



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
October 10, 2016
7:00 PM

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF MINUTES

- A. 1237 S. Arlington Heights Rd. - 9/19/16
- B. 1003 S. Dunton Ave. - 9/19/16
- C. 315 W. Hackberry Dr. - 9/19/16
- D. 523 S. Rammer Ave. - 9/19/16
- E. Lutheran Home Cemetery - 9/19/16
- F. 926 N. Hickory Ave. - 9/19/16
- G. 818 N. Dryden Ave. - 9/19/16
- H. 517 S. Dunton Ave. - 9/19/16
- I. 122 S. Highland Ave. - 9/19/16
- J. 735 N. Vail Ave. - 9/19/16
- K. 501 N. Derbyshire Ave. - 9/19/16

IV. REPORTS

V. OLD BUSINESS

- A. Molecular Imaging Chicago - 1237 S. Arlington Heights Rd.

VI. NEW BUSINESS

- A. Goedke House - 215 W. Miner St.
- B. Stukenberg Residence - 1409 E. Eastman St.

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: 1237 S. Arlington Heights Rd. - 9/19/16

Department: Planning & Community Development

Approval of Minutes & Findings from the 9/19/16 hearing.

ATTACHMENTS:

Description	Type
Minutes 9/19/16 - 1237 S. Arlington Heights Rd.	Minutes

DRAFT

ZONING BOARD

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

OF APPEALS

RE: MOLECULAR IMAGING CHICAGO -
1237 SOUTH ARLINGTON HEIGHTS ROAD

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 19th day of September, 2016 at the hour of
7:00 p.m.

MEMBERS PRESENT:

TONY PETRILLO, Chairman
TOM DRAKE
TOM SCHWINGBECK
DAVID DIVITO
JOSEPH GEISEL
JOSEPH SELBKA
PETER SIAVELIS

ALSO PRESENT:

DEREK MACH, Village Planner

DRAFT

2

CHAIRMAN PETRILLO: We'll call to order the Zoning Board of Appeals meeting of September 19, 2016. Derek, will you call the roll please?

MR. MACH: Chairman Petrillo.

CHAIRMAN PETRILLO: Here.

MR. MACH: Mr. Divito.

MR. DIVITO: Here.

MR. MACH: Mr. Drake.

MR. DRAKE: Here.

MR. MACH: Mr. Geisel.

MR. GEISEL: Here.

MR. MACH: Mr. Schwingbeck.

MR. SCHWINGBECK: Here.

MR. MACH: Mr. Selbka.

MR. SELBKA: Here.

MR. MACH: Mr. Siavelis.

(No response.)

CHAIRMAN PETRILLO: We do expect Peter?

MR. MACH: I do.

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

(Pledge of allegiance.)

CHAIRMAN PETRILLO: Next order of business is approval of the minutes from the September, I'm sorry, the August 8th, 2016 meeting. Are there any questions, comments, and has every member of the Board had an opportunity to review those findings? I'm going to recuse myself, I was not present at that meeting. We do have a quorum to vote on that. Is there a motion for approval?

MR. DRAKE: So moved.

CHAIRMAN PETRILLO: We have a motion.

MR. GEISEL: Second.

CHAIRMAN PETRILLO: And a second. All those in favor say aye.

(Chorus of ayes.)

CHAIRMAN PETRILLO: Any opposed, nay.

(No response.)

CHAIRMAN PETRILLO: None being heard, the motion passes. We have 10 petitions on the agenda this evening. The first item on the agenda is a petition for Molecular Imaging Chicago at 1237 South Arlington Heights Road. That Petitioner has asked for a continuance.

Is there anyone in the audience that was here to speak on that petition? None being heard, okay, Derek, we'll need a motion?

MR. MACH: Yes.

CHAIRMAN PETRILLO: The next date this will appear, this will appear on the October 10th, 2016 meeting date. Is there a motion to continue that petition to October 10th?

MR. SELBKA: Motion made.

MR. SCHWINGBECK: Second.

CHAIRMAN PETRILLO: Second. Do we need a roll call or just a call?

MR. MACH: Just a call.

CHAIRMAN PETRILLO: All those in favor say aye.

(Chorus of ayes.)

CHAIRMAN PETRILLO: Any opposed?

(No response.)

CHAIRMAN PETRILLO: None being heard, that motion passes.

(Whereupon, the hearing on the above-mentioned petition
was continued to a date certain and adjourned at 7:02 p.m.)



Item: 1003 S. Dunton Ave. - 9/19/16

Department: Planning & Community Development

Approval of Minutes & Findings from 9/19/16 hearing.

ATTACHMENTS:

Description	Type
Minutes 9/19/16 - Rajchel	Minutes
Findings 9/19/16 - Rajchel	Minutes

DRAFT

1

ZONING BOARD

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

OF APPEALS

RE: RAJCHEL RESIDENCE - 1003 SOUTH DUNTON AVENUE

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Zoning Board of Appeals taken at the Arlington Heights
Village Hall, 33 South Arlington Heights Road, 1st Floor Beuchner Room,
Arlington Heights, Illinois on the 19th day of September, 2016 at the hour of
7:02 p.m.

MEMBERS PRESENT:

TONY PETRILLO, Chairman
TOM DRAKE
TOM SCHWINGBECK
DAVID DIVITO
JOSEPH GEISEL
JOSEPH SELBKA
PETER SIAVELIS

ALSO PRESENT:

DEREK MACH, Village Planner

CHAIRMAN PETRILLO: The first item on today's agenda is the Rajchel, Rajchel?

MS. RAJCHEL: Rajchel.

CHAIRMAN PETRILLO: Rajchel, okay, thank you very much. Folks, will you come up this evening? We'll ask you to touch on three specific areas in order for us to weigh and consider your petition. We'll ask that you touch on that if we apply the code very strictly, that the owner cannot yield a reasonable return on their investment of the real estate or property; that the plight of the owner is due to unique circumstances; and that the petition, if granted the variance, will not detract from the character of the neighborhood.

Does anybody have any questions or comments on those three items? Okay, the first petition that will be heard this evening will be the Rajchel petition, and this will be heard by Board member Drake who will lead on this petition.

MR. DRAKE: Thank you, Mr. Chairman.

MS. RAJCHEL: Hi, I'm Lisa Rajchel. I've never done this before, sorry.

CHAIRMAN PETRILLO: We'll help you through it.

MS. RAJCHEL: Thank you, thank you, thank you.

CHAIRMAN PETRILLO: I'm going to swear both of you in. Sir, have both of you signed in?

MR. VONDRA: She did that.

CHAIRMAN PETRILLO: Are you going to provide testimony, sir?

MR. VONDRA: I'm just here for supporting her.

CHAIRMAN PETRILLO: Then why don't we do this? Why don't you sign in when we start, as we start, and then I'll swear you both in. You sign in as she starts.

MR. VONDRA: Okay.

(Witnesses sworn.)

CHAIRMAN PETRILLO: Could you state your name for the record, ma'am?

MS. RAJCHEL: My name is Lisa Rajchel.

CHAIRMAN PETRILLO: Lisa Rajchel. Sir, if you decide to testify, your name?

MR. VONDRA: David Vondra.

CHAIRMAN PETRILLO: Okay, ma'am, go ahead and proceed.

MS. RAJCHEL: Well, we presently have a six-foot wooden fence on our property and I would like to replace it with the exact same type of fence. I think since I've had that one installed, the lot has changed. I live on the corner of Dunton and Central, and at that time I was allowed six feet along Central and five along Dunton and then in the back of Evergreen which backs up to that lock and key place. So, that's okay, but now they said I have to have a three-foot high fence along Central. Central is a very busy street. Either that or lose half of my yard so it's nine feet, I'd have to go nine feet into my house.

I think it would detract from the value because nobody wants to live along Central with all that noise and a short fence, or lose half the yard. It's a hardship again because of the noise. It's six blocks from Northwest Community Hospital. Lots of ambulances go by, not only ambulances but regular traffic. During rush hour, cars are

backed up almost to the front of my house from the Arlington Heights Road stoplight.

The third one was?

CHAIRMAN PETRILLO: Detract from the character of the neighborhood.

MS. RAJCHEL: Yes. The fence is horrible, I need a nice, new fence and the fence will look good.

MR. DRAKE: So, I have a few questions and maybe some of the other Board members. How old is the current fence?

MS. RAJCHEL: Between 15 and 20 years, I can't remember. I've lived there 20.

MR. DRAKE: Okay, you put in that fence?

MS. RAJCHEL: Yes.

MR. DRAKE: Could you describe, the write-ups here say there's going to be some tapering on the edge of the fence to help with the vision at the stop sign.

MS. RAJCHEL: Oh, yes. Yes.

MR. DRAKE: Can you talk about that please?

MS. RAJCHEL: So, five feet I assume along Dunton, and then six-foot along Central until like the last I guess 12 feet to the garage. Then it would, I don't know how to describe it other than then it would indent in to go so that there is no column in view when backing out of the garage. Then I wouldn't lose as much yard.

MR. DRAKE: Okay, yes. Have there been any accidents at that intersection from your house? Did you know since you've been, no issues with vision or people pulling out? Central is a busy road.

MS. RAJCHEL: It is.

MR. DRAKE: Yes. Did you look at any other options in terms of fences, metal fence or any kind of more see-through fence? I realize it's a privacy thing.

MS. RAJCHEL: The same thing, a metal fence along Central, again cars are parked there when they're stopped at the lights.

MR. DRAKE: What about neighbors? Did you have a chance to talk to your neighbors? I'm going to ask if there are any residents to be heard.

MR. VONDRA: We do have our next-door neighbor here. They don't have an issue with it. There's been other people on the block that have come up.

MS. RAJCHEL: They came by to see what it was, and we told them and they didn't have a problem with it.

MR. DRAKE: What's the timetable if you were doing the work, if we approve it?

MR. VONDRA: As soon as possible.

MS. RAJCHEL: Before winter.

MR. DRAKE: Before winter, okay, sooner rather than later.

MS. RAJCHEL: Yes.

MR. DRAKE: Okay. Mr. Chairman, those are the primary questions I have. I've been over to take a look at your property. I actually don't live too far from there, I understand what you're trying to do.

One last question, there is a bush in the corner of your yard. I believe it's the southwest corner. It's clearly right at the stop sign, outside of where the fence area is.

MR. VONDRA: The northwest point, right.

MS. RAJCHEL: Oh, that, yes, yes, yes.

MR. DRAKE: Yes, that seemed to me to be a little bit of an obstruction. That's more of an editorial comment on my part. I don't think it relates to the fence.

MR. VONDRA: Sure.

MR. DRAKE: I don't see the fence as the issue, the bush is actually a little obtrusive in my view.

MS. RAJCHEL: Okay.

CHAIRMAN PETRILLO: Any other questions or comments for the witnesses from any other member of the Board? None being heard, is there anyone in the audience that wishes to speak to this petition?

Derek, just as a matter, we'll just, for the record, that Commissioner Siavelis did appear before this petition started or testimony for the petition started.

Any other questions or comments? Is there a motion?

MR. DRAKE: I would move approval of both Petitioner requests, one and two.

MR. SIAVELIS: I'll second.

CHAIRMAN PETRILLO: Derek?

MR. MACH: Mr. Divito.

MR. DIVITO: Yes.

MR. MACH: Mr. Drake.

MR. DRAKE: Yes.

MR. MACH: Mr. Geisel.

MR. GEISEL: Yes.

MR. MACH: Mr. Schwingbeck.

MR. SCHWINGBECK: Yes.

MR. MACH: Mr. Selbka.

MR. SELBKA: Yes.

MR. MACH: Mr. Siavelis.

MR. SIAVELIS: Yes.

MR. MACH: Chairman Petrillo.

CHAIRMAN PETRILLO: Yes. Have at it.

MS. RAJCHEL: Thanks everybody.

MR. VONDRA: Thanks.

(Whereupon, the hearing on the above-mentioned petition was adjourned at 7:08 p.m.)

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS September 19, 2016

PETITIONER: Rajchel Residence
ADDRESS OF PROPERTY: 1003 S. Dunton Ave.
VARIATION: 6.13-3c1, 6.13-3

A 9.0 foot setback variance from Chapter 28, Section 6.13-3c1 (Exterior Side Yards) to allow a 6 foot tall semi open fence in the exterior side yard that is along the west property line with no street side landscaping where a 9.0 foot setback is required; A 3.0 foot height variance from Chapter 28, Section 6.13-3 (Exterior Side Yards) to allow a 6 foot tall fence in the exterior side yard along the perimeter of the lot where a 3 foot high fence is allowed.

The petitioner testified as to hardship, uniqueness of circumstances, and the character of the locality. The petitioner explained that they are proposing to replace the existing six foot fence. The petitioner explained that the exterior side yard is limited in width and they would like to locate the fence in its existing location which is adjacent to the property line along Central Road. The petitioner explained that during rush hour, cars are backed up the front of the house from the Arlington Heights Road intersection.

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

Thereafter, a motion was made by Mr. Drake and seconded by Mr. Siavelis. Thereafter, the Board voted 7-0 to approve the variance request.

Now, therefore, after hearing all the evidence and after due deliberation, the Zoning Board of Appeals, voted 7-0 to grant the variance as requested.

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

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

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



Item: 315 W. Hackberry Dr. - 9/19/16

Department: Planning & Community Development

Approval of Minutes & Findings from the 9/19/16 hearing.

ATTACHMENTS:

Description	Type
Minutes 9/19/16 - Bauman	Minutes
Findings 9/19/16 - Bauman	Minutes

DRAFT

1

ZONING BOARD

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

OF APPEALS

RE: BAUMAN RESIDENCE - 315 WEST HACKBERRY DRIVE

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 19th day of September, 2016 at the hour of
7:08 p.m.

MEMBERS PRESENT:

TONY PETRILLO, Chairman
TOM DRAKE
TOM SCHWINGBECK
DAVID DIVITO
JOSEPH GEISEL
JOSEPH SELBKA
PETER SIAVELIS

ALSO PRESENT:

DEREK MACH, Village Planner

CHAIRMAN PETRILLO: Bauman Residence, 315 Hackberry. Have both of you folks had an opportunity to sign in?

MRS. BAUMAN: I have. He's signing in right now.

(Witnesses sworn.)

CHAIRMAN PETRILLO: Could you identify yourselves for the record please?

MRS. BAUMAN: Heather and Todd Bauman.

CHAIRMAN PETRILLO: Your address?

MRS. BAUMAN: 315 West Hackberry.

CHAIRMAN PETRILLO: This petition will be led by Member Geisel. So, if you would touch on those three areas that I identified earlier? Do you have any question on those before I turn it over?

MRS. BAUMAN: Well, probably, sorry --

CHAIRMAN PETRILLO: That the strict interpretation or application of the code will not allow you to get a better return on your investment, the plight of the owner is due to unique circumstances, and that the variance if granted will not detract from the character of the neighborhood.

MRS. BAUMAN: Okay. We are petitioning to put a shed on the side of our house. We're looking at what's called a lean-to shed so it would kind of butt right up next to our garage. We kind of have an angled backyard, so we've put an in-ground pool next here and with all the pump and all that meter and stuff like that, we didn't have a great place to put a shed. So, that's why we're asking for the variance to put it on the side of the house, that's, so we have all that kind of stuff.

The shed company that we would buy it from is a mass produce shed company. They do the base, everything, and they do the color to match the house exactly. We have a six-foot piece of dirt next to our, a little over six feet piece of dirt next to our sidewalk between our garage that just sits there empty. So, that's what we're asking for.

MR. GEISEL: So, you indicated that it would match the color of the existing house?

MRS. BAUMAN: Yes.

MR. GEISEL: So, it would cedar siding?

MRS. BAUMAN: Cedar siding, it will be the exact same, yes.

MR. GEISEL: Obviously the pool is fairly large and the associated other stuff that you've got back there.

MRS. BAUMAN: We actually, we have a back corner but we had to take down such a large tree that we really wanted to replant a new tree since we had to get rid of the tree. So, that's kind of a difficult spot in the backyard, too, that's why we didn't, we really had no place to put it.

MR. GEISEL: The plan that you submitted though suggested there was an existing shed. Is that still there?

MRS. BAUMAN: That's gone. That's where the heater and the pump and all the stuff is for the pool.

MR. GEISEL: Okay, it's difficult to tell given what you submitted to what's where actually in there.

MRS. BAUMAN: Actually I gave --

MR. GEISEL: Okay, you answered my question.

MRS. BAUMAN: Okay, I was just going to say there was another one, too, so another plan.

MR. GEISEL: If this were permitted, because obviously this is unusual to do on a side yard --

MRS. BAUMAN: Sure.

MR. GEISEL: Would you be willing to do some screening around the shed?

MR. BAUMAN: It would be difficult. We could do some screening up to one side of it.

MRS. BAUMAN: Yes.

MR. BAUMAN: But there's a sidewalk on the other side.

MR. GEISEL: Understood, understood. Just to try and hide it a little bit.

MRS. BAUMAN: I mean there's a bush in front of it. Like absolutely, we could plant some more plants and stuff like that in front of it to block it.

MR. GEISEL: Have you talked to your neighbors on that side about this, the placement of this?

MRS. BAUMAN: Yes.

MR. BAUMAN: I have. He said yes --

MRS. BAUMAN: Yes.

MR. GEISEL: You've answered my questions. I don't know if anybody else have any.

MR. SCHWINGBECK: What I was confused about, not knowing that that shed in the backyard was gone, why not put the shed in the backyard? Why put it on the side yard where the neighbors could see it out front?

MR. BAUMAN: There's nowhere really to put it.

MRS. BAUMAN: Because it would end up floating within the yard.

MR. BAUMAN: Where that existing shed was or the prior existing shed was where the pump, the filter, all the amenities for the pool are.

MRS. BAUMAN: I was going to say I don't know if you have the other plat of survey that I had given you. There was a new plat of survey with --

MR. SELBKA: The highlighted pink?

MRS. BAUMAN: No, there was a bigger one with the new pool information. I was asked for a smaller version, that's the smaller version I think unless it's --

MR. SELBKA: It's that pink part of the packet. So, there's no shed here.

MRS. BAUMAN: I thought I did it, maybe I didn't. I apologize.

MR. SCHWINGBECK: What was the size of the shed that you're proposing?

MR. BAUMAN: Six by 10.

MRS. BAUMAN: Six by 10.

MR. SCHWINGBECK: Six by 10?

MRS. BAUMAN: Yes. There's also a --

MR. DIVITO: Six by 10 by what?

MRS. BAUMAN: Six by 10 by three. I don't know if you guys got this in the

packet. There's this picture of it.

MR. SCHWINGBECK: Six-foot high, 10 long and six feet deep.

MRS. BAUMAN: Yes. So, it would butt up right like against the garage, right by the walkway.

MR. SIAVELIS: So, the dimension extending from your house is essentially three?

MRS. BAUMAN: From the house, it's the six-foot, well, next to the garage. The garage, between the garage and the sidewalk, it's just over six-foot of dirt. Then, so the shed would be just, like just add six-foot.

MR. SIAVELIS: I thought you said three feet, I'm sorry.

MRS. BAUMAN: So, it's six-foot, yes.

MR. DIVITO: So, it's sitting, you're not tearing up the concrete wall?

MRS. BAUMAN: No. No, no, no.

MR. DIVITO: It's sitting in that --

MRS. BAUMAN: I think I have pictures in this well of the spot that it was going to be in on the side of the house. There's like a colored picture.

MR. SCHWINGBECK: So, six-foot deep off the garage, 10 feet long along the sidewalk?

MRS. BAUMAN: Yes, and then the top end is eight-foot, but then it slopes down to the front, so it's a little shorter in the front. Like I said, it would be the same color as the house and it would just kind of blend in there.

CHAIRMAN PETRILLO: Are there any other questions or comments for this petition? None being heard, is there anyone in the audience that wishes to speak to this petition?

MS. MORROW: Yes, I do. I live at --

CHAIRMAN PETRILLO: Ma'am, did you have a chance to sign in?

MS. MORROW: Yes, I signed in already.

CHAIRMAN PETRILLO: All right. I'm going to swear you in then.

MS. MORROW: Yes, okay.

CHAIRMAN PETRILLO: Would you raise your right hand?

(Witness sworn.)

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

MS. MORROW: Sure. My name is Cathy Morrow and I live at 603 West Hackberry Drive in Arlington Heights. I've been in Arlington Heights since 1980. I don't feel that it's a good idea to put a shed on the side of a house. I mean I don't know that much about the codes or anything, I mean how far from the property line are they putting this? Because I know my neighbor next door to me tried to put in a porch, you know, that was getting pretty close to my property line. I don't know what they, you know, what the codes are or anything but I know that I was always told that we weren't, like we used to have a camper, you know, a pop-up camper and we had to put, if we want to put it on the side of our house, we had to put it way far back, and then of course that's not that high, and then you can't even put a high fence in front of it.

So, I don't know. When I saw the design there, I just felt that, you know, if we allow people to start putting sheds on the side of the houses, we don't have

that much property in between our houses anymore in the north end of town.

MR. SIAVELIS: What's your address, ma'am?

MS. MORROW: I live at 603 West Hackberry. I live down the street from --

MR. SIAVELIS: Do you have a direct view of this property in question?

MS. MORROW: Do I have a direct view?

MR. SIAVELIS: Yes.

MS. MORROW: No, no, no. I don't live right across from them. But all I'm saying is that from my experience in all the years I've lived in Arlington Heights, no one has ever petitioned to put a shed on the side of the house. We have a shed, everybody's got them all in the backyard, not on the side of the house. Like I said, you know, then also how far back are they from their property line? Because when my next-door neighbor wanted to put in a porch close to my property line and I saw what he was doing, I checked into that, I mean, and found out that he wasn't supposed to do that.

CHAIRMAN PETRILLO: So, you're testifying more to the character of the neighborhood?

MS. MORROW: Yes, right.

CHAIRMAN PETRILLO: Okay, we're just here to address today that the shed, whether or not it could be allowed in the side yard.

MS. MORROW: Yes, well, I don't know that. I don't know about that.

CHAIRMAN PETRILLO: Those other issues that you're raising have already been reviewed by the Building Department. So, it's just that one issue that we're concerned with.

MS. MORROW: My opinion is that I don't think it's a good idea.

CHAIRMAN PETRILLO: Thank you very much. We appreciate you taking time to address that.

MS. MORROW: Okay.

CHAIRMAN PETRILLO: Petitioners, if you would step forward? I just have one question.

MRS. BAUMAN: Sure.

CHAIRMAN PETRILLO: Had you thought about moving the shed a little bit farther back and extending the fence line to encase the shed?

MRS. BAUMAN: We hadn't. If that's the stipulation, we would do that.

CHAIRMAN PETRILLO: But what would that cost you? Is that cost prohibitive if you were to do that in your opinion?

MR. BAUMAN: Or we could do it on the other side of the house, too, where it seems a bit spacious over there. So, we could move it up, it just seems kind of redundant, but I think it's going to be aesthetically pleasing anyways.

CHAIRMAN PETRILLO: Is it more convenient because you already have the walkway there, the cement is there, the mud and everything that's screened and you don't --

MRS. BAUMAN: Yes, that's kind of why we decided to polish on the -- it was just an empty spot, yes.

MR. SIAVELIS: Did you talk to your neighbor at 403?

MR. BAUMAN: Yes.

MR. SIAVELIS: Any opposition?

MR. BAUMAN: No.

MR. SIAVELIS: Talk to your neighbor at 305 with your other side?

MRS. BAUMAN: We actually talked to both neighbors.

MR. BAUMAN: Yes.

MRS. BAUMAN: Our neighbors across the street.

MR. SIAVELIS: 314?

MRS. BAUMAN: Directly across the street, and then directly across the street to the left. I think directly across the street to the right, we have a, this is a very nice man, we're going to talk to him. But then I've got other neighbors on Tanglewood and a number that we know that approached about it and said that they were fine with it, yes.

MR. DIVITO: So, I do have one question though. I'm looking at the picture of your house right now. From the side of the garage to the nearest edge of that sidewalk, it can't be six feet. So, I'm trying to understand how far, how deep that shed is, because you only have one, you have like a burning bush right at that corner.

MRS. BAUMAN: Yes. Yes.

MR. DIVITO: It looks like you have about three feet between there and there.

MR. BAUMAN: It's six.

MRS. BAUMAN: It's more than that, it's six. We've measured it just because we've kind of gone through all that.

CHAIRMAN PETRILLO: This is from Engineering, that's what they --

MR. DIVITO: It's that little pink --

CHAIRMAN PETRILLO: Yes, they've kept it at six, I'm trying to, I was trying to find something on there that was relative.

MR. DIVITO: Right.

MR. GEISEL: David, I think I may have some questions sort of to that same extent because of the, you know, material that was provided with this shot, it kind of shows a little bit more room than initially I thought there was.

CHAIRMAN PETRILLO: And these panels are --

MR. SIAVELIS: What's the width of that panel that's right adjacent to the house? Do you know that?

MRS. BAUMAN: I didn't measure that, I don't know.

CHAIRMAN PETRILLO: Yes, this is that. I assumed that was a six-foot panel.

MRS. BAUMAN: Yes. Yes. It was a smaller area, and then when we had the pool done, we had it moved over, the sidewalk moved over. So, they fixed the panel for us when they put everything back together to make the gate code for the pool. So, the gate was kind of fixed after they did the pool to make it fit the spot. So, it wasn't a pre-bought, like prefab six-foot section, it was made.

MR. SIAVELIS: Mr. Chairman, there is your six-foot panel.

CHAIRMAN PETRILLO: Yes.

MR. SCHWINGBECK: That old shed in the backyard that you said is gone

--

MRS. BAUMAN: It's gone.

MR. SCHWINGBECK: There is nothing in its place anymore?

MRS. BAUMAN: Just the concrete slab with the filter, the heater for the pool, all the piping.

MR. SCHWINGBECK: Okay, and what is the pool equipment on the four by eight pad in front of that?

MRS. BAUMAN: That's what's there. The shed is not there, it's just a slab.

