



Agenda
Village of Arlington Heights
Zoning Board of Appeals
Buechner Room, 1st Floor
Arlington Heights Village Hall, 33 S. Arlington Heights Rd.
December 11, 2023
7:00 PM

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF MINUTES

- A. 1220 N. Harvard Ave - 11/13/23
- B. 905 N. Mitchell Ave. - 11/13/23
- C. 1903 N. Spruce Terrace - 11/13/23

IV. REPORTS

V. OLD BUSINESS

VI. NEW BUSINESS

- A. 716 W. Braeside Dr. - ZBA#23-041
- B. 1604 N. Hickory Ave. - ZBA#23-042
- C. 645 S. Highland Ave. - ZBA#23-043

VII. OTHER BUSINESS

- A. Public Comment

VIII. PUBLIC COMMENT

IX. ADJOURNMENT

Persons with disabilities requiring auxiliary aids or services, such as an American Sign Language interpreter or written materials in accessible formats, should contact Erin Mercado, at 33 S. Arlington Heights Road, Arlington Heights, Illinois 60005, emercado@vah.com or (847)368-5793.



**Zoning Board of Appeals
12/11/2023**

Item: 1220 N. Harvard Ave - 11/13/23

Department: Planning & Community Development Department

ATTACHMENTS:

Description	Type
1220 N Harvard Ave - Findings 11/13/23	Minutes
1220 N Harvard Ave - Minutes 11/13/23	Minutes

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS NOVEMBER 13, 2023

PETITIONER: Ahuja Residence
ADDRESS OF PROPERTY: 1220 N. Harvard Ave.
VARIATION: 5.1-1.3c (Required Minimum Yards)

A 20.1-foot variation to allow an addition with a front yard setback of 29.0 feet instead of the required 49.1 feet and an additional 1.3 feet for the eave; and a 5.2-foot variation to allow an addition with an exterior side yard setback of 27.3 feet instead of the required 32.5 feet and an additional 1.3 feet for the eave.

The petitioner testified as to hardship, uniqueness of circumstances, and the character of the locality. The petitioner explained that the existing home is a ranch and they are proposing to add a second floor addition, covered entry, sunroom and a garage addition. The petitioner testified that since this home was originally built, the home no longer complies with the setbacks. The petitioner further testified that the addition will aesthetically improve the exterior of the home while utilizing the existing footprint to allow for the second floor living space.

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. Portera and seconded by Mr. Jaffe. Thereafter, the Board voted 6-0 to approve the variance request.

Now, therefore, after hearing all the evidence and after due deliberation, the Zoning Board of Appeals, voted 6-0 to grant the variance with a condition regarding the .

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.

Peter Siavelis, Chair
Zoning Board of Appeals
Village of Arlington Heights

ZONING BOARD

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

OF APPEALS

RE: 1220 NORTH HARVARD AVENUE - ZBA #23-034

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 13th day of November, 2023 at the hour of
7:00 p.m.

MEMBERS PRESENT:

PETER SIAVELIS, Chairperson
TOM DRAKE
JEFFREY LANAGHAN
BENJAMIN JAFFE
FRANK PORTERA
MICHAEL O'CONNOR

ALSO PRESENT:

DEREK MACH, Development Planner

CHAIRPERSON SIAVELIS: All right, folks, we'll call the meeting to order. Welcome to tonight's Zoning Board of Appeals meeting for the Village of Arlington Heights. Tonight is November 13th, 2023.

We have only three petitions, new business here, but nonetheless, we're going to hopefully move through it at a reasonable pace.

Let's do roll call, please.

MR. MACH: Chairman Siavelis.

CHAIRPERSON SIAVELIS: Here.

MR. MACH: Mr. Drake.

COMMISSIONER DRAKE: Here.

MR. MACH: Mr. Jaffe.

COMMISSIONER JAFFE: Here.

MR. MACH: Mr. Lanaghan.

COMMISSIONER LANAGHAN: Here.

MR. MACH: Mr. O'Connor.

COMMISSIONER O'CONNOR: Here.

MR. MACH: Mr. Selbka.

(No response.)

MR. MACH: Mr. Portera.

COMMISSIONER PORTERA: Here.

CHAIRPERSON SIAVELIS: Okay, thank you very much.

Next item is Pledge of Allegiance. The flag is right there. Hats off, please.

(Pledge of Allegiance recited.)

CHAIRPERSON SIAVELIS: Okay, turning to the draft minutes from the prior meeting, the October meeting, has everybody had a chance to review those draft minutes? If so, are there any proposed edits or revisions to the draft?

(No response.)

CHAIRPERSON SIAVELIS: Okay, hearing and seeing none, is there a motion to approve the draft minutes?

COMMISSIONER LANAGHAN: So moved.

CHAIRPERSON SIAVELIS: Second?

COMMISSIONER O'CONNOR: Second.

CHAIRPERSON SIAVELIS: Voice vote is sufficient, right?

MR. MACH: Yes.

CHAIRPERSON SIAVELIS: All in favor?

(Chorus of ayes.)

CHAIRPERSON SIAVELIS: Any opposed?

(No response.)

CHAIRPERSON SIAVELIS: Hearing none, motion carries.

Okay, folks, we're going to go through some of the hearing procedures for tonight, basically, the rules and regulations that apply to tonight's discussions and the three petitions.

First off, if less than six members are present, then the petitioner has the option to continue the meeting. That's obviously not the case because we have six on the nose. It takes four affirmative votes to approve a variance regardless of the number of

Board members in attendance. Okay, that magic number is four. If a petition is denied and a variance is denied, a petitioner cannot reapply for an entire year on a variance sought, so there is a one-year preclusive effect.

Tonight, we will have a Staff presentation which essentially consists of an overview of the project and the variances sought. That will be provided by Derek at the outset of each of the three petitions being called.

There are four elements necessary to establish in order for the Board to be able to grant a variance. They are as follows:

1. That the proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property;
2. That the plight of the owner is due to unique circumstances which may include the length of time the subject property has been vacant as zoned;
3. That the proposed variation is in harmony with the spirit and intent of Chapter 28 of the Village's Code; and
4. That the variance requested is the minimum variance necessary to allow reasonable use of the property.

A variation shall be permitted only if the evidence, in the judgment of this Board of Appeals, sustains each of these four elements. Keep in mind that establishing these four elements is the responsibility of the petitioner. It is not the responsibility of this Board to pull those elements out of you. We have declined variances in the past and declined petitions when the petitioner cannot establish each of the four elements. It is your burden, not ours. These are the elements that are consistent with the materials and the papers that you were provided in connection with the submission of your variance to the Village, so they should come as no surprise.

Okay, with that in mind, let's turn to the first item of new business, it's ZBA Petition No. 23-034, 1220 North Harvard Avenue.

Derek, overview, please.

MR. MACH: Thank you, Chairman.

The Petitioner is proposing an addition to the existing one-story residence. The existing footprint of the home is encroaching into the required front yard setback along Watling Street and the exterior side yard setback along Harvard Avenue. The Petitioner is proposing a second-story addition above the existing home and, in addition, proposing a covered front porch and garage expansion that is encroaching into the required setback along Harvard Avenue.

Therefore, they're requesting a 20.1-foot variation from Chapter 28, Section 5.1-1.3 to allow an addition with a front yard setback of 29 feet instead of the required 49.1 feet and an additional 1.3 feet for the eave, as well as a 5.2-foot variance from Chapter 28, Section 5.1-1.3c to allow an addition with an exterior side yard setback of 27.3 feet instead of the required 32.5 feet and an additional 1.3 feet for the eave. Thank you.

CHAIRPERSON SIAVELIS: Great, thank you very much, Derek.

All right, who is speaking on behalf of this petition?

MR. RUSSO: Hi, my name is Chris Russo with ALA Architects.

CHAIRPERSON SIAVELIS: Okay, Chris, have you signed in?

MR. RUSSO: I did.

CHAIRPERSON SIAVELIS: All right, raise your right hand, please, we'll

swear you in.

(Witness sworn.)

CHAIRPERSON SIAVELIS: Okay, please proceed.

MR. RUSSO: So, our goal, we're working directly with the homeowner on this one, and our goal is to work with the existing home that would allow this to be a home that meets his family needs and allows him to grow in the home. It's currently a ranch house and what we are proposing to do is to add a second floor addition, covered entry, sunroom and a garage addition. Our client loves the area. By doing these changes, this will let him grow in this area and it meets all of the needs of his family.

As part of the remodel, we are doing a first floor renovation that will allow for spaces that are typically found in new homes that are not in this home right now. For example, there's no mudroom, there's no pantry, things like this are addressed in the new design.

In addition, we are really short on garage space. Right now there is a two-car garage. I would say it's a minimum size garage. We're trying to add another bay. This will add for storage and another vehicle.

I'm just going to kind of walk you through our thought process and how I feel that we met the four variation standards.

So, number one, with regards to not altering the essential character, the existing home is a single-family home and we feel that, the design is going to remain a single-family home. So, we do not feel that this would alter the existing character.

With regards to unique circumstances, since this home was originally built, the setbacks have changed and the building no longer complies with the setbacks. If you look at the board over here, you can actually see the setback is going right through the majority of that side of the house, and in the front, it's starting to clip the front of the house.

In addition to this, the location of the house on the lot, it's creating pinch points. So, what is happening is we're asking for a variance and the number may seem big, but what's happening, everything we're asking for, that's the farthest point away, and as we start to get away from the streets we start to become more compliant. So, you can see we're trying to stack on the second floor, that's the worst part, that's where our variance is addressing, but as we start to move closer, it starts to get a little farther away from the street.

With regards to the variance being in harmony, our goal is to aesthetically improve the exterior of the home while utilizing the existing footprint to allow for the second floor. There are many examples of homes in the area that are two-story. I brought a rendering for you that kind of shows the feel that we're trying to create. We're hoping that this is something that you like aesthetically and that the neighborhood would like.

With regards to the minimum variance necessary, we feel that this is the minimum needed to meet the requirements for the family needs while working with the existing building footprint. The additional garage is something that we needed but we also took into consideration we didn't more second floor space so we cut the massing down over on this side of the house. We just kept it as a minimum garage. The size of the garage is the minimum that we need just to get a car in there and some storage.

Then, I am available if you guys have any questions.

CHAIRPERSON SIAVELIS: Okay, Frank, I think you --

COMMISSIONER PORTERA: Yes. Just a couple of questions for you. How long have the residents lived in this house?

MR. AHUJA: I've owned the house one year but not living there at the moment.

MR. RUSSO: That's the owner obviously.

COMMISSIONER PORTERA: Okay, do we want him to come up at all?

CHAIRPERSON SIAVELIS: If you're going to, if there's going to be other questions asked that require him to answer, we would have to have him come up and swear him in and sign in, okay?

MR. RUSSO: Sure.

COMMISSIONER PORTERA: If you could just come up, I'll just ask you some questions.

MR. MARMITT: Can I swear in, too, in case I need to support just some answers.

CHAIRPERSON SIAVELIS: Yes, go ahead. Sign in, guys.

MR. MARMITT: We're already signed in.

CHAIRPERSON SIAVELIS: Okay, we'll go in order. What's your name, sir?

MR. AHUJA: Shaun Ahuja.

CHAIRPERSON SIAVELIS: Okay, right hand, please.

(Witness sworn.)

MR. MARMITT: Nick Marmitt.

(Witness sworn.)

CHAIRPERSON SIAVELIS: Okay.

COMMISSIONER PORTERA: Just a couple of questions. So, you don't live there right now?

MR. AHUJA: No, not at the moment.

COMMISSIONER PORTERA: How many people are you expecting to live there when you move in and complete the project?

MR. AHUJA: It's up in the air, but we have two sets of parents that are going to, I mean, we're lucky that they're all here, but at some point they're going to need help. So, the idea is to put it together, you know.

COMMISSIONER PORTERA: Okay. All right, thanks.

MR. AHUJA: Thank you.

COMMISSIONER PORTERA: Any word from the neighbors at all about this project?

MR. AHUJA: Everyone, there are six sets of neighbors that I've texted pictures to and everyone is in love with it, and so far so good that I know of.

COMMISSIONER PORTERA: All right, that's really all the questions I have. Just a comment, it's an existing non-conforming property. It's situated a little heavy on the lot. I don't have any questions for them.

Do you guys have any?

COMMISSIONER JAFFE: Just a point of clarification. It's an addition, so this photograph that you have here in front on my right, your left, you're building on top and you're not tearing it down?

MR. RUSSO: No, we're not tearing it down. No.

COMMISSIONER PORTERA: I just had one more quick kind of nitpicky

question on page 10, Derek, the one that you just had up. Yes, the variance requested there is 27 feet, but in their paperwork it says 27.3 feet. So, I just wanted to clarify that, is it 27.3 you guys are asking for?

MR. MARMITT: Twenty-seven was the minimum. Our drawing needed to conform, but I think maybe that extra 0.3 might have been added with the eaves added and the information from the Village.

COMMISSIONER PORTERA: Okay, that's all the questions I have.

CHAIRPERSON SIAVELIS: So, was there any neighbor feedback or any commentary in regards to the second-story balcony in the backyard in the rear of the house?

MR. AHUJA: None. We provided pictures from all four sides and I think most people just looked at the front elevation and liked what we had drawn.

COMMISSIONER LANAGHAN: A quick question. You said the garage was the minimum size needed. I can't really tell on here if I can see the square footage. What size is that garage?

MR. RUSSO: The addition is 12-foot-six wide by 22-foot-nine deep.

CHAIRPERSON SIAVELIS: This house has a basement as well?

MR. RUSSO: It does.

CHAIRPERSON SIAVELIS: Is that a covered rear patio in the back there? Is that what I'm seeing there?

MR. RUSSO: There's a three-season room in the back, so that would be a roofed structure, yes.

CHAIRPERSON SIAVELIS: Okay, I didn't see it enclosed. Maybe because it's just the way it's loading up on my machine, sorry about that.

COMMISSIONER LANAGHAN: That's got to be an exterior deck as well, not a sunroom or anything?

MR. RUSSO: Yes.

COMMISSIONER LANAGHAN: I got it, but there's no variance with that.

CHAIRPERSON SIAVELIS: Say again, Jeff?

COMMISSIONER LANAGHAN: I said there's no variance associated with that portion.

CHAIRPERSON SIAVELIS: Yes, right.

Okay, any other questions from the Board?

(No response.)

CHAIRPERSON SIAVELIS: All right, gentlemen, sit down, please.

Let's move to the phase where the audience, people in attendance can raise questions or raise any comments in regards to this petition for these variances sought, so only if you have comments in regards to the two variances sought and raised by this petition. So, if you have any comments, now is the time.

MS. TATJE: I have a question.

CHAIRPERSON SIAVELIS: Okay, hold on. No comments from the cheap seats. You've got to come to the podium --

MS. TATJE: Sorry.

CHAIRPERSON SIAVELIS: -- and that way the court reporter can hear you

--

MS. TATJE: Okay.

CHAIRPERSON SIAVELIS: -- because he's transcribing everything.

MS. TATJE: Okay, I live in the neighborhood across the street and one lot down, on the other side of the street.

CHAIRPERSON SIAVELIS: You can identify yourself, it's voluntary, right, if you want.

MS. TATJE: Okay, I'm Joan Tatje.

CHAIRPERSON SIAVELIS: Okay, we don't swear you in as members of the audience.

MS. TATJE: Okay, I've lived here for 30 years and I know that this current intersection is a little bit dangerous because there is no yield sign and no stop signs. So, being that I live on Watling, I have witnessed cars just flying through from Yale to Kennicott without any stopping, slowing, anything. As recently as like two weeks ago, there was an accident. There are not that many accidents but my daughter's car got totaled and she slid down Harvard on black ice, whatever, 25 years ago.

So, there's a tree right at the corner and as her car slid down Harvard, the car coming through Harvard, they crashed and my daughter's little Audi flew a Ford Explorer into that corner tree and blew out all the windows. So, people do fly through this intersection, and I'm just worried like for the closeness of the house to the actual streets, safety concerns for their house actually because I don't know how much further it's coming. It says it's coming 29 feet closer to the street, is that what I'm understanding in the front?

CHAIRPERSON SIAVELIS: Right.

COMMISSIONER LANAGHAN: Now, it's going over the existing house.

MS. TATJE: Yes.

COMMISSIONER LANAGHAN: It's not coming any closer. It's staying there.

MS. TATJE: It's staying exactly where it is and not coming any closer?

COMMISSIONER LANAGHAN: Exactly. Exactly.

MS. TATJE: Okay, I just was afraid it was coming so close to the street that it would be dangerous.

COMMISSIONER LANAGHAN: That was my first concern also, but then I realized it was an existing house and it's going straight up.

MS. TATJE: Okay. Okay, that's fine. All right, thank you.

CHAIRPERSON SIAVELIS: Okay, you guys have the option, the Petitioner has the option to respond.

(No response.)

CHAIRPERSON SIAVELIS: Okay, no other questions, comments from the audience?

(No response.)

