



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

Arlington Heights Village Hall
33 S. Arlington Heights Road
Arlington Heights, IL 60005
November 9, 2015
7:00 PM

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF MINUTES

- A. 902 N. Douglas Ave. - 10/12/15
- B. 826 E. Charles St. - 10/12/15
- C. 910 S. Walnut Ave. - 10/12/15
- D. 2528 N. Walnut Ave. - 10/12/15
- E. 2507 S. Cedar Glen Dr. - 10/12/15

IV. REPORTS

V. OLD BUSINESS

VI. NEW BUSINESS

- A. Dolezal Residence - 716 N. Patton Ave.

VII. OTHER BUSINESS

VIII. ADJOURNMENT

Persons with disabilities requiring auxiliary aids or services, such as an American Sign Language interpreter or written materials in accessible formats, should contact David Robb, Disability Services Coordinator, at 33 S. Arlington Heights Road, Arlington Heights, Illinois 60005, (847)368-5793 (Voice), (847)368-5980 (Fax) or drobb@vah.com.



Item: Comenduley Residence - 902 N. Douglas Ave.

Department: Planning & Community Development

Approval of minutes and findings from 10/12/15 hearing.

ATTACHMENTS:

Description	Type
Minutes 10/12/15 - Comenduley	Minutes
Findings 10/12/15 - Comenduley	Minutes

DRAFT

ZONING BOARD

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

OF APPEALS

RE: COMENDULEY RESIDENCE - 902 NORTH DOUGLAS AVENUE - ZBA#15-021

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 12th day of October, 2015, at the hour of 7:10 p.m.

MEMBERS PRESENT:

JOSEPH GEISEL, Acting Chairman
TOM DRAKE
TOM SCHWINGBECK
JOSEPH SELBKA

ALSO PRESENT:

DEREK MACH, Landscape Planner

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ACTING CHAIRMAN GEISEL: All right. So, apparently we're missing two of our members we were expecting to be here. I don't know what's happening so we'll get things going. Thank you for bearing with us. So, first of all, we've got the roll call, right?

MR. MACH: Yes. Chairman Petrillo.

(No response.)

MR. MACH: Mr. Divito.

(No response.)

MR. MACH: Mr. Drake.

MR. DRAKE: Here.

MR. MACH: Mr. Geisel.

ACTING CHAIRMAN GEISEL: Here.

MR. MACH: Mr. Schwingbeck.

MR. SCHWINGBECK: Here.

MR. MACH: Mr. Selbka.

MR. SELBKA: Here.

MR. MACH: Mr. Siavelis.

(No response.)

ACTING CHAIRMAN GEISEL: Okay. Everybody please stand for the pledge of allegiance.

(Pledge of allegiance.)

ACTING CHAIRMAN GEISEL: Did everybody have a chance to look at the prior minutes? Any changes? Do we have a motion to approve those?

MR. SELBKA: Motion to approve.

MR. DRAKE: Second.

ACTING CHAIRMAN GEISEL: Everybody say aye?

(Chorus of ayes.)

ACTING CHAIRMAN GEISEL: This is typically a seven-member Board, but because we're missing a few folks we've got four here tonight, which means you have to get all of our votes for approval this evening. Should you choose, you could reschedule on a night where hopefully all members would be present. If you feel in some way, shape or form that you'd like to do that, there's no problem in doing so. But to pass tonight, you're going to need all four of our votes.

Okay. I think the first one up is the Comenduley Residence. Why don't you come on up please? If you could, please sign in up here?

For anybody in the audience that's going to come up and speak, please be sure you sign in.

While they're signing in, just a reminder. For any of the cases you're making tonight, you need to present a hardship and show that your property can't yield a reasonable yield of return if the approval is not allowed by the regulations. You have to describe your unique situation and that your proposal will not alter the character of

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the neighborhood.

Let me all swear you here. Please state your names.

MR. FAWCETT: Preston Fawcett, architect for the Comenduleys, BluelinesArchitect.com.

MR. COMENDULEY: I'm Matt Comenduley, one of the owners with my wife.

ACTING CHAIRMAN GEISEL: And your address is currently?

MR. COMENDULEY: 902 North Douglas Avenue.

ACTING CHAIRMAN GEISEL: Please raise your right hand.

(Witnesses sworn.)

ACTING CHAIRMAN GEISEL: Okay. Please begin.

MR. FAWCETT: Well, we are asking for a variation to some of the, usually, I'm not accustomed to, maybe I could go have one of your pamphlets?

ACTING CHAIRMAN GEISEL: Sure.

MR. FAWCETT: Basically, we're asking for a variation for a side setback from the five-foot to the 4.43. It's an undersized lot. Also, the dimensions are less than the standard today. Also, we are asking for an AC condenser within that side setback.

MR. SELBKA: Here, do you need this right here?

MR. FAWCETT: I think that's it.

MR. SELBKA: Okay. I think there's a third variation.

MR. FAWCETT: I'm sorry?

MR. SELBKA: A third variation request about the minimum size lot.

MR. FAWCETT: There's a setback that we're asking for. We're like 0.6 feet into the side yard.

MR. SELBKA: Right.

MR. FAWCETT: And the minimum lot size.

MR. SELBKA: Yes.

MR. COMENDULEY: Right.

MR. FAWCETT: Then the five-foot variance for the air conditioner.

MR. SELBKA: Correct.

ACTING CHAIRMAN GEISEL: All right, that's what you're asking for. You need to make your case for it please.

MR. FAWCETT: Okay. So, the main reason is we're doing a new home on an existing property that was brought in existence before the current zoning laws were placed. The new zoning laws require a larger lot for a new property. So, we're now trying to put a new house on an old lot, and so we're facing these restrictions.

The AC condenser, because of all these restrictions everything is so small. We're trying to get a nice yard, which they don't have now because there is a garage that kind of wasn't designed very well with the old house and placing it on the property. The AC

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condenser we would like just mostly so we can have it not right in the backdoor there to give our yard a little more room. It is pretty, it's not right up against the neighbor. It's a good 20-30 feet away.

ACTING CHAIRMAN GEISEL: So, you still have not yet gone in front of Design Committee?

MR. FAWCETT: Tomorrow.

ACTING CHAIRMAN GEISEL: Tomorrow, okay. Because there was a comment here that quite frankly I couldn't a hundred percent make out, that the garage be located in the rear. I'm not sure if that was a recommendation that the garage be on the --

MR. FAWCETT: That's kind of the norm, kind of. But there are some other cases in the area where they've done that. Mostly, there's a 15-foot diameter tree right there, if we flipped it, so we're trying to not cut down any trees, we've got it working perfectly. There's just one brand new tree that was planted in the parkway that would be easily moved.

So, we're kind of designing around that. We're mostly trying to get a yard because they don't have a yard now. That's kind of the biggest thing we're trying to get for them. Most properties have this detached garage that's right in the backyard and it's either that or you have a front that they'd want to --

ACTING CHAIRMAN GEISEL: Yes, to be honest I wasn't a hundred percent sure if they simply meant that the garage --

MR. FAWCETT: That's what he was explaining. I've talked to him.

ACTING CHAIRMAN GEISEL: -- be pushed farther west because of the proximity to the corner, I wasn't sure. So, that was the one note that I saw.

MR. FAWCETT: We're kind of tight on all the setbacks.

MR. SCHWINGBECK: I got the impression he wanted the garage instead of having the garage like you've got it now on the corner.

MR. FAWCETT: Right. Right.

MR. SCHWINGBECK: Of where it's at.

MR. FAWCETT: It's closer to the street.

MR. SCHWINGBECK: Right now though, you're proposing to put the garage on Douglas and Frederick. That's where the garage is proposed to be.

MR. FAWCETT: Correct.

MR. SCHWINGBECK: I got the impression that they wanted the garage on the west side of the house.

MRS. COMENDULEY: No, our garage currently, the one-car garage is currently on the west.

MR. SCHWINGBECK: No, but I got the impression that this note here --

MR. FAWCETT: He's talking about flipping the floor plan.

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MR. SCHWINGBECK: Right. The building, the Engineering Department here says that they are recommending that the garage be located on the left side of the house when you look at that.

MR. FAWCETT: Right, which would put the garage against the yard and the living space is the other way, so we really don't get access to the yard. We're trying to, you know, join the yard and the house.

MR. DRAKE: Relative to the way the house is laid out now, where would this air conditioning unit be?

MR. FAWCETT: The air conditioner is farther towards the back.

MR. DRAKE: Toward the back, and you've got the garage there on the left.

MR. FAWCETT: Than it is currently, yes.

MR. SCHWINGBECK: That's where the --

MR. FAWCETT: It's actually closer to the neighbor now. So, it would be moving farther away.

ACTING CHAIRMAN GEISEL: I think the rest, so you're trying to protect the tree for one thing, all right, then --

MRS. COMENDULEY: There's also a utility pole there as well.

ACTING CHAIRMAN GEISEL: Okay. All right. So, that all I think, at least as far as, you've answered the questions I had relative to that note. I know that there was issues.

MR. SELBKA: Is there a reason you, why exactly do you want the setback eliminated for the AC unit? Why do you want it placed in front of the house?

MR. FAWCETT: If we bring it in within it, it kind of covers, we have a 12-foot patio door that we're trying to get there and it comes into that patio door. Maybe we could split it.

MR. SELBKA: Two-and-a-half?

MR. FAWCETT: We're just trying to push it that way.

ACTING CHAIRMAN GEISEL: Yes, to be honest that was the only real heartburn I had here.

MR. FAWCETT: Yes.

ACTING CHAIRMAN GEISEL: Was the AC unit being up on the fence like that because it seems to me you're potentially inconveniencing your neighbors to not inconvenience yourselves. To me that's just not --

MR. FAWCETT: That's understandable.

ACTING CHAIRMAN GEISEL: -- appropriate to me.

MR. DRAKE: Have you had any discussion with your neighbors about the plans and the project? Or I don't know if any of them are here.

MR. FAWCETT: They've lived there --

MRS. COMENDULEY: I don't believe so.

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MR. FAWCETT: How long have lived there?

MRS. COMENDULEY: 13 years. We've had discussions with our neighbors across from us. But Hall who is up to the north of us, I don't really see him that much. You know, I've knocked on his door a couple of times but I haven't been able to directly contact him.

ACTING CHAIRMAN GEISEL: Okay.

MR. FAWCETT: Long-term residents and they want to stay.

ACTING CHAIRMAN GEISEL: Always appreciated. All right, I think if there's nobody else that's going to speak, then you've answered our questions. If you'll give the Board an opportunity to --

MR. FAWCETT: Sure, thank you.

ACTING CHAIRMAN GEISEL: Thank you. Pardon? Oh, I didn't mean to, yes, please stay up until we're --

MR. FAWCETT: Okay. I wasn't sure of the procedure.

ACTING CHAIRMAN GEISEL: Is there something?

MR. MACH: If there's anyone in the audience.

ACTING CHAIRMAN GEISEL: That's what I thought I asked, if there's anybody who was here who wanted to speak.

MR. MACH: Okay.

ACTING CHAIRMAN GEISEL: So, all right. In terms of any Board comments?

MR. SELBKA: You know, I visited this property and the house that is there has seen better days. This really is a nice design. I'm inclined to vote for the first two variances, but yes, the air conditioning, I could see voting for a two-foot or a three-foot variance. But a full five-foot variance and putting it right up against the property line, I'm not willing to do that.

MR. FAWCETT: That would be fair.

MR. SELBKA: So, those are my comments.

ACTING CHAIRMAN GEISEL: So, as reflected on here, this elevation shows a window, if I'm interpreting this correctly.

MR. FAWCETT: Yes, it's like a couple of opening patio doors.

ACTING CHAIRMAN GEISEL: Because I don't see door, this doesn't have, that's what I'm saying, this doesn't look like a door.

MR. FAWCETT: It's like a big patio door.

ACTING CHAIRMAN GEISEL: All right. So --

MR. FAWCETT: I guess it could look like windows because there's some space here.

ACTING CHAIRMAN GEISEL: What if, would you be aware of any requirements relative to the HVAC unit and if that was a door, how far it had to be?

MR. FAWCETT: There's no, there's just air.

MR. MACH: For air conditioning --

ACTING CHAIRMAN GEISEL: I'm not asking you, I'm asking Derek.

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MR. FAWCETT: Okay, sorry.

MR. MACH: It's my understanding for air conditioning there is no separation requirement like a generator.

ACTING CHAIRMAN GEISEL: Okay, that's what I wanted to know.

I would, like Joe, have the same problem which is to keep the HVAC unit not have a variance at all. I think that would be my preference, period. But I don't know what anybody else has to say.

MR. SCHWINGBECK: How long have you lived in the home?

MR. COMENDULEY: 13 years.

MR. SCHWINGBECK: What is the square footage of the house different from where it is today to what you're proposing to build?

MRS. COMENDULEY: Today it's 1,344. We're proposing overall 2,690, or 2,590, I'm sorry.

MR. FAWCETT: So, almost double. A little more than double.

MR. SCHWINGBECK: I mean I, too, went to the property and looked at it. When you look at the house today, it takes up that entire lot. I mean there's very little yard, very little front and side yard. I looked at the proposed house being even that much larger.

I mean I look at these and it's like we're trying to, because the one variance is for the square footage. It's like we're trying to put too much home on a small piece of property.

MR. FAWCETT: Actually that's kind of a small --

ACTING CHAIRMAN GEISEL: But this doesn't have an FAR variance request.

MR. SCHWINGBECK: Right. But I think that's where the air conditioner comes in. There is no place to put it.

ACTING CHAIRMAN GEISEL: Right.

MR. FAWCETT: Okay, I see where you're going. But the first floor plan is almost the same size as what's there. It's just because it's two stories.

MR. SCHWINGBECK: Right. So, I was just struggling when I was looking at this layout, because I know this is going to become a comment I think tomorrow night, is if the square footage is not changing, what would the problem be to put the garage on the side where the backyard is instead of on the corner?

MRS. COMENDULEY: We would have to take down a tree.

MR. SCHWINGBECK: You're not changing the footprint of the house though, are you?

MR. FAWCETT: Yes, it's a total tear-down.

MR. SCHWINGBECK: No, no, no. But to put the garage on one side versus the other, you're not shifting the house.

MRS. COMENDULEY: It's a two-car garage.

MR. FAWCETT: Right now it's detached. Isn't it?

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MR. COMENDULEY: No, it's not detached.

MRS. COMENDULEY: It is attached but it currently is a one-car garage. There's a pine tree where we would put a second, a two-car garage.

MR. COMENDULEY: So, it's not the backyard tree, we'd lose one in the front.

MR. FAWCETT: It's a 15-foot diameter tree. It's big. I believe that's what it is.

ACTING CHAIRMAN GEISEL: I was going to leave that to Design since that really was not in front of us.

MR. FAWCETT: Yes.

MR. DRAKE: My comment would be that I think the neighborhood would benefit from a newer home for you to live in and good for the neighborhood to see an increase in the property values. I would agree on the variance on the air conditioner condenser. I think that a smaller variance would be in order and that's where I would stand at least as of right now. The design issues are for the Design Committee to deal with, Design Commission.

MR. FAWCETT: Correct.

ACTING CHAIRMAN GEISEL: All right. Since this isn't dimensioned, at least as far as I can tell, I don't know how much room you have between the doorway and the side of that. I think you said that the windows are about 12? So, it should be five?

MR. FAWCETT: Yes. So, there's a total of six feet there.

ACTING CHAIRMAN GEISEL: Sorry, six feet?

MR. FAWCETT: Six-foot, yes.

ACTING CHAIRMAN GEISEL: I think a typical unit is 30 by 30 or 36 by 36.

MR. FAWCETT: Roughly.

ACTING CHAIRMAN GEISEL: Would you foresee being able to actually get it in fairly close to that corner and not requiring a variance if you're getting the other two?

MRS. COMENDULEY: I'm fine with it.

ACTING CHAIRMAN GEISEL: Okay. That would be my recommendation as well because that's just too tight on there on the front.

MR. FAWCETT: Well, the actual setback is five, so we're asking for 4.35 for the house.

MR. SELBKA: You're asking for a full five though.

MR. FAWCETT: Well, it has to do with the minimum property size being 50, and so they won't reduce the setback.

ACTING CHAIRMAN GEISEL: All right. Then I would recommend that it be equal to that northern --

MR. FAWCETT: The 4.35.

MRS. COMENDULEY: Agreed.

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MR. FAWCETT: So, that would work? Okay.

ACTING CHAIRMAN GEISEL: Yes, that would work. Does someone want to make a motion?

MR. MACH: Would the Zoning Board like to vote on each motion separately?

ACTING CHAIRMAN GEISEL: Sure.

MR. MACH: Each variance.

MR. DRAKE: Then we would amend the third one if we want to change the dimensions.

ACTING CHAIRMAN GEISEL: Okay. Go ahead.

MR. SELBKA: Motion to approve requests one and two.

MR. SCHWINGBECK: Second.

ACTING CHAIRMAN GEISEL: Okay.

MR. MACH: Mr. Drake.

MR. DRAKE: Yes.

MR. MACH: Mr. Schwingbeck.

MR. SCHWINGBECK: Yes.

MR. MACH: Mr. Selbka.

MR. SELBKA: Yes.

MR. MACH: Acting Chairman Geisel.

ACTING CHAIRMAN GEISEL: Yes. I think what we suggested was a motion to have the HVAC unit located no farther north than the --

MR. FAWCETT: 4.35 feet.

ACTING CHAIRMAN GEISEL: -- corner of the, so equal to the 4.3.

MR. SELBKA: Motion to approve point three as modified.

MR. DRAKE: Second.

MR. MACH: Mr. Drake.

MR. DRAKE: Yes.

MR. MACH: Mr. Schwingbeck.

MR. SCHWINGBECK: Yes.

MR. MACH: Mr. Selbka.

MR. SELBKA: Yes.

MR. MACH: Acting Chairman Geisel.

ACTING CHAIRMAN GEISEL: Yes. The motion has been approved. Thank you.

MRS. COMENDULEY: Thank you.

MR. COMENDULEY: Thanks.

ACTING CHAIRMAN GEISEL: Good luck.

MR. FAWCETT: Cubs are winning so far.

MR. COMENDULEY: Have a good evening.

ACTING CHAIRMAN GEISEL: Thank you.

(Whereupon, the above petition was adjourned at 7:32 p.m.)

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS October 12, 2015

PETITIONER: Comenduley Residence
ADDRESS OF PROPERTY: 902 N. Douglas Ave.
VARIATION: 5.1-3.4, 5.1-3.6, 5.4, 6.6-5

A variance to allow a 43.5-ft. wide, 5,776 sq. ft. lot to be buildable, where 90 feet wide, 9,900 sq. ft. is required; A 0.6 foot variance to allow a new home with a side yard setback of 4.4 feet from the north property line instead of the minimum 5.0 feet and an additional 1.0 feet for the eave; and a 0.7 foot variance to allow an air conditioning unit with a side yard setback of 4.3 feet from the north property line instead of the minimum required 5.0 feet.

The petitioner testified as to hardship, uniqueness of circumstances, and the character of the locality. The petitioner testified that there is an existing home on the lot at 902 N. Douglas and they would like to tear the home down and construct a new two story home. The petitioner explained that the proposed new home requires zoning variations to allow a side yard setback of 4.4 feet side setback, where 5.0 feet is required. The petitioner testified that the side yard setback is 10% of the lot width however the lot width does not meet the minimum 50 feet in width and the lot does not meet the minimum requirements for lot area for the R-3 zoning district.

The petitioner also explained that they are proposing to locate the air conditioning compressor within the required side yard. The petitioner explained that there is limited space behind the home to locate the air conditioning compressor. The Zoning Board expressed concern with the request to locate an air conditioning compressor along the property line.

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

Thereafter, a motion was made by Mr. Selbka and seconded by Mr. Schwingbeck. Thereafter, the Board voted 4-0 to approve the variance request for a variance to allow a 43.5-ft. wide, 5,776 sq. ft. lot to be buildable, where 90 feet wide, 9,900 sq. ft. is required; A 0.6 foot variance to allow a new home with a side yard setback of 4.4 feet from the north property line instead of the minimum 5.0 feet and an additional 1.0 feet for the eave.