MR. SCHWINGBECK: Okay, so that's an empty space where that old shed was?

MRS. BAUMAN: Well, no, the concrete pad goes right up to the back fence.

MR. SCHWINGBECK: This shed can't be built there anymore where the old shed was?

MRS. BAUMAN: No, because that's where the concrete and the filter and all the stuff is. The shed is totally gone, we took the shed out and they poured a new concrete slab where the shed was to put the filter, the big filter, the pump for the vacuum, the heater, and then next to that is the air conditioner. Then we had new bushes put along the entire backyard, so they bushed off that section you couldn't see the pump and then put bushes all around the fence.

CHAIRMAN PETRILLO: I see, Tom, what you're saying here.

MR. SCHWINGBECK: Right.

CHAIRMAN PETRILLO: If this must, is this drawing pre-finished before construction was complete?

MRS. BAUMAN: Yes. Yes.

CHAIRMAN PETRILLO: Looks like they may have tried to put it there but what you, the Petitioner, is saying that it actually is not located in the slab.

MRS. BAUMAN: So, yes. No, no, no, we got rid of the fence, or the old shed, and then we went, you know, so many feet away from the lot line and they poured a full concrete slab right here, right next to the air conditioning unit. So, the concrete slab goes from about there to about there.

CHAIRMAN PETRILLO: So, it's not as shown on the survey.

MRS. BAUMAN: No, yes, I'm sorry, I thought it was on there. So, we got rid of that. Then like I said, we put bushes around here, and then we have bushes all the way around. Then this tree is the tree when they were digging they had to get rid of. It was a beautiful big tree, so we planted a new tree back there to make up for what we took out.

MR. GEISEL: No, that's what I was trying to ask some of the same questions because the material that was provided was not clear to me.

MRS. BAUMAN: Sorry, yes. No, I apologize for that. I forgot that that was pre-shed before we decided we were going to put this up there. Because originally we were talking about putting it up on the side of the house, but then we would have to take the fence down and all that stuff. We decided the shed was getting old and not great.

CHAIRMAN PETRILLO: Any other questions or comments from any other member of the Board?

MR. DRAKE: I have a question, Mr. Chairman, for Derek. Do we have any statistical information on how many sheds have been approved on the side yard of a property in Arlington in the last three years, whatever? Do you have any kind of numbers

on that?

MR. MACH: There would, just coming off of memory, there's been two or three.

MR. DRAKE: Okay, so there is a precedent for this.

MRS. BAUMAN: I know there's one in my neighborhood.

CHAIRMAN PETRILLO: I would like to state also that each petition is to be taken in its own.

MRS. BAUMAN: Sure, separate, yes.

CHAIRMAN PETRILLO: And separate from any other petition that had been granted previously. But Tom, if you're saying, to the character of that neighborhood, if that was your question in that neighborhood?

MR. DRAKE: Yes, yes, in that area.

MR. MACH: Yes.

MR. DRAKE: Okay, okay.

CHAIRMAN PETRILLO: Any other questions or comments from any other member of the Board? None being heard, any discussion amongst the Board?

MR. SCHWINGBECK: When I originally looked at this and looked at the house, I really thought it was going to be a lean-to shed up against the garage, so maybe a couple of feet wide to put shovels and rakes in between the sidewalk. When you're at the street looking at the house from the front, both of your side yards are very visible to the neighborhood, and we're talking about a full-sized shed here. We're not talking about a small, little lean-to shed against the side of the garage.

I just don't see this being a small shed. It's going to stand out when you're looking at the front of your house and the neighbors are going to see it.

MRS. BAUMAN: I don't think, well, I see what you're saying. It will be a little addition on to the side. It's going to blend with the same color of the house. We have always kept our house, the lawn, put flowers in the front, shoveled, you know. Everything we've done, we've painted the house last year or the year before. We're very house proud and it's not, we're not looking to put anything gaudy or anything. I mean I have three kids, a Suburban in the garage and --

MR. BAUMAN: Nothing gaudy, I don't it's going to detract from the neighbors.

MRS. BAUMAN: Yes. But there's just not a ton of room in our garages. Our garages are very car sized, so it's just more of a help with living there.

MR. SIAVELIS: Are you willing, if we introduce a requirement that they agree to put bushes in front there, Tom, would that assuage your concerns about visibility from the street?

MR. SCHWINGBECK: Well, I think blocking it off to the street, yes. I mean when you're out at the street level, to have a shed this side, I mean this isn't really the way the houses are laid out there. It's not really a side yard in the sense that it's in between homes. These are tapered lots and you're sitting there looking at it from the street and it is wide open in between the homes there. So, this is a big shed.

MR. SIAVELIS: I'm just looking for something, if it's feasible for the Petitioner, and I understand what you're saying due to the curvature of the street.

MR. SCHWINGBECK: Right.

MR. SIAVELIS: So, I think the Petitioner indicated maybe 10 minutes ago that there is a willingness to, you know, move the fence line or potentially --

MR. BAUMAN: I would have no problem moving a fence line either.

MRS. BAUMAN: Yes, I mean if that's the stipulation we need to go with, we'll do that.

MR. GEISEL: Would you consider then perhaps pulling the shed back a little farther, too? Because that way you wouldn't --

MR. BAUMAN: Really can't because the concrete comes, the walkway goes into our patio in the back, it's poured concrete.

MRS. BAUMAN: I was going to say we can pull it back as far back as we can before this concrete.

MR. GEISEL: That's what I meant, that's what I meant.

MRS. BAUMAN: Sure. Yes, that's fine.

MR. BAUMAN: Yes.

MRS. BAUMAN: Sure, and then --

MR. GEISEL: Which would limit the amount of fence you'd have to construct.

MRS. BAUMAN: How far up can we put the fence? Is there a stipulation with variances on how far a fence can go on the side yard?

MR. MACH: A five-foot high fence can go up to the garage as long as it doesn't go past the front of the home.

MRS. BAUMAN: Oh, okay, okay.

MR. GEISEL: That was one of the questions I had about the screening, whether shrubs or screening in some way, shape or form.

MR. BAUMAN: What I've read before though, I was under the understanding that the fence couldn't go farther than the back of the house.

MR. GEISEL: Well, obviously he just clarified that.

MR. BAUMAN: So, we could bring it all the way up to the front?

MRS. BAUMAN: Up to the garage, yes.

MR. MACH: It just can't go beyond the front of the home.

MR. SIAVELIS: The leading edge of the garage in this instance.

MRS. BAUMAN: Okay. Okay.

MR. BAUMAN: Okay.

MRS. BAUMAN: Good to know.

CHAIRMAN PETRILLO: Any other questions or comments? None being heard, is there a motion?

MR. GEISEL: I would motion approval subject to continuation of the fence line to close it and screening.

MR. SCHWINGBECK: I'd second that.

CHAIRMAN PETRILLO: We have a motion and a second.

MR. MACH: Mr. Divito.

MR. DIVITO: Yes.

MR. MACH: Mr. Drake.

MR. DRAKE: Yes.

MR. MACH: Mr. Geisel.

MR. GEISEL: Yes.

MR. MACH: Mr. Schwingbeck.

MR. SCHWINGBECK: Yes.

MR. MACH: Mr. Selbka.

MR. SELBKA: Yes.

MR. MACH: Mr. Siavelis.

MR. SIAVELIS: Yes.

MR. MACH: Chairman Petrillo.

CHAIRMAN PETRILLO: Yes. Thank you.

MR. BAUMAN: Thank you.

CHAIRMAN PETRILLO: Good night.

MRS. BAUMAN: You, too.

(Whereupon, the hearing on the above-mentioned petition
was adjourned at
7:28 p.m.)

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS September 19, 2016

PETITIONER: Bauman Residence
ADDRESS OF PROPERTY: 315 W. Hackberry Dr.
VARIATION: 6.5-2

A variation to allow a shed in the side yard where sheds are only permitted in the rear yard.

The petitioner explained that they are proposing to locate a shed in the side yard where sheds are only permitted in the rear yard. The petitioner explained that the shed is a lean-to shed and that it will be located adjacent to the home. The petitioner explained that they have an angled backyard, with an in-ground pool and pool equipment; therefore, there is not a great location for the shed. The petitioner testified that the shed will match the color of the house.

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

Thereafter, a motion was made by Mr. Geisel and seconded by Mr. Schwingbeck with a condition that the petitioner enclose the side yard area where the proposed shed will be located with a five foot high code compliant fence. Thereafter, the Board voted 7-0 to approve the variance request.

Now, therefore, after hearing all the evidence and after due deliberation, the Zoning Board of Appeals, voted 7-0 to grant the variance as requested.

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

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

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



Item: 523 S. Rammer Ave. - 9/19/16

Department:

Approval of Minutes & Findings from the 9/19/16 hearing.

ATTACHMENTS:

Description	Type
Minutes 9/19/16 - 523 S. Rammer Ave.	Minutes
Findings 9/19/16 - 523 Rammer	Minutes

DRAFT

1

ZONING BOARD

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

OF APPEALS

RE: 523 SOUTH RAMMER AVENUE RESIDENCE

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 19th day of September, 2016 at the hour of
7:28 p.m.

MEMBERS PRESENT:

TONY PETRILLO, Chairman
TOM DRAKE
TOM SCHWINGBECK
DAVID DIVITO
JOSEPH GEISEL
JOSEPH SELBKA
PETER SIAVELIS

ALSO PRESENT:

DEREK MACH, Village Planner

CHAIRMAN PETRILLO: Next petition is 523 South Rammer, Michael Bova, Impact Renovations. Have both of you had a chance to sign in?

MR. PAREJA: Yes.

MS. O'CONNOR: Yes.

CHAIRMAN PETRILLO: You're both familiar with the three areas that we asked you to touch on this evening?

MR. PAREJA: Yes.

CHAIRMAN PETRILLO: Okay, would you raise your right hand?

(Witnesses sworn.)

CHAIRMAN PETRILLO: Could you identify your name and address for the record and, if you're not the resident and/or buyer of this property, owner of this property, your affiliation?

MR. PAREJA: Sure. My name is Jose Pareja, I am the architect of the project. Address is 4521 West 102nd Street in Oak Lawn, Illinois.

MS. O'CONNOR: My name is Monica O'Connor. I am here on behalf of Impact Renovations, 1485 South Canford Cliffs in Mount Prospect.

CHAIRMAN PETRILLO: What's your relationship to the owner of this property?

MS. O'CONNOR: I am the his office manager and technically his operations manager. He is a partner of Impact Renovations.

CHAIRMAN PETRILLO: So, he's the current owner of this property? Is it recently purchased?

MS. O'CONNOR: Impact Renovations is the owner of the property.

CHAIRMAN PETRILLO: Okay, so this is an investment property that they are going to improve and then in turn --

MS. O'CONNOR: Sell --

CHAIRMAN PETRILLO: Sell, okay. All right, sir or ma'am or whoever, would you like to address those three areas?

MR. PAREJA: Yes. The first one being the hardship, the home was built, it predated the current zoning ordinance. So, the current side yard setbacks are into the side yard currently which prohibits the construction of building straight up which is the more cost effective way to build it. Again, in the second, the unique circumstances are the same thing. The home was constructed and predates the current zoning ordinances. Then the character of the neighborhood, we worked with the Village on the design. It's really a one-story sort of design except for what sticks out in the back to try to really keep within the design guidelines of the Village of trying to maintain the character of the home.

CHAIRMAN PETRILLO: Could you explain for me the current footprint of the building, how that will change with this construction or these renovations?

MR. PAREJA: Yes. So, the rear of the home we'll enlarge by 10 feet, and then a second story addition will be built over the existing home.

CHAIRMAN PETRILLO: So, no encumbrance or additional impact on the north and south sides of the existing structure, nor any additional, this is the, the entry will be affected though on the street side, on the west side?

MR. PAREJA: Correct. Yes.

CHAIRMAN PETRILLO: It currently sits at, what measurement is the

setback currently?

MR. PAREJA: The side yards?

CHAIRMAN PETRILLO: No, I'm sorry, the front yard setback.

MR. PAREJA: The front yard is currently 25 feet. 25 feet.

CHAIRMAN PETRILLO: You're entitled, at least according to our information, it could be set back to 23 feet and still meet code, you're looking for another three feet. What is the additional need for that porch?

MR. PAREJA: That's just, that's going to be the entry portico to give it an entry, you know, with the, there are some sections in the design guidelines that really emphasize a single story entry point, and that's what it does. It has a, it goes out five feet. It's not additional square footage to the home, it's just an entry visibility.

CHAIRMAN PETRILLO: The size of the stoop with the concrete that will be poured on that, what are the dimensions of the concrete?

MR. PAREJA: It is five feet going, excuse me, east to west, and then 11 feet wide.

CHAIRMAN PETRILLO: The column width, the columns will be sitting, I can't tell by the drawings, but the columns will sit on that concrete pad?

MR. PAREJA: Correct, yes.

CHAIRMAN PETRILLO: Okay, what are the dimensions of those columns?

MR. PAREJA: Those are two by two.

CHAIRMAN PETRILLO: Two by two. So, in some of those, you're going to have, really you're going to take two by two, you're going to take four, you're going to have seven-foot opening between those columns, and between the columns in the house you'll have three feet?

MR. PAREJA: Correct.

CHAIRMAN PETRILLO: Okay. I would like to disclose also that I am a resident at 416 South Rammer so I'm very familiar with this neighborhood. I drive past this home frequently, I'm familiar with the previous residents that now live on Donald. So, I'm very familiar with this area.

What are your options if this petition is not granted?

MR. PAREJA: Options, it would just be increasing the, well, if it wasn't granted, we wouldn't be able to build straight up on a line because we were told that we needed to be within, the side yards would be six-foot-seven, so we would have to theoretically build almost a foot-and-a-half inside the home and that's, structure-wise, to build that would be prohibitive to do. Same thing for the rear, we'd have to, we'd lose square footage in the back. So, just construction-wise to go straight up, we wouldn't be able to do.

CHAIRMAN PETRILLO: So, you're not going to be able to sit on the existing framework and so forth without having to do any pretty large laminate beams and setting the house, the house would actually have to come up one story and then come in or indent and you would have to have some architectural challenges to figure that out? Or maybe for a good architect it's not a challenge, but at least that the mechanics and the structure or the construction to do that is very expensive?

MR. PAREJA: Correct.

CHAIRMAN PETRILLO: Okay, are there any questions from any member

of the Board? None being heard, is there anyone in the audience that wishes to speak to this petition?

MR. WEIAND: I live next door. I just wanted to say I'm all for what they want to do. I live next to a house, we live on the same street on the opposite side.

CHAIRMAN PETRILLO: Yes, if you would, if you're going to do that, I would like to have you sign in and I'll swear you in.

MR. WEIAND: I signed in. Ray Weiland, I live at 519 South Rammer.
(Witness sworn.)

CHAIRMAN PETRILLO: Thank you, sir.

MR. WEIAND: Basically, all I wanted to say is I'm all for improvement in the neighborhood. You've lived, you've driven by that house for the last 15-18 years, you've lived there. I've lived there for 19 years, and I would say it's been renters' hands for 16 to the last 19 years. It's been in disrepair. They don't cut the grass, they didn't do a lot of things. So, I'm all for improvement in the neighborhood. I'm all for what they want to do because it will definitely look nice. I'm right next door to it so I'm going to have to put up with the dirt and the noise and everything else and I have no problem for the improvement in the neighborhood.

So, as far as I'm concerned with the lot line variation, et cetera, I have no problem. I'm right next to it.

CHAIRMAN PETRILLO: What about the portico, the encroachment on the

--

MR. WEIAND: Everybody in this day and age wants a front porch, and that's basically what it is. You can probably put some chairs on it and sit out there, you've got protection from the weather when you come in. I can't see any reason why there would be any effect whatsoever on the property. You've looked at it.

CHAIRMAN PETRILLO: Do you view that as a modest accommodation for these folks?

MR. WEIAND: Absolutely.

CHAIRMAN PETRILLO: I agree with you, thank you.

MR. WEIAND: Because you put a second story on your house how many years ago?

CHAIRMAN PETRILLO: Yes. But my porch stayed the same.

MR. WEIAND: I know. But you had a porch, that's the nice part.

CHAIRMAN PETRILLO: And we do, to this gentleman's point, we do have a lot of construction that goes on in the neighborhood, and most every house that is sold now is turned over with a second story or some type of addition to it.

MS. O'CONNOR: May I say I have spoken to 14 of the neighbors, 12 of which live between Rammer or the second street over, and they have all been very excited about this. We are actually going to take a look at someone else's house for a proposed addition as well. So, the neighbors have given us really great feedback as I was posting the signs, talked to a couple of them as well. They're all really excited about this.

CHAIRMAN PETRILLO: Thank you for coming --

MS. O'CONNOR: You're welcome.

MR. WEIAND: Actually one more thing. I talked to the neighbors across

the street, and everybody is for what they want to do.

CHAIRMAN PETRILLO: Thank you. Any other questions or comments from any member of the Board?

MR. DIVITO: There was one note about the Engineering Department about the window wells in the design. It shows that they were on, the site plans were on there but they are not part of this.

MR. PAREJA: Yes, I saw that, too. I think there might be a little confusion. Those are existing, they're existing window wells there now. So, I think maybe because they're on the new plan --

MR. DIVITO: You're maintaining the existing.

MR. PAREJA: Yes, correct.

CHAIRMAN PETRILLO: There also is a note, I'm glad you mentioned that, I forgot, thank you, David, on the Staff there, fire rating requirements. Would this also require more than 25 percent openings on those walls? There is one later on in the petition that was notated, I didn't know if that applied to this or not.

MR. MACH: There was a general comment from the Building Department. When they come for, at the time of permit, then --

CHAIRMAN PETRILLO: Okay, so we don't have to make that as part of that. It will be covered through the permit processing.

MR. MACH: Correct.

CHAIRMAN PETRILLO: Okay, thank you. Any other questions or comments from any member of the Board? None being heard, is there a motion?

MR. DIVITO: I'll motion to approve.

MR. DRAKE: Second.

CHAIRMAN PETRILLO: There is a motion and a second. Derek?

MR. MACH: Mr. Divito.

MR. DIVITO: Yes.

MR. MACH: Mr. Drake.

MR. DRAKE: Yes.

MR. MACH: Mr. Geisel.

MR. GEISEL: Yes.

MR. MACH: Mr. Schwingbeck.

MR. SCHWINGBECK: Yes.

MR. MACH: Mr. Selbka.

MR. SELBKA: Yes.

MR. MACH: Mr. Siavelis.

MR. SIAVELIS: Yes.

MR. MACH: Chairman Petrillo.

CHAIRMAN PETRILLO: Yes. Congratulations.

MS. O'CONNOR: Thank you.

(Whereupon, the hearing on the above-mentioned petition was adjourned at 7:38 p.m.)

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS September 19, 2016

PETITIONER: 523 S. Rammer Ave. Residence
ADDRESS OF PROPERTY: 523 S. Rammer Ave.
VARIATION: 5.1-3.6, 5.4

A 1.7 foot variance to allow an addition with a side yard setback of 5.0 feet from the south property line instead of the minimum 6.7 feet and an additional 1.0 feet for the eave; A 0.9 foot variance to allow an addition with a side yard setback of 5.8 feet from the north property line instead of the minimum 6.7 feet and an additional 1.0 feet for the eave; A 3.6 foot variance to allow a covered front entry with a front yard setback of 20.0 feet from the west property line instead of the minimum 23.5 feet.

The petitioner testified as to hardship, uniqueness of circumstances, and the character of the locality. The petitioner explained that they would like to construct an addition and that the existing footprint of the home is non-conforming. The petitioner explained that the home was built prior to the current zoning ordinance. The petitioner testified that it would be cost prohibitive to set the second story addition back in order to comply with code.

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. Divito and seconded by Mr. Schwingbeck. Thereafter, the Board voted 7-0 to approve the variance request.

Now, therefore, after hearing all the evidence and after due deliberation, the Zoning Board of Appeals, voted 7-0 to grant the variance as requested.

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

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

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



Item: Lutheran Home Cemetery - 9/19/16

Department: Planning & Community Development

Approval of Minutes & Findings from the 9/19/16 hearing.

ATTACHMENTS:

Description	Type
Minutes 9/19/16 - Lutheran Home Cemetery	Minutes
Findings 9/19/16 - Lutheran Home Cemetery	Minutes

DRAFT

1

ZONING BOARD

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

OF APPEALS

RE: LUTHERAN HOME CEMETERY - 2300 EAST EUCLID AVENUE

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Zoning Board of Appeals taken at the Arlington Heights
Village Hall, 33 South Arlington Heights Road, 1st Floor Beuchner Room,
Arlington Heights, Illinois on the 19th day of September, 2016 at the hour of
7:38 p.m.

MEMBERS PRESENT:

TONY PETRILLO, Chairman
TOM DRAKE
TOM SCHWINGBECK
DAVID DIVITO
JOSEPH GEISEL
JOSEPH SELBKA
PETER SIAVELIS

ALSO PRESENT:

DEREK MACH, Village Planner

CHAIRMAN PETRILLO: The next petition is Lutheran Home Cemetery, 2300 East Euclid Avenue. Member Drake will take the lead on this petition.

Would you raise your right hand?

(Witnesses sworn.)

CHAIRMAN PETRILLO: Could you provide your name and address and affiliation with the petition for the record?

MS. ANDERSON: I'm Shareen Anderson and I live at 1303 West Francis Drive, here in Arlington Heights. I'm the executive director for Lutheran Home.

MR. RITONDALE: I'm John Ritondale, 1280 Cypress Lane, Elk Grove Village. I'm the director of facilities at Lutheran Home.

MR. DRAKE: Good evening.

MS. ANDERSON: Good evening.

MR. RITONDALE: Good evening.

MR. DRAKE: Would you lay out your request for us please?

MS. ANDERSON: Sure. We have a current fence along our cemetery. First of all, the cemetery is at 2300 South Euclid. It's been owned by the Lutheran Home for 125 years, so the oldest graves are about 125 years old. It's got a current five-foot chainlink fence along the frontage.

We desire to put a black iron fence, I think you have the pictures of it. We have that along the sides and the back. We'd like to put the same fence along the front. We're requesting a variance on the three-foot regulation because of the neighboring cemeteries across the street and alongside of us that all have the five-foot iron fence.

As far as the three requirements, it goes without saying that the look of it will be better. We don't plan to sell the property any time soon, so it's kind of unique. But we are kind of concerned about security at the cemetery, it seems a magnet for vandalism, so we would like a five-foot.

MR. DRAKE: So, have you had issues with vandalism? Is it on the increase or you want to just cover your bases?

MS. ANDERSON: We were just thinking that. It's a five-foot chainlink now, so we want to replace that with just a better looking five-foot fence. And because the other cemeteries have one, too, you know, we're kind of thinking that putting a three-foot in ours would just be a magnet for vandalism.

MR. DRAKE: Now, you said iron, but one of the pages says aluminum. Could you explain?

MS. ANDERSON: Oh, I'm sorry, yes.

MR. DRAKE: Is it aluminum or iron?

MS. ANDERSON: It's aluminum.

MR. RITONDALE: It's aluminum.

MR. DRAKE: Aluminum, okay. Yes, I just wanted to clarify that. I thought this would be iron. I'm sure we'll ask if there's any, you know, neighbors or any residents having comments, but have you had any feedback from anybody that would cause any --

MS. ANDERSON: We have not had any negative to it. I think it's pretty much a positive for everybody.

MR. SIAVELIS: Just a point of reference there, my in-laws live at 616 Rolling Lane. If there was a negative aspect, I'm sure I would have caught an earful on this one. So, I can say that that's widely accepted.

MR. DRAKE: I don't have any further questions, Mr. Chairman.

CHAIRMAN PETRILLO: I did have one question. That being aluminum and the state of repair that you expect to be maintained, I know that snow plows go by there, sometimes they do push snow up real far. I don't know that exact distance, but any concern or --

MR. RITONDALE: No, we don't really have any concerns. We haven't had any issues in the past with the chainlink as far as falling over or anything like that.

CHAIRMAN PETRILLO: Right, okay. Thank you. Any other questions or comments from any members of the Board? None being heard, is there a motion?

MR. SIAVELIS: I'll move.

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

MR. DRAKE: Second.

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

MR. MACH: Mr. Divito.

MR. DIVITO: Yes.

MR. MACH: Mr. Drake.

MR. DRAKE: Yes.

MR. MACH: Mr. Geisel.

MR. GEISEL: Yes.

MR. MACH: Mr. Schwingbeck.

MR. SCHWINGBECK: Yes.

MR. MACH: Mr. Selbka.

MR. SELBKA: Yes.

MR. MACH: Mr. Siavelis.

MR. SIAVELIS: Yes.

MR. MACH: Chairman Petrillo.

CHAIRMAN PETRILLO: Yes. Thank you, have a good evening.

MS. ANDERSON: Thank you.

MR. RITONDALE: Thank you.

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

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS September 19, 2016

PETITIONER: Lutheran Home Cemetery
ADDRESS OF PROPERTY: 2300 E. Euclid Ave.
VARIATION: 6.13-3

A 2 foot height variance from Chapter 28, Section 6.13-3 to allow a 5 foot tall fence in the front yard where 3 feet is the maximum height.

The petitioner testified as to hardship, uniqueness of circumstances, and the character of the locality. The petitioner explained that they are proposing to replace the existing five-foot chainlink fence along the frontage with a decorative five foot high black aluminum fence. The petitioner testified that the five foot high fence is necessary for security reasons. The petitioner explained that other cemeteries in the area have a five foot high fence.

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. Siavelis and seconded by Mr. Drake. Thereafter, the Board voted 7-0 to approve the variance request.

Now, therefore, after hearing all the evidence and after due deliberation, the Zoning Board of Appeals, voted 7-0 to grant the variance as requested.

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

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

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



Item: 926 N. Hickory Ave. - 9/19/16

Department: Planning & Community Development

Approval of Minutes & Findings from the 9/19/16 hearing.

