



Agenda
Village of Arlington Heights
Zoning Board of Appeals
Buechner Room, 1st Floor

Arlington Heights Village Hall
33 S. Arlington Heights Road
Arlington Heights, IL 60005
December 12, 2016
7:00 PM

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF MINUTES

- A. 103 N. Pine Ave. - 11/14/16
- B. 7 S. Regency Dr. East - 11/14/16
- C. 3917 N. Proctor Circle - 11/14/16
- D. 2211 N. Champlain St. - 11/14/16
- E. 3921 N. Proctor Circle - 11/14/16
- F. 523 S. Belmont Ave. - 11/14/16
- G. 909 W. Campbell St. Subdivision - 11/14/16

IV. REPORTS

V. OLD BUSINESS

VI. NEW BUSINESS

- A. 1504 N. Howard Ct. - ZBA#16-048
- B. 925 N. Douglas Ave. - ZBA#16-056

VII. OTHER BUSINESS

- A. Electronic Packet Distribution Overview

VIII. ADJOURNMENT

Persons with disabilities requiring auxiliary aids or services, such as an American Sign Language interpreter or written materials in accessible formats, should contact David Robb, Disability Services Coordinator, at 33 S. Arlington Heights Road, Arlington Heights, Illinois 60005, (847)368-5793

(Voice), (847)368-5980 (Fax) or drobb@vah.com.



Item: 103 N. Pine Ave. - 11/14/16

Department: Planning & Community Development

ATTACHMENTS:

Description	Type
Minutes 11/14/16 - 103 N. Pine Ave.	Minutes
Findings 11/14/16 - 103 N. Pine Ave.	Minutes

DRAFT

ZONING BOARD

REPORT OF PROCEEDINGS OF A MEETING BEFORE THE VILLAGE OF ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

OF APPEALS

RE: JOHANN RESIDENCE - 103 NORTH PINE AVENUE

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Zoning Board of Appeals taken at the Arlington Heights
Village Hall, 33 South Arlington Heights Road, 1st Floor Buechner Room,
Arlington Heights, Illinois on the 14th day of November, 2016 at the hour
of 7:00 p.m.

MEMBERS PRESENT

TONY PETRILLO, Chairman
TOM DRAKE
TOM SCHWINGBECK
JOSEPH GEISEL
JOSEPH SELBKA

ALSO PRESENT:

DEREK MACH, Village Planner

DRAFT

CHAIRMAN PETRILLO: We'll call the November 14th Zoning Board of Appeals meeting to order. Derek, would you call the roll?

MR. MACH: Chairman Petrillo.

CHAIRMAN PETRILLO: Here.

MR. MACH: Mr. Divito.

(No response.)

MR. MACH: Mr. Drake.

MR. DRAKE: Here.

MR. MACH: Mr. Geisel.

MR. GEISEL: Here.

MR. MACH: Mr. Schwingbeck.

MR. SCHWINGBECK: Here.

MR. MACH: Mr. Selbka.

MR. SELBKA: Here.

MR. MACH: Mr. Siavelis.

(No response.)

CHAIRMAN PETRILLO: Okay, we have a quorum. The next order of business is the pledge of allegiance. If you would rise and join us in the pledge of allegiance?

(Pledge of allegiance.)

CHAIRMAN PETRILLO: I've already talked to Derek and I apologize to my fellow Board members. My absence last meeting was unexpected. I got caught in labor negotiations in Rosemont and until Derek called I had a big lump in my throat because I had to be here in 20 minutes but I don't think that was realistic anyway. So, my apologies for my unexcused absence.

The next order of business is the approval of the minutes from the October 10th Board meeting. Has every Board member had an opportunity to review those minutes? Are there any changes or comments? None being heard, is there a motion?

MR. DRAKE: So moved.

CHAIRMAN PETRILLO: Is there a second?

MR. GEISEL: Second.

CHAIRMAN PETRILLO: We have a motion and a second. All those in favor say aye.

(Chorus of ayes.)

CHAIRMAN PETRILLO: All those opposed say nay.

(No response.)

CHAIRMAN PETRILLO: Motion passes. We have --

MR. SELBKA: Only three members could actually vote on it because I wasn't here at the time.

CHAIRMAN PETRILLO: Do we have to, for the approval of the minutes, is it still the quorum requirements of the minimum number of four? Or is it the majority of those present?

MR. MACH: The majority, three.

CHAIRMAN PETRILLO: Okay, okay. All right, folks, this evening we have seven petitions on our agenda. When you make your presentation tonight to the Board, if you would touch on three areas that we need to weigh in consideration of your petition. First, that the property in question cannot yield a reasonable return on the investment if the strict code is applied. Second, that the plight of the owner is due to unique circumstances. And, that if the variance is granted, that it will not alter the character of the neighborhood or the locality.

Are there any questions on those three items? If you come up and you have any questions on those three areas, we'll ask you questions to try and touch on those. Or if you need a reminder, please feel free to ask.

The first petition on tonight's agenda is the Johann Residence on Pine Avenue.

MR. BUCALO: I'm Dennis Bucalo and I am representing the buyer of the property. We're requesting a variance based on hardship as far as the economy of making a buildable home on the site.

CHAIRMAN PETRILLO: I'm sorry, I forgot to swear you in. If you could, have you had a chance to sign in, sir?

MR. BUCALO: Yes, I have.

CHAIRMAN PETRILLO: Could you state your name and address for the record?

MR. BUCALO: Dennis Bucalo, 25999 West Sunset Road, Barrington, Illinois.

CHAIRMAN PETRILLO: I will swear you in if you would raise your right hand.
(Witness sworn.)

CHAIRMAN PETRILLO: Thank you. Again, sir, your relationship to this petition is the buyer of the property?

MR. BUCALO: Yes, I'm the buyer of the property, builder, the proposed builder. Again, based on the situation, it's currently a single family home on a double lot. The garage is built on both lots and the home is built seven-foot off the easement of the existing property line on the one lot. The lot is 66-foot wide and, therefore, it leaves only a 29-foot wide home to be built on that particular property if we stayed within the zoning easement established by the original house built because there's currently a 30-foot side yard setback.

So, we're requesting to modify that to a 15-foot side yard setback to allow us to build a home large enough to justify the price of the purchase of the land.

CHAIRMAN PETRILLO: Your hardship is, what happens if we apply the code and your variance is not granted?

MR. BUCALO: There's no way to build a home larger than approximately 2,500 square-foot based on the price of the land, that does not justify the purchase.

CHAIRMAN PETRILLO: Describe in economic terms what that means in dollars and cents to you.

MR. BUCALO: In dollars and cents, there's just no profit. The particular property, we're spending, the amount of money we're purchasing the land for and then the additional cost to construct a new home will basically be a break-even point justified by what we're getting in other properties in the area for new construction. There's always the thought

of renovating the home but the home is not structurally sound. The walls are not level, the floors are not level, the plumbing needs to be redone, the electrical needs to be redone, the roof, the windows. So, from that perspective it doesn't justify leaving the house in and trying to put an additional on the house.

CHAIRMAN PETRILLO: What is the age of the home?

MR. BUCALO: About a hundred years.

CHAIRMAN PETRILLO: Hundred years. Then where are you at in the process of closing on the property?

MR. BUCALO: It's all dependent on the variances.

CHAIRMAN PETRILLO: Derek, this is, I think we've had similar where a potential property owner has approached us for a variance that stays with the property and the present owner is not required?

MR. MACH: Correct. Yes.

CHAIRMAN PETRILLO: Okay. Kind of the uniqueness to this is the situation or the way the house is situated on the lot as being a corner lot, and the side yard, rear/front yard somewhat reversed. That poses you with this problem that you face with this very narrow home, not being able to get the square footage out of it, either width-wise or height-wise going three stories doesn't seem to make sense on a very narrow home. It might look somewhat funny and awkward and out of character to the neighborhood.

MR. BUCALO: Sure, and we have neighbors that, the houses on Miner Street, also on Pine Street, have side yard setback of about 15-foot. So, we're trying to relate to those. Also across the street on Wing Street, the houses on the south side of the street are also set back less than 30 feet, they're approximately 15 to 20 feet.

CHAIRMAN PETRILLO: The impact on the neighbors is, the 102 Wing is situated fairly far back.

MR. BUCALO: Yes.

CHAIRMAN PETRILLO: Your house is much closer to Belmont, and then across the street is a commercial building.

MR. BUCALO: Correct.

CHAIRMAN PETRILLO: So, there's really no residence there that would be impacted.

MR. BUCALO: No.

CHAIRMAN PETRILLO: The open property to the north that is, is that owned by you as well?

MR. BUCALO: That would be part of the package, yes. Our intention would be to put a substantial, like 3,500 to 3,700 square-foot home on that property also.

CHAIRMAN PETRILLO: Okay. Is this home going to have any impact on the future design and development of that property for spacing or distances between the homes?

MR. BUCALO: Yes, we're going to maintain proper setbacks and probably put the driveway between the two houses to separate them that way. We haven't really studied the other lot. With this issue with the zoning, we wanted to establish that we can move forward before we even consider the design for the other home. But we have been working with the Design Department here in Arlington Heights and have come up with what they consider a very attractive farmhouse style home for this corner lot. Our idea would be to

maintain a similar style home next door.

CHAIRMAN PETRILLO: So, this variance wouldn't cause you to return before this Board to seek a variance for the second property that you have in mind?

MR. BUCALO: Correct, because in order to proceed with this, we'd have to tear the garage down. The garage is already currently built on both properties.

CHAIRMAN PETRILLO: Right.

MR. BUCALO: So, no matter what, we have to tear the garage down. So, we could obtain the zoning variance for this particular lot, the second lot would be buildable at that point.

CHAIRMAN PETRILLO: Thank you. Are there any other questions from any member of the Board?

MR. SCHWINGBECK: If I heard you, you said something about the driveway going between the two properties?

MR. BUCALO: That would be for the second house. It's got to go on one side or the other. There's currently a driveway on the south side of the house that's located next to the vacant lot.

MR. SCHWINGBECK: Okay.

MR. BUCALO: So, it would just be a matter of how we position that, which side of the property. Again, we haven't really studied that at this time. So, you know, again the property is 66-foot wide at both lots.

MR. SCHWINGBECK: Right.

MR. BUCALO: Which would allow us ample room to put a side-load garage or a front-load garage depending on the design.

CHAIRMAN PETRILLO: Any other questions from any other members of the Board? None being heard, is there anyone in the audience that wishes to speak to this petition? None being heard, sir, thank you.

MR. BUCALO: Thank you.

CHAIRMAN PETRILLO: We'll close it for questioning and open it up to Board comments.

MR. SELBKA: I would vote to approve this petition. I think the design is really nice and I think that that house is in an oddly shaped area, it's only a couple of blocks away from where I live and I think it will be a great addition to the neighborhood.

CHAIRMAN PETRILLO: Any other comments from any other member of the Board? So, we need a motion then.

MR. SELBKA: Motion to approve.

CHAIRMAN PETRILLO: Is there a second?

MR. GEISEL: Second.

CHAIRMAN PETRILLO: We have a motion and a second. Derek, would you call the roll?

MR. MACH: Mr. Drake.

MR. DRAKE: Yes.

MR. MACH: Mr. Geisel.

MR. GEISEL: Yes.

MR. MACH: Mr. Schwingbeck.

MR. SCHWINGBECK: Yes.

MR. MACH: Mr. Selbka.

MR. SELBKA: Yes.

MR. MACH: Chairman Petrillo.

CHAIRMAN PETRILLO: Yes. Thank you, sir. Good luck.

MR. BUCALO: We're finished?

CHAIRMAN PETRILLO: Yes.

(Whereupon, the public hearing on the
above-mentioned petition was adjourned
at 7:11 p.m.)

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS

November 14, 2016

PETITIONER: Johann Residence
ADDRESS OF PROPERTY: 103 N. Pine Ave.
VARIATION: 5.1-3.6, 5.4

A 15.5-foot variance to allow a new home with an exterior side yard setback of 15.0-feet from the south property line instead of the minimum 30.5-feet and an additional 1.3-feet for the eave.

The petitioner explained that they are proposing to tear down the existing home and construct a new home on the south parcel. The petitioner testified that the existing home is on a double lot. The petitioner explained that the south lot is 66 feet wide which would only allow for a 29 foot wide home to be built on the subject site since a 30 foot exterior side yard setback is required. The petitioner also testified that the existing home is not structurally sound. The petitioner explained that it is not realistic to leave the existing house and constructing a second home on the north parcel due to the economics of the project. The petitioner testified that the proposed setback is not out of character for the neighborhood. The petitioner also testified that the house on the north parcel will be code compliant.

Based upon the foregoing as well as other evidence submitted, the Zoning Board of Appeals finds that the petitioner has established the necessary elements for the granting of a variance, namely; that the petitioners would sustain a hardship if the variance were not granted; that the situation of the petitioners is unique; and, that the granting of a variance would not alter the essential character of the neighborhood. Proof of ownership and compliance with the Notification Provisions of the Ordinance were presented.

Thereafter, a motion was made by Mr. Selbka and seconded by Mr. Geisel. Thereafter, the Board voted 5-0 to approve the variance request.

Now, therefore, after hearing all the evidence and after due deliberation, the Zoning Board of Appeals, voted 5-0 to grant the variance as requested.

The granting of a variance for this property shall not be construed as an approval to construct or encroach upon any easement areas unless written consent has been granted by each utility company and a copy of each letter is on file with the petition for this variation, nor be construed as a waiver of any requirements of the building code or other applicable ordinances of the Village.

It is expressly noted that no order of this Board permitting the aforesaid variance shall be valid for a period longer than one (1) year unless such construction is started and proceeds to completion within the terms of such permit.

Anthony Petrillo, Chairman
Zoning Board of Appeals
Village of Arlington Heights



Item: 7 S. Regency Dr. East - 11/14/16

Department: Planning & Community Development

ATTACHMENTS:

Description	Type
Minutes 11/14/16 - 7 S. Regency Dr. East	Minutes
Findings 11/14/16 - 7 S. Regency Dr. East	Minutes

ZONING BOARD

REPORT OF PROCEEDINGS OF A MEETING
BEFORE THE VILLAGE OF ARLINGTON HEIGHTS
ZONING BOARD OF APPEALS

OF APPEALS

RE: JAWORSKI RESIDENCE - 7 SOUTH REGENCY DRIVE EAST

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Zoning Board of Appeals taken at the Arlington Heights
Village Hall, 33 South Arlington Heights Road, 1st Floor Beuchner Room,
Arlington Heights, Illinois on the 14th day of November, 2016 at the hour
of 7:11 p.m.

MEMBERS PRESENT:

TONY PETRILLO, Chairman
TOM DRAKE
TOM SCHWINGBECK
JOSEPH GEISEL
JOSEPH SELBKA

ALSO PRESENT:

DEREK MACH, Village Planner

CHAIRMAN PETRILLO: The next petition is Jaworski.

MR. JAWORSKI: Good evening.

CHAIRMAN PETRILLO: Good evening. Could you state your name and address for the record please?

MR. JAWORSKI: Michael Jaworski. I live at 7 South Regency Drive East.

CHAIRMAN PETRILLO: Can I swear you in?

MR. JAWORSKI: Sure.

(Witness sworn.)

CHAIRMAN PETRILLO: Thank you. Go ahead.

MR. JAWORSKI: We petitioned for a variance to build a six-foot fence along the rear of our property. We have an existing six-foot fence that needs to be replaced. I want to replace it with a board-on-board fence with a dog here and hidden posts, metal posts so that the new one doesn't end up falling. Also, I noticed everybody in the neighborhood straight down the line has the same fence, style of fence, so aesthetically it would look real nice in the neighborhood. I spoke with all the neighbors and I know that there's three other neighbors that have also asked for a variance in the past and they were granted to build a six-foot fence.

There is a road that is along all the properties and at the back of our properties, the road is also a higher grade so traffic, there's a lot of traffic that drives up and down on Forest Avenue there. A lot of times people like to cut across between Kensington and Rand Road to avoid the traffic lights over at Kensington and Rand. One of the streets, the way my yard is situated, one of the streets has a stop sign, empties out right onto Forest which is almost directly behind our property. All the headlights pretty much shine right into the home.

With this six-foot fence, it would give us a little extra security, more privacy being the fact that the street is also at a higher grade than our property.

CHAIRMAN PETRILLO: That's Mount Prospect, correct?

MR. JAWORSKI: Correct.

CHAIRMAN PETRILLO: How many individuals live in your home?

MR. JAWORSKI: Three, just my wife, my daughter and I.

CHAIRMAN PETRILLO: The age of your daughter?

MR. JAWORSKI: Three.

CHAIRMAN PETRILLO: Three. Is she a climber? Not yet.

MR. JAWORSKI: She can be. She can be.

CHAIRMAN PETRILLO: That's a very heavily traveled road, I know from Prospect High School students. If you go along that at any point in time, you can see a lot of garbage along there, depending upon whether there has been a football game or a dance, whatever it might be. So, I'm very familiar with that area and have used that cut-through. I do agree that, I don't know, I forgot the name of that street, the easterly-westerly street, but turning, going west on that street and then turning south on Forest, those lights do shine. I'm very familiar with that area, so I understand your plight that you're in.

Is there any questions or comments from any other member of the Board?

MR. MACH: Chairman, I have a question. Just to clarify, is the proposed fence along the rear property line or along the entire --

MR. JAWORSKI: The six-foot fence is just along the rear property line which would be right along Forest Avenue.

MR. MACH: Okay.

CHAIRMAN PETRILLO: You're staying with the same location, correct? It's just replacing what is already existing?

MR. JAWORSKI: Yes.

CHAIRMAN PETRILLO: Thank you. Any other questions or comments?

MR. DRAKE: You said the other fences along the street there are six feet. I took a look at the property and it looked like your existing fence, that was already six feet? Was that just I looked at it too quickly or, you know, late in the day?

MR. JAWORSKI: The existing fence that's on the property is six feet but it got blown down so I have it kind of being held up with a two-by-four until I could get the permit.

MR. DRAKE: Yes, I saw the two-by-four.

MR. JAWORSKI: Right. So, this way, so the fence kind of looks a little bit lower now because the post broke. So, I wanted to replace it to make the community look a little bit better. Plus I had some trees cut out in the rear yard and with the, until I can get the fence put I can't have the rear back yard sodded until next spring.

MR. SCHWINGBECK: Can I ask one, Chairman?

CHAIRMAN PETRILLO: Sure.

MR. SCHWINGBECK: But just to piggyback on Derek's comment, I didn't notice a fence on the inside of your property. Looking at the plat of survey here, is it going down from east to west as well? Or is it just going north and south at the rear of your property?

MR. JAWORSKI: The six-foot fence? It's just --

MR. SCHWINGBECK: The one you're proposing.

MR. JAWORSKI: Correct, is going north and south.

MR. SCHWINGBECK: Is there a fence that goes east and west between you and your neighbor?

MR. JAWORSKI: Yes, that's a four-foot fence where we're fixing that one as well and we're putting the same exact style of four-foot along there.

MR. SCHWINGBECK: This same type of fence, okay.

MR. JAWORSKI: Correct.

CHAIRMAN PETRILLO: Any other questions or comments for the witness? None being heard, is there anyone in the audience that wishes to speak to this petition? None being heard, thank you, sir.

Questions or, comments from the Board, I'm sorry. I think this is very reasonable. I'm very familiar with this area. Just the kids going up and down traffic and so forth, a three-year-old, they get up over things real quick. So, just for that, that height for an extra sense of security and privacy I think is necessary. Is there a motion?

MR. SELBKA: Motion to approve.

MR. SCHWINGBECK: Second.

CHAIRMAN PETRILLO: We have a motion and a second. Derek, would you call the roll?

MR. MACH: Mr. Drake.

MR. DRAKE: Yes.

MR. MACH: Mr. Geisel.

MR. GEISEL: Yes.

MR. MACH: Mr. Schwingbeck.

MR. SCHWINGBECK: Yes.

MR. MACH: Mr. Selbka.

MR. SELBKA: Yes.

MR. MACH: Chairman Petrillo.

CHAIRMAN PETRILLO: Yes. Okay, good luck.

MR. JAWORSKI: Thank you.

CHAIRMAN PETRILLO: Hope you get it in before the ground freezes.

(Whereupon, the public hearing on the
above-mentioned petition was adjourned
at 7:16 p.m.)

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS

November 14, 2016

PETITIONER: Jaworski Residence
ADDRESS OF PROPERTY: 7 S. Regency Drive East
VARIATION: 6.13-3b

A 1-foot variance to allow an increase to the maximum fence height from 5-feet to 6-feet, for a fence located along the rear property line.