Now, therefore, after hearing all the evidence and after due deliberation, the Zoning Board of Appeals, voted 4-0 to grant the variances.

Thereafter, a motion was made by Mr. Selbka and seconded by Mr. Drake. Thereafter, the Board voted 4-0 to approve the variance request for a 0.7 foot variance to allow an air conditioning unit with a side yard setback of 4.3 feet from the north property line instead of the minimum required 5.0 feet.

Now, therefore, after hearing all the evidence and after due deliberation, the Zoning Board of Appeals, voted 4-0 to grant the variance with a condition that the air conditioning compressor must be a minimum of 4.3 feet from the side property line.

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.

Joseph Geisel, Acting Chairman
Zoning Board of Appeals
Village of Arlington Heights



Item: Bigelow Residence - 826 E. Charles St.

Department: Planning & Community Development

Approval of minutes and findings from 10/12/15 hearing.

ATTACHMENTS:

Description	Type
Minutes 10/12/15 - Bigelow	Minutes
Findings 10/12/15 - Bigelow	Minutes

DRAFT

ZONING BOARD

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

OF APPEALS

RE: BIGELOW RESIDENCE - 826 EAST CHARLES STREET - ZBA#15-022

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 12th day of October, 2015, at the hour of 7:32 p.m.

MEMBERS PRESENT:

JOSEPH GEISEL, Acting Chairman
TOM DRAKE
TOM SCHWINGBECK
JOSEPH SELBKA

ALSO PRESENT:

DEREK MACH, Landscape Planner

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ACTING CHAIRMAN GEISEL: So, the next up is the Bigelow Residence please. Good evening.

MR. BIGELOW: Good evening, gentlemen.

ACTING CHAIRMAN GEISEL: Please sign in.

MRS. BIGELOW: In our discussions earlier today, they had asked for our plat, to have the drawing of our proposal in. Can I hand these out to you?

ACTING CHAIRMAN GEISEL: Sure. Thank you.

MR. BIGELOW: For company on here, am I listing the garage company that I'm requesting or is it, what would be that point?

MRS. BIGELOW: Personal?

ACTING CHAIRMAN GEISEL: If they're not presenting, I don't think you need that.

MR. BIGELOW: Okay. Thank you, Chairman.

ACTING CHAIRMAN GEISEL: Please state your names and your address.

MR. BIGELOW: Michael Bigelow, 826 East Charles.

MRS. BIGELOW: And Joanne Kloeppel-Bigelow at 826 East Charles.

(Witnesses sworn.)

ACTING CHAIRMAN GEISEL: Please begin.

MR. BIGELOW: Okay. I'm going to set this in front here. This is a bigger drawing we put together to give you an idea of what we're talking about.

What we're here for is we're asking for a variance on the setback of the garage. The code requires the garage to be built behind the structure line. We're requesting a garage to be built six feet behind the original structure line which would align it parallel with the addition on the back of the house, not behind it. The location would leave approximately 23 feet between the home, the garage, and the existing patio will remain.

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

1. The driveway would be extended a minimum of 37 feet or 40 percent from its current length of 85 feet long to 122 feet long to meet the requirement, creating an unsightly huge driveway and hard surface.
2. The newly required huge driveway would require assistive snow plowing. Both my wife and I have back issues and it would be a greater of injuring ourselves shoveling.
3. The side door of the house would not easily afford safe access to and from the garage because of the long and potential dangers of walking in the icy, wet winter.

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4. One of the main reasons is the mature and huge trees that are on the lot, oak and pine, would have to be removed to place the garage deeper on the garage.
5. The aesthetics of the lot would be jeopardized as the park-like setting would have a garage in the middle of it.
6. Also, the burden to install such a long, deep driveway would make the project not only visibly unappealing but also cost prohibitive.

I hereby state the following unique circumstances exist:

1. It's a unique mature lot, 150 wide by 250 feet deep, with a 1942 home on the north side of the property, leaving approximately 50 feet on the south side of the lot.
2. The original home was 33-foot deep, addition built directly behind it.
3. Locating the garage parallel with the addition on the wide side lot leaves green space and still leaves enough visual space between the home and the garage to keep the lot appealing and not crowded.
4. The original tree-line blacktop, 14-foot wide, goes from the street to the rear of the home widens out to 27 feet wide. It appeared when we bought the house that the garage had always been built there but it never was. We would also like to put the garage where the driveway currently ends as it looks like it should be there.
5. The generous yard is secluded by tall, mature trees surrounding the entire fenced property. The addition on the home features huge windows to showcase the great yard views.
6. The home was selected to accommodate us because of our age and our needs. This includes convenient, safe access to automobiles. The side door to home would offer a short walk to the garage if located in the requested position.
7. It's unsightly, unnecessary, and extremely expensive to add a driveway that would be required to accommodate the positioning under this code. A local architect, Giannato & Kingsley, was contacted and recommended a detached garage in this location instead of the attached garage based on the lot layout and the work required to redesign the home to accommodate the access to the garage and meet the additional building requirements for that attached structure. The cost would also be four times more than the cost of the proposed detached garage making it cost prohibitive. He also suggested it would not be a good investment based on the age of the home and on the lot.

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

1. Locating the garage at the rear of the original home preserves the character of the Cape Cod and also the park-like setting yard, including keeping the mature trees. The garage would only be seen if standing directly in front of the home. The home's addition would block the garage from the neighbor's sight line and the dense pine trees along the southern neighbor's property would block the garage from their sight. The tree-lined drive partially blocks the view of the garage from the street. The location preserves all the neighbors' views of the park-like setting. All surrounding neighbors' homes are also newer than ours. They all have three and, across from our neighborhood is a six-car garage right across of us, both attached and detached. The addition of this garage in the site would preserve the park-like settings, raise the property values of the area, and the home would be in line with our neighbors.
2. The requested location would not require a 40 percent larger driveway and preserve the beauty of a mature neighborhood.
3. The variation request, as stated before, is to locate a detached garage parallel to the addition on the home, starting approximately six feet behind the original line, the original structure pre-addition. This would preserve the aesthetics of the neighborhood, the home and yard, in addition to making the garage accessible.

MRS. BIGELOW: And if I could add, we went to each one of the neighbors that would be directly impacted on both sides, across the street, and the general vicinity. We asked them to sign a letter in support of our building the garage in this location. On it, we listed the exact variation that we asked for in the paperwork, and then we said, we gave a statement: Please sign below if you approve and support the request to build the new garage next to the home versus behind it as required by code.

And so, these signatures were all obtained this week, so they've had enough time. They got the letter and they've had enough time to, you know, investigate. We personally spoke with each one of them and they each said they were very much in support and they couldn't believe that a garage had never been built on the property before.

All of the neighbors, too, at least on each side of us and directly in front of us have lived in that neighborhood for over 20 years. They're familiar with the layout, the lot, and whatnot.

ACTING CHAIRMAN GEISEL: All right. Well, to your point, I mean basically it does look like that's where one would go if there was

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going to be one. The primary question I had was, because this is the first time that we had had something that's showing the dimension here. Derek, what's the required side setback?

MR. MACH: For attached?

ACTING CHAIRMAN GEISEL: No, for this, for the detached.

MR. MACH: Detached is three feet from the side.

ACTING CHAIRMAN GEISEL: It is three, okay, that's it but I wasn't sure. Okay, that was the one question I had. So, this was the piece that was missing out on the materials that were presented. Anybody else have any questions? Does anybody in the audience have any comments?

Thank you. I think if you'll give the Board a moment?

MR. BIGELOW: Okay. Thank you, gentlemen. Would you care to look at this anymore?

ACTING CHAIRMAN GEISEL: You can keep that. It would seem that it would make sense to add the garage where they propose rather than pushed back farther in the yard unnecessarily given the length of the driveway that he's already going to get or he already has.

MR. SELBKA: I agree. It certainly would be a waste to get rid of all those mature trees. I think that really adds to the neighborhood and I consider that to be part of a hardship as well, to have to cut all those down. So, I would come out in favor of this variance.

ACTING CHAIRMAN GEISEL: Okay. We've got no further comments?

MR. SELBKA: Motion to approve.

MR. SCHWINGBECK: Second.

MR. MACH: Mr. Drake.

MR. DRAKE: Yes.

MR. MACH: Mr. Schwingbeck.

MR. SCHWINGBECK: Yes.

MR. MACH: Mr. Selbka.

MR. SELBKA: Yes.

MR. MACH: Acting Chairman Geisel.

ACTING CHAIRMAN GEISEL: Yes.

MR. BIGELOW: Thank you, gentlemen.

MRS. BIGELOW: Thank you.

ACTING CHAIRMAN GEISEL: Good luck with your project.

(Whereupon, the above petition was adjourned
at 7:43 p.m.)

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS October 12, 2015

PETITIONER: Bigelow Residence
ADDRESS OF PROPERTY: 826 E. Charles St.
VARIATION: 6.5-2

A variance to allow an accessory structure (detached garage) in the side yard where accessory structures are only allowed in the rear yard.

The petitioner testified as to hardship, uniqueness of circumstances, and the character of the locality. The petitioner explained that they are proposing a detached garage in the side yard where detached garages are only permitted in the rear yard. The petitioner testified that the driveway would have to be extended and that a garage in the rear yard would impact the existing trees.

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

Thereafter, a motion was made by Mr. Selbka and seconded by Mr. Schwingbeck. Thereafter, the Board voted 4-0 to approve the variance request.

Now, therefore, after hearing all the evidence and after due deliberation, the Zoning Board of Appeals, voted 4-0 to grant the variance as requested.

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

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

Joseph Geisel, Acting Chairman
Zoning Board of Appeals
Village of Arlington Heights



Item: Switalski Residence - 910 S. Walnut Ave.

Department: Planning & Community Development

Approval of minutes and findings from 10/12/15 hearing.

ATTACHMENTS:

Description	Type
Minutes 10/12/15 - Switalski	Minutes
Findings 10/12/15 - Switalski	Minutes

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ZONING BOARD

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

OF APPEALS

RE: SWITALSKI RESIDENCE - 910 SOUTH WALNUT AVENUE - ZBA#15-023

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 12th day of October, 2015, at the hour of 7:43 p.m.

MEMBERS PRESENT:

JOSEPH GEISEL, Acting Chairman
TOM DRAKE
TOM SCHWINGBECK
JOSEPH SELBKA

ALSO PRESENT:

DEREK MACH, Landscape Planner

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ACTING CHAIRMAN GEISEL: Switalski? Good evening. Okay, please state your names and your addresses.

MR. SWITALSKI: Rafal Switalski, 2424 Seminary, Des Plaines, Illinois.

MR. KACPRZYNSKI: Andy Kacprzynski, 108 Eliasek Court, Streamwood.

ACTING CHAIRMAN GEISEL: Please both raise your right hands.
(Witnesses sworn.)

ACTING CHAIRMAN GEISEL: Please present your case here.

MR. KACPRZYNSKI: Okay. We are here to get a zoning variation to allow the second floor addition, and we have a problem with the front yard setback. The average on the whole street on the block is 35.3, and the existing house is located at 24.4. The problem with the whole block is that the two properties actually are located over --

MR. SWITALSKI: Far behind, like the two last houses, they have like 160 yard front setback. So, that's what's getting this average so high.

MR. KACPRZYNSKI: Yes.

ACTING CHAIRMAN GEISEL: Okay.

MR. SWITALSKI: We have a kind of sketch from the street view.

ACTING CHAIRMAN GEISEL: So, I think the -- sorry about that, guys. You have two variances that you're seeking and one is the existing size of the, or width of the lot?

MR. KACPRZYNSKI: Correct.

ACTING CHAIRMAN GEISEL: And the second being the front yard setback, which makes sense in light of the material that you're presenting.

While we're still looking, can I ask, have you gone to your neighbors to talk to them about this?

MR. SWITALSKI: Yes, nobody has any problem with this. I spoke with both neighbors on both sides and across the street. I sent out all the letters. I put the notice in front of the house. It's been up for like a month almost over there. Nobody has any issues with it.

ACTING CHAIRMAN GEISEL: It looks like you're still up to go in front of potentially, or perhaps even administrative hearing, is that, or administrative review instead of --

MR. MACH: Yes.

ACTING CHAIRMAN GEISEL: It's a sizeable addition but there wasn't anything else, in terms of the FAR or anything else. Certainly it makes sense to continue straight up along that front elevation of the home, and that clearly seems to be heavily skewed by those couple

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of homes on the far corner of the block.

MR. SELBKA: I agree. I think it's a reasonable request for a variance. They have unique circumstances because of those two sort of outlier homes. If there's no problems from the neighbors --

MR. SWITALSKI: All the houses on the street, they have like a second story addition already. This is the smallest house on the street basically, so it's going to bring up the look for the street anyway.

ACTING CHAIRMAN GEISEL: Is there anybody here from the audience that has anything to say about this matter?

I think this is fairly straightforward and would be a nice addition.

MR. SELBKA: Motion to approve.

MR. DRAKE: Second.

MR. MACH: Mr. Drake.

MR. DRAKE: Yes.

MR. MACH: Mr. Schwingbeck.

MR. SCHWINGBECK: Yes.

MR. MACH: Mr. Selbka.

MR. SELBKA: Yes.

MR. MACH: Acting Chairman Geisel.

ACTING CHAIRMAN GEISEL: Yes. Approved, good luck with your project.

MR. SWITALSKI: Thank you very much.

MR. KACPRZYNSKI: Thank you very much.

(Whereupon, the above petition was adjourned
at 7:52 p.m.)

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS October 12, 2015

PETITIONER: Switalski Residence
ADDRESS OF PROPERTY: 910 S. Walnut Ave.
VARIATION: 5.3-1.1, 5.1-4, 5.1-1.5, 5.1-1.6, 5.4

A variation to allow a 75.0 feet wide, 12,171 square feet lot to be buildable where 90 feet and 15,000 square feet is required; and a 10.9 foot variance to allow a second story addition with a front yard setback of 24.4 feet from the east property line instead of the minimum 35.3 feet.

The petitioner testified as to hardship, uniqueness of circumstances, and the character of the locality. The petitioner explained that they are proposing to add a second floor addition above the existing one story home. The petitioner also explained that they are proposing to expand the footprint and add a one story addition in the rear of the home. The proposed addition requires zoning variations to allow a second story addition with a front yard setback of 24.4 feet, where 35.3 feet is required. The petitioner also testified that the lot does not meet the minimum requirements for lot area and width for the R-1 zoning district.

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

Thereafter, a motion was made by Mr. Selbka and seconded by Mr. Drake. Thereafter, the Board voted 4-0 to approve the variance request.

Now, therefore, after hearing all the evidence and after due deliberation, the Zoning Board of Appeals, voted 4-0 to grant the variance as requested.

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

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

Joseph Geisel, Acting Chairman
Zoning Board of Appeals
Village of Arlington Heights



Item: Arland Residence - 2528 N. Walnut Ave.

Department: Planning & Community Development

Approval of minutes and findings from 10/12/15 hearing.

ATTACHMENTS:

Description	Type
Minutes 10/12/15 - Arland	Minutes
Findings 10/12/15 - Arland	Minutes

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ZONING BOARD

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

OF APPEALS

RE: ARLAND RESIDENCE - 2528 NORTH WALNUT AVENUE - ZBA#15-024

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 12th day of October, 2015, at the hour of 7:52 p.m.

MEMBERS PRESENT:

JOSEPH GEISEL, Acting Chairman
TOM DRAKE
TOM SCHWINGBECK
JOSEPH SELBKA

ALSO PRESENT:

DEREK MACH, Landscape Planner

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ACTING CHAIRMAN GEISEL: The Arland please?

MR. VANDERVEEN: Good evening, gentlemen.

ACTING CHAIRMAN GEISEL: Good evening. Are you all signed in?

MRS. ARLAND: Yes.

MR. ARLAND: Yes.

ACTING CHAIRMAN GEISEL: Please, everybody state your name and your address.

MR. VANDERVEEN: I'm Dave Vanderveen from Power Court, address is 734 Hickory Lane in West Chicago, Illinois.

MR. ARLAND: Tim Arland, 2528 North Walnut.

MRS. ARLAND: Kristen Arland, 2528 North Walnut.

ACTING CHAIRMAN GEISEL: Raise your hand please.

(Witnesses sworn.)

ACTING CHAIRMAN GEISEL: Please present.

MR. VANDERVEEN: I will start I suppose. I am the contractor that was involved in building the court in the backyard. By the way, in case you guys want to know, the Cubs are winning 7 to 4.

ACTING CHAIRMAN GEISEL: I'm taping, you're ruining it but that's okay.

MR. VANDERVEEN: Awww.

MR. DRAKE: Thanks, thanks. If you hadn't said that, the next guy would have given us the score.

MR. VANDERVEEN: It's not, you know, it's not over yet.

Anyway, sometime ago the Arland family gave me a call and expressed that they would like to help their family be more healthy and active and put a sports area in their yard, which is what I build. They have two kids, TJ and Gabby. We got together, we talked about what sports they play, what kind of, what they would like to do. We set up a perfect installation for their backyard.

So, the purpose of the court was basketball, but the court can also be used for volleyball and badminton. It can also be used for a lot of different types of practice, okay. Soccer, for instance. We have a ball rebounder unit which, you know, people have in their yards, even just in the grass, but it's designed to kick a soccer ball into. Same thing tennis, hitting a tennis ball into, it's good for tennis practice. Gabby can take a tennis racket out and hit the balls. Lacrosse, same thing, you can throw a lacrosse ball into it and it's designed to practice all these different, baseball is another one. You throw baseballs into it, it comes back on a grounder.

So, the court that we designed was designed to be used in many cases as a court but also as a practice area to develop sports skills for the kids, just keeping the kids, you know, competitive. So, the ball rebounder unit became a very important part of this court. We'll talk more about that in a little bit but, you know, this ball

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rebounder unit doubles the usefulness of that court and makes it allowed to be used for a lot of different things.

So, they contracted with us to build this court, and because of their concern for the neighborhood they added some netting that we install for people. It's a netting system that we install which is, we call it ball containment, and it's basically designed to stop the ball and keep the balls from going into the neighbor's yard, okay. Plus, we of course built in the rebounder system which is, basically it's a removable rebounder system. It can be taken out and put in the garage if they want to, but it's designed to, you know, for the kids to practice soccer, baseball, tennis, lacrosse, so on and so forth.

So, and we were also told at the same time that they were building a new shed, okay. But they had already applied for a permit and were doing, you know, I don't know even who built the shed, the actual structure of the shed, but they were handling the permit on that themselves. So, we submitted for a permit for the court and drew up a plan, submitted it to the city. You know, I've been building courts for a lot of years so I kind of know how to do that pretty well.

We went through the review process and I was unaware of the 40 percent lot coverage code and I called up and talked to, when we heard that there was an issue with that, we called up the lady who had reviewed it, her name is Charmaine from the Zoning Department. We kind of discussed it all and she explained how the code worked. We realized that if we moved the court closer to the house, farther away from the rear lot line, that it would meet the code, okay.

We discussed at the same time the fact that there was a shed permit and that, you know, they had already obtained, actually the permit by that point in time was approved and they had already obtained it. But I explained to Charmaine that, yes, there is a shed that's 80 square feet, it was eight by ten, that's going to also go in the required rear yard. So, we kind of did some calculations and I figured according to, you know, according to the way she presented the code to me, that if we moved the court 11 feet from the rear lot line, it should meet the code.

So, I drew up new plans, sent them in to the city. She said yes, we'll check it over and if it's all good we'll approve it and give you a permit. Which they did, they called us up, they said yes, your permit is approved. So, we just assumed that our calculations were all correct.

So, now we also, but they had contracted with us to build the netting system and the ball rebounder. We were not aware that the Village apparently calls these things a fence, okay. So, this is another, so we didn't put that on the plan because we didn't know it

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was called a fence. Okay, so we built the court for them, and then after the fact we were told that, number one, we were in violation of the lot coverage code and we were over the lot coverage by 29 square feet. So, we said, well, how could that be, you approved and gave us a permit?