ATTACHMENTS:

Description	Type
Minutes 9/19/16 - Livesay	Minutes
Findings 9/19/16 - Livesay	Minutes

DRAFT

1

ZONING BOARD

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

OF APPEALS

RE: LIVESAY RESIDENCE - 926 NORTH HICKORY AVENUE

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Zoning Board of Appeals taken at the Arlington Heights
Village Hall, 33 South Arlington Heights Road, 1st Floor Beuchner Room,
Arlington Heights, Illinois on the 19th day of September, 2016 at the hour of
7:43 p.m.

MEMBERS PRESENT:

TONY PETRILLO, Chairman
TOM DRAKE
TOM SCHWINGBECK
DAVID DIVITO
JOSEPH GEISEL
JOSEPH SELBKA
PETER SIAVELIS

ALSO PRESENT:

DEREK MACH, Village Planner

CHAIRMAN PETRILLO: Next petition is Livesay Residence at 926 North Hickory Avenue. If you would step forward? Hi, how are you?

MR. LIVESAY: Good, how are you?

CHAIRMAN PETRILLO: Good evening. Have you had a chance to sign in, folks?

MR. LIVESAY: We did.

CHAIRMAN PETRILLO: All right, I'll swear you in real quick.

(Witnesses sworn.)

CHAIRMAN PETRILLO: Would you state your name and address for the record, and affiliation with the petition?

MRS. LIVESAY: Lisa Livesay, 926 North Hickory, Arlington Heights.

MR. LIVESAY: Mark Livesay, 926 North Hickory, Arlington Heights.

MR. LIRA: Gary Lira, Lira & Associates, 2015 South Arlington Heights Road.

CHAIRMAN PETRILLO: Let the record reflect that Member Drake has recused himself from this petition with some familiarity.

MR. LIVESAY: Okay, so do I just take it from here?

CHAIRMAN PETRILLO: Yes. Do you want me to repeat the three conditions that we're asking you to address?

MR. LIVESAY: I think I remember it well, you mean the one being the hardship of what we're asking for?

CHAIRMAN PETRILLO: Yes.

MR. LIVESAY: Okay, so the hardship is that this is a 49-foot lot and it's, I guess under Arlington Heights standards it's not a buildable lot. So, that's the hardship, to be able to put a house on this lot and subdivision where other houses have been done. The other variances that we're asking for is a side yard setback variance of four inches per side --

MR. LIRA: 2.5 inches.

MR. LIVESAY: 2.5 inches per side. With the minimum width of the garage, it just gives a few more inches of space inside the house to use. The other one is a 60-foot variance from the floor area calculations and a 25 square-foot variance from the building lot, maximum building lot coverage, are all kind of based on a 50 foot-wide lot which the house would, you know, we clearly really don't want, it's 49 now. I think we're asking for 2.5 inches. So, those are kind of the five things.

CHAIRMAN PETRILLO: You're the current resident?

MR. LIVESAY: I do not live there right now. We're going to move into the house later.

CHAIRMAN PETRILLO: You purchased this home with the understanding that anything that you would do to this home would require a variance?

MR. LIVESAY: Yes, we knew that.

CHAIRMAN PETRILLO: So, other than the, can you describe for me the existing footprint and then the footprint that will be created after this construction is done if the petition is granted?

MR. LIVESAY: Sure. I have a site plan if you want to see it. That would help.

CHAIRMAN PETRILLO: Yes.

MR. LIVESAY: Or do you have it?

CHAIRMAN PETRILLO: Yes. You know what, it's so small, I can't really make the difference of the relative distances and so forth. Do you happen to have it with the existing?

MR. LIRA: No, I don't have it with the existing.

CHAIRMAN PETRILLO: With the proposed laying over it?

MR. LIRA: No, I don't.

CHAIRMAN PETRILLO: Could you describe that for me then as best you can with your drawings? It looks like we have an existing and then the proposed.

MR. LIVESAY: There is a view from the sky that Derek attached to this. Does that help?

CHAIRMAN PETRILLO: I have that, yes.

MR. LIVESAY: Okay.

MR. LIRA: If you look at the neighboring house on the outline on the site plan, so if you look at the neighboring house to the left, Mr. Livesay and Mrs. Livesay's current house is about that deep plus a garage in the back.

MR. SCHWINGBECK: I think that's the existing.

MR. LIRA: And not as wide.

CHAIRMAN PETRILLO: So, with the existing frame garage, will you just describe that for me? Will the new structure occupy, is that the new?

MR. DIVITO: That's the, over to the left that he was just describing.

CHAIRMAN PETRILLO: Okay, then how far back will this home, oh, there we go.

MR. LIRA: How is that?

CHAIRMAN PETRILLO: That's better, this does it for me.

MR. LIRA: We're 42 feet eight inches from the rear property line.

CHAIRMAN PETRILLO: The existing home, which of these is the existing home?

MR. LIVESAY: From the property line? 11.7 to the back.

CHAIRMAN PETRILLO: You're about 48? 48, somewhere around there?

MR. LIRA: To the back of the garage, I believe, yes, about 48 feet. The garage is closer than that. That's the back of the house.

CHAIRMAN PETRILLO: Currently, the garage is, yes.

MR. LIRA: Right.

CHAIRMAN PETRILLO: So, with that you'll be creating more --

MR. LIRA: Backyard space.

CHAIRMAN PETRILLO: Backyard space, okay.

MR. LIRA: Correct.

CHAIRMAN PETRILLO: The additional or the floor area ratio exemption or variance is needed for what reason? What are the implications if that variance is not granted?

MR. LIRA: So, what we did is we looked at this house with many different

options and designing it on a 50 foot-wide lot is a difficult application when you're attaching a garage. We looked at detaching the garage but Mrs. Livesay in particular didn't want to give up the backyard because they're coming from a lot on Highland, it's a bigger and wider lot and they're downsizing. So, that made us think to attach the garage attach, and when you attach a garage in a 50 foot-wide lot, it's a difficult thing to do.

So, when we took a look at our floor area ratios, we kind of based it on a 50 foot-wide lot and tried to squeeze as tight as we can. So, that's why the floor area ratio that we're working with is if the lot was a 50 foot-wide lot. So, we're not going crazy and going beyond that, we're trying to work at a minimum that's possible.

CHAIRMAN PETRILLO: But at least in our packets there was not a floor plan contained in that packet, and let's say that variance wasn't granted, what would you have to give up here or, you know, it's roughly 10 by six, so, you know, carving out 10 by six let's say out of what, I'm not sure what this one --

MR. LIRA: Well, that's the basement.

CHAIRMAN PETRILLO: That's the basement?

MR. LIRA: Right. So, we'll start looking at, and if you kind of take a look at the first floor plan especially with today's sizes, these rooms are much smaller than even today's sizes of new homes that are being built. You know, even if you look at the front office room that we have there, that's only like 11 feet by 9.5 feet. That's our office, a 9.5 foot-wide office is very minimal. We don't want to get anything less than 10 feet, and our back room, we're 20 feet by 20 feet but that's --

CHAIRMAN PETRILLO: So, you'd go down to 14, or you'd go down to 15 by 20, you kind of, it starts to narrow --

MR. LIRA: Right. So, all the rooms that we have in here designed are really minimal. So, there's nothing that you're going in and saying wow, you've got a plethora of space.

CHAIRMAN PETRILLO: Then notated in the Engineering Department's review was the building coverage. There was an opposition or a "not in favor" of the lot coverage. Derek, I tried to get a hold of Jim Massarelli today and I was not able to reach him, but it looks like it's 25 feet that they might be opposing?

MR. MACH: Correct.

MR. LIRA: Correct. So, again when we were looking at our design options and trying to make it work and squeezing everything in, the 49 feet is the hardship that we're working with here. So, hence, we're custom working with 50 foot-wide lots which gives us a little bit more lot coverage. This lot coverage is actually less than a 50 foot-wide lot coverage would be. So, we're even under that, so you know, just kept squeezing it and squeezing it and squeezing it. So, we need a little bit more to make it work but not as much as a 50 foot-wide lot coverage would be.

CHAIRMAN PETRILLO: Okay, so I'll work in reverse. Five, we had just heard, the necessity for that. Variance number four, the necessity for the floor area ratio, you're taking out one of those -- to make them smaller.

MR. LIRA: Correct.

CHAIRMAN PETRILLO: Less desirable in the future if you ever decide to sell. We understand that, at least I understand the lot size. Then the first two variances,

we're talking a little more on two by four in width.

MR. LIRA: Correct.

CHAIRMAN PETRILLO: For those two variances.

MR. LIRA: We've designed a lot of homes on 50 foot-wide lots and have never come in for a variance for a 50 foot-wide lot.

CHAIRMAN PETRILLO: Then what does it do to the architectural design if you have to go less than a one-foot eave that you're also requesting a variance for?

MR. LIRA: Well, you know, when you start building, the homes are aesthetically pleasing, they cut back on the eaves to cut back on the budget to save money, and that's where you lose the shadowing and the detailing effect. What's kind of nice is some of that detailing is coming back in the house as compared to the suburban sprawl that you saw in the 60's and 70's. So, that's to get a little bit more coverage from the sun, get a little bit outer ventilation with eaves.

CHAIRMAN PETRILLO: Are there any other questions or comments from any member of the Board for the Petitioners?

MR. SIAVELIS: So, did you talk to your neighbors?

MR. LIVESAY: We did speak to --

MRS. LIVESAY: Actually they're here.

MR. LIVESAY: Yes, I did talk to both of them, on either side.

MR. SIAVELIS: I'm sure we'll hear from them if they have opposition. But did they or any other neighbors indicate opposition?

MR. LIVESAY: I didn't hear any opposition.

MRS. LIVESAY: No.

MR. SIAVELIS: Just so the record is clear, I want to make sure that the picture that's included in the submission is accurate, right? This is a small home between, the existing home is a small home between two relatively larger homes?

MRS. LIVESAY: Correct.

MR. LIVESAY: Right.

MR. SIAVELIS: So, this home that you're proposing here, it looks like it's going to be on scale or to scale with the other existing homes that are adjacent, correct?

MR. LIVESAY: Yes.

MRS. LIVESAY: Correct.

MR. SIAVELIS: Any other questions or comments from any other member of the Board? None being -- I'm sorry?

MR. SELBKA: I think the current home really is out of character with the area. This home is actually going to be much more in character with the area, and it is an odd-shaped lot. So, I would be in favor of this.

MR. SIAVELIS: That's exactly why I asked that question.

MR. SELBKA: Right.

CHAIRMAN PETRILLO: All right, thank you. Is there any member in the audience that wishes to be heard on this petition?

MR. WANKEWYCZ: I just have a question.

CHAIRMAN PETRILLO: Sir, would you step forward please?

MR. WANKEWYCZ: Sure.

CHAIRMAN PETRILLO: Did you have an opportunity to sign in?

DRAFT

6

MR. WANKEWYCZ: No, I haven't.

CHAIRMAN PETRILLO: I'll let you, give you a few minutes to sign in.

MR. WANKEWYCZ: Okay.

CHAIRMAN PETRILLO: Sir, would you raise your right hand please?

(Witness sworn.)

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

MR. WANKEWYCZ: Robert Wankewycz, 1002 North Hickory.

CHAIRMAN PETRILLO: Proceed please.

MR. WANKEWYCZ: I just came in to see, I spoke with Mark earlier on the phone, I just came in to see what it is he's going to be putting next to my home. I live next to him, to the north of the lot. So, I have a concern how close to my property it's going to be, how high. I have no idea what's going on next to me. So, I just came to get more information.

CHAIRMAN PETRILLO: From the information we were provided, it's going to be the same footprint except it's going to extend back 10 feet farther. Well, 2.5 inches, yes, and a two-story home and I think the maximum height on a two-story home is 25 or 28?

MR. MACH: 25 to the --

MR. LIRA: It is going to be wider than the existing.

CHAIRMAN PETRILLO: Right, 2.5 inches?

MR. LIRA: No, the existing house does not go setback to setback.

MR. GEISEL: You've got an 11-foot setback and change on the north next to Bob's house, and you have 11 feet on the south side as well. So, what they're proposing is four feet and change on either side, and it required a 2.5-inch variance.

CHAIRMAN PETRILLO: 2.5-inch variance, okay. I'm sorry, when I asked the current footprint, I misunderstood and I thought you said it would be the same, but plus 2.5, okay. Thank you.

MR. WANKEWYCZ: So, the house is coming 2.5 inches towards the north?

CHAIRMAN PETRILLO: No, no, it's going to be about, it's going to be set back four feet, so it's going to come seven feet closer.

MR. WANKEWYCZ: So, how much space is going to be between my lot and his home?

MR. LIRA: Four feet, 9.5 inches.

MR. SIAVELIS: And he's allowed --

MR. LIRA: Five feet.

MR. SIAVELIS: Five feet, so basically he's asking for that little on the site.

MR. WANKEWYCZ: Okay.

CHAIRMAN PETRILLO: If we deem it a buildable lot.

MR. SIAVELIS: Right, if we deem it a buildable lot, right.

MR. WANKEWYCZ: Okay. So, basically his house, the new house will be two inches farther to the north than it is now or four-foot farther?

CHAIRMAN PETRILLO: Four-foot, I'm sorry, seven-foot. It's currently set back 11 feet, correct? And he's going to then be four feet --

MR. GEISEL: Four feet and change on either side. It's a 49 foot-wide lot, so 10 percent, I think they're going for four-foot-nine on either side. This is existing where it's 11 and change on either side.

CHAIRMAN PETRILLO: If we deem this a buildable lot, they could go up to four-foot-nine. They're going to go four-foot 6.5.

MR. WANKEWYCZ: For what?

CHAIRMAN PETRILLO: The side yard setback.

MR. LIRA: We're four-foot 9.5 inches, that's what we're requesting.

CHAIRMAN PETRILLO: Four-foot 9.5?

MR. LIRA: Instead of five feet.

MR. SIAVELIS: Instead of five feet.

CHAIRMAN PETRILLO: I'm sorry, yes, instead of five feet.

MR. LIRA: 2.5 inches.

CHAIRMAN PETRILLO: Yes, we were going off that.

MR. LIRA: Yes, it's 4.8.

MR. GEISEL: Does that answer your questions?

MR. WANKEWYCZ: Yes. I'm just not sure what space is there now.

MR. GEISEL: Well, it says 11 on either side roughly now, and it's going to be four-foot and change on either side.

MR. WANKEWYCZ: Four feet and change, okay.

MR. GEISEL: From the property line with additional gap from his house.

CHAIRMAN PETRILLO: Right. So, whatever the distance is, I'm not sure what your property line is --

MR. GEISEL: It means they're going about seven feet out from the existing, they're going seven more feet in both directions, so it will leave four-foot and change.

MR. LIRA: But the driveway is --

MR. GEISEL: Correct, correct.

MR. WANKEWYCZ: The garage will be between us?

MR. LIRA: Yes.

MR. WANKEWYCZ: Okay, that's all the questions I have.

CHAIRMAN PETRILLO: Thank you, sir. Are there any other questions or comments for this Petitioner? None being heard, we'll close it to members' comments.

I think they're found in a precarious position with the 49-foot, we're talking about one foot. They've made in my opinion a very modest request and have been very cognizant of the code requirements. They're not taking an advantage of the opportunity for a variance with a very small request in my opinion on the square footage and the floor area ratio and the lot coverage of 60-foot and 25 feet respectively.

MR. SIAVELIS: I concur with that. If you look at the floor plans here, you realize that this was a tough design exercise on a 49 foot-wide lot. It's not easy to do and I don't think any of these, that's why I asked for the plans, Chairman, just so I can eyeball them myself. I don't think any of these rooms are overly large or extraneous. When you asked that question of the Petitioner, I think the answer they provided was reasonable in light of what we see here.

CHAIRMAN PETRILLO: Any other questions or comments? Is there a motion?

MR. SIAVELIS: I'll move.
CHAIRMAN PETRILLO: We have a motion to approve all five variances as requested?
MR. SIAVELIS: Yes, correct.
CHAIRMAN PETRILLO: Is there a second?
MR. SELBKA: Second.
CHAIRMAN PETRILLO: We have a motion and a second. Derek, would you call the roll please?
MR. MACH: Mr. Divito.
MR. DIVITO: Yes.
MR. MACH: Mr. Geisel.
MR. GEISEL: Yes.
MR. MACH: Mr. Schwingbeck.
MR. SCHWINGBECK: Yes.
MR. MACH: Mr. Selbka.
MR. SELBKA: Yes.
MR. MACH: Mr. Siavelis.
MR. SIAVELIS: Yes.
MR. MACH: Chairman Petrillo.
CHAIRMAN PETRILLO: Yes. Would you want to retrieve our Board member?

(Whereupon, the hearing on the above-mentioned petition was adjourned at 8:00 p.m.)

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS September 19, 2016

PETITIONER: Livesay Residence

ADDRESS OF PROPERTY: 926 N. Hickory Ave.

VARIATION: 5.1-3.6, 5.4, 5.1-3.4, 5.1-3.7, 5.3-3.2, 5.3-2, 5.1-3.8

A 0.2 foot variance to allow a new home with a side yard setback of 4.8 feet from the north property line instead of the minimum 5.0 feet and an additional 1.0 feet for the eave; A 0.2 foot to allow a new home with a side yard setback of 4.8 feet from the south property line instead of the minimum 5.0 feet and an additional 1.0 feet for the eave; A variance to allow a 49-ft. wide, 6,463 sq. ft. lot to be buildable, where 70 feet wide, 8,750 sq. ft. is required; A 60 square foot variance to allow a Floor Area Ratio (FAR) of 2,968 square feet instead of the maximum allowed 2,908 square feet; A 25 square foot variance to allow 2,287 square feet of building lot coverage where a maximum of 2,262 square feet is allowed.

The petitioner testified that they are proposing to construct a new two story home. The petitioner explained that the property has a total land area of 6,463 square feet and a lot width of 49 feet. The petitioner testified that the proposed new home is encroaching into the required side yard setbacks along the north and south property line. The petitioner explained that with the minimum width of the garage per the building code, the variation allows a few more inches of space inside the house. The petitioner testified that the proposed new home exceeds the allowable floor area ratio and building lot coverage.

The petitioner also explained that the lot width is substandard. Sections 5.1-3.4 and 5.1-3.5 of the Zoning Code set forth minimum lot size and width requirements for the R-3 District which is 70 feet in width and 8,750 square feet in area. As part of 5.1-3.4, the Director of Building is authorized to issue permits for structures on lots that are less than the minimum area and width requirements if the majority of the frontage on which the property is located is developed with lots that are below the minimum district requirements; provided that no permit shall be issued for any parcel containing less than 6,250 SF and a lot width of 50 feet. The petitioner's property is only 49.0 feet wide.

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

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

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

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

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



Item: 818 N. Dryden Ave. - 9/19/16

Department: Planning & Community Development

Approval of Minutes & Findings from the 9/19/16 hearing.

ATTACHMENTS:

Description	Type
Minutes 9/19/16 - Chmura	Minutes
Findings 9/19/16 - Chmura	Minutes

DRAFT

1

ZONING BOARD

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

OF APPEALS

RE: CHMURA RESIDENCE - 818 NORTH DRYDEN AVENUE

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Zoning Board of Appeals taken at the Arlington Heights
Village Hall, 33 South Arlington Heights Road, 1st Floor Beuchner Room,
Arlington Heights, Illinois on the 19th day of September, 2016 at the hour of
8:00 p.m.

MEMBERS PRESENT:

TONY PETRILLO, Chairman
TOM DRAKE
TOM SCHWINGBECK
DAVID DIVITO
JOSEPH GEISEL
JOSEPH SELBKA
PETER SIAVELIS

ALSO PRESENT:

DEREK MACH, Village Planner

CHAIRMAN PETRILLO: The next petition is the Chmura petition, 818 North Dryden, and Member Siavelis will lead on this petition. Have you had a chance to sign in?

MR. CHMURA: Yes, I signed in.

CHAIRMAN PETRILLO: Would you raise your right hand?

(Witness sworn.)

CHAIRMAN PETRILLO: Could you give your name and address?

MR. CHMURA: Yes. My name is Mark Chmura. I'm the owner of 818 North Dryden.

I purchased the property as a home for myself and my family with the intent of putting an addition on the top of it. The hardship that we're having is that we'd like to put an addition on the existing footprint, and with the codes, it's telling us that we have to apply to the setbacks on the front and the side a little bit. With that hardship, I mean there's cost involved with it, there's the engineering, just the curb appeal of the home. If you have any questions on this?

CHAIRMAN PETRILLO: Peter, do you have any?

MR. SIAVELIS: Yes, I'm sorry. I was just double checking the number in here. So, you actually asking for three different variances, right?

MR. CHMURA: Yes, and the driveway.

MR. SIAVELIS: And the driveway also, let's separate the driveway for a second. But you're going straight up on the existing?

MR. CHMURA: Yes, the existing home, the footprint that's there, I'm going to go straight up and front, you know, the square width, and then I'm going to go a little bit to the back. The side which is closer to, I don't know, off the left side, but go in, well, technically I want to go straight, not go in 2.5 feet because that's going to look not good and it's not going to be I think, you know, engineering and putting it together and the mechanics inside the home and just the design of it.

MR. SIAVELIS: So, that's the south side, correct?

MR. CHMURA: I believe so, yes. In the front, we're only going about, the front part of it is only going to be, 13 feet of it is going to be even with the rest of the house. So, the side where the door is on the other side, we're going to set it back a foot, 1.9, if that makes sense.

MR. SIAVELIS: So, that's the front yard setback you're talking about?

MR. CHMURA: Yes.

MR. SIAVELIS: Right, and you basically need a little less than two feet for that, correct?

MR. CHMURA: Yes.

MR. SIAVELIS: Because the minimum is 25, you're a little over, you're looking at over 23?

MR. CHMURA: Yes. But unfortunately, I mean the house is, it is what it is, I didn't know as a homeowner that that was a rule. I always figured you could go above the existing footprint.

MR. SIAVELIS: Talk about the driveway issue.

MR. CHMURA: Yes. The driveway, I believe, I found out that after 70-foot

lots you have to have a certain amount of, I believe it's three feet, so we fall under 75 feet which is saying that we need like I guess three feet of space by the driveway.

MR. SIAVELIS: So, that's the north property line?

MR. CHMURA: The north property line, yes. I'm asking for 2.2 feet which I'll have I believe about a foot left over on the side, just so when I drive out of the garage I can have a turnaround and drive out onto the street facing Dryden because it's pretty dark there and it's hard to back out onto that street. This way I won't drive on my neighbor's lawn or, you know, have any issues with them.

MR. SIAVELIS: So, if I'm reading this right then, the new driveway you're proposing will be less than a foot from the north property line, is that correct?

MR. CHMURA: Yes, except it would be 0.8 foot from the property line.

MR. SIAVELIS: What's the dimension of the current driveway? How far is the current driveway from that property line?

MR. CHMURA: You know, I only have the current one which is drawn for you guys. I believe right now --

MR. SIAVELIS: It looks like it's over, it looks like it's well over a foot, right?

MR. CHMURA: No, right there, right between here?

MR. SIAVELIS: Yes.

MR. CHMURA: I believe that's like --

MR. SCHWINGBECK: Probably about four feet.

MR. CHMURA: Yes, it's like four something.

MR. SIAVELIS: Sorry, yes, so that's where I'm going. So, your new driveway is going to be closer to that north property line, correct?

MR. CHMURA: Yes, on that side.

MR. SIAVELIS: So, with that in mind, have you talked to that neighbor who is directly adjacent?

MR. CHMURA: Yes, I've talked to them. I told them that I'm coming to do the board of review with you guys and then, you know, we're putting an addition on and that we're widening the lot. I haven't had any issues. They haven't said anything to me. I put the sign up, I sent them a letter. You know, the only thing is, you know, they haven't said anything to me really besides, you know, make it look nice.

MR. SIAVELIS: Okay, I mean have you considered any other option that would not necessitate you getting that closer to the north property line?

MR. CHMURA: We tried. We tried doing some different things with the home, maybe putting the garage in front. But it just wasn't cost effective. We tried to design it in front, and then having again to back out onto Dryden, that's the main concern is backing out onto Dryden. I'll make it look nice. I plan on living there a long time. I don't want to have problems with my neighbors and anything like that.

MR. SIAVELIS: Understood. So, the one thing that, a quick question, the exact placement of the new garage, of the proposed garage, where is that going to be?

MR. CHMURA: It's going to be inside the home. Yes, that old garage that's there now is going to be torn down.

MR. SIAVELIS: Okay, so that's going to come out.

MR. CHMURA: Yes, that's coming out, and so when you drive up the driveway, you'll turn left into the home where, and then you'll be able to back out to the --

MR. SIAVELIS: So, it's a side-winding driveway.

MR. CHMURA: Yes, that's going --

MR. SIAVELIS: A side-winding garage, excuse me, and it's going to be three-car?

MR. CHMURA: Yes.

MR. SIAVELIS: Let me ask a related question there. You're essentially asking to have a new driveway be one foot from your north property line. Is that for the entire length or run of the driveway?

MR. CHMURA: It's from where just in front of the, it should be just in front of the doors. Then once it gets back to, past that garage it's going to go back down to narrow. So, I'm only asking for the part that's by the garage so I can't back out there really. Otherwise, it's going to have the three-foot there.

MR. SIAVELIS: Yes, all right. I just didn't understand. I didn't ask you the question before. So, it will actually allow yourself to turn around so you can pull forward on your driveway and to leave the driveway and to enter the Dryden, correct?

MR. CHMURA: Yes, you need that section by the garage so when you're backing out of the garage you have enough turnaround space to go face out.

MR. SIAVELIS: So, at the apron, at the end of your driveway, at the apron near the street, you're not going to be one foot from the north property line?

MR. CHMURA: No, it's not. It's from where the garage is here, it's going to be the regular space here that's required.

MR. SIAVELIS: Sorry it took so long for me to get that.

