



**RIVER FOREST
ZONING BOARD OF APPEALS
MEETING AGENDA**

A meeting of the River Forest Zoning Board of Appeals will be held on Thursday, August 18, 2022 at 7:30 P.M. in the Community Room of the River Forest Village Hall, 400 Park Avenue, River Forest, Illinois.

Physical attendance at this public meeting may be limited due to the COVID-19 pandemic with Zoning Board of Appeals officials, staff and consultants having priority over members of the public. Public comments and any responses will be read into the public meeting record. You may submit your public comments via email in advance of the meeting to: Clifford Radatz at cradatz@vrf.us.

You may listen to the meeting by clicking here

<https://us02web.zoom.us/j/89744107837?pwd=VG5jeFdRU2VWc3ROT2ZPdUZxK29ldz09>

or participating in a telephone conference call as follows, dial-in number: 1-312-626-6799 with meeting id: 897 4410 7837 .

If you would like to participate over the phone, please contact Clifford Radatz by telephone at (708) 714-3557 or by email at cradatz@vrf.us by 12:00 pm on Thursday, August 18, 2022.

- I. Call to Order
- II. Approval of the Minutes from the meeting of the Zoning Board of Appeals on July 14, 2022.
- III. Approval of Findings of Fact for the Proposed Variation Requests at 934 Park Avenue – Floor Area Ratio.
- IV. Approval of Findings of Fact for the Proposed Variation Requests at 138 Keystone Avenue – Off-Street Parking.
- V. Approval of Findings of Fact for Proposed Text Amendments to Sections 10-3 and 10-21 in regard to Solar Energy Systems.
- VI. Public Hearing – Fence and Zoning Variation Requests for 105 Thatcher Avenue – Type of Fence allowed in the Secondary Front Yard and Use in a required Secondary Front Yard
- VII. Confirmation of Next Regularly Scheduled Meeting –September 8, 2022
- VIII. Public Comment
- IX. Adjournment

**MINUTES OF THE MEEING OF THE
VILLAGE OF RIVER FOREST
ZONING BOARD OF APPEALS**

July 14, 2022

A meeting of the River Forest Zoning Board of Appeals was held on at 7:30 p.m. on Thursday, July 14, 2022 in the Community Room of the River Forest Village Hall, 400 Park Avenue, River Forest, Illinois.

I. CALL TO ORDER

Mr. Radatz called the meeting to order. Upon roll call, the following persons were:

Present: Members Smetana, Shoemaker, Plywacz, Lucchesi, Dombrowski, Davis

Absent: Chairman Martin

Also Present: Assistant to the Village Administrator Matthew Walsh, Village Attorney Anne Skrodzki, and Secretary Clifford Radatz

A MOTION was made by Member Lucchesi, second by Member Plywacz to appoint Member Dombrowski as Chairman Pro Tem for the meeting

Ayes: Members Davis, Lucchesi, Plywacz, Shoemaker and Smetana

Nays: None

The Motion carried.

Mr. Radatz swore in all parties wishing to speak.

**II. APPROVAL OF THE MINUTES FROM THE MEETING OF THE ZONING
BOARD OF APPEALS ON JUNE 9, 2022.**

A MOTION was made by Member Lucchesi, second by Chairman Pro Tem Dombrowski to approve the Minutes from the meeting of the Zoning Board of Appeals held on June 9, 2022.

Ayes: Members Smetana, Shoemaker, Plywacz, Lucchesi, Dombrowski, Davis

Nays: None

The Motion carried.

III. APPROVAL OF FINDINGS OF FACT FOR THE PROPOSED VARIATION REQUESTS AT 1443 FOREST AVENUE – SIDE YARD SETBACK.

A MOTION was made by Chairman Pro Tem Dombrowski, second by Member Plywacz to approve the Findings of Fact for the Proposed Zoning Variations for 1443 Forest Avenue from the Meeting of the Zoning Board of Appeals on June 9, 2022.

Ayes: Chairman Pro Tem Dombrowski, Members Davis, Lucchesi, Plywacz, Shoemaker and Smetana.

Nays: None

The Motion carried.

IV. CONTINUATION OF PUBLIC HEARING – ZONING VARIATION REQUEST FOR 934 PARK AVENUE – FLOOR AREA RATIO.

Steve Ryniewicz of Studio R Architecture and architect for the zoning variation project at 934 Park Avenue explained that the residents of the property, Curtis and Janet Helwig, submitted an application for a Floor Area Ratio (F.A.R.) variation to construct a two-story addition to the rear of their home. The F.A.R. regulations (Section 10-9-5) of the Zoning Ordinance require a F.A.R. of no more than 0.4% on lots less than 20,000 square feet. The Helwigs' proposed addition required a variation to increase the F.A.R. to 0.47%.

Mr. Helwig elaborated that the house was built in 1895, making it the second oldest house north of Chicago Avenue in the Village. Mr. Helwig also explained that the property F.A.R. was limited due to the significant area devoted to the third floor, which was rarely utilized. Mr. Helwig further explained that at least six architects have inspected the property coming to the same conclusion that there were too many constraints to follow the current F.A.R. requirements and that an addition to the home was necessary. Mr. Helwig stated that their requested variation would allow the Helwigs to enjoy living in their home for longer, and age in place. He explained the physical characteristics of the proposed addition.

Mr. Ryniewicz noted that the house currently has no connection to the backyard. By enlarging the kitchen and expanding the family room, the Helwigs would be able to view their backyard and have better access to it. Moreover, the Helwigs provided numerous letters from their neighbors in support of the variation. He noted that any design solution for the home would require a variation over the F.A.R. constraints of the Zoning Ordinance.

Member Smetana questioned the types of constraints that the Helwigs and Mr. Ryniewicz encountered when they attempted to comply with the current F.A.R. constraints in the Zoning

Ordinance. Mr. Ryniewicz explained that the most significant issue was deciding how much of the property's historic construction would have to be removed.

A MOTION was made by Member Lucchesi, second by Member Plywacz to recommend approval of the proposed zoning variation to the Village Board of Trustees.

Ayes: Chairman Pro Tem Dombrowski, Members Davis, Lucchesi, Plywacz, Shoemaker and Smetana.

Nays: None

The Motion carried.

V. PUBLIC HEARING – ZONING VARIATION REQUEST FOR 138 KEYSTONE AVENUE – OFF STREET PARKING.

Mr. Stewart Weiner explained that him and his wife, property owners of 138 Keystone Avenue, submitted an application for a variation to the Off-Street Parking regulations (Section 10-9-8) of the Zoning Ordinance. The Weiners propose to demolish the existing detached garage structure on their property and not replace it. Section 10-9-8 requires that no building may be erected without a minimum of two enclosed parking spaces.

Mr. Weiner explained that he and his wife own the adjacent property at 142 Keystone Avenue and plan to continue parking their cars in the 3-car garage on this property. To counter the Village's previous contention that this variance would set a precedent for other Village residents to remove their garages, Mr. Weiner explained that the additional garage on 142 Keystone Avenue set his situation apart from others. To address the issue of selling one or both properties with the risk of one not having a garage, Mr. Weiner stated that he has no plans to sell either property in the near future. Mr. Weiner further elaborated that the garage at 138 Keystone Avenue is dilapidated and likely to fall apart any day now, so they would like to remove it.

Member Lucchesi questioned how Mr. Weiner could guarantee that there would be a two-car garage should the Weiners sell the property on 138 Keystone Avenue in the future. Mr. Weiner responded that if they leave the garage, then the next homeowner would build a new garage regardless. The members further discussed the pros and cons of having a garage at the property, considering the current dilapidated condition of the current garage.

A MOTION was made by Member Lucchesi, second by Member Plywacz to recommend approval of the proposed zoning variation to the Village Board of Trustees for 138 Keystone Avenue.

Ayes: Chairman Pro Tem Dombrowski, Members Lucchesi and Plywacz.

Nays: Members Davis, Shoemaker and Smetana

The Motion failed.