So, I didn't really understand how, then they said, well, you should have put the shed on your permit, and I wasn't building the shed so I didn't put the shed on the permit. Anyway, so that was, obviously something got messed up there. So, we built it according to the plan that we had had approved by the city but then found out after we built it that even though they gave us a permit, that it was 29 square feet over the lot coverage.

So, number one, we are asking for a variance to allow that, to allow us to go over that lot coverage code by 29 because the shed is now built and the court is built. So, had we known up front instead of moving it 11 feet, we would have moved it 11 feet seven inches and it would have been fine. It would have met the code. So, that seven inches is what caused that 29 square feet, and so that's that. So, we kind of have, you know, a bit of a hardship there.

The other factor on this variance is the netting system, and most important the ball rebounder, okay. I've got some photos that I wanted to --

MRS. ARLAND: We've got some, too.

MR. ARLAND: We have some as well. So, these photos here are specific to the rebounder unit itself. I just took these to show that it is a temporary rebounder. So, the posts go into PVC sleeves so that they're completely removable. The netting itself is secured by bungee cords, so completely removable, somewhat temporary in that context.

MR. VANDERVEEN: I also wanted to just show you what a typical ball rebounder is. This is something that families all over the northwest suburbs have in their backyards. As far as I know, they do not require a permit, and I don't believe they're typically called a fence. These are all rebounders that we sell but they go on the grass.

So, this rebounder is identical to this, but it happens to be installed on the edge of a court. Because it's next to some of the netting that we also installed, the Village said, oh, that's a fence. Well, so I guess it's just, you know, here is a rebounder installed on a court by itself and it's basically just a standalone, and this is removable again but it's a standalone apparatus. Here's another one basically down on the end. It's fairly invisible, I mean you know, so it's not a hideous looking thing but, you know, half of the usefulness of this court for their family was really this ball rebounder. I mean if you take that away, you take away half the sports that the kids are going to play on it. So, it kind of, you know, creates kind of a tough situation.

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Our ball containment is again fairly invisible. This is some ball containment, and it's a netting system but it has a coated frame around it. You know, the ball containment, I've been building courts for 23 years and every single village or city that I build a court in approves a six-foot high ball containment netting. Every single one. I've never run into, and so it was a shock for me when somebody said in Arlington Heights no fencing can be over five feet. We just, I've built courts in probably 60-70 different municipalities around here and they all allow six-foot high ball containment.

So, we were unaware, I was unaware and I've been doing this for a long time, obviously they were unaware, too.

MRS. ARLAND: It's not a fence, it's not on the border of our yard, so we didn't know that. It's not a fence to us.

MR. VANDERVEEN: Yes. It's not a fence to me either but, you know, I can understand, the ball containment part of it I kind of can understand somebody saying that's a fence. The rebounder though, on the other hand, because, you know, because this is really a rebounder and it's just, you know, that's, it's a piece of equipment that if I went into the Village tomorrow and said I'm going to put one of these in my yard, is that a fence? I think they probably would say no, it's not a fence, it's a ball rebounder. But because it's on the edge of their court, you see the problem?

So, that's why we're asking for you officially to take a look at this and say, you know, we'd like you to approve it, you know, the variance. There's other types of equipment that has a very similar type of netting. It's just something everybody has seen in many people's yards. This netting is about ten feet high and the amount of netting on this rebounder is about 45 feet, okay. So, it's a circle, 45 feet of ten-foot high. Our rebounder is 20 feet, okay, it's dramatically less than this.

So, you know, I don't, we're not here to try to change the Village's mind on whether it's a fence or not. We're just asking that you look at it and say, yes, I guess it's kind of a gray area and it really doesn't hurt this installation mostly because it's screened very nicely. You know, I've got some other pictures that show that screening typically, and if you look at all the screening that's been put in, you know, the whole yard is just quite well screened all the way around. It's just fairly private, you see.

ACTING CHAIRMAN GEISEL: Well, we can't see that from here.

MR. VANDERVEEN: I'm sorry. Yes, I'm just looking at it so I know what to say. But you can see how much foliage there is along the side and, you know, some of the neighbors involved here have all written letters as well.

MRS. ARLAND: The neighbors on both sides of us and two other neighbors have given letters of support.

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MR. ARLAND: Which we have.

MRS. ARLAND: Which we have. The neighbors directly behind us, their daughter plays on the tennis team and badminton team with my daughter, so they are loving having somewhere for them to play right there. Frankly, the neighborhood park that would be a viable alternative for the kids to play at had a drug bust last night and it wasn't the first. So, sending the kids to go play at the park isn't really something I'd want to feel safe doing. So, I'd rather them play in our yard.

MR. SELBKA: Can I see those larger pictures please?

MR. VANDERVEEN: The screening ones or the --

MR. SELBKA: Yes, the screen.

MR. VANDERVEEN: Yes. You know, the ball rebounder is fairly invisible. It's removable. It's commonly installed in other people's yards that don't have a court, without permit. It's generally always eight to ten feet high because it kind of needs to be that high to be functional, you know, to be useful. If you take a ball rebounder and make it down to five feet, it doesn't work.

MR. SCHWINGBECK: Joe, can I ask a question to them just about the logistics before we get into a discussion?

ACTING CHAIRMAN GEISEL: Absolutely.

MR. SCHWINGBECK: I read your letter here, and where I am a little confused is the shed was built first?

MRS. ARLAND: It was built at the same time. We applied for the permit first, so we had our shed permit while they were still working on, going back and forth with the review board on the other one.

MR. SCHWINGBECK: So, at the time the shed was being built, you knew that the total project was going to take place?

MRS. ARLAND: Yes.

MR. VANDERVEEN: Right, and we talked to the city about that.

MR. SCHWINGBECK: But what I'm a little unsure of is usually with these projects, you know, there's a plat of survey and it's showing the shed and it's showing the hard-faced court that you put in, because that's the one issue here, the square footage of the court itself.

MR. VANDERVEEN: Right.

MR. SCHWINGBECK: But I'm just wondering with this project going on, the shed and the court, why wasn't that all on the same plan?

This almost seems like, you know, you did one permit for the shed where the Village didn't know that there was a court, and then the court was being worked on and the shed wasn't showing up on the plat of survey. It was like the Village was looking at two different projects here not knowing that the other one was going on and this probably, I'm just a little unsure of why it wasn't all put there so somebody could

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have said before you started building both structures.

MR. VANDERVEEN: Yes, can I address that? They put in for the permit for the shed before we even had a contract.

MR. SCHWINGBECK: That I understand.

MR. VANDERVEEN: Okay.

MR. ARLAND: Right.

MR. SCHWINGBECK: So then --

MR. VANDERVEEN: Yes. I mean they were planning on doing that, they were considering a couple of different companies that build courts. We have competitors. So, before they made that decision on, you know, that they were going to go with my company, you know, they were looking at different companies. But they knew they were going to move the shed because their old shed was right where the court was going to go.

MR. SCHWINGBECK: Right.

MR. VANDERVEEN: So, they knew they were going to put a court in, so they knew they had, so they're going to, and they already contracted to build a shed with somebody, I don't know.

MRS. ARLAND: Tuff Shed.

MR. VANDERVEEN: Yes, right.

MR. SCHWINGBECK: So, that I understand. Then when you put the permit in for the court, you didn't include the shed on it.

MR. VANDERVEEN: No, because I wasn't building the shed. I was building --

MR. SCHWINGBECK: No, but that's part of the backyard because that first thing here is your, if I understand correctly, is you're over the square footage of the allowable.

MR. VANDERVEEN: Right, but since we were building the court, I didn't, I wouldn't have a way to even give them plans. I mean I guess I would have had to go to them and say, okay, you know what I'm saying? When you build something, like if you're building a house, you know how you're going to build a house because you're a home builder, right? But if you're going to build a house and then you're going to put a shed in the backyard and the shed guy is a shed company, well, the builder who's building the house really doesn't know anything about the plans to build that shed.

So, I mean I've never in my 23 years ever put in for a permit for something that I wasn't building.

MR. SCHWINGBECK: And I'm not implying that what you were doing was putting two permits through at different times to try and get this done. But had they both been on the plan, the Village would have looked at it and said you can't do that.

MR. ARLAND: Right, and we did apply for the shed permitting separately as Dave mentioned because we were having that done ourselves through Tuff Shed to accommodate the court. Once we had that done, we

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did supply Dave with those plans. As Dave mentioned before, once the original plans came under review because of the lot coverage and when Dave spoke with Charmaine about, hey, we need to move this up some to accommodate for that, at that point the shed was under consideration. When the pre-pour, or post-pour concrete inspection was done, the inspection was done on the shed pad as well as the court pad.

MR. VANDERVEEN: I can clarify completely. You'll totally understand if you --

MR. SCHWINGBECK: But this was all figured out because somebody must have come out and inspected the project and saw the shed.

MR. ARLAND: Right.

MR. VANDERVEEN: Yes. See, here is what happened. When I did these calculations with Charmaine, okay, we talked specifically about 80 square feet. So, we took into account that 80 square feet when we figured out how far away from the rear lot line this needed to be.

My mistake, this is totally why there's the 29 square feet, I did a calculation based on the area in the required rear yard. The required rear yard I think was a rear of 30 feet and I just did a calculation with 30 feet based on 85.93 and going back 30 feet and I took that as a rectangle. But if you notice, this line is not a rectangle.

MR. SCHWINGBECK: Right.

MR. VANDERVEEN: That's where I screwed up. But I went to her and I said, okay, this is how I calculated, just check my figures for me, I said, you know, but I'm going to, and she seemed to concur. But we took into account when we did this figuring this 80 square feet.

I mean so we were clearly talking about it and so that's where we came up with moving it 11 feet. We could have easily moved it 11 feet seven inches, I mean it wasn't that big of a deal. It's just, you know, when I did this calculation, I kind of figured the area based on that number when I guess what I should have done is, you know, going back to my high school algebra or whatever, I should have averaged it between this number and this number.

So, you know, I'll admit it's my mistake, you know. But you know, but then we put in the plan based on this and when I talked to her, we clearly talked about the fact that there is a shed permit and they knew there was a shed permit. They had already issued it. They had a copy of this plat of survey with the shed on it, so they had two different plats of survey.

So, I mean in my mind they knew completely about this shed because she told me about the shed. So, there is nothing that was being hidden. I mean, so I just calculated it wrong, but then they issued the permit. So, I assumed that they checked my figures. I mean wouldn't you assume? I don't know, I just assumed that they, you know. So, I was shocked when I heard that it was over.

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MR. SCHWINGBECK: All right. Well, it doesn't sound like there was an attempt to hide this based on that.

MR. ARLAND: No.

MR. VANDERVEEN: No, it really truly isn't, we weren't trying to hide anything. Let me just talk about hardship, okay, and the change of character and all that kind of stuff. You know, there's a lot of hardships here, you know.

First of all, just this whole mis-communication and the misunderstanding with the Village and then approving my set of plans even though, you know, technically it was over. I mean to me that's the huge hardship that affects that part of it. But you know, the next one is of course the fact that the court is completely built and we built it to the plan that they approved, you know. Another hardship, I mean you know, the parks in the area apparently aren't as safe as they could be. So, they kind of feel like, you know, we're in Arlington Heights, our kids play sports, we kind of need to give them a place to play sports and it's a hardship if they can't go to the parks and play.

It's also a hardship that the court was built with an important part of it being that rebounder, but yet now we're being told that that rebounder really is a fence and it needs to be reduced to five feet high which takes away half the purpose of the court. That's a huge hardship. You know, it's a hardship that -- sorry, I'm looking for something that I brought with me. I had it here.

Okay. The definition, according to Merriam-Webster, of a fence is a barrier intended to prevent escape or intrusion or to mark a boundary. Then it says especially such a barrier made of posts and wire or boards. In other words, most fencing have something substantial, you can't just cut it, you know, like netting. Obviously, you know, in our mind we didn't know that this would be considered a fence because, you know, it really doesn't fit at least the dictionary definition of a fence. So, to me that seems to be a hardship. How would we know?

MR. SELBKA: What are the three sports that it can't be used if the --

MR. VANDERVEEN: Pardon?

MR. SELBKA: What are the three sports that the court can't be used for if the rebounder is reduced?

MR. VANDERVEEN: Well, if the rebounder is gone, you cannot play soccer. It's not big enough to play soccer so the only thing you can do is practice, you know, practice soccer on the rebounder. The real game of tennis is played on a 7,000 square foot court, okay, the real game of tennis with a full size racket and a regular ball. You can't play that on a court this size. So, what you can do is you can practice off the rebounder. Baseball, same sort of thing. If you want to practice your throws, if you want to practice your grounders, that

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kind of stuff, you know, picking up grounds, that kind of stuff, that's what, you know, the rebounder, the ball rebounder is used for that.

Lacrosse, same thing, just getting your throw as accurate so you can score points, that's the whole idea. The rebounder actually has a little, you could put a cape in it like if you want to make a lacrosse goal and, you know, I don't know that you can have it but you can put a cape in that's the size of a lacrosse goal. So, you know, it does take a lot away from it.

MR. SCHWINGBECK: That rebounder, that's the ten-foot high, correct?

MR. VANDERVEEN: That's the ten-foot. It's 20 feet wide.

MR. SCHWINGBECK: By ten-foot.

MR. VANDERVEEN: Yes, it's ten feet high, 20 feet wide. That's the single most important part. The ball containment, I mean naturally it's a better ball containment if it's six feet high. Most, I mean every other city approves six feet high. It wouldn't be the absolute end of the world but they would certainly like to see you approve it as six feet high because that's what built. We would have to cut it all down to five feet. But the rebounder takes away half the use of it, so that's the most important part.

A typical tennis court has ten-foot high fencing around, at least around the ends. I mean that's just a very common thing, and I know that --

ACTING CHAIRMAN GEISEL: Was the ten-foot rebounder and the six-foot containment system depicted and included on your initial permit?

MR. VANDERVEEN: No.

MRS. ARLAND: They were included on my contractor proposal that I had to include with the permit. It was all listed out in the proposal.

ACTING CHAIRMAN GEISEL: In the proposal, but not --

MR. VANDERVEEN: It wasn't on the plan.

MRS. ARLAND: That was part of the paperwork that we submitted.

ACTING CHAIRMAN GEISEL: But not on the plan.

MR. VANDERVEEN: It wasn't on the plan. I don't consider it to be fencing, I didn't put it, you know, that's why I was trying to explain to you why we didn't put it on the plan. I'll be honest with you, I do permits, I build probably 40-50 courts a year at different municipalities around the area and I don't typically put it on because we don't consider it to be fencing. It's really not, it's not on the border of the property. It's only designed as part of the court to hold, to stop the ball, so it's netting, you know. So, I know in the city of Wheaton, I've built 50 courts in the city of Wheaton and they

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consider that to be part of the court, not a separate fence.

So, you know, the last part of it I think is the, you know, does it change the character? You know, this yard is very well screened and I think this is a healthy, active neighborhood that has a lot of kids in it. Kids play sports whether it's in grass or whether it's in the front driveway. Kids play sports and this just gives them a little bit higher quality place to play the same sports in many cases, okay. So, it's not changing, it's just changing the quality level of what they're going to play the sports on, you know. It really improves the quality of play.

You know, the screening is I think the most important thing and probably diminishing the look, but the court is legal. The court is a 100 percent, according to code, anyone can build a court in their backyard in Arlington Heights. This is not a question of whether the court is something that's imposing on the neighborhood, it's not. That's legal. It's only, we're only talking about really the rebounders as probably the biggest factor, and a rebounder is something that anybody can put in their backyard.

MR. DRAKE: When the snow comes in the wintertime, what happens to the rebounder? Is that left out there? It's left in place?

MR. VANDERVEEN: It can be. It doesn't hurt it.

MR. DRAKE: Will it be taken apart?

MR. ARLAND: We plan on putting another garage just to make sure the snow, because today's point is netting, right, so the way it's --

MR. VANDERVEEN: It will last longer if they put it in the garage, yes.

MR. DRAKE: So, in fact there is no fence in the winter?

MR. ARLAND: No.

MRS. ARLAND: Right.

MR. VANDERVEEN: But there is no need to, it doesn't keep anybody from, you know, I mean this doesn't surround the whole court anyway.

MRS. ARLAND: It's like two C's.

MR. VANDERVEEN: Yes, it's just, it surrounds the ends just like a typical tennis court, you know. Like if you look at a typical residential tennis court, the fencing goes kind of around the ends, usually the sides are open. Well, that's kind of the way this is.

ACTING CHAIRMAN GEISEL: So, the rebounder is temporary, it's meant to be removable and you intend to remove it from time to time.

MRS. ARLAND: Right.

MR. ARLAND: Correct.

MRS. ARLAND: Correct.

ACTING CHAIRMAN GEISEL: Is the six-foot ball containment system the same or not?

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MR. ARLAND: Not removable.

MR. VANDERVEEN: The ball containment is built in. It's put in, you know, it's set in concrete, so it's built like a typical fence, you know. But it's not fencing material, it's netting. So, it's not meant to keep people out or keep people in, it's just meant to stop balls.

ACTING CHAIRMAN GEISEL: Well, I guess part of our obvious difficulty is the fact we're doing this after the fact because no one likes to have to opine on something after the fact.

MR. VANDERVEEN: We understand.

ACTING CHAIRMAN GEISEL: Where it's already been constructed.

MR. VANDERVEEN: We understand.

ACTING CHAIRMAN GEISEL: Having said that, you seem to have all the neighborhood support for it. Your yard is screened. It wouldn't appear to be blocking a lot of sight lines and all of those other issues. I'm not sure that, you know, I can kind of see the permit circumstance, two people constructing two different things. It didn't sound like you made any effort to hide any of those. That appears to simply be a mistake.

So, I guess my inclination would be, in my opinion, I don't consider this as overly problematic. But is there anybody here from the audience that's got anything to say? I'll open it to the Board if there's anybody, Board members?

MR. DRAKE: When I looked at the, I did prowl around your backyard this morning and when I looked at it I wasn't quite sure what I thought about all this because I'd read the materials. I think you've made a good case for some communication gaps. I think you've made the neighbors, the neighbors are in support of that.

I do fundamentally believe that if your kids are in your backyard you can keep an eye on them and the neighbor kids are there. There's maybe less trouble and they turn out to be better kids. That's, you know, maybe a cultural thing.

I would support this, and it is after the fact. I mean what are we going to do now? Other than maybe all be smarter about rebounder as a fence and more conscious of what the code requirements are and zoning requirements are. So, I would support it.

ACTING CHAIRMAN GEISEL: How old are your kids by the way?

MRS. ARLAND: 16 and 13. Our 13-year-old is out there everyday playing soccer on the rebounder since we are not so good at soccer.

ACTING CHAIRMAN GEISEL: Are you two planning on using it in ten years?

MR. ARLAND: You know, we do use it occasionally.

MRS. ARLAND: Yes, I played basketball today.

MR. ARLAND: Yes, she played basketball today while I was at

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work. We have parties out there from a barbecue standpoint as far as, you know, some volleyball and badminton as a group and things like that.

ACTING CHAIRMAN GEISEL: However, the potential might be for your ten-foot rebounder to not be something that's up for a long term.

MRS. ARLAND: No.

MR. ARLAND: No. Once out they're off for college, again today's point, a large part of that does in fact go away, so we may do something else in that other court. With a permit of course.

ACTING CHAIRMAN GEISEL: Any other questions or comments from the Board?

MR. SELBKA: Motion to approve.

MR. DRAKE: Second.

MR. MACH: Mr. Drake.

MR. DRAKE: Yes.

MR. MACH: Mr. Schwingbeck.

MR. SCHWINGBECK: Yes.

MR. MACH: Mr. Selbka.

MR. SELBKA: Yes.

MR. MACH: Acting Chairman Geisel.

ACTING CHAIRMAN GEISEL: Yes.

MR. ARLAND: Thank you, gentlemen.

MRS. ARLAND: Thank you.