CHAIRPERSON SIAVELIS: We now move to deliberation, the deliberation phase amongst the members.

COMMISSIONER PORTERA: Yes, this was a good presentation by the Petitioner. It's an existing non-conforming use. They're just building straight up, minimal neighbor opposition or comment at all. No comments from Engineering and Building Departments. So, I would be in favor of this petition as presented.

CHAIRPERSON SIAVELIS: Okay, thank you, Frank.

Do we have a motion?
COMMISSIONER PORTERA: I move to approve these two variances as presented.

CHAIRPERSON SIAVELIS: Do we have a second?

COMMISSIONER JAFFE: Seconded.

CHAIRPERSON SIAVELIS: Derek?

MR. MACH: Mr. Drake.

COMMISSIONER DRAKE: Yes.

MR. MACH: Mr. Jaffe.

COMMISSIONER JAFFE: Yes.

MR. MACH: Mr. Lanaghan.

COMMISSIONER LANAGHAN: Yes.

MR. MACH: Mr. O'Connor.

COMMISSIONER O'CONNOR: Yes.

MR. MACH: Mr. Portera.

COMMISSIONER PORTERA: Yes.

MR. MACH: Chairman Siavelis.

CHAIRPERSON SIAVELIS: Yes.

Congratulations, both variances granted.

MR. RUSSO: Thank you much.

MR. AHUJA: Thank you.

CHAIRPERSON SIAVELIS: Okay, the next item, and you don't have to stay, folks, if you don't want to.

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



**Zoning Board of Appeals
12/11/2023**

Item: 905 N. Mitchell Ave. - 11/13/23

Department: Planning & Community Development Department

ATTACHMENTS:

Description	Type
905 N Mitchell Ave - Findings 11/13/23	Minutes
905 N Mitchell Ave - Minutes 11/13/23	Minutes

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS NOVEMBER 13, 2023

PETITIONER: Malloy Residence
ADDRESS OF PROPERTY: 905 N. Mitchell Ave.
VARIATION: 5.1-3.3b & 5.1-3.3c (Required Minimum Yards)

A 2.0-foot variation to allow a second story addition with a side yard setback of 5.5 feet instead of the required 7.5 feet and an additional 1.0 feet for the eave; and a 2.4-foot variation to allow an addition with an exterior side yard setback of 29.9 feet instead of the required 32.3 feet and an additional 1.0 feet for the eave.

The petitioner testified as to hardship, uniqueness of circumstances, and the character of the locality. The petitioner explained that the proposed addition will include a new family room, kitchen and laundry room on the first floor, as well as expand the second floor which includes a primary suite and an upstairs laundry room. The petitioner testified that the addition would not negatively impact the neighborhood. The petitioner further testified that the addition aligns with the south wall of the existing home which is non-conforming. The petitioner explained that the addition on the north side is a second-story addition above an existing non-conforming wall.

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. Drake and seconded by Mr. Lanaghan. Thereafter, the Board voted 6-0 to approve the variance request.

Now, therefore, after hearing all the evidence and after due deliberation, the Zoning Board of Appeals, voted 6-0 to grant the variance.

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.

Peter Siavelis, Chair
Zoning Board of Appeals
Village of Arlington Heights

ZONING BOARD

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

OF APPEALS

RE: 905 NORTH MITCHELL AVENUE - ZBA #23-039

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 13th day of November, 2023 at the hour of
7:16 p.m.

MEMBERS PRESENT:

PETER SIAVELIS, Chairperson
TOM DRAKE
JEFFREY LANAGHAN
BENJAMIN JAFFE
FRANK PORTERA
MICHAEL O'CONNOR

ALSO PRESENT:

DEREK MACH, Development Planner

CHAIRPERSON SIAVELIS: Okay, the next petition is ZBA Petition No. 23-039, 905 North Mitchell Avenue.

MR. RICCARDI: Leonard Riccardi of ALR Associates.

CHAIRPERSON SIAVELIS: I'm sorry, what was your first name?

MR. RICCARDI: Leonard.

CHAIRPERSON SIAVELIS: Leonard, okay, got it, thank you.

MR. RICCARDI: And I have not signed in yet.

CHAIRPERSON SIAVELIS: Okay, please do that and then we'll swear you in.

All right, right hand.

(Witness sworn.)

CHAIRPERSON SIAVELIS: Please proceed. What? Oh, I'm sorry, my bad, my bad. Staff overview, I apologize.

MR. RICCARDI: No worries.

CHAIRPERSON SIAVELIS: Thank you.

SAM: Thank you. The Petitioner is proposing an addition which includes expanding the footprint in the rear of the home and expanding the second story. The proposed addition is encroaching into the required side yard setback and the exterior side yard setback.

Therefore, they're requesting a two-foot variation from Chapter 28, Section 5.1-3.3b to allow a second-story addition with a side yard setback of 5.5 feet instead of the required 7.5 feet and an additional one foot for the eave, as well as a 2.4-foot variation from Chapter 28, Section 5.1-3.3c to allow an addition with an exterior side yard setback of 29.9 feet instead the required 32.3 feet and an additional one foot for the eave. Thank you, Chairman.

CHAIRPERSON SIAVELIS: Thank you, Derek. Sorry about that.

Go ahead, now you have the floor.

MR. RICCARDI: Thank you. So, Sean and Heather Malloy live at 905 North Mitchell. They have lived there for nine years. They have three children, so there's five people living in the house who are here with us today.

Our proposed addition is to afford them a new family room, kitchen and laundry room on the first floor, and then expand the second floor providing them with four bedrooms, a primary suite and an upstairs laundry. So, what we found was the side yard restrictions or setbacks were a little restrictive and prohibitive and we think that's a point of hardship. On the south side, as you can see, it's a corner lot. Now, that side yard is established by averaging the side yard of the current house, the existing 905 North Mitchell, and the front yard of 306 West Elm. That house, 306 West Elm, is about 150 feet away, so we think that this is a little restrictive and we don't feel that this addition would be negatively impacting the neighborhood, especially since it aligns with the existing south wall of the building which is non-conforming.

On the north side, we are building a second-story addition over an existing non-conforming wall and that side yard is going to be 5.5 feet, and we're asking for a two-foot variance there. The neighbor to the north at 909 North Mitchell is here, Mr. Amos is here. He's aware of the plans and he is supportive of our request for these areas.

I can also add that the designs have got a conditional approval from

the Design Commission pending the outcome of this hearing. Is there anything else you would need from me?

COMMISSIONER DRAKE: Yes, hello.

MR. RICCARDI: Hi.

COMMISSIONER DRAKE: I have a few questions for you. We've had two departments, Engineering and the Building Department, to draft some comments about the second-story addition. Did you see those comments?

MR. RICCARDI: Yes.

COMMISSIONER DRAKE: And do you have any reaction to them?

MR. RICCARDI: Yes, we will provide a one-hour fire rating for that overhang, and we will be hiring an engineer to do a grading plan.

COMMISSIONER DRAKE: Okay, great. The neighbor that's behind the house, 306 West Elm, have you had specific conversations with them about the project?

MR. RICCARDI: Well --

COMMISSIONER DRAKE: And if so, how did that turn out?

MR. RICCARDI: -- we have not. It was, strangely enough, the current owners Mr. and Mrs. Malloy are renting 306 West Elm right now, so they have moved out of the house anticipating this construction.

COMMISSIONER DRAKE: Okay, so no negative feedback from --

MS. MALLOY: No, they --

MR. RICCARDI: Would you like to come up, Heather?

COMMISSIONER DRAKE: Yes, but they'd have to be sworn in.

MR. RICCARDI: Sure, yes. This is Heather Malloy, she's the owner.

CHAIRPERSON SIAVELIS: Okay, can you sign in, too, please? Right hand?

(Witness sworn.)

CHAIRPERSON SIAVELIS: Great. Okay, go ahead.

MS. MALLOY: We are renting the house next door, and they knew going into it what we were doing to our home. She actually put me in contact with builders and with Lenny and things like that. So, they know what is happening with the house and they were looking forward to it and they actually want to renovate that house that we are renting.

CHAIRPERSON SIAVELIS: So, just to clarify, which house are you renting specifically?

MS. MALLOY: The one behind it, the one that they're saying the variance is different. That house is actually set back farther, like they have no backyard. Their yard is on the side, so that's why it doesn't line up. It's kind of like apples to oranges.

COMMISSIONER DRAKE: That's 306 right next to it.

MS. MALLOY: Yes.

COMMISSIONER DRAKE: Okay, all right.

MS. MALLOY: Yes.

MR. RICCARDI: So, the front yard at 306 West Elm is part of the average that we're getting for the side yard setback. As I said, it is set back further than other homes.

MS. MALLOY: It is farther back, yes.

MR. RICCARDI: And it's so far away from this home that we feel that once

we, because our addition is going to align with the existing structure and not encroach into the side yard further, we don't feel it's going to impact the neighborhood negatively.

COMMISSIONER JAFFE: You said that the current owner of 306 Elm then has subsequent plans to renovate that property?

MS. MALLOY: No, they bought that house to eventually do that.

CHAIRPERSON SIAVELIS: To do what?

MS. MALLOY: To pop the top of that house. I feel like everyone that's ever owned that house, that's why they purchased it. We knew the people before it, they purchased it, too, 306 West Elm.

CHAIRPERSON SIAVELIS: So, that's a ranch currently?

MS. MALLOY: It is a ranch. Yes, it's a ranch.

COMMISSIONER DRAKE: Yes, the main thing I want to get at, was there any opposition from that owner?

MS. MALLOY: No.

COMMISSIONER DRAKE: It sounds like there is not.

MS. MALLOY: No, there is not.

COMMISSIONER DRAKE: That's fine. I have a question for Derek, but the Petitioner could answer it as well. All of the trees that are on that property in the front, they're mature trees. Do they have any impact on this project?

MR. RICCARDI: No, we don't --

MS. MALLOY: They wouldn't be touched.

MR. MACH: That's my understanding. The addition is in this general area as well as expanding that second floor. So, I'm not aware of any plans that they have for removing any of the trees.

COMMISSIONER DRAKE: Okay. All right, fair enough. Thank you. That's all I have.

CHAIRPERSON SIAVELIS: Okay, let's move to the next phase then. Any comments from the audience as it pertains to this petition specifically?

(No response.)

CHAIRPERSON SIAVELIS: Okay, hearing none, you don't need to respond to none, so we will move to deliberation phase of the Board.

COMMISSIONER DRAKE: Yes, I'll start. I think the Petitioner has met all the requirements at least as far as I'm concerned. It's a nice design. I can understand why the Petitioner would want to have more room and take advantage of what they could do with the property. So, no Staff opposition from any of the three departments, and you're aware of the comments they made and are going to address those.

MR. RICCARDI: Yes.

COMMISSIONER DRAKE: So, I'm in favor of the project.

MR. RICCARDI: Thank you.

CHAIRPERSON SIAVELIS: Okay, any other comments?

COMMISSIONER LANAGHAN: I think one is that, you know, the three variances being requested are existing conditions that you guys are not changing. You're actually stepping the house back for the two-story to meet the setback on the --

MR. RICCARDI: The north side.

COMMISSIONER LANAGHAN: On the north side, thank you. So, I agree, I think it's been well done and I'm in support of this.

CHAIRPERSON SIAVELIS: Okay, do we have a motion?
COMMISSIONER DRAKE: I would move that we approve this petition as presented.

COMMISSIONER LANAGHAN: Second.

CHAIRPERSON SIAVELIS: Derek?

MR. MACH: Mr. Drake.

COMMISSIONER DRAKE: Yes.

MR. MACH: Mr. Jaffe.

COMMISSIONER JAFFE: Yes.

MR. MACH: Mr. Lanaghan.

COMMISSIONER LANAGHAN: Yes.

MR. MACH: Mr. O'Connor.

COMMISSIONER O'CONNOR: Yes.

MR. MACH: Mr. Portera.

COMMISSIONER PORTERA: Yes.

MR. MACH: Chairman Siavelis.

CHAIRPERSON SIAVELIS: Yes.

Congratulations, variances granted.

MR. RICCARDI: Thank you very much.

(Whereupon, the public hearing on the above-mentioned petition was adjourned at 7:25 p.m.)



Zoning Board of Appeals 12/11/2023

Item: 1903 N. Spruce Terrace - 11/13/23

Department: Planning & Community Development Department

ATTACHMENTS:

Description	Type
1903 N Spruce Terrace - Findings 11/13/23	Minutes
1903 N Spruce Terrace - Minutes 11/13/23	Minutes

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS NOVEMBER 13, 2023

PETITIONER: Glickley Residence
ADDRESS OF PROPERTY: 1903 N. Spruce Terrace
VARIATION: 5.1-3.3b (Required Minimum Yards)

A 17.5-foot variation to allow a second story addition with a rear yard setback of 12.5 feet instead of the required 30.0 feet and an additional 1.0 feet for the eave.

The petitioner testified as to hardship, uniqueness of circumstances, and the character of the locality. The petitioner testified that they are proposing an addition above the existing non-conforming footprint. The petitioner explained that the lot is irregular in shape and that a portion of the addition is encroaching into the required rear yard setback.

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. Jaffe and seconded by Mr. Drake. Thereafter, the Board voted 6-0 to approve the variance request.

Now, therefore, after hearing all the evidence and after due deliberation, the Zoning Board of Appeals, voted 6-0 to grant the variance.

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.

Peter Siavelis, Chair
Zoning Board of Appeals
Village of Arlington Heights

ZONING BOARD

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

OF APPEALS

RE: 1903 NORTH SPRUCE TERRACE - ZBA #23-040

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 13th day of November, 2023 at the hour of
7:25 p.m.

MEMBERS PRESENT:

PETER SIAVELIS, Chairperson
TOM DRAKE
JEFFREY LANAGHAN
BENJAMIN JAFFE
FRANK PORTERA
MICHAEL O'CONNOR

ALSO PRESENT:

DEREK MACH, Development Planner

CHAIRPERSON SIAVELIS: Okay, next and final item of new business is ZBA Petition No. 23-040, 1903 North Spruce Terrace.

Derek?

MR. MACH: Thank you, Chairman.

The Petitioner is proposing an addition to the existing split-level residence. The proposed addition is encroaching into the required rear yard setback.

Therefore, they're requesting a 17.5-foot variation from Chapter 28, Section 5.1-3.3b to allow a second-story addition with a rear yard setback of 12.5 feet instead of the required 30 feet and an additional one foot for the eave. Thank you.

CHAIRPERSON SIAVELIS: All right, thank you, Derek.

Kevin, come on up. You've signed in I assume, right?

MR. PURDOM: Yes, I have.

CHAIRPERSON SIAVELIS: All right, right hand.

(Witness sworn.)

CHAIRPERSON SIAVELIS: All right, please proceed.

MR. PURDOM: All right, so my clients are Jason and Jennifer Glickley. They live at the house with their four children, and they're looking to expand and get more room for their growing family. We are proposing a master suite addition, building exactly on top of the existing first floor. We're not encroaching into any of the setbacks.

The reason we have to ask for a variance is, if you look at the site plan, the rear yard is extremely clipped. So, if we wanted to do any kind of addition to the house, we would have to get a variance in order to meet the existing non-conforming condition. We're not looking to expand any further of the footprint. We are just looking to go up from the existing.

The Design review has conditionally approved us, just waiting on approval from the zoning variance. We haven't had any comments from neighbors or any of the other departments. I believe that is all I have.

CHAIRPERSON SIAVELIS: Okay, a couple of things.

MR. PURDOM: Sure.

CHAIRPERSON SIAVELIS: Just so the record is clear, why don't you tell us what's going on with like the backyard property line?

MR. PURDOM: So, that backyard property line runs along, I believe it's Palatine Road. The owners have tried to work with the Village to get that incorporated into their plat, but they said that that is the Department of Transportations purview. I have directed them to the zoning and asked them to see what they can all do, and they said that's not really their department.

The homeowner Jason is here, over there, if you want to ask him any questions about what he's done in order to do that, but that's just the existing lot. As you can see, the setback just clips the back of that corner of the house which is where we want to do that second-story addition.

CHAIRPERSON SIAVELIS: So, you have existing non-conforming?

MR. PURDOM: Yes.

CHAIRPERSON SIAVELIS: In that corner, that rear corner.

MR. PURDOM: In that corner.

CHAIRPERSON SIAVELIS: How many folks live in this house?

MR. PURDOM: There are six, two parents and four kids. They bought the house in 2014, so they want to stay and they want to make this their home for the future by expanding with the kids as they grow.

CHAIRPERSON SIAVELIS: And no negative feedback from any of the neighbors?

MR. PURDOM: No, none that we've heard.

CHAIRPERSON SIAVELIS: Any other comments from Board members? Do you have a comment, Jeff?

COMMISSIONER LANAGHAN: Not really. I'm just looking to see how Palatine, it's kind of a, you've got this side road, it's a tough location.

CHAIRPERSON SIAVELIS: Yes.

COMMISSIONER LANAGHAN: I can see why the right-of-way would want to be taken for that, because it severely impacts every yard for sure.