The petitioner testified as to hardship, uniqueness of circumstances, and the character of the locality. The petitioner explained that they have an existing six foot high fence that needs to be replaced. The petitioner explained that their property backs up to Forest Avenue. The petitioner testified that the neighboring homes have six foot high fences along the rear (Forest Avenue) property line and that it would look out of character to have a lower fence. The petitioner testified that a six foot high fence would provide extra security and privacy.

Based upon the foregoing as well as other evidence submitted, the Zoning Board of Appeals finds that the petitioner has established the necessary elements for the granting of a variance, namely; that the petitioners would sustain a hardship if the variance were not granted; that the situation of the petitioners is unique; and, that the granting of a variance would not alter the essential character of the neighborhood. Proof of ownership and compliance with the Notification Provisions of the Ordinance were presented.

Thereafter, a motion was made by Mr. Selbka and seconded by Mr. Schwingbeck. Thereafter, the Board voted 5-0 to approve the variance request.

Now, therefore, after hearing all the evidence and after due deliberation, the Zoning Board of Appeals, voted 5-0 to grant the variance as requested.

The granting of a variance for this property shall not be construed as an approval to construct or encroach upon any easement areas unless written consent has been granted by each utility company and a copy of each letter is on file with the petition for this variation, nor be construed as a waiver of any requirements of the building code or other applicable ordinances of the Village.

It is expressly noted that no order of this Board permitting the aforesaid variance shall be valid for a period longer than one (1) year unless such construction is started and proceeds to completion within the terms of such permit.

Anthony Petrillo, Chairman
Zoning Board of Appeals
Village of Arlington Heights



Item: 3917 N. Proctor Circle - 11/14/16

Department: Planning & Community Development

ATTACHMENTS:

Description	Type
Minutes 11/14/16 - 3917 N. Proctor Circle	Minutes
Findings 11/14/16 - 3917 N. Proctor Circle	Minutes

ZONING BOARD

REPORT OF PROCEEDINGS OF A MEETING
BEFORE THE VILLAGE OF ARLINGTON HEIGHTS
ZONING BOARD OF APPEALS

OF APPEALS

RE: CONSTERTINA RESIDENCE - 3917 NORTH PROCTOR CIRCLE
MONGOVEN RESIDENCE - 3921 NORTH PROCTOR CIRCLE

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Zoning Board of Appeals taken at the Arlington Heights
Village Hall, 33 South Arlington Heights Road, 1st Floor Beuchner Room,
Arlington Heights, Illinois on the 14th day of November, 2016 at the hour
of 7:16 p.m.

MEMBERS PRESENT:

TONY PETRILLO, Chairman
TOM DRAKE
TOM SCHWINGBECK
JOSEPH GEISEL
JOSEPH SELBKA

ALSO PRESENT:

DEREK MACH, Village Planner

CHAIRMAN PETRILLO: The next petition is the Constertina petition.

MR. SCHWINGBECK: Do you want to do it right now?

CHAIRMAN PETRILLO: Yes, you want to make that motion?

MR. SCHWINGBECK: Yes, I'd like to motion that as we listen to the Constertina Residence, that immediately following this one we also then just flip D and E and go to the Mongoven Residence since they are right next door to one another.

CHAIRMAN PETRILLO: Okay, do you want to take the testimony at the same time and then we can just go on the vote separately? If you want to do that, we'll call up both witnesses at the same time since --

MR. MACH: Sure.

MR. SCHWINGBECK: They seem to be identical, right.

MS. CONSTERTINA: They are identical.

CHAIRMAN PETRILLO: Right. Is there a second to Tom's motion?

MR. DRAKE: Second.

CHAIRMAN PETRILLO: All those in favor say aye.

(Chorus of ayes.)

CHAIRMAN PETRILLO: Any opposed say nay.

(No response.)

CHAIRMAN PETRILLO: None being heard, the motion passes. We'll take the Mongoven at the same time as well. Have you folks had a chance to sign in?

MS. CONSTERTINA: We did.

CHAIRMAN PETRILLO: Okay, ma'am, if you would state your name and address and the petition that you're associated with?

MS. CONSTERTINA: My name is Cyndi Constertina, and I'm at 3917 North Proctor Circle. What we're looking to do --

CHAIRMAN PETRILLO: Wait, I'm going to swear you both in, okay? Sir, would you state your name and address and your association, or the petition that you're associated with?

MR. MONGOVEN: My name is Larry Mongoven. I'm at 3921 North Proctor Circle and I'm the owner of that property next to Mrs. Constertina.

CHAIRMAN PETRILLO: Would you raise your right hands so I can swear you in?

(Witnesses sworn.)

CHAIRMAN PETRILLO: Ma'am, if you would then address the petition for 3917 North Proctor?

MS. CONSTERTINA: Okay. So, what we have existing at both the back and the sides of our property is a six-foot fence and we're looking to replace it with the exact same fence. Our property as well as the Mongoven property both back up to Nichols Road. They're one way from Arlington Heights Road and we're two away, but the road does go, I mean literally from Buffalo Grove Road, it goes all the way past Arlington Heights Road, all the way down past Wilke. So, it does get, even though it's supposed to be more of a residential, it is quite a few traffic stops there as far as police cars flashing in the back of our property. The stoplight, like I said, is there. Kids are coming to and from school.

So, we were looking to keep the uniformity as far as the character goes, keep the uniformity of that street behind us where you pull in to Terramere. The code

is now five-foot, so if we replace it, it would be six-foot and then our five-foot. So, we're looking to keep the character of the neighborhood, the integrity of the neighborhood, and replace what we currently have with a solid fence to provide a little bit of that sound barrier as well.

MR. MONGOVEN: Well said.

CHAIRMAN PETRILLO: Sir, do you have any opposition to your neighbor's petition? I'll ask you that now.

MR. MONGOVEN: Zero opposition, sir. I would like to supplement it if I could.

CHAIRMAN PETRILLO: This is addressing the petition at 2211, I'm sorry, at 3921 --

MS. CONSTERTINA: 3917 and now 3921.

CHAIRMAN PETRILLO: 17 and 21.

MR. MONGOVEN: We did some research and we found that Nichols, though it is not categorized as a secondary artery street, it does compete with the traffic levels of those secondary arteries like Kennicott, Thomas, Hintz. So, there are a lot of cars cruising through there which you will see from the paperwork that we had submitted during our initial packet. In addition to the police cars that are pulling cars over, the other emergency vehicles are cruising through there pretty often because it is an artery to not only Terramere but Westgate across the street and other apartment complexes that are farther down Nichols. So, we get a lot of fire trucks and paramedics as well.

CHAIRMAN PETRILLO: Then at least I'll start with you again, sir. Any existing landscaping in place that will be removed as a result of this fence?

MR. MONGOVEN: No, sir.

CHAIRMAN PETRILLO: Ma'am, I'll pose the same question to you.

MS. CONSTERTINA: No.

CHAIRMAN PETRILLO: Ma'am, you testified that this is going to be a solid. Is it a board-on-board or is it a solid board, touching board?

MS. CONSTERTINA: Correct. Right now it is currently board-on-board, and we would look to go solid.

CHAIRMAN PETRILLO: Sir, is there a difference in the types of fence? Are you guys --

MS. CONSTERTINA: Same fence, same company.

MR. MONGOVEN: We hired the same agent, yes.

MS. CONSTERTINA: Yes.

CHAIRMAN PETRILLO: Any other questions from any member of the Board? None being heard, Joe, did you have something?

MR. SELBKA: No.

CHAIRMAN PETRILLO: None being heard, is there anyone in the audience that wishes to speak to this petition? None being heard, thank you. Any comments from the Board? Board discussion?

MR. DRAKE: It's nice to see neighbors that cooperate, communicate, work together. That's my only comment.

CHAIRMAN PETRILLO: All right. If there's no further discussion, is there a motion?

MR. SELBKA: Motion to approve.

CHAIRMAN PETRILLO: And a second?

MR. DRAKE: Second.

CHAIRMAN PETRILLO: Second. We have a motion and a second. Derek, would you call the roll?

MR. MACH: This is for?

CHAIRMAN PETRILLO: This is for the, let's take this, let me clarify. Do we have a motion to approve for 3917 North Proctor?

MR. SELBKA: Yes.

MR. DRAKE: Yes.

CHAIRMAN PETRILLO: Motion and a second.

MR. SCHWINGBECK: Second.

CHAIRMAN PETRILLO: Derek, would you call the roll on that one?

MR. MACH: Mr. Drake.

MR. DRAKE: Yes.

MR. MACH: Mr. Geisel.

MR. GEISEL: Yes.

MR. MACH: Mr. Schwingbeck.

MR. SCHWINGBECK: Yes.

MR. MACH: Mr. Selbka.

MR. SELBKA: Yes.

MR. MACH: Chairman Petrillo.

CHAIRMAN PETRILLO: Yes. Then a motion for 3921 North Proctor Circle, is there a motion?

MR. GEISEL: Motion.

CHAIRMAN PETRILLO: Is there a second?

MR. SCHWINGBECK: Second.

CHAIRMAN PETRILLO: We have a motion and a second.

MR. MACH: Mr. Drake.

MR. DRAKE: Yes.

MR. MACH: Mr. Geisel.

MR. GEISEL: Yes.

MR. MACH: Mr. Schwingbeck.

MR. SCHWINGBECK: Yes.

MR. MACH: Mr. Selbka.

MR. SELBKA: Yes.

MR. MACH: Chairman Petrillo.

CHAIRMAN PETRILLO: Yes. Thank you. All right, good luck to you.

MS. CONSTERTINA: Thank you very much.

MR. MONGOVEN: Thank you.

(Whereupon, the public hearing on the
above-mentioned petition was adjourned
at 7:22 p.m.)

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS

November 14, 2016

PETITIONER: Constertina Residence
ADDRESS OF PROPERTY: 3917 N. Proctor Circle
VARIATION: 6.13-3b

A 1-foot variance to allow an increase to the maximum fence height from 5-feet to 6-feet, for a fence located along the perimeter of the rear yard; A variation to allow a solid fence along the rear and side property line where only a semi-open or open fence is permitted.

The petitioner testified as to hardship, uniqueness of circumstances, and the character of the locality. The petitioner explained that they have an existing solid six foot high fence along the rear and the side property line that they would like to replace with a similar fence. The petitioner testified that their property backs up to Nichols Road and that the corridor is heavily traveled. The petitioner explained that the fences along Nichols Road are all six feet high and that they would like to maintain the character of the area which includes six foot high fences along the corridor.

Thereafter, a motion was made by Mr. Selbka and seconded by Mr. Geisel. Thereafter, the Board voted 5-0 to approve the variance request.

Now, therefore, after hearing all the evidence and after due deliberation, the Zoning Board of Appeals, voted 5-0 to grant the variance as requested.

The granting of a variance for this property shall not be construed as an approval to construct or encroach upon any easement areas unless written consent has been granted by each utility company and a copy of each letter is on file with the petition for this variation, nor be construed as a waiver of any requirements of the building code or other applicable ordinances of the Village.

It is expressly noted that no order of this Board permitting the aforesaid variance shall be valid for a period longer than one (1) year unless such construction is started and proceeds to completion within the terms of such permit.

Anthony Petrillo, Chairman
Zoning Board of Appeals
Village of Arlington Heights



Item: 2211 N. Champlain St. - 11/14/16

Department: Planning & Community Development

ATTACHMENTS:

Description	Type
Minutes 11/14/16 - 2211 N. Champlain St.	Minutes
Findings 11/14/16 - 2211 N. Champlain St.	Minutes

ZONING BOARD

REPORT OF PROCEEDINGS OF A MEETING
BEFORE THE VILLAGE OF ARLINGTON HEIGHTS
ZONING BOARD OF APPEALS

OF APPEALS

RE: DENISIUK RESIDENCE - 2211 NORTH CHAMPLAIN STREET

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Zoning Board of Appeals taken at the Arlington Heights
Village Hall, 33 South Arlington Heights Road, 1st Floor Beuchner Room,
Arlington Heights, Illinois on the 14th day of November, 2016 at the hour
of 7:22 p.m.

MEMBERS PRESENT:

TONY PETRILLO, Chairman
TOM DRAKE
TOM SCHWINGBECK
JOSEPH GEISEL
JOSEPH SELBKA

ALSO PRESENT:

DEREK MACH, Village Planner

CHAIRMAN PETRILLO: Our next petition is Denisiuk. I'm sorry, how do you pronounce your last name?

MR. DENISIUK: Denisiuk.

CHAIRMAN PETRILLO: Denisiuk, thank you. Sir, did you have a chance to sign in?

MR. DENISIUK: Yes.

CHAIRMAN PETRILLO: Would you state your name and address for the record?

MR. DENISIUK: Yes. Tomas Denisiuk, I'm the owner of the property at 2211 North Champlain.

CHAIRMAN PETRILLO: Then can I swear you in?
(Witness sworn.)

CHAIRMAN PETRILLO: Go ahead, sir.

MR. DENISIUK: Actually I will be requesting a variance for a pergola which unfortunately I built without knowledge I'm supposed to keep a setback three feet away from my property line which to be completely honest I didn't know about that. The pergola has been built with the setback where pole is one foot, when the decoration sticks out, it's about three inches away from my property line. So, I would like to ask you guys' approval for that because otherwise it will cost me a lot to change, to modify to move the pergola to a different location.

CHAIRMAN PETRILLO: Okay, I do have a couple of questions. I've reviewed the packet of information we were provided and it's noted that this was built without a permit. Then there were two requests for the permit before it was submitted on I think July 12th, and at that time you were found to be in noncompliance and you were asked to correct what, to comply with the code. Why didn't you apply for a permit?

MR. DENISIUK: Honestly, because I was replacing the existing pavers, you know. I wasn't even knowing I'm supposed to have a permit for that. That stuff was the first thing in building a pergola, it was just something that goes together with it. I was trying to make some privacy shield, you know, have some flowers to grow on it. That was kind of the reason. As soon as I find out that was the form from, actually the note left by the city inspector which I returned a phone call to it, then I applied for the permit.

CHAIRMAN PETRILLO: Because that's what I was confused about. There was nothing I saw in this packet that showed any existing type of porch/patio, whether it be concrete, brick, that there was a preexisting condition. We'll assume for now that the testimony you're giving is that there was something that existed there. Was that installed by you, the existing? Or was that installed by others?

MR. DENISIUK: No, the existing, it was there. I just replaced the bricks on top of it. Because at the time when we purchased the house, there was a patio over there and there was no pergola. The pergola was built by me. The patio, it was already there, we just, you know, after moving in and making the pergola, we exchanged the bricks that were under it.

CHAIRMAN PETRILLO: So, did you exchange it, was that concrete torn out or are these bricks now laying on top of that --

MR. DENISIUK: No, no, no. We took the old bricks because it was paver bricks.

CHAIRMAN PETRILLO: It was paver bricks.

MR. DENISIUK: Yes, we took them out and we just put the new one over.

CHAIRMAN PETRILLO: Okay, so it's your testimony that at least on the side yard, that there is no more encroachment on the line that the existing or the prior brick pavers laid on?

MR. DENISIUK: Yes.

CHAIRMAN PETRILLO: So, it's the exact same line, it does not go closer to your neighbors?

MR. DENISIUK: No, actually it goes farther from my neighbor because I removed about a foot of the bricks and that's the place where the pergola starts.

CHAIRMAN PETRILLO: Okay, and the reason for the pergola?

MR. DENISIUK: It was, we would like to have like a little private spot over there, you know, being not visible straight from the road. That was kind of only decoration and hardware.

CHAIRMAN PETRILLO: So, you're testifying without this, you have, what is the distance from your house to the fence or the pergola?

MR. DENISIUK: From the garage line, about seven or eight feet from the garage line to my pergola. This is the newest plat of survey which was done two weeks ago.

CHAIRMAN PETRILLO: Maybe I'm, okay, so I see that. That's what you're referring to as the garage. This I guess, this screened-in porch, I guess I'm interested in this distance from here to here and from the home to the pergola.

MR. DENISIUK: Actually that would be distance from here to the --

CHAIRMAN PETRILLO: This is the corner of your house?

MR. DENISIUK: Yes.

CHAIRMAN PETRILLO: To this bump-out on the pergola?

MR. DENISIUK: Yes. That's about four feet.

CHAIRMAN PETRILLO: The distance from the screened-in porch?

MR. DENISIUK: It would be about six feet, even more than that.

CHAIRMAN PETRILLO: So, the reason is privacy, and that is, let's just call it eight feet as a stretch, I don't know what that distance is, but I'm just looking where you have your table, I'm sorry, the screened-in porch where you have your table set, you're pretty much right on, if you don't have that pergola, you're pretty much right on top of your neighbor's, or right on top of the property line with no barrier whatsoever between you and your neighbor's property.

MR. DENISIUK: Correct.

CHAIRMAN PETRILLO: Okay. Other questions from any other member of the Board? If you would then just describe for me the, let's go back to where you decided to put in the pergola. Had you talked to your neighbor at all prior to installing that?

MR. DENISIUK: Actually, you know, my neighbor, she passed away. That was even before we started doing it, and that was one of her children, her daughter, she was coming to us I would say almost every second day, kind of even giving me an idea how to do it. Actually that was kind of it. The neighbor on the other side, he was just coming to see what I'm doing but he wasn't, he didn't care about it.

CHAIRMAN PETRILLO: Is there someone that lives at 2215 now other than

the individual that was helping you with this?

MR. DENISIUK: No one lives there. The lady who owns that passed away and actually there is someone coming once in a while to take care of the house.

CHAIRMAN PETRILLO: So, any individual that would purchase this home would purchase this with this preexisting condition. Anybody that would come to look at this home and consider purchasing it would see this pergola sitting or placed where it is now and they would be able to take that in consideration when they move. If they decide, hey, I don't like that being there, I'd rather have it wide open and I could look into my neighbor's screened-in porch and they could look out at me they could make that choice not to purchase that. But do you think that would be a determining factor detrimental to someone not purchasing the home?

MR. DENISIUK: No, I don't think so.

CHAIRMAN PETRILLO: Any other questions from any member of the Board for this witness?

MR. DRAKE: Maybe a little bit of a difference, did you talk to any of the other neighbors on the street or the block aside from the family where the owner passed away?

MR. DENISIUK: Actually no because I, honestly I wasn't hiding doing it, I was just doing it whenever I came from work, if I was having Saturday off, then I was working Saturday, so any day of the week. Actually some people was stopping by asking what I'm doing, but there was no really consideration where there's something wrong with it that's on my site.

MR. DRAKE: Also, your petition comments that the unit is hardly visible from the street, can you comment on that a little bit? Because I've stood out in the street and I thought it was quite noticeable, at least looking straight on, you know, a few feet kind of either direction. It was hard to miss in my view.

MR. DENISIUK: Yes, honestly if you start looking for some details you will see it. But it was just about because more likely I wasn't about getting cover from the neighbors. It's just, you know, walking by, anyone from the street you can actually see it, what you're doing, the place where we have the table. That's more likely the reason, it's the L shape design, it isn't like a regular pergola square. That's kind of, you know, it was kind for the privacy.

MR. DRAKE: One last question. On the permit, when you finally obtained it, was the language as an accessory structure or as a fence?

MR. DENISIUK: Accessory structure.

MR. DRAKE: Okay.

CHAIRMAN PETRILLO: Sorry. Tom?

MR. DRAKE: That's it, thank you.

CHAIRMAN PETRILLO: Since you've posted the sign and provided notices to your neighbors, have you received any comments or questions from anyone?

MR. DENISIUK: No. Actually the neighbor which is I think 2250 from Alexandria, my neighbor which is just back to back, he just came to me and he asked if I would like to have him to come by over here, just take a word. I said if you like, that won't be necessary.

CHAIRMAN PETRILLO: I'm just trying to get into your intent when you constructed this. Had you done any work previously in Arlington Heights? Whether it's

putting up a fence at your home or the neighbors or friends?

MR. DENISIUK: No.

CHAIRMAN PETRILLO: I'm trying to get into your mind set in constructing this accessory and not seeking a permit, because if there is no opposition and you're seeking this as a variance, I'd look at it a lot differently than, you know, coming back and retrospectively approving this.

MR. DENISIUK: Honestly, that's the first property that we own and that's the first time that we had to do any work on the house because when we were renting we didn't do any work because there was no point to invest money to something that we were going to leave and go away from. Over here, we would like to make something which is going to look nice because that was the point, we didn't want to build something vulgar looking. We would like to make something which looks pretty nice with privacy and won't bother anyone.

CHAIRMAN PETRILLO: Had you considered landscaping at all? Arborvitae, bushes or something of that nature?

