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 8th 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: <u>Authorized Variations</u>: 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.
		ANDREW HOWELL, Chairperson Village of Thornton Zoning Board of Appeals Planning Commission
ATTEST:		

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