VI. TEXT AMENDMENT REQUEST – CONTINUATION OF THE PUBLIC HEARING REGARDING THE FOLLOWING PROPOSED AMENDMENTS TO THE VILLAGE OF RIVER FOREST ZONING ORDINANCE:

- a. A Text Amendment to Section 10-3 (Definitions) of the Zoning Ordinance to define solar energy systems; and**
- b. A Text Amendment to Section 10-21 (Land Use Chart) of the Zoning Ordinance to designate solar energy systems as a permitted accessory use in all Zoning Districts.**

Assistant to the Village Administrator Matthew Walsh explained that Village Planning Consultant John Houseal incorporated the comments from the June 9, 2022 Zoning Board of Appeals Meeting into an updated proposed amendment to Chapter 7: Regulations of General Applicability.

Mr. Eric Simon, Chairman of the Village's Sustainability Committee, stated that the proposed text amendments would add a new section 10-7-6 establishing standards for ground mounted solar energy collection systems in subsection A, and standards for roof mounted solar energy collections systems in subsection B. The proposal would also amend the land use chart in Section 10-21-3: Appendix A to include "ground mounted solar energy collection system" and "roof mounted solar energy collection system" under the "Accessory Uses" section of the chart.

Member Plywacz questioned whether sprinklers would be required to control potential fires caused by solar energy systems. Mr. Simon clarified that this would be addressed in the River Forest Fire Code. Mr. Plywacz also questioned if there was a height requirement for these systems, which Mr. Simon answered was five feet.

A MOTION was made by Member Plywacz and seconded by Member Dombrowski to recommend the proposed changes to Sections 10-7-6 and 10-21-3 of the Zoning Ordinance concerning the regulation of Solar Energy Collection systems.

Ayes: Members Davis, Dombrowski, Lucchesi, Plywacz, Shoemaker and Smetana.

Nays: None

The Motion carried.

VII. ADJOURNMENT.

Member Lucchesi made a MOTION to dismiss, seconded by Member Plywacz.

Ayes: Chairman Pro Tem Dombrowski, Members Davis, Lucchesi, Plywacz, Shoemaker and Smetana.

Nays: None

The Motion carried.

Meeting Adjourned at 8:19pm.

Respectfully Submitted:

Clifford E. Radatz, Secretary

Date: _____

Frank Martin, Chairman
Zoning Board of Appeals

**VILLAGE OF RIVER FOREST ZONING BOARD OF APPEALS
FINDINGS OF FACT AND RECOMMENDATION REGARDING
A FLOOR AREA RATIO VARIATION RELATED TO THE CONSTRUCTION
OF A TWO-STORY ADDITION AT 934 PARK AVENUE**

WHEREAS, petitioners Curtis and Janet Helwig (together “Petitioners”), owner of the property located at 934 Park Avenue in the Village of River Forest (“Property”), requested a variation from the Village of River Forest’s floor area ratio requirements in Section 10-9-5 of the Village of River Forest Zoning Ordinance (“Zoning Ordinance”), to allow a two-story addition to the rear of the home on the Property, where the floor area ratio allowed is 40%, but as proposed would be 46.70%, requiring a variation of 6.70% (“Variation”). The Property is located in the R-2 Single-Family (Detached) Residential Zoning District; and

WHEREAS, the Village of River Forest Zoning Board of Appeals (“ZBA”) held a public hearing on the question of whether the requested Variation should be granted on July 14, 2022, and the hearing was held as in accordance with Section 10-5-4(E) of the Zoning Ordinance. At the public hearing, all persons present and wishing to speak were given an opportunity to be heard and all evidence that was tendered was received and considered by the ZBA; and

WHEREAS, public notice in the form required by law was given of the public hearing by publication not more than thirty (30) days nor less than fifteen (15) days prior to said public hearing in the *Wednesday Journal*, a newspaper of general circulation in the Village, there being no newspaper published in the Village. In addition, notice was mailed to surrounding property owners; and

WHEREAS, at the public hearing, the Petitioners and their architect provided information regarding the requested Variation, testifying, among other things, that they desired to age in place in their home, and the physical restraints of the home caused the proposed addition to exceed the floor area ratio requirements of the Zoning Ordinance; and

WHEREAS, at the public hearing no residents or other members of the public testified with regard to the proposed Variation, the Petitioners noted that the neighbors they made contact with prior to the hearing were in support of their request, and the Petitioners presented letters in support of the Variation from their neighbors; and

WHEREAS, six (6) members of the ZBA were present for the public hearing, which constituted a quorum of the ZBA that is required to convene a meeting of the ZBA, and allow for the public hearing to proceed; and

WHEREAS, after the close of public comment, the ZBA discussed and deliberated the application for the Variation; and

WHEREAS, following discussion and deliberation, the ZBA, having considered the criteria set forth in Section 10-5-4 of the Zoning Ordinance, voted 6-0 to recommend approval of the Variation;

NOW, THEREFORE, the ZBA makes the following findings of fact and recommendations pursuant to Section 10-5-4(E)(2) of the Zoning Ordinance:

FINDINGS OF FACT

1. **The physical surroundings, shape or topographical conditions of the Property constitute a specific hardship upon the owner as distinguished from an inconvenience if the strict letter of the regulations were to be carried out.** The ZBA found that this standard has been met. Because the physical restraints of the property would require addition would require a variation from the floor area ratio requirements in the Zoning Ordinance, the Petitioners' only option to construct an addition to the home would require a Variation.
2. **The aforesaid unique physical condition did not result from any action of any person having an interest in the property, but was created by natural forces or was the result of governmental action, other than the adoption of the Village's Zoning Regulations, for which no compensation was paid.** The ZBA found that this standard has been met. The home was constructed in 1895, well before the enactment of the Zoning Ordinance or its restrictions on floor area ratio.
3. **The conditions of the Property upon which the petition for Variation is based may not be applicable generally to other property within the same zoning classification.** The ZBA found that this standard has been met. The home is the second-oldest home constructed north of Chicago Avenue in the Village, and because of its age, several of its characteristics are particularly out of compliance with several areas of the Zoning Ordinance.
4. **The purpose of the Variation is not based predominately upon a desire for economic gain.** The ZBA found that this standard has been met. The Petitioners indicated that they plan to remain in the home for many years and age in place there, and they do not plan to sell the Property once the addition is constructed.
5. **The granting of the Variation is not detrimental to the public welfare or unduly injurious to the enjoyment, use, or development value of other property or improvements in the neighborhood in which the Property is located.** The ZBA found this standard has been met. The Petitioners indicated that the neighbors they spoke with were in support of the Variation and they provided letters of support from them during the hearing.
6. **The granting of the Variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the danger of fire, or otherwise endanger the public safety or substantially diminish or impair property values**

within the neighborhood. The ZBA found that this standard has been met. The location of the addition on the home on the Property does not impair any light or air to adjacent properties or create the risk of fire or other danger.

7. **The granting of the Variation will not unduly tax public utilities and facilities in the area of the Property.** The ZBA found that this standard has been met. The proposed addition will not unduly tax public utilities or facilities in the area of the Property.

8. **There are no means other than the requested Variation by which the hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the Property.** The ZBA found that this standard has been met. The Petitioners could not build any addition to the home without some variation from the floor area ratio provision in the Zoning Ordinance, given the current size of the present home on the Property.

RECOMMENDATION

The ZBA, by a vote of 6-0, found that the standards for granting of the Variation were met. Therefore, the ZBA recommends to the Village President and Board of Trustees that the Variation to allow the construction of a two-story addition to the home on the Property, where the floor area ratio allowed is 40% but as proposed would be 46.70%, requiring a variation of 6.70%, be GRANTED.