MR. DENISIUK: Unless we have it there, no, because the space between the bricks and the property line, it's pretty close. Whether I would put that into, I was kind of afraid the roots will go to it, that's why. There was a lot of bushes, that's why.

CHAIRMAN PETRILLO: Is there any other questions? None being heard, is there anyone in the audience that wishes to speak to this petition? None being heard, sir, you may have a seat.

We'll open it up for Board discussion. I'm a little bit conflicted by this one because I had every intent of voting against this. The one unknown to me was the intent of the Petitioner at the time that he constructed this accessory as well as the existing conditions prior to the installation. First and foremost for me, and I mentioned this to Derek this afternoon in our discussion as I was trying to glean more information about this petition was there wasn't any information in the packet that led me to believe there was any type of existing patio, porch or something that would draw a line for us as a point of measurement.

The testimony of Petitioner has clarified that for me. If I understand his testimony correctly, and please correct me if I'm wrong, that there was preexisting patio blocks, the new patio is sitting back one foot farther away from the property line than the existing. So, for me I don't believe that he was trying to push the limits and trying to, you know, take more than the code may have allowed. Even if we were addressing this variance prior to construction, I would probably feel the same way, that if it's farther away, it's more suitable and more reasonable to, for me anyway, to personally vote in favor of this petition.

Secondly is now the accessory structure, I don't believe that, by the testimony of the Petitioner, that there was anything egregious, malicious, or was trying to circumvent the code. I think it was naive, although this is a self-imposed hardship. Because of that, any expense would have to be borne by the owner to correct that. That's where my point of failure in thinking, is it permissible under Robert's Rules or under the rules to ask the Petitioner an additional question I had forgotten in my line of questioning?

MR. MACH: Yes, I think that's okay.

CHAIRMAN PETRILLO: Sir, could you step forward real quick? I apologize, I forgot to ask you a question. What was the cost to install, not purchase the material, first, did you build this yourself or did you have someone build it?

MR. DENISIUK: Yes, I was building it myself.

CHAIRMAN PETRILLO: You built it yourself so you purchased the materials, okay.

MR. DENISIUK: Yes.

CHAIRMAN PETRILLO: Aside from the materials, the piers for the posts or sinking the posts, what would you estimate the cost of that to be?

MR. DENISIUK: Not counting my time, just the material, it was about \$1,400.

CHAIRMAN PETRILLO: \$1,400. If you were to now remove, and Derek, I would assume that he would be able to remove these posts? You have to replace these posts in full, you'd probably have to cut them off. It would be a pretty big task, more work to pull those out, knock the concrete off and try and save the posts, so the other only option is to replace the posts, re-dig the holes, knock the concrete down below the surface level and cover it, rather than extracting the piers out or the posts. What would you estimate that cost if you were to shear these posts off, re-dig, open up your brick, re-dig, re-sink the posts, put everything back together and then knock those piers down below the surface?

MR. DENISIUK: Honestly, I would say how the posts are constructed, they would have to be completely taken apart in order to get to the pipes which was concrete down, because that's a two-inch pipe concrete to the ground and it's clad with a six-inch material, which actually all that material has to be wasted and new material has to be put on it. I would say around the same thing kind of because that's --

CHAIRMAN PETRILLO: Not including your time.

MR. DENISIUK: Not including my time.

MR. SCHWINGBECK: Can I ask another question?

CHAIRMAN PETRILLO: Yes, I was going to ask, please.

MR. SCHWINGBECK: My first question is when did you actually start building it? What time of the year?

MR. DENISIUK: That was about June. Yes, the middle of June I would say.

MR. SCHWINGBECK: What prompted the visit by the inspector? Because you didn't have a permit at that time.

MR. DENISIUK: That was what I heard, it was just to check if the pergola was built legally. That's what I heard, because my neighbor, she came to me, that was the day after the 4th of July and she said, using her words, her brother is an 'a' and he called to the city to complain about me.

MR. SCHWINGBECK: Okay, so that prompted the inspector to come out.

MR. DENISIUK: Correct.

MR. SCHWINGBECK: At that time, that's where the initial visit, it was being completed without a permit.

MR. DENISIUK: Correct, because I believe there was to be a tree inspection before that time. I responded for the first notice left on my door.

MR. SCHWINGBECK: If I understand this correctly, you are only one foot from the property line with the center of the posts?

MR. DENISIUK: No, with the edge of the posts.

MR. SCHWINGBECK: With the edge of the posts.

MR. DENISIUK: Yes.

MR. SCHWINGBECK: Then you're also hanging over?

MR. DENISIUK: Nine inches.

MR. SCHWINGBECK: How many? Nine inches?

MR. DENISIUK: About nine inches, yes.

MR. SCHWINGBECK: So, you're within three inches of the property line.

MR. DENISIUK: Honestly, if the variation won't be granted and that would be the reason, I have completely no options. I could cut it down, trim it down, you know, anything, just if the pergola could stay in place.

CHAIRMAN PETRILLO: Okay, thank you. Anybody else have any questions?

MR. DRAKE: I have a question, a couple of questions for Derek. One is there is commentary here from the Engineering Department, concerns about drainage. Can you add to that? I mean it's only a sentence in this report, but there was concern about drainage with that structure being in the side yard. Is that, on one to ten, is that a ten or is it a one? Do you know?

MR. MACH: I don't know, Engineering didn't indicate. Just my understanding that they have concerns because it is within that three-foot strip typically that we keep clear for accessory structures.

MR. DRAKE: Okay, and second question, is there any kind of historical or statistical information about how often someone does not get a permit to build, gets a permit after the fact and gets this sort of variance? Is there any precedent for this having been done that you know of?

MR. MACH: It comes up periodically, but not very often.

CHAIRMAN PETRILLO: I've been on the Board almost 12 years now, and probably in that time I would say maybe an average of one a year at the most would this have been addressed. Tom, I'm glad you raised that point because I meant to, I think I even called Nancy I think is her name at the department, because I really didn't understand the issue of the accessory structure. It's not an impervious surface, I mean we're talking about a very small, a minute amount of impervious surface in the overall landscape of the size of the property. I think they were more referring to the bricks. But whether that improves the drainage or not, it is a concern. But it didn't express, you know, what that concern was now, was it dumping over to the neighbors' properties, is it spilling in an area that's already flooding and already existing?

This individual who submitted the letter that we received this evening doesn't, I don't see any mention unless I overlooked it, any mention of water accumulation maybe exacerbated by this. But it was raised as a concern, so I guess we could ask the Petitioner that question if you would want to go ahead.

MR. DRAKE: Yes, I would because I thought the language seemed strong in the Staff write-up. I mean it just, that's how it struck me and I've reread it a couple of times. So, had there been water issues between the two properties in that section of the yard or any section of the yard that you know of?

MR. DENISIUK: Well, at the back site of the yard, well, there is a little water accumulation because like the neighbor who is back to me, and actually, you know, there is a hill and all water directing to my property. By his fence, there is like a few feet of water widely spread. Also, I would talk to my neighbor on one side because he got the sewer drainage up his property and, you know, I didn't start that point yet but, you know, we are

talking about making a French drain to connect those things to have the property kind of more dry than they are right now.

CHAIRMAN PETRILLO: Any other question from anybody else? Thank you for that point, Tom.

MR. GEISEL: I don't have one for the Petitioner but I do have one. So, the brick patio is considered impervious?

MR. MACH: Correct.

MR. GEISEL: Because, Tom, your point, I saw the drainage or the note, but I don't see how a couple of columns per se could cause a drainage issue. So, that for me wasn't a huge issue.

MR. MACH: Okay.

CHAIRMAN PETRILLO: Thank you, sir.

MR. DENISIUK: Thank you.

CHAIRMAN PETRILLO: Any other discussion on this matter? I forgot where I had left off, but the last point I wanted to make was that hearing the testimony this evening, that, you know, the property, I wish the individual who submitted this letter were here this evening. I would have a question for them, what is their intention with the property. I'm only making the assumption that this was some family inheritance or passed down through to other family members. I don't see anything in this letter that expresses their intent to reside in this property and any inconveniences that this poses to them; likewise, any inconveniences that are posed to them if they make the decision to sell the property. Just one step farther, that if they do decide to sell the property, the new buyers know exactly what they're purchasing, what they're getting into, something that is, you know, a setback of nine inches or so.

Derek, the code allows for a fence to be on the property line up to four feet high?

MR. MACH: Five feet.

CHAIRMAN PETRILLO: Up to five feet high on the side?

MR. MACH: Yes.

CHAIRMAN PETRILLO: Yes, okay. This structure is visibly taller than that but it is open air. You could still see through it, it wouldn't stop any airflow and that was somewhat a concern of mine. It doesn't block light from shedding into the house of that individual residing next door. So, this desire to have, you know, light coming into their home, it is a little obtrusive but not totally obstructive in my opinion. I would vote in favor of this petition which is contrary to my position prior to the meeting based upon the information that was submitted earlier, but again after that testimony I have no issues in supporting this petition.

I'll turn it over to my colleagues on the Board for their commentary.

MR. GEISEL: Derek, can I ask another question?

MR. MACH: Yes.

MR. GEISEL: So, as an accessory structure, if this had been three feet from the property line as required, would any sort of variance have been required at that point?

MR. MACH: No.

MR. GEISEL: Even given the height?

MR. MACH: As it's deemed as a trellis, no.

MR. GEISEL: So, but for the three feet, the eight-foot height of the structure would be permitted.

MR. MACH: Correct. As indicated in the Staff, and there is also some question as to whether it's a fence or a trellis, but a trellis would be an accessory structure that would be permitted.

MR. GEISEL: So, trellis/fence.

MR. MACH: Yes, but it would be the minimum of three feet.

MR. DRAKE: I have a quick question. This is back to Robert's Rules, can we call the Petitioner back up and ask another question?

CHAIRMAN PETRILLO: I think yes, if it's a point of clarification.

MR. DRAKE: It would be for me, yes.

CHAIRMAN PETRILLO: If you have any unanswered question, it should be answered this evening.

MR. DRAKE: I'm going by what we have from the Staff report. I personally rely a lot on what the Staff and the experts who do this, you know, full time or trained to do this, putting in these reports. How many times were you requested to get a permit? The Staff report says you were asked twice. Is that true? Did the inspector discuss with you twice getting a permit?

MR. DENISIUK: No, once.

MR. DRAKE: Just once?

MR. DENISIUK: The first thing, and I talked to Mark Finnik if I'm right, and he just told me like go to the city, apply for the permit and you will be good to go. That's what I did, I came to the city and that was a few days after the conversation. I received another, actually there was another few gentlemen coming to the property which I responded to the notes left on my doorknob. But I applied for the permit right away after the conversation.

MR. DRAKE: What was the time gap between those conversations, between the first inspector and the second inspector, the second group of inspectors?

MR. DENISIUK: That was pretty, actually that was pretty quick because I would say that was, you know, about two or three weeks. You know, I don't have the picture because I was snapping a picture for my information whether I would have to try to, I don't have the picture with me because then I could provide the timing that was in between the inspections.

MR. DRAKE: So, there were a couple of requests then by the city?

MR. DENISIUK: Actually after I applied for the permit, there was still gentlemen coming. That's why I wasn't sure what it was about because I already did apply for the permit after another person came. Because Mark was there once and there was I think a gentleman for reviewing and someone else, but to be honest the third gentleman didn't leave a note. Her babysitter just tell us like someone was there to see the property.

MR. DRAKE: Thank you.

CHAIRMAN PETRILLO: Okay, we'll pick up where we left off. Discussion? I relayed my comments. Other comments from any member of the Board regarding this petition?

MR. SELBKA: I'm kind of torn because I really don't like to set the precedent that you get to build things without a permit and then come ask for forgiveness now. But I think the cost of tearing this thing down for two-and-a-half feet is excessive in light of a naive

mistake. Therefore, I'm in favor of this simply because it would be very costly to simply force people to move it a few feet.

CHAIRMAN PETRILLO: Just so everyone in the audience knows, our charter is or guidance is that each petition is not setting a precedent on any subsequent, and vice versa going back retroactively, does not set a precedent and we take each case individually without precedence. That's correct, Derek?

MR. MACH: That's correct.

MR. GEISEL: Part of the difficulty I have is the eight feet being on the property line. If it had been in three feet per code despite being eight feet high, at least there's some sense of scale that kind of goes with that, you know. I'm sure the Petitioner wouldn't care to hear this but I'd feel more inclined to permit this to stay in place but perhaps the top gets removed or up to the height of the lattice or something like that to just get rid of some of that overall height and bulk where then it gets closer to a six-foot fence on the property line as opposed to an eight-foot structure on the property line. So, my thoughts.

CHAIRMAN PETRILLO: Thank you. Any other comments, Tom?

MR. SCHWINGBECK: Yes, and I would agree, Joe, but I do think it's this high to block off next door. Side yard setbacks are there, I think it's important to maintain those because people are trying to encroach a little bit, whether it was by accident or on purpose, if it's a little bit in front of the house or a little bit in the back. But I think people are constantly trying to move out and out and they've definitely encroached on the neighbor's property. I mean this is a big project, too, it's not just a small, little project that was done where somebody went oops. I mean I really am not in favor of this being this close to the property line.

CHAIRMAN PETRILLO: Tom, I shared that exact same sentiment coming into this. I mean it was one reason I was leaning to, you know, vote against this petition coming into this but wanted to keep an open mind. One of the considering factors for me was the distances between the house and his existing.

MR. SCHWINGBECK: Right.

CHAIRMAN PETRILLO: In my mind, I'm thinking, you know, these short distances, when we sometimes talk about living space just in general terms, we look at that outdoor living space in front of homes, you know, I'm always thinking short, you know. I live, mine is five-foot and I could do it, but we do have people that feel six, seven or eight feet is necessary. That's why I was trying to drive to the distance between the home and the fence and the sun porch or the screened-in porch and the fence. I had that same anxiety over that issue as well.

MR. GEISEL: Yes, I can appreciate the desire for some privacy there for the patio and that's why I was trying to suggest, you know, a possible solution that would still allow the majority of the structure to remain in place, provide some of the intended separation and yet conform a little more. If someone came in and said I want to put up 20 feet of six-foot fence here just to get some privacy, we would give that due consideration. If he knocked off, like I said, the top of it which I'm not sure he would even agree to, but if he reduced the height slightly by the top of it and got it down to the top of the lattice, he would at least have something that comes more approximate to a six-foot fence.

MR. DRAKE: I think I'm like everybody else, conflicted, and there's a lot of pieces to this story in my opinion. I'm still not quite sure how I'm going to vote yet. The fact

that the neighbors at 2215 wrote a strong letter and didn't come in is a factor for me. The fact there's no other neighbors in here to express concern or complaint or support is also a factor with me. I'd like to give the Petitioner the benefit of the doubt that it was a series of honest mistakes.

I think it's quite a feat, quite a project you did with no building background or building experience. It's an interesting looking unit to me, it looks pretty professional. So, I haven't decided yet how I'm going to vote. I'm right on the fence as of these comments, but I think it is difficult and I think there is a concern about people encroaching and then after the fact trying to unravel the mess with a group like this or even with the Staff. So, it's a tough one.

CHAIRMAN PETRILLO: Well, if there is no further comments or deliberation, is there a motion?

MR. SELBKA: Motion to approve.

CHAIRMAN PETRILLO: Is there a second? Derek, do the rules allow me to make a second? I know I can't make the motion but am I permissible as the Chairman to second the motion? Okay, if there is no --

MR. DRAKE: I'm going to second the motion because I think the Petitioner deserves a day --

CHAIRMAN PETRILLO: We have a motion and a second. MR. MACH: Mr. Drake.

MR. DRAKE: No.

MR. MACH: Mr. Geisel.

MR. GEISEL: No.

MR. MACH: Mr. Schwingbeck.

MR. SCHWINGBECK: No.

MR. MACH: Mr. Selbka.

MR. SELBKA: Yes.

MR. MACH: Chairman Petrillo.

CHAIRMAN PETRILLO: Yes. The motion failed. The consequence now is the Building Department will direct him to do something with that accessory structure?

MR. MACH: Correct.

CHAIRMAN PETRILLO: All right, have a good evening.

MR. GEISEL: Could it be modified if a permit was applied?

MR. MACH: If it complies with code.

MR. DENISIUK: Can I ask a question? How about if I, I'm not sure whoever asked me, I just said that would be just, I don't want to waste one of you gentlemen's time, I know my neighbor was trying to set a good word about the project that I did.

CHAIRMAN PETRILLO: Unfortunately the record is closed now. We've made the vote and this stays for a year from today. If you wish to do something similar in the future after, you know, the one year period expires you can come back and seek another permit.

MR. DENISIUK: Okay, thank you so much.

MR. GEISEL: I don't know if you heard me, I want to clarify this. You might be able to be permitted to get a permit just to modify this.

MR. DENISIUK: Okay.

MR. GEISEL: So, bring down the height and have it be conforming and then not have to remove it. That's what I would urge you to ask, so that way you wouldn't have to take the whole thing out. But if you are capable of constructing this, you are capable of lowering it to the height that wouldn't be a problem.

MR. DENISIUK: Okay. If I will ask, I will have to ask and make another permission to keep because like the gentleman said that code is saying five feet height. So, I would like to keep the six feet height.

CHAIRMAN PETRILLO: You would have to come back for a variance then.

MR. DENISIUK: That would have to be --

CHAIRMAN PETRILLO: That will be a new variance though that he will be able to come back?

MR. MACH: Within a, well, he'd have to come back in a year.

CHAIRMAN PETRILLO: Well, this is an accessory structure. For him to come back, that's for an accessory structure, we've denied that for an accessory structure, not for a height variance in the fence.

MR. MACH: Staff would have to review, it would have to be deemed significantly different, the request, and Staff would want to discuss that.

CHAIRMAN PETRILLO: Okay.

MR. MACH: So, we can coordinate with the Petitioner.

MR. DENISIUK: Thank you so very much.

CHAIRMAN PETRILLO: Thank you.

(Whereupon, the public hearing on the
above-mentioned petition was adjourned
at 8:02 p.m.)

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS

November 14, 2016

PETITIONER: Denisiuk Residence
ADDRESS OF PROPERTY: 2211 N. Champlain St.
VARIATION: 6.5-2

A 2.9-foot variance to allow a pergola with a side yard setback of 0.1-feet from the west property line where a minimum of 3.0-feet is required.

The petitioner explained that they are seeking a variance for a pergola which has already been constructed. The petitioner testified that they were not aware that a permit was necessary for the structure and that the structure had to be setback three feet. The petitioner explained that the wall of the structure is setback one foot from the property line and the decorative detailing on the top of the structure is setback three inches from the side property line. The petitioner testified that it will be costly to move the structure. The petitioner testified that they are trying to create a buffer for privacy and have a structure where flowers could grow.

Based upon the foregoing as well as other evidence submitted, the Zoning Board of Appeals finds that the petitioner has not established the necessary elements for the granting of a variance, namely; that the petitioners would sustain a hardship if the variance were not granted; that the situation of the petitioners is unique; and, that the granting of a variance would not alter the essential character of the neighborhood. Proof of ownership and compliance with the Notification Provisions of the Ordinance were presented.

Thereafter, a motion was made by Mr. Selbka and seconded by Mr. Schwingbeck. Thereafter, the Board voted 2-3 to approve the variance request. The motion failed.

Now, therefore, after hearing all the evidence and after due deliberation, the Zoning Board of Appeals, voted 2-3 to grant the variance as requested. The motion failed.

You are hereby notified that this ruling is subject to appeal to the Circuit Court of Cook County, under the Administrative Review Law. Such appeal must be filed within thirty-five (35) days of the date of receipt of this decision.

Anthony Petrillo, Chairman
Zoning Board of Appeals
Village of Arlington Heights



Item: 3921 N. Proctor Circle - 11/14/16

Department: Planning & Community Development

ATTACHMENTS:

Description	Type
Minutes 11/14/16 - 3921 N. Proctor Circle	Minutes
Findings 11/14/16 - 3921 N. Proctor Circle	Minutes

ZONING BOARD

REPORT OF PROCEEDINGS OF A MEETING
BEFORE THE VILLAGE OF ARLINGTON HEIGHTS
ZONING BOARD OF APPEALS

OF APPEALS

RE: CONSTERTINA RESIDENCE - 3917 NORTH PROCTOR CIRCLE
MONGOVEN RESIDENCE - 3921 NORTH PROCTOR CIRCLE

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Zoning Board of Appeals taken at the Arlington Heights
Village Hall, 33 South Arlington Heights Road, 1st Floor Beuchner Room,
Arlington Heights, Illinois on the 14th day of November, 2016 at the hour
of 7:16 p.m.

