Village of La Grange

AGENDA

ZONING BOARD OF APPEALS
of the
VILLAGE OF LA GRANGE

Village Hall Auditorium

53 S. La Grange Road, La Grange, IL

Thursday, June 16, 2016 - 7:30 p.m.

1. Call to Order and Roll Call of the Zoning Board of Appeals

2. Approval of Minutes – January 21, 2016

3. Business at Hand:

   ZBA CASE #614 – To consider Zoning Variations from Paragraph 3-110C3 (Required Side Yard) of the Zoning Code within the R-3 Single Family Residential District, Joel Weber & Jennifer Barlean, 1044 S. Ashland Avenue.

   ZBA CASE #615 – To consider Zoning Variations from Paragraph 3-110C2 (Corner Side Yard) of the Zoning Code within the R-5 Single Family Residential District, Michael and Chandra Federle, 425 E. Maple Avenue

4. Old Business

5. New Business

6. Adjournment

(Commissioners: Please call 579-2320 to confirm your attendance.)

Individuals with disabilities and who require certain accommodations to participate at this meeting are requested to contact the ADA Coordinator at 579-2315, to allow the Village to make reasonable accommodations.

53 South La Grange Road P.O. Box 668 La Grange, Illinois 60525 (708) 579-2300 Fax (708) 579-0980

STAFF REPORT

CASE: ZBA #614 – Joel Weber and Jennifer Barlean – 1044 S. Ashland Avenue – Interior Side Yard

BACKGROUND

(Note: This Staff Report is solely based on information presented in the application and on a physical inspection of subject property and environs, and is not influenced by any other circumstance.)

The petitioners, Joel Weber and Jennifer Barlean, wish to resubdivide their property at 1044 S. Ashland Avenue into two 50-foot wide lots. The subject zoning lot currently measures 100 feet wide by 150 feet deep and is improved with a single family residence.

With the proposed subdivision, the existing house would have a required interior side yard requirement of a minimum five feet from the new north lot line. The house, as currently situated, would not meet the 5-foot requirement and would be only 4' 1" from the required side yard.

Staff consulted the Village Attorney who advised that before a resubdivision could be considered a variation would have to be granted. As proposed, the two lots would meet the standards for minimum lot area and minimum lot width; however, the house would not meet the required side yard. In order to resubdivide the property, the petitioner seeks a variation from Paragraph 3-110C3 (Interior Side Yard) of the Zoning Code. With the proposed subdivision the existing house would encroach into the newly created required side yard of 5 feet by 0.92 feet. Subparagraph 14-303E1 (a) (Authorized Variations) allows the reduction of any required yard setback. The requested variation falls within the authorized limits of the Zoning Code.

VARIATION STANDARDS

General Standard - *"No variation shall be granted pursuant to this Section unless the applicant shall establish that carrying out the strict letter of the provisions of this Code would create a particular hardship or a practical difficulty. Such a showing shall require proof that the variation being sought satisfies each of the standards set forth in this Subsection."*

The subject property is a 100 ft. lot with an existing house on the southern portion of the lot. The petitioner wishes to resubdivide the property into two 50-foot lots. Resubdivision of a property is a ministerial process – the Village cannot deny a resubdivision as long as the lots comply with the Code, but the Village also cannot allow subdivision if it creates a Code violation. The property could be subdivided into two buildable lots except that the existing house would encroach into the required side yard, which would create a nonconformity.

Unique Physical Condition - *"The subject property is exceptional as compared to other lots subject to the same provision by reason of a unique physical condition, including presence of an existing use, structure, or sign, whether conforming or nonconforming; irregular or substandard shape or size; exceptional topographical features; or other extraordinary physical conditions peculiar to and inherent in the subject property that amount to more than a mere inconvenience to the owner and that relate to or arise out of the lot rather than the personal situation of the current owner of the lot."*

The subject lot measures 100 feet wide by 123 feet deep. Typical single lots in the R-3 Single Family District throughout the Village measure 50 feet wide. On the petitioner's immediate block, lot widths range from 42.48 feet to 64.57 feet, with most lots measuring 50 feet wide.

Not Self-Created - *"The aforesaid unique physical condition is not the result of any action or inaction of the owner or its predecessors in title and existed at the time of the enactment of the provisions from which a variation is sought or was created by natural forces or was the result of governmental action, other than the adoption of this Code, for which no compensation was paid."*

The petitioner's proposed resubdivision would create a Code violation with the existing house projecting into the required side yard of five feet.

Denied Substantial Rights - *"The carrying out of the strict letter of the provision from which a variation is sought would deprive the owner of the subject property of substantial rights commonly enjoyed by owners of other lots subject to the same provision."*

According to the petitioner, 50 feet wide lots are common in the Village.

Not Merely Special Privilege - *"The alleged hardship or difficulty is not merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision, nor merely an inability to make more money from the use of the subject property; provided, however, that where the standards herein set out exist, the existence of an economic hardship shall not be a prerequisite to the grant of an authorized variation."*

The petitioner does not believe that the proposed resubdivision is a special privilege. The petitioner believes that the resubdivision would be consistent with the prominent pattern of lots in the Village.

Code and Plan Purposes - *"The variation would not result in a use or development of the subject property that would be not in harmony with the general and specific purposes for which this Code and the provision from which a variation is sought were enacted or the general purpose and intent of the Official Comprehensive Plan."*

With the exception of the required side yard, the house and proposed zoning lots would comply with all the standards of the Zoning Code.

Essential Character of the Area - *"The variation would not result in a use or development on the subject property that:*

a. Would be materially detrimental to the public welfare or materially injurious to the enjoyment, use, development, or value of property or improvements permitted in the vicinity; or
b. Would materially impair an adequate supply of light and air to the properties and improvements in the vicinity; or
c. Would substantially increase congestion in the public streets due to traffic or parking; or
d. Would unduly increase the danger of flood or fire; or
e. Would unduly tax public utilities and facilitates in the area; or
f. Would endanger the public health or safety."

According to the petitioner the granting of a variation would not adversely affect the character of the neighborhood. Rather it would be consistent with the predominate character of the area. The lots on the petitioner's block vary in width from 42.48 feet to 64.57feet. Several properties on the block are 50 feet wide.

No Other Remedy - *"There is no means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject property."*

According to the petitioner, there are no other options to resubdivide the property. The only option is to leave the property as is at 100 feet wide.

52ND STREET
53RD STREET
CATHERINE
ASHLAND
MADISON
1044 S. ASHLAND
VILLAGE LIMITS
POOL

313
314
"B"
"C"
53rd ST
1044 S. ASHLAND
CATHERINE AVE
ASHLAND AVE
MADISON AVE
321
322
20

APPLICATION FOR ZONING VARIATION

Application # 614
Date Filed 5/6/16
UARCO #
Sign to Applicant
Photo emailed to staff
Please return sign after the Village Board Meeting

TO THE PRESIDENT AND BOARD OF TRUSTEES
VILLAGE OF LA GRANGE, ILLINOIS
(Please type or print)
Application is hereby made by (name): JOEL WEBER AND JENNIFER BARLEAN

Address: 1044 SOUTH ASHLAND AVE, LA GRANGE, IL 60525

Phone: 847.254.2925 E-mail: BARLEANWEBER@GMAIL.COM

Owner of property located at: 1044 SOUTH ASHLAND AVE, LA GRANGE, IL 60525

Permanent Real Estate Index Number: 18-09-313-024-0000

Present Zoning Classification: R-3 Present Use: RESIDENTIAL

Ordinance Provision for Variation from Article # III of Zoning Ordinance, to wit:

SECTION 3-110, (C) MINIMUM YARDS, (3) INTERIOR SIDE YARDS, (B) FEET: 5

A. Minimum Variation of Zoning requirement necessary to permit the proposed use, construction, or development:

Minimum interior side yard variation requested for north property line. Current side yard is 4'1" due to dwelling location. Seeking variation to decrease side yard from 5' to 4'1" to allow for the subdivision of lots 9 and 10.

B. The purpose therefore,

is to maintain the existing dwelling on lot 10 subdivide lots 9 and 10.

C. The specific feature(s) of the proposed use, construction, or development that require a variation:

The variance to zoning code Section 3-110, C: Minimum Yards would allow for the subdivison of lots 9 and 10.

PLAT OF SURVEY must be submitted with application. The plat should show any existing buildings on the petitioned property as well as any existing buildings on property immediately adjacent. It should also show any proposed new construction in connection with the variation, including landscaping, fencing, etc.

A visual proposal depicting the final plan, including but not limited to detailed renderings and/or plans of what is intended to be built.

1. General Standard. The Petitioner must list below **FACTS AND REASONS** substantially supporting **each** of the following conclusions or the petition for variation cannot be granted. (If necessary, use additional page)

a. State **practical difficulty** or **particular hardship** created for you in carrying out the strict letter of the zoning regulations, to wit:

The house on lot 10 sits 4'1" from the north side property line and 19'6" from the south property line. Because the house sits 11" too close to the north line to comply with current zoning regulations and even though the south side yard setback exceeds code by 2' 7" we are unable to subdivide lots 9 and 10 because of house's proximity to the north property line.

b. A reasonable return or use of your property is not possible under the existing regulations, because:

50 feet is the standard lot width for a single-family home in our neighborhood, and it is therefore unreasonable to be prevented from subdividing our two 50-foot lots.

c. Your situation is unique (not applicable to other properties within that zoning district or area) in the following respect(s):

There are no other properties in our area with two 50-foot lots.

2. Unique Physical Condition. The subject property is exceptional as compared to other lots subject to the same provision by reason of a unique physical condition, including presence of an existing use, structure, or sign, whether conforming or nonconforming; irregular or substandard shape or size; exceptional topographical features; or other extraordinary physical conditions peculiar to and inherent in the subject property that amount to more than a mere inconvenience to the owner and that relate to or arise out of the lot rather than the personal situation of the current owner of the lot.

The house on lot 10 was built in the 1940s and does not conform to our current zoning regulations. The house is 2' 7" more than required from the south lot line, and 11" less than required from the north lot line. The lots are also 123' long vs. a typical 125' lot. Because of the historical position of the house, the current zoning regulation creates a hardship for us in preventing the subdivision of lots 9 and 10.

3. Not Self-Created. The aforesaid unique physical condition is not the result of any action or inaction of the owner or its predecessors in title and existed at the time of the enactment of the provisions from which a variation is sought or was created by natural forces or was the result of governmental action, other than the adoption of this Code, for which no compensation was paid.