Frank Martin
Chairman

Date

**VILLAGE OF RIVER FOREST ZONING BOARD OF APPEALS
FINDINGS OF FACT AND RECOMMENDATION REGARDING
A VARIATION RELATED TO THE OFF-STREET PARKING REQUIREMENT
AS APPLIED TO A PROPERTY AT 138 KEYSTONE AVENUE**

WHEREAS, Stewart Weiner ("Petitioner"), owner of the property located at 138 Keystone Avenue in the Village of River Forest ("Property"), requested a variation from the Village of River Forest's requirement in Section 10-8-8 of the Village of River Forest Zoning Ordinance ("Zoning Ordinance"), that requires the construction of a two-car garage servicing the home on the Property, where the Petitioner would like to demolish the currently existing garage ("Variation"). The Property is located in the R-2 Single-Family (Detached) Residential Zoning District; and

WHEREAS, the Village of River Forest Zoning Board of Appeals ("ZBA") held a public hearing on the question of whether the requested Variation should be granted on July 14, 2022, and the hearing was held as in accordance with Section 10-5-4(E) of the Zoning Ordinance. At the public hearing, all persons present and wishing to speak were given an opportunity to be heard and all evidence that was tendered was received and considered by the ZBA; and

WHEREAS, public notice in the form required by law was given of the public hearing by publication not more than thirty (30) days nor less than fifteen (15) days prior to said public hearing in the *Wednesday Journal*, a newspaper of general circulation in the Village, there being no newspaper published in the Village. In addition, notice was mailed to surrounding property owners; and

WHEREAS, at the public hearing, the Petitioner provided information regarding the requested Variation, testifying, among other things, that he owned the neighboring property at 142 Keystone where he and his family used a three-car garage, and that the current garage at 138 Keystone was heavily dilapidated; and

WHEREAS, at the public hearing no residents or other members of the public testified with regard to the proposed Variation; and

WHEREAS, six (6) members of the ZBA were present for the public hearing, which constituted a quorum of the ZBA that is required to convene a meeting of the ZBA, and allow for the public hearing to proceed; and

WHEREAS, after the close of public comment, the ZBA discussed and deliberated the application for the Variation; and

WHEREAS, following discussion and deliberation, the ZBA, having considered the criteria set forth in Section 10-5-4 of the Zoning Ordinance, voted 3-3 to recommend approval of the Variation;

NOW, THEREFORE, the ZBA makes the following findings of fact and recommendations pursuant to Section 10-5-4(E)(2) of the Zoning Ordinance:

FINDINGS OF FACT

1. **The physical surroundings, shape or topographical conditions of the Property constitute a specific hardship upon the owner as distinguished from an inconvenience if the strict letter of the regulations were to be carried out.** Three ZBA members found that this standard has been met. The garage at the Property is heavily dilapidated and cannot currently function as a useful structure without danger to the residents. Three ZBA members found that this standard has not been met. The garage could be repaired or replaced, and continue to exist at the Property, in compliance with the Zoning Ordinance.
2. **The aforesaid unique physical condition did not result from any action of any person having an interest in the property, but was created by natural forces or was the result of governmental action, other than the adoption of the Village's Zoning Regulations, for which no compensation was paid.** Three ZBA members found that this standard has been met. The garage at the Property is heavily dilapidated and cannot currently function as a useful structure without danger to the residents, and the Petitioner did not originally allow the structure to fall into this condition under his ownership. Three ZBA members found that this standard has not been met. The Petitioner could have repaired the garage as soon as he realized it no longer was safe for use, or could replace it now.
3. **The conditions of the Property upon which the petition for Variation is based may not be applicable generally to other property within the same zoning classification.** Three ZBA members found that this standard has been met. The Petitioner owns both 138 Keystone and the neighboring 142 Keystone, and the garage at 138 Keystone is not needed for his personal use. Three ZBA members found that this standard has not been met, as while the Petitioner currently owns 138 Keystone, he may at some point sell it, and the new owner would be required to build a garage at the Property.
4. **The purpose of the Variation is not based predominately upon a desire for economic gain.** The ZBA members found that this standard has not been met. One of the reasons for the Petitioner seeking the Variation is so as not to have to build a new garage on the Property, at significant cost.
5. **The granting of the Variation is not detrimental to the public welfare or unduly injurious to the enjoyment, use, or development value of other property or improvements in the neighborhood in which the Property is located.** Three ZBA members found that this standard has been met. The Petitioner would be able to park his vehicles in the garage at 142 Keystone, and utilize the driveways on both of his properties, without parking any vehicle on the adjacent streets. Three ZBA members found that this standard has not been met, as the lack of a garage at the Property could require vehicles

to be parked on the adjacent streets or in nearby public parking lots at some point in the future, and could reduce the value of the Property if marketed for sale in the future.

6. **The granting of the Variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the danger of fire, or otherwise endanger the public safety or substantially diminish or impair property values within the neighborhood.** The ZBA found that this standard has been met. The lack of a garage at the Property would increase the supplies of light or air to nearby properties if the garage were removed.

7. **The granting of the Variation will not unduly tax public utilities and facilities in the area of the Property.** The ZBA found that this standard has been met. The removal of the garage will not unduly tax public utilities or facilities in the area of the Property.

8. **There are no means other than the requested Variation by which the hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the Property.** Three ZBA members found that this standard has been met. The garage at the Property is heavily dilapidated and cannot currently function as a useful structure without danger to the residents. Three ZBA members found that this standard has not been met. The garage could be repaired or replaced, and continue to exist at the Property.

RECOMMENDATION

The Board, by a vote of 3-3, for the reasons stated above, failed to obtain the necessary number of votes to recommended to the Village President and Board of Trustees that the proposed Variation be approved. Therefore, the recommendation of the Board is that the Village President and Board of Trustees deny the requested Variation. Further, pursuant to Section 10-5-4(E)(3) of the Zoning Ordinance, any such variation which fails to receive a recommendation for approval of four (4) members of the Zoning Board of Appeals shall not be passed except by the favorable vote of two-thirds (2/3) of the Board of Trustees.

Frank Martin
Chairman

Date

**VILLAGE OF RIVER FOREST ZONING BOARD OF APPEALS
FINDINGS OF FACT AND RECOMMENDATION REGARDING
A PROPOSED TEXT AMENDMENT TO THE VILLAGE OF RIVER FOREST
ZONING ORDINANCE REGARDING REGULATION OF
SOLAR ENERGY COLLECTION SYSTEMS**

WHEREAS, petitioner the Village of River Forest (“Village”), based upon direction from the Village President and Board of Trustees, has requested consideration of, and a public hearing on, an amendment to the Village of River Forest Zoning Ordinance (“Zoning Ordinance”), which was summarized as follows in the published public hearing notice as:

1. A Text Amendment to Section 10-3 (Definitions) of the Zoning Ordinance to define solar energy systems; and
2. A Text Amendment to Section 10-21 (Land Use Chart) of the Zoning Ordinance to designate solar energy systems as a permitted accessory use in all Zoning Districts.

The above-listed amendments are more fully expanded on and described below as the “Proposed Text Amendments.”

WHEREAS, the Village’s Zoning Board of Appeals (“ZBA”) held a public hearing on the question of whether the Proposed Text Amendments should be made on June 9, 2022 and July 14, 2022, as required by Section 10-5-5 of the Zoning Ordinance, at which time all persons present and wishing to speak were given an opportunity to be heard and all evidence that was tendered was received and considered by the ZBA; and

WHEREAS, public notice in the form required by law was given of said public hearing by publication not more than thirty (30) days nor less than fifteen (15) days prior to said public hearing in the *Wednesday Journal*, a newspaper of general circulation in the Village, there being no newspaper published in the Village; and

WHEREAS, at the public hearing, Assistant to the Village Administrator Matt Walsh, Village Planning Consultant John Houseal and Village Sustainability Committee Chairman Eric Simon presented the Proposed Text Amendments on behalf of the Village; and

WHEREAS, at the public hearing, opportunity was provided for public comments, and no Village residents or other members of the public testified for or against the Proposed Text Amendment; and

WHEREAS, after the close of the public hearing, the ZBA discussed and deliberated the Proposed Text Amendments, and on July 14, 2022, voted on recommendations regarding the Proposed Text Amendments; and

WHEREAS, following discussion and deliberation, the ZBA, pursuant to Section 10-5-5(B)(2) of the Zoning Ordinance, recommended the Village President and Board of Trustees approve the Proposed Text Amendments, as set forth in Exhibit A attached hereto and made a part hereof (“Recommended Text Amendment”);

NOW THEREFORE, the ZBA makes the following findings of fact and recommendations pursuant to Section 10-5-5(B)(2) of the Zoning Ordinance:

FINDINGS OF FACT AND RECOMMENDATIONS

By a vote of 6-0, the ZBA recommends APPROVAL of the Proposed Text Amendments in Exhibit A. These Proposed Text Amendments are found to be in the best interests of the Village and its residents and property owners.