MEMBERS PRESENT:

TONY PETRILLO, Chairman
TOM DRAKE
TOM SCHWINGBECK
JOSEPH GEISEL
JOSEPH SELBKA

ALSO PRESENT:

DEREK MACH, Village Planner

CHAIRMAN PETRILLO: The next petition is the Constertina petition.

MR. SCHWINGBECK: Do you want to do it right now?

CHAIRMAN PETRILLO: Yes, you want to make that motion?

MR. SCHWINGBECK: Yes, I'd like to motion that as we listen to the Constertina Residence, that immediately following this one we also then just flip D and E and go to the Mongoven Residence since they are right next door to one another.

CHAIRMAN PETRILLO: Okay, do you want to take the testimony at the same time and then we can just go on the vote separately? If you want to do that, we'll call up both witnesses at the same time since --

MR. MACH: Sure.

MR. SCHWINGBECK: They seem to be identical, right.

MS. CONSTERTINA: They are identical.

CHAIRMAN PETRILLO: Right. Is there a second to Tom's motion?

MR. DRAKE: Second.

CHAIRMAN PETRILLO: All those in favor say aye.

(Chorus of ayes.)

CHAIRMAN PETRILLO: Any opposed say nay.

(No response.)

CHAIRMAN PETRILLO: None being heard, the motion passes. We'll take the Mongoven at the same time as well. Have you folks had a chance to sign in?

MS. CONSTERTINA: We did.

CHAIRMAN PETRILLO: Okay, ma'am, if you would state your name and address and the petition that you're associated with?

MS. CONSTERTINA: My name is Cyndi Constertina, and I'm at 3917 North Proctor Circle. What we're looking to do --

CHAIRMAN PETRILLO: Wait, I'm going to swear you both in, okay? Sir, would you state your name and address and your association, or the petition that you're associated with?

MR. MONGOVEN: My name is Larry Mongoven. I'm at 3921 North Proctor Circle and I'm the owner of that property next to Mrs. Constertina.

CHAIRMAN PETRILLO: Would you raise your right hands so I can swear you in?

(Witnesses sworn.)

CHAIRMAN PETRILLO: Ma'am, if you would then address the petition for 3917 North Proctor?

MS. CONSTERTINA: Okay. So, what we have existing at both the back and the sides of our property is a six-foot fence and we're looking to replace it with the exact same fence. Our property as well as the Mongoven property both back up to Nichols Road. They're one way from Arlington Heights Road and we're two away, but the road does go, I mean literally from Buffalo Grove Road, it goes all the way past Arlington Heights Road, all the way down past Wilke. So, it does get, even though it's supposed to be more of a residential, it is quite a few traffic stops there as far as police cars flashing in the back of our property. The stoplight, like I said, is there. Kids are coming to and from school.

So, we were looking to keep the uniformity as far as the character goes, keep the uniformity of that street behind us where you pull in to Terramere. The code

is now five-foot, so if we replace it, it would be six-foot and then our five-foot. So, we're looking to keep the character of the neighborhood, the integrity of the neighborhood, and replace what we currently have with a solid fence to provide a little bit of that sound barrier as well.

MR. MONGOVEN: Well said.

CHAIRMAN PETRILLO: Sir, do you have any opposition to your neighbor's petition? I'll ask you that now.

MR. MONGOVEN: Zero opposition, sir. I would like to supplement it if I could.

CHAIRMAN PETRILLO: This is addressing the petition at 2211, I'm sorry, at 3921 --

MS. CONSTERTINA: 3917 and now 3921.

CHAIRMAN PETRILLO: 17 and 21.

MR. MONGOVEN: We did some research and we found that Nichols, though it is not categorized as a secondary artery street, it does compete with the traffic levels of those secondary arteries like Kennicott, Thomas, Hintz. So, there are a lot of cars cruising through there which you will see from the paperwork that we had submitted during our initial packet. In addition to the police cars that are pulling cars over, the other emergency vehicles are cruising through there pretty often because it is an artery to not only Terramere but Westgate across the street and other apartment complexes that are farther down Nichols. So, we get a lot of fire trucks and paramedics as well.

CHAIRMAN PETRILLO: Then at least I'll start with you again, sir. Any existing landscaping in place that will be removed as a result of this fence?

MR. MONGOVEN: No, sir.

CHAIRMAN PETRILLO: Ma'am, I'll pose the same question to you.

MS. CONSTERTINA: No.

CHAIRMAN PETRILLO: Ma'am, you testified that this is going to be a solid. Is it a board-on-board or is it a solid board, touching board?

MS. CONSTERTINA: Correct. Right now it is currently board-on-board, and we would look to go solid.

CHAIRMAN PETRILLO: Sir, is there a difference in the types of fence? Are you guys --

MS. CONSTERTINA: Same fence, same company.

MR. MONGOVEN: We hired the same agent, yes.

MS. CONSTERTINA: Yes.

CHAIRMAN PETRILLO: Any other questions from any member of the Board? None being heard, Joe, did you have something?

MR. SELBKA: No.

CHAIRMAN PETRILLO: None being heard, is there anyone in the audience that wishes to speak to this petition? None being heard, thank you. Any comments from the Board? Board discussion?

MR. DRAKE: It's nice to see neighbors that cooperate, communicate, work together. That's my only comment.

CHAIRMAN PETRILLO: All right. If there's no further discussion, is there a motion?

MR. SELBKA: Motion to approve.

CHAIRMAN PETRILLO: And a second?

MR. DRAKE: Second.

CHAIRMAN PETRILLO: Second. We have a motion and a second. Derek, would you call the roll?

MR. MACH: This is for?

CHAIRMAN PETRILLO: This is for the, let's take this, let me clarify. Do we have a motion to approve for 3917 North Proctor?

MR. SELBKA: Yes.

MR. DRAKE: Yes.

CHAIRMAN PETRILLO: Motion and a second.

MR. SCHWINGBECK: Second.

CHAIRMAN PETRILLO: Derek, would you call the roll on that one?

MR. MACH: Mr. Drake.

MR. DRAKE: Yes.

MR. MACH: Mr. Geisel.

MR. GEISEL: Yes.

MR. MACH: Mr. Schwingbeck.

MR. SCHWINGBECK: Yes.

MR. MACH: Mr. Selbka.

MR. SELBKA: Yes.

MR. MACH: Chairman Petrillo.

CHAIRMAN PETRILLO: Yes. Then a motion for 3921 North Proctor Circle, is there a motion?

MR. GEISEL: Motion.

CHAIRMAN PETRILLO: Is there a second?

MR. SCHWINGBECK: Second.

CHAIRMAN PETRILLO: We have a motion and a second.

MR. MACH: Mr. Drake.

MR. DRAKE: Yes.

MR. MACH: Mr. Geisel.

MR. GEISEL: Yes.

MR. MACH: Mr. Schwingbeck.

MR. SCHWINGBECK: Yes.

MR. MACH: Mr. Selbka.

MR. SELBKA: Yes.

MR. MACH: Chairman Petrillo.

CHAIRMAN PETRILLO: Yes. Thank you. All right, good luck to you.

MS. CONSTERTINA: Thank you very much.

MR. MONGOVEN: Thank you.

(Whereupon, the public hearing on the
above-mentioned petition was adjourned
at 7:22 p.m.)

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS

November 14, 2016

PETITIONER: Mongoven Residence
ADDRESS OF PROPERTY: 3921 N. Proctor Circle
VARIATION: 6.13-3b

A 1-foot variance to allow an increase to the maximum fence height from 5-feet to 6-feet, for a fence located along the rear and side (west) property line in the rear yard; A variation to allow a solid fence along the rear and side (west) property line where only a semi-open or open fence is permitted.

The petitioner testified as to hardship, uniqueness of circumstances, and the character of the locality. The petitioner explained that they have an existing solid six foot high fence along the rear and the side property line that they would like to replace with a similar fence. The petitioner testified that their property backs up to Nichols Road and that that the corridor is heavily traveled. The petitioner explained that the fences along Nichols Road are all six feet high and that they would like to maintain the character of the area which includes six foot high fences along the corridor.

Based upon the foregoing as well as other evidence submitted, the Zoning Board of Appeals finds that the petitioner has established the necessary elements for the granting of a variance, namely; that the petitioners would sustain a hardship if the variance were not granted; that the situation of the petitioners is unique; and, that the granting of a variance would not alter the essential character of the neighborhood. Proof of ownership and compliance with the Notification Provisions of the Ordinance were presented.

Thereafter, a motion was made by Mr. Selbka and seconded by Mr. Schwingbeck. Thereafter, the Board voted 5-0 to approve the variance request.

Now, therefore, after hearing all the evidence and after due deliberation, the Zoning Board of Appeals, voted 5-0 to grant the variance as requested.

The granting of a variance for this property shall not be construed as an approval to construct or encroach upon any easement areas unless written consent has been granted by each utility company and a copy of each letter is on file with the petition for this variation, nor be construed as a waiver of any requirements of the building code or other applicable ordinances of the Village.

It is expressly noted that no order of this Board permitting the aforesaid variance shall be valid for a period longer than one (1) year unless such construction is started and proceeds to completion within the terms of such permit.

Anthony Petrillo, Chairman
Zoning Board of Appeals
Village of Arlington Heights



Item: 523 S. Belmont Ave. - 11/14/16

Department: Planning & Community Development

ATTACHMENTS:

Description	Type
Minutes 11/14/16 - 523 S. Belmont Ave.	Minutes
Findings 11/14/16 - 523 S. Belmont Ave.	Minutes

ZONING BOARD

REPORT OF PROCEEDINGS OF A MEETING
BEFORE THE VILLAGE OF ARLINGTON HEIGHTS
ZONING BOARD OF APPEALS

OF APPEALS

RE: O'MALLEY RESIDENCE - 523 SOUTH BELMONT AVENUE

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Zoning Board of Appeals taken at the Arlington Heights
Village Hall, 33 South Arlington Heights Road, 1st Floor Beuchner Room,
Arlington Heights, Illinois on the 14th day of November, 2016 at the hour
of 8:02 p.m.

MEMBERS PRESENT:

TONY PETRILLO, Chairman
TOM DRAKE
TOM SCHWINGBECK
JOSEPH GEISEL
JOSEPH SELBKA

ALSO PRESENT:

DEREK MACH, Village Planner

CHAIRMAN PETRILLO: The next petition is the O'Malley Residence, 523 South Belmont. Hi, how are you?

MR. GINNODO: How are you?

CHAIRMAN PETRILLO: Please identify yourself for the record.

MR. GINNODO: My name is Keith Ginnodo of Kingsley & Ginnodo Architects. The office address is at 33 North Hickory in Arlington Heights.

CHAIRMAN PETRILLO: You're representing the O'Malleys in this petition?

MR. GINNODO: Paulette and Taylor O'Malley.

CHAIRMAN PETRILLO: Let me swear you in.

(Witness sworn.)

CHAIRMAN PETRILLO: Thank you.

MR. GINNODO: All right. The O'Malleys want to build a closed-in porch in the back of their house. It is in roughly the same position and almost the same footprint as the pergola, open roof structure that's currently there which is not satisfying the use or the needs that they have for it. So, they came to us to find out a way to put a roof on it and give them some options for closing it in sometimes and leaving it open other times.

So, the design then kind of led us to a close approximation of the existing footprint of the porch but in a manner that's a little bit more gracious for the kinds of use that they're going to have in the space. They're a family of five, right? Thank you. Three children and two adults. Families come and visit, they host and entertain and that sort of thing. It's just part of the overall character of the use of their property.

So, that first one is about the variation for the porch. There's another variation requested for a five-foot high fence close to the property line in the same yard. There is also a variation request for a gas-only fire pit on the patio within the side yard setback there.

So, the character of the site as you can tell is a little bit unusual. The front of the house faces west to Belmont, the front door, garage, the walkway up to the front, everything that says front. But because their property has a wide dimension across the facade, it is on a corner with Mayfair, the shorter of the two street frontages is on Mayfair which, you know, technically puts the front yard in their backyard per se. So, what we're asking for technically is a variation to put a screened-in porch in the front yard even though it's the back of the house. So, that's kind of the unique circumstance.

Also, the relationship of that front yard setback, you can see from perhaps the landscape plan by Mr. Fitzgerald, kind of cuts through the corners of the architectural part of the porch. That setback, you know, limits their usability of the screened-in porch in a way that compromises, you know, even doing the project quite honestly. So, that's kind of the hardship. They've got an odd-shaped lot and, you know, normally in a backyard of this nature they'd be able to enjoy a building of this modest scale. So, the amount of square footage that's being requested and the size and shape of it is kind of an unusual situation.

You might notice in the footprint of the design and maybe also in the architecture, that we tried to step the building away from the Mayfair side to minimize its scale. So, the roof is low, the building steps back as it gets close to the corner to try and address that.

Derek is passing out a few new proposed exterior elevations as the design is still going through iterations.

So, I talked about hardship, I talked about the unique circumstances. The last of the three is the character or essential character of the neighborhood. If you take a look at the pictures in the back of the packet that was put out by Staff, these nice color pictures, the house is extremely well shielded by landscaping all the way around. In fact, this Google Earth picture was taken before even more landscaping was put in there. You can't even really see the house from Mayfair side anymore.

Lastly, so in other words, the character is not in any way disturbed by what we're doing. Lastly, Paulette who is here and her husband have communicated with 12 to 14 of the neighbors in the immediate vicinity, and everyone is supportive of what they're asking to do.

MR. MACH: Just to clarify for the record, this setback variance in the front yard is the 19.2 feet as well as an additional one foot for the eaves?

MR. GINNODO: And one foot for the eaves, right.

CHAIRMAN PETRILLO: Is this red, at least on our, there is no page number on it but it's the landscape designed by John Fitzgerald dated 11/1, is this, what is this red line you marked? Is that the setback line?

MR. GINNODO: That's the front yard setback line, correct.

CHAIRMAN PETRILLO: This moves, it actually narrows for some reason or another.

MR. GINNODO: It looks like that. I'm not sure that's accurate. If you take a look at our site plan, or actually, yes, our site plan is better. There should be a larger sheet in there. It is parallel with the property line.

CHAIRMAN PETRILLO: So, how much of the fireplace infringes on that setback? Is it just the part of it?

MR. GINNODO: In the front, no, it's all side yard situation for the fire pit. The fire pit is that little structure there.

CHAIRMAN PETRILLO: Right.

MR. GINNODO: The side yard kind of comes along like this, and that's just inside.

CHAIRMAN PETRILLO: Okay. Oh, so the whole fire pit sits inside?

MR. GINNODO: In the side yard, correct.

CHAIRMAN PETRILLO: Okay, okay.

MR. GINNODO: Yes.

CHAIRMAN PETRILLO: But it sits within the setback requirement?

MR. GINNODO: Correct. Oh, no, no, no, it requires a variation.

CHAIRMAN PETRILLO: I'm sorry, it's not sitting inside the setback, it's sitting in the side yard.

MR. GINNODO: In the side yard.

CHAIRMAN PETRILLO: The reason, why can't you move that back to --

MR. GINNODO: They ran out of patio space to make it workable. I can't go any farther towards Mayfair because then I'm in the front yard. It's a chicken and egg situation there.

CHAIRMAN PETRILLO: Why can't you go any farther back? Just because of

these tables and chairs? Or it's closer to the home --

MR. GINNODO: Right, yes, closer to the home. Right now the fire pit is 18.9 feet from the side yard. The requirement is 20 something. We'd have to move it a couple of feet which would start to encroach and cramp, kind of cramp the arrangement. There's traffic, you know, pedestrian traffic that goes from the back of the house to the pool, and every bit we move it close to the house is damaging to the grade.

CHAIRMAN PETRILLO: Unless you move the table and chairs.

MR. GINNODO: Unless the table and chairs are removed, yes.

CHAIRMAN PETRILLO: Why couldn't they move the table and chairs?

MR. GINNODO: Let me take a look and see John's intent here. Again, I think it's a matter of just making the best and most gracious arrangement in a rational manner around the swimming pool and the backyard.

CHAIRMAN PETRILLO: There is an existing porch there, patio?

MR. GINNODO: Yes, if you look at our --

CHAIRMAN PETRILLO: How much more will the proposed sunroom encroach on, well, you're really about the same distance, you just have another bump-out that's encroaching on it is my perception.

MR. GINNODO: Yes. Do you have this drawing?

CHAIRMAN PETRILLO: No, we do have that in a smaller scale.

MR. GINNODO: Okay, well, I'm happy to walk this up to you if you like.

CHAIRMAN PETRILLO: We have something similar here. So, you're already encroaching on this, you've just got another bump-out, so you're going to have two bump-outs --

MR. GINNODO: That's correct, yes.

CHAIRMAN PETRILLO: Instead of the one on the patio that exists now. There's a brick wall there?

MR. GINNODO: Yes. Yes.

CHAIRMAN PETRILLO: Any questions from any other member of the Board? None being heard, is there anybody in the audience that wishes to speak to this petition? None being heard, we'll open it up for Board discussion.

MR. GEISEL: I know this is considered the side yard, front yard, but the reality is it's the back of the house. You know, but for the manner in which we define the rules as to what's the front yard, all the improvements really go more so in the back of the home. I wouldn't otherwise find these objectionable and I don't have any problem with any of it.

CHAIRMAN PETRILLO: Derek, had this been the backyard setback, what would be the distance requirement?

MR. MACH: 30 feet.

CHAIRMAN PETRILLO: 30 feet. So, by virtue of it being the side yard, it's a 20-foot setback?

MR. MACH: Side yard would be 10 percent of the lot width, yes, approximately. Well, less than 20.

CHAIRMAN PETRILLO: I'm just reading here that if that's correct, it would be 20, so, you know, my opinion is they already have a built-in convenience there and I don't see, it's not a big deal but I don't see the need. There are other options, to move the table in my opinion but that's just my opinion.

MR. GEISEL: The only comment I have there, and I looked at that, too, is that this is intended to step down. So, it wouldn't be at the same height, so that wouldn't leave a lot of room to his tables and chairs. If it was the same level, perhaps you could go around it more readily. But, again I'm not trying to sway you, but it's one of the things I looked at as well and I took into consideration the fact that they were stepping this down.

CHAIRMAN PETRILLO: Any other comments from any other member of the Board? None being heard, is there a motion?

MR. SCHWINGBECK: I motion that we approve the project.

MR. GEISEL: Second.

CHAIRMAN PETRILLO: We have a motion and a second. Derek, would you call the roll?

MR. MACH: Mr. Drake.

MR. DRAKE: Yes.

MR. MACH: Mr. Geisel.

MR. GEISEL: Yes.

MR. MACH: Mr. Schwingbeck.

MR. SCHWINGBECK: Yes.

MR. MACH: Mr. Selbka.

MR. SELBKA: Yes.

MR. MACH: Chairman Petrillo.

CHAIRMAN PETRILLO: Yes.

MR. GINNODO: Thank you very much.

(Whereupon, the public hearing on the
above-mentioned petition was adjourned
at 8:14 p.m.)

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS

November 14, 2016

PETITIONER: O'Malley Residence
ADDRESS OF PROPERTY: 523 S. Belmont Ave.
VARIATION: 5.1-3.6, 6.13-3, 6.5-2

A 5.8-foot variance to allow an addition with a front yard setback of 19.2-feet from the southeast property line instead of the minimum 25.0-feet and an additional 1 foot for the eave; A 2-foot height variance to allow a 5-foot tall open fence in the front yard where 3-feet is the maximum height; A variance to allow an accessory structure (fire pit) in the side yard where it is only permitted in the rear yard.

The petitioner explained that they are proposing to build a closed-in porch located in approximately the same position as the existing pergola. The petitioner testified that the existing home faces Belmont Avenue; however, Mayfair is the front yard since it is the shorter of the two dimensions. Therefore they are proposing an enclosed porch in what is technically the front yard. The petitioner testified that the lot is unique in shape and that they are asking for a variation to put a screened-in porch in the front yard even though it's the back of the house. The petitioner also testified that they stepped the proposed porch away from Mayfair in order to minimize the scale and variance request. The petitioner explained that they are also seeking a variance for a gas fire pit in the side yard where fire pits are only allowed in the rear yard and a variance for a five foot high fence in the front yard where only a three foot high fence is permitted. The petitioner testified that the variations are necessary due to the uniqueness of the lot since the front yard is functioning as the rear yard.

Based upon the foregoing as well as other evidence submitted, the Zoning Board of Appeals finds that the petitioner has established the necessary elements for the granting of a variance, namely; that the petitioners would sustain a hardship if the variance were not granted; that the situation of the petitioners is unique; and, that the granting of a variance would not alter the essential character of the neighborhood. Proof of ownership and compliance with the Notification Provisions of the Ordinance were presented.