CHAIRPERSON SIAVELIS: Yes, exactly. Well said, what he said. I was thinking the same thing. At first, I thought the drawing, there was something wrong with the drawing the way it was rendered when I saw it over the weekend. I was like, oh, maybe not.

Okay, let's, I don't have any other questions and I don't think there's any other Board members with members.

Kevin, take a seat.

I think there's another gentleman back there in the audience. Do you have any comments in regards to this petition?

AUDIENCE MEMBER: No.

CHAIRPERSON SIAVELIS: Okay. All right, hearing none, no need to rebut none. We can go to deliberation. I can start.

I think this is really clear-cut, you know, existing non-conforming. We have a very odd, funky non-conformance due to circumstances that are not of the owner's, or caused by the owner or the owner's responsibility. I think this is a very straightforward petition and the variance sought, so I'm in favor of it.

Any other comments? Issues?

(No response.)

CHAIRPERSON SIAVELIS: Okay, do we have a motion?

COMMISSIONER JAFFE: I would move to approve as presented.

CHAIRPERSON SIAVELIS: Thank you very much.

Do we have a second?

COMMISSIONER DRAKE: Second.

CHAIRPERSON SIAVELIS: Derek?

MR. MACH: Mr. Drake.

COMMISSIONER DRAKE: Yes.

MR. MACH: Mr. Jaffe.

COMMISSIONER JAFFE: Yes.

MR. MACH: Mr. Lanaghan.

COMMISSIONER LANAGHAN: Yes.

MR. MACH: Mr. O'Connor.

COMMISSIONER O'CONNOR: Yes.

MR. MACH: Mr. Portera.

COMMISSIONER PORTERA: Yes.

MR. MACH: Chairman Siavelis.

CHAIRPERSON SIAVELIS: Yes.

Congratulations.

MR. PURDOM: Thank you.

CHAIRPERSON SIAVELIS: Petition granted.

All right, so on to the next phase, one of our favorite phases of the night, public commentary.

Sir, do you have any comments that you'd like to raise?

AUDIENCE MEMBER: No.

CHAIRPERSON SIAVELIS: Okay, we are where we often are, public commentary phase with no comments from the public, so we can move to the next item. That would be adjournment.

Do we have a motion to adjourn?

COMMISSIONER DRAKE: So moved.

COMMISSIONER LANAGHAN: Second.

CHAIRPERSON SIAVELIS: All right, voice vote?

MR. MACH: Yes.

CHAIRPERSON SIAVELIS: Okay, all in favor?

(Chorus of ayes.)

CHAIRPERSON SIAVELIS: Any opposed?

(No response.)

CHAIRPERSON SIAVELIS: Hearing none, we are adjourned.

(Whereupon, the public hearing on the above-mentioned petition was adjourned at 7:33 p.m.)



**Zoning Board of Appeals
12/11/2023**

Item: 716 W. Braeside Dr. - ZBA#23-041

Department: Planning & Community Development Department

REQUEST

A 2.0-foot variation from Chapter 28, Section 6.6-5.1 (Table of Permitted Obstructions) and Section 5.1-3.3b to allow a deck with a side yard setback of 5.0 feet instead of the required 7.0 feet.

ATTACHMENTS:

Description

Supporting Documents

Type

Exhibits

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: December 11, 2023
Date Prepared: December 6, 2023
Project Title: Duch Residence
Address: 716 W. Braeside Dr.

Background Information

Petition Number: ZBA #23-041
Petitioner: Marcin Duch
Address: 716 W. Braeside Dr.
Arlington Heights IL 60004

Existing Zoning: R-3 – Residential Single-Family District

Requested Action/Background Information

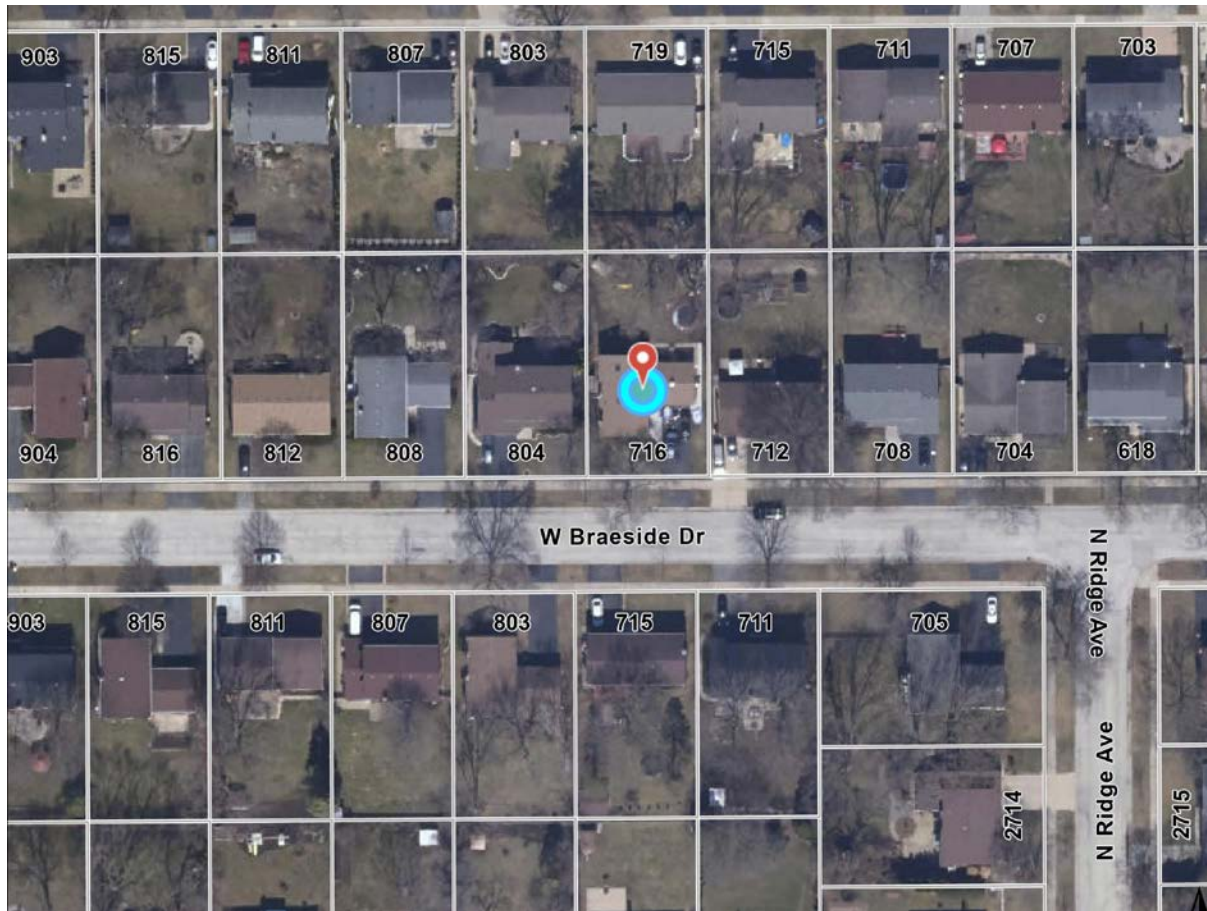
The subject property is zoned R-3, One-Family Dwelling District and the property has a total land area of 9,035 square feet. The Village received a complaint regarding work that was being performed on a deck. The homeowner was informed that they must submit for a permit and work must cease. Since the deck does not comply with the required side yard setback, a variance is being requested. The petitioner is proposing a deck that is setback five feet where seven feet is required. Therefore, the petitioner requests the following variation:

- A 2.0-foot variation from Chapter 28, Section 6.6-5.1 (Table of Permitted Obstructions) and Section 5.1-3.3b to allow a deck with a side yard setback of 5.0 feet instead of the required 7.0 feet.

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 proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property; and (2) the plight of the owner is due to unique circumstances, which may include the length of time the subject property has been vacant as zoned; and (3) the proposed variation is in harmony with the spirit and intent of this Chapter; and (4) the variance requested is the minimum variance necessary to allow reasonable use of the property. A variation shall be permitted only if the evidence, in the judgment of the Board of Appeals, sustains each of the four 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	✓	11/21/23	
2. List of Property Owners Within 250 feet of Subject Property	✓	11/21/23	
3. Letter that was Mailed	✓	11/21/23	
4. Photographs of Sign on Property	✓	11/21/23	

Petition – ZBA#23-041
PIN: 03-07-406-008

Photographs of Existing Structure





Village of Arlington Heights Building & Life Safety Department

Interoffice Memorandum

To: Derek Mach, Zoning Board of Appeals Liaison

From: Nusrat Jahan, Building & Life Safety Department

Project Name: Duch Residence

Project Address: 716 W Braeside Drive

ZBA #: 23-041

Date: November 27, 2023

Derek:

We have reviewed the request for the following variance:

- **A 2.0-foot variation from Chapter 28, Section 6.6-5.1 (Table of Permitted Obstructions) and Section 5.1-3.3b to allow a deck with a side yard setback of 5.0 feet instead of the required 7.0 feet.**

and have no objections or comments.

From: [Schwab, Briget](#)
To: [DiMatteo, Pat](#)
Cc: [Pagones, Mike](#)
Subject: RE: ZBA on 12/11/23 - For Department Review
Date: Thursday, November 30, 2023 11:26:10 AM
Attachments: [1604 N Hickory Driveway_ZBA_23-042.jpeg](#)

Good Morning –

Please see my ZBA review comments below:

716 W Braeside Dr

Engineering has NO OBJECTION to a 2.0-foot variation from Chapter 28, Section 6.6-5.1 (Table of Permitted Obstructions) and Section 5.1-3.3b to allow a deck with a side yard setback of 5.0 feet instead of the required 7.0 feet.

1604 N Hickory Ave

Engineering is NOT IN FAVOR OF the 5.0-foot variation from Chapter 28, Section 10.2-11.1 to allow a driveway that is 27 feet wide where the maximum width allowed is 22 feet in the current existing condition. The submitted drawings do not match the install. The driveway was poured wider than the existing apron and there is not a 45 degree angle tapering to the existing driveway apron width as shown on the drawings submitted with ZBA application. This driveway was installed without a permit, the inspector showed up on site and informed the homeowner and contractor that they could not proceed with placing the asphalt and they did so anyway. Engineering would not object to the widening, if the driveway was constructed in accordance with Village code to have a 45 degree taper to the existing driveway apron width as show on the drawings submitted with ZBA application. The other option to comply with Village code is to widen the driveway apron to match the private side driveway width. Please see attached picture with the current driveway conditions.

645 S Highland Ave

- Engineering has NO OBJECTION to a 2.1-foot variation from Chapter 28, Section 6.5-2 (Accessory Structures) to allow a deck and gazebo with a setback of 0.9 feet instead of the required 3.0 feet. The existing deck was in same location and new deck/gazebo and there are no drainage complaints in this area on record.
- The Engineering Division is NOT IN FAVOR of the proposed 208 square foot variation from Chapter 28, Section 5.1-3.5b (Maximum Impervious Surface Coverage) to allow 3,782 square feet of impervious surface coverage where 3,573 square feet is allowed. If the variance for impervious surface coverage is granted, it is recommended that the petitioner be required to use permeable pavers that allows for detention for a portion of the patio to offset the increase in impervious surface.

Briget F. Schwab, P.E.
Village of Arlington Heights Public Works Department
Engineering Division
33 South Arlington Heights Road
Arlington Heights, IL 60005

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Duch Residence

Project Address: 716 W Braeside Drive

ZBA #: 23-041

ZBA Hearing Date: December 11, 2023

To: Mike Pagones, Village Engineer
Jorge Torres, Director of Building and Life Safety

C: Michael Lysicatos, Assistant Director of Planning and Community Development
Steve Hautzinger, Design Planner

From: Derek Mach, Landscape Planner

Transmitted On: November 15, 2023

- A 2.0-foot variation from Chapter 28, Section 6.6-5.1 (Table of Permitted Obstructions) and Section 5.1-3.3b to allow a deck with a side yard setback of 5.0 feet instead of the required 7.0 feet.

Attached are the Petitioner's:

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

Comments:

No Comments.

- Steve Hautzinger, Design Planner

PETITION

The following petition form shall be used when submitting a petition for a variation from Chapter 28 of the Arlington Heights Municipal Code. This must be submitted with a fully executed application to the Zoning Board of Appeals. Please refer to Section 12 of Chapter 28 if the Arlington Heights Municipal Code for information regarding the criteria by which the Zoning Board of Appeals will evaluate variation requests. (Attached to this application packet.)

PETITION

NOW COMES the Petitioner Marcin Duch

being the owner of the property commonly know as: 716 W Braeside DR, Arlington Heights IL 60004

and appeals to the Zoning Board of Appeals of the Village of Arlington Heights for a Variation from Section 6-5-1

Chapter 28, of the Arlington Heights Municipal Code, in order to: Build wood deck/corridor to the rear deck

We would like to request of decreasing the side yard setback from requiered 7 feet to 5 feet

I hereby state that the proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property if the variation(s) were granted (please explain): _____

We would like to build 3.75 ft wide wood deck /corridor to the rear deck

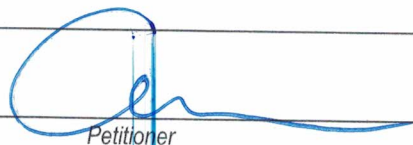
It will be build on the side of the house where is no windows or sidewalk of the neighbors.

I hereby state that the plight of the owner is due to unique circumstances, which may include the length of time the subject property has been vacant as zoned (please explain): _____

I hereby state that the proposed variation is in harmony with the spirit and intent of this Chapter (please explain): _____
A wood deck on the side of the building has been quite common in our neighborhood for decades.

I hereby state that the variance requested is the minimum variance necessary to allow reasonable use of the property (please explain): The 3 feet walking path will let us to gain access to the rear open wood deck.
3 feet clearance plus 0.75 railing and beam will let us maneuver easily around without interrupting a dinning space.

Signed: _____


Petitioner

Date: 10.24.2023

SPIEWAK CONSULTING

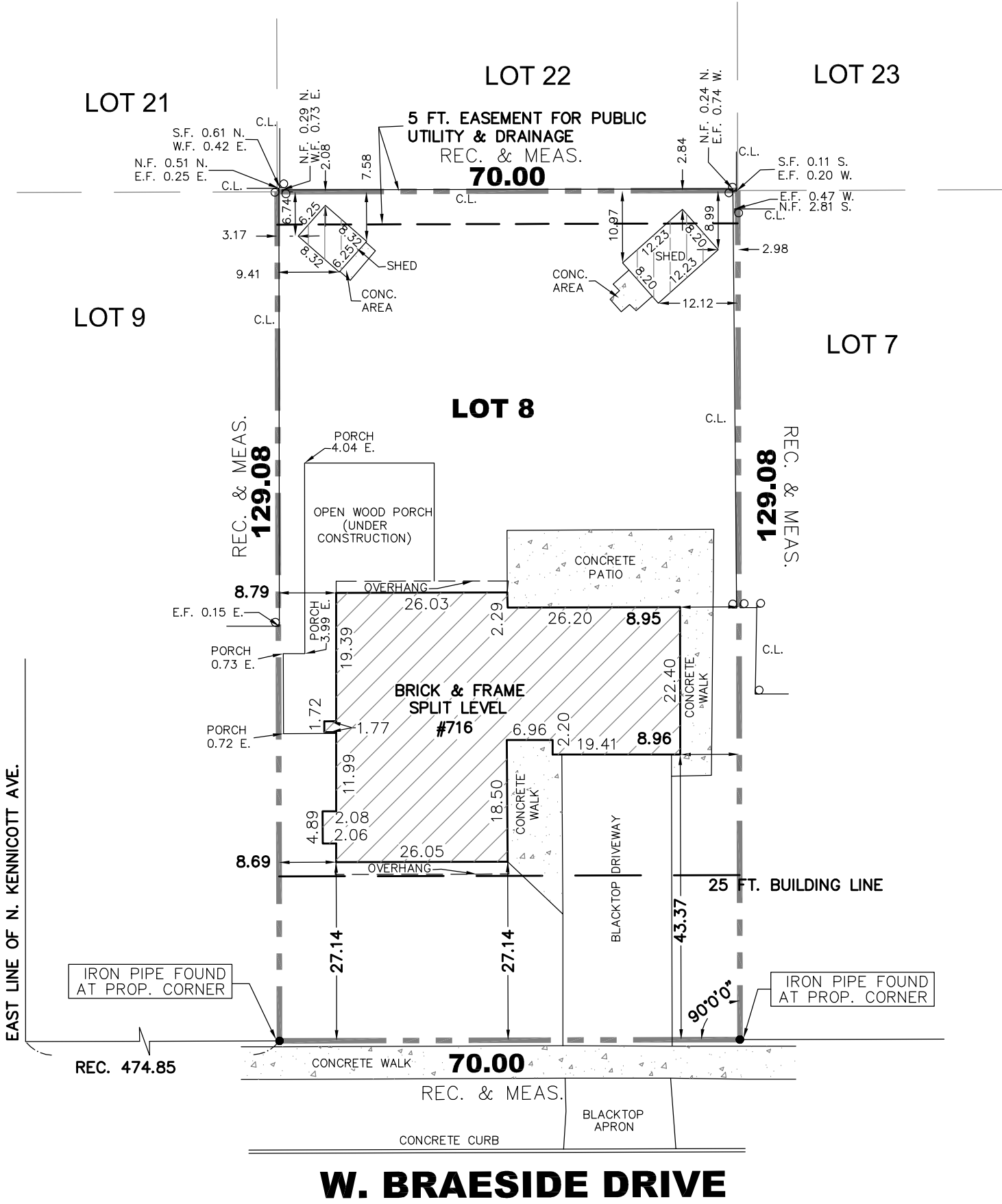
PROFESSIONAL DESIGN FIRM
LICENSE NO.:184.006518
1030 W. HIGGINS RD., STE 218
PARK RIDGE, IL 60068
phone: (773) 853-2672; (630)351-9489
www.landsurveyors.pro
andrew@landsurveyors.pro

PLAT OF SURVEY

by
ANDREW SPIEWAK LAND SURVEYOR, INC.
of

LOT 8 IN BLOCK 13, IN BERKLEY SQUARE UNIT 3, A
SUBDIVISION OF PART OF THE SOUTHEAST 1/4 OF SECTION 7,
TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD
PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

BEARINGS ARE SHOWN FOR ANGULAR REFERENCE ONLY
AND ARE NOT RELATED TO TRUE OR MAGNETIC NORTH.



