Village of Hanover Park

Municipal Building
2121 West Lake Street
Hanover Park, Illinois
60133-4398

630-372-4200
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Rodney S. Craig
Village President

Eira L. Corral
Village Clerk

Ronald A. Moser
Village Manager

VILLAGE OF HANOVER PARK

DEVELOPMENT COMMISSION
SPECIAL MEETING

Municipal Building, Village Board Room 212
2121 W. Lake Street
Hanover Park, IL 60133

Thursday, May 26, 2011

7:00 p.m.

AGENDA

1. **CALL TO ORDER: ROLL CALL**

2. **PLEDGE OF ALLIEGENCE:**

3. **ACCEPTANCE OF AGENDA:**

4. **ACTION ITEMS:**

   4-a. Public Hearing to consider a request by Shaugn and Melissa Davenport to allow a front yard fence height variation at 7060 Meadowbrook Lane to allow a one-foot (1') variance from the maximum three-foot (3') front yard fence height to permit a four foot (4') front yard fence.

5. **ADJOURNMENT**:

Village of Hanover Park
Community Development Department

INTEROFFICE MEMORANDUM

TO: Chairman Bakes and members of the Development Commission

FROM: Patrick Grill, Community Development Director
Katie Bowman, Village Planner

SUBJECT: Request to allow a one-foot variance from the maximum three-foot front yard fence height to permit a four-foot front yard fence at 7060 Meadowbrook Lane.

ACTION REQUESTED: ☒ Approval ☐ Disapproval ☐ Information

MEETING DATE: May 26, 2011

REQUEST SUMMARY

The following request is scheduled for Development Commission review at 7:00 p.m. on May 26, 2011 in Room 212 of the Municipal Building, 2121 West Lake Street:

A request by Shaugn and Melissa Davenport to allow a front yard fence height variation at 7060 Meadowbrook Lane. Specifically, the following item must be approved:

1. Variation from Section 110-6.6.4.d.5.c to allow for a one-foot (1') variance from the maximum three-foot (3') front yard fence height to permit a four-foot (4') front yard fence.

Property: 7060 Meadowbrook Lane

Sample Fencing

BACKGROUND

The subject property is zoned R-2 Single Family Residential, located southwest of the intersection of Irving Park Road and Wise Road. The current use of the property is single family; the surrounding properties are also single family. The applicant proposes to construct a four-foot (4') front yard fence to provide a secure area for their special needs child. Currently no fence is constructed in the property.

DISCUSSION

The applicants propose to construct a four-foot ornamental fence and gate along the property lines of their front yard (Exhibit 2). The fence will be constructed of finished black steel rails. The applicants request the variation in order to provide a safe and secure area for their child with physical and mental disabilities. An additional one foot of fence height is requested to discourage climbing of the fence. Extra precautions are required to ensure the safety of their special needs child.

After review of the proposal, it has been found that the proposed fence meet all Village Code requirements. Per Section 110-6.6.d, decorative fences are permitted within the front yard of residential properties. Such fences may be along the property line and may be of any material other than chain link. The proposed fence is in keeping with the Comprehensive Plan, which identifies the property for single family residential use and calls for neighborhoods that provide a safe and well-maintained ambiance.

Staff finds that the request meets the required findings of a variance, finding that due to the owner's exceptional situation, the strict application of front fence height limitations will result in peculiar hardship. Relief of this hardship will not cause substantial detriment to surrounding properties. Additionally, a proposed condition that such fence be removed when the need no longer exists, due to change of the child's need or change of ownership, will ensure that the impact of such variance is limited.

RECOMMENDATION

Staff recommends a positive recommendation of the Variation, subject to the following:

1. The proposed fence must be removed, or altered so as to be in compliance with current regulations, when the need for a four-foot high fence no longer exists. This may due to either a change in the child's needs or a change of property ownership.

/kb
atts: Exhibit 1: Development Commission Findings of Fact
Exhibit 2: Proposed Site Plan

DEVELOPMENT COMMISSION
FINDINGS OF FACT
7060 MEADOWBROOK LANE
FRONT FENCE HEIGHT VARIATION

I. Subject

Consideration of a request by Shaugn and Melissa Davenport, for a one-foot (1') variance from the maximum three-foot (3') front yard fence height to permit a four-foot (4') front yard fence at 7060 Meadowbrook Lane, specifically:

- Variation from Section 110-6.6.4.d.5.c.