Frank Martin
Chairman

Date

EXHIBIT A

RECOMMENDED TEXT AMENDMENTS

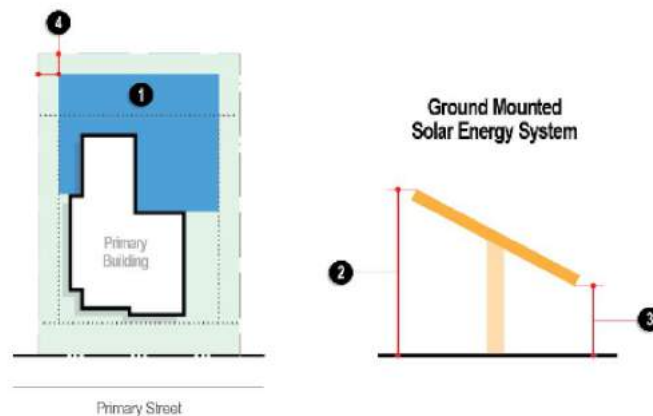
(attached)

Section 10-7 of the Zoning Ordinance, entitled “Regulations of General Applicability,” is amended to include a new Section 10-7-6, as follows:

“10-7-6: Solar Energy Collection Systems Standards

A. Ground Mounted Solar Energy Collection System.

1. Ground mounted solar energy collection systems shall be permitted in the rear yard only.
2. The maximum height of ground mounted solar energy collection systems shall be five (5) feet in height, measured from the grade at the base of the support structure to the highest edge of the system.
3. Minimum clearance between the lowest point of the system and the surface on which the system is mounted is twelve (12) inches.
4. All parts of the freestanding system shall be set back ten (10) feet from the side and rear lot lines and shall not be located in a public utility easement.
5. Any necessary battery, battery storage, or generator equipment accessory to the ground mounted solar energy collection system and its standard operation shall be permitted subject to meeting all applicable standards of Village of River Forest’s codes and ordinances.”

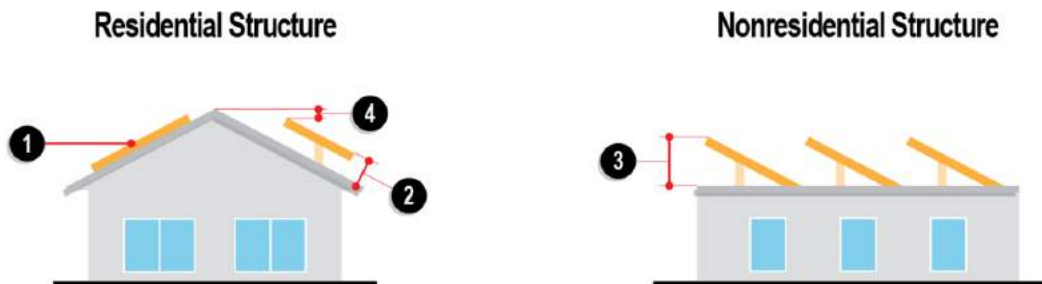


B. Roof Mounted Solar Energy Collection System

1. Roof mounted solar energy collection systems may be located on any roof face of principal or accessory buildings. Systems should be flush mounted when possible.
2. Systems on residential structures shall not extend beyond twelve (12) inches parallel to the roof surface of a pitched roof or flat roof.
3. Systems on nonresidential structures shall not extend beyond thirty-six (36) inches parallel to the roof surface of a pitched roof or flat roof.
4. Systems on all structures shall not extend above the highest peak of a

pitched roof. Height is measured from the roof surface on which the system is mounted to the highest edge of the system.

5. All materials used for racking, mounts, mounting clamps, and flashings shall be of a color consistent with the color of the roof surface to minimize visibility.
- C. Any necessary battery, battery storage, or generator equipment accessory to the roof mounted solar energy collection system and its standard operation shall be permitted subject to meeting all applicable standards of Village of River Forest's codes and ordinances."



The Land Use Chart in Section 10-21-3, Appendix A of the Zoning Ordinance, is amended as follows:

Land Use	R1 and R2	R3	R4	C1	C2	C3	ORIC	PRI
Accessory Uses								
Ground mounted solar energy collection system ²	S	S	S	S	S	S	S	S
Roof mounted solar energy collection system ²	P	P	P	P	P	P	P	P

Note:

1. Small wireless facilities, as defined and regulated by title 5, chapter 16, "Small Wireless Facilities", of this Code, are permitted uses in all rights-of-way within the Village, and are allowed outside of the right-of-way as specified in this table.
2. Ground mounted solar energy collection systems and roof mounted solar energy collection systems shall be subject to the standards established in Section 10-7-6.



MEMORANDUM

DATE: August 12, 2022
TO: Zoning Board of Appeals
FROM: Clifford E. Radatz *ceR*
Building Official
SUBJECT: Fence Variation Request – 105 Thatcher Avenue
Zoning Variation Request – 105 Thatcher Avenue

Dr. Brett and Sarah Hampson, owners of the property at 105 Thatcher Avenue, have submitted an application for a variation to the Fence Regulations (Section 4-8-4) of the Village Code, and to the Setback regulations (Section 10-9-7) of the Zoning Code.

The applicants propose to replace the existing privacy fence in the Secondary Front Yard, which runs approximately 26 feet beyond the rear building line of the house, with a new fence complying with Type 3 of the Fence regulations. A Type 3 Fence is defined by section 4-8-3 as a fence of any approved fence material, maximum 7 feet high, with only that portion of fence above 6 feet to be a minimum of 50% open to view. Generally, a Fence of Type 2 construction (metal materials, maximum 6 feet high and a minimum of 80% open to view) is required for Front and Secondary Front yards per section 4-8-4-C. For a corner lot which rears upon another corner lot, paragraph 4-8-4-C-3 allows a Type 3 fence to be constructed on the secondary front yard between the rear lot line and rear building line of the residence. To extend the Type 3 fence beyond the rear building line of the house, as the applicants propose, requires a variation.

If the Zoning Board wishes to recommend the approval of this variation to the Village Board of Trustees, the following motion should be made:

Motion to recommend to the Village Board of Trustees the approval of the variation to Section 4-8-4 of the Village Code at 105 Thatcher Avenue.

The applicants propose to install a hot tub in the Secondary Front Yard. Section 10-9-7, Setback Regulations for the R2 Zoning District references the parallel section 10-8-7. Section 10-8-7 states “Every yard shall be unobstructed from ground level to sky except as allowed in subsection 10-20-2A of this title.” Similarly, section 10-3-1 defines a Yard as being “An open space between a building and any lot line which is open to the sky and unobstructed by any temporary uses or structures or by any permanent structures...”.

If the Zoning Board wishes to recommend the approval of this variation to the Village Board of Trustees, the following motion should be made:

Motion to recommend to the Village Board of Trustees the approval of the variation to Section 10-9-7 of the Zoning Code at 105 Thatcher Avenue.

If you have any questions regarding this application, please do not hesitate to call me.



LEGAL NOTICE
ZONING BOARD OF APPEALS
RIVER FOREST, ILLINOIS

Public Notice is hereby given that a public hearing will be held by the Zoning Board of Appeals (ZBA) of the Village of River Forest, County of Cook, State of Illinois, on Thursday, August 18, 2022 at 7:30 p.m. in the First Floor Community Room of the River Forest Village Hall, 400 Park Avenue, River Forest, Illinois on the following matter:

The ZBA will consider an application for a fence variation and a major zoning variation submitted by Dr. Brett and Sarah Hampson, owners of the property at 105 Thatcher Avenue, who are proposing to replace an existing non-conforming fence in the Secondary Front yard, and to install a hot tub in the Secondary Front Yard.

Section 4-8-5 of the Village Code provides the Zoning Board of Appeals jurisdiction to hold public hearings and offer recommendations to the Village Board concerning variations to the Fence regulations.

Section 10-5-6 of the Village Code provides the Zoning Board of Appeals jurisdiction to hold public hearings and offer recommendations to the Village Board concerning variations to the Zoning Ordinance.