MR. MACH: Code requires 22 feet from the face of the garage for a sidewalk, and the Petitioner has 22.85 feet just to help with --

MR. SIAVELIS: Scale?

MR. MACH: Yes.

MR. SCHWINGBECK: So, Derek, is there a concern here at all, I'm hearing no, with an impervious surface like this all the way up to the property line next door?

MR. MACH: Engineering has reviewed it and they had no comments.

MR. SIAVELIS: Yes, he's got a very deep lot, 214, 213 --

MR. MACH: Well, it will have to meet Engineering's requirements per the grading.

CHAIRMAN PETRILLO: Anything else, Pete?

MR. SIAVELIS: No.

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

MR. SIAVELIS: Yes, I mean I see this as being reasonable and I asked those questions because I was a little confused on the driveway configuration there. I thought one foot in the entire run of the driveway would be a bit excessive. But the Petitioner explained that and he's right, there's a lot of traffic on Dryden. I personally wouldn't want to pull out everyday doing that. I'd rather be coming out facing that than backing to it.

CHAIRMAN PETRILLO: For me, this is a somewhat similar circumstance

that you notated on the last petition. This home is being built more to the scale of what you see being built as homes come up and/or remodeling on them.

MR. SIAVELIS: Yes, that's correct. The character of the neighborhood, I think it's consistent with it.

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

MR. DRAKE: I move approval.

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

MR. DIVITO: I'll second.

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

MR. MACH: Mr. Divito.

MR. DIVITO: Yes.

MR. MACH: Mr. Drake.

MR. DRAKE: Yes.

MR. MACH: Mr. Geisel.

MR. GEISEL: Yes.

MR. MACH: Mr. Schwingbeck.

MR. SCHWINGBECK: Yes.

MR. MACH: Mr. Selbka.

MR. SELBKA: Yes.

MR. MACH: Mr. Siavelis.

MR. SELBKA: Chairman Petrillo.

CHAIRMAN PETRILLO: Yes. Good luck.

MR. CHMURA: All right. Thank you, guys.

(Whereupon, the hearing on the above-mentioned petition was adjourned at 8:09 p.m.)

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS September 19, 2016

PETITIONER: Chmura Residence
ADDRESS OF PROPERTY: 818 N. Dryden Ave.
VARIATION: 5.1-3.6, 5.4, 11.2-11.1e

A 2.6 foot variance to allow an addition with a side yard setback of 4.9 feet from the south property line instead of the minimum 7.5 feet and an additional 1.2 feet for the eave; A 1.9 foot variance to allow an addition with a front yard setback of 23.1 feet from the east property line instead of the minimum 25.0 feet and an additional 1.0 feet for the eave; A 2.2 foot variance to allow a driveway with a side yard setback of 0.8 feet from the north property line instead of the minimum 3.0 feet.

The petitioner explained that they are proposing to construct an addition. The petitioner explained that the existing footprint along the front and side yard is non-conforming. The petitioner also explained that the driveway does not comply with code. The petitioner testified that they are going straight up above the existing non-conforming footprint. The petitioner also explained that they are seeking variance for the side yard setback for the driveway. The petitioner testified that they are proposing a 0.8 foot setback where 3 feet is required. The petitioner testified that the variance is for the portion of the driveway that is adjacent to the garage and not for the entire driveway run.

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

Thereafter, a motion was made by Mr. Drake and seconded by Mr. Divito. Thereafter, the Board voted 7-0 to approve the variance request.

Now, therefore, after hearing all the evidence and after due deliberation, the Zoning Board of Appeals, voted 7-0 to grant the variance as requested.

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

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

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



Item: 517 S. Dunton Ave. - 9/19/16

Department: Planning & Community Development

Approval of Minutes & Findings from the 9/19/16 hearing.

ATTACHMENTS:

Description	Type
Minutes 9/19/16 - Ericksson	Minutes
Findings 9/19/16 - Eriksson	Minutes

DRAFT

1

ZONING BOARD

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

OF APPEALS

RE: ERICKSSON RESIDENCE - 517 SOUTH DUNTON AVENUE

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Zoning Board of Appeals taken at the Arlington Heights
Village Hall, 33 South Arlington Heights Road, 1st Floor Beuchner Room,
Arlington Heights, Illinois on the 19th day of September, 2016 at the hour of
8:09 p.m.

MEMBERS PRESENT:

TONY PETRILLO, Chairman
TOM DRAKE
TOM SCHWINGBECK
DAVID DIVITO
JOSEPH GEISEL
JOSEPH SELBKA
PETER SIAVELIS

ALSO PRESENT:

DEREK MACH, Village Planner

CHAIRMAN PETRILLO: The next petition is the Ericksson Residence, 517 South Dunton Avenue. Member Geisel will lead on this petition.

MR. FARRAHAR: Good evening.

MR. GEISEL: Good evening.

CHAIRMAN PETRILLO: Have you had a chance to sign in, sir?

MR. FARRAHAR: I did.

CHAIRMAN PETRILLO: I'll swear you in.

(Witness sworn.)

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

MR. FARRAHAR: Mark Farrahar, Residential Consulting & Management, on behalf of my clients on this matter.

CHAIRMAN PETRILLO: Your clients are?

MR. FARRAHAR: Ericksson and Nikos purchased the property. So, the property is currently vacant. So, they bought it with the intent to rehab the property. We went through a couple of design with Staff and like all the, it seems to be a popular comment tonight, if I may approach, we've updated the documents seen. We've kind of fast tracked this so this is probably a little easier to read than our quick submission to the committee.

But as with the other ones, we found that the lot is nonconforming in that it predates the current zoning. So, we're asking for a one-foot-three variance on the very front portion of the property where the staircase is. That's going to be a two-story element. In discussion with Steve, we are, unlike previous petitioners, we're actually pulling the house in to create the front porch that everybody is looking for. So, we're actually going to build on the interior, fill that so we weren't having to try to get that five-foot farther in front of what is the current 27-foot setback. So, we're looking at about 25 to 27.

So, what we're looking for is, the element to the left is two-story. The homes on both the left and the right are two-story homes. So, we felt we needed some prominent front piece to the home in order to give that character. We also wanted the porch, so on the right side of the house where the balcony looking piece is, that's actually pulled back. So, that's not necessarily technically in where we are, we're inside the one-foot-three that we're asking for on the other portions of the property.

Like I said, we're looking only for one-foot-three. We're building, we're keeping the existing first floor, so we're actually building straight up from that. We're not looking for side yard setbacks. Both sides of the home is over 11 feet from the side yard. We are looking to remove the dilapidating rear porch and some other additions to the back of the home, but they also fit within the current zoning for the property. So, we're really looking just for this one element on the front section.

So, the staircase, if we don't, when we go up the stairs we're going to run into a problem having to pull the headroom back in. We won't have that continuous look all the way up and the same as the other one. If we start trying to pull out away from the bottom, we've got that kind of odd-shaped lower section to the front of the house. So, I think we're looking for something that's pretty straightforward.

The homes on either side are a little bit larger, so I think it will fit the neighborhood and character very well as I said. Since the property has been vacant for sometime, I think they're all enthusiastic about seeing something go up here. Certainly my clients are looking forward to moving forward.

Since we are using the first floor foundation, we are, you know, having to work with the first floor structure. So, the plans you have in front of you now really represent the current structural integrity of the home and we're looking just to do a second floor addition. Obviously we're revamping the whole first floor quite a bit extensively.

The home does have large dormers off the front now, so there is some living space up over there. But it wasn't a two-story space at this location.

MR. SIAVELIS: This house lays out, it's for three bedrooms, right, up top?

MR. FARRAHAR: Three bedrooms up on the second floor, correct. I'd like to get four but I don't know how you can make that happen on a 50 foot-wide lot.

CHAIRMAN PETRILLO: Joe, do you have --

MR. GEISEL: Yes, this wasn't clear in the initial submission so this is very helpful.

MR. FARRAHAR: I thought it would be. We tried to get it sooner but I couldn't get it out before the Staff meeting for the packages.

MR. GEISEL: I certainly understood that you were working with the existing elevation, but I did not understand the nature of the porch. You're actually pulling back?

MR. FARRAHAR: It's the only way, I mean obviously you need at least four feet to have a sittable front porch, and our clients do really want to have this as a sittable front porch. So, we're actually going to come into the interior, fill that space. The doors actually wrap around the sides so we can keep that real clean front piece that was there that we're showing there now.

MR. GEISEL: Your clients are there and they're actually occupying the home?

MR. FARRAHAR: Yes, they are.

MR. GEISEL: That wasn't clear, sorry, at least not to me. Anybody else have any questions?

CHAIRMAN PETRILLO: No other questions or comments? Is there anybody in the audience that wishes to be heard on this petition? If you would step forward, sir? Have you had a chance to sign in?

MR. NORTH: No, I haven't. Where do I sign in?

CHAIRMAN PETRILLO: I know you. I know this guy, he probably doesn't remember me.

MR. NORTH: That's right. My name is Keith North, I live at 513 South Dunton. I'll be neighbors to Jeff and Lindsey.

CHAIRMAN PETRILLO: Keith, I'll swear you in before you provide your testimony. You used to have some great neighbors in your neighborhood. I know the people that moved out that live on Rammer now.

(Witness sworn.)

CHAIRMAN PETRILLO: Thank you, sir.

MR. NORTH: I want the Board to please approve all the requested

changes to the house, it's to my south, okay? Thank you.

MR. SIAVELIS: All that wind up for that?

CHAIRMAN PETRILLO: I gave him such a big --

MR. SIAVELIS: Let it go, let it go.

CHAIRMAN PETRILLO: Anybody else in the audience that wishes to speak to this petition? None being heard, is there any other question or comment for this petition before we move to Board comments? None being heard, we'll open this petition up to Board comments. Joe?

MR. GEISEL: Just given the fact that they're working with the existing footprint and actually reducing a little bit of volume on the west elevation, this is very straightforward and I support their motion.

MR. DIVITO: The only comment I have is that actually given the size of that third bedroom upstairs, I would want the variation for the porch, you know, just because it's just a little --

MR. FARRAHAR: Well, we're first generation but, yes, we're probably going to reduce the second floor full balcony to increase the size of those. But we'll still want to extend up to the one-foot-three.

MR. DIVITO: Right, good.

CHAIRMAN PETRILLO: Is there anything else? Is there a motion?

MR. SIAVELIS: I'll move.

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

MR. DRAKE: Second.

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

MR. MACH: Mr. Divito.

MR. DIVITO: Yes.

MR. MACH: Mr. Drake.

MR. DRAKE: Yes.

MR. MACH: Mr. Geisel.

MR. GEISEL: Yes.

MR. MACH: Mr. Schwingbeck.

MR. SCHWINGBECK: Yes.

MR. MACH: Mr. Selbka.

MR. SELBKA: Yes.

MR. MACH: Mr. Siavelis.

MR. SIAVELIS: Yes.

MR. MACH: Chairman Petrillo.

CHAIRMAN PETRILLO: Yes.

(Whereupon, the hearing on the above-mentioned petition was adjourned at

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS September 19, 2016

PETITIONER: Eriksson Residence
ADDRESS OF PROPERTY: 517 S. Dunton Ave.
VARIATION: 5.1-3.6, 5.4

A 1.3 foot variance to allow an addition with a front yard setback of 25.7 feet from the west property line instead of the minimum 27.0 feet.

The petitioner testified that the home predates the current zoning and that they are asking for a 1.3 foot variance for the front yard setback. The petitioner explained that the homes on both the left and the right of the subject property are two-story homes. The petitioner testified that they are utilizing the existing nonconforming footprint and adding a second story addition that is encroaching into the required front yard setback.

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

Thereafter, a motion was made by Mr. Siavelis and seconded by Mr. Drake. Thereafter, the Board voted 7-0 to approve the variance request.

Now, therefore, after hearing all the evidence and after due deliberation, the Zoning Board of Appeals, voted 7-0 to grant the variance as requested.

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

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

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



Item: 122 S. Highland Ave. - 9/19/16

Department: Planning & Community Development

Approval of Minutes & Findings from the 9/19/16 hearing.

ATTACHMENTS:

Description	Type
Minutes 9/19/16 - Onishuk	Minutes
Findings 9/19/16 - Onischuk	Minutes

DRAFT

1

ZONING BOARD

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

OF APPEALS

RE: ONISCHUK RESIDENCE - 122 SOUTH HIGHLAND AVENUE

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Zoning Board of Appeals taken at the Arlington Heights
Village Hall, 33 South Arlington Heights Road, 1st Floor Beuchner Room,
Arlington Heights, Illinois on the 19th day of September, 2016 at the hour of
8:16 p.m.

MEMBERS PRESENT:

TONY PETRILLO, Chairman
TOM DRAKE
TOM SCHWINGBECK
DAVID DIVITO
JOSEPH GEISEL
JOSEPH SELBKA
PETER SIAVELIS

ALSO PRESENT:

DEREK MACH, Village Planner

CHAIRMAN PETRILLO: The next petition is the Onischuk or Onischuk? Onischuk, thank you, 122 South Highland Avenue. Member Siavelis will lead on this petition after I swear the Petitioners in.

(Witnesses sworn.)

CHAIRMAN PETRILLO: Ma'am, would you identify yourself for the record, name and address?

MS. ONISCHUK: Yes. Lisa Onischuk, 125 South Highland Avenue.

MR. BOB FLUBACKER: Bob Flubacker, Robert Flubacker Architects.

CHAIRMAN PETRILLO: I was going to do that for you, Bob. Bob, I assume you will --

MR. BOB FLUBACKER: Present the petition.

CHAIRMAN PETRILLO: Member Siavelis will lead on this.

MR. SIAVELIS: Go ahead.

MR. BOB FLUBACKER: I have two things that I'm passing out. The first that I wanted you to see is a zoning map. The particular project which is at 122 South Highland. My client has purchased it. They currently live at 125 South Highland which is directly across the street, and the property came up for sale, they grabbed it because it has more land so they could have a nice backyard. They love the neighborhood, they've lived there for 13 years and they want to stay living there.

Why I gave you the zoning map is, the area that is highlighted in red, ignore the blow-up down in the lower left-hand corner because those are redundant, but this is the entirety of property in Arlington Heights that's zoned R-4. It happens to be less than one-half of one-tenth of a percent of the zoning lots that are in the Village.

The next exhibit I gave you, the multi-page one, shows kind of an overall site plan of the full block. We did a Freedom of Information request for surveys of all the properties in the block and we were only able to get three. In two of the three, we weren't able to read any of the numbers on it. So, we went out and actually physically measured as much as we could of the block. The numbers that are on this give the separations of the buildings, from building to building. The setbacks in this area are all over the place. They run from two-foot-eight as a minimum up to 65 feet.

The second and third sheets indicate the side yard setbacks to the various residential zoning districts in Arlington. This is the only zoning district that does not require 10 percent side yard setback; every other zoning district is 10 percent. So, if we were in the R-E which is the Estate Residential zoning, we would only be required to do a 10 percent setback.

If you look at the fine print --

MR. SIAVELIS: You're referring to R-4.

MR. BOB FLUBACKER: R-4, yes. If you look at the fine print there, it says see Section 5.1.4.5 for exterior side yard and new subdivisions. So, if you go to the fourth page, that's that section, and it specifically says that any subdivisions that were created in R-4 zoning after 2003 would only be required to have a seven-foot side yard setback. The next page is what, if you were to do an R-4 subdivision today, the minimum lot size you could do is a 70-foot lot which makes sense of the seven-foot, that's a 10 percent setback.

So, I'm not quite sure how this happened in the zoning ordinance,

but I think this was intended for two-family buildings rather than single-family buildings, because if you look at the next line in there, there is a larger minimum lot width if it's a two-family than if it's a one-family. So, that's our unique circumstance.

Obviously we're not doing anything to the neighborhood because we're trying to do a very sensitive addition to what I feel is a very strong character home, kind of an arts and crafts Adirondack style residence.

We are adding to the back of the home and matching the width of the existing houses, important to keep the flow of the existing rooms with the new addition. Without boring you on a lot of plan stuff, if you look at the floor plan, there's an existing washroom setup that's on the north side of the house. So, if we were to shift the addition to the north, it really throttles down the connection between the existing house and the new addition. It creates a lot of problems.

So, we are asking for a setback that's 10-foot-five which is still in excess of the 10 percent setback on the lot. You can see our house-to-house separation will be 19-foot-four which falls well within the range of what a lot of the existing house-to-house separations are, and a lot of those separations have driveways in them and sometimes multiple driveways.

MR. SIAVELIS: You have no driveway, you contemplate no driveway?

MR. BOB FLUBACKER: We will have no driveway, that's correct.

MR. SIAVELIS: Anything else you want to add in support?

MR. BOB FLUBACKER: No.

MR. SIAVELIS: So, before we go to the neighbor issue, I think you did a good job pointing out the kind of inconsistency of the code, and I was listening intently there. I think you're right, I don't know what the genesis of this is.

MR. BOB FLUBACKER: It seems weird, that that little four-block area should have a greater side yard setback than anywhere else.

MR. SIAVELIS: Right, and your interpretation of the single-family versus two-family for R-4, that caveat there in the last page of the attachment you provided, I think that's a logical deduction given how the data is provided or the requirements are set forth on this table.

MR. BOB FLUBACKER: Right.

MR. SIAVELIS: If I heard you right, that 10 percent, you're not encroaching on 10 percent?

MR. BOB FLUBACKER: Right, we still have an excess of 10 percent. In addition, this is a 100 foot-wide lot which is an anomaly in that area. Most of them are 50-foot. There is one other 100-foot lot in the whole area that happens to be a couple of doors down, but most of them are 50-foot lots. Across the street are all 50-foot, there is one 65 I think. So, even at 10 percent of the 100-foot, we're still well beyond what even 15 percent on the smaller lots would be as far as building-to-building separations.

MR. SIAVELIS: Right. If you didn't get this variance, what kind of hardship would that create?

MR. BOB FLUBACKER: It would push the addition over and really throttle the connection between the existing house and the addition. It would make the traffic flow very cumbersome.

MR. SIAVELIS: Within the house itself?

MR. BOB FLUBACKER: Within the house, yes.
MR. SIAVELIS: Did you talk to your neighbors?
MS. ONISCHUK: We did.
MR. SIAVELIS: Especially those directly adjacent?
MS. ONISCHUK: Yes.
MR. SIAVELIS: What was their feedback?
MS. ONISCHUK: They didn't care. That's what we were told.
MR. SIAVELIS: It's one thing to talk to them, but did you show them the plans for the house?
MS. ONISCHUK: Yes, well, my husband did. My husband went over there and spoke with them and they said fine, you know, just weren't very concerned.
MR. SIAVELIS: One last thing I just want to clarify just to make it, in the handwritten annotations that you provided here on the last page?
MR. BOB FLUBACKER: Yes.
MR. SIAVELIS: So, if you get the proposed variation, the distance between the new construction and the adjacent home at 126 is about 19 feet four inches?
MR. BOB FLUBACKER: It's exactly the same as it is today. We're matching the side projection that's on the house.
MR. SIAVELIS: Right, okay.
MR. SCHWINGBECK: You won't be doing any building at all on what would be home number 118 in between 114 and 122?
MR. BOB FLUBACKER: Yes, that's our lot.
MR. SCHWINGBECK: That's going to be an empty lot?
MR. BOB FLUBACKER: No, that's our lot. That's our lot.
MR. SCHWINGBECK: You're going to be building on it?
MR. BOB FLUBACKER: 118 doesn't exist.
MR. SCHWINGBECK: Right, 118 does not exist.
MR. BOB FLUBACKER: Yes, the property is all four of the 25-foot lots, so yes, we are building on --
MR. SCHWINGBECK: You're building on what would be 118?
MR. BOB FLUBACKER: Yes.
MR. SCHWINGBECK: Okay, maybe I misunderstood you. I thought you bought that entire parcel there, 118 and 122.
MR. BOB FLUBACKER: Yes.
MS. ONISCHUK: The address is 122.
MR. BOB FLUBACKER: The address is 122. The existing home that we're remodeling is 122.
MR. SCHWINGBECK: Okay, and is the size of that new home, is it going to be encroaching on to 118 so it will always just be one home on those two lots?
MR. BOB FLUBACKER: Yes, yes. Yes, the north extremity of the building is 25 feet south of the north neighbor.
MR. SIAVELIS: I know there are some Design Commission comments, some pretty strong comments. We usually don't see comments that strong so I assume you're going to have to deal with those problems.
MR. BOB FLUBACKER: I haven't seen those. We haven't submitted to

Design Commission.

MR. SIAVELIS: No, I'm sorry, from Hautzinger. You haven't seen these?

MR. BOB FLUBACKER: Is that from a previous submittal? What's the date on that submittal?

MR. SIAVELIS: Transmitted on August 31st.

MR. BOB FLUBACKER: No, I've not seen this. You said they were strong?

MR. SIAVELIS: Yes.

MR. BOB FLUBACKER: Strong positive or strong negative?

MR. SCHWINGBECK: I would say strong negative.

MR. SIAVELIS: I think that's a fair characterization, that it's a strong negative. I mean it's something you're obviously going to have to deal with but I just want to just notate it I guess for the record. I mean if you want me to read it in the record I can, that's fine.

MR. BOB FLUBACKER: Yes, sure.

MR. SIAVELIS: Okay, so a Design Commission application is required for the proposed addition. Overall, the addition is nicely designed to match the character of the existing house. But the new front entry door orientation and front porch layout is odd and requires further study. It is recommended to keep the existing front entry as is. Steve Hautzinger.

MR. BOB FLUBACKER: If that were the case, we would be back here again in order to get a front porch in front of the house because it's at the 25-foot setback. To do a kind of covered front door would require a porch. We'd want to have a significant porch, not a small porch. So, how we designed it was to put the porch on the side of the house. We're still entering that same foyer but from the end rather than from the front. Does that make sense?

MR. SIAVELIS: Yes, and I guess we'll see how that plays out.

CHAIRMAN PETRILLO: I do have one question, Peter.

MR. SIAVELIS: Go ahead, sure.

CHAIRMAN PETRILLO: One quick question. The existing garage, how much, the new structure, how much more space is going to be occupied by the new home than exists today?

MR. BOB FLUBACKER: To the north of the garage?

CHAIRMAN PETRILLO: To the north, yes.

MR. BOB FLUBACKER: Let me try to figure that out. I'd say roughly about 15 feet.

CHAIRMAN PETRILLO: So, you'll be about 35 feet from the lot line?

MR. BOB FLUBACKER: 25 from the north lot line.

CHAIRMAN PETRILLO: 25 from the lot line. I'm sorry, you're correct. Peter, are you through?

MR. SIAVELIS: I'm through.

CHAIRMAN PETRILLO: Any other question or comments from any other member of the Board? None being heard, is there anybody in the audience that wishes to speak to this petition? Three hands went up simultaneously. All three, or whoever wishes, you can step forward at the same time and I'll swear you both in at the same time. If there's anybody else? Okay.

Sir, did you have an opportunity to sign in?

MR. MEERSMAN: Yes, I did.

CHAIRMAN PETRILLO: Ma'am, did you sign in?

MS. MARTIN: I did not sign yet.

CHAIRMAN PETRILLO: Okay, what I'll do is I'll swear you in, and then when this lady testifies, ma'am, would you step forward? I'll swear you all in at the same time. Would you raise your right hand?

(Witnesses sworn.)

CHAIRMAN PETRILLO: Thank you. You were the first up, would you like to lead? Would you state your name and address for the record please?

MS. KARAVAS: Yes, please. My name is Mary Karavas. I live at 115 South Chestnut Avenue. I want to thank Lisa and her husband for actually considering the neighborhood. I live on Chestnut, same block, opposite side. I have experienced extreme flooding due to changes in the neighborhood. I think that they have, and my initial reaction when I received the letter was very negative. Once I did my research and looked at the plans and saw how much under they are from the permeable land requirement, I was grateful that they designed something so tasteful and in consideration for the larger neighborhood. I do not abut their property. I am behind them and three lots down, three lots to the north.

What I do object to though is it's my cursory understanding that this is one PIN, this property has one PIN, correct? One property tax ID number?

CHAIRMAN PETRILLO: Ma'am, if you would, your question should be addressed to the Board and we'll try and answer those and the Staff.

MS. KARAVAS: I'm sorry. It's my first time here to speak.

CHAIRMAN PETRILLO: If not, we'll try and --

MS. KARAVAS: I'm sorry. It's my cursory understanding that this property has one PIN number. So, what I object to is the idea that this is two lots moving forward. I'd like you to consider that because that has impacted the general neighborhood. This is one lot and they have designed this addition as one lot which is why I'm grateful that they designed it with their neighbors in mind. It's not two lots.

MR. SELBKA: So, you support this, correct?

MS. KARAVAS: I do support it, yes. Let me be very clear, I support this. I do not support 100-foot lots with a single PIN being thought of as let's split this into two lots.

CHAIRMAN PETRILLO: Thank you.

MS. KARAVAS: Thank you.

MS. MARTIN: I'm just a neighbor, I live on Highland down the street.

CHAIRMAN PETRILLO: Could you state your name?

MS. MARTIN: Beth Martin.

CHAIRMAN PETRILLO: And address?

MS. MARTIN: 217 South Highland.

CHAIRMAN PETRILLO: I'm sorry, your first name and last name?

MS. MARTIN: Beth Martin. I just want to say I support the, they've always kept up their property very well. They've always made improvements to their property. I know that they're very conscientious of the neighborhood, they love the neighborhood

and I'm fully for it.

CHAIRMAN PETRILLO: Thank you, ma'am.

MS. MARTIN: That's it.

CHAIRMAN PETRILLO: Sir?

MR. MEERSMAN: My name is Donald Meersman, I live at 202 South Highland Avenue. I'm three doors down from 122 South Highland. Please approve their request. It is in character with the neighborhood. They have spoken to the neighbors right next door. I talked to her this afternoon but she doesn't care. So, I mean you got it there.