We purchased the properties June 2, 2014, and have made no changes to the footprint of the house. We believe the house was in compliance with zoning regulations at the time it was constructed, and the hardship today was created by a change in the zoning regulations.

4. Denied Substantial Rights. The carrying out of the strict letter of the provision from which a variation is sought would deprive the owner of the subject property of substantial rights commonly enjoyed by owners of other lots subject to the same provision.

The strict letter of the zoning regulation does deprive us of the right to subdivide our two lots. Other houses in our area exist on 50-foot lots, but have interior side yards less than 5' and therefore do not conform to the strict letter of this provision (reference property 1028 S Ashland Ave).

5. Not Merely Special Privilege. The alleged hardship or difficulty is not merely inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision, nor merely an inability to make more money from the use of the subject property; provided, however, that where the standards herein set out exist, the existence of an economic hardship shall not be a prerequisite to the grant of an authorized variation.

Most houses in our neighborhood are build on 50-foot lots. There are other houses in our neighborhood built with less than 5' side yard setbacks, just like our house. Our property infringes on the interior side yard zoning provision only on the north property line by 11" and is exceeding compliance on the south property line by 2'7". Our request for a variance is to allow us to use our properties in accordance with the established use already in the neighborhood.

6. Code and Plan Purposes. The variation would not result in a use or development of the subject property that would be not in harmony with the general and specific purposes for which this Code and the provision from which a variation is sought were enacted or the general purpose and intent of the Official Comprehensive Plan.

We believe the variance process exists for just this type of situation.

7. Essential Character of the Area. The variation would not result in a use or development on the subject property that:

(a) Would be materially detrimental to the public welfare or materially injurious to the enjoyment, use, development, or value of property or improvements permitted in the vicinity; or

(b) Would materially impair an adequate supply of light and air to the properties and improvements in the vicinity; or

(c) Would substantially increase congestion in the public streets due to traffic or parking; or

(d) Would unduly increase the danger of flood or fire; or

(e) Would unduly tax public utilities and facilities in the area; or

(f) Would endanger the public health or safety.

The subdivision of our two lots would be in accordance with the essential character of the area as described here.

8. No Other Remedy. There is no means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject property.

We cannot move the lot line because both lots are already at the 50-foot minimum. We will remove the existing shed and deck, but the house will still not meet the required side yard setback because we cannot move the foundation wall of the house. We can think of no other remedy than the requested variation by which the hardship can be remedied.

* * *

NOTICE: This application must be filed with the office of the Community Development Director, at least four weeks prior to the next available hearing date, no later than 5:00 p.m. on Thursday, accompanied by necessary data called for above and the required filing fee of Five Hundred Dollars ($500.00). **Applicant must post on the property a sign provided by the Community Development and produce a picture of sign on property. After the Village Board of Trustees meeting, the sign must be returned to the Community Development Department.**

This application requires a public hearing set, noticed and conducted by the Zoning Board of Appeals. Recommendations by the Zoning Board of Appeals for his application will be considered by the Village Board for final action within 60 days after the conclusion of the hearing.

The applicant must submit seventeen (17) 11 x 17 or 8 ½ x 11 copies of any drawings, plats of survey, etc., required for this application a minimum of thirty days in advance of the public hearing date.

If possible, also please submit electronic copies of plans.

The above minimum fee shall be payable at the time of the filing of such request. It is also understood that the

applicant shall reimburse the Village any additional costs over and above these minimums, which are incurred by the Village, including but not limited to the following:

(a) Legal Publication (direct cost);

(b) Recording Secretarial Services (direct cost);

(c) Court Reporter (direct cost);

(d) Administrative Review and Preparation (hourly salary times a multiplier sufficient to recover 100 percent of the direct and indirect cost of such service);

(e) Document Preparation and Review (hourly salary times a multiplier sufficient to recover 100 percent of the direct and indirect cost of such service);

(f) Professional and Technical Consultant Services (direct cost);

(g) Legal Review, Consultation, and Advice (direct cost);

(h) Copy Reproduction (direct cost); and

(i) Document Recordation (direct cost); and

(j) Postage Costs (direct cost).

Such additional costs shall be paid by the applicant prior to the Board of Trustees making a decision regarding the request.

I, the undersigned, do hereby certify that I am the owner, or contract purchaser **(Evidence of title or other interest you have in the subject property, date of acquisition of such interest, and the specific nature of such interest must be submitted with application.)** and do hereby certify that the above statements are true and correct to the best of my knowledge.

NOTE: No variation shall be valid for a period longer than one year unless a building permit is issued and construction is actually begun within that period and is thereafter diligently pursued to completion.

[signature] Jon Barlum 1044 S. Ashland Ave

(Signature of Owner or Contract Purchaser) (Address)

La Grange Il 60525

(City) (State) (Zip Code)

Subscribed and sworn to before me this 6 day of May, 2016.

(Notary Public) (Seal)

"OFFICIAL SEAL"
SHARON VINICKY
Notary Public - State of Illinois
My Commission Expires January 25, 2020

Enclosures:

(FOR VILLAGE USE ONLY)

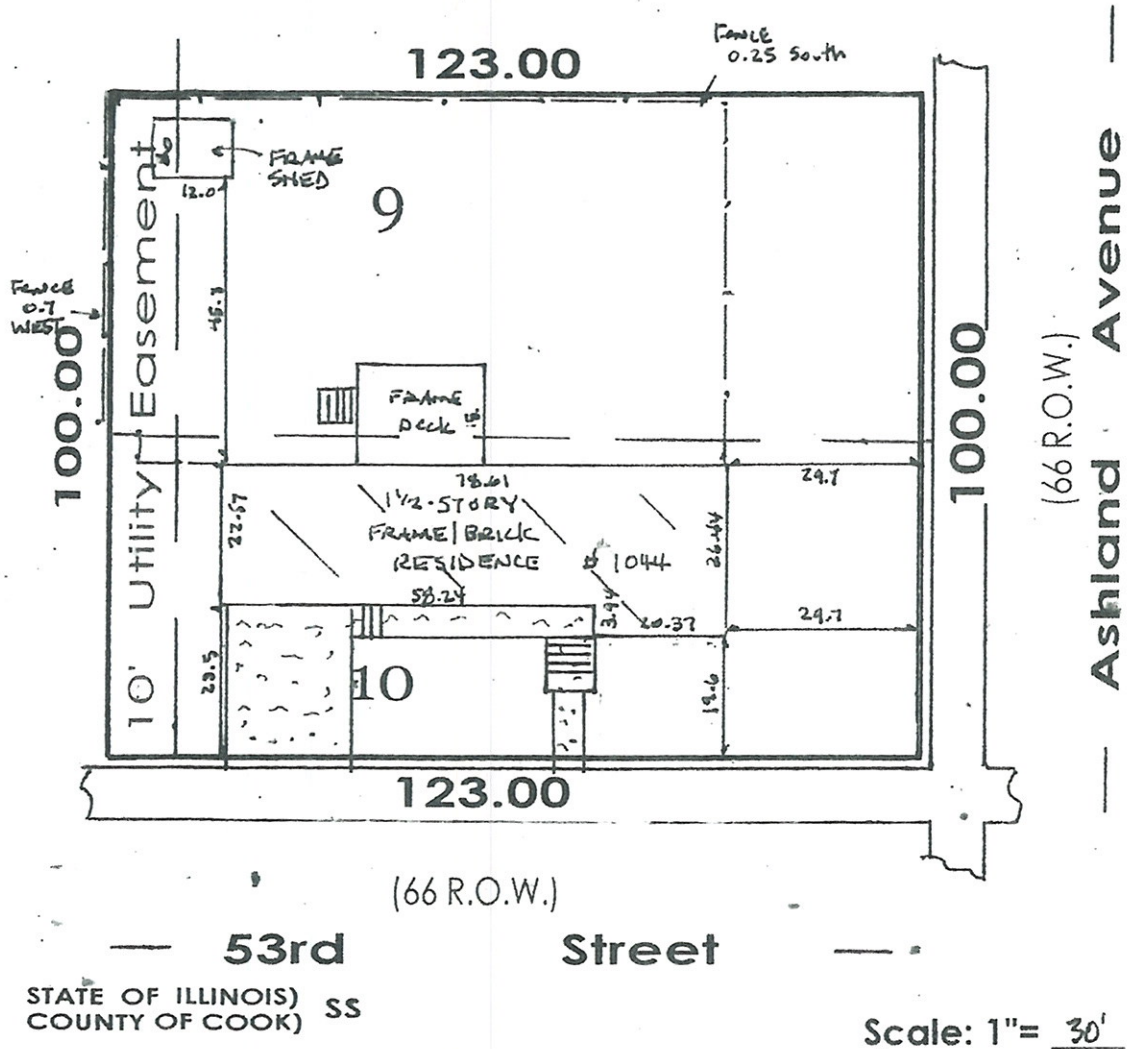
1. Filed with Office of the Community Development Director: 5-6, 20 16.
2. Transmitted to Zoning Board of Appeals at their meeting held: 6-16-16
3. Continuation (if any):
4. Notice of hearing published in: Sub Life on: 5-25-16
5. Findings and Recommendation of Zoning Board of Appeals referred to Village Board at Meeting of:
6. Final Action of Village Board for adoption of amending ordinances or denial of applicant's request at meeting held:
7. Payment of expenses satisfied:

Conditions Imposed:

JOSEPH P. KNIGHT & ASSOC. LTD.
REGISTERED PROFESSIONAL ENGINEER
REGISTERED LAND SURVEYOR

PLAT OF SURVEY

11350 SO. WINDS CROSSING
ORLAND PARK ILLINOIS 60467
PHONE (708) 388-8483
FAX # (708) 388-8761
jknite4@aol.com



Lots 9 and 10 in Block 2 in the H.O. Stone and Company's Fifth Avenue Manor, being a subdivision of the East 1/2 of the Southwest 1/4 (except the North 25 acres thereof), of Section 9, Township 38 North, Range 12 East of the Third Principal Meridian, in Cook County, Illinois.

JOSEPH P. KNIGHT REGISTERED LAND SURVEYOR No. 2102 STATE OF ILLINOIS

STATE OF ILLINOIS)
COUNTY OF COOK) SS

I, Joseph P. Knight, hereby certify that I have Surveyed the above described tract of land and that this Plat is a correct representation of said survey. This Professional service conforms to the current Illinois minimum standards for a Boundary Survey State of Illinois Professional Design Firm # 184-002803.