The applicant is requesting a variation to Section 4-8-4-C-1 of the fence regulations to allow a Type 3 fence (any approved fence material, maximum 7 feet high, with only that portion of fence above 6 feet to be a minimum of 50% open to view) to be installed in the Secondary Front Yard. The regulation requires the fence in a Secondary Front Yard to be a Type 2 fence (metal materials, maximum 6 feet high and a minimum of 80% open to view).

The applicant is also requesting a major variation to Section 10-3-1, definition of “Yard”, which defines this term as “An open space between a building and any lot line which is open to the sky and unobstructed by any temporary uses or structures or by any permanent structures...”. The applicant seeks to install a hot tub in the Secondary Front Yard.

The legal description of the property at 105 Thatcher Avenue is as follows:

LOT 7 (EXCEPT THE NORTH 50 FEET AND EXCEPT THAT PART THEREOF TAKEN BY THE VILLAGE OF RIVER FOREST FOR VINE STREET) IN BLOCK 1 IN EDWARD C. WALLER’S ADDITION TO RIVER FOREST IN THE SOUTHEAST QUARTER OF SECTION 11 IN TOWNSHIP 39 NORTH, RANGE 12, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

A copy of the application will be available to the public at Village Hall and on the Village’s website at www.vrf.us/zoningvariation no less than 15 days prior to the public hearing. The Zoning Board of Appeals meeting packet will also be available at www.vrf.us/meetings no less than 48 hours prior to the public hearing.

All interested persons will be given the opportunity to be heard at the public hearing. **For public comments to be considered by the Zoning Board of Appeals and Village Board of Trustees in their decision, they must be included as part of the public hearing record.** Interested persons can learn more about how to participate in the hearing by visiting www.vrf.us/zoningvariation.

Sincerely,
Clifford Radatz
Secretary, Zoning Board of Appeals

CHECKLIST OF STANDARDS FOR MAJOR VARIATIONS

Name of Commissioner: _____

Date of Public Hearing: _____

Application: _____

Address _____

Standards:

Met? ¹	Standard
Yes No	1. The physical surroundings, shape, or topographical conditions of the specific property involved will bring a specific hardship upon the owner as distinguished from an inconvenience if the strict letter of the regulations were to be carried out; Notes: _____ _____ _____
Yes No	2. The aforesaid unique physical condition did not result from any action of any person having an interest in the property, but was created by natural forces or was the result of governmental action, other than the adoption of this Zoning Title, for which no compensation was paid; Notes: _____ _____ _____
Yes No	3. The conditions upon which the petition for variation is based may not be applicable generally to other property within the same zoning classification; Notes: _____ _____ _____
Yes No	4. The purpose of the variation is not based predominantly upon a desire for economic gain; Notes: _____ _____ _____
Yes No	5. The granting of the variation shall not be detrimental to the public welfare or unduly injurious to the enjoyment, use, or development value of other property or improvements in the neighborhood in which the property is located; or Notes: _____ _____ _____

¹ If a standard has not been met, indicate the reasons why in the notes section for that standard.

CHECKLIST OF STANDARDS FOR MAJOR VARIATIONS

Yes No	6. The proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the danger of fire, or otherwise endanger the public safety or substantially diminish or impair property values within the neighborhood; Notes: _____ _____ _____
Yes No	7. That the granting of the variation would not unduly tax public utilities and facilities in the area; Notes: _____ _____ _____
Yes No	8. That 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; Notes: _____ _____ _____

If any of the standards have not been met, what changes could be made to the application so it meets all the standards?

Residence:
105 Thatcher Avenue

Homeowners:
Dr. Brett Hampson
Mrs. Sarah Schiavone Hampson

Variance Applications:
Fence & Hot Tub



APPLICATION FOR ZONING VARIATION
Village of River Forest Zoning Board of Appeals

Address of Subject Property: 105 Thatcher Avenue Date of Application: 7/11/22

Applicant		Architect / Contractor	
Name: Brett & Sarah Hampson		Name: Grams Construction Inc.	
Address: 105 Thatcher Avenue		Address: 532 Marengo Avenue	
City/State/Zip: River Forest, IL 60305		City/State/Zip: Forest Park, IL 60130	
Phone: (708) 212-2922	Fax:	Phone: (708) 771-7437	Fax:
Email: sarahhampson2001@yahoo.com		Email: grams.construction.inc@gmail.com	

Relationship of Applicant to Property (owner, contract purchaser, legal counsel, etc.): owner

Zoning District of Property: ☐ R1 ☒ R2 ☐ R3 ☐ R4 ☐ C1 ☐ C2 ☐ C3 ☐ OPRI ☐ OORIC

Please check the type(s) of variation(s) being requested:

☒ Zoning Code

☒ Building Code (fence variations only)

Application requirements: Attached you will find an outline of the other application requirements. Please read the attached carefully, the applicant will be responsible for submitting all of the required information.

Also attached for your information are the Zoning Board of Appeals "Rules of Procedure" for their public hearings.

Application Deadline: A complete variation application must be submitted no later than the 15th day of the month in order to be heard by the Zoning Board of Appeals in the following month. The Zoning Board of Appeals meets on the second Thursday of each month.

SIGNATURES:

The undersigned hereby represent for the purpose of inducing the Village of River Forest to take the action herein requested, that all statements herein and on all related attachments are true and that all work herein mentioned will be done in accordance with the ordinances of the Village of River Forest and the laws of the State of Illinois.

Owner: [Signature] Date: 7/11/22

Applicant (if other than Owner): _____ Date: _____

Application Fee: A non-refundable fee of \$750.00 must accompany every application for variation, which includes the cost of recording the variation with the County. Checks should be made out to the Village of River Forest.

APPLICATION FOR ZONING VARIATIONAddress of Subject Property: 105 Thatcher Avenue Date of Application: 7/11/22**Summary of Requested Variation(s):**

Applicable Code Section (Title, Chapter, Section) <i>Example:</i> 10-8-5, lot coverage	Code Requirement(s) <i>Example:</i> no more than 30% of a lot	Proposed Variation(s) <i>Example:</i> 33.8% of the lot (detailed calculations on a separate sheet are required)
4-8-4-C-1, fence regulations	A type 2 fence, as provided in section 4-8-3 of this chapter, shall be permitted to be constructed in any front yard or secondary front yard.	A type 3 fence in the secondary front yard.
10-8-7-A-2, setback regulations 10-9-1 A&B, permitted uses	In an R1 district, buildings shall be set back from every lot line to provide an open yard in accordance with the following regulations. Every yard shall be unobstructed from ground level to sky except as allowed in subsection 10-20-2A of this title.	Allowance of an above ground not permanently installed hot tub in the secondary front yard, not visible from street, curb, sidewalk, or anywhere else outside of the proposed fence.
	2. Corner Lots: Shall have its required front yard on the lot's primary street; such street being the street which has the greatest distance between the two cross streets forming the block frontage.	
	On the secondary street the front yard shall be a minimum of thirteen feet for a fifty foot wide lot, however the secondary street's front yard shall be increased by two feet for each five foot increase in lot width (or portion thereof) to a maximum secondary front yard depth of twenty five feet, and provided further that no accessory building on a corner lot shall project beyond that front yard line established for each street.	
	In an R2 district, no building or use shall be permitted, except for the following: A. Any use permitted in the R1 district. B. Accessory building(s) or structures permitted in the R1 district. (Ord. 2640, 5-23-1995)	

THE APPLICANT IS REQUIRED TO SUBMIT DETAILED LONG HAND CALCULATIONS AND MEASUREMENTS FOR ALL APPLICABLE ZONING PROVISIONS. APPLICATIONS WILL NOT BE CONSIDERED COMPLETE WITHOUT THESE CALCULATIONS AND MEASUREMENTS.