We watched them move into the neighborhood. They're moving across the street. They're not looking to cash in, they're looking to move in it. I've watched what they did on their house, everything they do is first class. It's in character with the neighborhood.

In this particular situation, you have an unusual case where they like it, the neighbors like it, and the previous owner liked it. I talked to Mr. Toyama before he left and he was delighted that a family in the neighborhood was going to move in and try to maintain this current character and keep it as much green space as possible. Thank you.

CHAIRMAN PETRILLO: Thank you, sir. Anyone else in the audience? None being heard, the Petitioners, would you step forward?

MR. SIAVELIS: Yes, I don't think there's anything else that needs to be addressed in light of the comments from the gallery.

MR. DIVITO: The only comment I would say is, Derek, next time put Bob's request farther up in the agenda, so that way we can show an example of a well-prepared case. I mean your educational session of the zoning law, the solicitation of feedback, you did your job.

MR. BOB FLUBACKER: Thank you.

CHAIRMAN PETRILLO: Your fees stay the same.

MR. BOB FLUBACKER: I would like to add one more thing just as an observation. If you look on the floor plan on Sheet A-2, it's probably very hard to see on your versions, but the existing house actually goes about two-thirds or maybe even three-quarters of the way into that family room. If you see the word family room on the family room, to the left of that there's a very faint dotted line. That's the end of the house today. So, we're only extending the setback on that side of the house back another six, seven feet.

MR. SIAVELIS: Mr. Chairman, from what I understand, I don't think that changes my view.

CHAIRMAN PETRILLO: Thank you. Any other discussion? None being heard, is there a motion?

MR. DIVITO: Motion to approve.

CHAIRMAN PETRILLO: Is there a second?

MR. DRAKE: Second.

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

MR. MACH: Mr. Divito.

MR. DIVITO: Yes.

MR. MACH: Mr. Drake.

MR. DRAKE: Yes.

MR. MACH: Mr. Geisel.

MR. GEISEL: Yes.

MR. MACH: Mr. Schwingbeck.

MR. SCHWINGBECK: Yes.

MR. MACH: Mr. Selbka.

MR. SELBKA: Yes.

MR. MACH: Mr. Siavelis.

MR. SIAVELIS: Yes.

MR. MACH: Chairman Petrillo.

CHAIRMAN PETRILLO: Yes.

MR. BOB FLUBACKER: Thank you all very much.

CHAIRMAN PETRILLO: Thank you.

(Whereupon, the hearing on the above-mentioned petition
was adjourned at
8:36 p.m.)

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS September 19, 2016

PETITIONER: Onischuk Residence
ADDRESS OF PROPERTY: 122 S. Highland Ave.
VARIATION: 5.1-4.5, 5.4

A 5.0 foot variance to allow an addition with a side yard setback of 10.0 feet from the south property line instead of the minimum 15 feet and an additional 2.0 feet for the eave.

The petitioner testified as to hardship, uniqueness of circumstances, and the character of the locality. The petitioner explained that the side yard setback in the R-4 zoning district is fifteen percent and that the existing home is at ten percent. The petitioner explained that they are proposing an addition to the non-conforming footprint. The petitioner testified that the R-4 zoning district is the only residential zoning district that does not require a ten percent side yard setback.

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

Thereafter, a motion was made by Mr. Divito and seconded by Mr. Drake. Thereafter, the Board voted 7-0 to approve the variance request.

Now, therefore, after hearing all the evidence and after due deliberation, the Zoning Board of Appeals, voted 7-0 to grant the variance as requested.

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

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

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



Item: 735 N. Vail Ave. - 9/19/16

Department: Planning & Community Development

Approval of Minutes & Findings from the 9/19/16 hearing.

ATTACHMENTS:

Description	Type
Minutes 9/19/16 - Skrudland	Minutes
Findings 9/19/16 - Skrudland	Minutes

DRAFT

1

ZONING BOARD

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

OF APPEALS

RE: SKRUDLAND RESIDENCE - 735 NORTH VAIL AVENUE

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Zoning Board of Appeals taken at the Arlington Heights
Village Hall, 33 South Arlington Heights Road, 1st Floor Beuchner Room,
Arlington Heights, Illinois on the 19th day of September, 2016 at the hour of
8:36 p.m.

MEMBERS PRESENT:

TONY PETRILLO, Chairman
TOM DRAKE
TOM SCHWINGBECK
DAVID DIVITO
JOSEPH GEISEL
JOSEPH SELBKA
PETER SIAVELIS

ALSO PRESENT:

DEREK MACH, Village Planner

DRAFT

2

CHAIRMAN PETRILLO: The next petition is the Skrudland, 735 North Vail Avenue. Member Schwingbeck will take this, the lead on the next two.

(Witnesses sworn.)

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

MR. SKRUDLAND: Kurtis Skrudland, 735 North Vail. I'm the homeowner and also the architect.

MR. SCHWINGBECK: Maybe for starters, I took a look at the property and was trying to understand what you were doing here. I'm fairly sure, but maybe walk through the three bullet points and then maybe explain what you're proposing to do there.

MR. SKRUDLAND: Yes. So, we bought the house 10 years ago. We're trying to, we didn't replace the garage, we're trying to build a new garage now to match. You know, the slope of the roof, the size of the garage gets us to a certain height around 17 feet.

The second thing is we're on an alley, so we'd like the garage to face the alley. We have an existing driveway in front of the garage which faces the street and we want to keep that. So, that necessitates a variance because either we have two driveways because there is an apron in front of the driveway to the alley, and the existing driveway to remain would be the second, technically the second driveway. So, it could be either two driveways or one really long one which is the 39 feet, so however you want to look at it.

The last thing which, Derek, I didn't see in your letter, this thing I received last week, but the setback, the four-foot setback off of the alley isn't on here. I think it's on all of the other information, instead of five feet?

MR. MACH: Okay, I was under the impression the rear yard setback is five feet, you're saying it's --

MR. SKRUDLAND: Well, I'm asking for four, we're asking for four and that's been on everything but I think just that one letter.

MR. MACH: Please note that the Petitioner is requesting an additional variation for a one-foot setback for a four-foot setback for the rear property line where five feet would be the requirement.

MR. SCHWINGBECK: Right.

MR. SKRUDLAND: So, part of the reason for that is we have the existing tree that is ginkgo that's pretty close to our walk. We don't want to cut it, and the other reason is we've got three properties to the south of us that all drain through our property when it really rains three or four times a year. Between the garage and the house, we have quite a river that flows, so, you know, the one foot maybe doesn't sound like enough but it will make a difference, you know. The existing garage in other words could be wider in that direction so it's just the minimum building width for a garage, you know, clear on the inside. We're at 21.5 feet, well, 21.5 feet I believe is the clearance in there, where a 22.5 allows us to put shelving on one wall and still make clearance.

So, if the committee decides that, you know, that one foot is not agreeable, then we'll consider losing a foot out of the garage I think, but that's what we're asking for. I've taken a look at the turning radius, getting in and out of a garage facing the alley with a mid-sized SUV and it's not a problem. It's commonly done in the city of

Chicago, although the alleys in the area are pretty rare. So, unusual circumstance for us, so that's it.

MR. SCHWINGBECK: So, and I thought I saw it, the new garage that you're proposing to build here, the entryway is off that gravel alley?

MR. SKRUDLAND: That's right.

MR. SCHWINGBECK: Is the existing garage, is that also off the alley?

MR. SKRUDLAND: No.

MR. SCHWINGBECK: That one you're coming in from Vine?

MR. SKRUDLAND: Right.

MR. SCHWINGBECK: So, what are you proposing to do with this little apron between the sidewalk and the garage?

MR. SKRUDLAND: Yes, we'd like to keep that as a parking space for, in particular our daughter when she's old enough to have a car, we'd have space off the street with this. We know you're not allowed to park on the street but, you know, we're well under what the permeable surface area is. When we built the house, we did not build by any means the biggest house we could build on the property. It could have been significantly bigger. So, we have plenty of space as far as that's concerned.

MR. SCHWINGBECK: Then the bottom going from the street to the sidewalk, is that, are you going to grass that in?

MR. SKRUDLAND: Well, to a certain extent, yes. I've got to work that out with the Engineering Department. Derek and I have been talking about that recently. You know, the garbage truck is going into that alley and you can see the turning radius that they make over my apron there and they use the entire thing. People, this is our first, our street is the first street that you could park on legally and walk to the train, right, everything else is two hours or less. It's just all there is. So, people park on that street, and so you can't, the garbage truck can't use the whole street to turn on to the alley.

So, my concern with that, and I don't know if this is really, you know, something that we can decide now, like what I was saying, we'll have to work that out as far as getting a permit, but my concern is that, yes, I'll put in the parkway and then I have to maintain it and the trucks will drive by over it and I've got big ruts that are in it. So, you know, hopefully I can come up with some scientific, you know, basis for establishing what's required for a garbage truck to turn in there. But I don't have any problem with taking it out besides that.

MR. SCHWINGBECK: So, the 39 foot-wide driveway was really to incorporate the garage plus the pads?

MR. SKRUDLAND: Along with the alley.

MR. SCHWINGBECK: The alley, okay.

MR. SIAVELIS: Your north elevation, your drawings show a basketball hoop on the side of that garage?

MR. SKRUDLAND: Yes, we've got a basketball player.

MR. SIAVELIS: All right, that's what that is.

MR. SKRUDLAND: Pretty serious, if you want to take her on. She'd be very disappointed if you didn't.

MR. SIAVELIS: That's why that concrete pad on the side basically.

MR. SKRUDLAND: Yes, that is true, that's another reason for it. We have

an existing basketball net there now. So, we'll get a new one, the one there is a little shabby.

MR. SIAVELIS: Okay.

MR. SCHWINGBECK: That's all I have.

CHAIRMAN PETRILLO: I don't quite understand the driveway, I'm trying to find the orientation on it.

MR. SKRUDLAND: It's from the east property line to the --

MR. GEISEL: Right here, their existing driveway is here.

CHAIRMAN PETRILLO: Right.

MR. GEISEL: They want to come in off the alley. So, by definition, this becomes a 39 foot-wide.

CHAIRMAN PETRILLO: So, and what is this? This is four, okay.

MR. SKRUDLAND: This is an apron, a four-foot apron from the edge, the back of the garage where the garage door is to the alley. So, from this point where the apron starts to here, that's the 39 feet.

CHAIRMAN PETRILLO: To there.

MR. SKRUDLAND: That doesn't conform. I've got my garbage cans here.

CHAIRMAN PETRILLO: Okay, this length is the 39 feet.

MR. SKRUDLAND: Yes, right.

CHAIRMAN PETRILLO: Got it, okay.

MR. SKRUDLAND: So, you know, the choice was we could do, I've got my garbage cans there, the choice was we could do without the garbage cans and go for two driveways or go for one long driveway. But you know, that's just a four-foot strip.

CHAIRMAN PETRILLO: Okay, I got it now. I'm trying to --

MR. SIAVELIS: The existing structure has you backing out onto Pine Street, right?

MR. SKRUDLAND: Right.

MR. SIAVELIS: Right, so you're pulling in and backing out of Pine Street. Is that, from a safety standpoint, is that less desirable than losing the alley?

MR. SKRUDLAND: A little bit. You know, we've got, I don't know, I suppose you can argue that one way or the other. You know, from a practical standpoint, when I've got to move snow off my driveway, it's all got to go to the west because I can't pile it in the alley. With the prevailing wind, you've got to go like 30 feet, it's quite difficult. So, I'm looking forward to having my four-foot strip off the alley for that reason.

When we back out of the garage, we've got a sidewalk there which, you know, people walk all the time, and so we're very conscious. So, conceivably, people don't walk down the alley as much, you know, but there's --

MRS. SKRUDLAND: Plus the traffic coming in --

MR. SKRUDLAND: Right, but there's more risk because of the proximity, you know, of hitting someone although --

CHAIRMAN PETRILLO: Is there any other member of the Board that has any other questions or comments for the Petitioner? None being heard, is there anyone in the audience that wishes to speak to this petition? None being heard, we'll close this then to our members' comments.

MR. SCHWINGBECK: Yes, I like what you're doing with the garage door off

the alley. I think you might have been the only home, obviously all the homes to the north or south of you have alley access.

MR. SKRUDLAND: Right.

MR. SCHWINGBECK: So, I certainly see what you're trying to do there. I just, I found that parking spot on the side of the garage where the car potentially is going to be right at the sidewalk as being a little odd for the neighborhood. But other than that, I'm not too concerned with the height of the garage. It was really just that 39-foot with the pad right next to the sidewalk.

CHAIRMAN PETRILLO: Any other questions or comments from the Board?
I'm sorry.

MR. SIAVELIS: Yes, one. I had initial concerns as well. Then I heard your dialogue, Tom, with the Petitioner. It makes sense to me now.

MR. SCHWINGBECK: Right.

MR. SIAVELIS: That side pad makes sense as well, especially if you want a hoop anywhere, anybody who can hoop worth a darn knows you can't hoop on gravel, right, in the alley. So, it makes sense to keep that side pad, and especially for over, you know, when you have guests over. You testified to having a child and you're planning ahead in the future. It's nicer than parking on the street if you had that relief pad.

MR. SCHWINGBECK: Right.

MR. SKRUDLAND: The neighbor's son uses the basketball, so that was their concern when I talked to them about it. Putting in a new basketball hoop.

CHAIRMAN PETRILLO: They thought they were going to have to invest?

MR. SKRUDLAND: Yes, that's right.

CHAIRMAN PETRILLO: Is there a motion?

MR. SIAVELIS: I'd move.

MR. GEISEL: Second.

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

MR. MACH: Mr. Divito.

MR. DIVITO: Yes.

MR. MACH: Mr. Drake.

MR. DRAKE: Yes.

MR. MACH: Mr. Geisel.

MR. GEISEL: Yes.

MR. MACH: Mr. Schwingbeck.

MR. SCHWINGBECK: Yes.

MR. MACH: Mr. Selbka.

MR. SELBKA: Yes.

MR. MACH: Mr. Siavelis.

MR. SIAVELIS: Yes.

MR. MACH: Chairman Petrillo.

CHAIRMAN PETRILLO: Yes.

MR. SKRUDLAND: I just want to be clear that the four-foot is part of this.

CHAIRMAN PETRILLO: Yes, that is part of the discussion.

MR. SKRUDLAND: Thank you.

MRS. SKRUDLAND: Okay, thank you.
(Whereupon, the hearing on the above-mentioned petition was
adjourned at
8:48 p.m.)

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS September 19, 2016

PETITIONER: Skrudland Residence
ADDRESS OF PROPERTY: 735 N. Vail Ave.
VARIATION: 6.5-6, 11.2-11.1b

A 2.7 foot variance to allow an increase to the maximum height of an accessory structure from 15 feet to 17.7 feet; A 17.0 foot variance to allow a 39.0 foot wide driveway where the maximum width is 22 feet; A 1 foot variance for a rear yard setback of 4 feet for the detached garage.

The petitioner testified that there is an existing tree and a drainage swale through the middle of the rear yard; therefore, they would like to locate the garage four feet from the rear property line where five feet is required. The petitioner also testified that they are proposing to match the roof lines on the house and are requesting a height variation. The petitioner explained that they are proposing to keep the existing driveway which is located on the north side of the garage. The petitioner explained that in order to keep the existing driveway, a variation for driveway width is required. The petitioner explained that an additional parking space is necessary because there is no stacking for vehicles since the garage fronts the alley.

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. Siavelis and seconded by Mr. Geisel. Thereafter, the Board voted 7-0 to approve the variance request.

Now, therefore, after hearing all the evidence and after due deliberation, the Zoning Board of Appeals, voted 7-0 to grant the variance as requested.

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

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

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



Item: 501 N. Derbyshire Ave. - 9/19/16

Department: Planning & Community Development

Approval of Minutes & Findings from the 9/19/16 hearing.

ATTACHMENTS:

Description	Type
Minutes 9/19/16 - Walters	Minutes
Findings 9/19/16 - Walters	Minutes

DRAFT

1

ZONING BOARD

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

OF APPEALS

RE: WALTERS RESIDENCE - 501 NORTH DERBYSHIRE AVENUE

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Zoning Board of Appeals taken at the Arlington Heights
Village Hall, 33 South Arlington Heights Road, 1st Floor Beuchner Room,
Arlington Heights, Illinois on the 19th day of September, 2016 at the hour of
8:48 p.m.

MEMBERS PRESENT:

TONY PETRILLO, Chairman
TOM DRAKE
TOM SCHWINGBECK
DAVID DIVITO
JOSEPH GEISEL
JOSEPH SELBKA
PETER SIAVELIS

ALSO PRESENT:

DEREK MACH, Village Planner

CHAIRMAN PETRILLO: The next petition is the Walters Residence, 501 North Derbyshire. Member Schwingbeck will also have this petition.

Would you raise your right hand?

(Witnesses sworn.)

CHAIRMAN PETRILLO: Would you state your name and address for the record, and relation or association with the Petitioner if necessary?

MR. RON FLUBACKER: I'm Ron Flubacker. I'm the architect for the Petitioner, and brother of the one two ago.

CHAIRMAN PETRILLO: Okay, we expect a big show, so let's see what you got.

MR. WALTERS: Yes, and I'm Josh Walters. I'm the owner of the property. I do currently reside at 1724 North Windsor Drive in Arlington Heights.

MR. RON FLUBACKER: We have several revisions I'm just going to pass out. It was an oversight I think in the distribution of these initially.

CHAIRMAN PETRILLO: So far so good.

MR. WALTERS: I love these guys when you receive these from the Building Department --

MR. RON FLUBACKER: If you turn actually to the third, I think it's the fourth page, no, I'm sorry, page five, that's shows, that's an accurate view of that front porch. On the previous one, we were showing it not extending as far to the front and it had a different roof configuration. So, this now, that bottom right elevation now shows the accurate, the way the petition was structured. The petition asked for a 10-foot width by four-foot off the front of the building. This reflects that, where the original document that came in as part of the agenda did not show that.

We're asking for two variations. Again, if you refer to this west elevation, there is a garage on the north side of the house that's up against another single-family house immediately to the north. The variation required is to allow us to extend that existing line of garage up to incorporate the upper bedroom on that end. I think the easiest place to see that is probably Sheet 4.

In fact, there is very little footprint change to this house. The actual expansion of the footprint on the site is only backed at the rear side, and that's a matter of, I think less than 20 square feet to fill out a corner to make the roof construction a little bit easier. But the existing garage is seven-foot off the north property line as it exists, seven and some change. The front of the house is about 26 feet off Derbyshire.

The reason, this lot is oriented in such a way that the ordinance defines the front to be Fremont and the side to be Derbyshire which is sort of a hassle in that when it was built, it was built seven feet off the property line. The property was built, my guess is back in the 60's at some point. The lot was platted in '59, so there had to have been a permissible setback at seven feet which the house complied with at the time. All we're asking for is to allow for a continuation of that line upward in bringing the fourth bedroom out into that attic space over the two-car garage.

Then also on Sheet 4, you can see the pilasters that support the porch are now pulled out to the front. We're asking for 3.5 feet there actually, not four. It really doesn't matter, 3.5 feet is sufficient. But there is a roof overhang in addition to the 3.5 feet.

MR. SCHWINGBECK: So, on the front porch, you've got a 2.5 foot variance, you're seeking what?

MR. RON FLUBACKER: 2.5 foot variance from the 25-foot building line. It's 2.5 foot incursion, but a total of 3.5 feet off the building facade, the existing building facade. Then we're asking for 10-foot of width because it looked better at 10 feet, just to add a little more mass to it and the proportions were better.

It's our feeling that this is consistent with the neighborhood. The hardship is actually caused by the lot configuration to a large measure. It would be a seven-foot setback if it was considered a side yard because of the 100-foot lot width. So, we're asking for, in effect, a three-foot variance from that, or 23 I guess from the actual rear yard line when it's applied that way.

I think that's, we've gone through aesthetic review on this. There are apparently drawings in for permit. Everything else I can answer or my client can answer here.

MR. SCHWINGBECK: So, compared to the existing house that's on the lot, the garage on the new plan is going to sit back a little bit from the rest of the home still?

MR. RON FLUBACKER: Yes.

MR. WALTERS: It does, yes.

MR. RON FLUBACKER: It actually follows almost the identical profile of the existing garage.

MR. WALTERS: The only modifications we truly over -- turning from one stall to two stalls as well as obviously, clear --

MR. SCHWINGBECK: Yes, and that was a little confusing at first when I read it where they were seeking such a big variance. But that is because of the rear yard really being their side.

MR. WALTERS: Correct.

MR. SIAVELIS: It's a good sized lot.

MR. SCHWINGBECK: Yes.

MR. RON FLUBACKER: We're well within impervious area and floor area ratios and all of that.

MR. SCHWINGBECK: Yes, I didn't have any other questions on this one.

CHAIRMAN PETRILLO: Does any other Board member have any questions for the witnesses? Mr. Walters, you currently live on Windsor, did you say?

MR. WALTERS: That's correct, yes.

CHAIRMAN PETRILLO: And then you're going to move into this home?

MR. WALTERS: No, this is an investment property.

CHAIRMAN PETRILLO: This is an investment property.

MR. WALTERS: I had talked extensively to the property owner just to the north of me. I was hoping she'd be here tonight. Obviously she wasn't, but she's been taking this very positively. She, you know, kind of agrees with our assessment of not granting this would actually make it more of an eyesore or make it look less desirable than what we're proposing.

CHAIRMAN PETRILLO: Is there any member of the audience that wishes to speak to this petition?

DRAFT

4

MR. BLAIR: Hi there.

CHAIRMAN PETRILLO: Please step forward. You gentlemen have a seat for a moment.

MR. BLAIR: Sign in here, too.

CHAIRMAN PETRILLO: Would you raise your right hand?
(Witness sworn.)

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

MR. BLAIR: My name is Douglas Blair and I live at 1208 East Fremont which is the property immediately to the east of this Petitioner.

The house at 501 Derbyshire has been vacant for a couple of years. It's deteriorating. I'm just happy to see somebody put some love into the property and into the neighborhood. I've seen the preliminary drawing of the proposed building and I think it's going to look very good. So, we encourage you to approve.

CHAIRMAN PETRILLO: Thank you, sir.

MR. BLAIR: That's it.

CHAIRMAN PETRILLO: Thank you for waiting. I appreciate your patience.

MR. BLAIR: I had nothing else to do. Besides, it's still seven to six.

CHAIRMAN PETRILLO: Before we ask you, before I ask the Petitioners, does anybody have any questions or comments for the Petitioners? Okay, we'll let you gentlemen stay seated then.

We'll open it up to Board discussion. Is there any discussion by any member of the Board on this petition? None being heard, is there a motion?

MR. MACH: Just to clarify for the record, so the variance for the covered front entry is 3.5 foot variance, not 2.5 foot variance.

CHAIRMAN PETRILLO: All right, so any motion that is made, if you would clarify during that motion the 3.5 foot variance instead of the 2.5 foot variance for the front of the property. It would be, is this the entrance? It's the entrance --

MR. RON FLUBACKER: Could I ask --

CHAIRMAN PETRILLO: That includes then, there would still be an additional for the one-foot eave that would still apply I assume?

MR. MACH: Yes.

CHAIRMAN PETRILLO: Okay.

MR. RON FLUBACKER: I think, unless I'm wrong here, I think that four by eight wasn't allowed?

MR. MACH: Correct.

MR. RON FLUBACKER: So, what we're asking for actually is a 10-foot --

CHAIRMAN PETRILLO: 10, right, okay. So, we should clarify that as well.

MR. DRAKE: So, item two, the amendment is 2.5 to 3.5. Then what's the second piece of it?

CHAIRMAN PETRILLO: I think that they actually need a variation, it's a 32 square-foot stoop that's allowed by code, and they're asking for a 10-foot by eight-foot. It would have been eight-foot by four, but it's 10 by, did you 10 by eight?

MR. WALTERS: 10 by four.

CHAIRMAN PETRILLO: 10 by four, I'm sorry --

DRAFT

5

MR. DRAKE: Eight feet.
MR. MACH: That's closer to the structure, the polls, the columns, and then an additional foot for the eave.
CHAIRMAN PETRILLO: Okay. Is there a motion?
MR. SCHWINGBECK: I'll motion that we approve the first request as written and the second one as modified per our discussions.
CHAIRMAN PETRILLO: The 3.5 foot variance?
MR. SCHWINGBECK: Right.
CHAIRMAN PETRILLO: And the 10-foot by four-foot stoop instead of the eight by four.
MR. SCHWINGBECK: Right.
CHAIRMAN PETRILLO: Is there a second to that motion?
MR. DRAKE: Second.
CHAIRMAN PETRILLO: We have a motion and a second. Derek, would you call the roll?
MR. MACH: Mr. Divito.
MR. DIVITO: Yes.
MR. MACH: Mr. Drake.
MR. DRAKE: Yes.
MR. MACH: Mr. Geisel.
MR. GEISEL: Yes.
MR. MACH: Mr. Schwingbeck.
MR. SCHWINGBECK: Yes.
MR. MACH: Mr. Selbka.
MR. SELBKA: Yes.
MR. MACH: Mr. Siavelis.
MR. SIAVELIS: Yes.
MR. MACH: Chairman Petrillo.
CHAIRMAN PETRILLO: Yes. All right, have a good evening.
MR. WALTERS: Thank you.
MR. SIAVELIS: Motion to adjourn.
MR. DRAKE: Second.
CHAIRMAN PETRILLO: Do we have, I was just going to ask, we don't have any old business, do we, Derek? Or any other business?
MR. MACH: No.
CHAIRMAN PETRILLO: We have a motion to adjourn?
MR. DRAKE: Motion to adjourn.
MR. SCHWINGBECK: Second.
CHAIRMAN PETRILLO: All those in favor say aye.
(Chorus of ayes.)
CHAIRMAN PETRILLO: Opposed, nay.
(No response.)
CHAIRMAN PETRILLO: Motion passes.
(Whereupon, the hearing on the above-mentioned hearing was adjourned at 9:02 p.m.)