COMMONLY KNOWN AS:
716 W. BRAESIDE DR.
ARLINGTON HEIGHTS, IL 60004
P.I.N. 03-07-406-008-0000
LAND AREA ± 9,036 sq. ft.

Legend

— FENCE
WD.= WOOD FENCE C.L.= CHAIN LINK
V.F.= VINYL FENCE I.F.= IRON FENCE
N.F.= NORTH FACE S.F.= SOUTH FACE
W.F.= WEST FACE E.F.= EAST FACE
I.P.= IRON PIPE I.R.= IRON ROD
..... PROPERTY LINE
● IRON ROD FOUND / SET
● IRON PIPE FOUND / SET
+ CROSS FOUND / SET ○ UTILITY POLE
⊕ PK NAIL FOUND / SET
SCALE: 1 INCH EQUALS 20 FEET.
DISTANCES ARE MARKED IN FEET AND DECIMAL PARTS THEREOF.

ORDERED BY: MARCIN DUCH
COMPANY OR ORGANIZATION: _____
SURVEYED BY: GL SURVEY INC #773-247-0143
DRAWN BY: SJ
CHECKED BY: AFS
PROJECT No: **GL202-23**

STATE OF ILLINOIS) S.S.
COUNTY OF COOK)

ANDREW SPIEWAK LAND SURVEYOR, INC. A PROFESSIONAL DESIGN FIRM, LAND SURVEYING CORPORATION
LICENCE No.: 184.006518 HEREBY CERTIFIES THAT A SURVEY HAS BEEN MADE UNDER THE DIRECTION AND
SUPERVISION OF AN ILLINOIS PROFESSIONAL LAND SURVEYOR OF THE ABOVE
DESCRIBED PROPERTY AND THAT THE PLAT HEREON DRAWN IS A CORRECT
REPRESENTATION OF SAID SURVEY. THIS PROFESSIONAL SERVICE CONFORMS
TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR BOUNDARY SURVEYS.

FIELD WORK WAS COMPLETED ON 15th DAY OF SEPTEMBER A.D. 2023.
DATE OF PLAT 19th DAY OF SEPTEMBER A.D. 2023.

BY Andrzej F. Spiewak

ANDRZEJ F. SPIEWAK ILLINOIS PROFESSIONAL LAND SURVEYOR
LICENCE No. 035.003178 LICENSE EXPIRES 11/30/2024

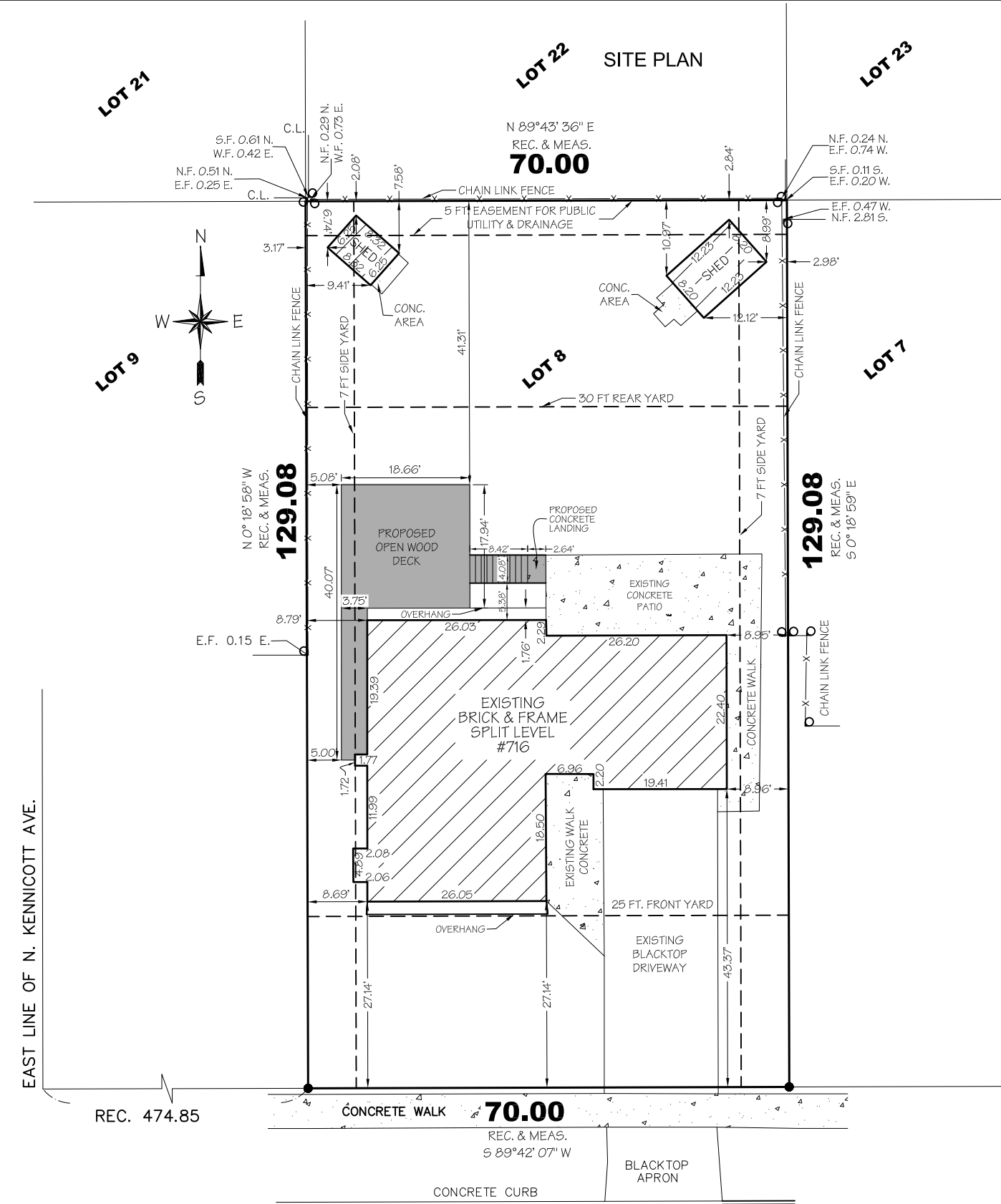
PROFESSIONAL DESIGN FIRM
LAND SURVEYING CORPORATION
LICENSE NO.:184.006518
EXPIRES 04/30/2025



THIS SURVEY IS VALID ONLY WITH AN EMBOSSED SEAL

NEW OPEN WOOD PORCH

716 W. BRAESIDE DR. ARLINGTON HEIGHTS IL 60004



ALL STRUCTURAL STEEL TO BE COATED WITH A RUST PROHIBITED PRIMER (3 MIL DRY THICKNESS, MINIMUM)

SOIL BEARING: 3000 PSF, CONCRETE: 3500 PSI @28 DAYS

WOOD SPECIFICATION: SOUTHERN YELLOW PINE, GRADE NO. 1 OR BETTER SHALL BE USED FOR COLUMNS, AND GRADE NO. 2 OR BETTER SHALL BE USED FOR ALL OTHER MEMBERS

The Climatic and Geographical Design Criteria for the wind load 115mph 3second gust wind speed.

- ICC 2018 International Building Code
- ICC 2018 International Residential Code
- ICC 2018 International Fire Code
- ICC 2018 International Existing Building Code
- ICC 2018 International Mechanical Code
- ICC 2018 International Fuel Gas Code
- ICC 2018 International Swimming Pool and Spa Code
- NFPA 2017 National Electrical Code
- ICC 2018 International Property Maintenance Code

INDEX OF DRAWINGS	
NO	SHEET TITLE
A-0	SITE PLAN & INDEX OF DRAWINGS
A-1	PROPOSED FOUNDATION / FRAMING PLAN
A-2	PROPOSED 1st FLOOR PLAN
A-3	PROPOSED NORTH ELEVATION
A-4	PROPOSED WEST ELEVATIONS
A-5	PROPOSED EAST ELEVATIONS

PRO-PLAN ARCHITECTS PC
705 Devon Ave, Park Ridge, IL 60068
PROFESSIONAL DESIGN FIRM
LICENSE NO. 184.006386

I HEREBY CERTIFY THAT THESE PLANS WERE PREPARED UNDER MY SUPERVISION, AND TO THE BEST OF MY KNOWLEDGE, COMPLY WITH THE ORDINANCES AND CODES OF THE VILLAGE OF ARLINGTON HEIGHTS, AND THE STATE OF ILLINOIS.

ANDRZEJ KACPRZYNSKI REGISTERED ARCHITECT # 001- 021686

NOVEMBER 30, 2024
LICENSE EXP.

ZONING DATA			
LOT AREA	9033.51 sq.ft		
ZONE DISTRICT	R-3 One Family Dwelling District		
	Requirement	Provided	
Maximum Impervious Surface Coverage	MAX 50% (4516.76 sq.ft.)	3683.06 sq.ft. (40.77 %)	
Rear Yard	30 ft	41.31 ft	
Side Yard	7 ft	5.00 ft	
	Existing	Proposed	Total
Footprint of Principal Building	1649.91	0	1649.91
Open Wood Deck (Rear)	0	451.00	451.00
Concrete Walks and Patio	716.78	6.72	723.50
Blacktop Driveway	721.25	0	721.25
Sheds	152.21	0	152.21
TOTAL	3240.15	457.72	3697.87

2018 IRC, Table R301.5 MINIMUM UNIFORMLY DISTRIBUTED LIVE LOADS (in pounds per square foot)	
USE	LIVE LOAD
Attics without storage	10
Attics with limited storage	20
Habitable attics and attics served with fixed stairs	30
Balconies (exterior) and decks	40
Fire escapes	40
Guardrails and handrails	200
Guardrails in-fill components	50
Passenger vehicle garages	50
Rooms other than sleeping room	40
Sleeping rooms	30
Stairs	40
ROOF LOAD: Live Load = 25 psf, Dead Load = 10 psf, Total Load = 35 psf	

Permit Issue: 09.05.2023

New Open Wood Porch
716 W. Braeside Dr.
Arlington Heights
IL 60004

SHEET TITLE:
SITE PLAN & INDEX
OF DRAWINGS

PRO-PLAN ARCHITECTS, PC
andry kacprzynski
705 Devon Ave, Park Ridge, IL 60068
tel/fax 773 577 6304

DRAWN BY:
PIOTR NAKLICKI
773-577-6304
piotr@naklicki.net

PERMIT NUMBER:

DATE:
September
29, 2023

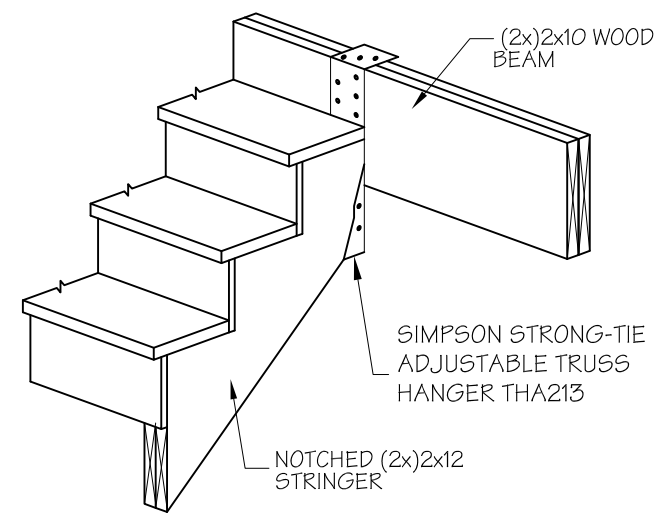
SHEET NO.
A-0
Order No.: 23-029





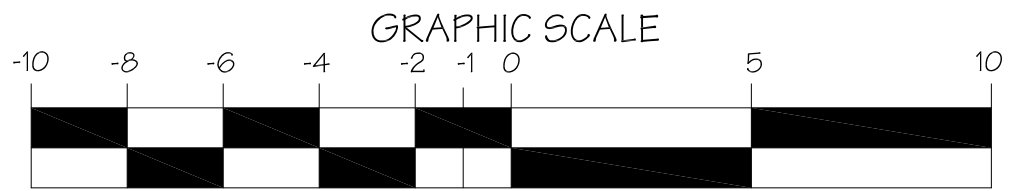
PROPOSED NORTH ELEVATION

SCALE: 1/4"=1'-0"



UPPER STAIR STRINGER CONNECTION

SCALE: 1/2"=1'-0"



(in feet)
scale: 1/4"=1'-0"



Permit Issue: 09.05.2023

New Open Wood
Porch
716 W. Braeside Dr.
Arlington Heights
IL 60004

SHEET TITLE:
PROPOSED
NORTH
ELEVATION

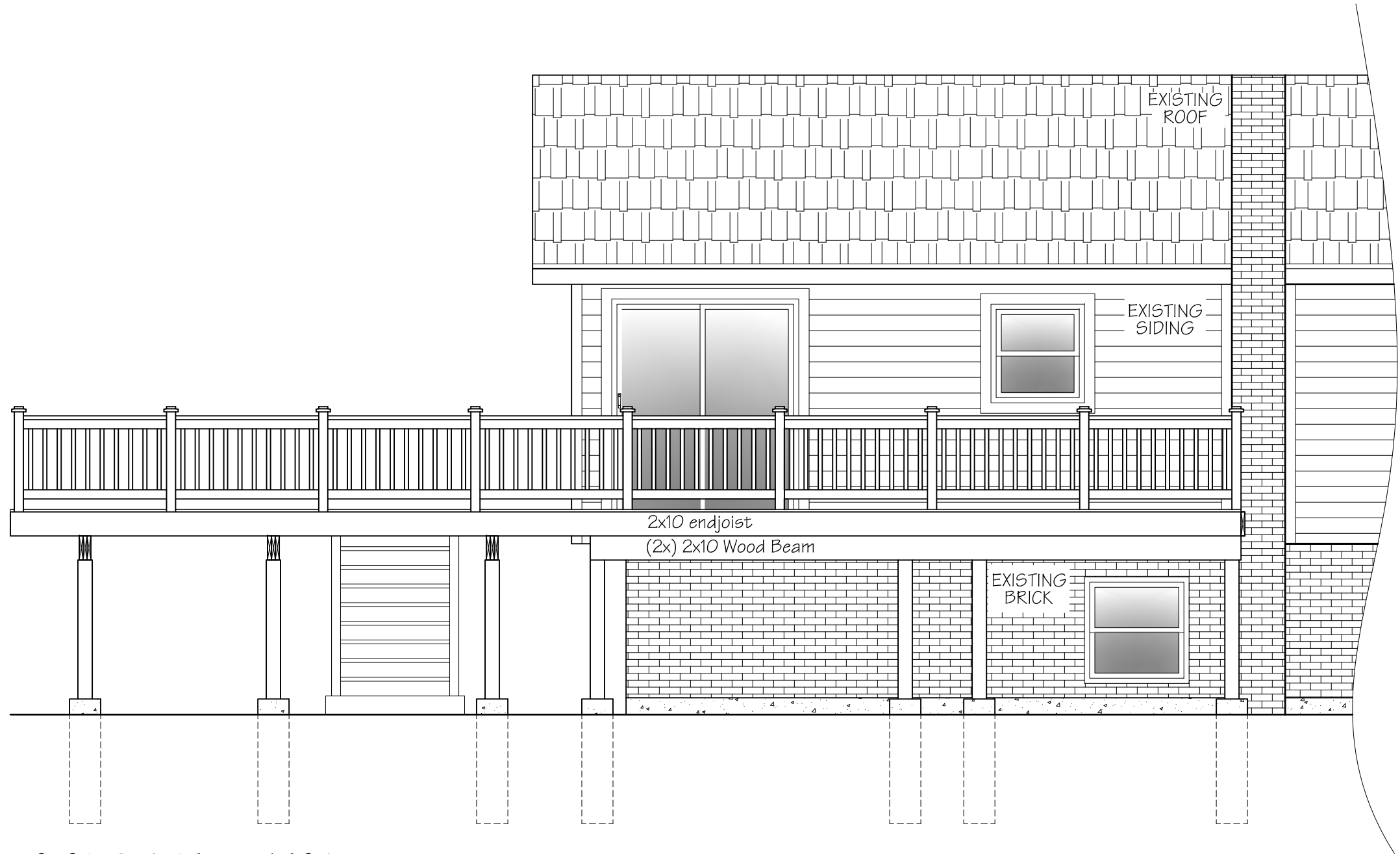
PRO-PLAN ARCHITECTS, PC
andy kacprzyński
705 Devon Ave, Park Ridge, IL 60068
tel/fax 773 577 6304