IRLS # 2102

Scale: 1"= 30'

Dimensions are given in feet decimal parts thereof and corrected to 68 degree fahrenheit. Compare all points before building and report at once if any difference exists between the points shown hereon. For easements and building line restrictions consult Deed or Title Policy. Lot corners have not been restaked unless otherwise indicated.

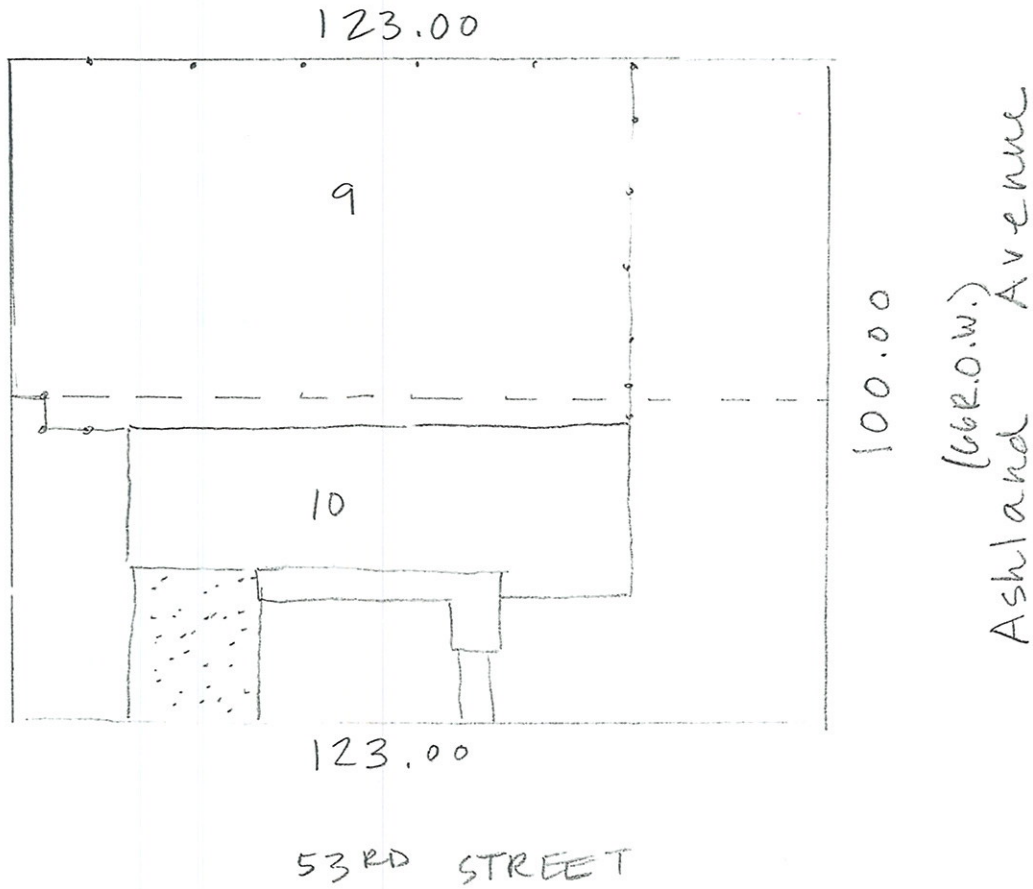
At Clients Request Lot was Restaked ___

At Clients Request Lot was NOT Restaked X

Date May 16, 2014

Order # 516 J7525

Survey for Morrone



N

NOTES: LOT 9 will have cedar fencing on North and East portions of the property. No other structures would exist. Lot 10 will have portions of cedar fencing connecting to cedar fencing on Lot 9.

Lot 9 PIN 18-09-313-023-0000
Lot 10 PIN 18-09-313-024-0000

Dwelling - 1044 S Ashland Ave

W 53RD ST
W 53RD ST
W 53RD ST
S MADISON AVE
S MADISON AVE
S ASHLAND AVE
S CATHERINE AVE
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18-09-312-026
18-09-312-017
18-09-312-016
18-09-312-015
18-09-312-027
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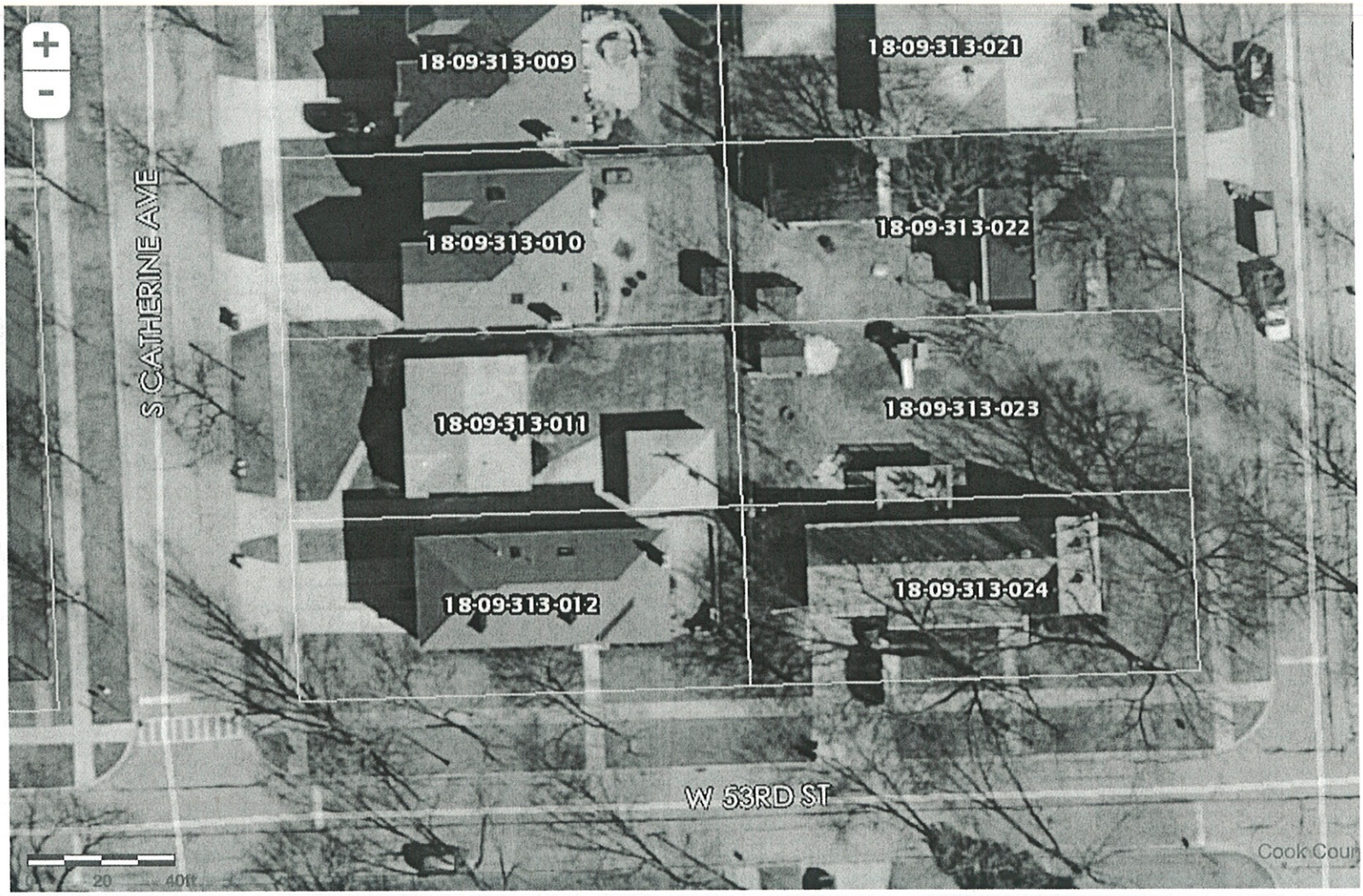
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S CATHERINE AVE
W 53RD ST
20
40ft
Cook Coun

STAFF REPORT

CASE: ZBA #615- Michael and Chandra Federle - 425 E. Maple Ave - Corner Side Yard

BACKGROUND

(Note: This Staff Report is solely based on information presented in the application and on a physical inspection of subject property and environs, and is not influenced by any other circumstance.)

The applicants, Michael and Chandra Federle, wish to construct a one story mud room addition at 425 E. Maple Avenue. In 2001, the previous owners received a variation to construct the single family residence that encroaches into the required corner side yard of 17 ft. by 3.25 feet. In 2007, the property was purchased and the new owners received a second variation to expand the existing attached garage further into the required corner side yard to reduce the setback to 3.75 ft. from the property line. The applicants have recently purchased the property and wish to build an addition to the rear of the garage on the east side of the home.

In order to construct the addition, the applicants seek a variation from Paragraph 3-110C2 (Corner Side Yard) of the Zoning Code. Construction of the proposed addition would encroach into the required corner side yard of 17 ft. by 13.25 ft. Subparagraph 14-303E1(a) (Authorized Variations) allows the reduction of any required yard. The requested variation falls within the authorized limits of the Zoning Code.

VARIATION STANDARDS

In considering a variation, be guided by the General Standard as outlined in our Zoning Code that "No variation shall be granted pursuant to this Section unless the applicant shall establish that carrying out the strict letter of the provisions of this Code would create a particular hardship or a practical difficulty. Such a showing shall require proof that the variation being sought satisfies each of the standards set forth in this Subsection."

Unique Physical Condition - *"The subject property is exceptional as compared to other lots subject to the same provision by reason of a unique physical condition, including presence of an existing use, structure, or sign, whether conforming or nonconforming; irregular or substandard shape or size; exceptional topographical features; or other extraordinary physical conditions peculiar to and inherent in the subject property that amount to more than a mere inconvenience to the owner and that relate to or arise out of the lot rather than the personal situation of the current owner of the lot."*

This zoning lot is atypical of most corner lots in the Village. This lot is triangular in shape. Required yards on corner lots are larger than interior lots; the corner side is required 17 feet, whereas the interior side is 9 feet.

Not Self-Created - *"The aforesaid unique physical condition is not the result of any action or inaction of the owner or its predecessors in title and existed at the time of the enactment of the provisions from which a variation is sought or was created by natural forces or was the result of governmental action, other than the adoption of this Code, for which no compensation was paid."*

Due to the irregular shape of this lot, the house was constructed with a variation from the corner side yard in 2001 and the garage was expanded with another variation in 2007. The applicants recently purchased the property. They have not made any improvements to the property.