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS September 19, 2016

PETITIONER: Walters Residence
ADDRESS OF PROPERTY: 501 N. Derbyshire Ave.
VARIATION: 5.1-3.6, 5.4

A 22.9 foot variance to allow an addition with a rear yard setback of 7.1 feet from the north property line instead of the minimum 30 feet and an additional 1.0 feet for the eave; A 3.5 foot variance to allow a covered front entry with an exterior side yard setback of 23.5 feet from the west property line instead of the minimum 26.0 feet.

The petitioner testified as to hardship, uniqueness of circumstances, and the character of the locality. The petitioner testified that they are proposing a second story addition along with a small addition to the footprint which consists of 20 square feet. The petitioner explained that the lot is oriented in such a way that the ordinance defines the front to be Fremont and the side to be Derbyshire. The petitioner explained that they are requesting a continuation of the existing footprint in order to construct the second story addition. The petitioner also explained that they are proposing a covered front entry that is encroaching into the required front yard setback.

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

Thereafter, a motion was made by Mr. Schwingbeck and seconded by Mr. Drake. Thereafter, the Board voted 7-0 to approve the variance request.

Now, therefore, after hearing all the evidence and after due deliberation, the Zoning Board of Appeals, voted 7-0 to grant the variance as requested.

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

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

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



Item: Molecular Imaging Chicago - 1237 S. Arlington Heights Rd.

Department: Planning & Community Development

REQUEST

A variation from Chapter 28, Section 11.4, Schedule of Parking Requirement, to allow a reduction to the minimum required parking from 23 to 17 parking spaces.

ATTACHMENTS:

Description

Memo

Type

Memorandum

MEMORANDUM

To: Chairman Petrillo and Members of the Zoning Board of Appeals

From: Derek Mach, Staff Liaison

Date: October 5, 2016

Re: Molecular Imaging Chicago LLC; 1237 S. Arlington Heights Road

The petition for Molecular Imaging, ZBA #16-035, was originally scheduled to appear before the Zoning Board of Appeals on September 19, 2016. At the September meeting, the Zoning Board made a motion per the petitioner's request to continue the petition at the October 10, 2016 Zoning Board of Appeals meeting. The petitioner has recently requested that the project be placed on hold.

Please feel free to contact me with any questions at (847) 368-5232.

C: ZBA File 16-035



Item: Goedke House - 215 W. Miner St.

Department: Planning & Community Development

REQUEST

1. A 2.9 foot variance from Chapter 28, Section 6.6-5.1 (Permitted Obstructions) to allow a generator unit with a rear yard setback of 10.3 feet from the south property line instead of the minimum required 13.2 feet.

2. A 46 square foot variance from Chapter 28, Section 6.5-7 to allow an accessory structure to be 346 square feet instead of the maximum allowed 300 square feet.

ATTACHMENTS:

Description

Staff Report

Department Comments

Supporting Documents & Drawings

Type

Board or Commission Report

Correspondence

Exhibits

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: October 10, 2016
Date Prepared: October 5, 2016
Project Title: Goedke House
Address: 215 W. Miner St.

Background Information

Petition Number: ZBA #16-046
Petitioner: Bruce Weber
Address: 300 S. Wacker Drive
Chicago, IL 60606
Existing Zoning: R-7, Multiple Family Dwelling District

Requested Action/Background Information

The subject property is approximately 1.2 acres with a free-standing six story tall building totaling approximately 65,000 square feet in area. The property is zoned R-7, Multiple Family Dwelling District. The site includes single family to the west, commercial to the east and multifamily to the north and south. As part of the overall facility renovation project for 215 W. Miner Street, the petitioner submitted for a building permit. Included within the permit were plans for a new generator. The generator portion of the permit was approved and issued in error by staff. Since the permit was approved, the petitioner has installed the concrete pad, the generator and the infrastructure. The screen walls have not been installed.

Per Chapter 28, Section 6.6-5.1 Table of Permitted Obstructions, generators are required to be set back a minimum distance of 10% of the lot width from the rear (south) property line. The lot width is 132 feet; therefore, a 13.2 foot minimum setback is required. The generator setback is 10.3 feet, which does not comply with code. The petitioner is seeking a variation to allow a 10.3 foot generator setback, where 13.2 feet is required. In addition, pursuant to Chapter 28, Section 6.5-7.b, the maximum size for the generator enclosure is 300 square feet. The size of the generator enclosure is 345.6 square feet, which does not comply with code. The petitioner is seeking a variation to allow a 346 square foot accessory structure, where 300 square feet is the maximum allowed.

The Village Design Guidelines require that, *"Mechanical and electrical equipment or other utility hardware on the roof, ground, or within buildings shall be completely screened from public view with sound absorbent materials harmonious with the building, and shall be located so as not to be visible from any public streets."* If the Zoning Board of Appeals is supportive of the variation request, it is recommended that the approval be subject to the following condition:

That additional landscaping be provided between the neighbor to the west and the generator in order to soften the impact of the generator enclosure. The landscaping shall consist of a mix of 12 foot high evergreen trees along the west property line and adjacent to the enclosure.

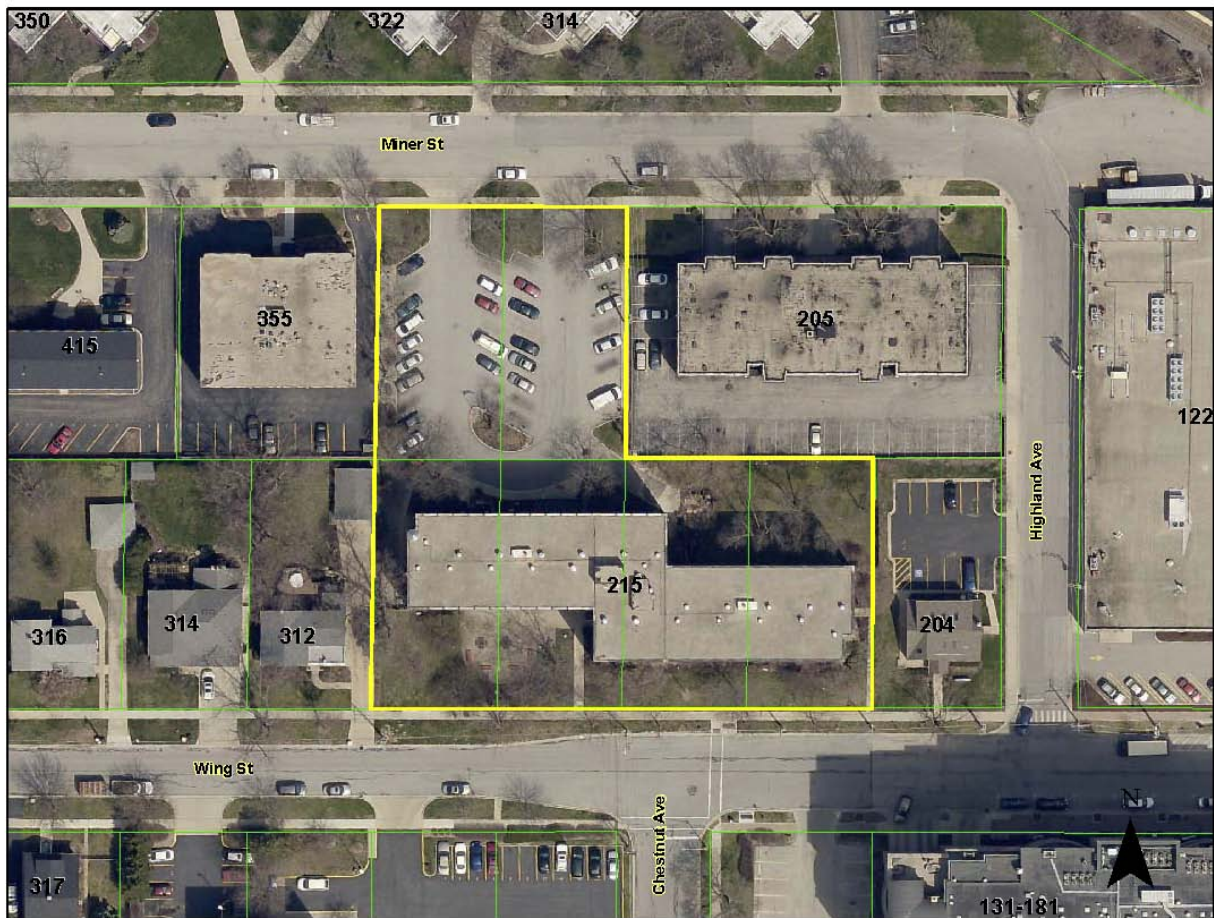
The petitioner is requesting the following variations:

- A 2.9 foot variance from Chapter 28, Section 6.6-5.1 (Permitted Obstructions) to allow a generator unit with a rear yard setback of 10.3 feet from the south property line instead of the minimum required 13.2 feet.
- A 46 square foot variance from Chapter 28, Section 6.5-7 to allow an accessory structure to be 346 square feet instead of the maximum allowed 300 square feet.

Variation Review Standards

In its consideration of the standards of practical difficulties or particular hardships, the Zoning Board of Appeals shall require evidence that (1) the 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



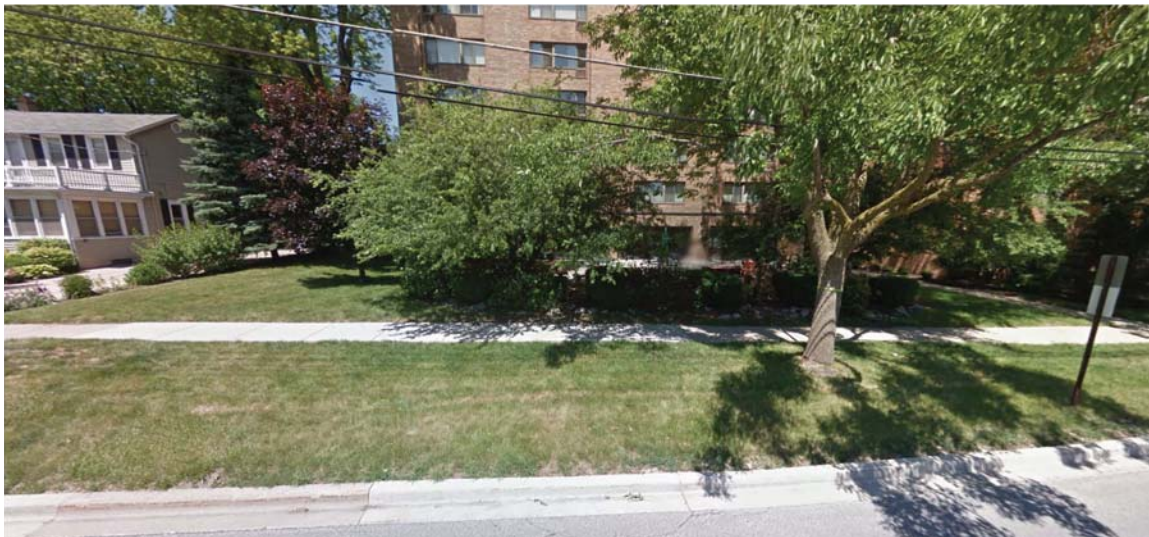
Items Required to be Submitted 15 Days Prior to Public Hearing

<u>Item</u>	<u>Provided</u>	<u>Dated</u>	<u>Remarks</u>
1. Notification Affidavit	✓	9/23/16	
2. List of Property Owners Within 250 feet of Subject Property	✓	9/23/16	
3. Letter that was Mailed	✓	9/23/16	
4. Photographs of Sign on Property	✓	9/23/16	

Photographs of Existing Structure



Original Site Conditions



Original Site Conditions



Existing Site Conditions



Existing Site Conditions



Existing Site Conditions

ZBA# 16-046

215 W Miner St - ZBA

Rev. Eng: Nanci Julius, P.E.

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



Submitted: September 29, 2016

Completed: September 30, 2016

The proposed ZBA application indicates that the petitioner is seeking:

A 2.9 ft variance to allow a generator unit with a rear yard setback of 10.3 ft from the south property line instead of the minimum required 13.2 ft; and a 46 sq ft variance to allow an accessory structure to be 346 sq ft instead of the maximum allowed 300 sq ft.

The Engineering Department has NO OBJECTION to the proposed variations.

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Goedke House

Project Address: 215 W. Miner Street

ZBA #: 16-046

ZBA Hearing Date: October 10, 2016

To: Jim Massarelli, Director of Engineering
Steven Touloumis, Director of 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: September 29, 2016

- A 2.9 foot variance from Chapter 28, Section 6.6-5.1 (Permitted Obstructions) to allow a generator unit with a rear yard setback of 10.3 feet from the south property line instead of the minimum required 13.2 feet.
- A 46 square foot variance from Chapter 28, Section 6.5-7 to allow an accessory structure to be 346 square feet instead of the maximum allowed 300 square feet.

Attached are the Petitioner's:

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

RECEIVED
SEP 29 2016
PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT

Comments: NO COMMENTS - 9-29-16 - CHARLEY CRAIG

Please review, comment, and return to me no later than Monday, October 3, 2016.

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Goedke House

Project Address: 215 W. Miner Street

ZBA #: 16-046

ZBA Hearing Date: October 10, 2016

To: Jim Massarelli, Director of Engineering
Steven Touloumis, Director of 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: September 29, 2016

- A 2.9 foot variance from Chapter 28, Section 6.6-5.1 (Permitted Obstructions) to allow a generator unit with a rear yard setback of 10.3 feet from the south property line instead of the minimum required 13.2 feet.
- A 46 square foot variance from Chapter 28, Section 6.5-7 to allow an accessory structure to be 346 square feet instead of the maximum allowed 300 square feet.

Attached are the Petitioner's:

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

Comments: NO COMMENTS.

- STEVE HAUZINGER, DESIGN PLANNER

Please review, comment, and return to me no later than Monday, October 3, 2016.

PETITION

NOW COMES the Petitioner, North Suburban Housing, LLC. being the owner of the property commonly known as:

Goedke House at 215 West Miner Street

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

Sections 6.6-5.1 Table of Permitted Obstructions and

Section 6.5-7.b, the maximum size for the generator enclosure,

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

to allow a 10.3 foot generator setback, where 13.2 feet is required, and

to allow a 345.6 sf accessory structure, where 300 sf is the maximum allowed.

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

The generator will be undersized and not meet the requirements of the residents in this senior housing apartment building.

I hereby state that the following unique circumstances exist:

Moving the generator and its enclosure further north would bring it closer to the closest neighbor.

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

- The height of the masonry walls will align with the top of the generator to fully screen it,
- The brick color will match the main building, and include a decorative brick soldier course around the top of the unit to match the details on the main building,
- The enclosure gates will include the following details:
 - Black finish to match the color of the site furniture,
 - the gate will align with the top of the generator, will have decorative detailing and will have solid backing to the gates to prevent view into the enclosure.
- The area around the enclosure will be landscaped.

Signed: _____



Petitioner

Date: _____

9/9/2011



A.L.T.A./A.C.S.M. LAND TITLE SURVEY

LEGAL DESCRIPTION:

PARCEL 1: P.I.N. 03-30-418-015
LOT 2 IN BLOCK 3 IN MINERS' ADDITION TO DUNTON, A SUBDIVISION OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 30, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

PARCEL 2: P.I.V. 03-30-418-014, 03-30-418-034
LOTS 1 AND 4 IN BLOCK 4 IN MINERS' ADDITION TO DUNTON, A SUBDIVISION OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 30, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

PARCEL 3: P.I.N. 03-30-418-035
LOT 3 IN BLOCK 2 IN MINERS' ADDITION TO DUNTON, A SUBDIVISION OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 30, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

PARCEL 4: P.I.N. 03-30-418-037, 03-30-418-036
LOT 3 IN BLOCK 2 AND LOT 4 IN BLOCK 3 IN MINERS' ADDITION TO DUNTON, A SUBDIVISION OF THE NORTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 30, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

AREA = 52,518 Sq Ft
= 1.20 ACRES

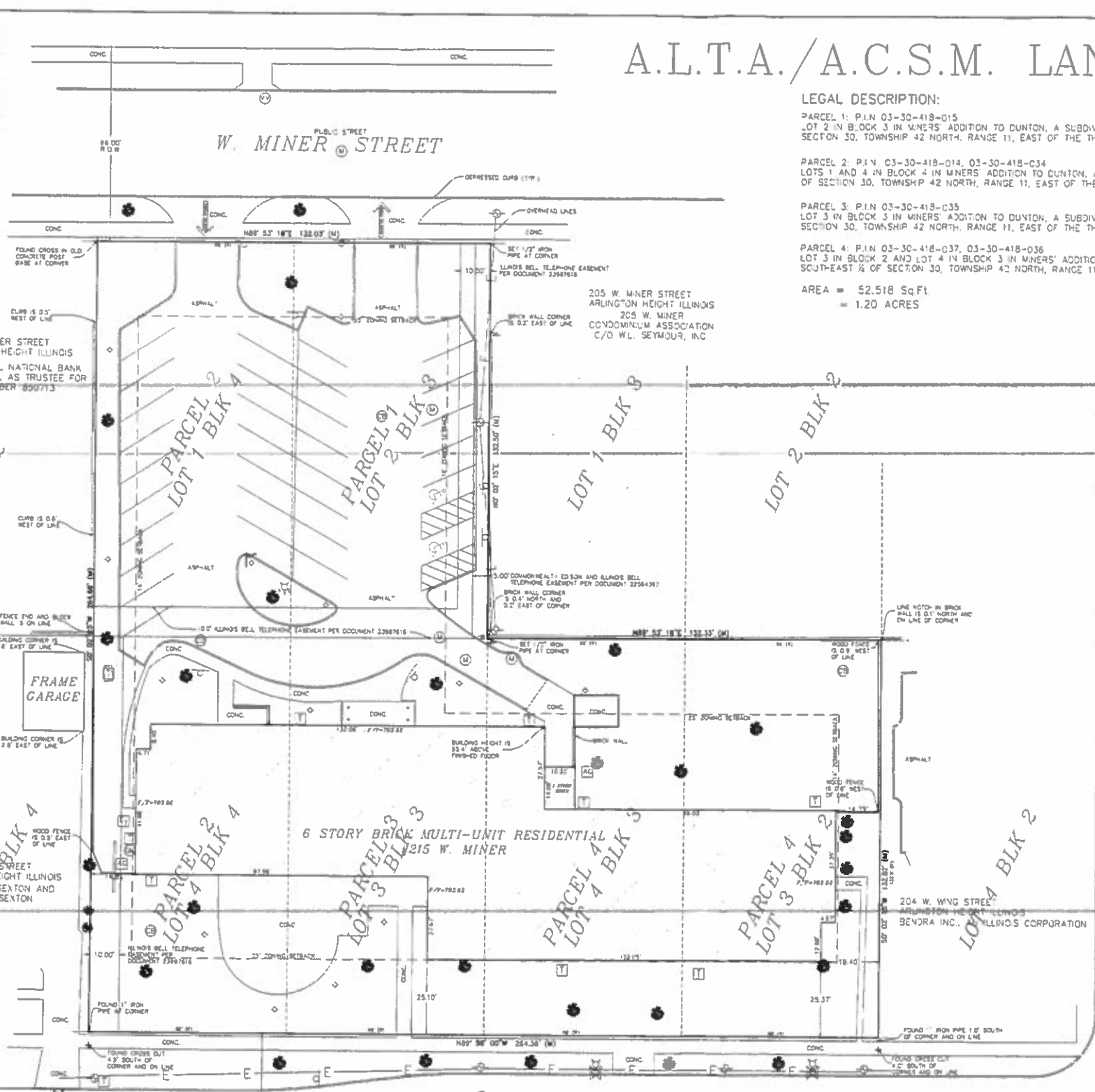
SPAAN Tech, Inc.
311 S. Wacker Drive
Suite 2400
Chicago, IL 60606

phone: 312.277.8800
fax: 312.277.8808
web: www.SpaanTech.com

PROFESSIONAL DESIGN FIRM #184-002673

N
W E
S
BASIS OF BEARING IS ASSUMED

RECEIVED
SEP 09 2016
PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT



ZONING CLASSIFICATION: R-7 MULTIPLE FAMILY DWELLING
DISTRICT LOT SIZE REQUIREMENTS:

AREA PER DWELLING UNIT:

MINIMUM LOT SIZE: 2-BEDROOM OR MORE 900 Sq Ft PER DWELLING UNIT
1-BEDROOM OR LESS 600 Sq Ft PER DWELLING UNIT

REQUIRED MINIMUM YARDS: FRONT YARD: 25 FEET PLUS ONE-FOOT OR FRACTION THEREOF BY WHICH BUILDING HEIGHT EXCEEDS 40 FEET
SIDE YARD: 10% OF LOT WIDTH PLUS ONE-FOOT OR FRACTION THEREOF BY WHICH BUILDING HEIGHT EXCEEDS 40 FEET
REAR YARD: 30 FEET

MINIMUM FLOOR AREA PER DWELLING UNIT FOR MULTI-FAMILY DWELLINGS:
EFFICIENCY 500 Sq Ft
ONE BEDROOM 600 Sq Ft
TWO BEDROOM 750 Sq Ft
THREE BEDROOM 900 Sq Ft

MAXIMUM FLOOR AREA RATIO: 200%

SCHEDULE OF PARKING REQUIREMENTS: ONE AND ONE-HALF SPACES FOR EACH DWELLING UNIT.

ZONING CLASSIFICATION: R-7 MULTIPLE FAMILY DWELLING
VARIATIONS GRANTED 11/22/1976:

MINIMUM LOT SIZE AND LOT AREA PER DWELLING UNIT:

TOTAL LOT AREA: 52,608 Sq Ft

NUMBER OF DWELLING UNITS: 119

MINIMUM SIDE YARDS: 14 FEET

MINIMUM REAR YARDS: 25 FEET

AUTOMOBILE PARKING FACILITIES: 36

* FOR A DISTANCE OF 20 FT. OF THE LENGTH OF THE BUILDING, THE REMAINING PORTION OF THE BUILDING LENGTH, RUNNING APPROXIMATELY 100 FT., IS IN FULL COMPLIANCE WITH REAR YARD REQUIREMENTS.

- NOTES:**
1. THERE MAY BE UNDERGROUND UTILITIES THAT ARE NOT SHOWN HEREON
 2. NO OBSERVED EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS NOTED
 3. COMPARE ALL POINTS BEFORE BUILDING AND REPORT ANY DIFFERENCE TO THE SURVEYOR AT ONCE
 4. NO DIMENSIONS ARE TO BE ASSUMED BY SCALE MEASUREMENTS
 5. THIS PLAT OF SURVEY IS VOID WITHOUT THE SEAL AND ORIGINAL SIGNATURE OF THE SURVEYOR
 6. TIES AND DIMENSIONS ARE MEASURED TO AND ALONG THE FACE OF THE BUILDING AT GROUND LEVEL
 7. MINER'S ADDITION TO DUNTON SUBDIVISION PLAT IS ANTE-1876. THE RECORDED PLAT WAS DESTROYED IN THE GREAT CHICAGO FIRE
 8. COMMITMENT FOR TITLE INSURANCE ISSUED BY: STEWART TITLE GUARANTY COMPANY, FILE NO: 1500032840A WITH THE DATE OF AUGUST 31, 2015 WAS USED IN THE PREPARATION OF THIS PLAT, ONLY AVAILABLE DOCUMENTS WERE USED, AND THERE MAY BE ADDITIONAL DOCUMENTS THAT WERE NOT AVAILABLE AT THE TIME OF PREPARATION
 9. NO OBSERVED EVIDENCE OF SOLID WASTE DUMP, OR SANITARY LAND FILL NOTED
 10. ALL ELEVATIONS SHOWN HEREON ARE ADJUSTED TO NAVD 83 DATUM
 11. WETLAND AREAS HAVE NOT BEEN DELINEATED OR LOCATED
 12. NO OBSERVED EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS NOTED
 13. ACCESS TO THE PROPERTY IS PROVIDED FROM MINER STREET AS SHOWN
 14. NO OBSERVED 3RD PARTY USE OF THE PROPERTY BY ADJOINING OWNERS OR 3RD PARTIES
 15. NO OBSERVED EVIDENCE OF CEMETERIES, GRAVESITES, OR BURIAL GROUNDS NOTED
 16. NO OBSERVED LACK OF CONTINUITY ALONG THE EXTERIOR BOUNDARIES OF THE PROPERTY OR WITHIN THE INTERIOR OF THE PROPERTY NOTED

SYMBOL LEGEND	
	AIR CONDITIONER UNIT
	ELECTRIC METER
	GAS METER
	ELECTRIC TRANSFORMER
	COMMUNICATION PEDESTAL
	SANITARY MANHOLE
	MANHOLE
	POST
	UTILITY POLE
	CATCH BASIN
	LIGHT POLE
	HYDRANT
	WATER VALVE
	BOLLARD
	TREE
	SIGN
	B-BOX
	DRAIN
	SURVEY CROSS CUT
	FLAGPOLE

TO THE BEST OF MY KNOWLEDGE, BELIEF AND INFORMATION, THERE ARE NO ENCROACHMENTS EITHER WAY ACROSS PROPERTY LINES; TITLE LINES AND LINES OF ACTUAL POSSESSION ARE THE SAME.

THE SUBJECT PROPERTY LIES WITHIN FLOOD ZONE X, AS IDENTIFIED ON FLOOD INSURANCE RATE MAP NUMBER 17031C0203J WITH AN EFFECTIVE DATE OF AUGUST 19, 2008 AND EXCEPT AS SPECIFICALLY NOTED ON THE SURVEY, NO PART OF THE SUBJECT PROPERTY LIES WITHIN ANY AREA DESIGNATED AS "FLOOD PRONE AREA", "SPECIAL FLOOD HAZARD AREA", OR 100 YEAR FLOOD PLAIN BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, THE UNITED STATES ARMY CORPS OF ENGINEERS, THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, THE STATE/CITY/COUNTY OF COOK OR ANY OTHER GOVERNMENTAL AGENCY OR AUTHORITY HAVING JURISDICTION OVER THE SUBJECT PROPERTY NOR IS ANY PORTION OF THE SUBJECT PROPERTY LOCATED WITHIN ANY LAKE OR ANY CREEK, STREAM, RIVER OR OTHER WATERCOURSE REQUIRED TO BE UNDISTURBED BY AN APPROPRIATE GOVERNMENTAL AGENCY OR AUTHORITY.