DRAWN BY:
PIOTR NAKLICKI
773-577-6304
piotr@naklicki.net

PERMIT NUMBER:

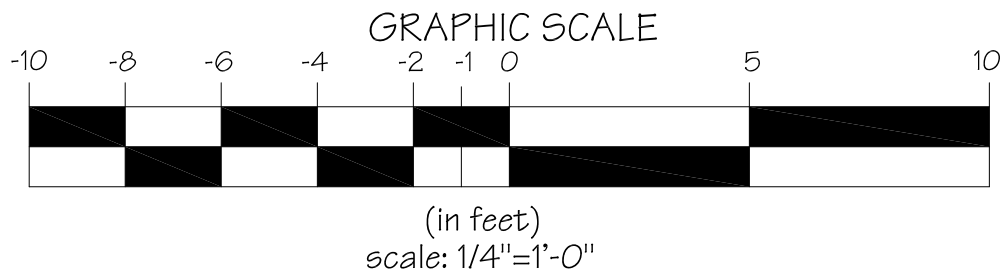
DATE:
September
29, 2023

SHEET NO.
A-3
Order No.: 23-029

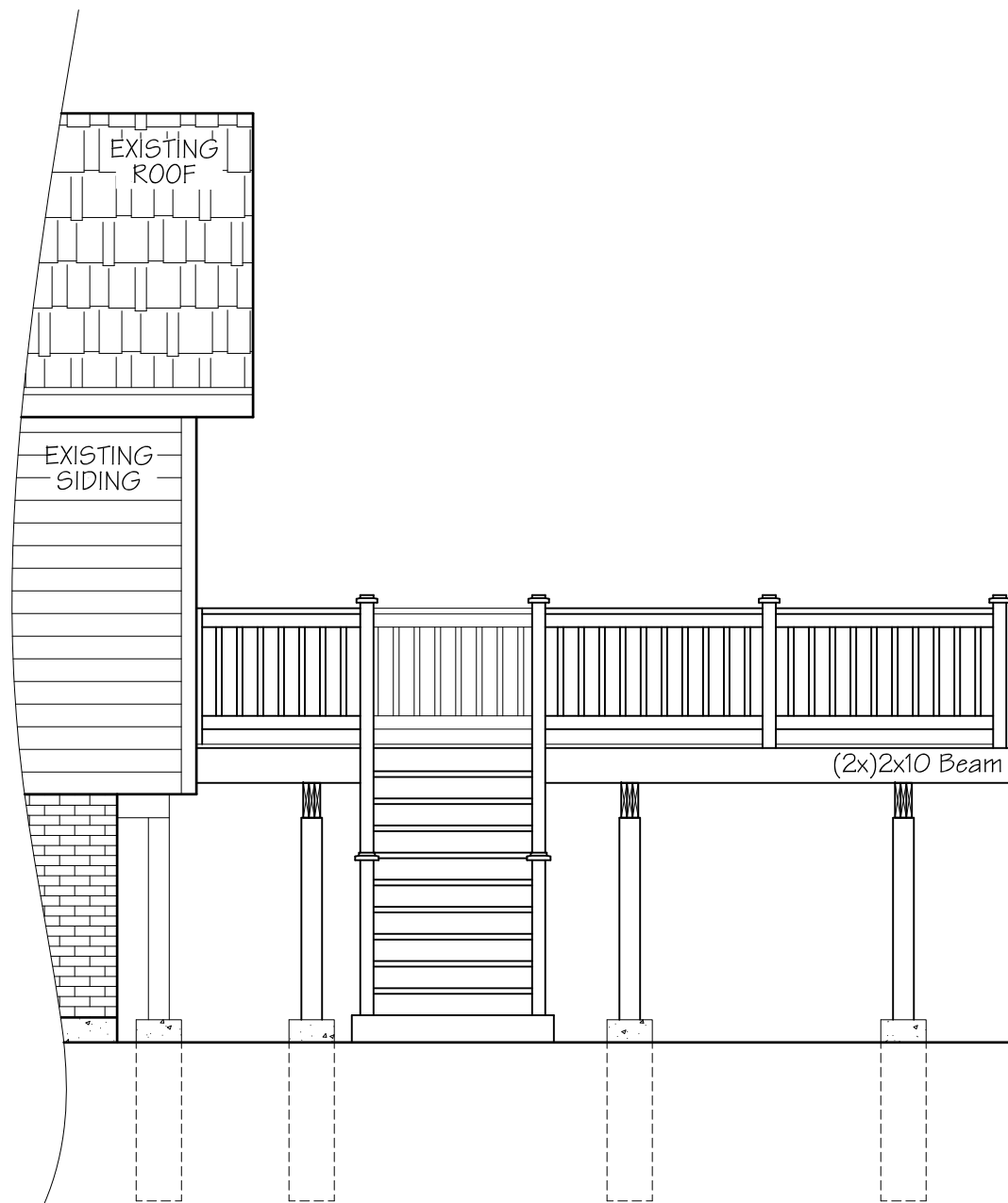


PROPOSED WEST ELEVATION

SCALE: 1/4"=1'-0"

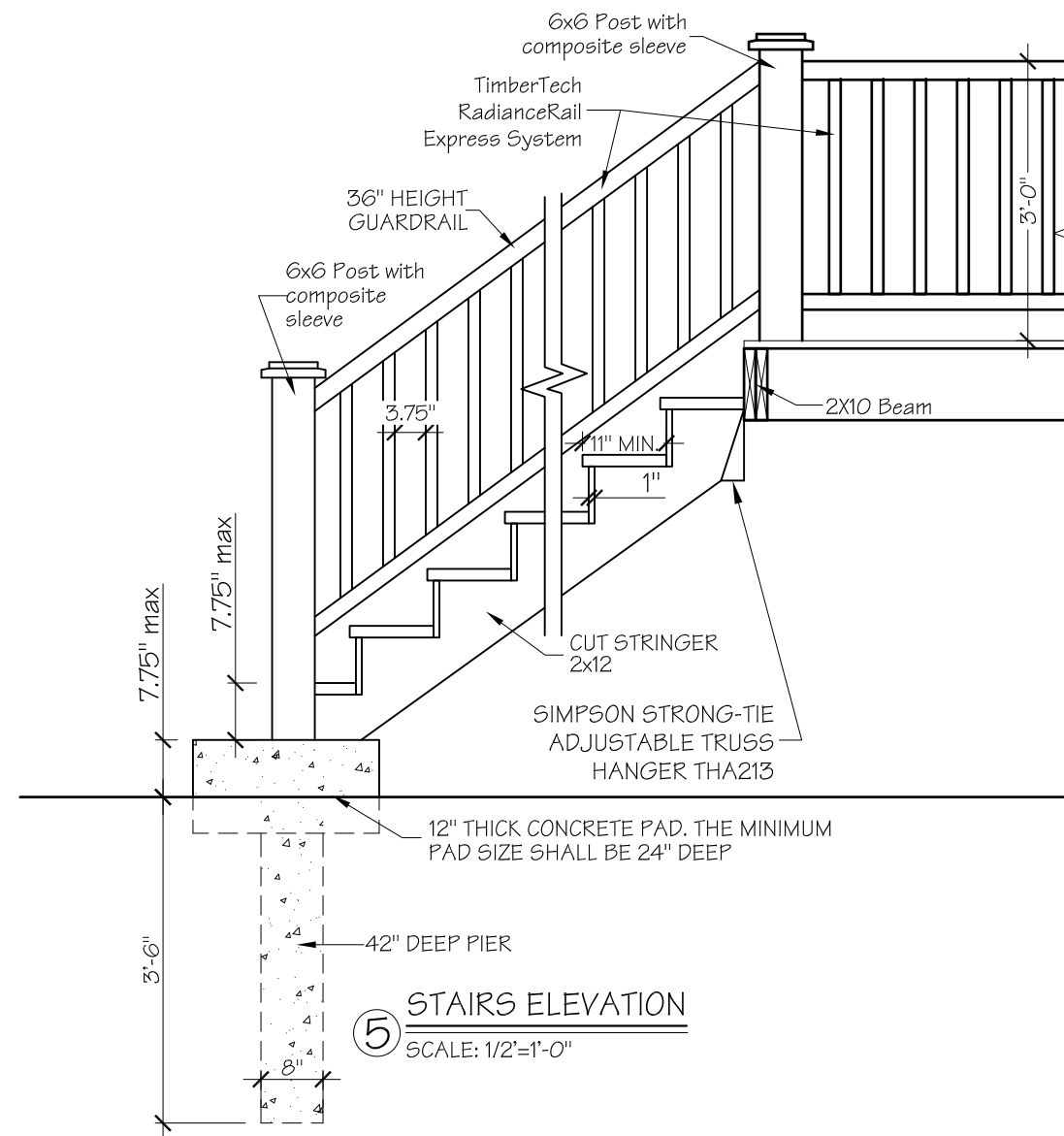


Permit Issue: 09.05.2023
New Open Wood Porch 716 W. Braeside Dr. Arlington Heights IL 60004
SHEET TITLE: PROPOSED WEST ELEVATION
PRO-PLAN ARCHITECTS, PC andy kacprzyński 705 Devon Ave, Park Ridge, IL 60068 tel/fax 773 577 6304
DRAWN BY: PIOTR NAKLICKI 773-577-6304 piotr@naklicki.net
PERMIT NUMBER:
DATE: September 29, 2023
SHEET NO. A-4 Order No.: 23-029



PROPOSED EAST ELEVATION

SCALE: 1/4"=1'-0"



5 STAIRS ELEVATION

SCALE: 1/2"=1'-0"



Permit Issue: 09.05.2023

New Open Wood
Porch
716 W. Braeside Dr.
Arlington Heights
IL 60004

SHEET TITLE:
PROPOSED
EAST
ELEVATION

PRO-PLAN ARCHITECTS, PC
andy kacprzyński
705 Devon Ave, Park Ridge, IL 60068
tel/fax 773 577 6304

DRAWN BY:
PIOTR NAKLICKI
773-577-6304
piotr@naklicki.net

PERMIT NUMBER:

DATE:
September
29, 2023

SHEET NO.
A-5
Order No.: 23-029

From: [Frank Kuper](#)
To: [Mach, Derek](#)
Subject: 716 Braeside Code Variance
Date: Monday, December 4, 2023 12:25:47 PM

Dear Derek Mach,

I am strongly opposed in principle to any code variance by a neighbor at 716 Braeside. We live in an urban community and need to respect property lines and setbacks. People buy homes in Arlington Heights knowing their property footprint and their neighbors will conform to local codes. There is measurable reduced property value with nonconforming neighborhoods. In most cases designs can be modified to meet existing code regulations.

Frank Kuper

From: [REDACTED]
To: [Mach, Derek](#)
Subject: Re: ZBA - 716 W Braeside
Date: Monday, December 4, 2023 1:57:50 PM

Resending as per our phone conversation.

From: [REDACTED]
To: [dm](#)
[REDACTED]
[REDACTED]
Date: 11/27/2023 6:21:38 PM
Subject: Duch Variance Request

Derek Mach, PLA
Village of Arlington Heights
Planning and Community Development
33 South Arlington Heights Rd.
Arlington Heights, IL 60005

Hello Derek,

This note is in reference to a Notice of Public Hearing (copy attached) that my wife and I received from our next-door neighbor, Marcin Duch, of 716 W. Braeside Dr. in Arlington Heights. Mr. Duch began construction of a wrap-around deck last summer on the west side and rear of his house. We subsequently learned from the Village that he began construction of this deck without having obtained a proper permit to do so and was issued a "Stop Work" order. He now is applying for a variance to seek Village permission to keep as/is what has already been built and to finish the job even though neither portion of the project meet current code.

Not being familiar with the Village planning process, my wife and I stopped at your office this morning to discuss this situation and spoke to Haley. We discussed the particulars of the situation with Haley and she recommended that we contact you this week, prior to the December 11 Public Hearing meeting.

My wife and I live in the house directly west of Mr. Duch and share the property line in question. We have lived in this house for over 20 years. We have strong concerns about this work being continued as planned and are asking the Village to deny the request for a

variance.

The deck being built is not near to ground level like most. The floor of the deck stands approximately 7 feet from the ground. A normal person standing on this deck will view our property from a vantage point of 13' above ground and just four feet from the chain link fence separating the two yards.

A deck of this height, allowed by the Village of Arlington Heights to be constructed closer to our property than village code permits, will:

- Threaten our right to privacy
- Impose a sense of "being watched" by our neighbor at all points of the yard including our patio
- Inflict an unacceptable increase in noise
- Infringe on the use and enjoyment of our patio, back yard, sunroom, and gardens
- Negatively impact the salability of our house
- Negatively impact the market value of our house
- The side deck already built to within inches from the property line imposes a safety hazard and could force neighbor's maintenance workers or others onto our property

We would like Mr. Duch to construct his deck in compliance with stated municipal code *and* with the above impacts in mind. We are asking for and would appreciate the village's help.

We are not familiar with Village of Arlington Heights municipal code procedure. Would you please contact us at the number below so we can determine best next steps?

Thank you,

Gary and Carol Elliott

|



**Zoning Board of Appeals
12/11/2023**

Item: 1604 N. Hickory Ave. - ZBA#23-042

Department: Planning & Community Development Department

REQUEST

A 5.0-foot variation from Chapter 28, Section 10.2-11.1 to allow a driveway that is 27 feet wide where the maximum width allowed is 22 feet.

ATTACHMENTS:

Description	Type
Supporting Documents	Exhibits

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: December 11, 2023
Date Prepared: December 5, 2023
Project Title: Gollapalli Residence
Address: 1604 N. Hickory Ave.

Background Information

Petition Number: ZBA #23-042
Petitioner: Snehalatha R. Gollapalli
Address: 1604 N. Hickory Ave.
Arlington Heights IL 60004

Existing Zoning: R-3 – Residential Single-Family District

Requested Action/Background Information

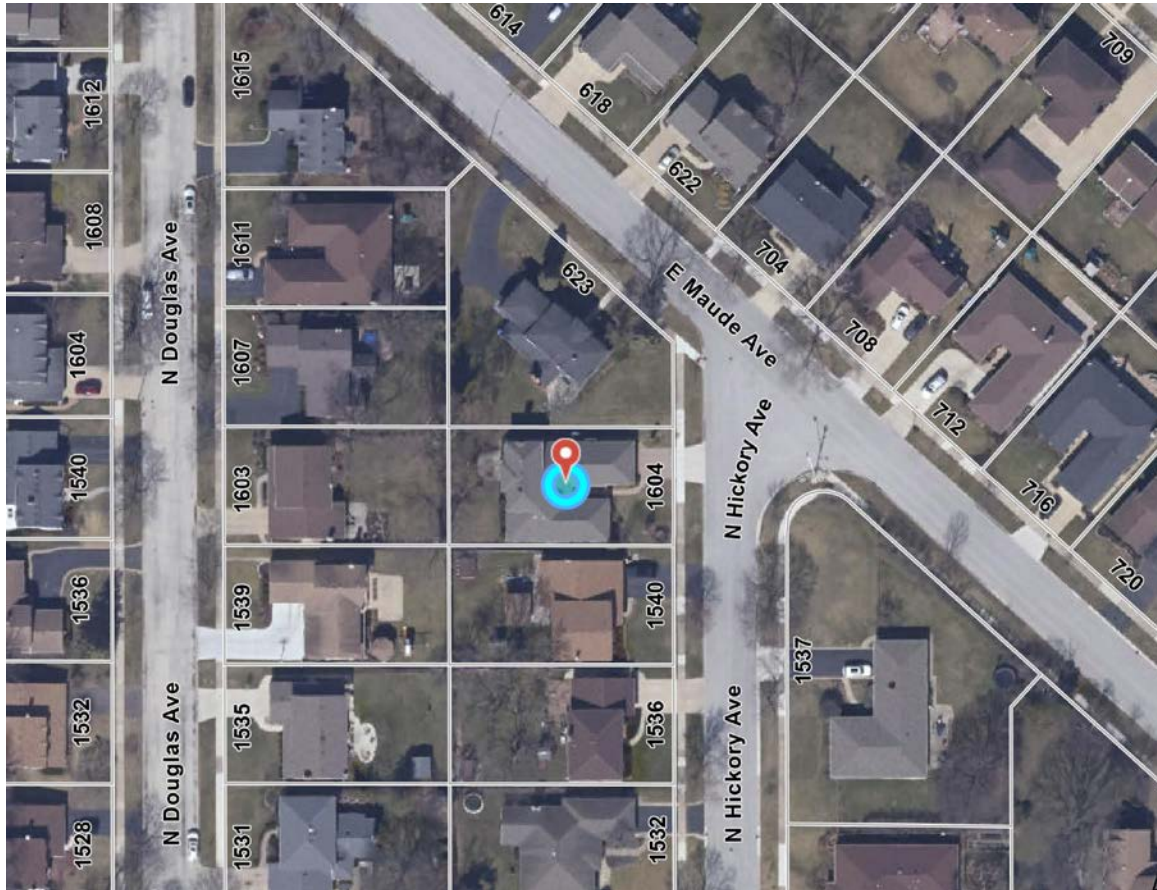
The subject property is zoned R-3, One-Family Dwelling District and the property has a total land area of 9,240 square feet. A building inspector observed a driveway that was installed without a permit. The homeowner was informed that the driveway does not meet code due to the width. Per Chapter 28, Section 10.2-11.1, for a two-car garage, the maximum driveway width allowed is 22 feet. The petitioner requests the following variation:

- A 5.0-foot variation from Chapter 28, Section 10.2-11.1 to allow a driveway that is 27 feet wide where the maximum width allowed is 22 feet.

