

VARIANCE STANDARDS

A variance shall be granted only if the applicant demonstrates the following:

- 1. That the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located: This standard is met because** the home owners of over 10 years plan to build a second story addition and want to keep the cost affordable. Most houses in the subdivision are wood frame homes made with vinyl siding and are not made with brick. Home owners are trying to keep the cost of the addition comparable to the surrounding properties values in the subdivision.
- 2. That the plight of the owner is due to unique circumstances: This standard is met because** of the down turn of the real estate market. Current home owners have owned and lived in the property for over 10 years. They are invested and committed to the Orland Park community and want to stay in Orland Park to raise their family. Home owners have 3 children and need a bigger house with more space. A few years ago they attempted to sell their house and buy a bigger house in Orland Park. The house was on the market for over a year with only one offer and the sale of the house fell through. The addition would allow the home owners to stay in Orland Park.
- 3. That the variation, if granted, will not alter the essential character of the locality: This standard is met because** most of the houses in the subdivision are wood frame homes with vinyl siding and are not made with brick. The ordinance was established before most of the homes in the subdivision were built. Building a second story addition with all premium vinyl siding would not alter the essential character of the locality.
- 4. That because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations were carried out. This standard is met because** most of the houses in the subdivision are wood frame homes with vinyl siding and are not made with brick. The ordinance was established before most of the homes in the subdivision were built. Building a second story addition with all premium vinyl siding would keep the cost of the addition down and comparable to the surrounding properties values in the subdivision.
- 5. That the conditions upon which the petition for a variation is based are unique to the property for which the variance is sought and are not applicable, generally, to other property: This standard is met because** the ordinance (design standard VI-308-3; 5) is unique to the subdivision. Most of the houses in the subdivision are wood frame homes with vinyl siding and are not made with brick. The ordinance was established before most of the homes in the subdivision were built. Using premium vinyl siding for the first floor of the house instead of brick preserves the essential character of the area.
- 6. That the alleged difficulty or hardship is caused by these regulations and has not resulted from any act of the applicant or any other person presently having an interest in the property subsequent to the effective date hereof, whether or not in violation of any portion thereof: This standard is met because** of the down turn of the real estate market. Current home owners have owned and lived in the property for over 10 years. They are invested and committed to the Orland Park community and want to stay in Orland Park to raise their family. Home owners have 3 children and need a bigger house with more space. A few years ago they attempted to sell their house and buy a bigger house in Orland Park. The house was on the market for over a year with only one offer and the sale of the house fell through. The addition would allow the home owners to stay in Orland Park.

- 7. That the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located or otherwise be inconsistent with the Comprehensive Plan, any adopted overlay plan or these regulations: This standard is met because using premium vinyl siding for the first floor instead of brick is a cosmetic or design issue and does not compromise the structure or safety of the house.**
- 8. That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public street, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood: This standard is met because none of the above will be affected by using premium vinyl siding for the first floor instead of brick. After the second story addition, it will be one of the nicest houses in the subdivision. The addition will improve the property values within the neighborhood.**
- 9. That the variance granted is the minimum adjustment necessary for the reasonable use of the land: This standard is met because the home owners plan to build a second story addition and want to keep the cost affordable. Most houses in the subdivision are wood frame homes made with vinyl siding and are not made with brick. Home owners are trying to keep the cost of the addition comparable to the surrounding properties values in the subdivision.**
- 10. That aforesaid circumstances or conditions are such that the strict application of the provisions of this section would deprive the applicant of any reasonable use of his/her land. Mere loss in value shall not justify a variance; there must be deprivation of all beneficial use of land: This standard is met because the variance will (1) keep the construction cost of the addition comparable to the surrounding property values; (2) expand the square footage of the house making it more marketable; (3) improve the beauty of the neighborhood; and (4) increase the property values of the area.**