Denied Substantial Rights - *"The carrying out of the strict letter of the provision from which a variation is sought would deprive the owner of the subject property of substantial rights commonly enjoyed by owners of other lots subject to the same provision."*

This is a legal lot of record; however, it is an irregular shaped lot and the required yards for this corner lot do not allow space for an addition.

Not Merely Special Privilege - *"The alleged hardship or difficulty is not merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision, nor merely an inability to make more money from the use of the subject property; provided, however, that where the standards herein set out exist, the existence of an economic hardship shall not be a prerequisite to the grant of an authorized variation."*

This property was already granted two variations – one when it was constructed in 2001 and another to replace an existing surface parking area with the expansion of a two-story garage in 2007. The current proposal is for a one story mud room addition within 3.75 ft. of the public sidewalk. The proposed yard would be smaller than the five foot yard that is typical of most interior side yards.

Code and Plan Purposes - *"The variation would not result in a use or development of the subject property that would be not in harmony with the general and specific purposes for which this Code and the provision from which a variation is sought were enacted or the general purpose and intent of the Official Comprehensive Plan."*

The petitioners believe that the proposed addition would be consistent with the context of the area and not affect the neighbors' properties with the appearance of bulk. Allowing for this variation would maintain the allowable building and lot coverage required in the Zoning Code.

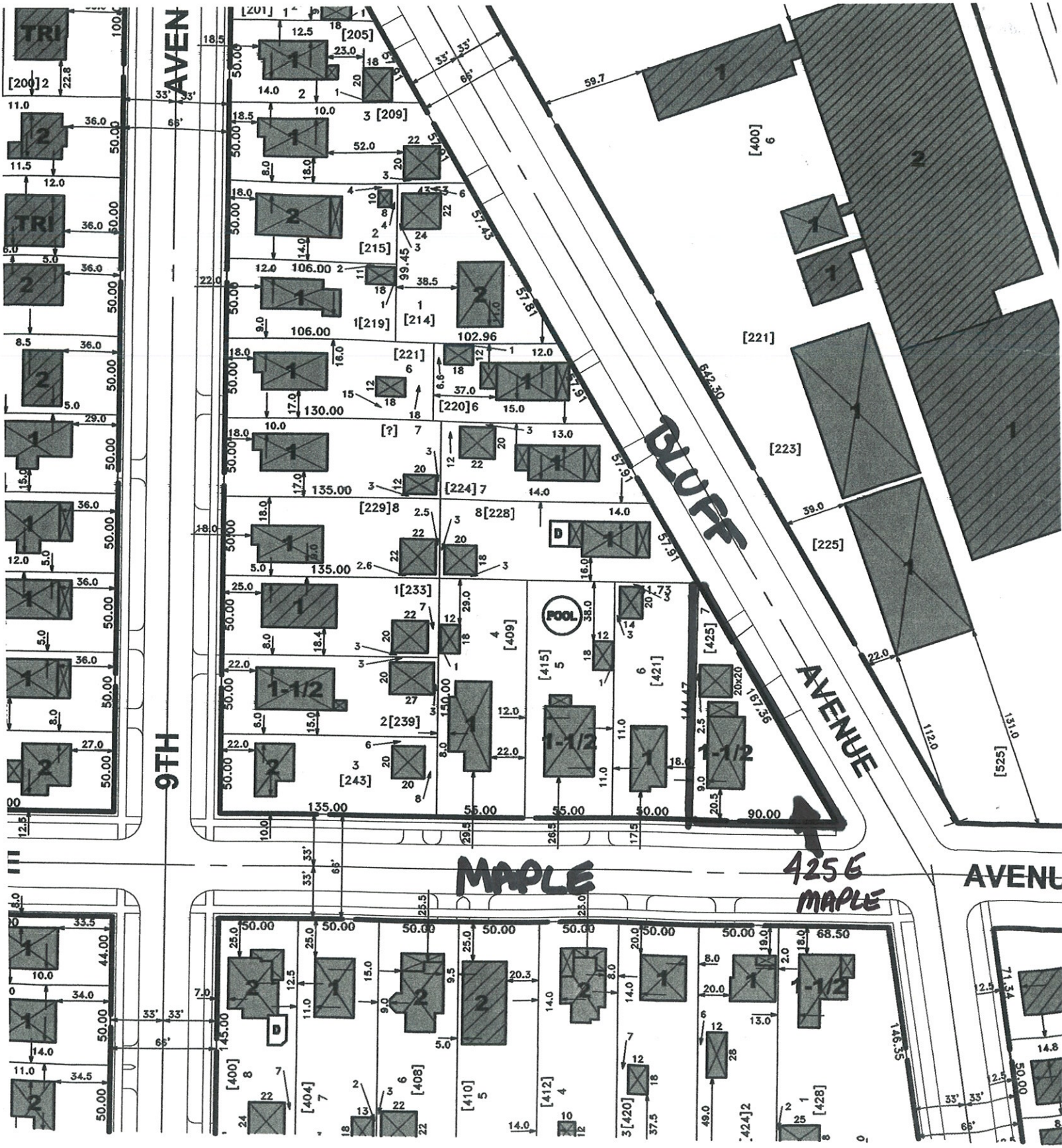
Essential Character of the Area - *"The variation would not result in a use or development on the subject property that:*

a. Would be materially detrimental to the public welfare or materially injurious to the enjoyment, use, development, or value of property or improvements permitted in the vicinity; or
b. Would materially impair an adequate supply of light and air to the properties and improvements in the vicinity; or
c. Would substantially increase congestion in the public streets due to traffic or parking; or
d. Would unduly increase the danger of flood or fire; or
e. Would unduly tax public utilities and facilitates in the area; or
f. Would endanger the public health or safety."

The petitioners believe that the requested variations would not adversely affect the character of the neighborhood. However, this one-story addition would extend 13.25 feet into the corner side yard, which is only 3.75 ft. from the property line adjacent to the public right-of-way.

No Other Remedy - *"There is no means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject property."*

According to the applicants, no other remedy exists for a mud room expansion that would not encroach into the required yard due to the configuration of the lot.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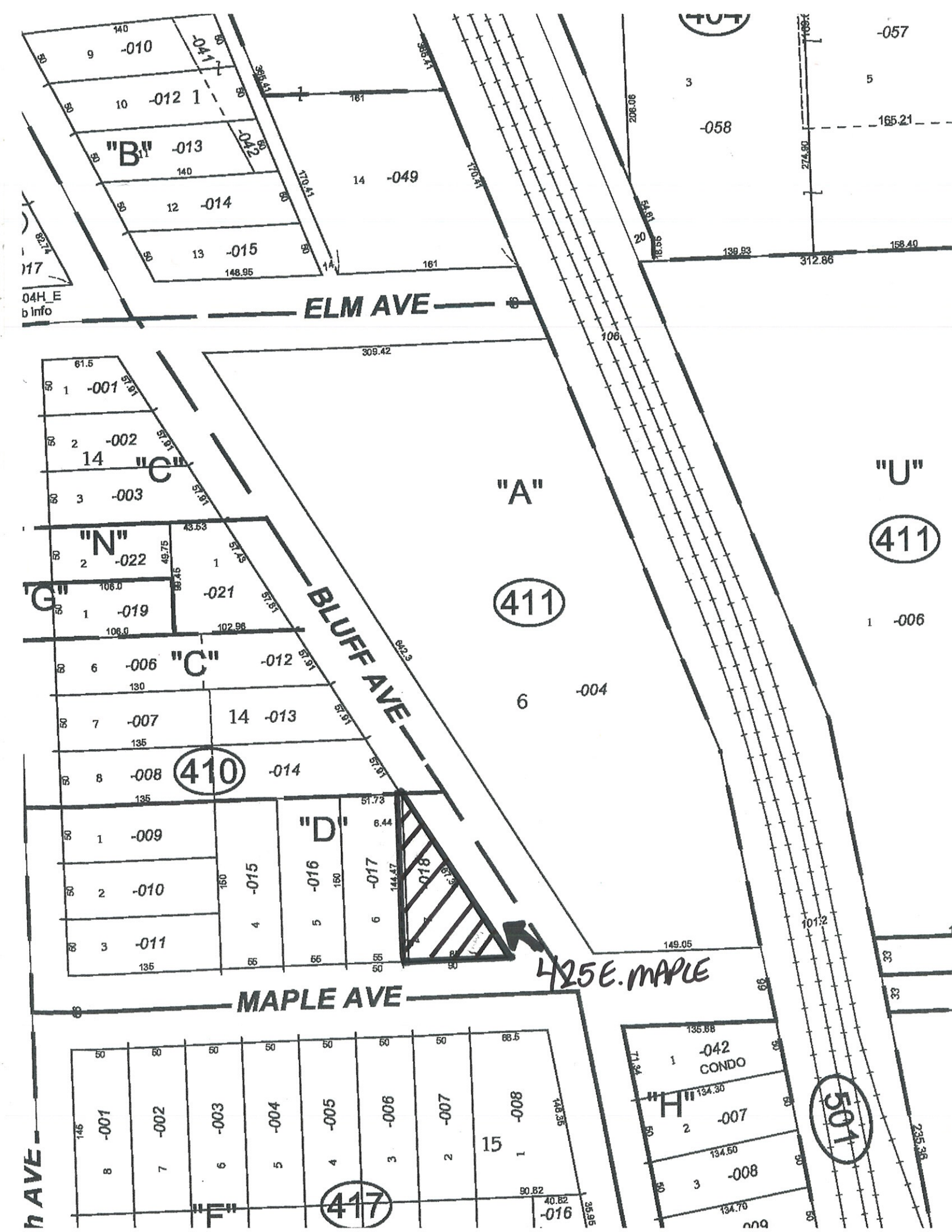
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"G"
"H"
"N"
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411
410
417
501
425 E. MAPLE
CONDO

APPLICATION FOR ZONING VARIATION

Application # ZBA615
Date Filed 5/19/16
UARCO # 81516
Sign to Applicant
Photo emailed to staff
Please return sign after the Village Board Meeting

TO THE PRESIDENT AND BOARD OF TRUSTEES
VILLAGE OF LA GRANGE, ILLINOIS
(Please type or print)
Application is hereby made by (name): Michael and Chandra Federle

Address: 425 East Maple Avenue Lagrange IL 60525

Phone: 609.647.2641 E-mail: cmfederle@yahoo.com

Owner of property located at: 425 East Maple Avenue Lagrange IL 60525

Permanent Real Estate Index Number: 18-04-410-018-0000

Present Zoning Classification: R-5 Present Use: Single Family

Ordinance Provision for Variation from Article # 3-110-C of Zoning Ordinance, to wit:
Corner side yard reduction from 17' to 3.75'

A. Minimum Variation of Zoning requirement necessary to permit the proposed use, construction, or development:
A reduction in side yard set back to be able to build a 179 sq. ft. one story mudroom.