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 proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property; and (2) the plight of the owner is due to unique circumstances, which may include the length of time the subject property has been vacant as zoned; and (3) the proposed variation is in harmony with the spirit and intent of this Chapter; and (4) the variance requested is the minimum variance necessary to allow reasonable use of the property. A variation shall be permitted only if the evidence, in the judgment of the Board of Appeals, sustains each of the four 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	✓	11/20/23	
2. List of Property Owners Within 250 feet of Subject Property	✓	11/20/23	
3. Letter that was Mailed	✓	11/20/23	
4. Photographs of Sign on Property	✓	11/20/23	

Photographs of Existing Structure





Village of Arlington Heights Building & Life Safety Department

Interoffice Memorandum

To: Derek Mach, Zoning Board of Appeals Liaison

From: Nusrat Jahan, Building & Life Safety Department

Project Name: Gollapi Residence

Project Address: 1604 N Hickory Ave

ZBA #: 23-042

Date: November 27, 2023

Derek:

We have reviewed the request for the following variance:

- **A 5.0-foot variation from Chapter 28, Section 10.2-11.1 to allow a driveway that is 27 feet wide where the maximum width allowed is 22 feet. and do not have any objections to the request.**

and have no objections or comments.

From: [Schwab, Brigit](#)
To: [DiMatteo, Pat](#)
Cc: [Pagones, Mike](#)
Subject: RE: ZBA on 12/11/23 - For Department Review
Date: Thursday, November 30, 2023 11:26:10 AM
Attachments: [1604 N Hickory Driveway_ZBA_23-042.jpeg](#)

Good Morning –

Please see my ZBA review comments below:

716 W Braeside Dr

Engineering has NO OBJECTION to a 2.0-foot variation from Chapter 28, Section 6.6-5.1 (Table of Permitted Obstructions) and Section 5.1-3.3b to allow a deck with a side yard setback of 5.0 feet instead of the required 7.0 feet.

1604 N Hickory Ave

Engineering is NOT IN FAVOR OF the 5.0-foot variation from Chapter 28, Section 10.2-11.1 to allow a driveway that is 27 feet wide where the maximum width allowed is 22 feet in the current existing condition. The submitted drawings do not match the install. The driveway was poured wider than the existing apron and there is not a 45 degree angle tapering to the existing driveway apron width as shown on the drawings submitted with ZBA application. This driveway was installed without a permit, the inspector showed up on site and informed the homeowner and contractor that they could not proceed with placing the asphalt and they did so anyway. Engineering would not object to the widening, if the driveway was constructed in accordance with Village code to have a 45 degree taper to the existing driveway apron width as show on the drawings submitted with ZBA application. The other option to comply with Village code is to widen the driveway apron to match the private side driveway width. Please see attached picture with the current driveway conditions.

645 S Highland Ave

- Engineering has NO OBJECTION to a 2.1-foot variation from Chapter 28, Section 6.5-2 (Accessory Structures) to allow a deck and gazebo with a setback of 0.9 feet instead of the required 3.0 feet. The existing deck was in same location and new deck/gazebo and there are no drainage complaints in this area on record.
- The Engineering Division is NOT IN FAVOR of the proposed 208 square foot variation from Chapter 28, Section 5.1-3.5b (Maximum Impervious Surface Coverage) to allow 3,782 square feet of impervious surface coverage where 3,573 square feet is allowed. If the variance for impervious surface coverage is granted, it is recommended that the petitioner be required to use permeable pavers that allows for detention for a portion of the patio to offset the increase in impervious surface.

Briget F. Schwab, P.E.
Village of Arlington Heights Public Works Department
Engineering Division
33 South Arlington Heights Road
Arlington Heights, IL 60005

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Gollapi Residence

Project Address: 1604 N Hickory Avenue

ZBA #: 23-042

ZBA Hearing Date: December 11, 2023

To: Mike Pagones, Village Engineer
Jorge Torres, Director of Building and Life Safety

C: Michael Lysicatos, Assistant Director of Planning and Community Development
Steve Hautzinger, Design Planner

From: Derek Mach, Landscape Planner

Transmitted On: November 15, 2023

- A 5.0-foot variation from Chapter 28, Section 10.2-11.1 to allow a driveway that is 27 feet wide where the maximum width allowed is 22 feet.

Attached are the Petitioner's:

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

Comments:

No Comments.

- Steve Hautzinger, Design Planner

PETITION

The following petition form shall be used when submitting a petition for a variation from Chapter 28 of the Arlington Heights Municipal Code. This must be submitted with a fully executed application to the Zoning Board of Appeals. Please refer to Section 12 of Chapter 28 of the Arlington Heights Municipal Code for information regarding the criteria by which the Zoning Board of Appeals will evaluate variation requests. (Attached to this application packet.)

PETITION

NOW COMES the Petitioner SNEHALATHA REDDY GOLLAPALLI
being the owner of the property commonly known as: SNEHALATHA REDDY
and appeals to the Zoning Board of Appeals of the Village of Arlington Heights for a Variation from Section 11.2-11.16
Chapter 28, of the Arlington Heights Municipal Code, in order to: FOR THE EXISTING
DRIVEWAY THAT EXCEEDS THE ALLOWABLE WIDTH

I hereby state that the proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property if the variation(s) were granted (please explain): (1) kindly see Petition Justification attached

I hereby state that the plight of the owner is due to unique circumstances, which may include the length of time the subject property has been vacant as zoned (please explain): (2) kindly see Petition Justification attached

I hereby state that the proposed variation is in harmony with the spirit and intent of this Chapter (please explain): _____

I hereby state that the variance requested is the minimum variance necessary to allow reasonable use of the property (please explain): WE HAVE FIVE CARS DUE TO BIG FAMILY - TWO WORKING PHYSICIANS, TWO UNIVERSITY STUDENTS AND TWO SENIOR CITIZENS CARS ARE USED FOR DAILY ACTIVITIES

Signed: Dr. Snehalatha Reddy
Petitioner

Date: 11/08/2023

Petition Justification

- 1) We are confident that the essential character of the neighborhood of the houses around within 250 feet, have long and big driveways. A lot of the homes have L-shaped driveways and are big enough to park more than three to four cars in the driveway. Our request is to kindly approve the driveway extension as we have a big extended family. Denying the extension will force us to look for a home elsewhere as we need multiple parking spots for our family members.
- 2) We have two grandchildren who live at home, and are attending college at Loyola University. They both have cars and drive everyday. Carpooling is impossible due to their different schedules. We have two physicians with different office locations and work schedules and that makes 4 cars. We have a senior couple who share one other vehicle and hence 5 total cars.

Prior to the construction of the driveway, we were unaware that a three-car driveway is not allowed for a two-car garage. When we wanted to pursue extension of the driveway, we engaged a contractor to obtain the permit from the Village of Arlington Heights and then construct the driveway extension. First and foremost, the contractor delayed the construction by one month as he stated that he is processing the construction permit from the Village. He then arrived on a certain day stating that he has finally received the permit and that he could finish the construction in one day. He therefore completed the work. Later we realized that he did not provide a copy of the permit. We knew that he had also done some construction work for some of our neighbors and when we checked with them, they also mentioned that he had cheated them in a similar fashion i.e doing construction without obtaining permits from the Village and also refusing to provide them with any receipts for the work completed and demanding cash instead of cheques or credit card payments.

We request you to kindly excuse our plight and allow us to reconstruct the driveway extension with a standard road contractor in Arlington Heights.

Dr. Snehalata Reddy
Petitioner

DC-11-29-2023

20' 10' 0'

BASIS OF BEARING:
WEST LINE OF N. HICKORY AVENUE AS
MONUMENTED AND OCCUPIED PER RECORD
SUBDIVISION.
S 00°00'00" E (A)

-  = CHAIN LINK FENCE
- = WOOD FENCE
-  = METAL FENCE
-  = VINYL FENCE
-  = EASEMENT LINE
-  = SETBACK LINE
- = INTERIOR LOT LINE

LOT 4

70.00' (R/M)

5' PUBLIC UTILITY EASEMENT

CENTER OF WOOD FENCE 0.3' W & 0.6' N

LOT 8

132.00' (R/M)

N EDGE OF CONCRETE 0.1' S

CONCRETE

CONCRETE

1 STORY BRICK & FRAME BUILDING

BRICK DRIVE

BRICK WALK

CONCRETE CURB

LOT 9

70.00' (R/M)

7.08'

4.9'

1.7'

1.7'

61.8'

6.92'

25.05'

23.2'

25.07'

36.8'

2.7'

2.7'

5.8'

2.7'

21.9'

21.7'

57.3'

7.02'

7.03'

40.18'

89°56'30" (M)

25 FT. BUILDING LINE

CONCRETE 0.1' S

CONCRETE 0.7' N & 0.3' E

132.00' (R/M)

LOT 10

51.65' (R)

CONCRETE 1.0' E

N. HICKORY AVENUE

(66' R.O.W.)



STATE OF ILLINOIS } SS
COUNTY OF DUPAGE }

I, THE UNDERSIGNED, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY, AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY.

DATED, THIS 21ST DAY OF MAY, A.D., 2019,
AT Lisle, ILLINOIS.

J. C. Morrison

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-2317
 LICENSE EXPIRATION DATE NOVEMBER 30, 2020
 ILLINOIS BUSINESS REGISTRATION NO. 184-001245



1. ALL TIES SHOWN ON THIS SURVEY ARE MEASURED TO THE BUILDING'S SIDING (BRICK, FRAME, STUCCO, METAL, ETC.) AND NOT TO THE FOUNDATION, UNLESS NOTED OTHERWISE.
2. ROOF LINES AND OVERHANGS ARE TYPICALLY NOT SHOWN HEREON.
3. COMPARE ALL DISTANCES AND POINTS IN FIELD AND REPORT ANY DISCREPANCIES TO SURVEYOR AT ONCE.
4. NO DIMENSIONS SHALL BE ASSUMED BY SCALING.

ADDRESS COMMONLY KNOWN AS 1604 N. HICKORY AVE
ARLINGTON HEIGHTS, IL

CLIENT TRABARIS LAW LLC

FIELDWORK DATE (CREW) 05/20/2019 (RL/SB)

DRAWN BY: LV REVISED: JOB NO. 19-05

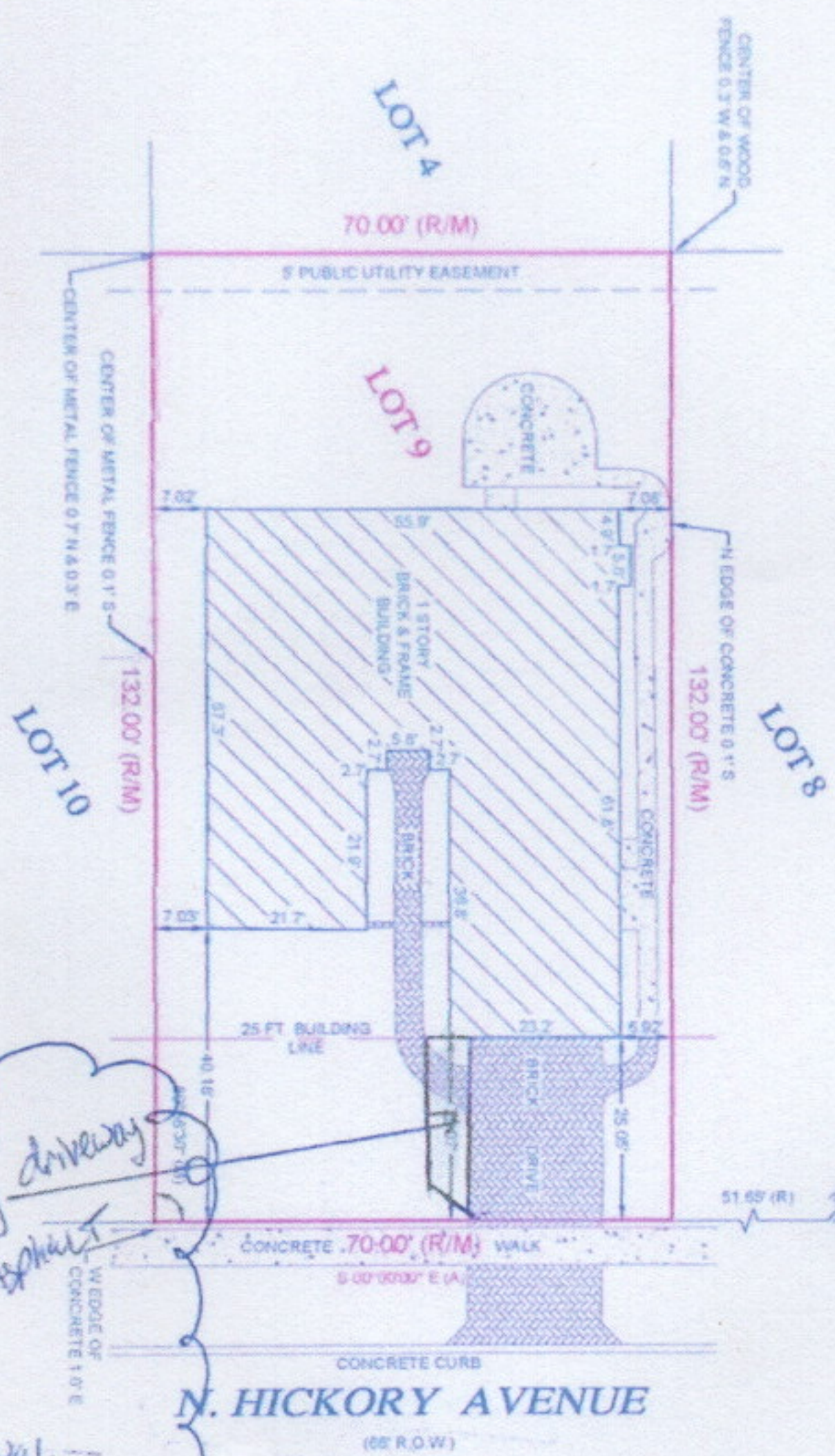
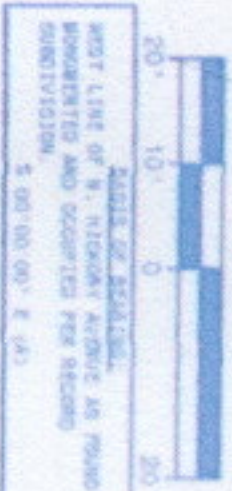
PLAT OF SURVEY

LOT 9 IN LOCASCO'S SUBDIVISION UNIT NO. 2, BEING A RESUBDIVISION OF PART OF THE NORTHEAST 1/4 OF SECTION 20, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF REGISTERED IN THE OFFICE OF THE REGISTRAR OF TITLES OF COOK COUNTY, ILLINOIS ON MAY 22, 1989 AS DOCUMENT LN 2453229, IN COOK COUNTY, ILLINOIS.

CONTAINING 20.45 AC. OF LAND, MORE OR LESS.

AREA OF SURVEY.