ACTING CHAIRMAN GEISEL: You're welcome. Good luck!
(Whereupon, the above petition was adjourned
at 8:25 p.m.)

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS October 12, 2015

PETITIONER: Arland Residence

ADDRESS OF PROPERTY: 2528 N. Walnut Ave.

VARIATION: 6.5-5 (Percentage of Required Rear Yard Occupied) & 6.1-3b (Location of Fences)

A 29 square foot variation for 1,025 square feet of coverage where the maximum allowed is 996; A 1-foot variance to allow an increase to the maximum fence height from 5-feet to 6-feet, for a fence located along the perimeter of the sport court in the rear yard; and a 5-foot variance to allow an increase to the maximum fence height from 5-feet to 10-feet for a fence located along the southeast edge of the sport court in the rear yard.

The petitioner testified as to hardship, uniqueness of circumstances, and the character of the locality. The homeowner and contractor at 2528 N. Walnut Avenue testified that they have constructed a shed, a sport court, and fencing around the sport court in the rear yard. The petitioner explained that a permit was submitted for the shed and approved. The petitioner also explained that a second separate permit was submitted for the sport court which did not show the shed or the fencing, and the sport court was approved. The shed and the sport court resulted in an overage of the allowable rear yard coverage. The petitioner testified that they were not aware of the code requirement for the required rear yard coverage. Of the required rear yard, a maximum of 40% is permitted for accessory structures coverage, which is 996 square feet. The sport court and the shed consist of a total of 1,025 square feet of coverage where 996 is permitted.

The petitioner explained that the netting and fencing were not illustrated on the permit and have been installed. The petitioner testified that they were not aware that a permit was required for the fencing since it is netting. The petitioner explained that they are proposing 6 feet high fence along with a 10 foot high fence section located on the southeast edge of the sport court. The petitioner testified that the posts for the 10 foot section are placed into PVC sleeves so that they are removable. The petitioner explained that the netting itself is secured by bungee cords, removable and somewhat temporary.

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

Thereafter, a motion was made by Mr. Selbka and seconded by Mr. Drake. Thereafter, the Board voted 4-0 to approve the variance request.

Now, therefore, after hearing all the evidence and after due deliberation, the Zoning Board of Appeals, voted 4-0 to grant the variance as requested.

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

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

Joseph Geisel, Acting Chairman
Zoning Board of Appeals
Village of Arlington Heights



Item: Jones Residence - 2507 S. Cedar Glen Dr.

Department: Planning & Community Development

Approval of minutes and findings from 10/12/15 hearing.

ATTACHMENTS:

Description	Type
Minutes 10/12/15 - Jones	Minutes
Findings 10/12/15 - Jones	Minutes

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ZONING BOARD

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

OF APPEALS

RE: JONES RESIDENCE - 2507 SOUTH CEDAR GLEN DRIVE - ZB#15-025

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Zoning Board of Appeals taken at the
Arlington Heights Village Hall, 33 South Arlington Heights
Road, 1st Floor Beuchner Room, Arlington Heights, Illinois
on the 12th day of October, 2015, at the hour of 8:25 p.m.

MEMBERS PRESENT:

JOSEPH GEISEL, Acting Chairman
TOM DRAKE
TOM SCHWINGBECK
JOSEPH SELBKA

ALSO PRESENT:

DEREK MACH, Landscape Planner

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ACTING CHAIRMAN GEISEL: Jones Residence.

MS. BEDNARZ: Yes.

MR. JONES: I guess I'll start with passing out pictures if that's okay?

ACTING CHAIRMAN GEISEL: You have to be sworn though.

MR. JONES: Sure.

ACTING CHAIRMAN GEISEL: So, once you're both signed in, please raise your hand.

(Witnesses sworn.)

ACTING CHAIRMAN GEISEL: Forgive me, names and addresses?

MR. JONES: Bill Jones, 2507 South Cedar Glen.

MS. BEDNARZ: Halina Bednarz, 2507 South Cedar Glen Drive.

ACTING CHAIRMAN GEISEL: Thank you. Now please proceed.

MR. JONES: Sure. I only have two of these copies but then I have four of the other one, so feel free to pass them along.

Thank you for your time this evening. I'm really here to ask for a one-foot variance on the maximum height of a wooden fence from five-foot to six-foot. The reason we have put in the time and effort in making this request is to ensure the safety of our dogs. We have two of them and they are friendly, energetic, very athletic, and most importantly a part of the family.

We just recently purchased the property in question and we'll be moving into it in a couple of weeks. So, we currently are not residing there. We're moving in officially November 8th once the current residents move out as part of our contract and agreement. So, we wanted to make sure that we had a safe and secure fence in place before we move in. If we're not allowed this one-foot variance, there's a very good chance that they could jump over it.

For example, at our current residence that's in Des Plaines, we do have a six-foot fence. Both of our dogs, they're bird dogs, very energetic like a lot of animals. Our neighbor, she put up a fake owl right next to the fence and it had a revolving head. It drove our dogs nuts. They're jumping and jumping and barking. She actually got her head and her shoulder above the six-foot fence just trying to get that fake owl. Also, I heard our neighbor shout out, Bill, is that your dog? Yes. Shall I remove the owl? Yes, please. Then she was okay.

Now, imagine if it was a five-foot fence. There's not a doubt in my mind that she could have easily gotten over it. Every weekend, her father takes the dog up to Wisconsin. They have about a five-foot chainlink, and the dog just goes back and forth. It came to a point where we had to put a 100-foot rope on her just to keep her from getting away.

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If you look at the pictures before you, you can see how high she can actually jump. This is Hali, she was in the picture, she's five foot six. The dog was looking at her in the eye. So, a five-foot is about there and she's already about this high over it.

The other picture with the tree, that's the backyard we're currently in. That's the six-foot fence. You can see where her height is, and then that top crossbar, I measured it today, that's at five-foot three-and-a-half inches, and she's, you can see her shoulders well above that line in that picture alone.

So, Board members, by giving us this variance, you will guarantee the safety of our beloved pets and it will all give us peace of mind.

Then in full disclosure as well, we did receive one letter from the neighbor. As I said, we're not currently living there so we haven't had a chance to meet all our neighbors yet. We just wanted to get everything in line before we moved in so we could have that peace of mind. We received one letter from 1492 Dearborn Court, and from reading the contents of the letter, I'm not sure if you had the chance to drive past the property at all, directly behind the property is just an empty field and a school. There's townhouses about two houses to the right. In the letter, they're complaining about trees that knocked off their gutters and whatnot, and I believe they're, I can't remember, are they cottonwood trees?

MS. BEDNARZ: Cottonwood.

MR. JONES: The trees that line our backyard, they're fir trees or pine trees, so not heavy enough branches to actually do any damage, let alone there is no house behind our house except for the empty yard. So, I think they have the wrong house in that letter.

ACTING CHAIRMAN GEISEL: Well, if there's nothing else, they have the wrong issue if it has nothing to do with the fence.

MR. JONES: That, too. We did post the letters and the sign as requested. We had not received any other phone calls. If any of the neighbors have an issue, we'd definitely be willing to compromise or work something out.

There is currently a six-foot partial fence along the front of the house. It's like a little L shape. So, by putting in a six-foot fence around the perimeter, it really wouldn't alter the appearance from the front of the street.

MS. BEDNARZ: There's also, we're lining the back of the townhouses directly to the right of us, just looking in the backyard is a six-foot fence which I also have a picture of if anyone needs to see it. Also, two doors down from us there is a six-foot closed fence. So, we are asking for a six-foot open fence, semi-open fence which is what you guys already requested in regards to an open fence.

ACTING CHAIRMAN GEISEL: That's what, you're indicating that

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some of your neighbors on either side have?

MS. BEDNARZ: Have six-foot fences.

ACTING CHAIRMAN GEISEL: Six-foot fences because they back up to the --

MS. BEDNARZ: Townhouses.

ACTING CHAIRMAN GEISEL: -- townhouse development.

MS. BEDNARZ: Then the neighbor next to us when we were going to get an estimate, I went over there to ask her to go into her property, and she said she also has a six-foot wooden fence lining the back of her house. That's the neighbor directly to the left of us if you are inside the yard looking to the left.

ACTING CHAIRMAN GEISEL: Given the photos and whatnot, it would seem reasonable that the dog might be able to get over. There's existing six-foot fence on a portion of the property. They're replacing it and then adding on the sides. I don't know that it's overly problematic for one foot. I'd be in favor of the project.

Does anybody else have anything to say from the audience? Please come up and sign in.

MR. SRIASTAVA: Saurabh Sriastava, 1492 in Mount Prospect. I live in 1492 in Mount Prospect, the letter that you got, that he showed right there. My name is Saurabh Sriastava, I live in 1492.

ACTING CHAIRMAN GEISEL: Okay, would you like to sign in?

MR. SRIASTAVA: Sure, sir.

MR. JONES: For the record, I did call him yesterday to let him know that it was the wrong house in question.

ACTING CHAIRMAN GEISEL: Okay.

MR. SRIASTAVA: The issue is basically they have three trees in their like backyard which is close to our fence, our rear property right now. They are all covering our property right now. We can't grow the grass. Like I'm not complaining about him, but the other neighbors, a couple of times we informed them about this when these trees are falling on our roof right now. Like one time it happened, a branch fell on our roof. That's not the complaint.

The issue is our grass, our backyard is covered with the tree, we can't grow any grass right now. A little bit sun is coming right now because the five-foot fence was there, you know, so the back one. Now, if there's more fence over there, we will not get sun over there.

I have two kids, one is five, one is ten-year-old. I mean they don't even go right now, this looks like garbage for them. They don't go over there. We don't get any grass over there. Our property value is going down.

I tried a couple of times, I spoke to, I live in Mount Prospect Village, I complained there. You can see, I have spoken to my village, I mean like our property association, we have one. Everybody

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was clueless. We had to complain what to say. He's just coming in right now. The other gentleman who was staying over there was just renting the property, they were not staying over there. We went, we walked down to their property, informed this like to the tenant, we need to talk to them, no one listened to that one.

If now he builds a six-foot fence, we will not get any sun. I mean I understand his concern, he has big dogs. I mean I have two kids.

ACTING CHAIRMAN GEISEL: So, you don't live in either one of the homes on either side?

MR. SRIASTAVA: I live in 1492, the letter --

ACTING CHAIRMAN GEISEL: Where is that?

MS. BEDNARZ: That's not behind us though.

MR. SRIASTAVA: It's just exactly behind you.

MS. BEDNARZ: No, it's not. We have a school behind us.

ACTING CHAIRMAN GEISEL: Where is, sir, where is --

MR. SRIASTAVA: Here is 1492, just behind like --

MR. SELBKA: Where do you live on this map?

MR. SRIASTAVA: On the townhome side, 1492.

MR. SELBKA: So, you live here?

MR. SRIASTAVA: Yes.

MR. JONES: Which one of the units?

MR. SELBKA: Which unit do you live in?

MR. SRIASTAVA: So, this is his property.

MR. SELBKA: His property is right here, sir. Yes, 2507, his property is right here. Where is yours, sir?

MR. SRIASTAVA: On this side.

MR. SELBKA: That's, this is --

MR. SRIASTAVA: They're just moving in right now, maybe I'm --

MR. SELBKA: They're just moving in, sir, yes. I think your problem is with this house that's four houses down.

MR. SRIASTAVA: They took out the fencing, right, did you take out the fencing, right?

MR. JONES: Pardon?

MR. SELBKA: No, the fencing hasn't been taken down yet.

MS. BEDNARZ: Nothing has changed.

MR. JONES: There's a chainlink fence.

MR. SRIASTAVA: So, then my fault.

MR. SELBKA: That's okay.

MR. SRIASTAVA: I brought the letter because I don't know how to, with whom to follow up because this property falls in Arlington Heights side. I live in Mount Prospect side.

MR. SELBKA: Okay.

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MR. SRIASTAVA: I've been running around like, so that's maybe the problem. My bad about this one, I'm sorry.

MR. JONES: No problem.

MRS. JONES: That's okay.

ACTING CHAIRMAN GEISEL: We cleared it up, everything is cleared. Anybody else have any comments?

MR. SRIASTAVA: Thank you very much. Sorry about that.

ACTING CHAIRMAN GEISEL: Okay, thank you. Any comments from the Board?

MR. SELBKA: Motion to approve.

MR. SCHWINGBECK: Second.

MR. MACH: Mr. Drake.

MR. DRAKE: Yes.

MR. MACH: Mr. Schwingbeck.

MR. SCHWINGBECK: Yes.

MR. MACH: Mr. Selbka.

MR. SELBKA: Yes.

MR. MACH: Acting Chairman Geisel.

ACTING CHAIRMAN GEISEL: Yes.

MR. JONES: Thank you very much.

MS. BEDNARZ: Thank you very much.

ACTING CHAIRMAN GEISEL: Enjoy Arlington Heights. It's a great place.

MR. JONES: Thank you.

MS. BEDNARZ: We're excited.

MR. ESCHENBRENNER: Can I have just a few minutes of the Board's time?

ACTING CHAIRMAN GEISEL: You're not on the agenda.

MR. ESCHENBRENNER: Okay. I'll just talk to you, Tommy, after this if you don't mind.

MR. DRAKE: About Boy Scouts?

MR. ESCHENBRENNER: Sure. That was one of the items on the agenda. I wasn't here to block the item but it's about the whole circumstances of the item which was the basketball court and the netting.

I would like to actually find out how I can proceed to potentially changing the code in Arlington Heights. If you saw the size of that, I live kitty corner to the back lot of that basketball court. Their calculation falls just under the 50 percent. To me it doesn't make sense. We have no drainage in the back of our yard. We don't have sewers. Some of the incorporated areas have sewers with drains, but between the homes across the back we have none.

When I called the Village, the engineer of the Village told me, well, you're lot is, you probably already have a water problem, now you're going to have a bigger water problem because of how

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much cement is on the backyard. I just think, I'd like to suggest something with this Village to have the calculation based on more of the backyard in a residential area. It's not a half-acre lot, these are quarter-acre lots. They're small. I mean we have water issues already and this is just going to compound it in our yard and our neighbors directly behind them.

I mean it should be a concern because the engineer was the one that really posed the issue to us was, boy, you're going to have a water problem. I mean I guess this isn't looked at in the process of the permits. I mean for drainage or anything else that relates to the home. The topography is very --

MR. SCHWINGBECK: It is looked at in terms of the overall ratio of the impervious.

MR. ESCHENBRENNER: For coverage. For coverage, for not impervious and impervious, right.

MR. SCHWINGBECK: Right.

MR. ESCHENBRENNER: But as to why you include the front yard which drains out to the sewers in the front, city sewers where you're not going to have a water problem, it's the backyards that don't have drainage.

ACTING CHAIRMAN GEISEL: To your point, that issue is not on that --

MR. ESCHENBRENNER: No, that's why I'm asking. I'd like to find out what the process would be or who I need to go to, the folks to even consider that.

ACTING CHAIRMAN GEISEL: Derek, do you have any comments for that?

MR. MACH: I would recommend sending an e-mail and providing something in writing, you can start with the Director of Planning. I sense your concerns are about the allowable size of recreational type of uses in the rear yard.

MR. ESCHENBRENNER: Well, even with this, they applied for the permit as a play area. I mean to me this wasn't a play area. When we contacted the Village, we sent the picture in and they're like what is that? I go that's the play area. I don't know what you thought what the play area was. Actually, so we actually notified them and they saw the picture and said there's a fence, why is there a fence? There's no fence on the permit. That's when we said --

MRS. ESCHENBRENNER: I think the point is that the neighbors are mad at us when really they should be mad at the Village, okay.

MR. ESCHENBRENNER: This one was done after the fact because --

MRS. ESCHENBRENNER: The Village shouldn't be telling me on the phone that there's a problem.

DRAFT

ACTING CHAIRMAN GEISEL: Forgive me, but you're bringing this to us now completely after the fact when we can't do anything about it.

MRS. ESCHENBRENNER: We just want to know who because I can ask --

MR. ESCHENBRENNER: We're not doing undue hardship --

MRS. ESCHENBRENNER: I don't want to do anything about it because I don't want my neighbors to have balls in their yards and have --

MR. ESCHENBRENNER: We don't want to cause undue hardship for them to move concrete at this point.

MRS. ESCHENBRENNER: When I called the Village, they couldn't tell me who to talk to. So, you're saying --

MR. ESCHENBRENNER: We're not here to make the concrete or even the shed. That's an expense that they shouldn't have to do if the permit department, like you had suggested, why wasn't their plan to include the shed if it was already permitted. We've done permits with the front, extensive drawings, information about what you're doing, what you're putting up. To not say I'm putting a fence around it, I mean they got a permit to put a slab of cement down, you know. It's the process with the permitting department. It's not, we're not here to --

ACTING CHAIRMAN GEISEL: Yes, I'm sorry, I'm not trying to give anybody a hard time. It's just the fact that there's nothing --

MR. ESCHENBRENNER: No, I'm not asking for you to do something. I was asking --

MRS. ESCHENBRENNER: We didn't want anything done because it's too late now. We don't want them to go to the expense.

MR. ESCHENBRENNER: I feel like --

ACTING CHAIRMAN GEISEL: I can appreciate that.

MRS. ESCHENBRENNER: We just want to prevent it from another neighbor happening again.

MR. ESCHENBRENNER: We don't want it to happen to somebody else. Our lot is only like 40 feet deep, 70 feet wide. Our house is back far, but we're right off the corner. Now, they originally wanted to put that court five-foot off the backlot, five-foot off the fence behind us. They moved that to 11, they cleared that out and you saw the pictures, that's red, that's blue, that's the view of our patio. Our neighbors behind us already have had a cost. They put a whole row of privets out because they're trying to block it.

MRS. ESCHENBRENNER: And they know they can't do anything now. Just forget it, just forget it.

MR. ESCHENBRENNER: So, I guess what I'd like to just find out --

MR. MACH: Sir, I would recommend you send us an e-mail,

DRAFT

expressing your concerns, about the size.

MR. ESCHENBRENNER: Thank you.

ACTING CHAIRMAN GEISEL: We've got to actually move to
adjourn. So, would you just --

MR. SELBKA: Motion to adjourn.

ACTING CHAIRMAN GEISEL: Second?

MR. SCHWINGBECK: Second.

(Chorus of ayes.)

ACTING CHAIRMAN GEISEL: We're adjourned.

(Whereupon, the above petition was adjourned
at 8:42 p.m.)

DRAFT

STATE OF ILLINOIS)
) SS.
COUNTY OF K A N E)

I, ROBERT LUTZOW, depose and say that I am a direct record court reporter doing business in the State of Illinois; that I reported verbatim the foregoing proceedings and that the foregoing is a true and correct transcript to the best of my knowledge and ability.

ROBERT LUTZOW

SUBSCRIBED AND SWORN TO

BEFORE ME THIS _____ DAY OF _____
_____, A.D. 2015.

NOTARY PUBLIC

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ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS September 21, 2015

PETITIONER: Jones Residence
ADDRESS OF PROPERTY: 2507 S. Cedar Glen Dr.
VARIATION: 6.13-3b (Location of Fences)

A 1-foot variance to allow an increase to the maximum fence height from 5-feet to 6-feet for a fence located in the rear yard.

The petitioner testified as to hardship, uniqueness of circumstances, and the character of the locality. The petitioner testified that they are requesting a one foot height variation for a 6 foot high fence in the rear yard. The petitioner explained that the fence is necessary in order to ensure the safety of their dogs.

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

Thereafter, a motion was made by Mr. Selbka and seconded by Mr. Schwingbeck. Thereafter, the Board voted 4-0 to approve the variance request.

Now, therefore, after hearing all the evidence and after due deliberation, the Zoning Board of Appeals, voted 4-0 to grant the variance as requested.

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

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

Joseph Geisel, Acting Chairman
Zoning Board of Appeals
Village of Arlington Heights



Item: ZBA#15-026 - Dolezal Residence - 716 N. Patton Ave.

Department: Planning & Community Development

REQUEST

A 10 foot variation from Chapter 28, Section 6.5-7 to allow a second story addition and a deck with a separation of 0 feet from the existing detached garage where 10 feet is required.