B. The purpose therefore,
To add a one story mudroom to the rear of garage/East side of the home.

C. The specific feature(s) of the proposed use, construction, or development that require a variation:
1. The mudroom connected to the rear of the garage will allow for a more convenient entrance to the home for a family of this size and similar to other homes in LaGrange without the restrictions of this irregular lot.
2. East corner side yard set back- The current building side yard set back 3.75' encroaching on the corner side yard by 13.25'. We propose to build the mudroom in line with the existing building set back of 3.75'.

PLAT OF SURVEY must be submitted with application. The plat should show any existing buildings on the petitioned property as well as any existing buildings on property immediately adjacent. It should also show any proposed new construction in connection with the variation, including landscaping, fencing, etc.

A visual proposal depicting the final plan, including but not limited to detailed renderings and/or plans of what is intended to be built.

1. General Standard. The Petitioner must list below **FACTS AND REASONS** substantially supporting **each** of the following conclusions or the petition for variation cannot be granted. (If necessary, use additional page)

a. State **practical difficulty** or **particular hardship** created for you in carrying out the strict letter of the zoning regulations, to wit:
   1. To be able to have a more convenient entrance and flow to the home.
   2. Similar to other homes without the restrictions of this irregular lot.

b. A reasonable return or use of your property is not possible under the existing regulations, because:
   We believe that the mudroom is a reasonable request and could not build a mudroom within our current regulations.

c. Your situation is unique (not applicable to other properties within that zoning district or area) in the following respect(s):
   1.We have a home that was built on an irregular shaped lot unlike most homes that are in our area built on standard rectangular lots. With a standard lot we would be able to build without these restrictions.

2. Unique Physical Condition. The subject property is exceptional as compared to other lots subject to the same provision by reason of a unique physical condition, including presence of an existing use, structure, or sign, whether conforming or nonconforming; irregular or substandard shape or size; exceptional topographical features; or other extraordinary physical conditions peculiar to and inherent in the subject property that amount to more than a mere inconvenience to the owner and that relate to or arise out of the lot rather than the personal situation of the current owner of the lot.
The original architectural design of this home should have been adjusted to the current lot. It would have better suited a comparable home built in the same time period.

3. Not Self-Created. The aforesaid unique physical condition is not the result of any action or inaction of the owner or its predecessors in title and existed at the time of the enactment of the provisions from which a variation is sought or was created by natural forces or was the result of governmental action, other than the adoption of this Code, for which no compensation was paid.
Owners purchased lot and home as it stands and the physical conditions of this lot were not created by owners.

4. Denied Substantial Rights. The carrying out of the strict letter of the provision from which a variation is sought would deprive the owner of the subject property of substantial rights commonly enjoyed by owners of other lots subject to the same provision.
This mudroom would greatly increase the flow of the family's daily routines and activities. There is no other remedy for the homes current floor plan.

5. Not Merely Special Privilege. The alleged hardship or difficulty is not merely inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision, nor merely an inability to make more money from the use of the subject property; provided, however, that where the standards herein set out exist, the existence of an economic hardship shall not be a prerequisite to the grant of an authorized variation.
Our disadvantage is that the home was built on an irregular lot that would not normally require this request for the addition of the mudroom.

6. Code and Plan Purposes. The variation would not result in a use or development of the subject property that would be not in harmony with the general and specific purposes for which this Code and the provision from which a variation is sought were enacted or the general purpose and intent of the Official Comprehensive Plan.
We feel that the permission to build this one story mudroom would not adversely affect the neighborhood. We understand that this process is put in place for the village to maintain character and order.

7. Essential Character of the Area. The variation would not result in a use or development on the subject property that:

(a) Would be materially detrimental to the public welfare or materially injurious to the enjoyment, use, development, or value of property or improvements permitted in the vicinity; or

(b) Would materially impair an adequate supply of light and air to the properties and improvements in the vicinity; or

(c) Would substantially increase congestion in the public streets due to traffic or parking; or

(d) Would unduly increase the danger of flood or fire; or

(e) Would unduly tax public utilities and facilities in the area; or

(f) Would endanger the public health or safety.

We agree to all above.

8. No Other Remedy. There is no means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject property.
We respectfully request this variation of a 179 sq. ft. one story mudroom addition with a corner side yard set back reduction of 3.75' and totaling required 12'in total side yard set back which complies with code.
The only way this request can be remedied is by granting this variation. We appreciate your time and understanding in this matter.

* * *

NOTICE: This application must be filed with the office of the Community Development Director, at least four weeks prior to the next available hearing date, no later than 5:00 p.m. on Thursday, accompanied by necessary data called for above and the required filing fee of Five Hundred Dollars ($500.00). **Applicant must post on the property a sign provided by the Community Development and produce a picture of sign on property. After the Village Board of Trustees meeting, the sign must be returned to the Community Development Department.**

This application requires a public hearing set, noticed and conducted by the Zoning Board of Appeals. Recommendations by the Zoning Board of Appeals for his application will be considered by the Village Board for final action within 60 days after the conclusion of the hearing.

The applicant must submit seventeen (17) 11 x 17 or 8 ½ x 11 copies of any drawings, plats of survey, etc., required for this application a minimum of thirty days in advance of the public hearing date.

If possible, also please submit electronic copies of plans.

The above minimum fee shall be payable at the time of the filing of such request. It is also understood that the

applicant shall reimburse the Village any additional costs over and above these minimums, which are incurred by the Village, including but not limited to the following:

(a) Legal Publication (direct cost);

(b) Recording Secretarial Services (direct cost);

(c) Court Reporter (direct cost);

(d) Administrative Review and Preparation (hourly salary times a multiplier sufficient to recover 100 percent of the direct and indirect cost of such service);

(e) Document Preparation and Review (hourly salary times a multiplier sufficient to recover 100 percent of the direct and indirect cost of such service);

(f) Professional and Technical Consultant Services (direct cost);

(g) Legal Review, Consultation, and Advice (direct cost);

(h) Copy Reproduction (direct cost); and

(i) Document Recordation (direct cost); and

(j) Postage Costs (direct cost).

Such additional costs shall be paid by the applicant prior to the Board of Trustees making a decision regarding the request.

I, the undersigned, do hereby certify that I am the owner, or contract purchaser **(Evidence of title or other interest you have in the subject property, date of acquisition of such interest, and the specific nature of such interest must be submitted with application.)** and do hereby certify that the above statements are true and correct to the best of my knowledge.

NOTE: No variation shall be valid for a period longer than one year unless a building permit is issued and construction is actually begun within that period and is thereafter diligently pursued to completion.

[signature] 425 E. Maple Ave

(Signature of Owner or Contract Purchaser) (Address)

LaGrange IL 60525

(City) (State) (Zip Code)

Subscribed and sworn to before me this 19th day of May, 2016.

(Notary Public) (Seal)

OFFICIAL SEAL
CHRISTINA PADGETT-BELLEZZA
Notary Public – State of Illinois
My Commission Expires October 02, 2017

Christina Padgett Bellezza

Enclosures:

(FOR VILLAGE USE ONLY)

1. Filed with Office of the Community Development Director: 5-19, 20 16.
2. Transmitted to Zoning Board of Appeals at their meeting held: 6-16-16
3. Continuation (if any):
4. Notice of hearing published in: Sub Life on: 5-25-16
5. Findings and Recommendation of Zoning Board of Appeals referred to Village Board at Meeting of:
6. Final Action of Village Board for adoption of amending ordinances or denial of applicant's request at meeting held:
7. Payment of expenses satisfied:

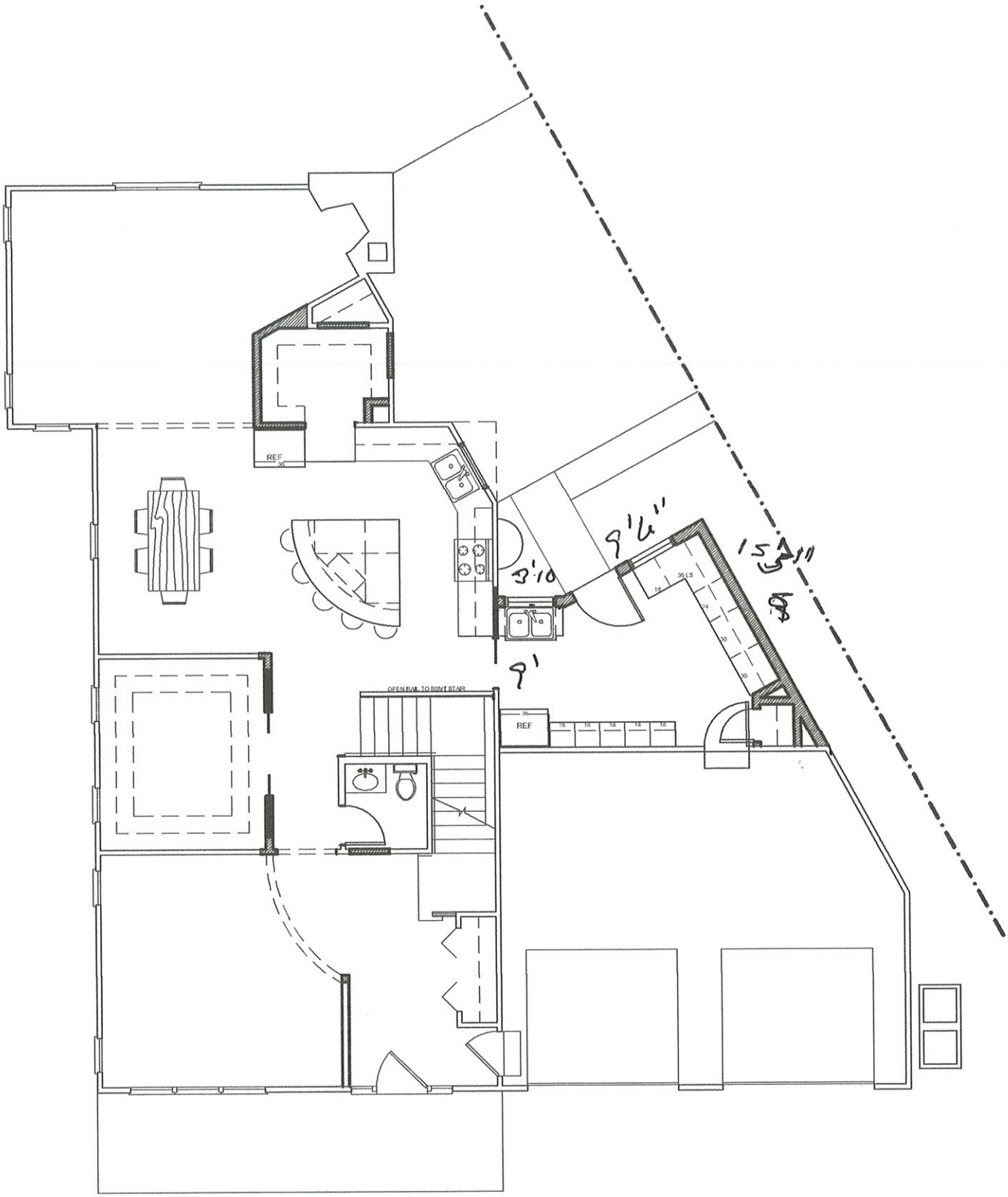
Conditions Imposed:

Michael Bellezza
BUILDERS
CUSTOM HOMES & REMODELING

P.O. Box 5426
WOODRIDGE, ILLINOIS 60517
Ph/fx: 630.410.5176

Angela,
Included in this package is the original signed documents needed for a variance application at 425 East Maple.
Cinda Lester with 12/12 architects will be emailing you a complete package with all drawings need for this application.
Please call me directly with any questions 630.768.8136

Sincerely,
Mike Bellezza



FEDERLE HOUSE
17 MAY 2016

FIRST FLOOR PLAN - NEW E
1/8" = 1'-0"

12/12
architects
& planners

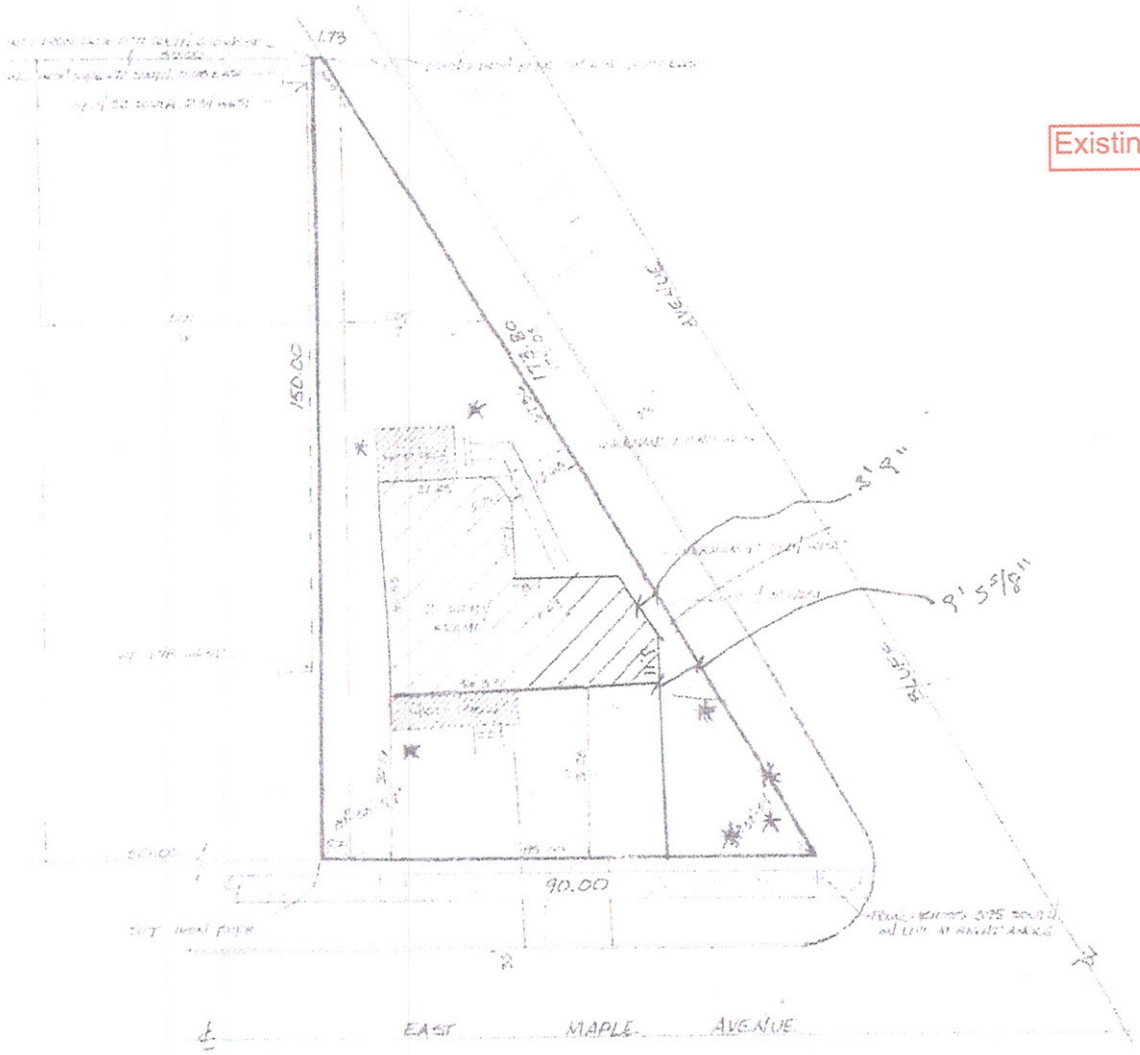
SCHOMIG LAND SURVEYORS, LTD.

Plat of Survey

902 East 31st Street
La Grange Park, Illinois 60526
Phone (708) 352-1452
Fax (708) 352-1454

LOT 7 AND THE EAST 5 FEET OF LOT 6 IN CLARA MAY CLARK'S SUBDIVISION OF LOTS 8, 10 AND 11 IN BLOCK 14 IN LEITER'S THIRD ADDITION TO LAGRANGE, A SUBDIVISION OF THAT PART OF THE NORTHEAST 1/4 OF SECTION 4, TOWNSHIP 38 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING WEST OF BLUFF AVENUE (EXCEPT THAT PART NORTH OF THE SOUTH 710 FEET OF THE WEST 1095 FEET), IN COOK COUNTY, ILLINOIS.

COMMON ADDRESS: 425 EAST MAPLE AVENUE



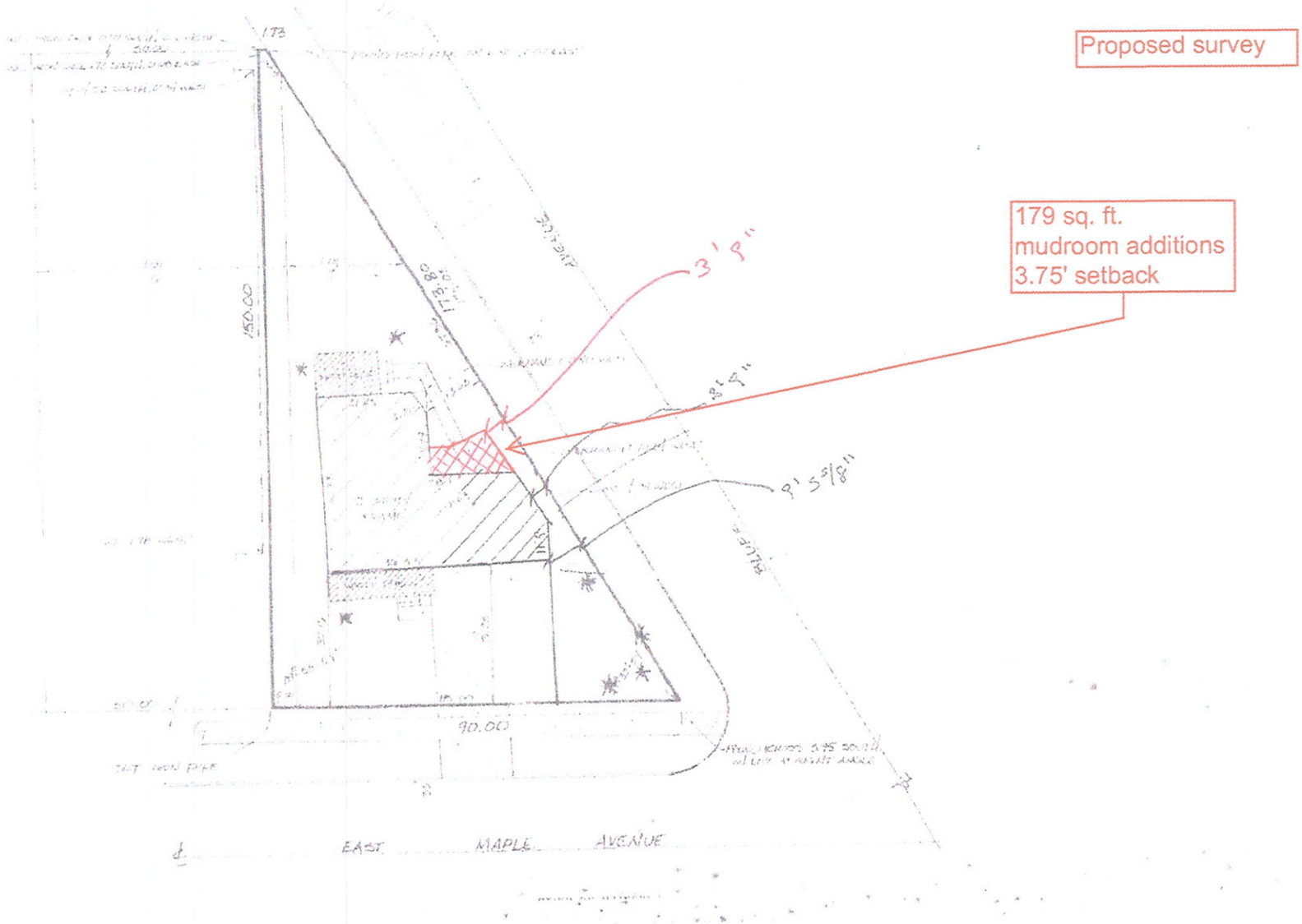
Existing survey

SCHOMIG LAND SURVEYORS, LTD.