NO.	DESCRIPTION	NO.	DESCRIPTION
1.	AS SHOWN	11.	CONCRETE
2.	ON EXISTING	12.	CONCRETE
3.	CONCRETE	13.	CONCRETE
4.	CONCRETE	14.	CONCRETE
5.	CONCRETE	15.	CONCRETE
6.	CONCRETE	16.	CONCRETE
7.	CONCRETE	17.	CONCRETE
8.	CONCRETE	18.	CONCRETE
9.	CONCRETE	19.	CONCRETE
10.	CONCRETE	20.	CONCRETE



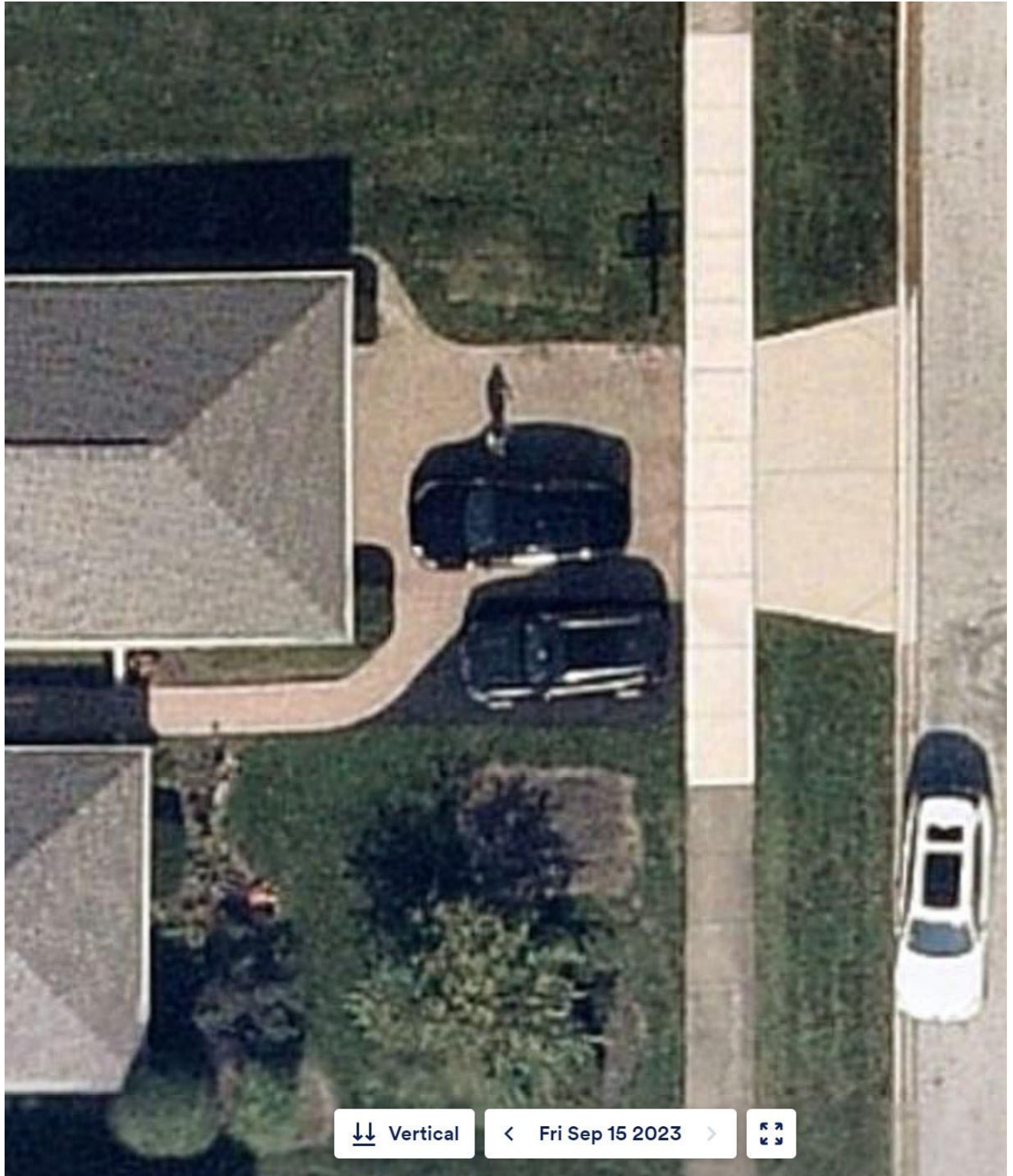
M&T Engineering, Inc.
505 Westchester Road, Suite 100, Elmhurst, IL 60120
Phone: (630) 271-0770
Fax: (630) 271-0774
www.mteng.com

STATE OF ILLINOIS
COUNTY OF COOK
I, THE UNDERSIGNED, JAMES LEE MORRISON, A PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS PROFESSIONAL SURVEY WAS MADE BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND IN ACCORDANCE WITH THE PROFESSIONAL STANDARDS FOR A SURVEYOR AS SET FORTH IN THE PLAT ACT, AND THAT THE PLAT HEREON IS A CORRECT REPRESENTATION OF SAID SURVEY.
DATED: 10/10/2019
AT CHICAGO, ILLINOIS.
J. Morrison
JAMES LEE MORRISON
PROFESSIONAL
LAND SURVEYOR
STATE OF ILLINOIS
2017



NOTE:
1. ALL TIES SHOWN ON THIS SURVEY ARE BASED ON THE COLLINS & SMITH (1810), PETERSON (1810), ETC., AND NOT TO THE FOUNDATION, UNLESS OTHERWISE NOTED.
2. ROSE LINES AND OVERLAYS ARE TYPICALLY NOT SHOWN.
3. COMPARE ALL DISTANCES AND POINTS IN FIELD AND REPORT.
4. NO DISCREPANCIES SHALL BE ASSUMED BY SCALING.

CLIENT: 1004 N. HICKORY AVENUE
ALLIANCE HEIGHTS, ILLINOIS
DATE: 05/20/2019 (8L/88)
DRAWN BY: J. Morrison
CHECKED BY: J. Morrison





**Zoning Board of Appeals
12/11/2023**

Item: 645 S. Highland Ave. - ZBA#23-043

Department: Planning & Community Development Department

REQUEST

1. A 2.1-foot variation from Chapter 28, Section 6.5-2 (Accessory Structures) to allow a deck and gazebo with a setback of 0.9 feet instead of the required 3.0 feet.
2. A 208 square foot variation from Chapter 28, Section 5.1-3.5b (Maximum Impervious Surface Coverage) to allow 3,782 square feet of impervious surface coverage where 3,573 (55%) square feet is allowed.

ATTACHMENTS:

Description

Supporting Documents

Type

Exhibits

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: December 11, 2023
Date Prepared: December 6, 2023
Project Title: Gospodinov Residence
Address: 645 S. Highland Ave.

Background Information

Petition Number: ZBA #23-043
Petitioner: Konstantin Gospodinov
Address: 645 S. Highland Ave.
Arlington Heights IL 60005

Existing Zoning: R-3 – Residential Single-Family District

Requested Action/Background Information

The subject property is zoned R-3, One-Family Dwelling District and the property has a total land area of 6,495 square feet. The Village received a complaint regarding work that was being performed on a deck. The homeowner was informed that they must submit for a permit and work must cease. Since the deck does not comply with the required side yard setback, a variance is being requested. The petitioner is also proposing a gazebo above the deck. The petitioner has constructed a deck that is setback 0.9 feet where three feet is required.

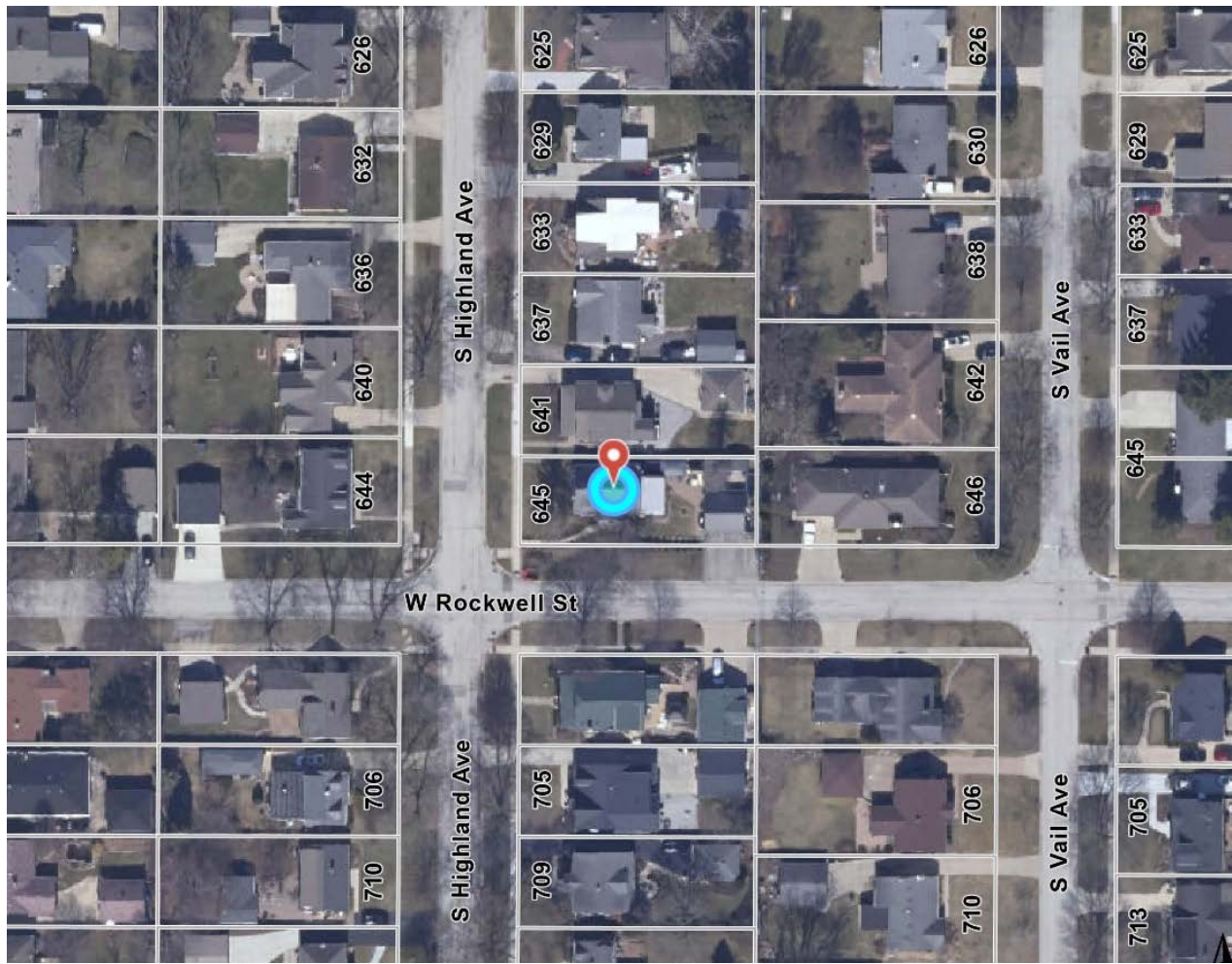
In addition, the petitioner has expanded the patio area and the Village has no record of a permit. The allowable impervious surface coverage exceeds what is allowed per code. Pursuant to Chapter 28, Section 5.1-3.5b the maximum impervious surface coverage allowed is 55 percent for lots less than 6,600 square feet. Therefore, the petitioner requests the following variations:

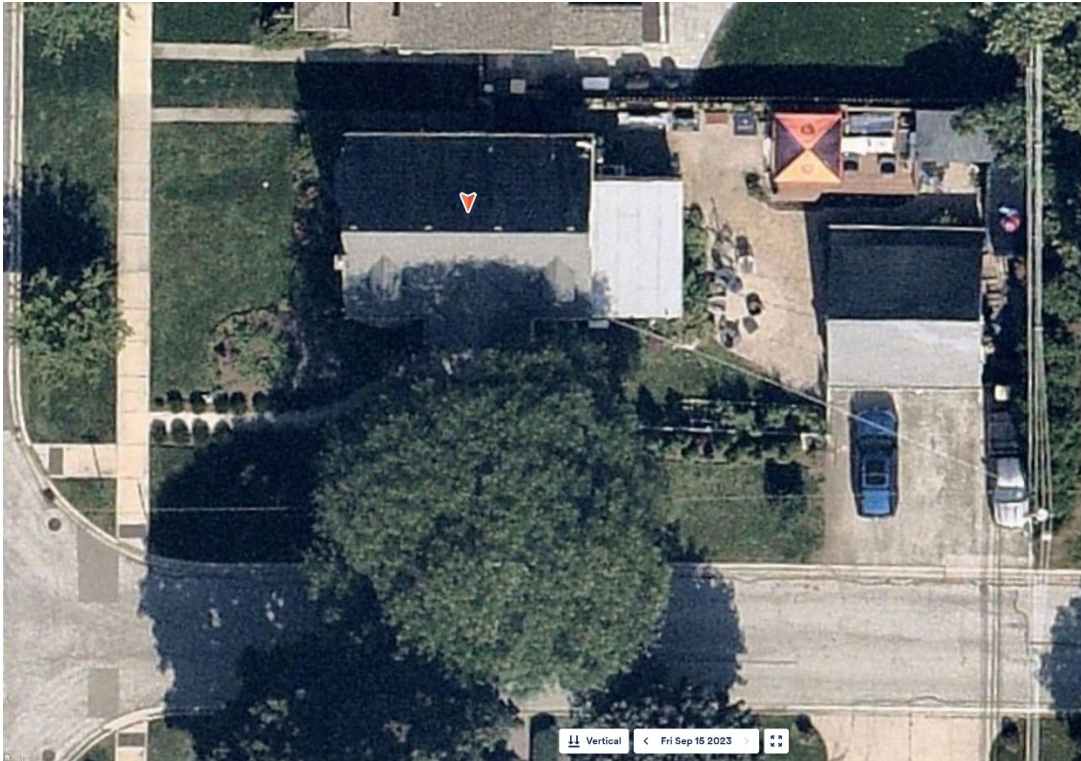
- A 2.1-foot variation from Chapter 28, Section 6.5-2 (Accessory Structures) to allow a deck and gazebo with a setback of 0.9 feet instead of the required 3.0 feet.
- A 208 square foot variation from Chapter 28, Section 5.1-3.5b (Maximum Impervious Surface Coverage) to allow 3,782 square feet of impervious surface coverage where 3,573 (55%) square feet 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 proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property; and (2) the plight of the owner is due to unique circumstances, which may include the length of time the subject property has been vacant as zoned; and (3) the proposed variation is in harmony with the spirit and intent of this Chapter; and (4) the variance requested is the minimum variance necessary to allow reasonable use of the property. A variation shall be permitted only if the evidence, in the judgment of the Board of Appeals, sustains each of the four 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	✓	11/20/23	
2. List of Property Owners Within 250 feet of Subject Property	✓	11/20/23	
3. Letter that was Mailed	✓	11/20/23	
4. Photographs of Sign on Property	✓	11/20/23	

Photographs of Existing Structure







Village of Arlington Heights Building & Life Safety Department

Interoffice Memorandum

To: Derek Mach, Zoning Board of Appeals Liaison

From: Nusrat Jahan, Building & Life Safety Department

Project Name: Gospodinov Residence

Project Address: 645 S Highland Ave

ZBA #: 23-043

Date: November 27, 2023

Derek:

We have reviewed the request for the following variance:

- **A 2.1-foot variation from Chapter 28, Section 6.5-2 (Accessory Structures) to allow a deck and gazebo with a setback of 0.9 feet instead of the required 3.0 feet.**
- **A 208 square foot variation from Chapter 28, Section 5.1-3.5b (Maximum Impervious Surface Coverage) to allow 3,782 square feet of impervious surface coverage where 3,573 square feet is allowed.**

and do not have any objections to the request.

From: [Schwab, Briget](#)
To: [DiMatteo, Pat](#)
Cc: [Pagones, Mike](#)
Subject: RE: ZBA on 12/11/23 - For Department Review
Date: Thursday, November 30, 2023 11:26:10 AM
Attachments: [1604 N Hickory Driveway_ZBA_23-042.jpeg](#)

Good Morning –

Please see my ZBA review comments below:

716 W Braeside Dr

Engineering has NO OBJECTION to a 2.0-foot variation from Chapter 28, Section 6.6-5.1 (Table of Permitted Obstructions) and Section 5.1-3.3b to allow a deck with a side yard setback of 5.0 feet instead of the required 7.0 feet.

1604 N Hickory Ave

Engineering is NOT IN FAVOR OF the 5.0-foot variation from Chapter 28, Section 10.2-11.1 to allow a driveway that is 27 feet wide where the maximum width allowed is 22 feet in the current existing condition. The submitted drawings do not match the install. The driveway was poured wider than the existing apron and there is not a 45 degree angle tapering to the existing driveway apron width as shown on the drawings submitted with ZBA application. This driveway was installed without a permit, the inspector showed up on site and informed the homeowner and contractor that they could not proceed with placing the asphalt and they did so anyway. Engineering would not object to the widening, if the driveway was constructed in accordance with Village code to have a 45 degree taper to the existing driveway apron width as show on the drawings submitted with ZBA application. The other option to comply with Village code is to widen the driveway apron to match the private side driveway width. Please see attached picture with the current driveway conditions.