Thereafter, a motion was made by Mr. Schwingbeck and seconded by Mr. Geisel. Thereafter, the Board voted 5-0 to approve the variance request.

Now, therefore, after hearing all the evidence and after due deliberation, the Zoning Board of Appeals, voted 5-0 to grant the variance as requested.

The granting of a variance for this property shall not be construed as an approval to construct or encroach upon any easement areas unless written consent has been granted by each utility company and a copy of each letter is on file with the petition for this variation, nor be construed as a waiver of any requirements of the building code or other applicable ordinances of the Village.

It is expressly noted that no order of this Board permitting the aforesaid variance shall be valid for a period longer than one (1) year unless such construction is started and proceeds to completion within the terms of such permit.

Anthony Petrillo, Chairman
Zoning Board of Appeals
Village of Arlington Heights



Item: 909 W. Campbell St. Subdivision - 11/14/16

Department: Planning & Community Development

ATTACHMENTS:

Description	Type
Minutes 11/14/16 - 909 W. Campbell St. Subdivision	Minutes
Findings 11/14/16 - 909 W. Campbell St. Subdivision	Minutes

ZONING BOARD

REPORT OF PROCEEDINGS OF A MEETING
BEFORE THE VILLAGE OF ARLINGTON HEIGHTS
ZONING BOARD OF APPEALS

OF APPEALS

RE: 909 WEST CAMPBELL STREET SUBDIVISION

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Zoning Board of Appeals taken at the Arlington Heights
Village Hall, 33 South Arlington Heights Road, 1st Floor Beuchner Room,
Arlington Heights, Illinois on the 14th day of November, 2016 at the hour
of 8:14 p.m.

MEMBERS PRESENT:

TONY PETRILLO, Chairman
TOM DRAKE
TOM SCHWINGBECK
JOSEPH GEISEL
JOSEPH SELBKA

ALSO PRESENT:

DEREK MACH, Village Planner

CHAIRMAN PETRILLO: The next petition is the 909 West Campbell Street Subdivision.

Are both of you gentlemen going to provide testimony this evening?

MR. RUSSO: Yes.

CHAIRMAN PETRILLO: Are you signed in?

MR. RUSSO: Yes.

CHAIRMAN PETRILLO: Could you state your name and association to the petition?

MR. RUSSO: My name is Chris Russo. I'm with ALA Architects, and that's at 2600 Behan Road, Crystal Lake.

CHAIRMAN PETRILLO: You're the architects on the project?

MR. RUSSO: Yes, sir.

CHAIRMAN PETRILLO: Sir?

MR. ROTOLO: Bill Rotolo, vice president of Lexington Homes.

CHAIRMAN PETRILLO: You're the contractor on the project? Builder on the project?

MR. ROTOLO: The owner, yes, and the builder.

CHAIRMAN PETRILLO: And the owner, okay. All right, gentlemen, would you raise your right hand?

(Witnesses sworn.)

CHAIRMAN PETRILLO: Can I just start? Derek, I just want to make a point of clarification, not to circumvent anything on the agenda, but if I understand correctly, this petition involves the floor plan only, correct?

MR. MACH: Correct.

CHAIRMAN PETRILLO: Sir, is that correct? We're just addressing the floor plan, not the facades of the building?

MR. ROTOLO: Correct.

CHAIRMAN PETRILLO: Because the Petitioners have met the requirements of the, what's it --

MR. ROTOLO: Monotony code.

CHAIRMAN PETRILLO: Monotony code on the designs so that the designs are not duplicated side by side within two doors of one another. They're able to meet that requirement, correct?

MR. MACH: Yes.

CHAIRMAN PETRILLO: So, what we're addressing tonight is the identical floor plan that would not be located side-by-side, correct?

MR. MACH: The Petitioner is requesting a relief from the monotony code that requires that the floor plans be varied side by side, it must be separated by two.

CHAIRMAN PETRILLO: So, we would be allowing them the side-by-side floor plan?

MR. MACH: Correct.

CHAIRMAN PETRILLO: Which is only the interior of the home, but the exteriors of the homes, the Building Department has approval over those designs and those finishes. So, although the homes may be identical in the floor plan on the inside, they would not look identical on the outside, correct?

MR. MACH: Correct.

CHAIRMAN PETRILLO: On a side by side basis, they'll be different, for lack of a better term, every fourth home. So, if you have homes 1, 2, 3 and 4, you cannot repeat, they would not be allowed to repeat that design until you have two homes or three in between them, correct?

MR. MACH: Yes.

CHAIRMAN PETRILLO: Does everybody understand that? Because I had to get some of this information from Derek and Steve earlier today.

AUDIENCE MEMBER: So, it's not going to look like townhomes then?

MR. ROTOLO: No.

CHAIRMAN PETRILLO: That's correct.

AUDIENCE MEMBER: Okay, that's good.

MR. SELBKA: You could actually see what they're going to look like.

CHAIRMAN PETRILLO: Yes, if we would, so these homes will not look alike from the exterior. There will be a design variation as well as color and material variations.

MR. MACH: Each home will be required to appear in front of, or submit for a design review.

MR. SELBKA: Every time they build a home?

MR. MACH: Yes.

CHAIRMAN PETRILLO: That is the intent of Staff, to enforce that, or they could comply with that, with the monotony code.

MR. MACH: Yes.

CHAIRMAN PETRILLO: So, we're not addressing that, just the interior floor plan.

MR. MACH: Correct.

CHAIRMAN PETRILLO: Okay, and then in my research, and again just covering, these are not, this is just for informational purposes only, that this is the first time I can remember in my tenure that we've had the monotony code come before us. But it has been before the Village in planned unit developments, correct?

MR. MACH: Yes.

CHAIRMAN PETRILLO: Where floor plans have been approved or there have been, I'll call them variances or certain conditions outside the monotony code approved. But not before me, I don't, in any of my meetings in the last 10-12 years, I don't recall the monotony code ever becoming an issue before this Board.

MR. MACH: Yes, there was one that comes to mind, the development near Mariano's received relief from floor plan I believe, but not exterior.

CHAIRMAN PETRILLO: Right. This is a 15-unit development or building development? What is the unit development count at that, just a guess?

MR. MACH: Yes, I'm not sure offhand.

CHAIRMAN PETRILLO: It's more than 15, I know that.

MR. MACH: Yes. I'd just be guessing at 14 or 15, yes, approximately.

CHAIRMAN PETRILLO: There's probably half, well, more than half that exists now. Okay, just some informational background, I wanted to give that, you know, that this has been looked at by the Village before, just not by this Board.

MR. MACH: Correct.

MR. DRAKE: Does that monotony code apply to landscaping as well? Colors of the homes and design, is landscaping part of that when they go back in front of the Design Commission?

MR. MACH: It's not, but they have submitted some typical landscape plans. I certainly would encourage them to vary the landscaping.

MR. DRAKE: Okay, thank you.

MR. MACH: But not addressed as part of it.

MR. DRAKE: Okay, thank you.

CHAIRMAN PETRILLO: So, sir, for getting a reasonable return on your investment, the uniqueness of the request, and that it will not detract from the character of the neighborhood, if you would touch on those three issues?

MR. ROTOLO: Yes, I will. I did articulate that in the application that we submitted. I assume you have a copy of that. This one here.

So, in terms of the first question, that there would be hardship if the variance weren't granted, we only have 15 lots. We're offering three different floor plans. For each of the floor plan, we offer three elevations. Is that correct?

MR. RUSSO: Four.

MR. ROTOLO: Four.

MR. RUSSO: Oh, each of the floor plans have three different elevations with massing, and then within that we have four different detail packages for each one.

MR. ROTOLO: So, the various combinations and iterations, I don't know the exact number but it's a lot for only 15 homes. We just felt that for only 15 lots to develop, not be able to have the same floor plan which passers by won't know the difference because the exterior elevations will be different, you know, we're not going to have two for the same elevations next to each other or the same colors or the same materials. Yes, we are varying the landscape as well. That comment came up at Design Commission and we did say we would vary the landscaping as well.

MR. ROTOLO: Also, within the floor plans, we have variety, so we're trying to make it where there's options for each person. So, each plan has different components that can be plugged in to. So, for example, if you want a two-story family room, you can have that. If you want to have a fifth bedroom, you can have that. If you want a two-story foyer, you can have that. So, there's a lot of variety that we're trying to give some flexibility with each of the plans.

In addition to that, all of the plans are set up to either have a two-car or a three-car garage. So, it's not the exact same plan. It will have different, it will be custom-based on the selections.

CHAIRMAN PETRILLO: Derek, what's confusing to me is what is considered a material enough change that makes the floor plans less identical. Is it, you know, one, you eliminate a closet or eliminate a laundry room and you put the laundry room in the basement, you know, is that enough in the floor plan? Or you know, what I didn't see here is what has to be done substantially to have a different floor plan.

MR. MACH: Just they have to vary the footprint.

CHAIRMAN PETRILLO: So, I mean if you change the direction of a door, if the door is, you know, at the front end of a room I'll just say closest to the front of the house, then you decide to change it to the back end or you want to put in double doors opening

from another direction walking through a room and then have a back end to this room, you know, is that enough? Does it have to be interior wall construction, supporting beam structural construction? I really don't know that I have enough knowledge to say that, you know, there is a substantial change in what that imposes upon the Petitioner.

So, you know, in my view, not having that understanding but seeing that these are interior spaces and really not obvious to anyone outside and the challenges are being able to meet the monotony code on the exterior was most important to me. That is something that's more visual and I think more substantial, and then we rely on, you know, that the Staff has already reviewed that and they, you know, they have to go before the Design Commission or someone else that has that expertise to ensure that they're complying with the monotony code.

So, if I were not to vote for this petition this evening, I really have no basis not to vote for it because I don't have the knowledge and understanding of a material change that's required of the Petitioner.

MR. GEISEL: Even if they built the identical that they're already stating that they're not going to build more than two adjacent to each other, and based upon what he said with the customization that is offered to anybody, it's very unlikely that someone is going to get exactly what is next to them. If it's inside, as long as the outside is different.

CHAIRMAN PETRILLO: Right. In such a small, and then we're dealing with I mean just 1, 2, 3, it's homes side by side, it doesn't cross the street or go back to back, so we're not, like you said, it's highly unlikely that the interior of each of these buildings are going to be the same even all the way down or next to each other. He's not talking about that kind of thing. I'm sorry, I got off and distracted, I didn't want to take away from any other questions that any other Board members might have for the Petitioner.

MR. DRAKE: I don't know what's substantially different, but when I looked at them and I spent some time looking at them just because it's interesting to me, I could see the subtle differences as I really started to study them. I mean I can't pinpoint them and recite them, but just in looking at them all laid out on the table side by side, oh, yes, I can see the difference in the hallway or their master bedroom. So, to me they kind of met my reference test. Again, I like you do, rely on this one as to what the Staff is saying because I think they probably have poured over the plans. So, I'm pretty comfortable with what I'm seeing.

CHAIRMAN PETRILLO: Any other comments from any other members or questions for the Petitioners? None being heard, is there any one in the audience that wishes to speak to this petition? Okay, none being heard, again I don't have, I think I've already stated my opinion and I'd be in favor of approving this petition.

MR. GEISEL: I'd move approval.

CHAIRMAN PETRILLO: We have a motion. Is there a second?

MR. DRAKE: Second.

CHAIRMAN PETRILLO: We have a motion and a second. Derek, would you call the roll?

MR. MACH: Mr. Drake.

MR. DRAKE: Yes.

MR. MACH: Mr. Geisel.

MR. GEISEL: Yes.

MR. MACH: Mr. Schwingbeck.
MR. SCHWINGBECK: Yes.
MR. MACH: Mr. Selbka.
MR. SELBKA: Yes.
CHAIRMAN PETRILLO: Chairman Petrillo.
CHAIRMAN PETRILLO: Yes. Good luck, gentlemen. Thank you.
MR. ROTOLO: Thank you.
CHAIRMAN PETRILLO: Did we miss a petition? No, okay.
MR. DRAKE: I think that's it.
AUDIENCE MEMBER: I thought that there was a six-foot fence variance
asked for that was going to be discussed tonight over by Hersey High School?
MR. DRAKE: Prospect?
CHAIRMAN PETRILLO: Prospect High School?
AUDIENCE MEMBER: No.
MR. DRAKE: It was not by Hersey, no.
MR. MACH: It was 1504 North Howard. It didn't go on this agenda. It will be,
the Petitioner is planning to discuss it at the, or come forward at the December 12th.
AUDIENCE MEMBER: December 12th.
CHAIRMAN PETRILLO: Is there a motion for adjournment?
MR. SCHWINGBECK: Motion to adjourn.
MR. DRAKE: Second.
CHAIRMAN PETRILLO: We have a motion and a second. All those in favor
say aye.
(Chorus of ayes.)
CHAIRMAN PETRILLO: Opposed say nay.
(No response.)
CHAIRMAN PETRILLO: Motion passes.

(Whereupon, the public hearing on the
above-mentioned petition was adjourned
at 8:29 p.m.)

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS

November 14, 2016

PETITIONER: 909 W. Campbell St. Subdivision
ADDRESS OF PROPERTY: 909 W. Campbell St.
VARIATION: 28-6.4

A variation to allow the same floor plans to be built directly next to each other or directly across the street, with no more than two of the same floor plans in a row (the exterior elevations shall comply with the monotony requirements).

The petitioner explained that they are seeking a variance to allow the same floor plans next to each other (no more than two in a row), but that the elevations will comply with the monotony code and will meet the two lot separation requirement. The petitioner explained that each floor plan has three basic elevation designs, A, B, & C which are considered to be substantially different and will be allowed to be built side by side. However, pursuant to the monotony code, elevations of the same design with different colors or materials (such as A.1, A.2, A.3, & A.4) are considered to be of "like exterior design" and will not be allowed side by side. The petitioner testified that although the homes may be identical in the floor plan on the inside, they would not look identical on the outside and they would meet the monotony code on the exterior.

Based upon the foregoing as well as other evidence submitted, the Zoning Board of Appeals finds that the petitioner has established the necessary elements for the granting of a variance, namely; that the petitioners would sustain a hardship if the variance were not granted; that the situation of the petitioners is unique; and, that the granting of a variance would not alter the essential character of the neighborhood. Proof of ownership and compliance with the Notification Provisions of the Ordinance were presented.

Thereafter, a motion was made by Mr. Geisel and seconded by Mr. Drake. Thereafter, the Board voted 5-0 to approve the variance request.

Now, therefore, after hearing all the evidence and after due deliberation, the Zoning Board of Appeals, voted 5-0 to grant the variance as requested.

The granting of a variance for this property shall not be construed as an approval to construct or encroach upon any easement areas unless written consent has been granted by each utility company and a copy of each letter is on file with the petition for this variation, nor be construed as a waiver of any requirements of the building code or other applicable ordinances of the Village.

It is expressly noted that no order of this Board permitting the aforesaid variance shall be valid for a period longer than one (1) year unless such construction is started and proceeds to completion within the terms of such permit.

Anthony Petrillo, Chairman
Zoning Board of Appeals
Village of Arlington Heights



Item: 1504 N. Howard Ct. - ZBA#16-048

Department: Planning & Community Development

REQUEST

1. A 12.5 foot setback variance from Chapter 28, Section 6.13-3c1 (Exterior Side Yards) to allow a 6 foot tall solid fence in the exterior side yard along the south property line with no street side landscaping, where a 12.5 foot setback is required.
2. A 3 foot height variance from Chapter 28, Section 6.13-3 (Exterior Side Yards) to allow a 6 foot tall fence in the exterior side yard along the perimeter of the lot, where a 3 foot high fence is allowed.

ATTACHMENTS:

Description

Staff Report
Department Comments
Supporting Documents

Type

Board or Commission Report
Correspondence
Exhibits

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: December 12, 2016
Date Prepared: Decmber 2, 2016
Project Title: Schroeder Residence
Address: 1504 N. Howard Court

Background Information

Petition Number: ZBA #16-048
Petitioner: William F. Schroeder Sr.
Address: 1504 N. Howard Ct.
Arlington Heights, IL 60004
Existing Zoning: R-3, Single-Family District

Requested Action/Background Information

The petitioner proposes a new six foot high solid wood fence along the south property line in the exterior side yard along Thomas Street. Therefore, the petitioner requests the following variations:

- **A 12.5 foot setback variance from Chapter 28, Section 6.13-3c1 (Exterior Side Yards) to allow a 6 foot tall solid fence in the exterior side yard along the south property line with no street side landscaping where a 12.5 foot setback is required.**
- **A 3 foot height variance from Chapter 28, Section 6.13-3 (Exterior Side Yards) to allow a 6 foot tall fence in the exterior side yard along the perimeter of the lot where a 3 foot high fence is allowed.**

Variation Review Standards

In its consideration of the standards of practical difficulties or particular hardships, the Zoning Board of Appeals shall require evidence that (1) the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zone; and (2) the plight of the owner is due to unique circumstances; and (3) the variation, if granted, will not alter the essential character of the locality. A variation shall be permitted only if the evidence, in the judgment of the Board of Appeals, sustains each of the three conditions enumerated.

Map of General Vicinity



Items Required to be Submitted 15 Days Prior to Public Hearing

<u>Item</u>	<u>Provided</u>	<u>Dated</u>	<u>Remarks</u>
1. Notification Affidavit	✓	11/22/16	
2. List of Property Owners Within 250 feet of Subject Property	✓	11/22/16	
3. Letter that was Mailed	✓	11/22/16	
4. Photographs of Sign on Property	✓	11/21/16	

Photographs of Existing Structure



ZBA# 16-048

1504 N Howard Ct - ZBA

Rev. Eng: Nanci Julius, P.E.

cc: James J. Massarelli, P.E. Director of Engineering



Submitted: October 27, 2016

Completed: October 31, 2016

Resubmitted November 22, 2016, reviewed November 29, 2016

The proposed ZBA application indicates that the petitioner is seeking:

A 12.5 ft variance to allow a 6 ft tall solid fence in th exterior side yard along the south property line with no street side landscaping where a 12.5 ft setback is required; and a 3 ft height variance to allow a 6 ft tall fence in the exterior side yard along the perimeter of the lot where a 3 ft high fence is allowed.

The Engineering Department, per Jim Massarelli, NO COMMENT of the proposed variances for the fence location and height. It should be noted that he proposed fence is however within the 10 ft utility easement.

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Schroeder Residence

Project Address: 1504 N. Howard Ct.

ZBA #: 16-048

ZBA Hearing Date: December 12, 2016

To: Jim Massarelli, Director of Engineering
Charley Graig, Building Services

C: Bill Enright, Deputy Director of Planning and Community Development
Steve Hautzinger, Design Planner

From: Derek Mach, Zoning Board of Appeals Liaison

Transmitted On: November 22, 2016

- A 12.5 foot setback variance from Chapter 28, Section 6.13-3c1 (Exterior Side Yards) to allow a 6 foot tall solid fence in the exterior side yard along the south property line with no street side landscaping where a 12.5 foot setback is required.
- A 3 foot height variance from Chapter 28, Section 6.13-3 (Exterior Side Yards) to allow a 6 foot tall fence in the exterior side yard along the perimeter of the lot where a 3 foot high fence is allowed.

Attached are the Petitioner's:

- ☐ Application & Petition
- ☐ Plat of Survey
- ☐ Site Plan
- ☐ Other:

Comments: NO COMMENTS, C.T.C.

RECEIVED
NOV 29 2016
PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT

Please review, comment, and return to me no later than Thursday, December 1, 2016.

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Schroeder Residence

Project Address: 1504 N. Howard Ct.

ZBA #: 16-048

ZBA Hearing Date: December 12, 2016

To: Jim Massarelli, Director of Engineering
Charley Craig, Building Services

C: Bill Enright, Deputy Director of Planning and Community Development
Steve Hautzinger, Design Planner

From: Derek Mach, Zoning Board of Appeals Liaison

Transmitted On: November 22, 2016

- A 12.5 foot setback variance from Chapter 28, Section 6.13-3c1 (Exterior Side Yards) to allow a 6 foot tall solid fence in the exterior side yard along the south property line with no street side landscaping where a 12.5 foot setback is required.
- A 3 foot height variance from Chapter 28, Section 6.13-3 (Exterior Side Yards) to allow a 6 foot tall fence in the exterior side yard along the perimeter of the lot where a 3 foot high fence is allowed.