Plat of Survey

LOT 7 AND THE EAST 5 FEET OF LOT 6 IN CLARA MAY CLARK'S SUBDIVISION OF LOTS 9, 10 AND 11 IN BLOCK 14 IN LAPIER'S THIRD ADDITION TO LAGRANGE, A SUBDIVISION OF THAT PART OF THE SOUTHEAST 1/4 OF SECTION 4, TOWNSHIP 38 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING WEST OF BLUFF AVENUE (EXCEPT THAT PART NORTH OF THE SOUTH 716 FEET OF THE WEST 1095 FEET), IN COOK COUNTY, ILLINOIS.

COMMON ADDRESS: 415 EAST MAPLE AVENUE



Russell Schomig PLS # 035-002440
William Schomig

SCHOMIG LAND SURVEYORS, LTD.

909 East 31st Street
LaGrange Park, Illinois 60526
Office (708) 352-1452
Fax (708) 352-1454

Plat of Survey

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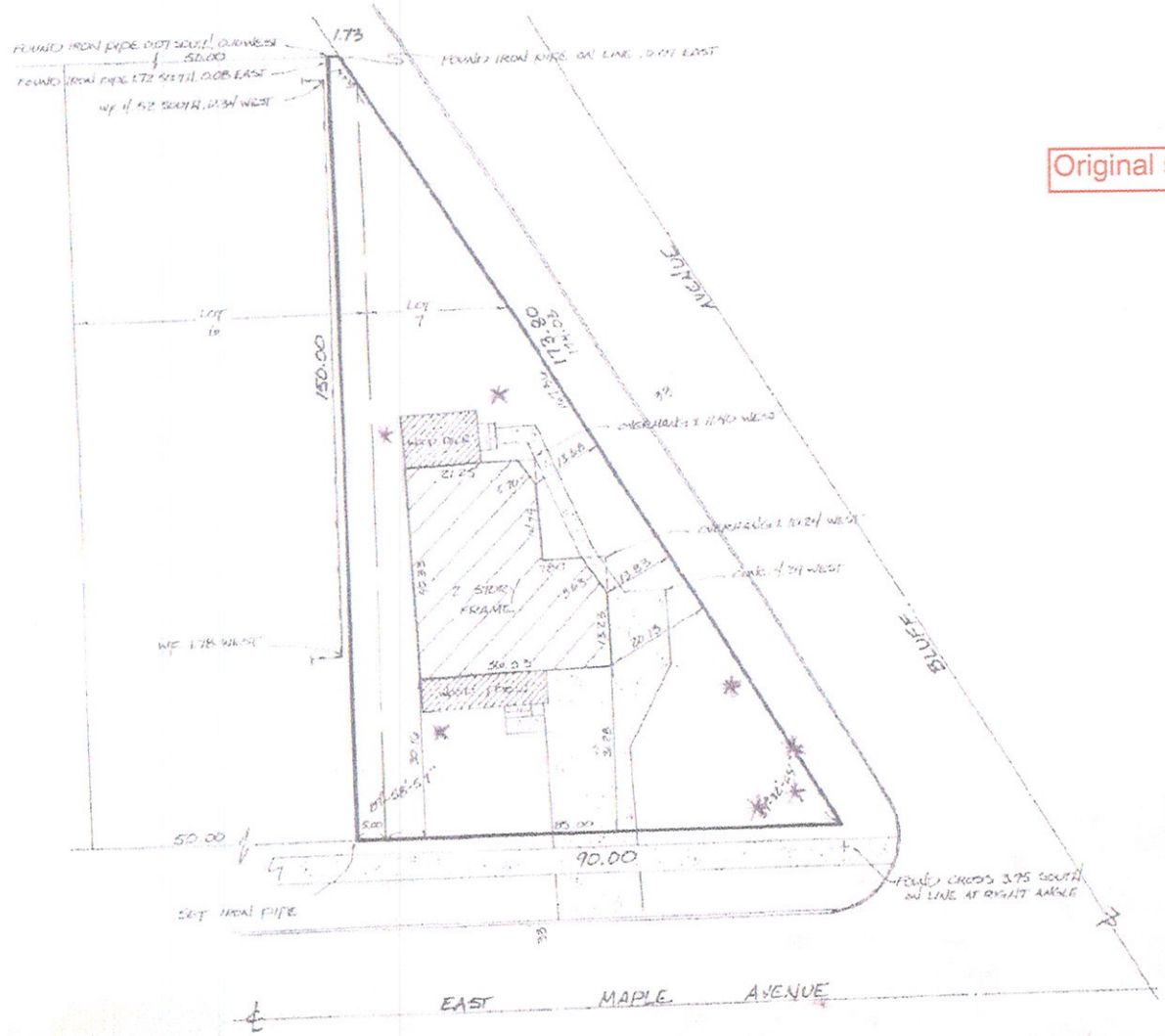
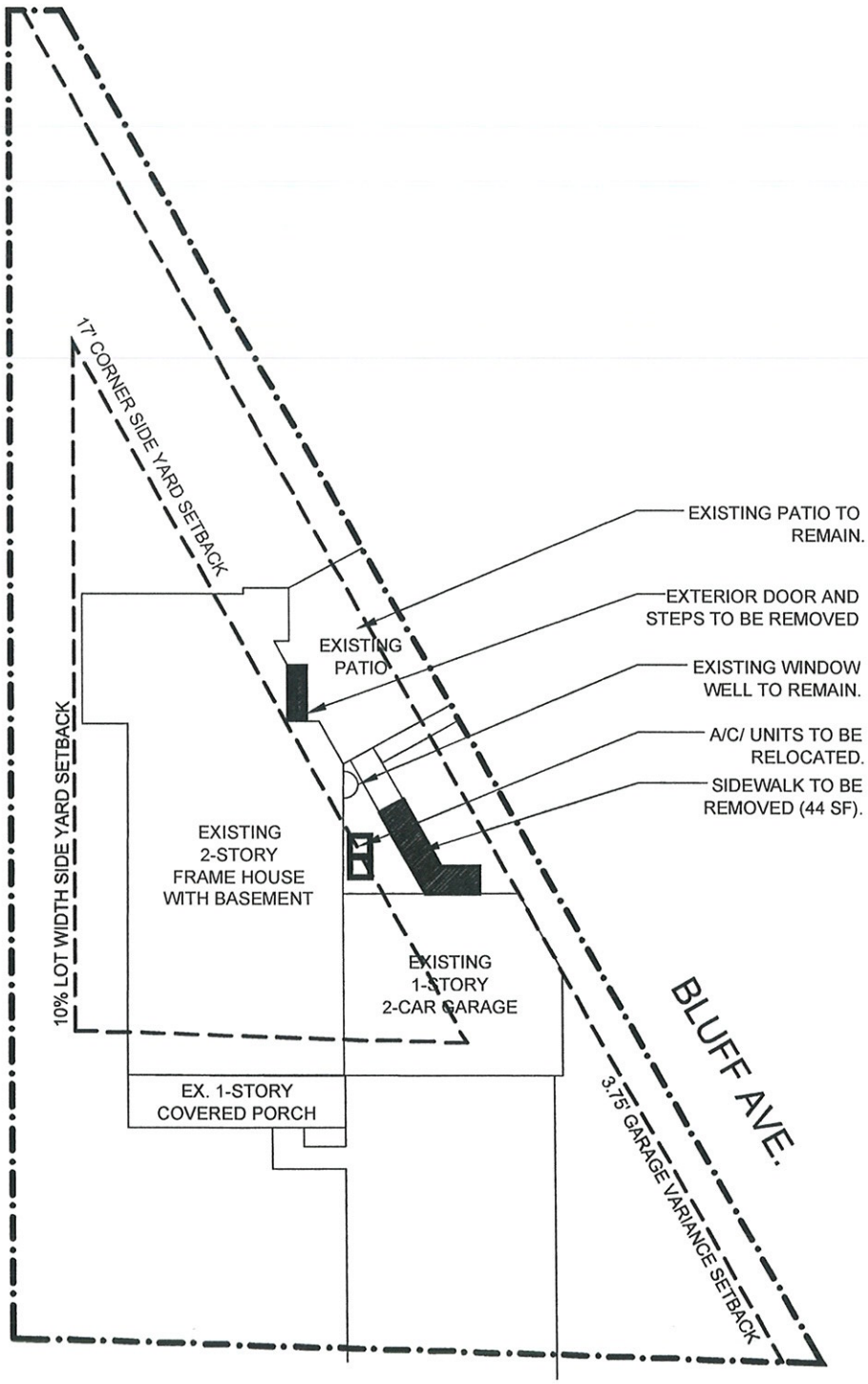
COMMON ADDRESS: 425 EAST MAPLE AVENUE



Original survey



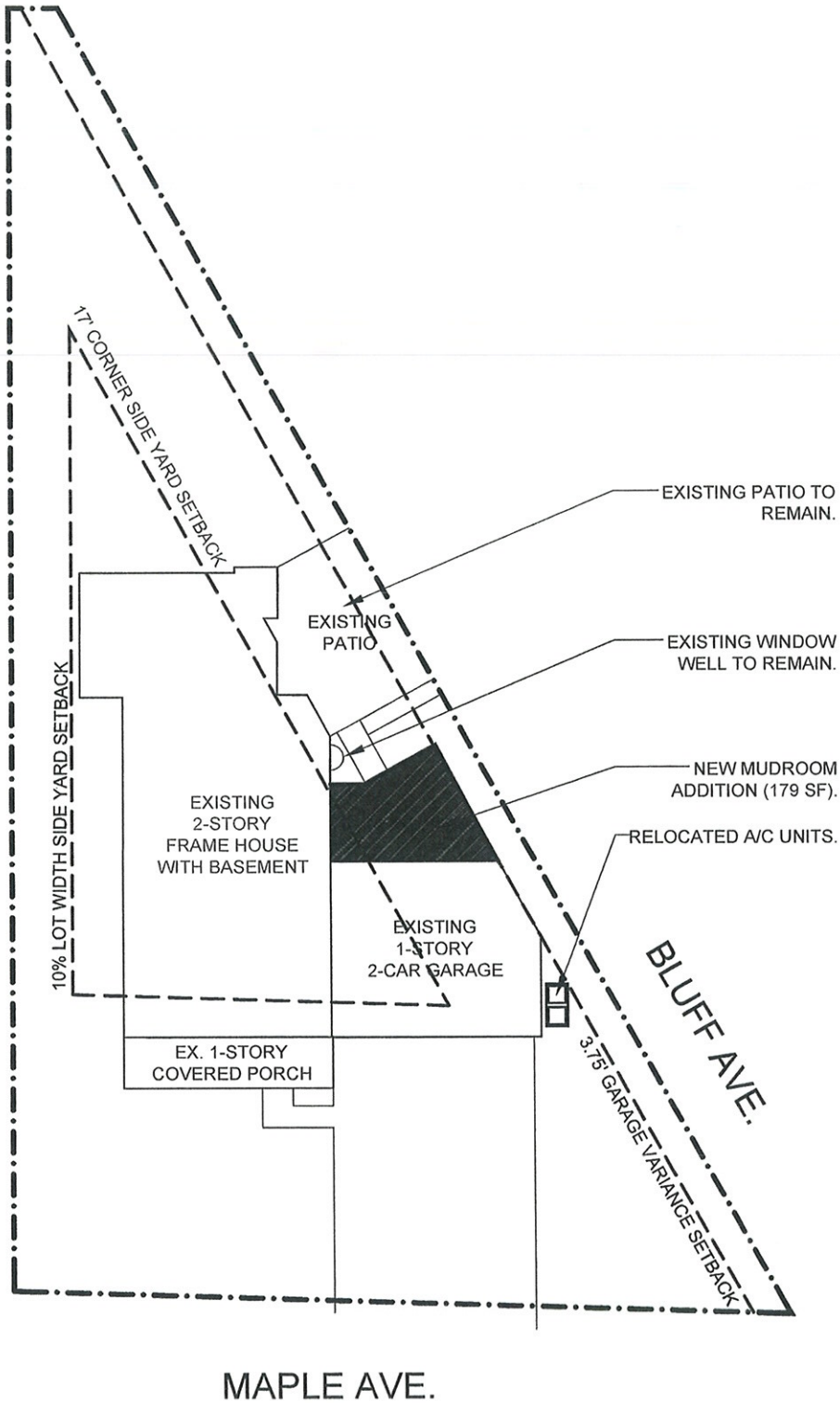
MAPLE AVE.