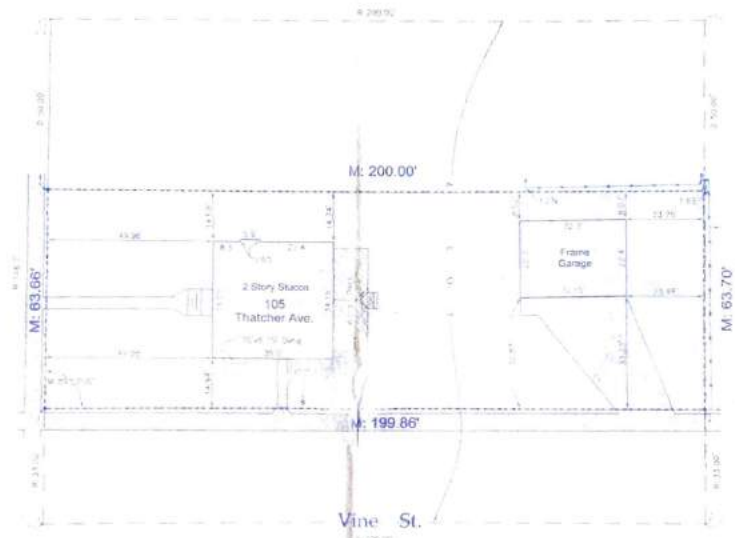
11-28-12

PLAT OF SURVEY

Of Lot 7 (except the North 50 feet and except that part thereof taken by the Village of River Forest for Vine Street) in Block 1 in Edward C. Wallers Addition to River Forest in the Southeast quarter of Section 11, in Township 39 North, Range 12, East of the Third Principal Meridian in Cook County, Illinois.



Thatcher Ave.



APPROXIMATE AREA: 10770.00 SQ. FT.

CLIENT: Anna, Mervin & Griffin

PLAT NO: 120208

LEGEND	IN CHARGE
1. PROPERTY DISTANCE	2. FOUND BORN
3. ADJACENT DISTANCE	4. FOUND BORN
5. ADJACENT DISTANCE	6. FOUND BORN
7. ADJACENT DISTANCE	8. FOUND BORN
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97. ADJACENT DISTANCE	98. FOUND BORN
99. ADJACENT DISTANCE	100. FOUND BORN

EDWARD C. WALLERS
7. 12500 N. 175th St.
CHICAGO, ILLINOIS 60641
TEL: 773.331.1172
FAX: 773.331.1173

DATE OF SURVEY: July 28, 2009

STATE OF ILLINOIS

COUNTY OF DU PAGE

I HEREBY CERTIFY THAT THE ABOVE DESCRIBED PROPERTY HAS BEEN SURVEYED UNDER MY SUPERVISION ACCORDING TO THE OFFICIAL RECORD AND THAT THE ABOVE PLAT CORRECTLY REPRESENTS SAID SURVEY. ALL DISTANCES ARE SHOWN IN FEET AND DECIMALS THEREOF.

I FURTHER CERTIFY THAT UNLESS OTHERWISE SHOWN, THE BUILDINGS ON THE PARCELS ARE WITHIN PROPERTY LINES AND THE ADJOINING VISIBLE IMPROVEMENTS DO NOT ENCRDACH ON THE ABOVE DESCRIBED PROPERTY.

I FURTHER CERTIFY THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

David B. Foy

MY LICENSE EXPIRES 11-30-2015

COMPARE THE DESCRIPTION OF THIS PLAT WITH DEED. REFER TO THE TITLE POLICY FOR ITEMS OF RECORD NOT SHOWN ABOVE. UNLESS OTHERWISE NOTED, UTILITIES WITHIN EASEMENTS ARE NOT SHOWN HEREON. UNDERGROUND UTILITIES INCLUDING BUT NOT LIMITED TO CONDUITS AND CABLE (IF ANY) HAVE NOT BEEN SHOWN HEREON.

ILLINOIS PROFESSIONAL DESIGN FIRM LAND SURVEYING CORPORATION NO. 4183



Section 10-5-4 Standards for Major Variations

105 Thatcher Avenue

Fence Variance Application

F. Standards for Major Variations: A major variation shall be recommended by the Zoning Board of Appeals only if it makes findings, based upon the evidence presented to it, that each of the following standards has been met:

1.

The physical surroundings, shape, or topographical conditions of the specific property involved will bring a specific hardship upon the owner as distinguished from an inconvenience if the strict letter of the regulations were to be carried out;

The home at 105 Thatcher Avenue has a basement/lower level access stairwell that begins at the southeast corner of the structure and the cement stairs are located in the secondary front yard. The stairs are part of an addition that was added to the home in the 1960s. The opening at the top of the stairs is where the rear yard ends so a variance is being requested to continue the Type 3 fencing past the stairs and into the secondary front yard to ensure the safest entry and exit on the stairs, uniformity of fencing materials along that side of the home and to obstruct views of the basement access point and patio area for security purposes on a corner lot without immediate next door neighbors or any across the street neighbors due to Thatcher Woods.



2.

The aforesaid unique physical condition did not result from any action of any person having an interest in the property, but was created by natural forces or was the result of governmental action, other than the adoption of this Zoning Title, for which no compensation was paid;

The construction and location of stairwell and basement access door in the secondary front yard are from a 1960s home addition and were not the result from any action of any person having interest in the property, natural forces or governmental action. No compensation was paid.

3. The conditions upon which the petition for variation is based may not be applicable generally to other property within the same zoning classification;

The conditions of this petition for variation may not be applicable generally to other property within the same zoning classification due to the location of a side stairwell that is located where the rear yard ends and is located entirely in the secondary front yard. Homeowners were approved by the Village to pour a cement patio in this area and would like to have uniform privacy fencing along the south side of the property to enclose the stairwell and patio area.

4.

The purpose of the variation is not based predominantly upon a desire for economic gain;

There is no economic gain to the homeowner if this variance is granted.

5.

The granting of the variation shall not be detrimental to the public welfare or unduly injurious to the enjoyment, use, or development value of other property or improvements in the neighborhood in which the property is located.

If the variance is granted, the requested fence would be the same height, material and location of the current fence on the property that needs to be replaced due to age and condition. A letter from the neighbor across the street on Vine is included in the application and states they have no opposition to the proposed fence.

6.

The proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the danger of fire, or otherwise endanger the public safety or substantially diminish or impair property values within the neighborhood;

If the variance is granted, the requested fence would be the same height, material and location of the current fence on the property that needs to be replaced due to age and condition. It would not impair light nor air to adjacent property, nor substantially increase the danger of fire, nor otherwise endanger the public safety or substantially diminish or impair property values within the neighborhood.

7.

That the granting of the variation would not unduly tax public utilities and facilities in the area;

The granting of this variation would not tax any public utilities or facilities in the area. The proposed location of the fence will not increase the amount of water used, won't increase demand on the Fire Department, and may reduce demand on the Police Department by providing a privacy fence for the side of the home that has the most vulnerable access/entry point for a break-in attempt.

8.

That 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.

A Type 2 fence in the secondary front yard would not adequately obstruct the basement door access from view on the sidewalk and street. This access point to the home was highlighted by the River Forest Police Department as a vulnerable entry point and the current solid fencing was identified by the RFPD as a deterrent for potential break-in attempts by keeping the doorway from view. A Type 3 solid fence would provide greater security for a lower level entrance in the secondary front yard on a corner lot without next door neighbors, and without neighbors across the street due to the location of Thatcher Woods

Section 10-5-4 Standards for Major Variations

105 Thatcher Avenue

Set Back & Permitted Use Variance Application

F. Standards for Major Variations: A major variation shall be recommended by the Zoning Board of Appeals only if it makes findings, based upon the evidence presented to it, that each of the following standards has been met:

1.

The physical surroundings, shape, or topographical conditions of the specific property involved will bring a specific hardship upon the owner as distinguished from an inconvenience if the strict letter of the regulations were to be carried out;

The secondary front yard at 105 Thatcher had a kitchen access door, steps and covered porch immediately over the basement stairs from a 1960s addition. The side kitchen door and porch were removed in a 2019 renovation and were replaced with a mudroom entry at the rear of the home. A backyard landscaping and paving plan had to be created to accommodate the new rear entry point and remove the old steps and porch area where the kitchen door had been. The grading and hardscaping plan was submitted to the Village and approved in the Fall of 2021. Part of the concrete paving plan that was submitted was for a concrete pad for a hot tub in the yard space that was no longer used by the old kitchen door access. The concrete paving permit application detailed in pictures and in writing the intended use for a hot tub pad and the pavement plan was approved as submitted for permit. The concrete was poured in the Fall of 2021. The variance request for the hot tub location is to enable the use of a concrete pad that has already been poured as part of the approved paving permit request. The location of the pad with the necessary rebar reinforcement, etc. to accommodate a hot tub is in the secondary front yard at the side of the home.