TO: NEF ASSIGNMENT CORPORATION, AS NOWINEE, ITS BENEFICIARIES, SUCCESSORS AND ASSIGNS, AND NATIONAL EQUITY FUND, INC., ITS SUCCESSORS AND ASSIGNS, AND HOUSING AUTHORITY OF THE COUNTY OF COOK, A MUNICIPAL CORPORATION, AND NORTH SUBURBAN HOUSING, LLC, AND CITIBANK, N.A., ITS SUCCESSORS AND OR ASSIGNS AS THEIR INTEREST MAY APPEAR, AND STEWART TITLE GUARANTY COMPANY, AND TO THEIR SUCCESSORS AND ASSIGNS, AND NEW FOUNDATION CENTER, INC., AND ONE VISION HOUSING II, LLC, AND PAUL HASTINGS LLP, AND GRACO INTERNATIONAL, INC.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR A.L.T.A./A.C.S.M. LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS AND INCLUDES ITEMS 1, 3, 4, 6b, 7a, 7b, 7c, 8, 9, 11a, 12, 13, 16, 17, 18, 19, 20a, AND 21 OF TABLE A THEREOF.

THE FIELD WORK WAS COMPLETED ON 07/19/2015.

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

DATED THIS 2ND DAY OF SEPTEMBER, A.D., 2015.

JEFFERSON J. BRAZAS
PROFESSIONAL LAND SURVEYOR #3536
E-MAIL: JBRAZAS@SPAANTECH.COM



REGULAR PARKING SPACES = 33
HANDICAP PARKING SPACES = 2
TOTAL PARKING SPACES = 35

APPROVED

DRAWN BY: JLB
CHECKED BY: JLB
SPAAN TECH INC. JOB #15454.002
DATED: SEPTEMBER 2ND, 2015

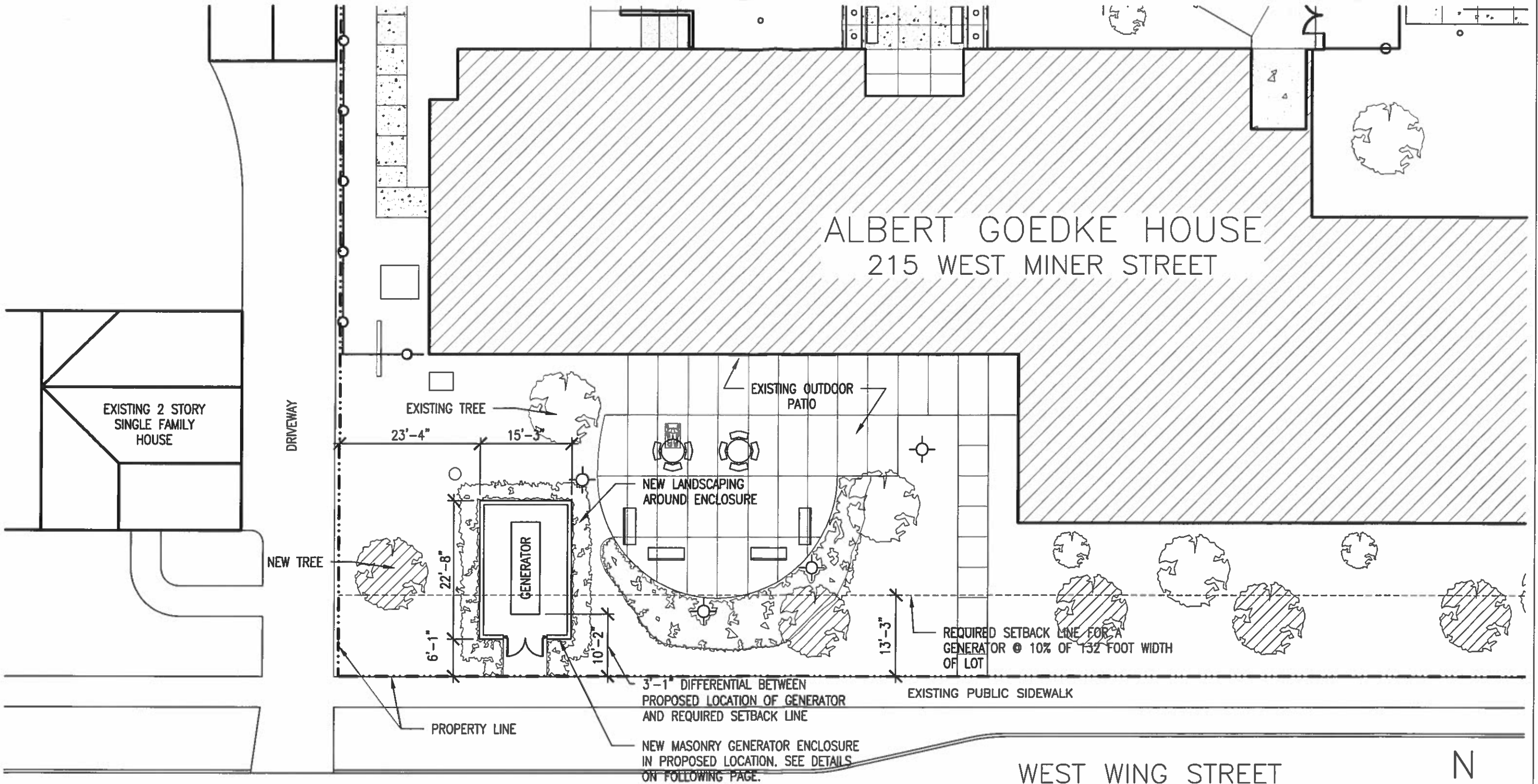
**ALBERT GOEDKE
HOUSE**
#215 W. MINER
ARLINGTON HEIGHTS, IL

CLIENT:
GLOBETROTTERS ENGINEERING
CORPORATION

SHEET NO.
1 of 1

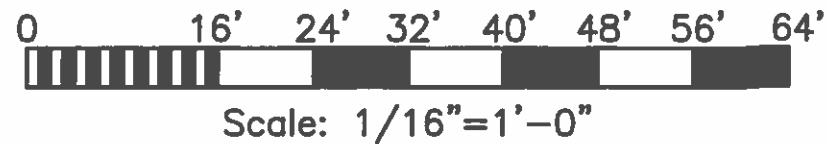
BY: michael.hall

PLOT DATE/TIME: Sep 08, 2016 / 4:48pm



1 SITE PLAN

SCALE: 1/16"=1'-0"



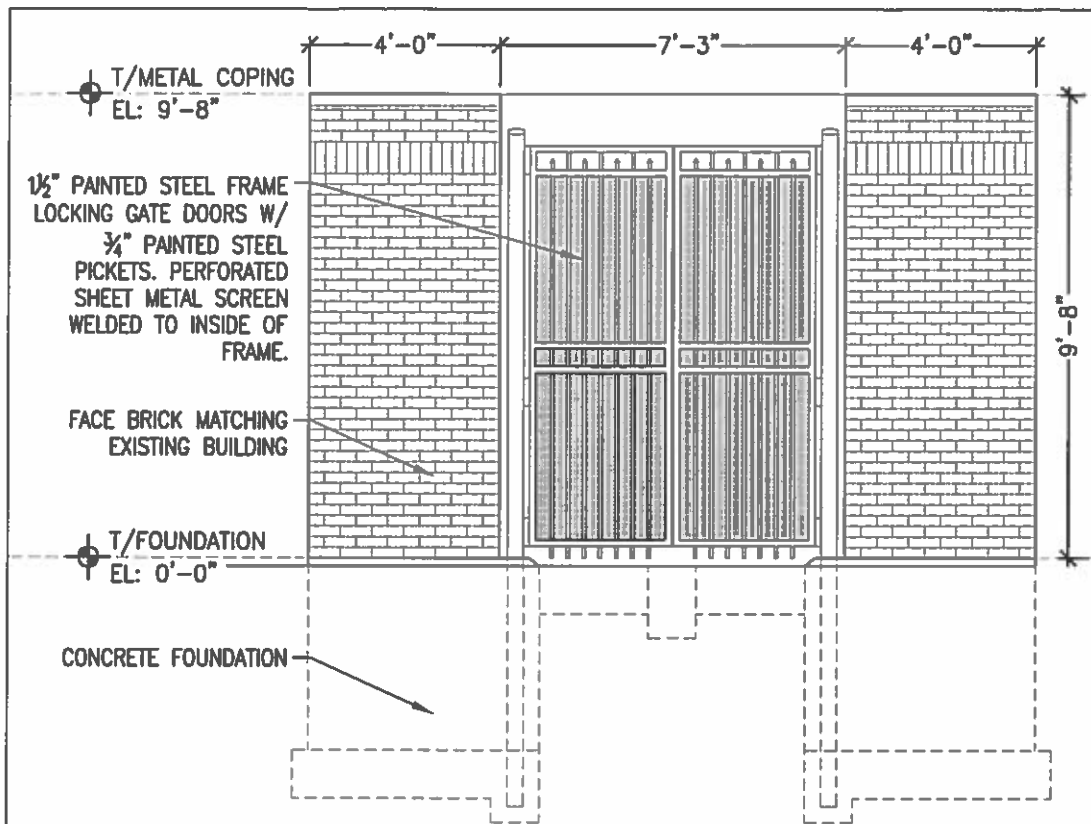
Globetrotters
Engineering Corporation
ENGINEERS - ARCHITECTS
300 S Wacker Drive
Chicago, Illinois 60606 U.S.A.
Ph 312-922-6400

PROJECT:
**ALBERT GOEDKE APARTMENTS
NEW GENERATOR & ENCLOSURE**
REF: SHEET

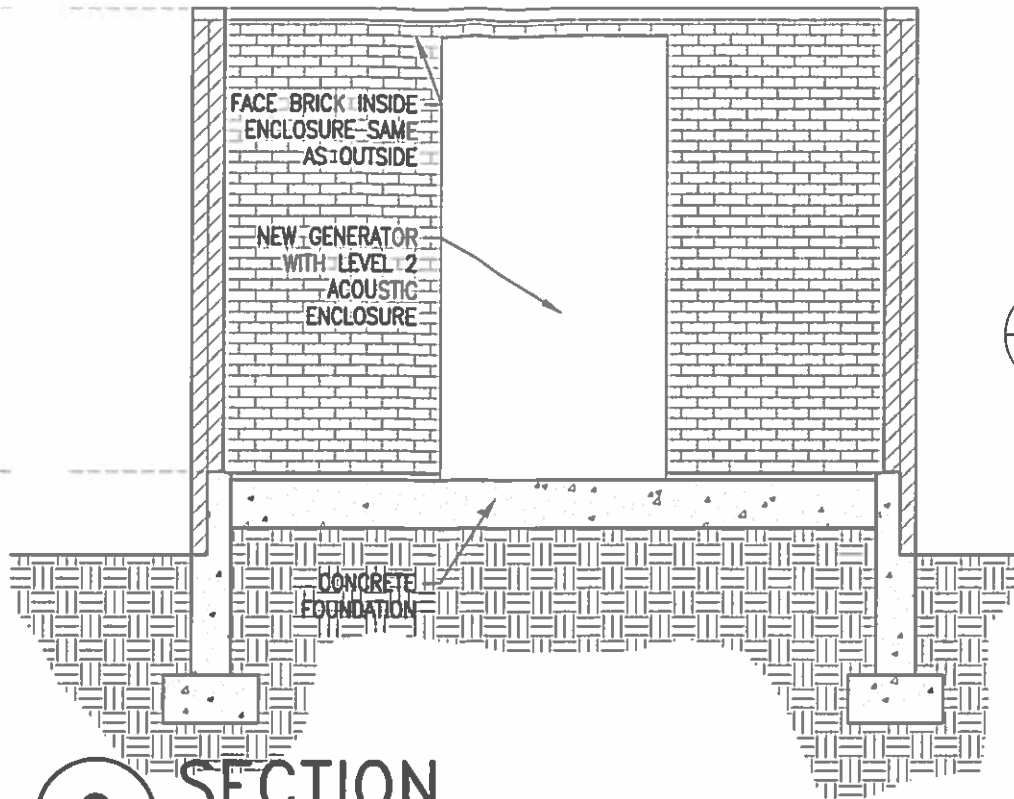
DESCRIPTION	DATE
1 OF 2	09.09.16
SKETCH NO.	

BY: michael.hall

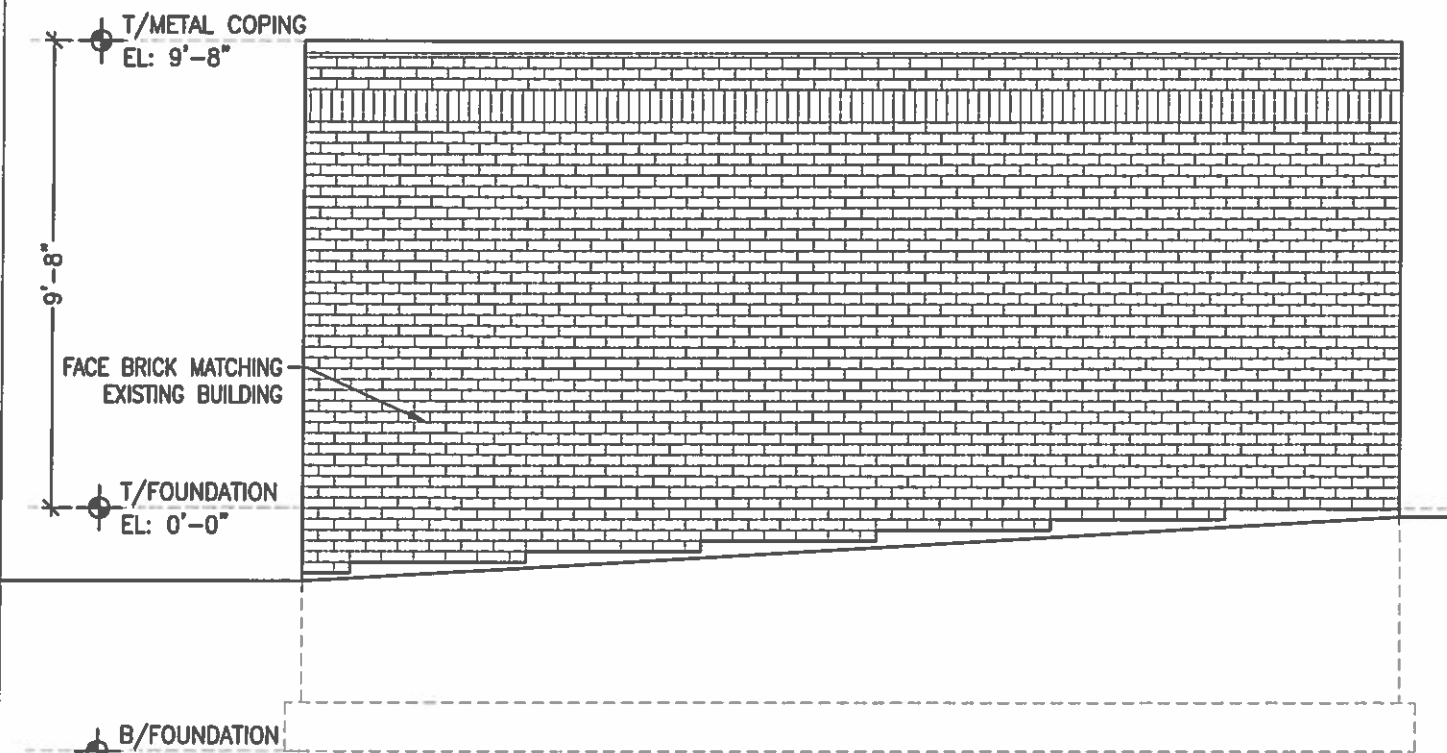
PLOT DATE/TIME: Sep 08, 2016 / 4:57pm



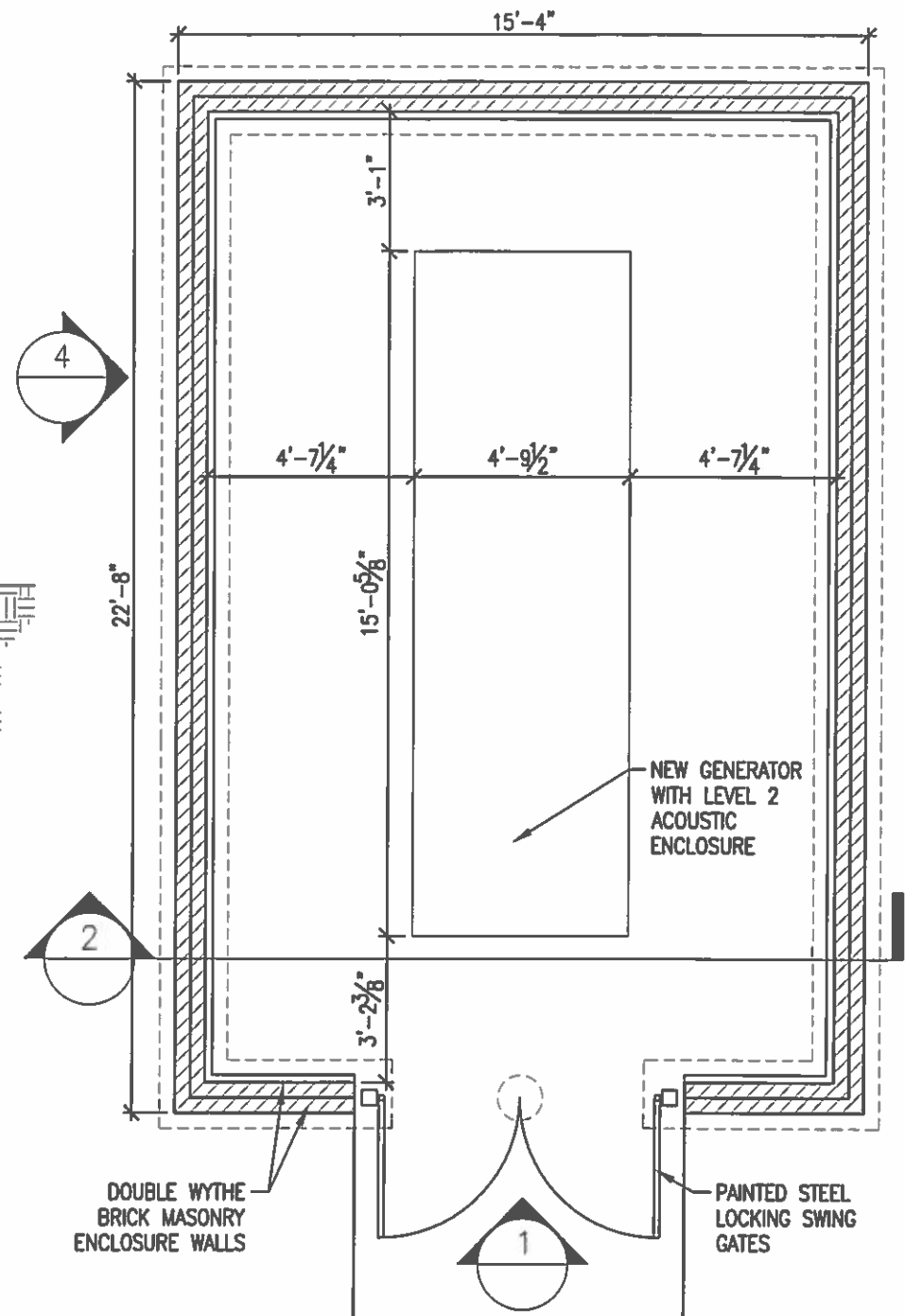
1 SOUTH ELEVATION
SCALE: 1/4"=1'-0"



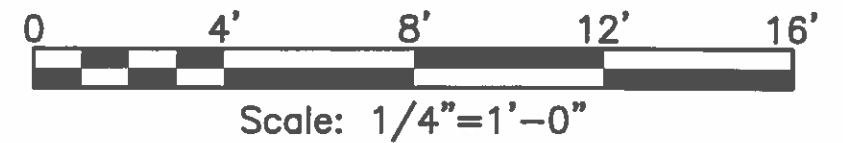
2 SECTION
SCALE: 1/4"=1'-0"



4 EAST/WEST ELEVATION
SCALE: 1/4"=1'-0"



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



Globetrotters
Engineering Corporation
ENGINEERS - ARCHITECTS
300 S Wacker Drive
Chicago, Illinois 60606 U.S.A.
Ph 312-922-6400

PROJECT: ALBERT GOEDKE APARTMENTS
NEW GENERATOR & ENCLOSURE
REF: SHEET

09.09.16	
DESCRIPTION	DATE
2 OF 2	
SKETCH NO.	



Item: Stukenberg Residence - 1409 E. Eastman St.

Department: Planning & Community Development

REQUEST

A 2.4 foot variance from Chapter 28, Section 5.1-3.6 (Required Minimum Yards) & Section 5.4 (Table of Required Minimum Yards) to allow an addition with a side yard setback of 4.6 feet from the west property line instead of the minimum 7.0 feet and an additional 1.0 feet for the eave.

ATTACHMENTS:

Description

Staff Report
Department Comments
Supporting Documents & Drawings

Type

Board or Commission Report
Correspondence
Exhibits

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: October 10, 2016
Date Prepared: October 5, 2016
Project Title: Stukenberg Residence
Address: 1409 E. Eastman Street

Background Information

Petition Number: ZBA #16-047
Petitioner: Stukenberg Residence
Address: 1409 E. Eastman Street
Arlington Heights IL 60004
Existing Zoning: R-3, Single-Family District

Requested Action/Background Information

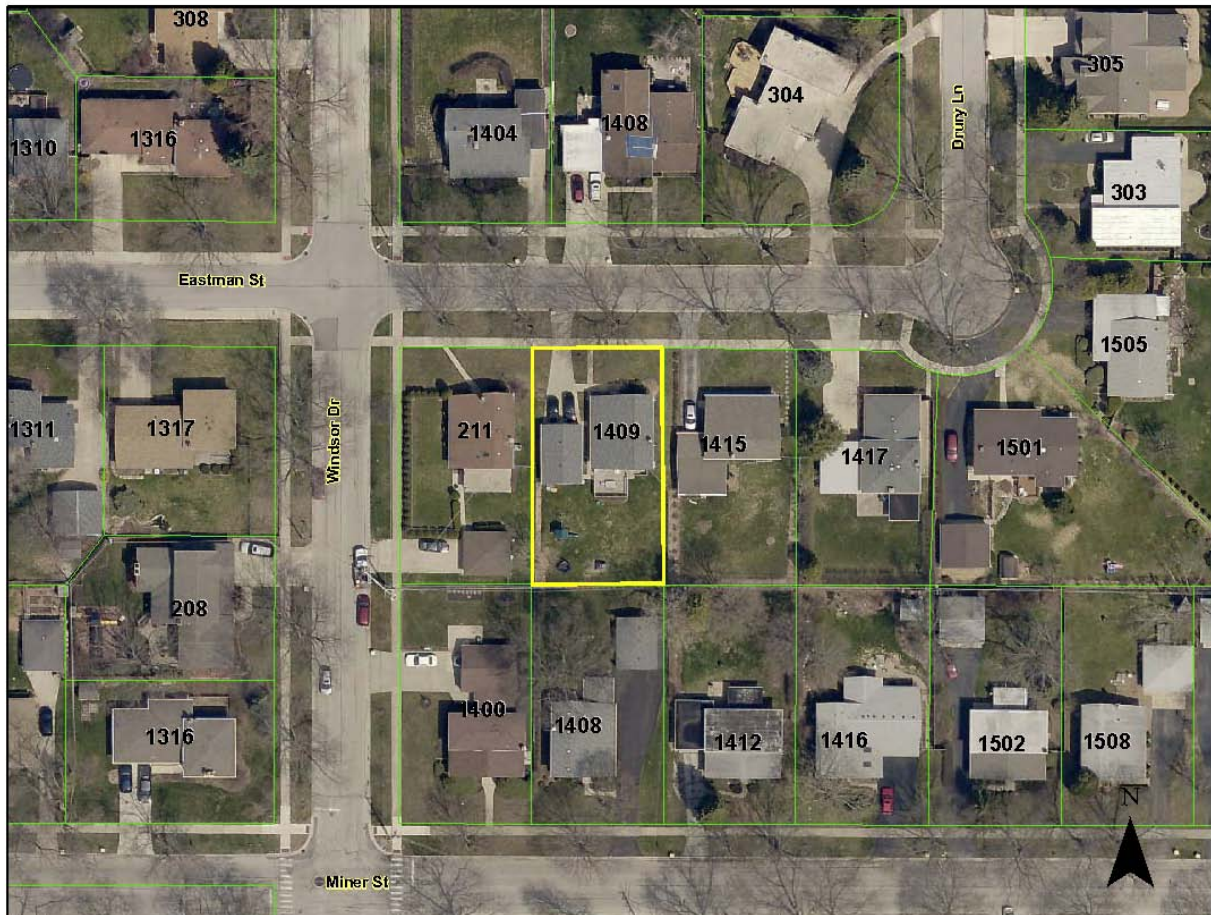
The petitioner is proposing to expand the existing home with a new attached two car garage and a second floor addition. The existing detached garage will be demolished. The subject site is zoned R-3, One Family Dwelling District. The property has a total land area of approximately 8,753 square feet and the residence, with the proposed additions, will have approximately 3,037 square feet. The proposed attached garaged is encroaching into the required side yard setback. Therefore the petitioner requests the following variation.