FEDERLE HOUSE
425 E. MAPLE AVE., LAGRANGE
19 MAY 2016

SITE PLAN - EXISTING / DEMOLITION
1" = 20'-0"

GRAPHIC NORTH

12/12 architects & planners

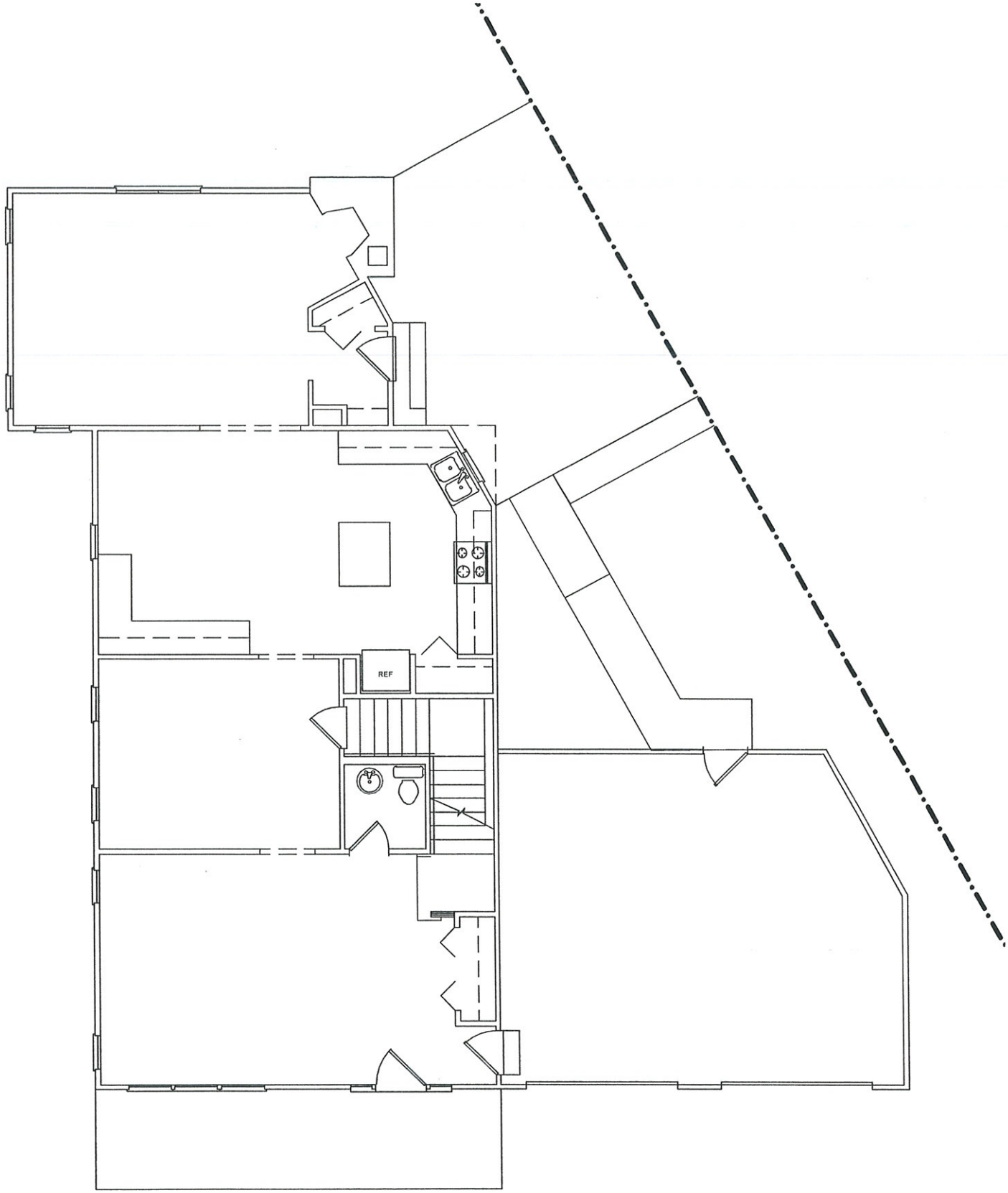


FEDERLE HOUSE
425 E. MAPLE AVE., LAGRANGE
19 MAY 2016

SITE PLAN - NEW
1" = 20'-0"

GRAPHIC NORTH

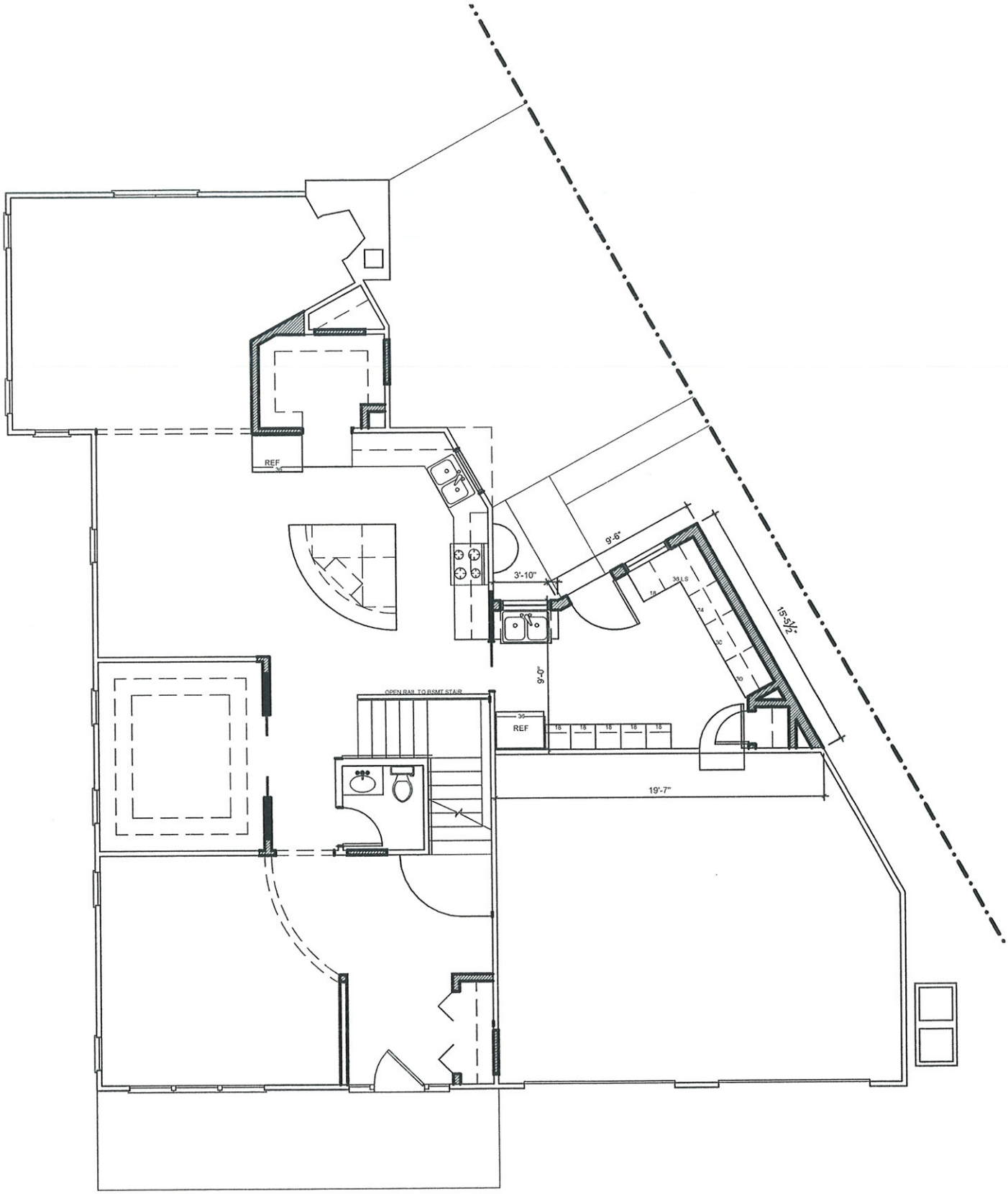
12/12 architects & planners



FEDERLE HOUSE
425 E. MAPLE AVE, LAGRANGE
19 MAY 2016

FIRST FLOOR PLAN - EXISTING
1/8" = 1'-0"

12/12
architects
& planners



FEDERLE HOUSE
425 E. MAPLE AVE., LAGRANGE
19 MAY 2016

FIRST FLOOR PLAN - NEW ADDITION (179 SF)
1/8" = 1'-0"

GRAPHIC NORTH

12/12 architects & planners

Existing view from Maple Ave.

Existing view from Bluff Ave.

Existing view of area of Mudroom addition