the report of the Zoning Board of Appeals and has determined that the nature and extent of the public use and the public interest to be sub-served are such as to warrant the granting of the variance from the zoning regulations of the Village of Thornton.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Thornton, Cook County, Illinois, as follows:

SECTION 1: That the real estate, situated within the Village of Thornton, described in Section 2 of this Ordinance be and the same is hereby granted the following variances from the regulations of the Village of Thornton:

- (A) Variance of the applicable minimum yard requirements contained in Section 11-4-6 allowing fence to be constructed along the south property line between the house and garage along Margaret Street.

(B) Variance Section 7-8-3-F No fence, nor anything similar, shall be located on any lot nearer to the front lot line than the building set back line applicable to said lot and adjoining lots.

With the following stipulations and restrictions adopted from the Zoning Board of Appeals:

1. Fence to be at least eight (8) feet south of sidewalk on south side of Margaret Street and no higher than four (4) feet.
2. Construction to begin within thirty (30) days.
3. Fence to be constructed in accordance with building permit and approved variance request.
4. No chain link fence.

SECTION II: That the subject property is legally known as follows:

Address of Property: 100 S. Kinzie Street, Thornton, Illinois

Property Index No: 29-34-126-007-0000

SECTION III: Should any provision of this Ordinance or any other part hereof be invalid for any reason, such invalidity shall not affect the validity or effect of any other section or part thereof.

SECTION IV: That all Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance be and the same are hereby repealed.

SECTION V: That this Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

PASSED by the President and Board of Trustees of the Village of Thornton, Cook County, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

AYE: \_\_\_\_\_

NAY: \_\_\_\_\_

ABSENT: \_\_\_\_\_

APPROVED by me this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
JOSEPH PISARZEWSKI  
Acting Village President

PUBLISHED in pamphlet form by authority of the Corporate Authorities on \_\_\_\_\_,  
2024.

ATTEST:

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Debra L. Pisarzewski  
Village Clerk  
Village of Thornton  
Cook County, Illinois

**NOTICE OF DECISION**

STATE OF ILLINOIS    )  
                                  ) SS  
COUNTY OF COOK     )

**BEFORE THE VILLAGE OF THORNTON  
ZONING BOARD OF APPEALS PLANNING COMMISSION**

IN THE MATTER OF A REQUEST FOR                                    )  
VARIANCE OF THORNTON CODE 7-8-3                                )        No. 2024-001  
CONCERNING CONSTRUCTION OF                                    )  
A FENCE AT 100 S. KINZIE STREET                                )  
PIN: 29-34-126-007-000

**FINDINGS AND DECISION**

On the 8<sup>th</sup> day of May, 2024, Colin Lamkin of 100 S. Kinzie Street, Thornton, Illinois, appeared before the Village of Thornton Zoning Board of Appeals Planning Commission (hereinafter referred to as “Board”). The Board, as a result of its hearing on the application, finds and determines as follows:

1. Pursuant to Village of Thornton Code 7-8-3-F Construction Standards:  
“No fence, nor anything similar, shall be located on any lot nearer to the front lot line than the building setback line applicable to said lot and adjoining lots.”
2. Pursuant to Village of Thornton Code 7-8-3-6, Construction Standards “No fence, nor anything similar, shall be located on a corner lot within the required front or side yard space on the street sides of said lot.”
3. Village Code 11-4-6 regulates yard areas and setbacks in residential zoning districts.
4. The applicant’s lot at 100 S. Kinzie Street has a minimum required front yard of twenty-five (25) feet and is a corner lot.
5. That the applicant proposes to construct a cedar or other wood privacy fence

along the north property line from the house to the garage and street that would extend into the required front yard.

6. Pursuant to the Village of Thornton Municipal Code 11-10-5(B), a variance is authorized as follows:

11-10-5(B) Subsection 4: Authorized Variations: When a property owner shows that a strict application of the terms of this Title related to the use, construction or alteration of buildings or structures, or to the use of the land, imposes upon him practical difficulties or practical hardship, then the Board may make such variations of the strict application of the terms of this Title as are in harmony with its general purpose and intent when the Board is satisfied, under the evidence heard before it, that a granting of such variation will not merely serve as a convenience to the applicant, but is necessary to alleviate some demonstrable hardship or difficulty so great as to warrant the variation in the following instances:

4. To make a variance where, by reason of an exceptional situation, surroundings or condition of a specific piece of property, or by reason of exceptional narrowness, shallowness or shape of a specific piece of property record, or by reason of exceptional topographical conditions, the strict application of any provision of this Title would result in peculiar and exceptional practical difficulties or particular hardship upon which the owner of the property and amount to a practical confiscation of property as distinguished from a mere inconvenience to such owner, provided such relief can be granted without substantial detriment to the public good and without substantially impairing the general purpose and intent of the Comprehensive Plan as established by the regulations and provision contained in this Title.
7. That the Zoning Board of Appeals finds that Colin Lamkin has proven sufficient facts entitling him to a variance of the strict application of 11-4-6.
8. That the Zoning Board of Appeals hereby recommends granting a variance of the required minimum yard contained in 11-4-6 and 7-8-3-G by in the north side yard of 100 S. Kinzie Street for the purpose of building a fence.

IT IS HEREBY DECIDED THAT THE BOARD RECOMMEND THE APPROVAL OF COLIN LAMKIN'S REQUEST FOR A VARIANCE OF REQUIRED FRONT YARD LIMITATIONS UNDER THE FOLLOWING STIPULATIONS AND CONDITIONS:

Stipulation of Conditions and Restrictions:

1. Fence to be at least eight (8) feet south of sidewalk on south side of Margaret Street and no higher than four (4) feet.
2. Construction to begin within thirty (30) days.
3. Fence to be constructed in accordance with building permit and this variance request.
4. No chain link fence.

**TO THE APPLICANT: YOU ARE HEREBY NOTIFIED THAT YOU MAY HAVE TO APPEAR BEFORE  
THE PRESIDENT AND BOARD OF TRUSTEES.**

**THE BOARD'S DECISION IS ONLY A RECOMMENDATION, NOT A RULING. THE PRESIDENT AND  
BOARD OF TRUSTEES MAY OPT OR OBJECT THE APPLICATION.**

Dated at Thornton, Illinois this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

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**ANDREW HOWELL**, Chairperson  
Village of Thornton Zoning Board of  
Appeals Planning Commission

ATTEST:

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**DEBRA L. PISARZEWSKI**, Village Clerk  
Village of Thornton  
Cook County, Illinois