645 S Highland Ave

- Engineering has NO OBJECTION to a 2.1-foot variation from Chapter 28, Section 6.5-2 (Accessory Structures) to allow a deck and gazebo with a setback of 0.9 feet instead of the required 3.0 feet. The existing deck was in same location and new deck/gazebo and there are no drainage complaints in this area on record.
- The Engineering Division is NOT IN FAVOR of the proposed 208 square foot variation from Chapter 28, Section 5.1-3.5b (Maximum Impervious Surface Coverage) to allow 3,782 square feet of impervious surface coverage where 3,573 square feet is allowed. If the variance for impervious surface coverage is granted, it is recommended that the petitioner be required to use permeable pavers that allows for detention for a portion of the patio to offset the increase in impervious surface.

Briget F. Schwab, P.E.
Village of Arlington Heights Public Works Department
Engineering Division
33 South Arlington Heights Road
Arlington Heights, IL 60005

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Gospodinov Residence

Project Address: 645 S Highland Avenue

ZBA #: 23-043

ZBA Hearing Date: December 11, 2023

To: Mike Pagones, Village Engineer
Jorge Torres, Director of Building and Life Safety

C: Michael Lysicatos, Assistant Director of Planning and Community Development
Steve Hautzinger, Design Planner

From: Derek Mach, Landscape Planner

Transmitted On: November 15, 2023

- A 2.1-foot variation from Chapter 28, Section 6.5-2 (Accessory Structures) to allow a deck and gazebo with a setback of 0.9 feet instead of the required 3.0 feet.
- A 208 square foot variation from Chapter 28, Section 5.1-3.5b (Maximum Impervious Surface Coverage) to allow 3,782 square feet of impervious surface coverage where 3,573 square feet is allowed.

Attached are the Petitioner's:

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

Comments:

No Comments.

- Steve Hautzinger, Design Planner

PETITION

The following petition form shall be used when submitting a petition for a variation from Chapter 28 of the Arlington Heights Municipal Code. This must be submitted with a fully executed application to the Zoning Board of Appeals. Please refer to Section 12 of Chapter 28 if the Arlington Heights Municipal Code for information regarding the criteria by which the Zoning Board of Appeals will evaluate variation requests. (Attached to this application packet.)

PETITION

NOW COMES the Petitioner

Konstantin Gospodinov

being the owner of the property commonly known as:

645 S Highland Ave, Arlington Heights, IL 60006

and appeals to the Zoning Board of Appeals of the Village of Arlington Heights for a Variation from Section

6.5

Chapter 28, of the Arlington Heights Municipal Code, in order to:

Receive an approval for

deck/gazebo approaching the north side and A 208 square foot variation from Chapter 28, section 5.1-3.5B

I hereby state that the proposed use will not alter the essential character of the locality and will be compatible with

existing uses and zoning of nearby property if the variation(s) were granted (please explain): Proposed use will not alter the

essential character of the locality and will be compatible. The work will improve the overall character and use of the sideyard, which functions as a back yard for our family. It will connect the area between the home and the detached garage to make the space more usable

I hereby state that the plight of the owner is due to unique circumstances, which may include the length of time the

subject property has been vacant as zoned (please explain): The space between the house and the detached garage could be better utilized by the variance and plans for improvement.

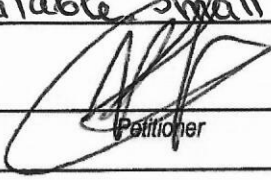
I hereby state that the proposed variation is in harmony with the spirit and intent of this Chapter (please explain):

the variation will fit in with the neighborhood to create a family outdoor living space to gather with friends and neighbors

I hereby state that the variance requested is the minimum variance necessary to allow reasonable use of the property

(please explain): The variance is only a slight variation and not excessive. The slight variation will allow for a much improved use of the space available. Small price for a large reward.

Signed: _____


Petitioner

Date: 11-11-2023

LEGEND

A = ASSUMED	NW = NORTHWEST
C = CALCULATED	P.O.B. = POINT OF BEGINNING
CH = CHORD	P.O.C. = POINT OF COMMENCEMENT
CL = CENTERLINE	R = RECORD
D = DEED	RAD = RADIUS
E = EAST	R.O.W. = RIGHT OF WAY
F.I.P. = FOUND IRON PIPE	S = SOUTH
F.I.R. = FOUND IRON ROD	S.I.P. = SET IRON PIPE
FT. = FEET/FOOT	S.I.R. = SET IRON ROD
L = ARC LENGTH	SE = SOUTHEAST
M = MEASURED	SW = SOUTHWEST
N = NORTH	W = WEST
NE = NORTHEAST	

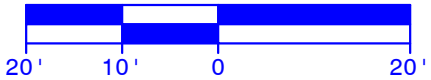
	= CHAIN LINK FENCE
	= WOOD FENCE
	= METAL FENCE
	= VINYL FENCE
	= EASEMENT LINE
	= SETBACK LINE
	= INTERIOR LOT LINE

PLAT OF SURVEY
OF

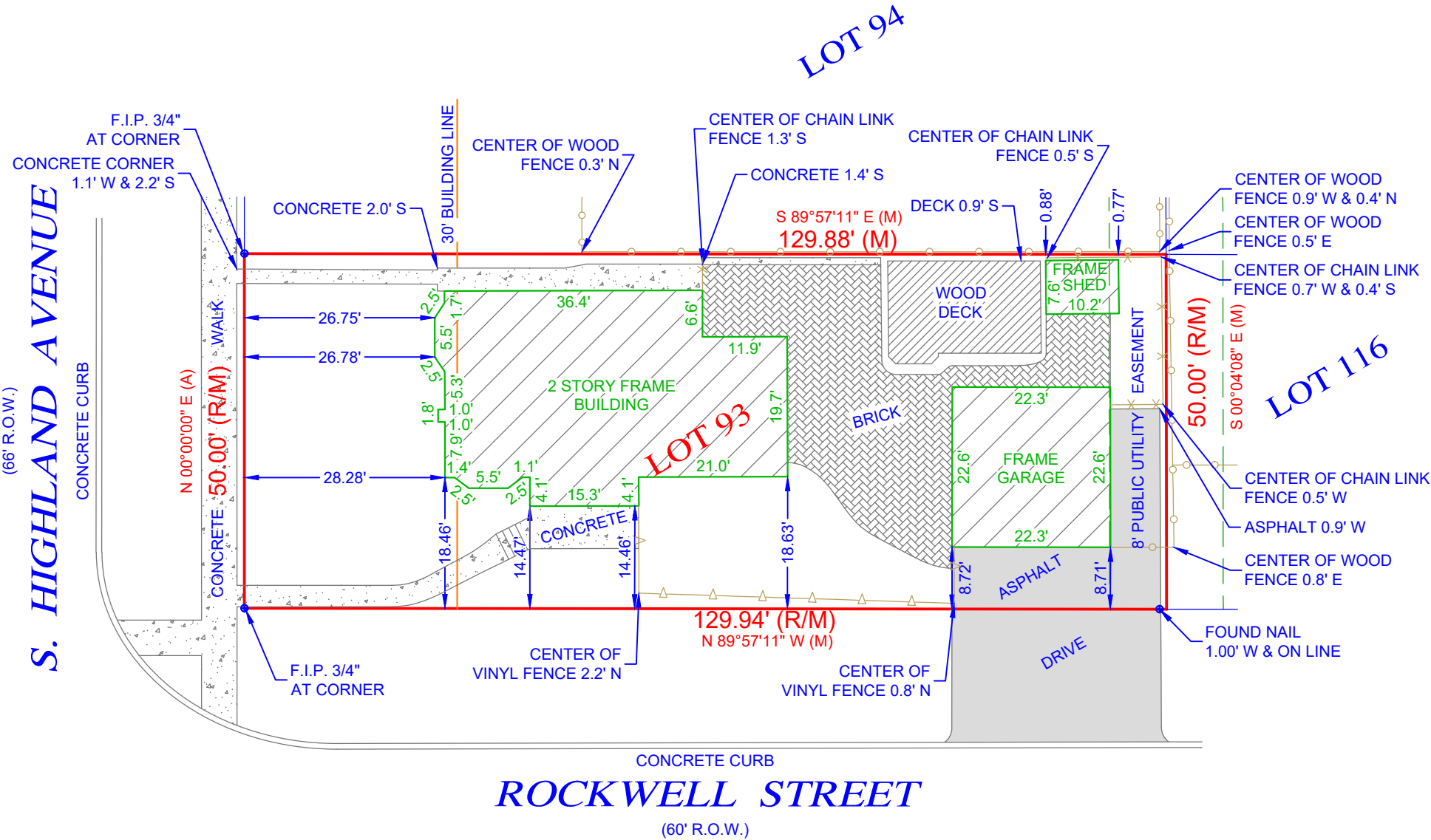
LOT 93 IN H. ROY BERRY CO'S LAUDYMONT TERRACE, BEING A SUBDIVISION OF PART OF THE SOUTHEAST 1/4 OF SECTION 31, AND OF PART OF THE SOUTHWEST 1/4 OF SECTION 32, ALL IN TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

AREA OF SURVEY:

"CONTAINING 6495.5 SQ. FT. OR 0.15 ACRES MORE OR LESS"



BASIS OF BEARING:
EAST LINE OF S. HIGHLAND AVENUE AS FOUND
MONUMENTED AND OCCUPIED PER RECORD
SUBDIVISION.
N 00°00'00" E (A)



Morris Engineering, Inc.
515 Warrenville Road, Lisle, IL 60532
Phone: (630) 271-0770
FAX: (630) 271-0774
WEBSITE: WWW.ECIVIL.COM

STATE OF ILLINOIS }SS
COUNTY OF DUPAGE }

I, THE UNDERSIGNED, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT "THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY," AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY.

DATED, THIS 10TH DAY OF NOVEMBER, A.D., 2023,
AT LISLE, ILLINOIS.

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-2317
LICENSE EXPIRATION DATE NOVEMBER 30, 2024
ILLINOIS BUSINESS REGISTRATION NO. 184-001245



NOTE:

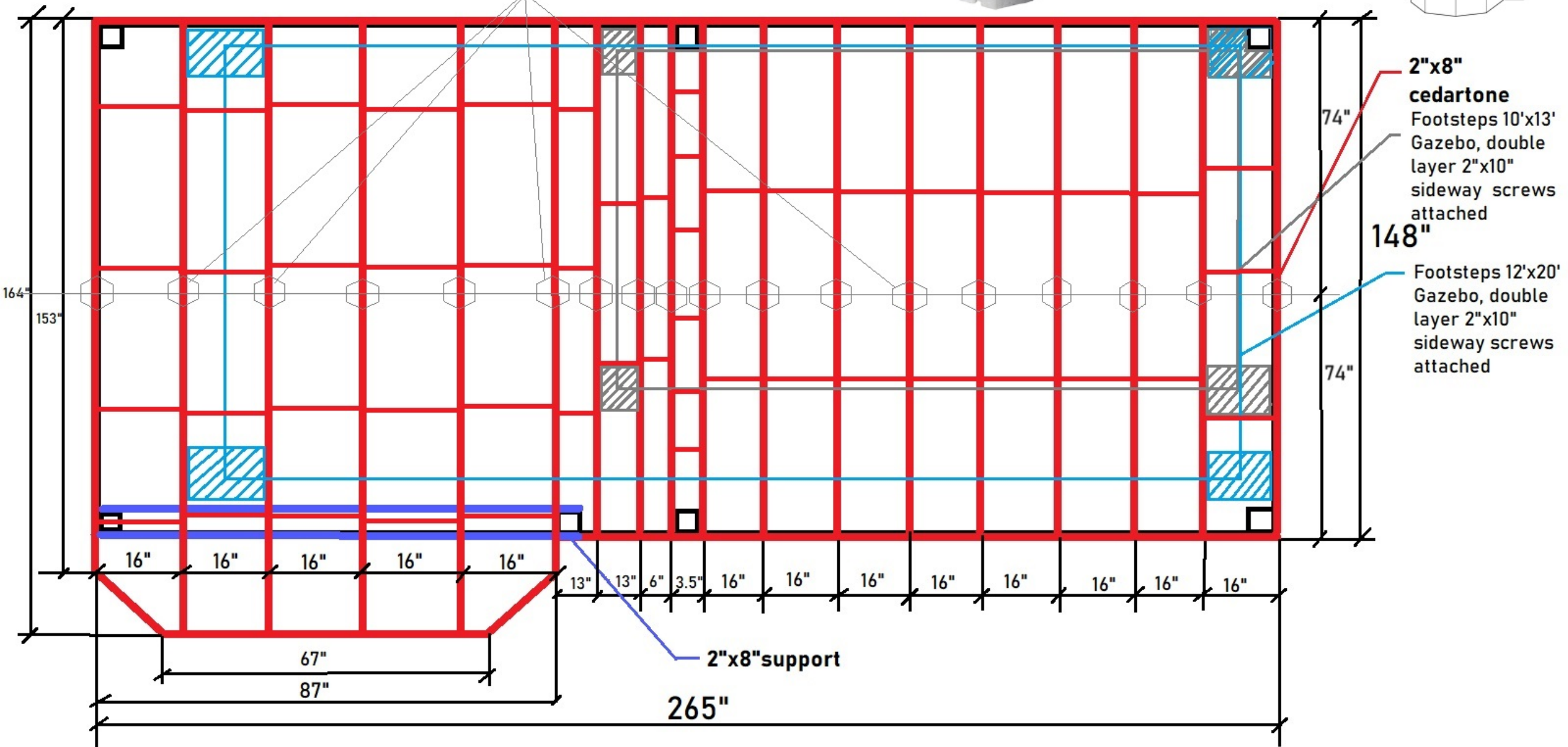
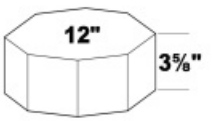
- ALL TIES SHOWN ON THIS SURVEY ARE MEASURED TO THE BUILDING'S SIDING (BRICK, FRAME, STUCCO, METAL, ETC.) AND NOT TO THE FOUNDATION, UNLESS NOTED OTHERWISE.
- ROOF LINES AND OVERHANGS ARE TYPICALLY NOT SHOWN HEREON.
- COMPARE ALL DISTANCES AND POINTS IN FIELD AND REPORT ANY DISCREPANCIES TO SURVEYOR AT ONCE.
- NO DIMENSIONS SHALL BE ASSUMED BY SCALING.

ADDRESS COMMONLY KNOWN AS 645 S. HIGHLAND AVENUE
ARLINGTON HEIGHTS, ILLINOIS

CLIENT KONSTANTIN GOSPODINOV

FIELDWORK DATE (CREW) 11/09/2023 (MD/PC)
DRAWN BY: R.S. REVISED: JOB NO. 23-11-0099

Adding of 3-3/8x12_Octagon_Concrete-Footing_Pads



Detailed Plan of Variation

1. Rebuild a deck:

- removing of the existing rotten structure;
- excavating of 42" deep 10" diameter post foundation holes using an earth auger;
- mounting of the AC2® 4 x 4 Posts #1 Critical Structural CedarTone Premium Pressure Treated Timber and pouring of concrete post mix;
- attaching of sub frame from AC2® 2 x 8 #1 Ground Contact CedarTone Premium Pressure Treated Lumber
- Finishing with AC2® 5/4 x 6 Ground Contact CedarTone Premium Pressure Treated Thick Decking

2. Mounting of Gazebo

- Assembling of the Gazebo and mounting it on predicted in the deck footings

Gazebo Information

12' X 20' Hardtop Gazebo for Outdoor with Netting and Curtains

Brand	PURPLE LEAF
Material	Aluminum frame, Galvanized steel top, Yarn dyed polyester curtains, Textilene nettings
Style	Modern
Item Dimensions LxWxH	240 x 144 x 120 inches
Item Weight	449 Pounds
Frame Material	Metal, Aluminum, Alloy Steel
Water Resistance Level	Water Resistant
Shape	Rectangular
Product Dimensions	240"L x 144"W x 120"H

- Galvanized steel double roof are protected by high performance coating and can withstand 2500 lbs of snow. Double-layer with built-in netting allow for additional air circulation while giving you safe surroundings.
- Aluminium frame are powder coated to give it a decorative textured finish and fully integrated with the coating, so that it cannot chip or peel, making it amazingly durable. The frame brace the entire structure securely and withstand a wind rating up to 40 MPH.
- Water gutter design collect the surface water of roof and direct it to four conners, and then flows alone the pillars,thereby preventing water damage to your home.
- Double track system and 2 in 1 binding belt allow you to hang or tie up the netting ,curtains. Upgraded yarn-dyed curtains can block rain and sun.
- Our stable column bases feature brackets with pre-drilled holes and the solid hooks allow you to hang a ceiling fan or chandelier inside the patio gazebo.
- The hardtop roof is guaranteed for 5 years, aluminum frames are guaranteed for 1 year, curtains & netting are guaranteed for 2 years.
- Assembly instructions have been standardized and simplified. Excluding furniture and installation services.