2.

The aforesaid unique physical condition did not result from any action of any person having an interest in the property, but was created by natural forces or was the

result of governmental action, other than the adoption of this Zoning Title, for which no compensation was paid;

The aforesaid unique physical condition did not result from any action of any person having interest in the property, was not created by natural forces. No compensation was paid.

3.

The conditions upon which the petition for variation is based may not be applicable generally to other property within the same zoning classification;

The conditions of this petition for variation may not be applicable generally to other property within the same zoning classification. This variance request is due to a hot tub concrete pad poured as per the permit approved plan. The permit application indicated that the concrete pad was for a hot tub and was poured with reinforced rebar as detailed in the document submitted by our contractor during the permitting process.

4.

The purpose of the variation is not based predominantly upon a desire for economic gain;

There is no economic gain to the homeowner if this variance is granted.

5.

The granting of the variation shall not be detrimental to the public welfare or unduly injurious to the enjoyment, use, or development value of other property or improvements in the neighborhood in which the property is located; or,

The location of the concrete pad/hot tub is in a location of the yard that does not have any impact on neighbors. There are no neighbors immediately next to the hot tub location on the south or west sides of the property where the hot tub pad is located. It

would not be detrimental to the public welfare or unduly injurious to the enjoyment, use, or development value of other property or improvements in the neighborhood.

6.

The proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the danger of fire, or otherwise endanger the public safety or substantially diminish or impair property values within the neighborhood;

The hot tub is not underground and isn't affixed to the home structure. It is a free-standing hot tub. The hot tub is enclosed by a privacy fence currently. It is not visible in any way from the street. It has a cover that meets all national safety regulations and has an additional locking mechanism for when not in use.

7.

That the granting of the variation would not unduly tax public utilities and facilities in the area;

The granting of this variation would not tax any public utilities or facilities in the area. The proposed location of the hot tub will not increase the amount of water used, won't increase demand on the Fire Department, Police Department or any other agencies.

8.

That 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.

The variation request is due to a concrete pavement plan that was approved by the Village and poured in the Fall of 2021. The location in the secondary front yard was completed with specifications for a hot tub pad. There is not another location in the yard that can accommodate a hot tub without pouring additional/new concrete.

Overview From Homeowners On Request For Variances:

Fence:

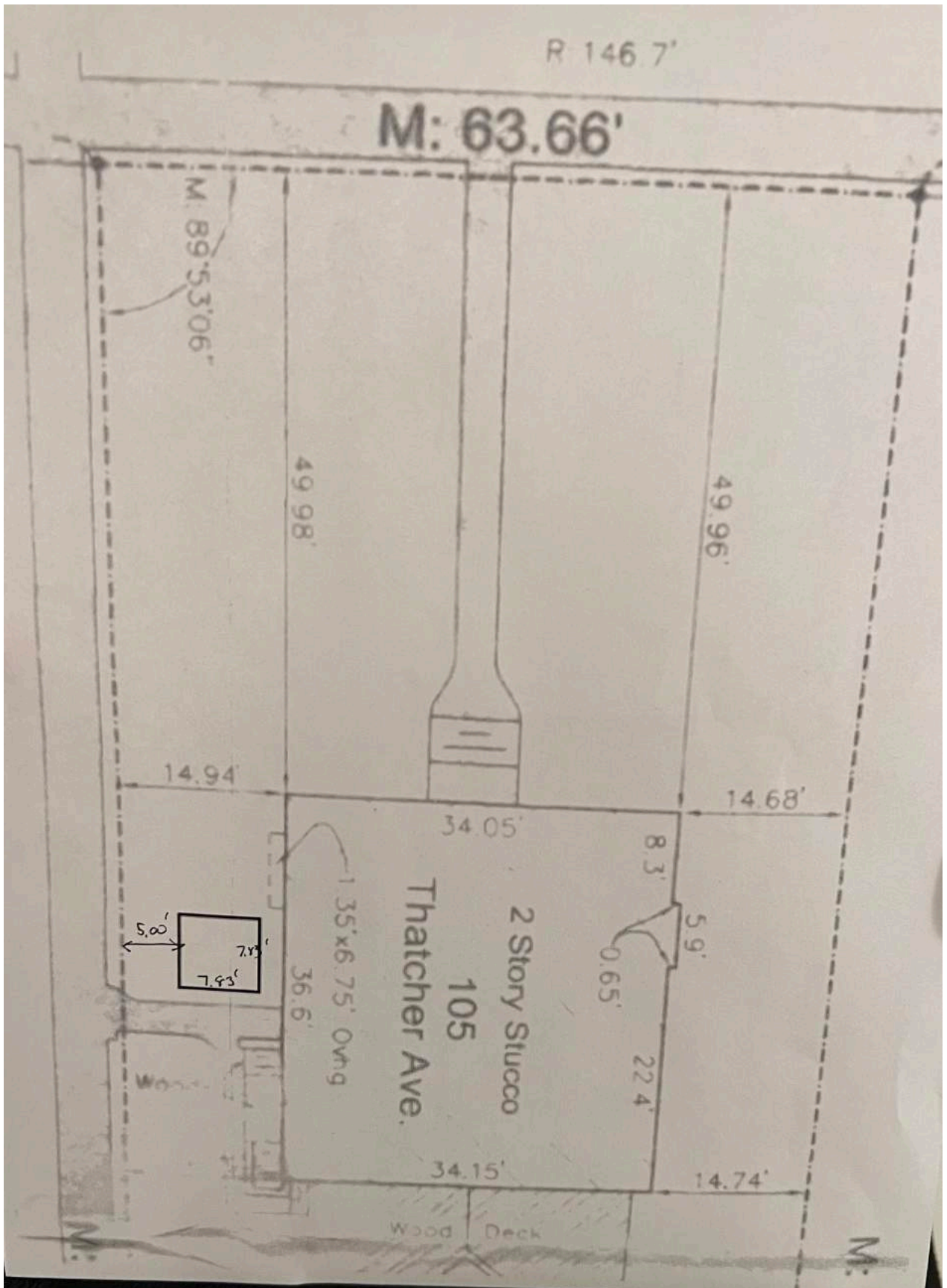
We would like to replace our current 6ft solid cedar fence with a new solid 6ft cedar fence due to its failing condition. Until 2020 we had a first floor covered entry porch to our kitchen from the side of the house on Vine Street. That door was removed during renovation, and we attached pictures of the before and after from the renovation. We still have the basement entry door that was directly under the old kitchen door. The access and stairs begin at the rear of the residence and the stairs run west to the basement access door, making a fence ending at the rear point of our residence nearly impossible. If a privacy fence ended at the rear of the residence it would necessitate a gate across the top of the exterior basement stairs, which could be a safety concern. The basement door and steps were installed as part of a 1960s addition and remain as-is. We would like to keep a privacy fence on the Vine Street side of our property to continue to keep this lower level access point to our home out of view from street and sidewalk. A few years ago we had our garage door kicked in and property stolen from our garage. We had an excellent RF police officer respond and as he was compiling his report he offered to walk the property with us to help us better protect our home and property in the future. The officer identified this lower level entry as one of the most vulnerable access points to our home, and said it was good that it wasn't visible from the street as criminals case houses for possible entry points. He explained we are more vulnerable as a corner lot and with no neighbors across the street due to Thatcher Woods. We love our home location with the woods as our front yard, but also understand it comes with more vulnerability as a corner lot with no across the street neighbors, or immediate neighbors to the south to see or hear a break-in. We would like to continue to have the basement stairs and access door obstructed from view on both Vine and Thatcher with solid fencing to best protect our home and property.

The fence does not obstruct sight lines on Vine or Thatcher and we have included pictures from the corner of those streets to provide perspective on the setback of the fence from both streets. We have included examples of solid fencing on corner lots throughout River Forest that go beyond the backyard to include side yards (samples from Oak, Chicago Ave, Washington etc).