II. Findings

On May 26, 2011, after due notice as required by law, the Hanover Park Development Commission held a public hearing on the subject request concerning the variance. ____ objectors appeared and ___ written objections were filed.

The Development Commission has made the following findings regarding the variance request:

A. Unique Circumstances

The unique circumstances related to the Applicants proposed request are:

1. The property is owned and occupied by a family with a child with physical and mental disabilities, which require extra precautions to ensure his safety.

B. Essential Character

Approval of the variance request will not alter the essential character of the locality and is consistent with the Comprehensive Plan. All surrounding properties are single family residential, and are permitted front yard fences of similar style, location, and materials.

C. Additional Considerations

1. Surrounding Topographical Conditions
There are no unique topographic conditions.

2. General Applicability
The conditions upon which this variation request is based will not be generally applicable to other properties within the zoning district.

3. Economic Return
The proposed development and its variation will bring no significant additional economic return to the property owners.

4. Cause of Hardship
The request is based upon a hardship of the owner, in that a child with a disability has additional needs and precautions required to ensure their safety.

5. Public Welfare
Granting the requested variation will likely be beneficial to the public welfare and not be injurious to neighboring properties.

6. Public Safety, Property Values
Approval of the requested variation will likely increase public safety in the neighborhood and will cause no risk of fire, impairment of light, air or view. The additional fence height will have no impact upon property values.

III. Recommendations

Accordingly, by a vote of __ to__ , the Development Commission recommends approval of the request.

GEODETIC SURVEY, LTD.
PROFESSIONAL DESIGN FIRM NO. 184-004394
BOUNDARIES - ALTA/ACSM - TOPOGRAPHICAL - CONDOMINIUMS
CONSTRUCTION LAYOUT