ATTACHMENTS:

Description

Staff Report

Department Comments

Supporting Documents & Drawings

Type

Report

Correspondence

Exhibits

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: November 9, 2015
Date Prepared: November 4, 2015
Project Title: Dolezal Residence
Address: 716 N. Patton Ave.

Background Information

Petition Number: ZBA #15-026
Petitioner: Paul Rogner / Par Craft
Address: 825 E. Rand Rd. #230
Arlington Heights IL 60004
Existing Zoning: R-3, Single-Family District

Requested Action/Background Information

The petitioner is proposing a second story addition in the rear of the home. The proposed addition and the existing deck are within ten feet of the existing garage. Therefore the petitioner requests the following variation:

- **A 10 foot variation from Chapter 28, Section 6.5-7 to allow a second story addition and a deck with a separation of 0 feet from the existing detached garage where 10 feet is required.**

Variation Review Standards

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

Map of General Vicinity



Items Required to be Submitted 15 Days Prior to Public Hearing

<u>Item</u>	<u>Provided</u>	<u>Dated</u>	<u>Remarks</u>
1. Notification Affidavit	✓	10/16/15	
2. List of Property Owners Within 250 feet of Subject Property	✓	10/16/15	
3. Letter that was Mailed	✓	10/16/15	
4. Photographs of Sign on Property	✓	10/16/15	

Photograph of Existing Structure



PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Dolezal Residence

Project Address: 716 N. Patton Ave.

ZBA #: 15-026

ZBA Hearing Date: November 9, 2015

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

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

From: Derek Mach, Zoning Board of Appeals Liaison

Transmitted On: November 3, 2015

- A 10 foot variance from Chapter 28, Section 6.5-2 to allow a second-story addition and a deck with a separation of 0 feet from the existing detached garage where 10 feet is required.

Attached are the Petitioner's:

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

Comments: THE PROPOSED ADDITION IS NICELY DESIGNED AND IS FAVORABLE

FOR AN ADMINISTRATIVE DESIGN APPROVAL, PENDING THE OUTCOME OF

Please review, comment, and return to me no later than Wednesday, November 5 (9 a.m.)

THE ZBA REVIEW.

- STEVE HAUZINGER, DESIGN PLANNER

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Dolezal Residence

Project Address: 716 N. Patton Ave.

ZBA #: 15-026

ZBA Hearing Date: November 9, 2015

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

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

From: Derek Mach, Zoning Board of Appeals Liaison

Transmitted On: November 3, 2015

- 6-5-7
- A 10 foot variance from Chapter 28, Section 6-5-2 to allow a second-story addition and a deck with a separation of 0 feet from the existing detached garage where 10 feet is required

Attached are the Petitioner's:

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

Comments: IT IS UNCLEAR HOW FAR NEW ADDITION TO BE FROM DETACHED GARAGE. MUST COMPLY W/ BLDG. CODE AMENDMENT

Please review, comment, and return to me no later than Wednesday, November 5 (9 a.m.)

302.6, WHICH REQUIRES THE ENTIRE INTERIOR, CEILING AND WALLS TO BE DRYWALLED W/ TYPE X 5/8" IF ANY PART OF THE GARAGE IS WITHIN 10' OF THE STRUCTURE OF THE HOME.

ZBA# 15-026
716 N Patton Ave - ZBA
Rev. Eng: Nanci Julius, P.E.
cc: James J. Massarelli, P.E. Director of Engineering

Submitted: November 3, 2015
Completed – November 5, 2015

JJM

The proposed ZBA application indicates that the petitioner is seeking:

A 10 ft variance to allow a second story addition and a deck with a separation of 0 ft from the existing detached garage where 10 ft is required.

NOTE: An explanation of the hardship was not provided, and it is assumed from the site plan shown on the architectural plans that the 10 ft variance is not a pre-existing condition.

The Engineering Department has no objection to the proposed variance with regard to drainage concerns.

RECEIVED

NOV - 3 2015

PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT

PETITION

NOW COMES the Petitioner Mike and Marilinda Dolezal being the owner of the property commonly known as 716 N. Patton Ave., Arlington Heights, IL and appeals to the Zoning Board of Appeals of the Village of Arlington Heights for a Variation from Section 6.5-2, Chapter 28, of the Arlington Heights Municipal Code, in order to: maintain the current non-conforming condition of a detached garage, which has a separation of over 10' from the house, but with a wooden deck in between the two structures.

I hereby state that the following hardship would exist if the variation were not granted: We would not be able to build our bedroom addition over the pre-existing family room addition as we have planned.

I hereby state that the following unique circumstances exist: We built the existing first floor rear addition and deck in 1992 with permit. We built it as per the construction drawings submitted at that time. We built the detached garage around 2005 with permit. We built it according to the drawings submitted at that time. We were aware of the 10' separation required between the house and garage and built according to that requirement. We were not aware of any stipulation that would not allow a deck to connect to both structures. If we were aware of any problem with the proximity of the garage due to the deck, we would have certainly opted to build it further back in our yard. We could have easily separated the garage from the deck by more than 10'.

We hereby state that the variation, if granted, will not alter the essential character of the locality because: This condition (proximity of garage to house) has been in place now for 10 years and it is similar to many of the surrounding properties, including our next door neighbor. We also have planned a beautiful second floor addition to our home which we feel will only enhance the property and benefit the neighborhood in general.

Signed: _____



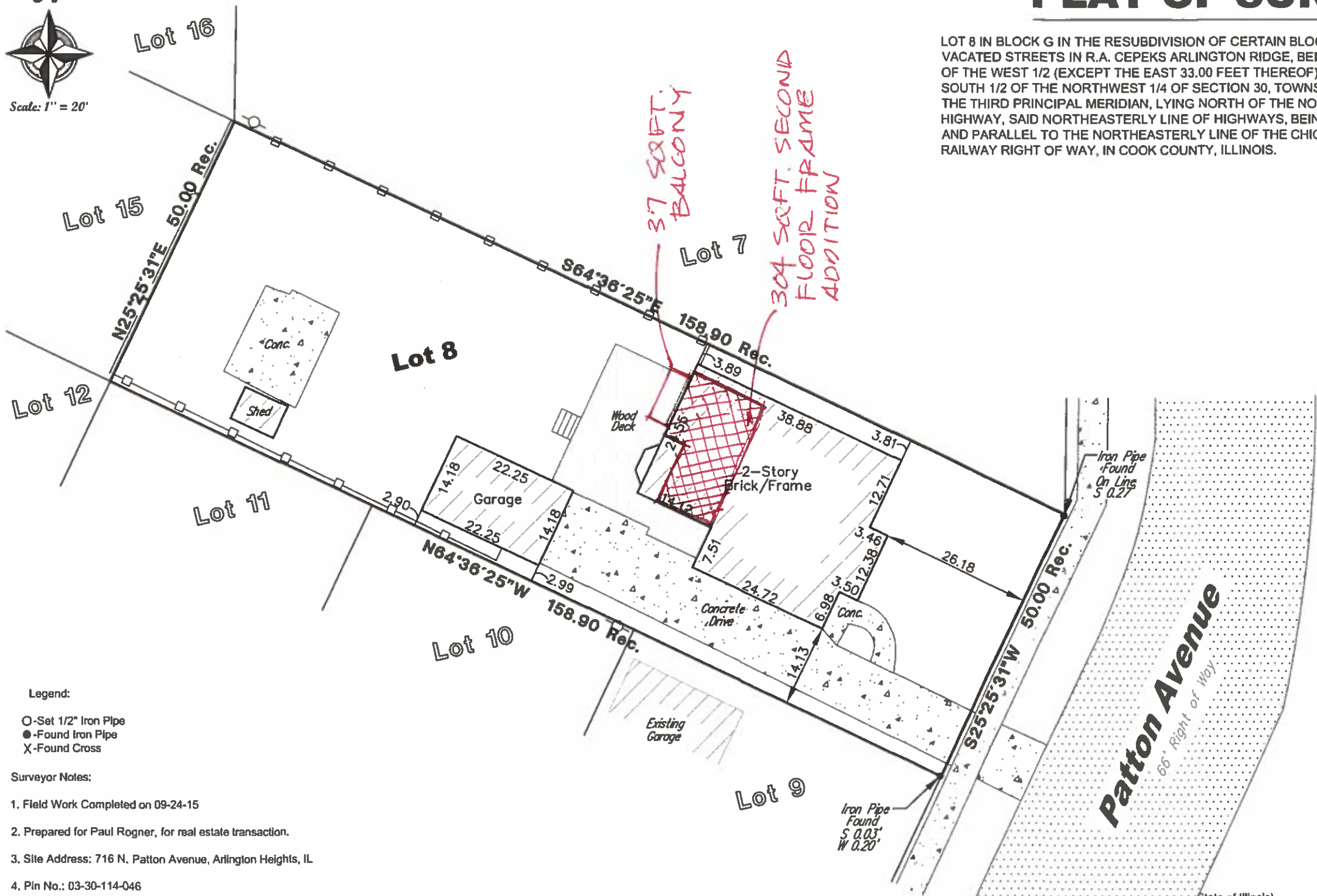
Date: _____

10/1/15



PLAT OF SURVEY

LOT 8 IN BLOCK G IN THE RESUBDIVISION OF CERTAIN BLOCKS AND PARTS OF BLOCKS AND VACATED STREETS IN R.A. CEPEKS ARLINGTON RIDGE, BEING A SUBDIVISION OF THAT PART OF THE WEST 1/2 (EXCEPT THE EAST 33.00 FEET THEREOF) OF THE NORTHEAST 1/4 AND THE SOUTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 30, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF THE NORTHEASTERLY LINE OF NORTHWEST HIGHWAY, SAID NORTHEASTERLY LINE OF HIGHWAYS, BEING 66.0 FEET NORTHEASTERLY OF AND PARALLEL TO THE NORTHEASTERLY LINE OF THE CHICAGO AND NORTHWESTERN RAILWAY RIGHT OF WAY, IN COOK COUNTY, ILLINOIS.



Legend:

- Set 1/2" Iron Pipe
- Found Iron Pipe
- X Found Cross

Surveyor Notes:

- Field Work Completed on 09-24-15
- Prepared for Paul Rogner, for real estate transaction.
- Site Address: 716 N. Patton Avenue, Arlington Heights, IL
- Pln No.: 03-30-114-Q46
- The easements shown hereon are provided from the current title and the use of the recorded subdivision plat. No search of the records for easements or encumbrances was made as part of this survey.
- Compare deed description and site conditions with the data given on this plat and report any discrepancies to the surveyor at once.
- Auto Cad Files will not be released under this contract.
- No boundary corners were set at time of field survey of the subject property by client agreement.
- This plat was prepared without the aid of a title commitment. Refer to a current title commitment for any building lines or easements not shown on this plat.

State of Illinois)
County of Cook)

We, Land Surveying Services, Inc. do hereby state that we have surveyed the above described property and that this is the Plat that represents the conditions found on the day of the survey.

Given under my hand and seal this 24th day of September, A.D. 2015 in Palatine, Illinois.

Gloria Jean Koter, an agent for Land Surveying Services, Inc.

Illinois Professional Land Surveyor Number 323
License Expiration Date 11-30-16

This professional service conforms to the current Illinois minimum standards for a boundary survey.

RECEIVED
OCT - 1 2015
PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT

Drawn By:	KD	Checked By:	GJK
REVISION		Drawing Revisions	
Date		Date	
Drawn		Checked	

Field Work Completed:	09-24-15	Date:	09-24-15
Scale:	1" = 20'	Site Address:	716 N. Patton Avenue Arlington Heights, Illinois

Land Surveying Services, Inc.
Palatine, Illinois 60067
574 W. Calfax Street
Ph. (847)981-7700
Professional Design Firm License No. 184-003632

Job Number
LS150645

Sheet Name
PLAT OF SURVEY

Sheet Number
SURVEY

GENERAL NOTES

1. ALL WORK PERFORMED SHALL COMPLY WITH ALL APPLICABLE LOCAL AND STATE BUILDING CODES, ORDINANCES, REGULATIONS AND ALL OTHER AUTHORITIES HAVING JURISDICTION.
2. CONTRACTORS SHALL VERIFY ALL EXISTING DIMENSIONS AND CONDITIONS ON THE JOB AND SHALL IMMEDIATELY NOTIFY THE ARCHITECT IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH WORK OR BE RESPONSIBLE FOR SAME.
3. PROVIDE 2" MIN. WOOD FIRESTOPPING TO CUT OFF ALL CONCEALED DRAFT OPENINGS BETWEEN FLOORS AND ATTIC, PER IRC 2012.
4. ALL COOKING AND HEATING DEVICES SHALL BE U.L. OR A.S.G. ASSOC. LABELED AND APPROVED OR EQUIVALENT.
5. HOT AND COLD AIR DUCTS TO BE NON-COMBUSTIBLE MATERIAL.
6. SILL SEALER UNDER ALL EXTERIOR WALLS.
7. ALL FURNACE ROOMS TO BE DRYWALLED AND TAPED PRIOR TO INSTALLATION OF FURNACE.
8. HOLES MAY BE BORED THROUGH JOISTS MAXIMUM 2 1/2" DIA. WITH EDGES MINIMUM 2" FROM BOTTOM OR TOP OF JOISTS.
9. ALL WOOD SILL PLATES BEARING ON CONCRETE SHALL BE PRESSURE-TREATED FOR ROT AND TERMITES.
10. ALL GLAZING SHALL BE PER IRC/IRC REQUIREMENTS.
11. ALL CONTRACTORS SHALL CARRY WORKMAN'S COMPENSATION; PUBLIC LIABILITY AND PROPERTY DAMAGE INSURANCE. THE OWNER SHALL MAINTAIN FIRE EXTENDED COVERAGE AND BUILDERS RISK INSURANCE.
12. PROVIDE 1/2" WATER-PROOF CEMENT BACKER BOARD IN TUB AND SHOWER WET WALLS WITH CERAMIC TILE.
13. PROVIDE MIN. 3/8" UNDERLAYMENT BOARD UNDER FLOOR AREAS THAT ARE TO HAVE TILE.
14. APPROVED JOIST HANGERS ARE REQUIRED AS CONNECTORS.
15. ALL DUCTWORK IN UNHEATED SPACES TO BE INSULATED.
16. TEMPERED GLASS REQUIRED ON WINDOWS AND DOORS PER 2012 IRC.
17. PROVIDE 1 HOUR FIRE SEPERATION BETWEEN GARAGE AND LIVING AREAS.
18. STAIRS, HANDRAILS, & GUARDRAILS TO COMPLY TO 2012 IRC.
19. 1/2" GYP. BOARD ON ALL WALLS & CEILINGS UNLESS OTHERWISE NOTED.
20. ALL WALLS AND CEILINGS TO RECEIVE 1 PRIMER COAT AND 2 FINISH COATS OF PAINT.
21. ALL MANUFACTURED PRODUCTS AND MATERIALS TO BE INSTALLED PER MANUFACTURER'S SPECIFICATIONS. VERIFY WITH APPLICABLE LOCAL CODES.
22. ALL CONSTRUCTION MATERIALS AND METHODS ARE TO BE FOLLOWED IN ACCORDANCE WITH THE REQUIREMENTS OF 2012 STATE OF ILLINOIS ENERGY CONSERVATION CODE (PUBLIC ACT 096-0779).
23. ALL CONSTRUCTION/DEMOLITION TO BE EXECUTED IN ACCORDANCE WITH THE EPA'S NATIONAL LEAD SAFE RENOVATION PROGRAM. INTERIOR AND EXTERIOR MATERIALS ARE TO BE TESTED FOR LEAD PRIOR TO DEMOLITION PHASE AND TEST RESULTS REPORTED TO OWNER.

GENERAL ELECTRICAL NOTES

1. ELECTRIC PANEL LOCATION: 3'-0" CLEAR EACH SIDE, 4'-0" CLEAR AT FRONT AND 6'-6" MINIMUM HEADROOM INCLUDING PIPING.
2. ALL CLOTHES CLOSETS, EXCEPT WALK-INS, SHALL HAVE RECESSED PULL CHAIN LIGHT FIXTURES. LIGHTING FIXTURES INSTALLED IN INSULATED JOIST SPACES SHALL BE PROTECTED BY ICT TYPE FIXTURES (INSULATED THERMAL PROTECTION).
3. ALL OUTLETS OF KITCHEN MUST BE G.F.C.I. PROTECTED.
4. EVERY ENTRANCE TO EVERY HABITABLE ROOM AND HALLWAY MUST HAVE AN ACCESSIBLE LIGHT SWITCH TO A PERMANENT LIGHT FIXTURE OR ELECTRICAL OUTLET PER 2011 NEC.
5. ALL FIXTURES IN CLOTHES CLOSETS MUST CONFORM TO 2011 NEC.
6. ALL PADDLER FAN INSTALLATIONS REQUIRE APPROVED TYPE CEILING BOXES.

GENERAL CONCRETE NOTES

1. ALL FOOTINGS TO BE KEYED 4 INCHES INTO UNDISTURBED SOIL OR COMPACTED FILL AT 95% COMPACTION PER ASTM D-1557.
2. ALL FOOTINGS TO BE DESIGNED FOR 3,000 PSF SOIL BEARING CAPACITY.
3. ALL CONCRETE WORK SHALL BE IN ACCORDANCE WITH ALL GOVERNING CODES AND ORDINANCES.
4. ALL REINFORCING BARS ARE TO BE ASTM GRADE 40.
5. ALL WELDED WIRE MESH ARE TO CONFORM TO ASTM #15-#17.
6. ALL CONCRETE TO BE MIXED AND PLACED IN ACCORDANCE WITH ALL GOVERNING CODES AND ORDINANCES.
7. PROTECT ALL CONCRETE FROM ADVERSE WEATHER.
8. ALL EXPOSED CONCRETE TO HAVE 5% TO 7% AIR ENTRAINMENT.
9. CONCRETE TO BE READY MIXED, 3,500 PSI (MIN.), 28 DAY STRENGTH (5 BAG MIX) TO BE POURED CONTINUOUSLY WHENEVER POSSIBLE.
10. NO CONCRETE IS TO BE POURED INTO STANDING WATER OR ONTO FROZEN SUB-GRADE.
11. INTERIOR FLATWORK TO RECEIVE SMOOTH STEEL TROWEL FINISH. EXTERIOR FLATWORK TO RECEIVE A BROOM FINISH ON ALL EXPOSED FACES.
12. PROVIDE CONTROL JOINTS RADIATING OUT FROM ALL INTERIOR STEEL COLUMNS AND AS REQUIRED IN ALL LARGE POURS.
13. PROVIDE ALL GRANULAR FILL UNDER EXTERIOR STOOPS.
14. PROVIDE 4 #4 HOOKED RODS IN WALLS WHERE FOOTING ELEVATIONS ARE NOT CONTINUOUS.
15. PROVIDE FIBERGLASS REINFORCED DAMPROOFING ON ALL FOUNDATION WALLS UNLESS OTHERWISE NOTED.
16. CONTROL JOINTS TO BE A MIN. 25% OF DEPTH OF SLAB.
17. USE EXPANSION MATERIAL AT ALL FLOOR SLAB TO WALL CONNECTIONS.
18. ALL EXTERIOR FLATWORK TO BE POURED ON MIN. 5" COMPACTED GRAVEL COMPACTED IN MAX. 3" LIFTS.
19. PROVIDE CONTROL JOINTS ON ANY FLOOR SLABS & PATIOS GREATER THAN 120 SQUARE FEET IN AREA.