Hot Tub:

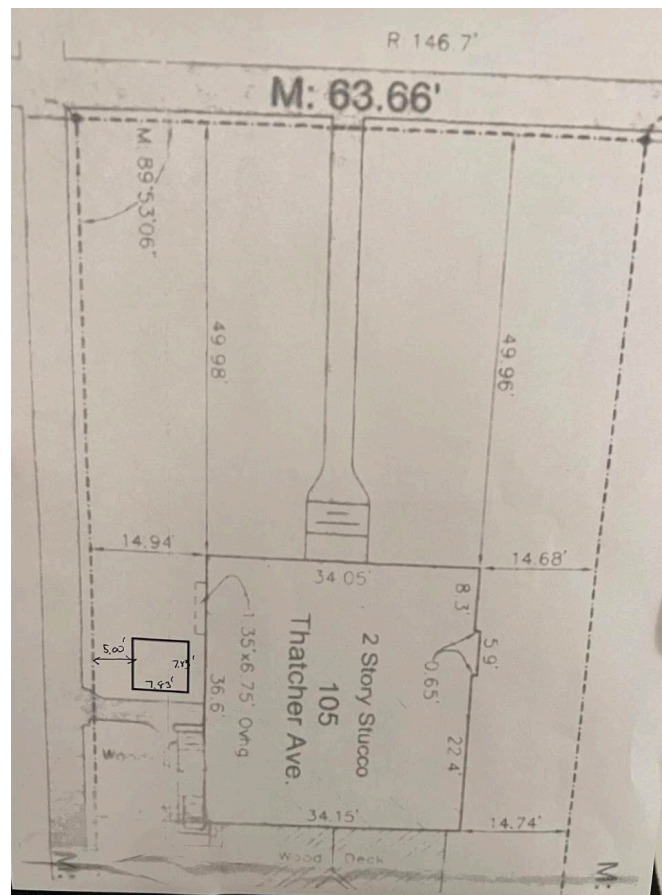
Upon completion of our 2019 home renovation we had to have a landscaping plan created for our backyard as the yard was completely torn up during construction and access points were changed so new hardscaping was needed. The area by our old kitchen door and current basement door inside our fence seemed like an ideal place for a hot tub. It has an easy access point to our basement level so no one has to come in the main level with wet bathing suits. It's a corner of our yard that was no longer serving a purpose due to the kitchen stairs and walkway being removed and is not near any neighboring properties because it is a corner lot. We submitted the permit application for the concrete work to be reviewed, and the concrete plan was approved by the Village and poured in the Fall of 2021. Due to Covid impacting the supply chain

for hot tub manufacturers, we were told by suppliers it could be anywhere from twelve to eighteen months before hot tub orders were available for delivery. Although we didn't know when we would be able to get a hot tub due to supply chain challenges, we included the necessary documentation for the hot tub concrete pad in our grading and paving permit so the location for the hot tub could be reviewed as part of the plan. We did this since it is most cost effective to have all concrete poured at the same time. It is our understanding now from the Village that we need to apply for a variance to have a hot tub in that location where the hot tub concrete pad exists, so we are applying for a variance at this time.



105 Thatcher Avenue

Backyard Overview



105 Thatcher pre-2019/20 Home Renovation

Two south side entrances on Vine Street. One had steps above ground to kitchen and one with steps below to basement.



105 Thatcher Post 2020 Home Renovation

Kitchen porch and door access removed but basement steps and lower level access remain as they were before the renovation. Lower level access would be visible from Vine St. and Thatcher Avenue without solid fencing. Position of exterior basement stairs prevents/complicates fence ending at rear line of property as picture shows below. We would like to replace current cedar fence with the same solid cedar fencing to continue to obstruct this lower level access point into our home.



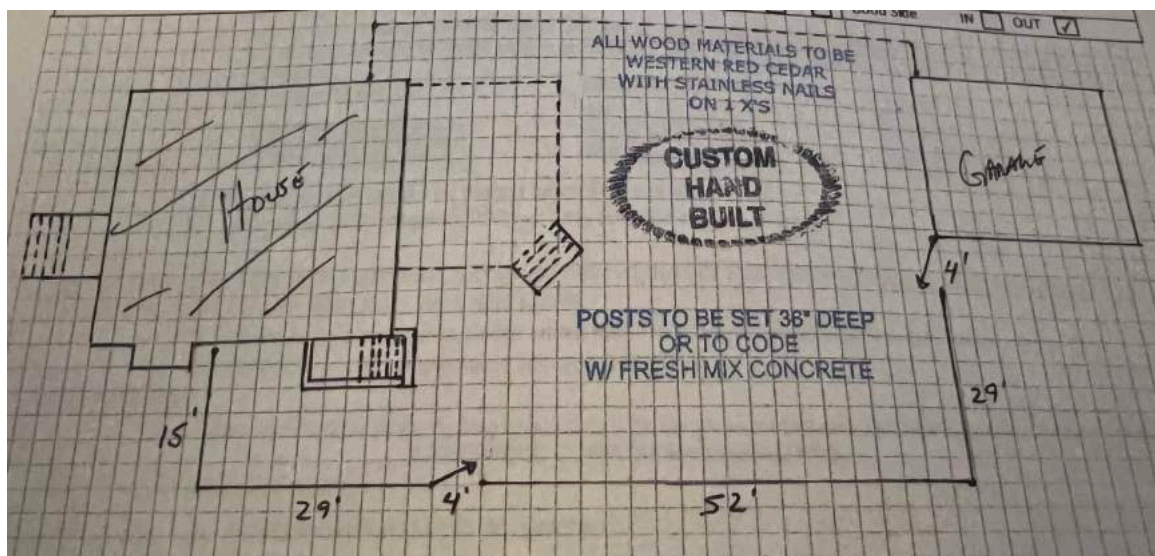
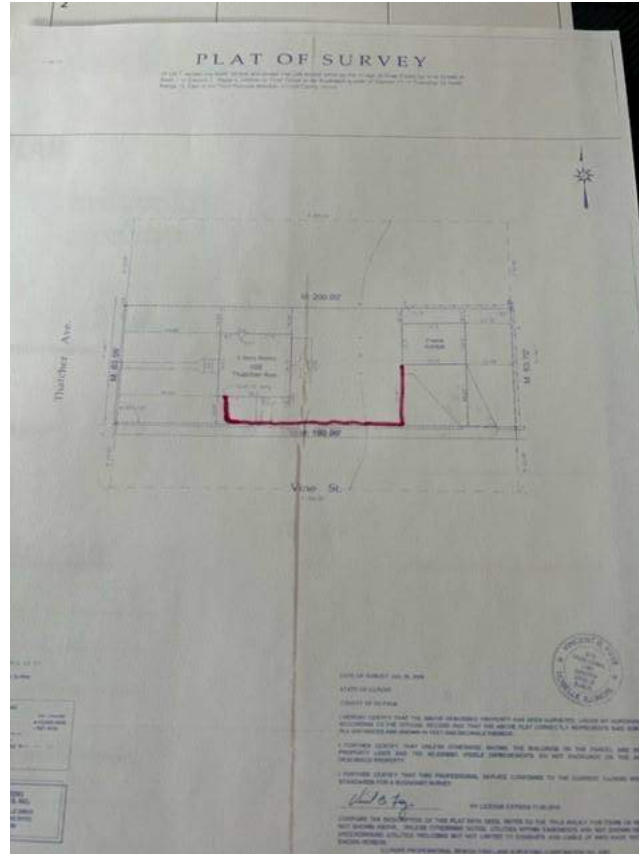
View of home/current fence from corner of Thatcher & Vine



View of home/fence from Vine



Proposed 6ft Cedar Fence Location & Detail



*Some Examples in River
Forest of Type 3 Fencing on
Corner Lots in Secondary
Front Yard/Beyond Rear
Building Line of Residence*



July 13, 2022

Elena and Jim Martignon
45 Thatcher Avenue
River Forest, IL 60305

To The River Forest Zoning Board:

We are neighbors of the Hampsons at 105 Thatcher Avenue. We both have corner lots at Thatcher and Vine. We have never had an issue with the Hampson's current fence in the decade plus of time we have lived here, and we support their request for variance for their hot tub placement and replacement of the current cedar fence with a similar cedar fence on their property.

Sincerely:


Elena & Jim Martignon