Attached are the Petitioner's:

- ☐ Application & Petition
- ☐ Plat of Survey
- ☐ Site Plan
- ☐ Other: _____

Comments: _____

NO COMMENTS. - STEVE HAUTZINGER, DESIGN PLANNER

Please review, comment, and return to me no later than Thursday, December 1, 2016.

PETITION

PETITION

NOW COMES the Petitioner William Schroeder being the owner of the property commonly known as: 1504 N. Howard Court and appeals to the Zoning Board of Appeals of the Village of Arlington Heights for a Variation from Section 6.13 Chapter 28, of the Arlington Heights Municipal Code, in order to install a six foot high fence along the south side of the property along the property line in the exterior side yard.

I hereby state that the following hardship would exist if the variation were not granted:

The south side of our house faces Thomas St. This is a busy street. As a corner lot, the side yard is our main yard where our kids will play. The fences will protect them from the traffic and keep them safe.

I hereby state that the following unique circumstances exist:

There is an existing fence that runs along the sidewalk for the Court of Russettwood. Also, there are several lots on Waterman where the fence runs along the sidewalk on a corner lot.

I hereby state that the variation, if granted, will not alter the essential character of the locality because:

We are matching the existing fence already there. We do not want to create an "eye sore" by not continuing the current fence line. No hardship!

Signed

William J. Schroeder
Petitioner

Date

10/31/16

We also have a dog that could
run onto Thomas and be hit. The
fence will provide protection for
him and also act as a sound
barrier from the traffic.
Lastly, if the fence design runs
along the sidewalk, it will
aesthetically look odd and not
mesh well with the neighbors
on the Courts of Russettwood.

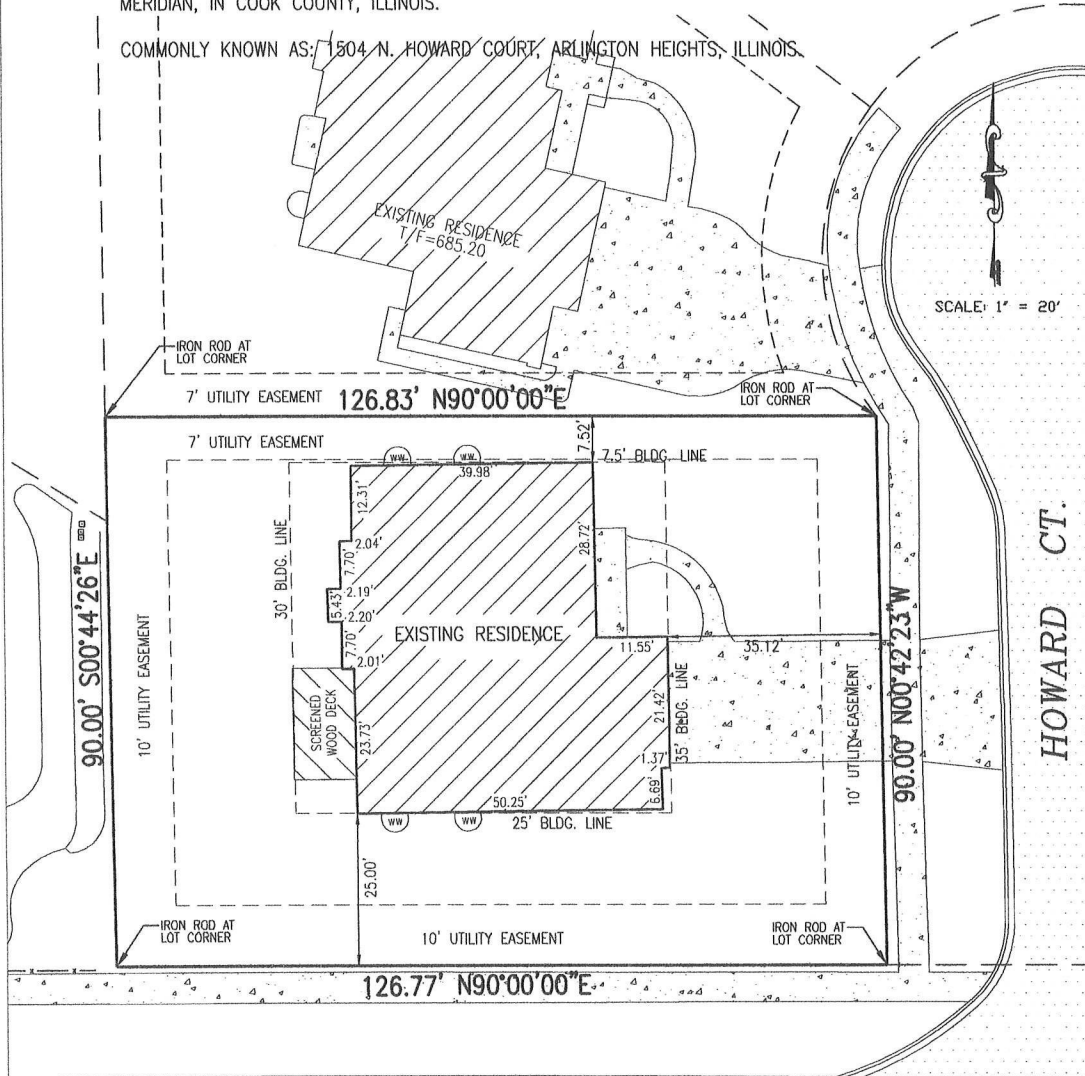
W.D. of W.D. of 10/31/14

PLAT OF SURVEY

-OF-

LOT 1 IN HOWARD'S WAY SUBDIVISION, BEING A SUBDIVISION IN THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 1504 N. HOWARD COURT, ARLINGTON HEIGHTS, ILLINOIS.



THOMAS

STREET



COMPARE YOUR POINTS BEFORE BUILDING BY THE SAME AND REPORT ANY DIFFERENCES IMMEDIATELY.

CHECK LEGAL DESCRIPTION WITH DEED AND REPORT ANY DISCREPANCY IMMEDIATELY. REFER TO TITLE POLICY FOR POSSIBLE ADDITIONAL EASEMENTS OR BUILDING LINES NOT SHOWN HEREON.

DOLAND ENGINEERING, LLC
-CIVIL ENGINEERING ~ LAND SURVEYING ~ LAND PLANNING-
334 EAST COLFAX STREET, SUITE C
PALATINE, ILLINOIS 60067
(847) 991-5088
(847) 934-3427 FAX

STATE OF ILLINOIS
COUNTY OF COOK }SS

I, JASON R. DOLAND, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE ABOVE DESCRIBED PROPERTY HAS BEEN SURVEYED, UNDER MY SUPERVISION, IN THE MANNER REPRESENTED ON THE PLAT HEREON DRAWN.

DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

DATED AT PALATINE, ILLINOIS 09/23/16

ILLINOIS PROFESSIONAL LAND SURVEYOR

LOT 1 IN HOWARD'S WAY SUBDIVISION, BEING A SUBDIVISION IN THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

New Fence to be installed Along
Side Walk.

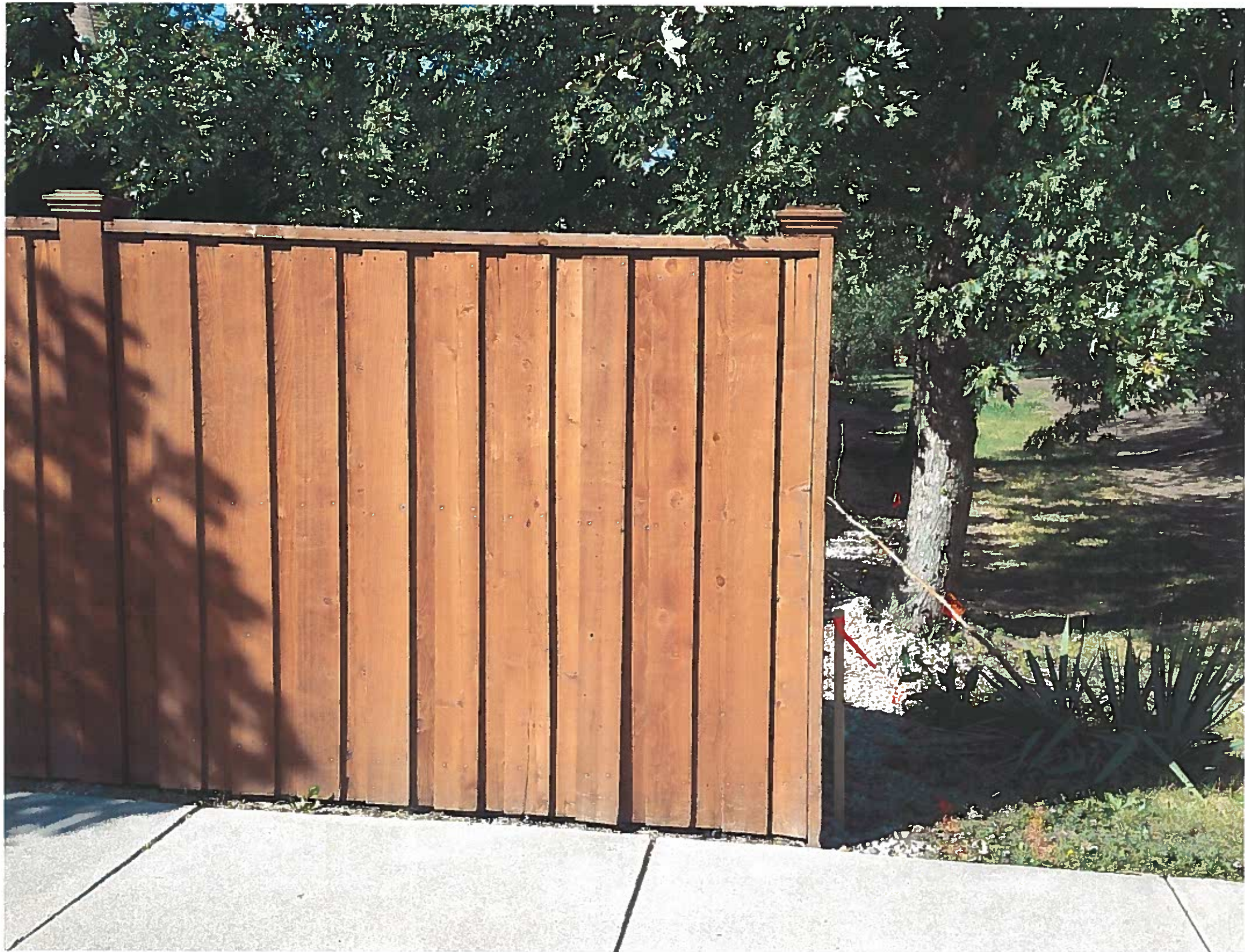
STREET



DOLAND ENGINEERING, LLC
-CIVIL ENGINEERING ~ LAND SURVEYING ~ LAND PLANNING-
334 EAST COLFAX STREET, SUITE C
PALATINE, ILLINOIS 60067
(847) 991-5088
(847) 934-3427 FAX

09/23/16

ILLINOIS PROFESSIONAL LAND SURVEYOR





Item: 925 N. Douglas Ave. - ZBA#16-056

Department: Planning & Community Development

REQUEST

A variance from Chapter 28, section 5.1-3.4 (Minimum Lot Size) to allow a 49-ft. wide, 6,470 sq. ft. lot to be buildable, where 70 feet wide, 8,750 sq. ft. is required.

ATTACHMENTS:

Description

Staff Report
Department Comments
Supporting Documents

Type

Board or Commission Report
Correspondence
Exhibits

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: December 12, 2016
Date Prepared: December 7, 2016
Project Title: 925 N. Douglas Ave. Residence
Address: 925 N. Douglas Ave.

Background Information

Petition Number: ZBA #16-056
Petitioner: Kevin Davis / Fairfield Homes
Address: 530 S. Arthur Ave.
Arlington Heights IL 60005
Existing Zoning: R-3, Single-Family District

Requested Action/Background Information

The petitioner is proposing to tear down the existing home and construct a new home. The subject site is zoned R-3, One Family Dwelling District. The property has a total land area of 6,470 square feet and a lot width of 49 feet. The proposed residence will have approximately 2,910 square feet.

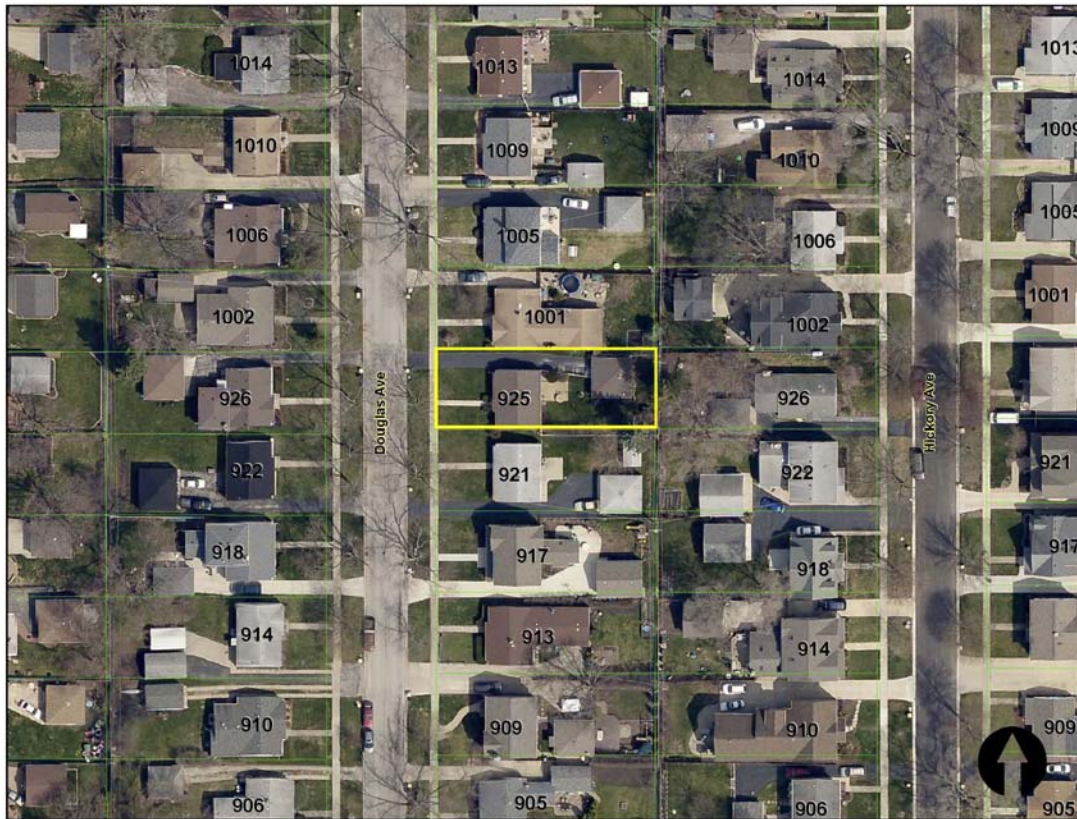
The proposal is before the Zoning Board of Appeals because of the substandard lot width. Sections 5.1-3.4 and 5.1-3.5 of the Zoning Code set forth minimum lot size and width requirements for the R-3 District which is 70 feet in width and 8,750 square feet in area. As part of 5.1-3.4, the Director of Building is authorized to issue permits for structures on lots that are less than the minimum area and width requirements if the majority of the frontage on which the property is located is developed with lots that are below the minimum district requirements; provided that no permit shall be issued for any parcel containing less than 6,250 SF and a lot width of 50 feet. The petitioner's property is 49.0 feet wide and 6,470 SF, which does not meet the absolute minimum lot width of 50 feet. Therefore, the petitioner requires the following variation:

- **A variance from Chapter 28, section 5.1-3.4 (Minimum Lot Size) to allow a 49-ft. wide, 6,470 sq. ft. lot to be buildable, where 70 feet wide, 8,750 sq. ft. is required.**

Variation Review Standards

In its consideration of the standards of practical difficulties or particular hardships, the Zoning Board of Appeals shall require evidence that (1) the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zone; and (2) the plight of the owner is due to unique circumstances; and (3) the variation, if granted, will not alter the essential character of the locality. A variation shall be permitted only if the evidence, in the judgment of the Board of Appeals, sustains each of the three conditions enumerated.

Map of General Vicinity



Items Required to be Submitted 15 Days Prior to Public Hearing

<u>Item</u>	<u>Provided</u>	<u>Dated</u>	<u>Remarks</u>
1. Notification Affidavit	✓	11/10/16	
2. List of Property Owners Within 250 feet of Subject Property	✓	11/10/16	
3. Letter that was Mailed	✓	11/10/16	
4. Photographs of Sign on Property	✓	11/10/16	

Photographs of Existing Structure



PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: 925 N. Douglas Ave. Residence

Project Address: 925 N. Douglas Ave.

ZBA #: 16-056

ZBA Hearing Date: December 12, 2016

To: Jim Massarelli, Director of Engineering
Charley Craig, Building Services

C: Bill Enright, Deputy Director of Planning and Community Development
Steve Hautzinger, Design Planner

From: Derek Mach, Zoning Board of Appeals Liaison

Transmitted On: November 22, 2016

- A variance from Chapter 28, section 5.1-3.4 (Minimum Lot Size) to allow a 49-ft. wide, 6,470 sq. ft. lot to be buildable, where 70 feet wide, 8,750 sq. ft. is required.

Attached are the Petitioner's:

- ☐ Application & Petition
- ☐ Plat of Survey
- ☐ Site Plan
- ☐ Other: _____

Comments: NO COMMENTS ON VARIANCE. NOTE THAT NEW

HOME MUST COMPLY WITH ALL CODES INCLUDING SETBACKS,

Please review, comment, and return to me no later than Thursday, December 1, 2016.

RECEIVED
NOV 29 2016
PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT

ZBA# 16-056
925 N Douglas Ave
Rev. Eng: Nanci Julius, P.E.
cc: James J. Massarelli, P.E. Director of Engineering

Submitted: November 22, 2016
Completed: November 29, 2016

The proposed ZBA application indicates that the petitioner is seeking:

A variance to allow a 49 ft wide, 6,470 sq ft lot to be buildable, where 70 ft wide, 8,750 sq ft is required.

NOTE: The lot dimensions are for the existing home. 

The Engineering Department has no objection to the proposed variance.

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: 925 N. Douglas Ave. Residence

Project Address: 925 N. Douglas Ave.

ZBA #: 16-056

ZBA Hearing Date: December 12, 2016

To: Jim Massarelli, Director of Engineering
Charley Craig, Building Services

C: Bill Enright, Deputy Director of Planning and Community Development
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- A variance from Chapter 28, section 5.1-3.4 (Minimum Lot Size) to allow a 49-ft. wide, 6,470 sq. ft. lot to be buildable, where 70 feet wide, 8,750 sq. ft. is required.

Attached are the Petitioner's:

- ☐ Application & Petition
- ☐ Plat of Survey
- ☐ Site Plan
- ☐ Other: _____

Comments: THIS PROJECT RECEIVED DESIGN COMMISSION APPROVAL
ON NOV. 15, 2016 - STEVE HAUZINGER, DESIGN PLANNER

Please review, comment, and return to me no later than Thursday, December 1, 2016.



Affordable Luxury.

NOW COMES the petitioner Fairfield Homes, Inc. being the owner of the property commonly known as 925 N Douglas and appeals to the Zoning Board of Appeals of the Village of Arlington Heights for a Variation from Section 5.1-3.4 (minimum lot size), Chapter 28, of the Arlington Heights Municipal Code in order to allow a 49 ft wide 6470 sq ft lot to be buildable.

I hereby state that the following hardship would exist if the variation were not granted:

This will result in the lot being unbuildable for a new home construction

I hereby state that the following unique circumstances exist:

The current lot size does not meet current municipal code.

I hereby state that the variation, if granted, will not alter the essential character of the locality because:

This will be consistent with the remainder of lots on the neighborhood. All lots are the same size.