STRUCTURAL NOTES

1. DESIGN LIVE LOADS: FLOOR = 40 PSF
SLEEPING AREAS: FLOOR = 40 PSF
ATTICS: FLOOR = 20 PSF
ROOFS: = 30 PSF
2. FRAMING LUMBER TO BE OF THE FOLLOWING GRADES:
STUDS: SPF, STANDARD OR BETTER
JOISTS AND BATTENS: DFL #2 OR BETTER
MINIMUM STRESSES: F(b) = 875 PSI, E = 1,400,000 PSI
3. PROVIDE 2x12x1 HEADERS OVER ALL EXTERIOR OPENINGS UNLESS OTHERWISE NOTED.
4. ALL INTERIOR BEARING WALLS TO BE 2x4 STUDS @ 16" O.C. UNLESS OTHERWISE NOTED.
5. ALL JOISTS TO HAVE A MIN. 2" BEARING ON WOOD OR STEEL, MIN. 3 1/2" BEARING ON MASONRY.
6. ALL LUMBER SHALL HAVE AN AVERAGE MOISTURE CONTENT OF NOT MORE THAN 19%.
7. APPROVED JOIST HANGERS ARE REQUIRED AS CONNECTORS.
8. ENGINEERING SPECS. FOR PRE-ENGINEERED TRUSSES TO BE PROVIDED UNDER SEPERATE COVER.

GENERAL EXCAVATION NOTES

1. ALL WORK SHALL CONFORM WITH ALL LOCAL CODES AND ORDINANCES.
2. THE SUBCONTRACTOR SHALL BE RESPONSIBLE FOR ESTABLISHING AND MAINTAINING EXCAVATION GRADES FROM A GRADE STAKE SHOWING TOP OF FOUNDATION ELEVATION. THIS GRADE STAKE SHALL BE OUTSIDE THE BUILDING AREA AND SHALL BE PROVIDED BY THE BUILDER.
3. STRIP BLACK DIRT FROM BUILDING ZONE.
4. MACHINE EXCAVATE TO AN ELEVATION 6 INCHES BELOW THE PROPOSED TOP OF FOOTING ELEVATION TO ALLOW FOR THE FINAL 4 INCHES TO BE KEVED INTO UNDISTURBED SOIL BY HAND BY OTHERS.
5. ALL MATERIAL GENERATED FROM EXCAVATION SHALL BE SEPERATED INTO HOMOGENEOUS STOCKPILES.
6. EXCAVATE AS REQUIRED TO PROVIDE 8 INCHES OF GRADE 9 STONE UNDER THE CWP CULVERT (IF ANY). INVERTS OF CULVERT SHALL CONFORM TO THE EXISTING FLOW LINE IN THE DITCH LINE, AND SHALL BE 18 INCHES MIN. BELOW THE CROWN ON THE ROAD. SUBCONTRACTOR SHALL CHECK FOR PROPER PITCH AND DEPTH PRIOR TO FILLING STONE OVER THE PIPE. INSTALLATION OF A DRIVEWAY WITH A HUMP OVER THE CULVERT PIPE SHALL BE PROHIBITED.
7. PRESUMPTIVE SOIL BEARING CAPACITY IS 3,000 PSF ON UNDISTURBED SOIL. IF AT PLAN DEPTH A QUESTIONABLE SOIL CONDITION IS ENCOUNTERED, SUBCONTRACTOR SHALL CONSULT BUILDER OR BE RESPONSIBLE FOR ALL COSTS ASSOCIATED WITH EXCAVATING DEEPER THAN PLAN.
8. NO EXCAVATIONS SHALL BE MADE WHOSE DEPTH BELOW THE FOOTING IS GREATER THAN 1/2 THE HORIZONTAL DISTANCE FROM THE NEAREST EDGE OF THAT FOOTING.
9. ALL BACKFILL AT STOOPS, SLABS, STEPS AND PAVEMENTS SHALL BE CLEAN GRANULAR FILL, PLACE IN 8 INCH LAYERS AND COMPACT TO 95% MAXIMUM DRY DENSITY PER ASTM D-1557, OR PROVIDE ALL SELF-COMPACTING PEA GRAVEL MATERIAL.
10. ALL SLABS ON GRADE SHALL BEAR ON MECHANICALLY COMPACTED CRUSHED STONE OR SELF-COMPACTING PEA GRAVEL CAPABLE OF SUPPORTING 1,000 PSF.
11. BACKFILL SHALL BE BROUGHT UP EQUALLY ON EACH SIDE OF WALLS AND EQUALLY AROUND ALL SIDES OF THE BUILDING. DO NOT BACKFILL UNTIL FOUNDATION WALLS HAVE ADEQUATELY CURED.
12. ONLY RUBBER TIED MACHINES MAY DRIVE ON EXISTING PAVEMENT AT STREET. LOADING AND UNLOADING OF METAL TRACK MACHINES SHALL BE MADE ON-SITE OR THE SUBCONTRACTOR SHALL BE RESPONSIBLE FOR DAMAGES WHICH OCCUR.
13. SUBCONTRACTOR AND/OR BUILDER SHALL CALL JULIE AT LEAST 48 HOURS PRIOR TO THE START OF ANY DIGGING OPERATIONS, OR BE HELD RESPONSIBLE FOR ANY REPAIRS TO UNDERGROUND UTILITY LINES DAMAGED OR DESTROYED IN THE PROCESS.
14. ANY EXISTING FIELD TILES, WHETHER FLOWING OR NOT, SEVERED DURING THE EXCAVATION PHASE SHALL BE IMMEDIATELY MARKED SO AS TO ALLOW FOR PROPER RE-CONNECTION AROUND THE FOUNDATION IN CONFORMANCE WITH STATE DRAINAGE LAW.
15. TAKE CARE WHEN DIGGING FOR FOOTINGS. THE USE OF ROCK UNDER THE FOOTINGS CAN FACILITATE WATER ACCUMULATION UNDER THE BASEMENT FLOOR SLAB AND CONTRIBUTE TO FLOODING AS THE GROUND WATER LEVEL RISES DURING EXTREMELY WET PERIODS. THEREFORE, CRUSHED ROCK CANNOT BE PERMITTED UNDER FOUNDATIONS UNLESS A SOILS REPORT BY AN LICENSED SOILS ENGINEER SPECIFICALLY ADDRESSES THE EXISTING AND POTENTIAL HIGH LEVELS OF GROUND WATER TABLE AND ADEQUATE PREVENTIVE MEASURES TO PROTECT THE HOMEOWNER.

GENERAL STEEL NOTES

1. STEEL WORK SHALL CONFORM TO THE CURRENT SPECIFICATIONS FOR THE DESIGN, FABRICATION AND ERECTION OF STRUCTURAL STEEL FOR BUILDINGS AS ADOPTED BY THE A.I.S.C.
2. CONNECTIONS SHALL BE BOLTED OR WELDED. BOLTS SHALL CONFORM TO ASTM A325 AND BE 3/4 INCH DIAMETER UNLESS NOTED OTHERWISE.
3. ALL STRUCTURAL STEEL SHALL BE IN ACCORDANCE WITH ASTM SPECIFICATIONS A-36. STEEL FOR PIPE COLUMNS SHALL BE OF EQUIVALENT CAPACITY AND WELDABILITY TO ASTM SPECIFICATIONS A-501.
4. ALL STEEL FLITCH PLATES SHALL BE IN ACCORDANCE WITH ASTM SPECIFICATIONS A-36, AND BE SHOP DRILLED FOR STAGGERED BOLTING.
5. ALL STRUCTURAL STEEL BEAMS, COLUMNS, FLITCH PLATES, BOLTS AND SHIMS SHALL HAVE A SHOP APPLIED COAT OF RUST-INHIBITING PAINT.
6. STEEL FABRICATOR TO SUPPLY ALL NECESSARY BOLTS, FLANGES, SEAT ANGLES AND SHIMS NECESSARY FOR PROPER INSTALLATION.
7. STEEL BASEMENT COLUMNS SHALL REST ON STACKED STEEL SHIMS NOT TO EXCEED 2 INCHES IN HEIGHT. SETTING STEEL COLUMNS ON CHUNKS OF BRICK SHALL BE PROHIBITED.
8. ALL HOLES IN ALL CONNECTIONS SHALL RECEIVE A BOLT AND NUT AND ALL NUTS SHALL BE FIRMLY TIGHTENED PRIOR TO IMPOSING LOADING FROM ABOVE. MIS-ALIGNED CONNECTIONS SHALL BE FIELD-DRILLED AS REQUIRED TO INSERT ALL BOLTS, OR BE FIELD-WELDED TO REPLACE SUCH BOLTS(S).

PRESSURE TREATED MATERIALS

ALL HANGERS AND FASTENERS USED ON DECK TO BE SPECIFIED STAINLESS STEEL, GIBS, AND/OR HOT DIPPED GALVANIZED FOR USE WITH ACO AND COPPER AZOLUE TREATED LUMBER.

SPECIAL SAFETY NOTE

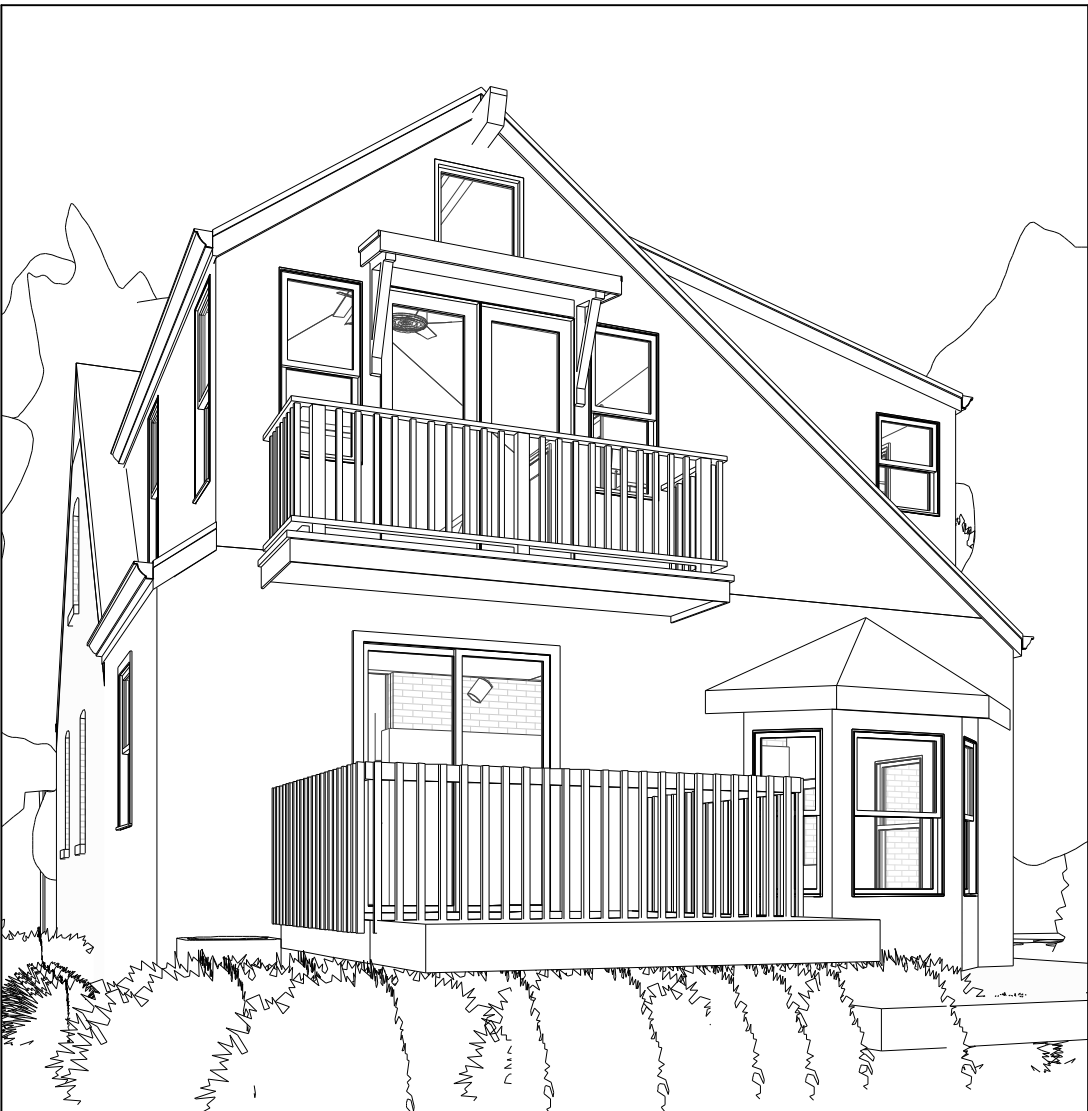
ALL CONTRACTORS, SUBCONTRACTORS AND THEIR REPRESENTATIVES WORKING ON THIS PROJECT SHALL AT ALL TIMES PRIOR AND DURING THE COURSE OF THEIR ACTIVITY BE RESPONSIBLE FOR THE SAFETY OF THEIR EMPLOYEES AS WELL AS OTHERS AND IN THE CARE OF THE PROPERTY. EACH AS REPRESENTATIVES OF THEIR EMPLOYERS SHALL ASCERTAIN THAT THE CONDITIONS UNDER WHICH THEY WILL BE REQUIRED TO ACCOMPLISH THEIR WORK ARE SAFE AND MEET ALL REGULATIONS OF THE OCCUPATIONAL SAFETY HAZARD ACT OR OTHER GOVERNING REGULATIONS. THE BEGINNING OF WORK BY A CONTRACTOR OR SUBCONTRACTOR SHALL INDICATE SATISFACTION CONCERNING SAFETY AND FULL RESPONSIBILITY FOR ACCIDENTS AND/OR DAMAGE. IF UNSATISFIED, THE CONTRACTOR OR SUBCONTRACTOR SHALL INDICATE THE ACTIONS AND/OR DEVICES NECESSARY TO RENDER THE JOB-SITE SAFE. IF THE WORK OF OTHER PARTIES IS, UPON INSPECTION, FOUND AT ANY TIME TO BE UNSAFE, THE CONTRACTOR OR SUBCONTRACTOR SHALL IMMEDIATELY STOP ALL WORK AND NOTIFY THE GENERAL CONTRACTOR, ARCHITECT AND OWNER. THE BEGINNING OF WORK SHALL INDICATE ACKNOWLEDGMENT AND ACCEPTANCE OF THESE REQUIREMENTS.

SPECIAL NOTICE

THE USE OF THESE PLANS TO OBTAIN A BUILDING PERMIT SHALL CONSTITUTE THE ACCEPTANCE AND APPROVAL OF ALL REQUIREMENTS CONTAINED THEREIN.
PLANS BASED ON ASSUMPTION OF ADEQUATE SOIL BEARING CAPACITY. OWNER IS RESPONSIBLE FOR PROVIDING A SOIL TEST BY AN APPROVED SOIL ENGINEER.

THE GENERAL CONTRACTOR SHALL BRING ALL ERRORS AND OMISSIONS WHICH MAY OCCUR IN THE CONSTRUCTION DOCUMENTS TO THE ATTENTION OF THE ARCHITECT.
THE GENERAL CONTRACTOR SHALL MAKE NO STRUCTURAL CHANGES WITHOUT THE WRITTEN APPROVAL OF THE ARCHITECT.

ALL SUBCONTRACTORS ARE RESPONSIBLE FOR VERIFYING ALL PRE-EXISTING SITE CONDITIONS PRIOR TO SUBMITTING PROPOSAL FOR NEW WORK.
GENERAL CONTRACTOR AND OWNER ARE RESPONSIBLE FOR ALLOWING ACCESS TO THE HOME FOR THIS TYPE OF INSPECTION BY THE SUBCONTRACTOR.



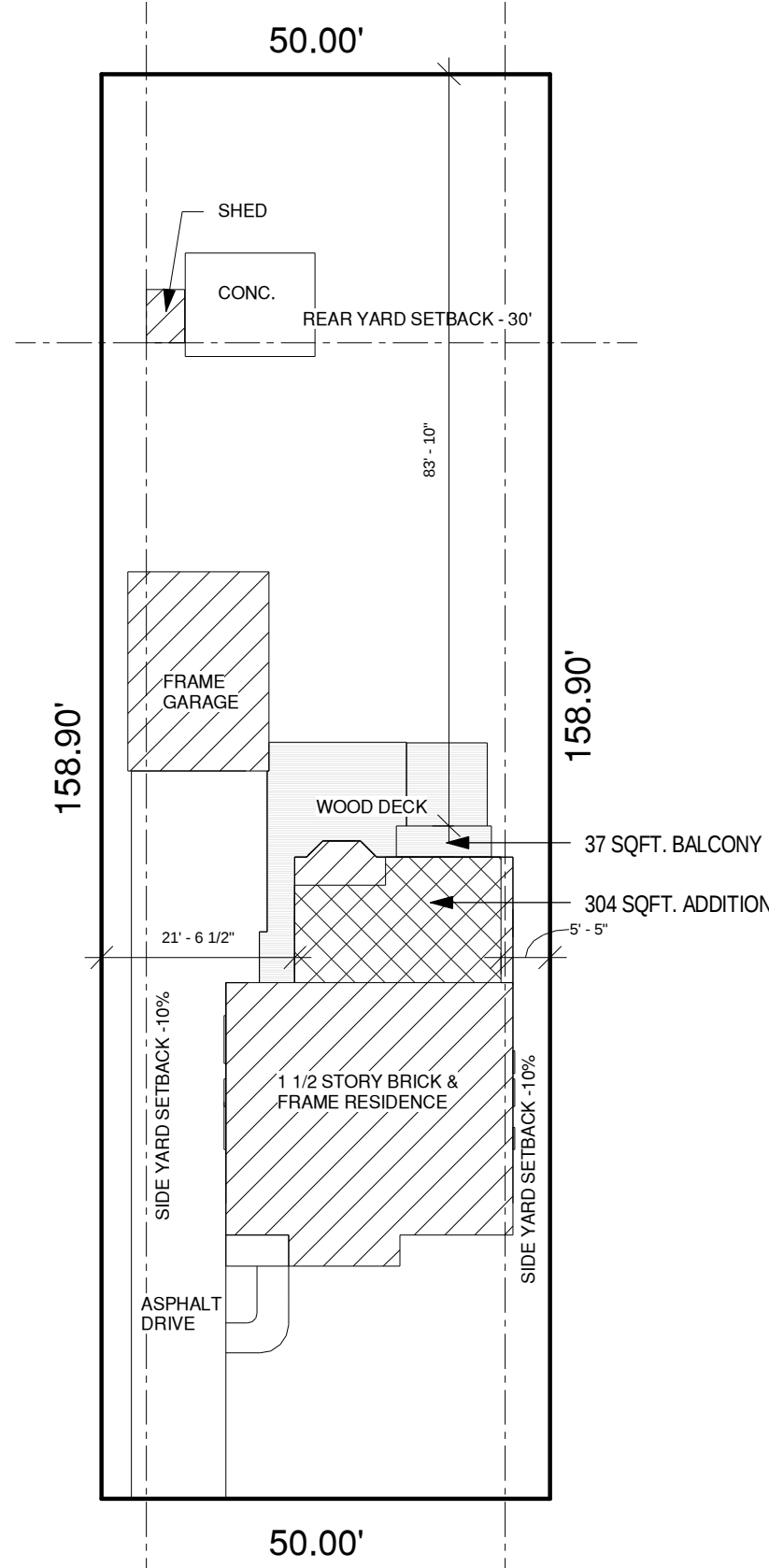
PERSPECTIVE VIEW

NTS



PERSPECTIVE VIEW

NTS



N. PATTON AVE.

SITE PLAN

SCALE: 1" = 20'-0"