1121 DEPOT STREET
GLENVIEW, IL 60025
TEL. (847) 904-7690
FAX (847) 904-7691

PLAT OF SURVEY

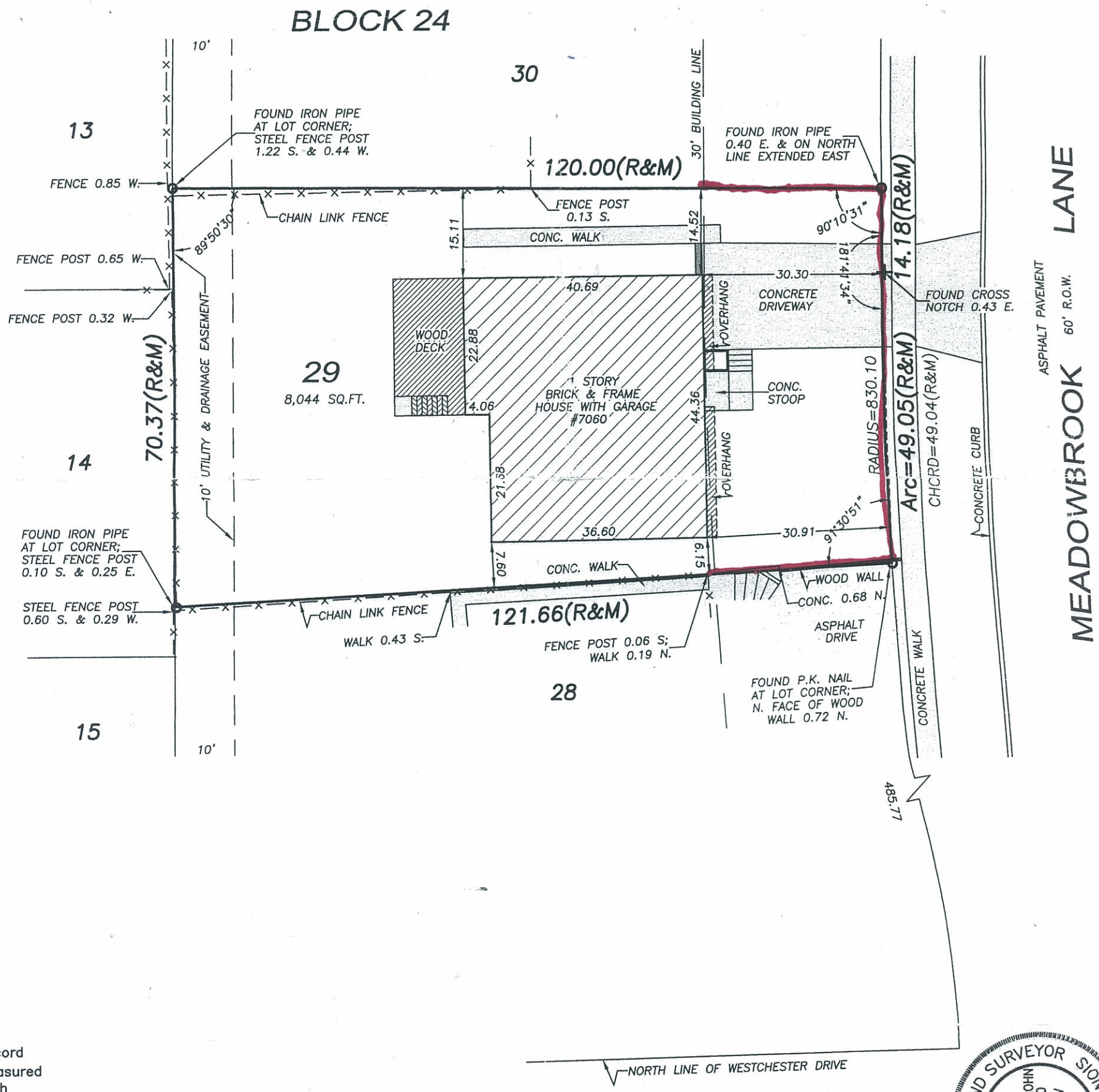
OF

LOT 29, BLOCK 24 IN HANOVER HIGHLANDS UNIT NUMBER 4, VILLAGE OF HANOVER PARK, COOK COUNTY, ILLINOIS, A SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 31 AND THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 41 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF REGISTERED IN THE OFFICE OF THE REGISTRAR OF TITLES OF COOK COUNTY, ILLINOIS ON DECEMBER 18, 1964 AS DOCUMENT NUMBER 2181461.

PIN: 07-31-209-029

COMMONLY KNOWN AS: 7060 MEADOWBROOK LANE, HANOVER PARK, ILLINOIS

SCALE: 1 INCH = 20 FEET



LEGEND:
(R) = Record
(M) = Measured
N. = North
S. = South
W. = West
E. = East
NW'ly = Northwesterly
NE'ly = Northeasterly
SW'ly = Southwesterly
SE'ly = Southeasterly
Conc. = Concrete

-DIMENSIONS ARE SHOWN IN FEET AND DECIMALS AND ARE NOT TO BE ASSUMED FROM SCALING.
-THE LEGAL DESCRIPTION NOTED ON THIS PLAT WAS PROVIDED BY THE CLIENT AND FOR ACCURACY SHOULD BE COMPARED WITH DEED AND/OR TITLE POLICY.
-BUILDING LINE RESTRICTIONS AND EASEMENTS ARE SHOWN ONLY WHERE THEY ARE SO RECORDED ON THE SUBDIVISION PLAT OR ARE FURNISHED WITH THE ORDERED DESCRIPTION. REFER TO YOUR DEED, ABSTRACT AND/OR TITLE POLICY.
-COMPARE ALL POINTS BEFORE BUILDING AND AT ONCE REPORT ANY DISCREPANCIES, WHICH YOU MAY FOUND, TO THIS OFFICE.

PROFESSIONAL LAND SURVEYOR
THOMAS R. KROHN
035-003000
GLENVIEW
ILLINOIS
STATE OF ILLINOIS

STATE OF ILLINOIS
COUNTY OF COOK SS

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS OF PRACTICE APPLICABLE TO BOUNDARY SURVEYS.

BY: Thomas R. Krohn
PROFESSIONAL ILLINOIS LAND SURVEYOR NO.3000
LICENSE EXPIRES 11/30/2006

ORDER NO.: 06-023
DATE: JANUARY 20, 2006
ORDERED BY: UNION FINANCIAL, INC.