Signed : 
Petitioner

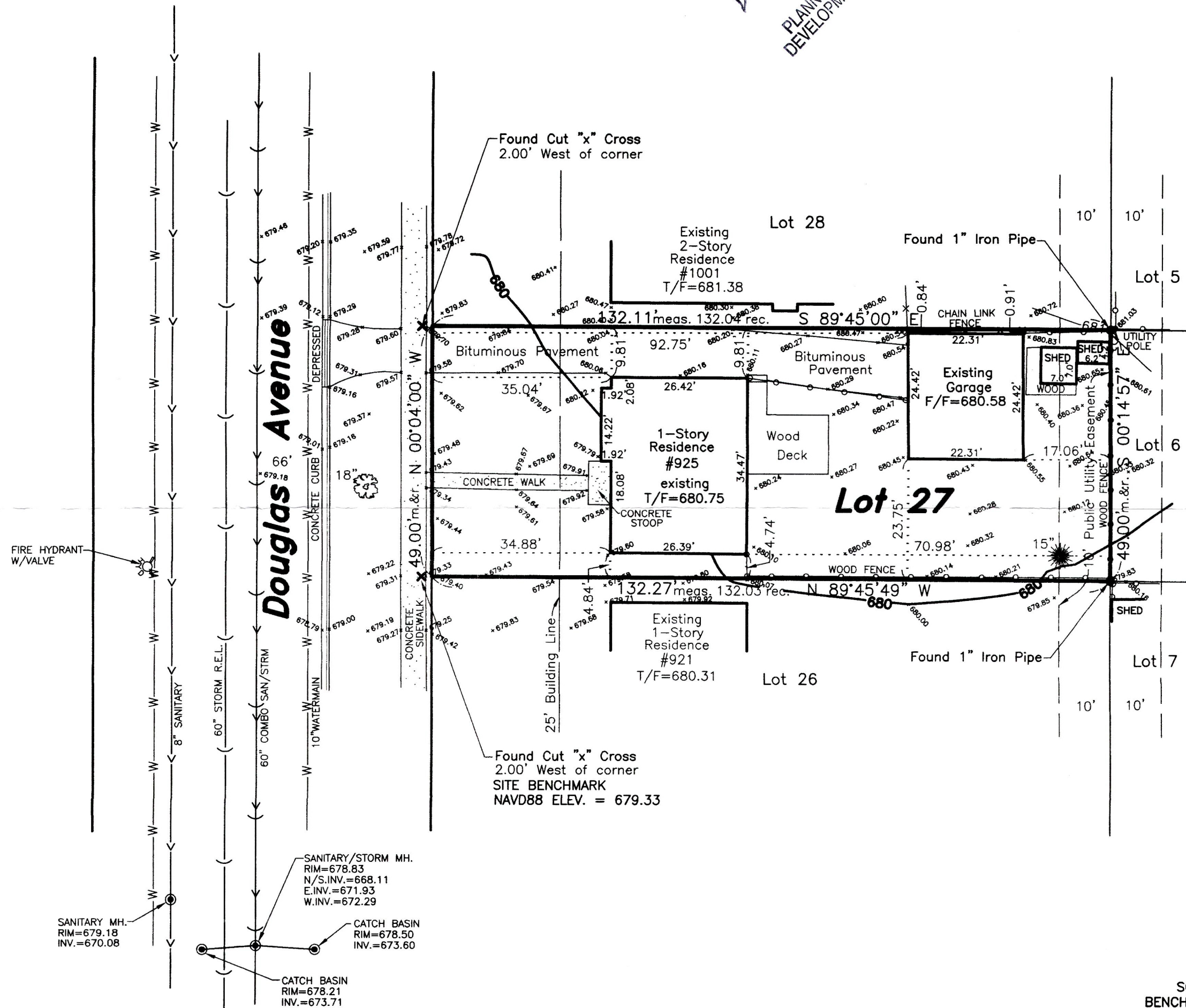
Date: 12/1/16

PLAT OF SURVEY

LOT 27 IN C.A. GOELZ'S COUNTRY CLUB ADDITION, BEING A SUBDIVISION OF THE WEST HALF OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (EXCEPT THE SOUTH 428.50 FEET THEREOF) OF SECTION 29, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AS DOCUMENT NUMBER 1321298, IN COOK COUNTY, ILLINOIS.

THE PREMISES COMMONLY KNOWN AS:
925 NORTH DOUGLAS AVENUE, ARLINGTON HEIGHTS, IL
PARCEL AREA = 6,479 S.F.
PIN: 03-29-211-005

RECEIVED
NOV 04 2016
PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT



SOURCE BENCHMARK
BENCHMARK RECOVERY SHEET
VILLAGE OF ARLINGTON HEIGHTS, ILLINOIS
BENCHMARK RECOVERY DESIGNATION: 43
3" DIA. BRASS DISC SET IN CONCRETE 4" ABOVE GROUND,
34' NORTH OF THE CENTERLINE OF OAKTON STREET
AND 34' +/- EAST OF THE CENTERLINE OF DRYDEN AVENUE
AT THE NORTHEAST CORNER OF THE INTERSECTION
NAVD88 ELEVATION = 690.29

SITE BENCHMARK
CUT CROSS ON SIDEWALK
NEAR SOUTHWEST CORNER
OF SURVEY LOT
NAVD88 ELEV.=679.33

STATE OF ILLINOIS
COUNTY OF LAKE S.S.

I, BRYAN J. LEE, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED AND STAKED THE LAND AS DESCRIBED IN THE ABOVE CAPTION. ANY STRUCTURES SHOWN HEREON WERE LOCATED BY ME OR UNDER MY DIRECTION AND THE PLAT DRAWN HEREON IS A CORRECT REPRESENTATION OF SAID SURVEY AND THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

DATED AT GRAYSLAKE, ILLINOIS THIS 21st DAY OF September, A.D. 20 16.

ILLINOIS PROFESSIONAL LAND SURVEYOR 35-3616
MY LICENSE EXPIRES 11-30-16
PROFESSIONAL DESIGN FIRM NO. 184-002732



Scale: 1" = 20'

FILE NO. 141-16
F14116.DWG

FIELDWORK COMPLETED: 09-13-2016
CLIENT NAME: Pearson, Brown and Associates, Inc.
ADDRESS: 1850 W. Winchester Road, Suite 205
Libertyville, IL 60048

NOTES:

PLAT IS VOID if the Impressed Surveyors Seal does not appear.

Only those Building Lines or Easements shown on a Recorded Subdivision Plat or from a Recorded Document are shown hereon; check local ordinances before building.

Compare your description and site markings with this plat and AT ONCE report any discrepancies which you may find.

R.E. ALLEN AND ASSOCIATES, LTD.
PROFESSIONAL LAND SURVEYORS
1015 N. CORPORATE CIRCLE, SUITE C
GRAYSLAKE, ILLINOIS 60030
PHONE: 847-223-0914 FAX: 847-223-0980



$$1/4^\circ = 1^\circ - 0^\circ$$

NOTE TO CONTRACTORS
ALL CONTRACTORS PRIOR TO CONSTRUCTION ARE TO FAMILIARIZE THEMSELVES WITH THE PLANS AND
EXISTING CONDITIONS OF THE PROJECT. ALL CONTRACTORS ARE RESPONSIBLE FOR FURNISHING
WITHIN INDUSTRY STANDARDS AND TO COMPLY WITH ALL APPLICABLE CODES. NOTIFY AGENCIES
OF ANY CONDITIONS OR DISCREPANCIES ON PLANS WHICH MAY INTERFERE WITH SUCCESSFUL
COMPLETION OF THE PROJECT, PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION OR DEMOLITION.

NOTE TO
PLAN REVIEWERS, OFFICIALS
AND CONTRACTORS

THE ARCHITECT HAS CHOSEN TO CONFORM TO THE PRESCRIPTIVE METHOD AS ALLOWED FOR IN IECC, CHAPTER 1: "ADMINISTRATION FIGURE(1) IECC SCOPE AND APPLICATION ABSTRACT - RESIDENTIAL, OPTION 1" MEETING OR EXCEEDING ALL APPLICABLE INSULATION VALUES AND SPECIFICATIONS REQUIRED BY THE CODE.

AS SPECIFIED BY THE CODE, OPTION 1, WAIVES THE REQUIREMENT OF PERFORMING A "SIMULATED PERFORMANCE ALTERNATIVE" OR "TRESCHER" TO EVALUATE THE ENVELOPE. THE PRESCRIPTIVE METHOD EXCEEDS ALL APPLICABLE REQUIREMENTS REQUIRED BY THE CODE AND IS SPECIFICALLY ALLOWED FOR AS A REPLACEMENT FOR THE "SIMULATED PERFORMANCE ALTERNATIVE" OR "TRESCHER".

THESE PLANS STATE CERTAIN APPLICABLE ASPECTS OF THE 2012 IECC CODE AND ARE NOT INTENDED TO RESTATE THE ENTIRE CODE OR ACT AS A REPLACEMENT TO THE CODE. ALL CONTRACTORS ARE TO FAMILIARIZE THEMSELVES WITH THE CODE AND FOLLOW THOSE REQUIREMENTS THAT RELATE TO THEIR PARTICULAR TRADE AND ARE RESPONSIBLE FOR SAME.

THE DRAWINGS AND RELATED CONSTRUCTION TO CONFORM WITH THE FOLLOWING

- 2009 INTERNATIONAL RESIDENTIAL CODE
- 2005 NATIONAL ELECTRICAL CODE
- 2014 STATE OF ILLINOIS PLUMBING CODE
- 2008 INTERNATIONAL MECHANICAL CODE
- 2009 INTERNATIONAL FIRE CODE
- 2012 STATE OF ILLINOIS ENERGY CONSERVATION CODE
- VILLAGE OF ARLINGTON HEIGHTS AMENDMENTS

and state that, to the best of my knowledge and belief and to the extent of my contractual obligation, they are in compliance with all applicable codes."

001-018291 11/16

A000	DRAWING INDEX
	GENERAL NOTES, FRONT ELEVATION
A100	FOUNDATION PLAN
A101	FIRST FLOOR PLAN
A102	SECOND FLOOR PLAN
A200	FRONT ELEVATION, REAR ELEVATION
A201	RIGHT ELEVATION LEFT ELEVATION
A202	EXISTING CONTEXT ELEVATION PROPOSED CONTEXT ELEVATION
A300	ROOF PLAN AND STRUCTURE NOTES CONSTRUCTION SPECIFICATIONS, WALL SECTIONS, FOUNDATION SECTIONS
A301	LIGHT AND VENT SCHEDULE, WASTE & SUPPLY RISER DIAGRAMS
E101	FIRST FLOOR ELECTRIC PLAN,
E102	SECOND FLOOR ELECTRIC PLAN

WALLS 20 PSF WALL FOR 10'-0" P.C. HEIGHT
25 PSF WALL FOR 21'-0" P.C. HEIGHT
30 PSF WALL FOR 30 FT. AND ABOVE
3000 PSF ASSUMED MASONRY BEARING
CAPACITY. CONTACT ARCHITECT IF LESS

* SEE FOUNDATION PLAN AND SECTIONS FOR HEIGHT OF TOWER/FIRE WALLS
 * ALL FOUNDATION WALLS OVER 6'-0" TALL TO BE A MINIMUM OF 12" THICK (SEE SECTIONS)
 N/A - ALL FOUNDATION WALLS WITH BRICK ABOVE TO BE A MINIMUM OF 12" THICK (SEE SECTIONS)
 N/A - EXISTING FINISHES OF ALL FOUNDATION WALLS TO COMPLY WITH FINISHES REQUIRED FOR
 EXTERIOR WALL FINISHES SHOWN ON EXTERIOR (PART OF PLAN)
 N/A - ALL FOUNDATION WALLS TO BE CONCRETE, UNLESS OTHERWISE NOTED, AND ALL EXTERIOR FOUNDATION

- STRENGTH OF CONCRETE AFTER 28 DAYS TO BE 3000 PSI FOR CONCRETE WALLS AND 3000 PSI FOR CONCRETE SLAB WORK AND EXTERIOR CONCRECTIONS
- ALL PORTLAND STEPS AND GARAGE FLOOR SLABS SHALL BE A MIN. OF 3000 PSI AND BETWEEN 58 TO 78 IN. THICKNESS
- SOILS REPORT PROVIDED BY OTHERS SHALL VERIFY THE SOIL BEARING CAPACITY PRIOR TO CONCRETE PLACEMENT, CONTACT ARCHITECT IF LESS THAN 3000 PSI.

* TOP OF BRIDGES IN 1/4" ABOVE SUB-FLOOR
FOR 8'-0" PLATES, UNLESS OTHERWISE NOTED

- TOP OF WINDOWS 30 3/4" ABOVE SUB-FLOOR FOR 4'-6" PLATES, UNLESS OTHERWISE NOTED
- ALL WINDOWS ARE DESIGNATED IN ROOMS OPENING SHOWN IN FEET AND INCHES (EXAMPLE: 2558 - 7'-5" x 5'-5" TO BE SET WITHIN 2" OR EXCEEDED)
- PERMITS 158 & 175 REQUIRE ALL WINDOWS AND OPENINGS BE OPENED UP/REMOVED
- PROVIDE SAFETY GLAZING IN ALL WINDOWS WITHIN 34" OF ANY DOOR, WITHIN 18" OF FLOOR, IN TUB/SHOWER ENCLOSURES, AND IN STAIR WELLS

* ALL OVERHEAD PARTITIONS 3-1/2" UNLESS OTHERWISE NOTED

- [illegible]

* BILLS SHALL BE SPACED AT EACH TWO AND 75' R.C. MAX.

- N/A
- N/A
- THE NUMBER OF HOLES BORED INTO SOLID SAND MEMBERS SHALL NOT EXCEED 1/3 THE DEPTH OF THE MEMBER AND SHALL NOT BE CLOSER THAN 2" FROM THE TOP OR BOTTOM OF THE MEMBER OR TO ANY OTHER HOLE.
 - THE NUMBER OF HOLES BORED INTO PRE-CAST/CONCRETE MEMBER IS SHALL BE APPROVED BY THE MANUFACTURER.

* PRE-ENGINEERED FLOOR JOIST TO BE BY "BRUSSELS" MANUFACTURER OR EQUIVALENT PER APPROVED DRAWING.

- * PRE-EXISTING FLOOR JOIST SPACING SHALL PROVIDE JOIST LAYOUT FROM MANUFACTURER'S MANUFACTURING RECOMMENDATIONS
- * PLY-SHEATHED FLOOR JOIST SPACING SHALL PROVIDE JOIST LAYOUT FROM MANUFACTURER'S PRIOR TO FLOORING
- * $W = (22' \pm 4")$ INTERIOR PARTITIONS 2" MIN. JST. BELOW UNLESS OTHERWISE NOTED
- * $W =$ POINT LOAD FROM ABOVE 2" MIN. JST. BELOW UNLESS OTHERWISE NOTED
- * ALL EXTERIOR WALLS OVER 8'-0" TALL TO BE 2 X 8 @ 4" O.C. STUD WALLS
- * ADD 2" HORIZONTAL BRACING, SAME W/TH AS STUDS, BETWEEN STUDS IN EXTERIOR WALLS OVER 8'-0" IN HEIGHT. FASTEN EXTERIOR SHEATHING TO BRACING AND TO STUDS.
- * MINIMUM OF 3X6 W/TH WALLS IN ALL CORNERS

ROWS OF STAIRS, VENT. AT CEILING AND FLOOR LEVELS AND HORIZ. AT 1'-0" INTERVALS.
ALL INTERSECTIONS BETWEEN STAIRS AT 1'-0" AND HORIZ. SPACES SUCH

- ALL ENCLOSURES BETWEEN WALLS AND FLOORS AND BETWEEN WALLS AND CEILINGS AS OCCUR AT JOINTS, DROP CEILING AND CONE CEILING
 - CONCEALED SPACES BETWEEN STAIR STRINGERS AT TOP AND BOTTOM OF THE RUN
 - OPENINGS AROUND VENTS, PIPES, DUCTS, CHIMNEYS AND FIREPLACES AT CEILING AND FLOOR LEVEL, WITH INACCESSIBLE MATERIALS
- ## STAR NOTES

* CAMERAS SHALL HAVE SPACING SUCH THAT THEY WILL NOT ALLOW THE PASSAGE OF A 6" DIAMETER SPIKE

- * PROVIDE A MINIMUM OF 6"-8" CLEAR HEADROOM FOR STAIRS IN ALL CONDITIONS. PROVIDE 1' LENGTH CIRCULARS RAILINGS, 36" IN HEIGHT AT ALL STAIR RAILS WITH 4 OR MORE RISERS. RAIL ENDS TO BE REINFORCED OF TERMINATE IN NEWEL POST.

- DISTANCE OF 12" - 18" BETWEEN TYPICAL ROOM OUTLETS UNLESS OTHERWISE NOTED

- * VERIFY THAT NO POINT ALONG ANY RAIL IS 2'-6" LONG OR LONGER IN ANY PARALLEL DIRECTION TO BE OPEN. BARS 6" OR 8" FROM AN OUTLET.
- * ALL ELECTRICAL CONDUITS ARE TO BE HELD OPEN IN ELECTRICAL TALKING BENCH.
- * ALL OUTLETS SHALL BE AND FAULT PROTECTED.
- * ALL 15 AMP OR SMALLER OUTLETS SHALL BE GROUND RESISTANT.
- * ALL TYPING OUTLET ELECTRICAL HUBS SHALL BE CAPABLE OF SUPPORTING A DOWING HUB.
- * ACCESSIBLE MEASUREMENT POINT ON SURFACE HUBS SHALL DISPLAY IDENTIFICATION AND FEATURES IN CLOSE TO SHALL BE LOCATED A MAX OF 10" FROM THE TOP SURF AND SURFACE HUBS LOCATED MEASUREMENT POINTS IN WALLS OR CEILINGS SHALL BE AT LEAST 12" FROM TOP SURF AND SHALL BE AND FULLY PROTECTED BY A GROUND SURFACE HUBS MEASUREMENT POINTS IN WALLS AND CEILINGS SHALL BE FULLY PROTECTED BY A GROUND SURFACE HUBS
- * PROVIDE A REFERENCE OR "P" POINT LOCATED IN THE NEUTRALIZER, NEUTRALIZER AND NEUTRALIZER POINTS.
- * PROVIDE "P" REF = 30" MIN. IN 4'-6" MIN. CLEAR AREA IN FRONT OF ELECTRICAL PANEL.

* ALL FRAMING ORDERED FOR PLUMBING JOBS ON SHALOW HOLES TO BE IN A SHALLOW WALL.

- * ALL WATER LINES TO A SECOND FLOOR TO HAVE 1/2" AIR CHARGERS
ABOVE GROUND WASTE - SCHEDULE 40 PVC, 1/2" SERIES
NO FOR GROUND WASTE - SCH 40 PVC OR CAST IRON

* COLORED PAPER AND STOCK TEST REQUIRED ON ALL PFC PAPER.