SITE PLAN IS BASED ON PLAT OF SURVEY AS DRAWN BY LAND SURVEYING SERVICES INC. OF PALATINE, IL AND DATED 9/24/15

2012 IECC CODE COMPLIANCE

- PER SECTION 405 - SIMULATED PERFORMANCE ALTERNATIVE

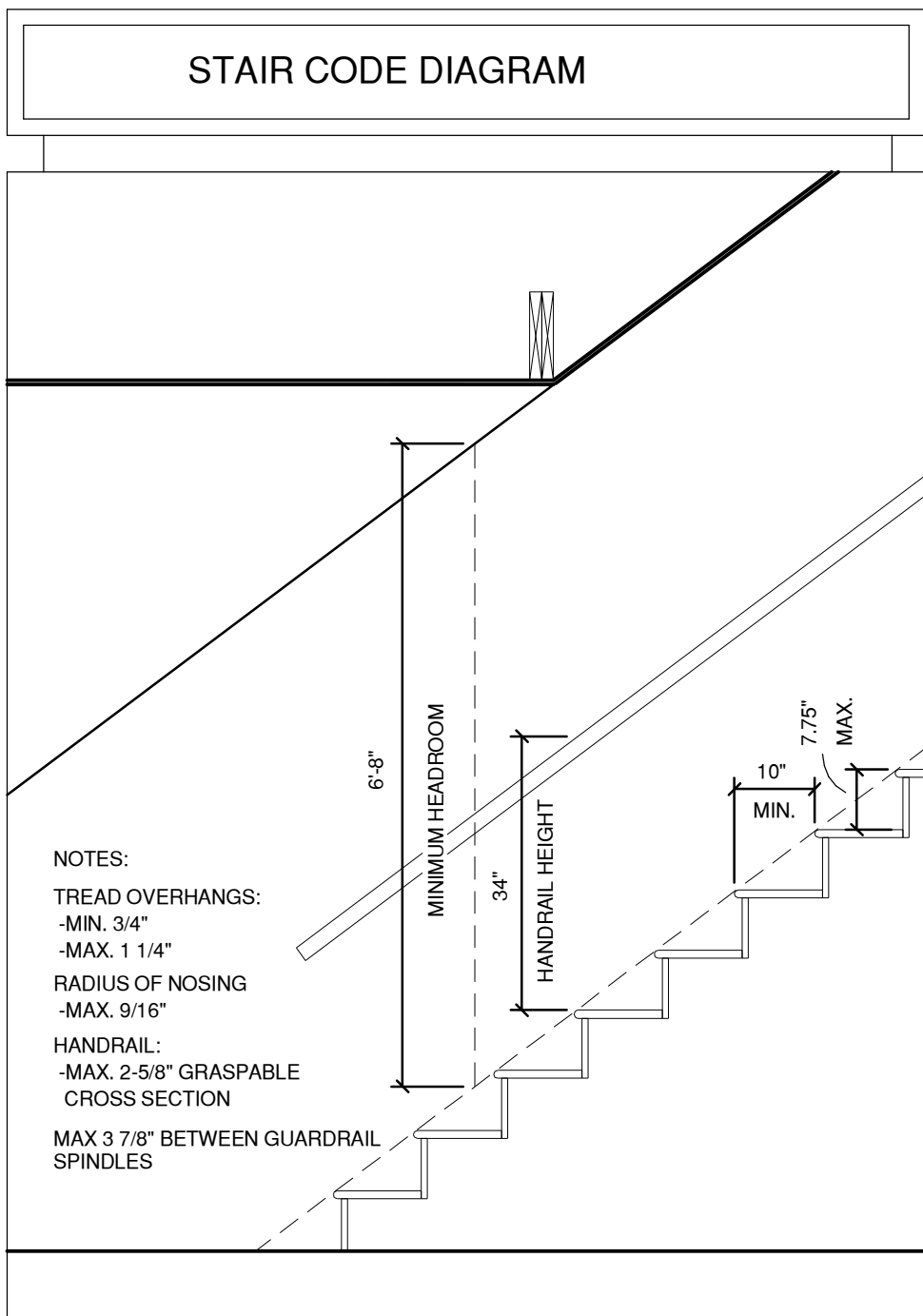
Energy Cost and Features

Property	Organization			
Michael & Marilinda Dolezal 716 N. Patton Ave. Arlington Heights, IL 60004	Builder PARCRAFT, LTD.			
Weather: Chicago, IL Fiberglass: Adh. Ductal: Fiberglass: Btg				
Annual Energy Costs (\$/yr)	Foam Addn.	Fiberglass Addn.	DBT	%DBT
Heating	30	38	-8	-26.9%
Cooling	59	60	-1	-1.7%
Water Heating	98	98	0	-0.0%
Lights & Appliances	270	270		
Photovoltaics	0	0		
Service Charges	120	120		
Total	577	586	-9	-1.5%
Average Monthly (\$/Month)	48	49	-1	-1.5%
Energy Features				
Ceiling w/attic	None	R-49 Blown, Attic*** U-0.021		
Sealed Attic	R-21.6 Foam U-0.037	None		
Vaulted Ceiling	None	R-30, Vaulted U-0.048		
Above Grade Wall	R-13 SprayFoam U-0.082	R-20 Fiberglass U-0.070		
Foundation Wall (Cont)	R-17 Denspac, 4ft R-17.0			
Foundation Wall (Uncond)	None			
Doors	200 series slider U-0.254			
Windows	2001.67 Arg. Vinyl U-0.330			
Frame Floors	R-21.6 foam floor U-0.047	R-30 Fiberglass U-0.052		
Slab Floors	Uninsulated U-0.365			
Infiltration	Htg: 0.19 Cfg. 0.10 ACH50	Htg: 0.35 Cfg. 0.35 ACH50		
Infiltration Measure	Blower door test			
Mechanical Ventilation	None			
Interior Heat	None			
Mechanical Equipment 1	Heating: Fuel-fired air distribution, 48.0 kWh, 14.0 ACH50 Water Heating: Conventional, Gas, 0.54 EF Cooling: Air conditioner, 18.0 kWh, 12.0 SEER	Heating: Fuel-fired air distribution, 80.0 kWh, 14.0 ACH50 Water Heating: Conventional, Gas, 0.54 EF Cooling: Air conditioner, 30.0 kWh, 12.0 SEER		
Mechanical Equipment 2				
Mechanical Equipment 3				
Programmable Thermostat	Heat=Yes; Cool=Yes			
Ducts	Uninsulated conditioned space			
Duct Leakage to Outside	RESNET/IECC default			
Total Duct Leakage	Not Applicable			
Lighting Appliances	Defaults			
Active Solar	None			

Note: Where feature level varies in home, the dominate value is shown. Only changed features are shown for second building.

REM/Chicago - Residential Energy Analysis Software v14.2
This information does not constitute any warranty of energy cost or savings.
© 1985-2013 Architectural Energy Corporation, Boulder, Colorado

STAIR CODE DIAGRAM



NOTES:
TREAD OVERHANGS:
-MIN. 3/4"
-MAX. 1 1/4"
RADIUS OF NOSING
-MAX. 9/16"
HANDRAIL:
-MAX. 2-5/8" GRASPABLE CROSS SECTION
MAX 3 7/8" BETWEEN GUARDRAIL SPINDLES

LIGHT AND VENT SCHEDULE

ROOM	SQFT.	LIGHTING		VENTILATION	
		REQUIRED 8%	ACTUAL	REQUIRED 4%	ACTUAL
MASTER BEDROOM	172	13.8	62.6	6.9	28.4
MASTER BATH	74	N/A	21.2	N/A	MECHANICALLY VENTED
BEDROOM 3	130	10.4	18.9	5.2	5.39

*PER IRC R303.1 EXCEPTION 2: ARTIFICIAL LIGHT TO BE PROVIDED CAPABLE OF PRODUCING AN AVERAGE ILLUMINATION OF 6 FOOT-CANDLES OVER THE AREA OF THE ROOM AT A HEIGHT OF 30" ABOVE FINISHED FLOOR.

ARLINGTON HEIGHTS BUILDING CODE COMPLIANCE

VILLAGE OF ARLINGTON HEIGHTS MUNICIPAL CODE
ILLINOIS ACCESSIBILITY CODE 1997
NATIONAL ELECTRICAL CODE 2005 (NEC)
STATE OF ILLINOIS ENERGY CONSERVATION CODE
INTERNATIONAL FIRE CODE 2009
INTERNATIONAL MECHANICAL CODE 2009
STATE OF ILLINOIS PLUMBING CODE 2014
INTERNATIONAL RESIDENTIAL CODE 2009



ARCHITECTS

BUILDERS

REMODELERS

825 East Rand Road, Suite 230
Arlington Heights, IL 60004
Phone: (847) 394-4131
Fax: (847) 394-4132
www.parcraft.com

RESIDENTIAL
ADDITION &
REMODEL FOR:

MICHAEL & MARILINDA
DOLEZAL

716 N. PATTON AVE.
ARLINGTON HEIGHTS, IL

	ISSUE	DATE
	PRELIMINARY	6/5/15
	DESIGN DEV.	6/29/15
	BID SET	7/14/15
	PERMIT SET	9/28/15

DRAWN BY: ES

CHECKED BY: PAR

SIGNATURE:

DATE:

LICENSE EXPIRES: 11/30/16

JOB NO.: DOLEZAL

SHEET:

T1

OF:



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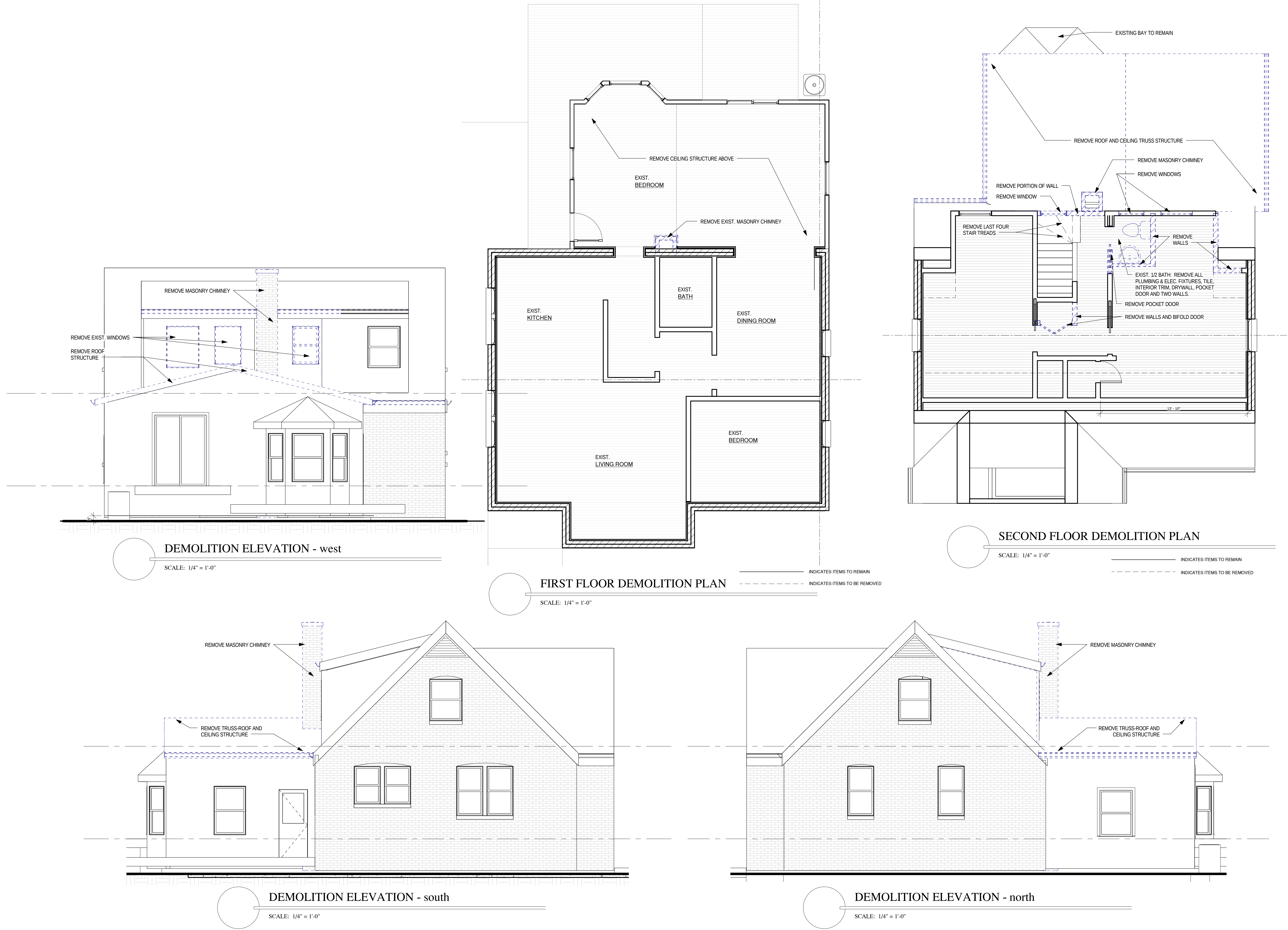
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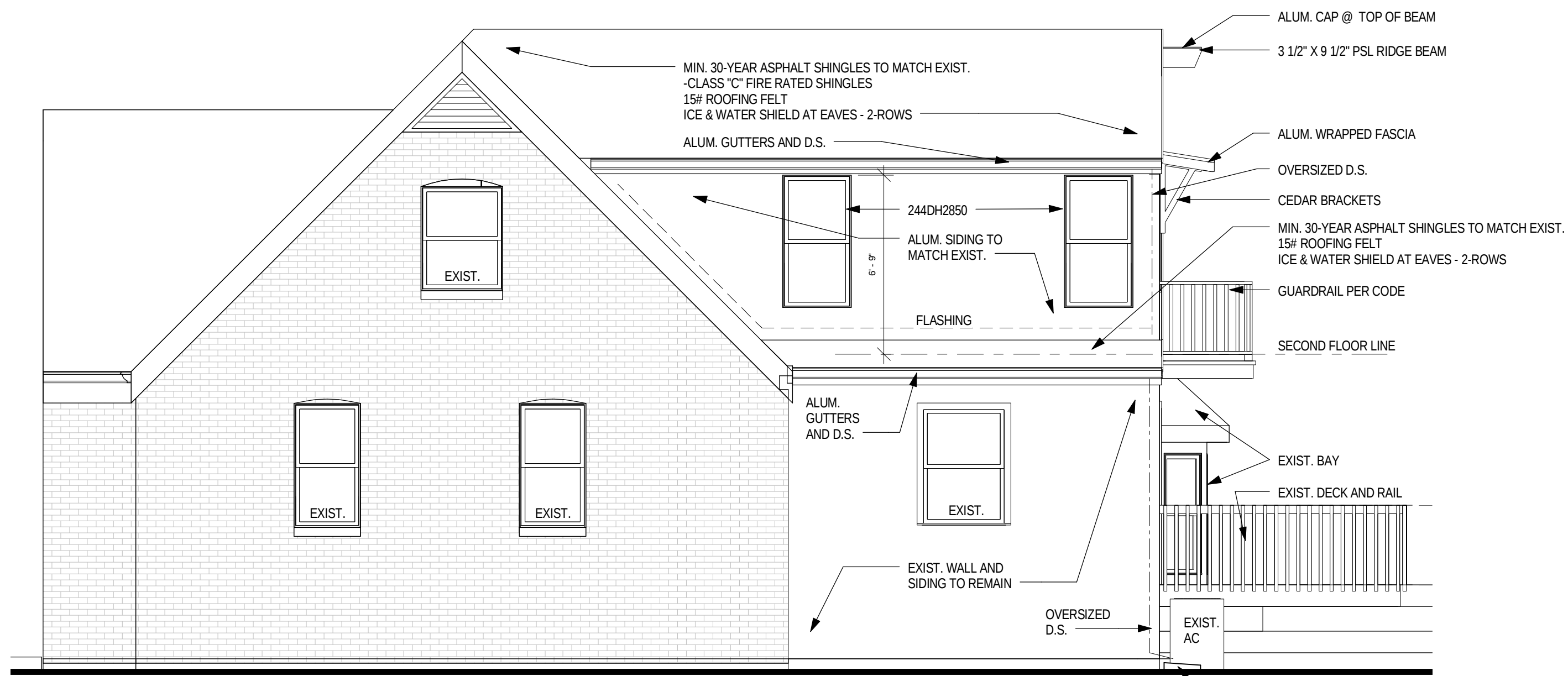
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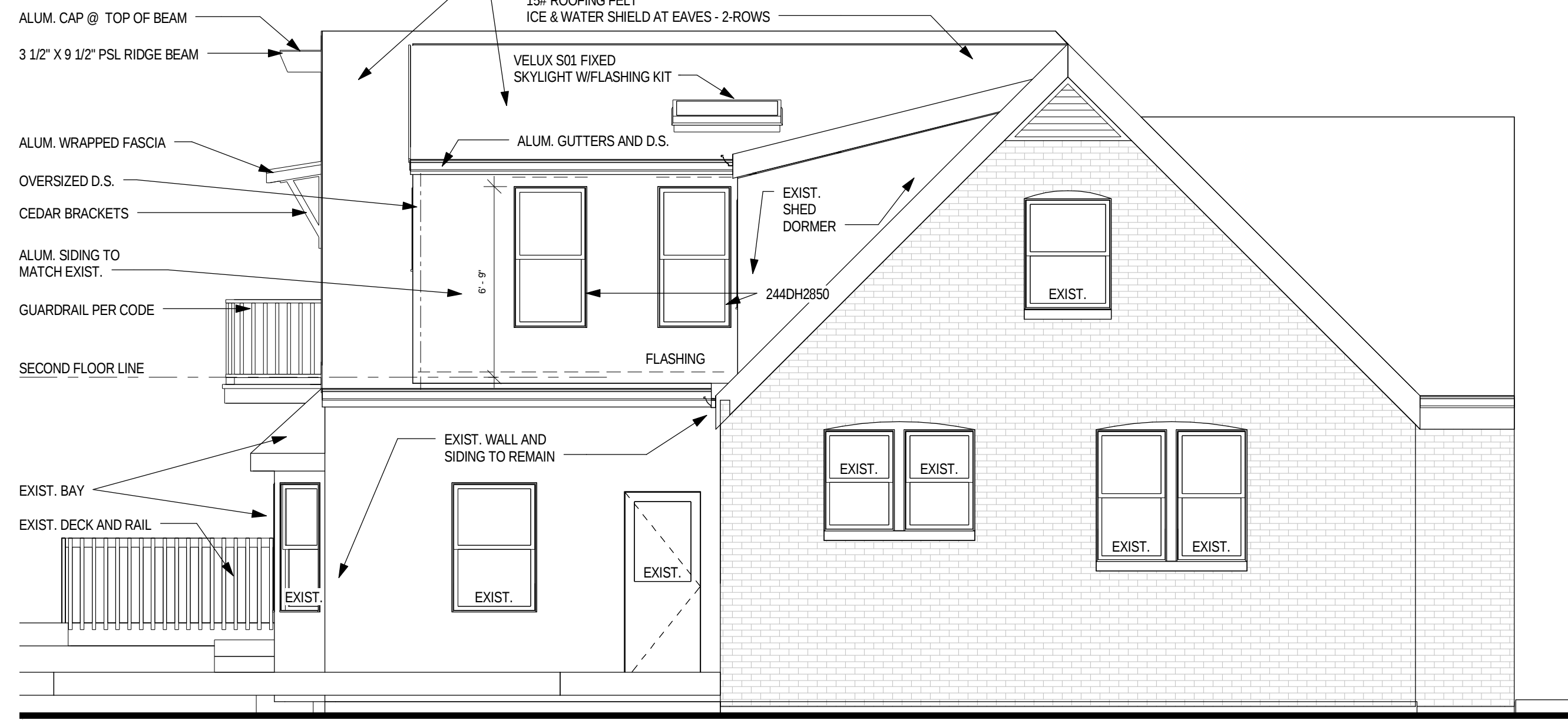
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OF:





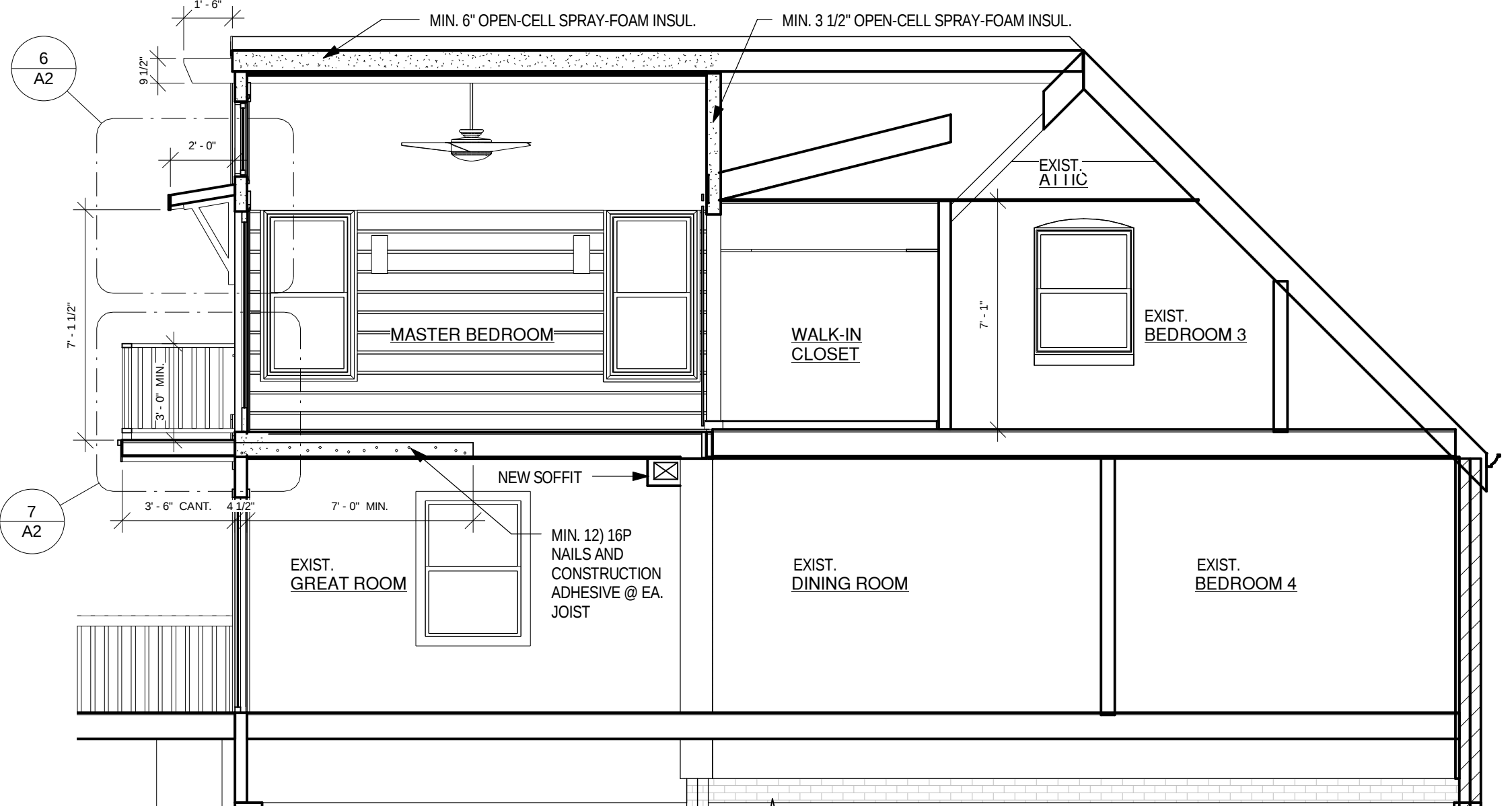
RIGHT SIDE ELEVATION

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



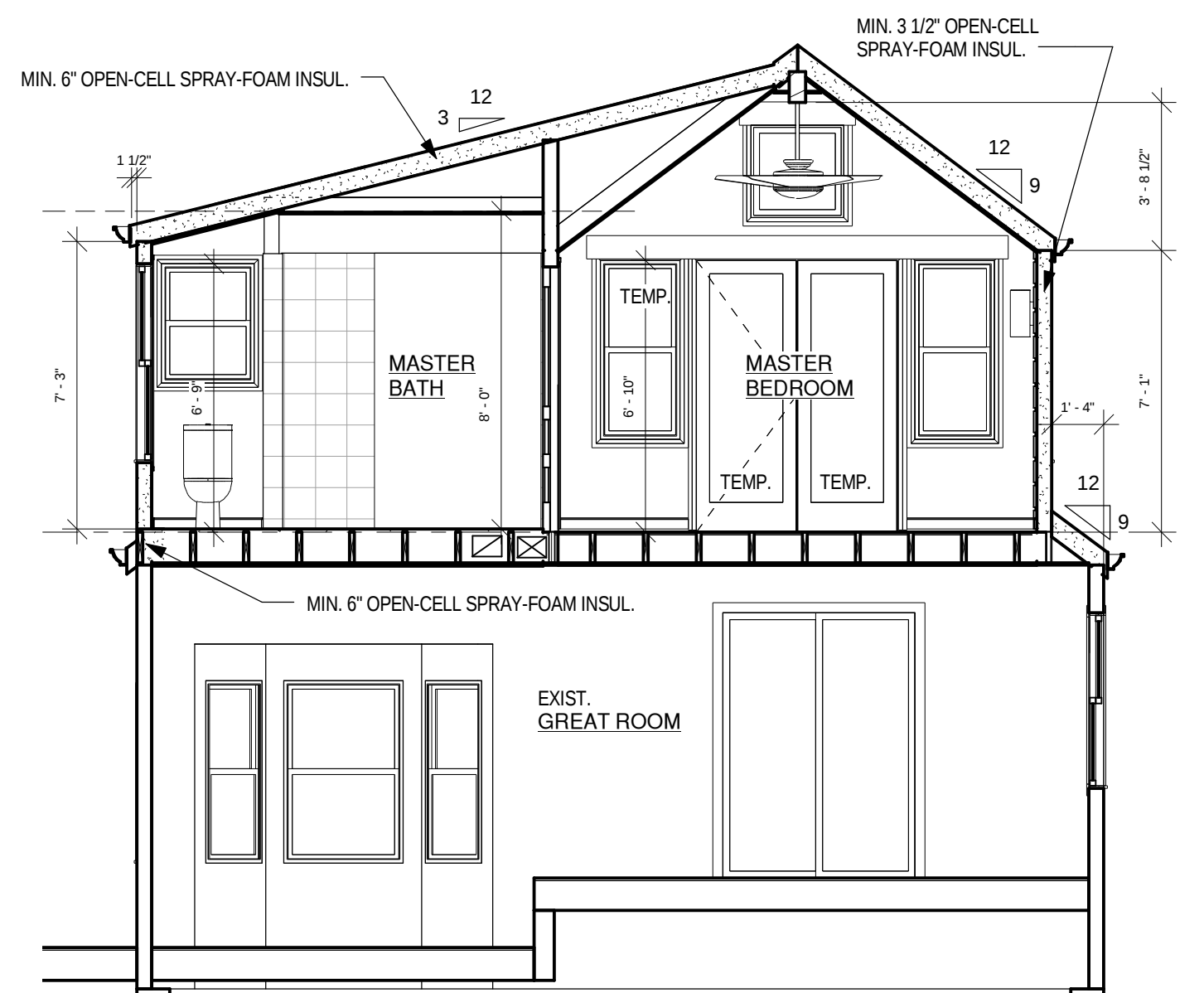
LEFT SIDE ELEVATION

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



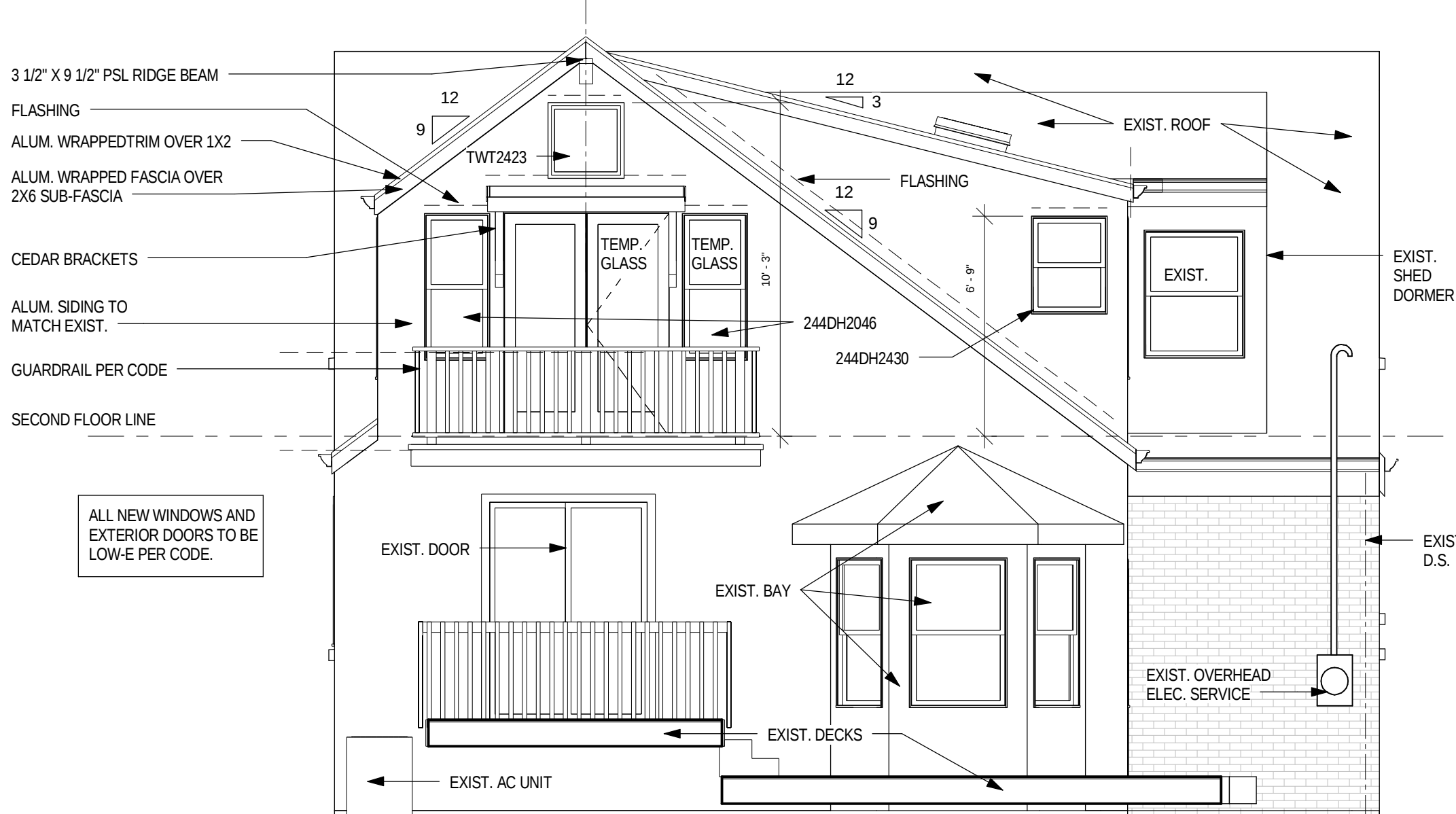
BUILDING SECTION - thru master bedroom & closet

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



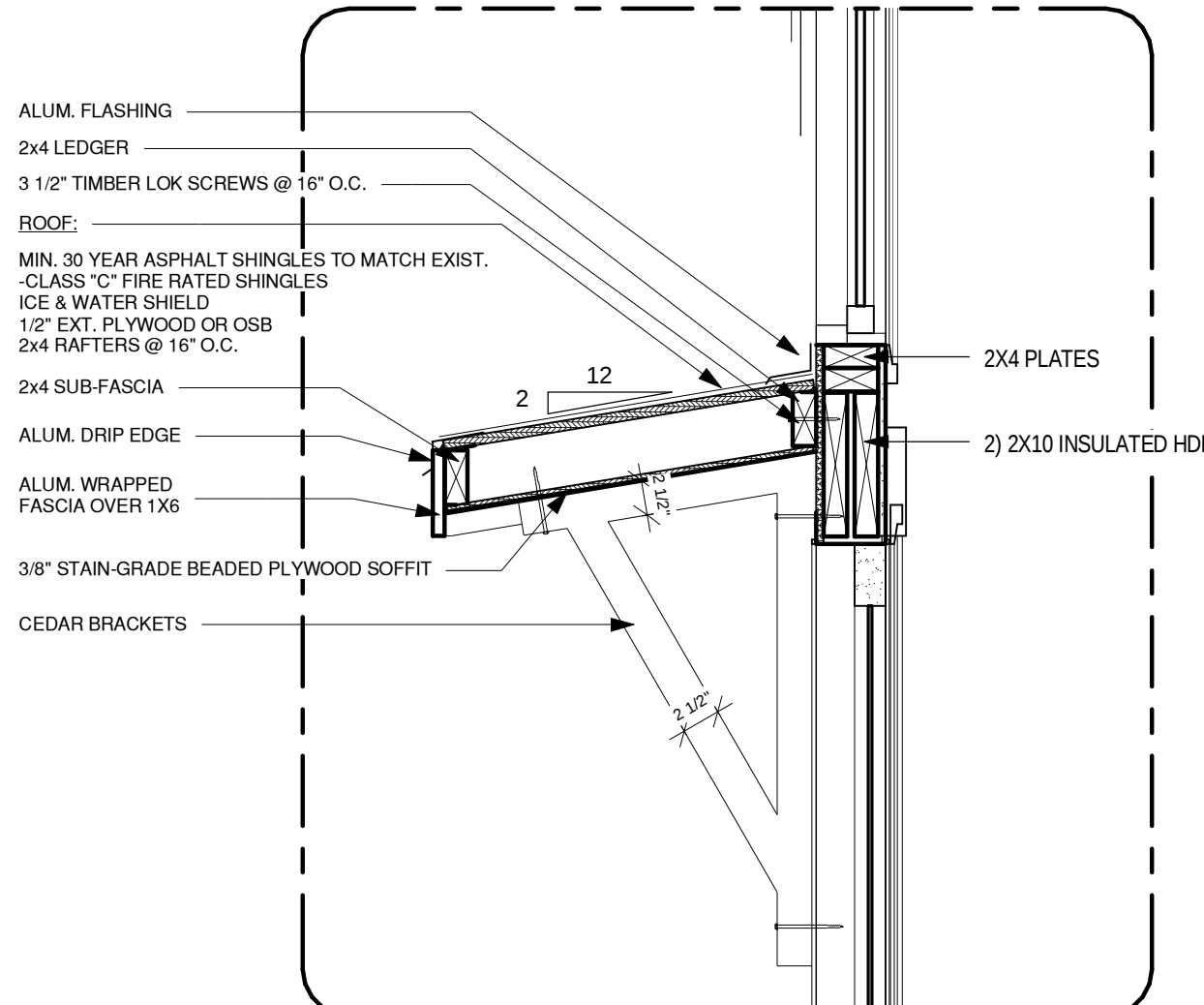
BUILDING SECTION - thru master bedroom & bath

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



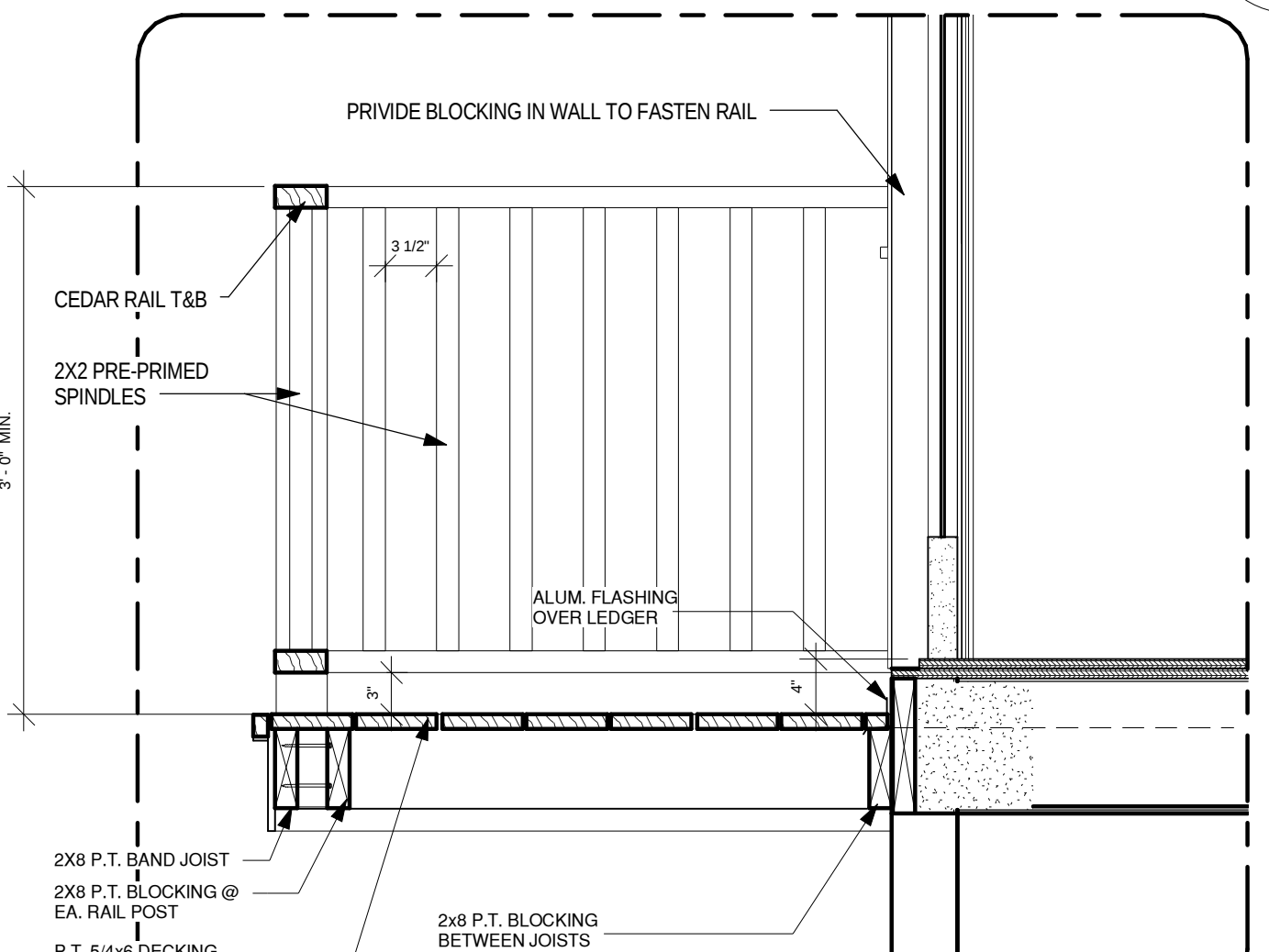
REAR ELEVATION

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



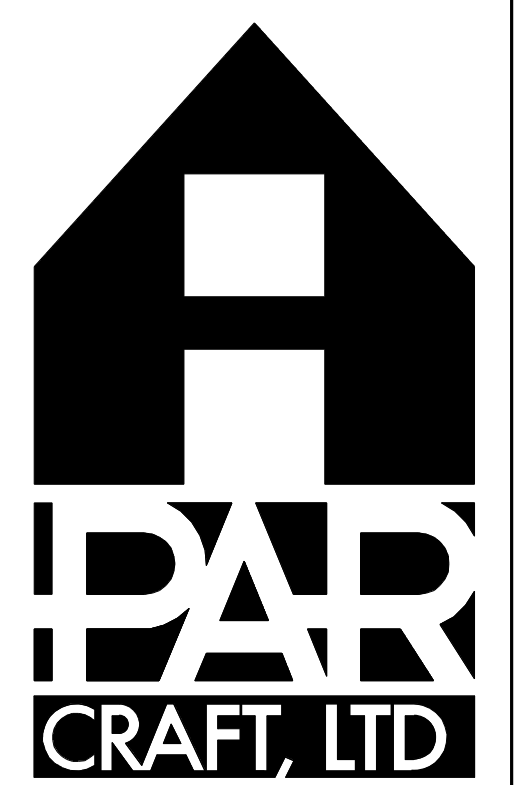
DETAIL SECTION - balcony roof

SCALE: 3/4" = 1'-0"



DETAIL SECTION - balcony floor

SCALE: 3/4" = 1'-0"



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