- * FIELD AIR OR WATER PRESSURE TEST REQUIRED ON WATER PIPING
 - * UNDERGROUND SANITARY DRAIN 1/2" OF 4" DIA
- ## HYAC NOTES:
- * HYAC CONTRACTOR TO VERIFY LOCATION OF HYAC IN FIELD
 - * WHEN PROVIDING AN ATIC FIREPLACE, PROVIDE A SMOKE DETECTOR AN OVERFLOW PAIL WITH A DRAIN AND AUTO SHUT OFF VALVE (IF DRAIN BACK OFF) ALONG WITH ANY OTHER REQUIREMENTS WHICH MAY BE NEEDED TO SATISFY LOCAL AND NATIONAL BUILDING CODES
 - * DUCT JOISTS AND TEAMS SHALL BE MADE SUBSTANTIALLY AIR TIGHT
 - * DUCTS SHALL BE SUPPORTED AT 10'-0" INTERVALS MIN

SYMBOLS:

- [illegible]

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FAIRFIELD CUSTOM HOMES
925 N. DOUGLAS AVE.
ARLINGTON HEIGHTS, IL 60004

GENERAL NOTES
DRAWING INDEX
FRONT ELEVATION

Architects & Planners, Inc.
2600 Lakeside Blvd. #2, 175

THE

Job Number
16177

Sheet Number
A000



REAR ELEVATION

1/4"=1'-0"

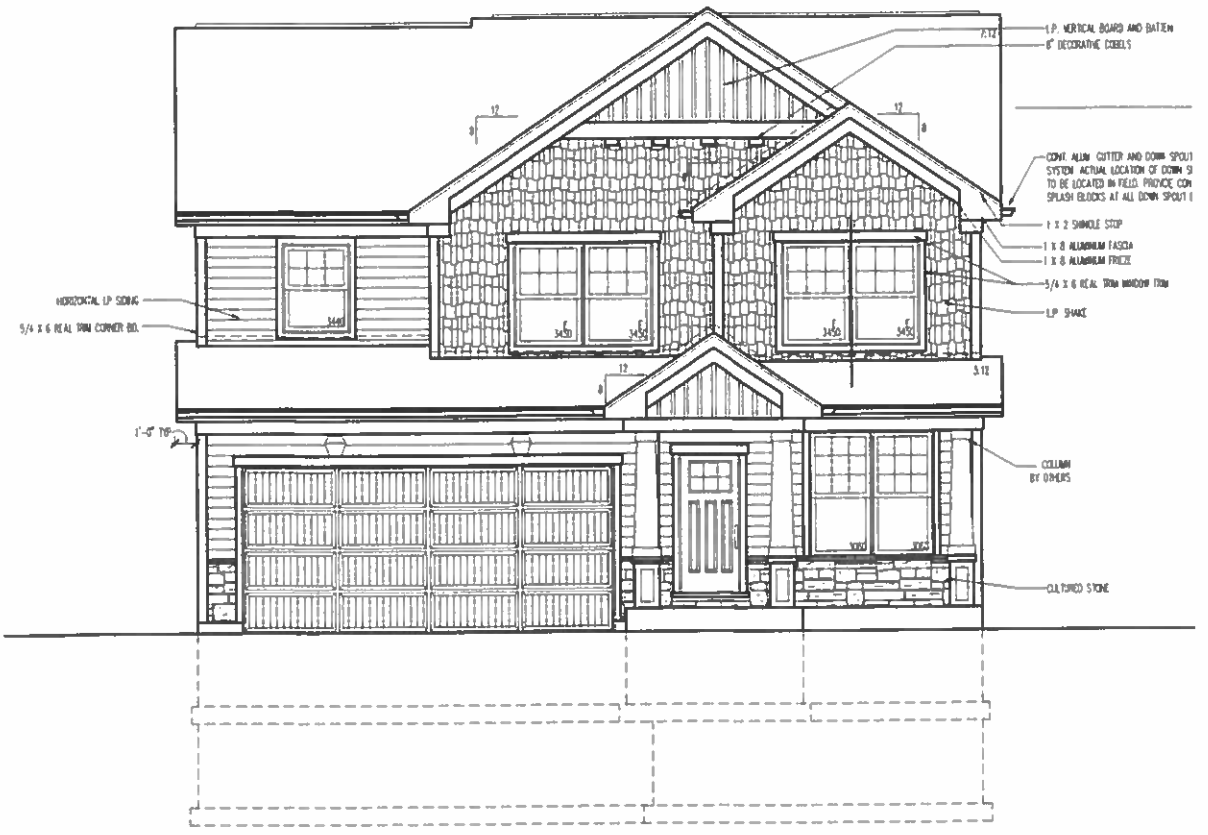
MATERIAL SCHEDULE	
HORIZONTAL SIDING:	
* MANUFACTURER: SHERWIN WILLIAMS	
* COLOR: 6075 GARRET GRAY	
SHAKE SIDING:	
* MANUFACTURER: SHERWIN WILLIAMS	
* COLOR: 6075 GARRET GRAY	
STONE:	
* MANUFACTURER: STONEYARD	
* COLOR: BOSTON BLEND - ASHULAR TERN & BUILDING WATER	
TRIM:	
* MANUFACTURER: L.P. OVERSTREET	
* COLOR: SOFT WHITE	
GLASS:	
* MANUFACTURER: T.B.D.	
* COLOR: WHITE (4-LINE)	
WINDOWS:	
* MANUFACTURER: T.B.D.	
* COLOR: WHITE FRAME	
ROOFING ASPHALT SHINGLES:	
* MANUFACTURER: IKO	
* COLOR: ARCHITECTURAL DUAL BLACK	
ROOFING METAL:	
* MANUFACTURER: BERBROCK MFG.	
* COLOR: CHARCOAL GRAY	

- ELEVATION NOTES:**
- DO NOT SCALE ELEVATIONS, VERIFY WALL HEIGHTS WITH PLANS, CONTACT ARCHITECT WITH ANY DISCREPANCIES
 - WHEN INTERSECTING TWO ROOF PLANES WITH DIFFERENT ROOF PITCHES, BLOCK TOP OF STUD WALL OR BEAM AS REQUIRED TO ALLOW FASCIAS TO LINE UP RETAINING A COMMON EAVE DISTANCE.
 - SEE ROOF PLAN FOR TYPICAL EAVE AND RAKE DISTANCES UNLESS OTHERWISE NOTED ON ELEVATIONS
 - IF RIDGE AND SOFFIT VENTS PROVIDE LESS THAN THE CODE MINIMUM, ADD CAY VENTS AS NEEDED TO THE REAR AND SIDE ELEVATIONS

- WINDOW NOTES:**
- TOP OF WINDOWS 84 3/4" ABOVE SUB-FLOOR FOR 9'-0" PLATES, UNLESS OTHERWISE NOTED
 - TOP OF WINDOWS 82 3/4" ABOVE SUB-FLOOR FOR 8'-0" PLATES, UNLESS OTHERWISE NOTED
 - ALL WINDOWS ARE DESIGNATED IN ROUGH OPENING, SHOWN IN FEET AND INCHES
EXAMPLE: 2555 = 2'-5" x 5'-5" (TO BE MET WITHIN 2" OR EXCEEDED)
 - PROVIDE (2) 2' x 12'S ABOVE ALL WINDOWS AND OPENINGS UNLESS OTHERWISE NOTED
 - PROVIDE SAFETY GLAZING IN ALL WINDOWS WITHIN 24" OF MAIN ENTRY DOOR, WITHIN 18" OF FLOOR, IN TUB/SHOWER ENCLOSURES, AND IN STAIR WELLS
 - PROVIDE WINDOW GUARDS THAT COMPLY WITH ASTM F2006 OR F2090 WHEN SILL IS LESS THAN 24" HIGH ABOVE THE FLOOR
 - ALL FENESTRATIONS SHALL HAVE A MAXIMUM U-VALUE AS FOLLOWS:
WINDOWS & DOORS = 0.32, SKYLIGHTS = 0.55

ELEVATION SYMBOLS:

"E" - EGRESS WINDOW



FRONT ELEVATION

1/4"=1'-0"

DESIGN COMMISSION CHECK SET
NOT FOR CONSTRUCTION
STRUCTURE WILL BE REVISED
FOR STICK BUILT ROOF

FAIRFIELD CUSTOM HOMES
95N DOUGLAS AVE
ARLINGTON HEIGHTS, ILLINOIS 60004

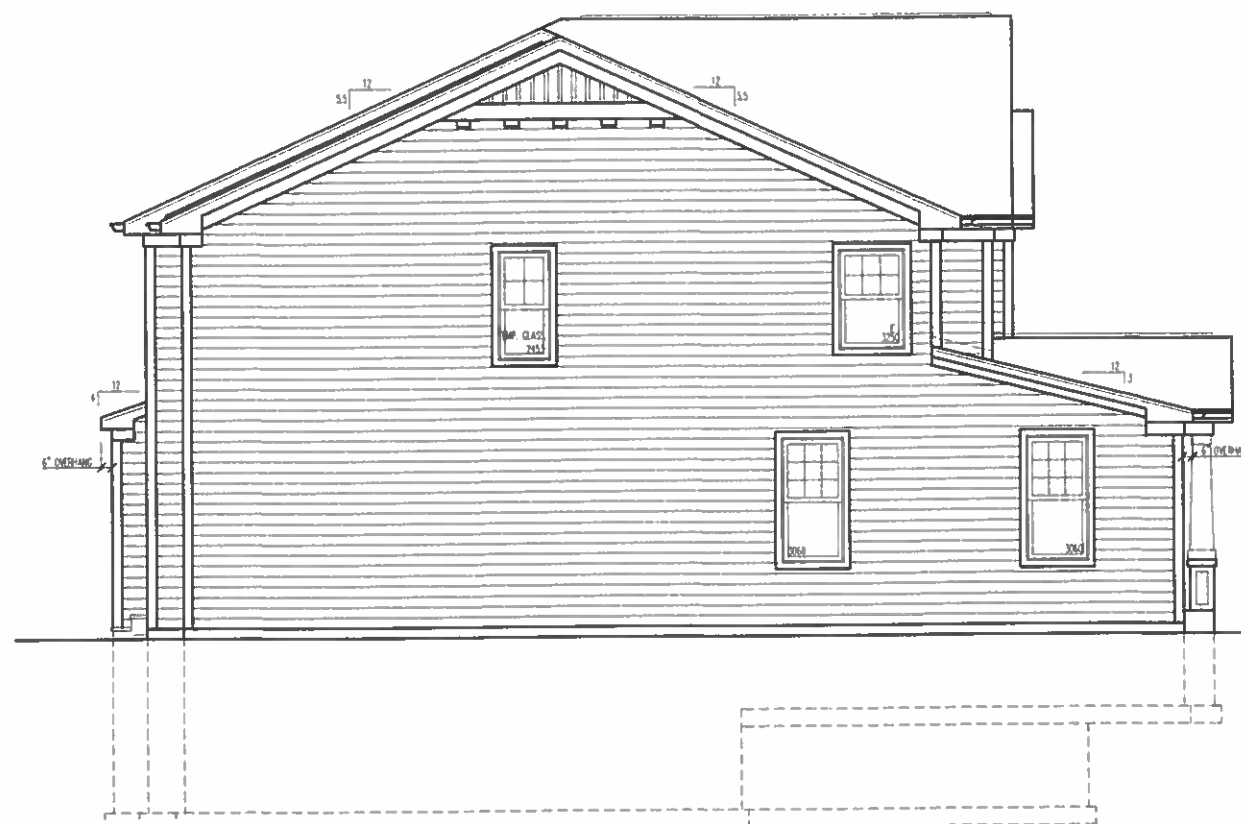
FRONT ELEVATION
REAR ELEVATION

Architects & Planners, Inc.
3000 Blue Road at Rt. 175
Crystal Lake, Illinois 60014
Telephone: 815-548-4200 Fax: 815-548-2981

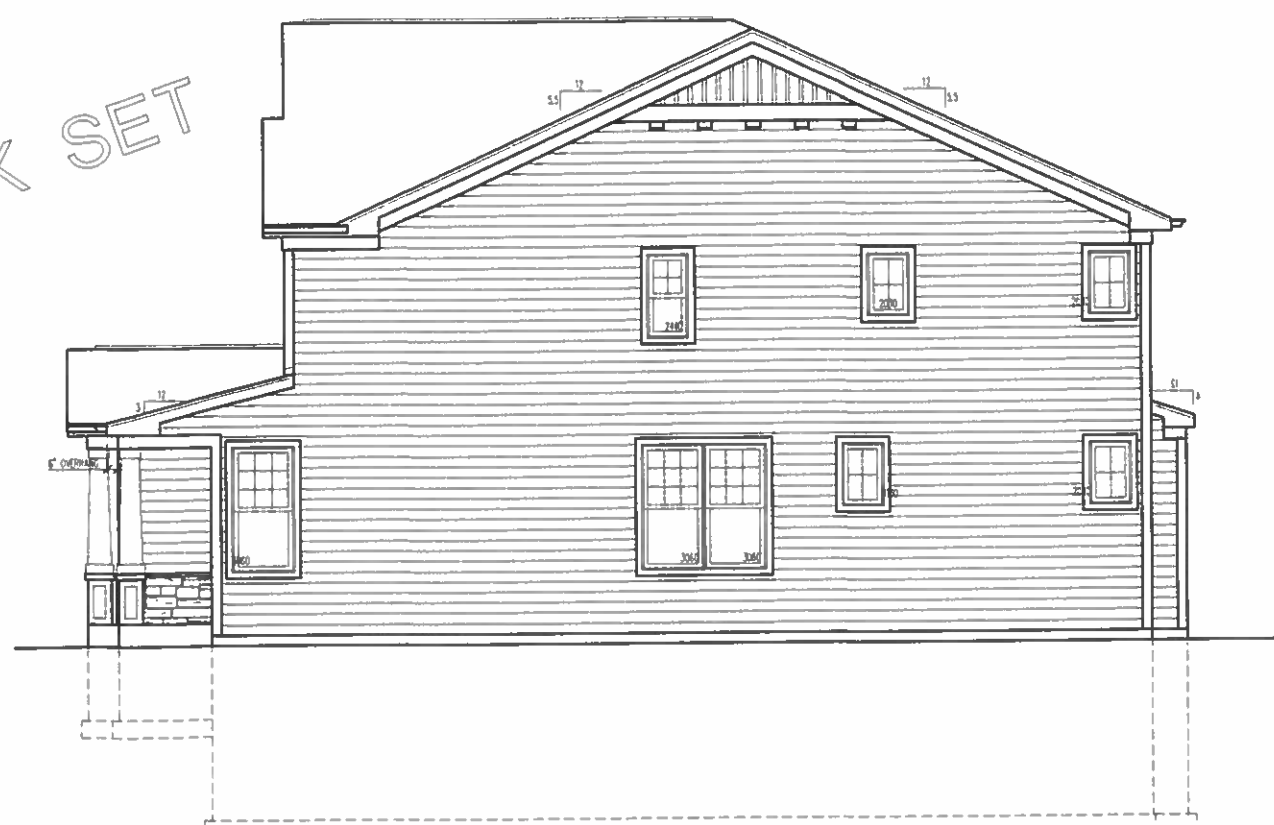
ALA

Job Number
16177
Sheet Number
A200

CONTINUED ON DRAWING © ALA ARCHITECTS & PLANNERS, INC.



1C
A201 LEFT ELEVATION
1/4" = 1'-0"



1E
A201 RIGHT ELEVATION
1/4" = 1'-0"

DESIGN COMMISSION CHECK SET
NOT FOR CONSTRUCTION
STRUCTURE WILL BE REVISED
FOR STICK BUILT ROOF

NO.	DATE	DESCRIPTION	BY	CHK
1		CONCEPTUAL DESIGN		
2		PRELIMINARY DESIGN		
3		FINAL DESIGN		
4		RELEASE FOR PERMIT		
5		REVISIONS		

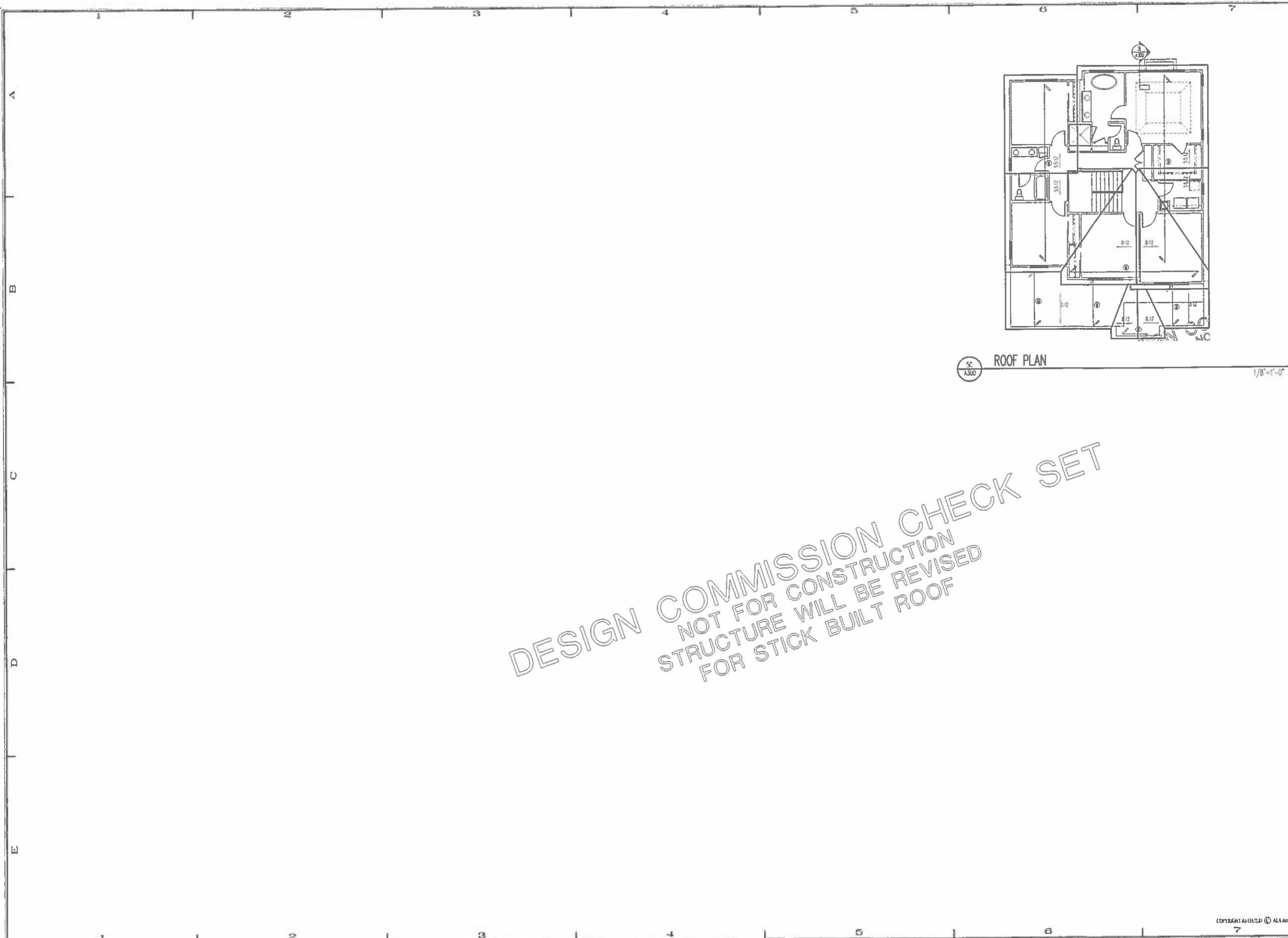
FAIRFIELD CUSTOM HOMES
925 N. DOUGLAS AVE.
ARLINGTON HEIGHTS, IL 60004

LEFT ELEVATION
RIGHT ELEVATION

Architects & Planners, Inc.
3000 Bklyn Road at Rt. 175
Crystal Lake, Illinois 60011
Telephone: 815-781-0200 Fax: 815-781-0204

ALA

Job Number: 16177
Sheet Number: A201
File Name: 16177201



ROOM SCHEDULE	
NO.	DESCRIPTION
1	CONCEPTUAL DESIGN
2	PRELIMINARY DESIGN
3	DESIGN DEVELOPMENT
4	SCHEMATIC DESIGN
5	FINAL DESIGN

FAIRFIELD CUSTOM HOMES
955 N. DOUGLAS AVE.
ARLINGTON HEIGHTS, IL 60004

TYPICAL FRAME WALL SECTIONS
CONSTRUCTION SPECIFICATIONS
ROOF PLAN & STRUCTURAL NOTES
PRE-FAB FIREPLACE DETAIL

Architects & Planners, Inc.
2000 Lake Road at Rt. 175
Crystal Lake, Illinois 60014
Telephone: 815-386-5251 Fax: 815-386-5201



Job Number: 16177
Sheet Number: A300

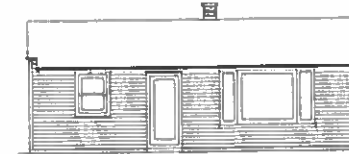
DESIGN COMMISSION CHECK SET
 NOT FOR CONSTRUCTION
 STRUCTURE WILL BE REVISED
 FOR STICK BUILT ROOF



PROPERTY TO LEFT
 101 NORTH DOUGLAS AVENUE



SUBJECT PROPERTY EXISTING ELEVATION
 101 NORTH DOUGLAS AVENUE



PROPERTY TO THE RIGHT
 101 NORTH DOUGLAS AVENUE

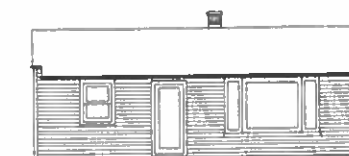
4C
 A600 EXISTING ELEVATIONS NTS



PROPERTY TO LEFT
 101 NORTH DOUGLAS AVENUE



SUBJECT PROPERTY PROPOSED ELEVATION
 101 NORTH DOUGLAS AVENUE



PROPERTY TO THE RIGHT
 101 NORTH DOUGLAS AVENUE

4D
 A600 PROPOSED ELEVATIONS NTS

NO.	DATE	DESCRIPTION	BY	CHKD.
1	10-25-10	CONCEPTUAL DESIGN	JL	AL
2	11-10-10	PRELIMINARY DESIGN	JL	AL
3	12-10-10	FINAL DESIGN	JL	AL
4	1-10-11	FINAL DESIGN	JL	AL
5	2-10-11	FINAL DESIGN	JL	AL

FAIRFIELD CUSTOM HOMES
 925 N. DOUGLAS AVE.
 ARLINGTON HEIGHTS, IL 60004

EXISTING & PROPOSED CONTEXT ELEVATIONS

Architects & Planners, Inc.
 3000 North Lincoln Road, Suite 100
 Chicago, IL 60641
 Telephone: 773-761-4334 Fax: 773-761-4331

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