- **A 2.4 foot variance from Chapter 28, Section 5.1-3.6 (Required Minimum Yards) & Section 5.4 (Table of Required Minimum Yards) to allow an addition with a side yard setback of 4.6 feet from the west property line instead of the minimum 7.0 feet and an additional 1.0 feet for the eave.**

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	✓	9/23/16	
2. List of Property Owners Within 250 feet of Subject Property	✓	9/23/16	
3. Letter that was Mailed	✓	9/23/16	
4. Photographs of Sign on Property	✓	9/23/16	

Photographs of Existing Structure



ZBA# 16-047

1409 E Eastman St - ZBA

Rev. Eng: Nanci Julius, P.E.

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



Submitted: September 29, 2016

Completed: September 30, 2016

The proposed ZBA application indicates that the petitioner is seeking:

A 2.4 ft variance to allow an addition with a side yard setback of 4.6 ft from the west property line instead of the minimum 7 ft and an additional 1 ft for the eave.

NOTE: The existing detached garage is non-conforming with a 3.39 ft setback. The proposed plan is to demolish the existing garage and to construct a new, attached 2 car garage and addition. The proposed variance will reduce the existing setback.

The Engineering Department has NO OBJECTION to the proposed variation.

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Stukenberg Residence

Project Address: 1409 E. Eastman St.

ZBA #: 16-047

ZBA Hearing Date: October 10, 2016

To: Jim Massarelli, Director of Engineering
Steven Touloumis, Director of 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: September 29, 2016

- A 2.4 foot variance from Chapter 28, Section 5.1-3.6 (Required Minimum Yards) & Section 5.4 (Table of Required Minimum Yards) to allow an addition with a side yard setback of 4.6 feet from the west property line instead of the minimum 7.0 feet and an additional 1.0 feet for the eave.

Attached are the Petitioner's:

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

Comments: CARAGE SIZE IS NOT CODE COMPLIANT - 21'4"
MINIMUM DEPTH REQUIRED, GARAGE/HOME WALL
MUST BE 5' + FROM PROPERTY LINE UNLESS FIRE

Please review, comment, and return to me no later than Monday, October 3, 2016.

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Stukenberg Residence

Project Address: 1409 E. Eastman St.

ZBA #: 16-047

ZBA Hearing Date: October 10, 2016

To: Jim Massarelli, Director of Engineering
Steven Touloumis, Director of 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: September 29, 2016

- A 2.4 foot variance from Chapter 28, Section 5.1-3.6 (Required Minimum Yards) & Section 5.4 (Table of Required Minimum Yards) to allow an addition with a side yard setback of 4.6 feet from the west property line instead of the minimum 7.0 feet and an additional 1.0 feet for the eave.

Attached are the Petitioner's:

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

Comments: SEE ATTACHED EMAIL FROM 9/6/16 AND
CORRESPONDING SKETCHES.
- STEVE HAUZINGER, DESIGN PLANNER

Please review, comment, and return to me no later than Monday, October 3, 2016.

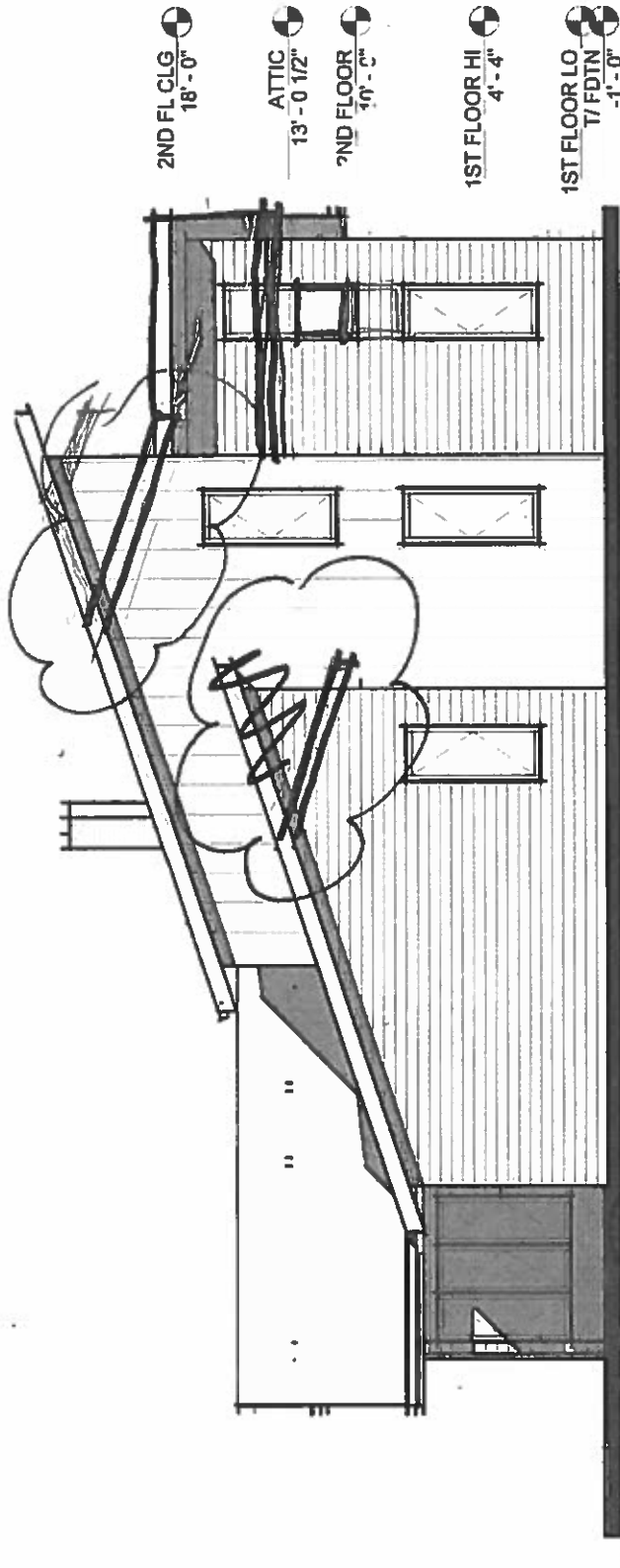
A DESIGN COMMISSION APPLICATION IS REQUIRED.
THE SUGGESTED DESIGN REVISIONS SHOULD NOT IMPACT
THE ZONING VARIATIONS, BUT THE PETITIONER SHOULD BE
AWARE OF DESIGN CONCERNS WITH THE PROPOSED ROOFLINES.



THOMAS ARCHITECTS
211 S MAPLE LN
PROSPECT HTS, IL
O: 877.205.3799
F: 877.260.7209
THOMASARCH.COM

ELEVATIONS
1409 EASTMAN ST
PROSPECT HTS, IL
16098

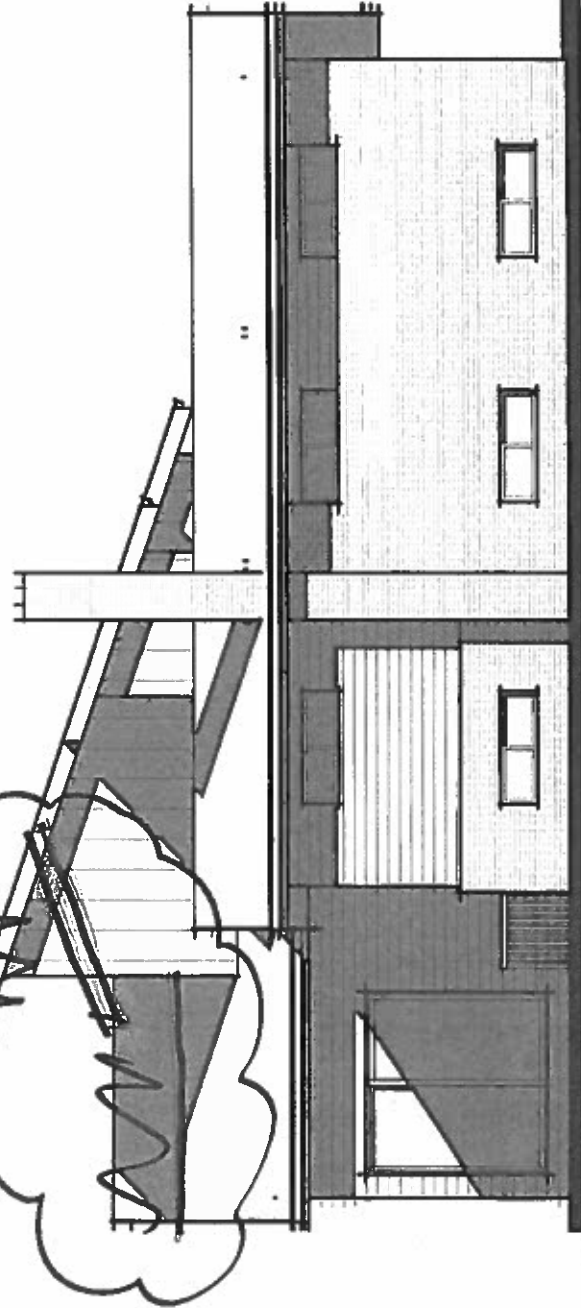
07/29/16
D2.4



2ND FL CLG 18'-0"
ATTIC 13'-0 1/2"
2ND FLOOR 10'-0"
1ST FLOOR HI 4'-4"
1ST FLOOR LO T/ FDTN -1'-0"

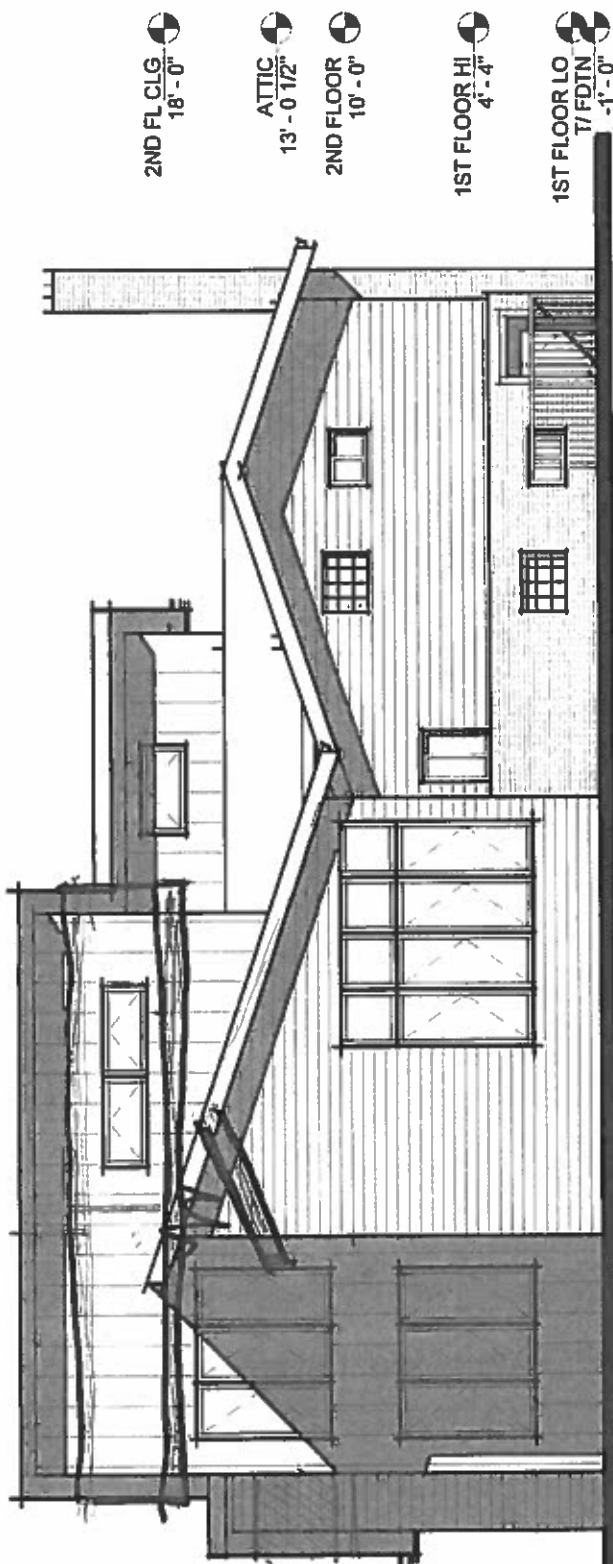
2 SIDE (WEST) ELEV C
3/16" = 1'-0"

2ND FL CLG 18'-0"
ATTIC 13'-0 1/2"
2ND FLOOR 10'-0"
1ST FLOOR HI 4'-4"
1ST FLOOR LO T/ FDTN -1'-0"

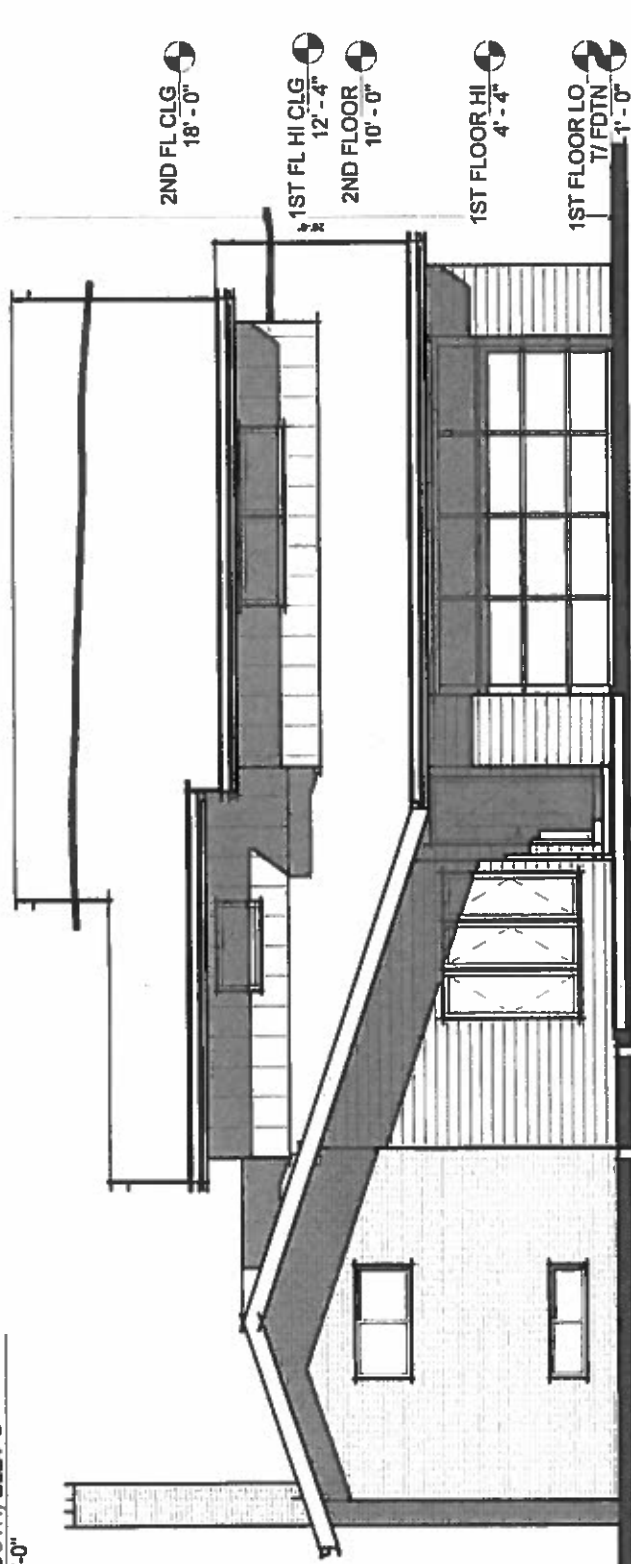


1 SIDE (EAST) ELEV C
3/16" = 1'-0"

ELEVATION



2 REAR (SOUTH) ELEV C
3/16" = 1'-0"



1 FRONT (NORTH) ELEV C

PETITION

NOW COMES the Petitioner, Matt Stukenberg

Being the owner of the property commonly known as: 1409 E. Eastman St., Arlington Heights, IL
and appeals to the Zoning Board of Appeals of the Village of Arlington Heights for a Variation from Sections 5.1-3.6, Chapter 28, of the Arlington Heights Municipal Code, in order to: reduce the side yard setback from 7.0' to 4.5' in order to build a side addition to an existing single family home.

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

Strict adherence to the side setback would result in an addition which cannot fit a 2 car garage and entrance next to the existing home. The resulting project would not address one of our major goals to improve the efficiency of the layout of the existing home.

I hereby state that the following unique circumstances exist:

We had no control in how the original home was situated or involvement in the construction of the existing detached garage. The existing detached garage is legal, non-conforming with regards to the side setback, encroaching 3.6 ft into the side setback. Our proposal is to build an attached garage which minimizes the encroachment in terms of depth and length as compared to that of the existing detached garage. All other portions of the addition comply with all other zoning requirements.

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

Our proposed plan for a side addition, although in a more contemporary style, matches the proportions, style and massing of the homes in our neighborhood. Furthermore, the impact to the neighbor in the West is reduced given that the existing garage currently encroaches further into the side setback.

Signed: _____



Date: 09/09/16

VAH Department of Planning and Community Development - Zoning Board of Appeals:

Thank you for taking the time today evaluate our home and planned project. Please accept our regrets that we cannot be in person due to a previously scheduled vacation out of the country. Our architect Thom Budzik is representing us.

We are only the second family to own this 1950's 3 bedroom/2 bath home at 1409 E Eastman Street purchasing it from the Zimmack family trust in 2012. From the first walkthrough with our realtor, we knew we could make it the foundation for our family and settle into the Arlington Heights community. What started as a tired red-brick and yellow-sided house with potential, has been transformed to a more modern monochromatic neighborhood favorite with gray exterior and bold orange front door.

Over the past four years we have updated the interior of the home to match our planned vision of the exterior, installing high-gloss double stacked white cabinets in the kitchen, new tile and white vanities for the bathrooms, a stainless steel and glass staircase railing, modern fans, and paint to compliment the overall finish and create continuity throughout the space. Our hope with the designs and plans submitted for your consideration is to add roughly 1,000 square feet of flexible living space as we prepare to welcome another child to our family. We desire a more functional floor plan to make the busy days easier to navigate with small-but-growing children and visiting out of town family.

Along with the additional space, to build on the modern aesthetic we have been working to establish, Thom Budzik – our third architect – has finally interpreted our vision and designed an executable plan. On the exterior you will see the design includes straight shed rooflines accentuating the set-back angles of the addition. We feel these clean lines that blend with the style create 'wow' statements that make you love the vision of an architect! In addition, the existing gray tones of the home will remain by introducing two shades and styles of siding. The alternating vertical and horizontal siding will add visual interest and texture to the staggered layers on the west side.

The exterior of the proposed addition will match what we have done on the interior and continue a cohesive and modern aesthetic. We want this addition to bring value to our home as well as the surrounding homes in our community. The interior is updated and has purpose. The exterior design is fresh, but still true to the architectural style and design elements seen throughout our neighborhood.

We are elated about the addition plans put before you. We have been tossing around the idea of an addition for the last couple of years, and when we found out we were expecting our third child, it solidified our decision to expand our home. We love our location and neighbors, and feel extremely fortunate to be able to raise our growing family here.

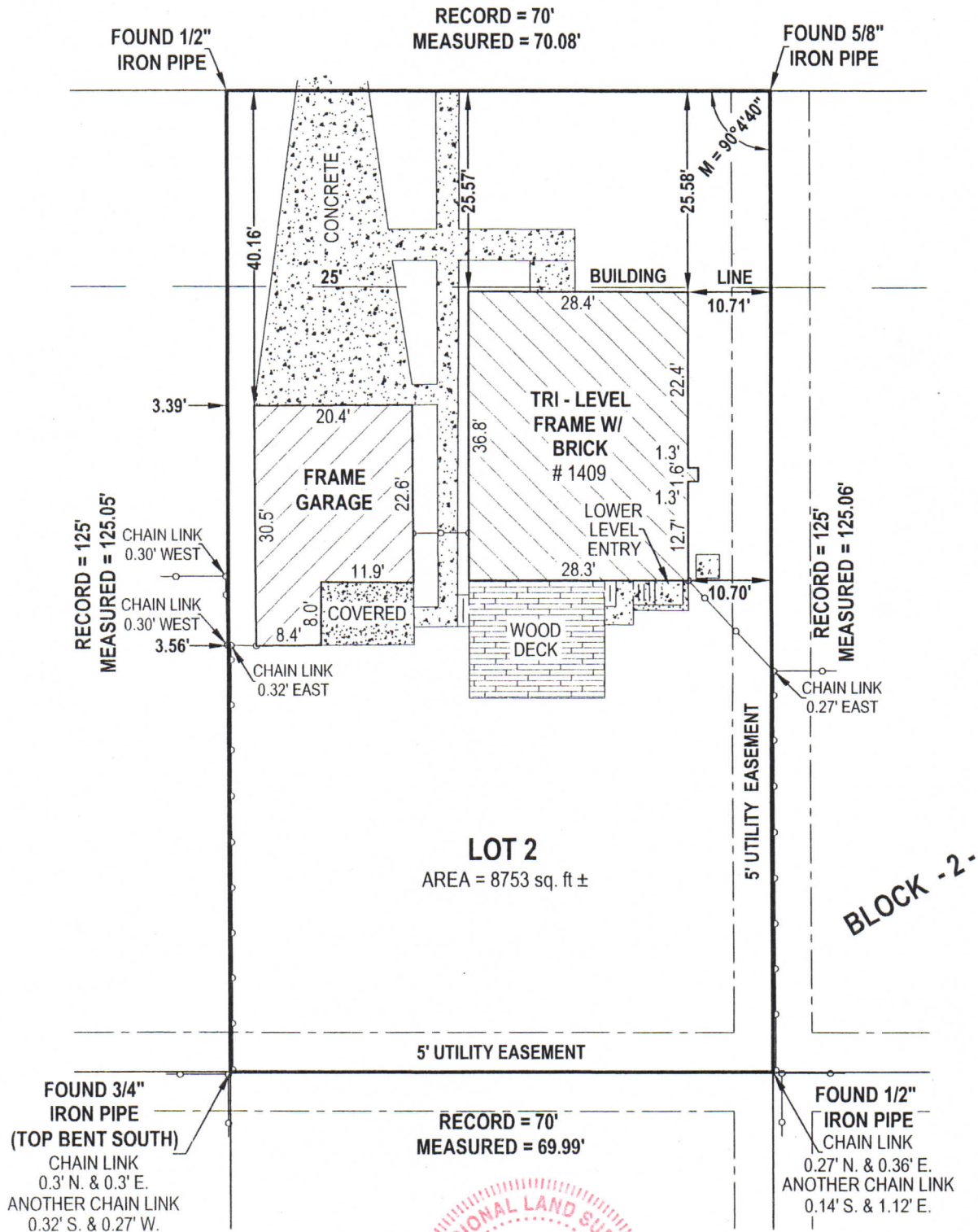
Homes, like people, often are only given one opportunity to make a first impression. With Thom's help and your approval, it will be a great one!

Thank you for your time and consideration,
Matt & Maureen Stukenberg

PLAT OF SURVEY

LOT 2 IN BLOCK 2 IN ARLINGTON ACRES BEING A SUBDIVISION OF PART OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/2 OF SECTION 28, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF REGISTERED IN THE OFFICE OF THE REGISTRAR OF TITLES OF COOK COUNTY, ILLINOIS ON NOVEMBER 23, 1955 AS DOCUMENT NUMBER 1636246.

EASTMAN STREET



PROJECT INFORMATION

PROJECT LOCATION: 1409 E EASTMAN ST
ARLINGTON HEIGHTS, IL 60004

ZONING DISTRICT: R-3
LOT AREA: 8,763
PIN: 03-28-307-016-0000

FAR: 0.45 (3,943 SF)
BUILDING LOT COVERAGE: 0.35 (3,067 SF)
IMPERVIOUS COVERAGE: 0.55 (4,820 SF)
FY COVERAGE: 0.50 (875 SF)

FRONTYARD SETBACK: 25'-0"
SIDEYARD SETBACK: 10% (7'-0")
REARYARD SETBACK: 30'-0"

MAX HEIGHT: 25'-0", 2 1/2 STORIES
(MEAS BETWEEN GRADE & MEAN OF ROOF)

ENTRY/PORTICO ALLOWED, MAX 8' WIDE x 4' DEEP

FLOOR AREA RATIO

EXISTING FLOOR AREA
BASEMENT AREA: 592 SF
FIRST FLOOR AREA: 463 SF
SECOND FLOOR AREA: 592 SF
GARAGE AREA: 524 SF (DEMO)

TOTAL EXISTING AREA: 1,647 SF

PROPOSED ADDITION
1ST FL ADDITION AREA: 548 SF
GARAGE ADDITION AREA: 581 SF
2ND FL ADDITION AREA: 687 SF

TOTAL PROPOSED ADDITION: 1,816 SF

GARAGE CREDIT: -400 SF
TOTAL FLOOR AREA: 3,063 SF
PROPOSED FAR: 0.35

BUILDING LOT COVERAGE

EXISTING FLOOR AREA
FIRST FLOOR AREA: 1,055 SF
GARAGE AREA: 524 SF (DEMO)

TOTAL EXISTING AREA: 1,055 SF

PROPOSED ADDITION
1ST FL ADDITION AREA: 548 SF
GARAGE ADDITION AREA: 581 SF

BUILDING LOT COVERAGE: 0.25 (2,184 SF)

IMPERVIOUS COVERAGE

EXISTING COVERAGE
BUILDING: 1,055 SF
GARAGE: 524 SF (DEMO)
DRIVEWAY: 600 SF (DEMO)
WALK / STOOP: 479 SF (DEMO)

TOTAL EXISTING AREA: 2,658 SF

PROPOSED ADDITION
ADDITION: 1,129 SF
DRIVEWAY: 600 SF
WALK / STOOP: 160 SF

TOTAL PROPOSED: 1,889 SF

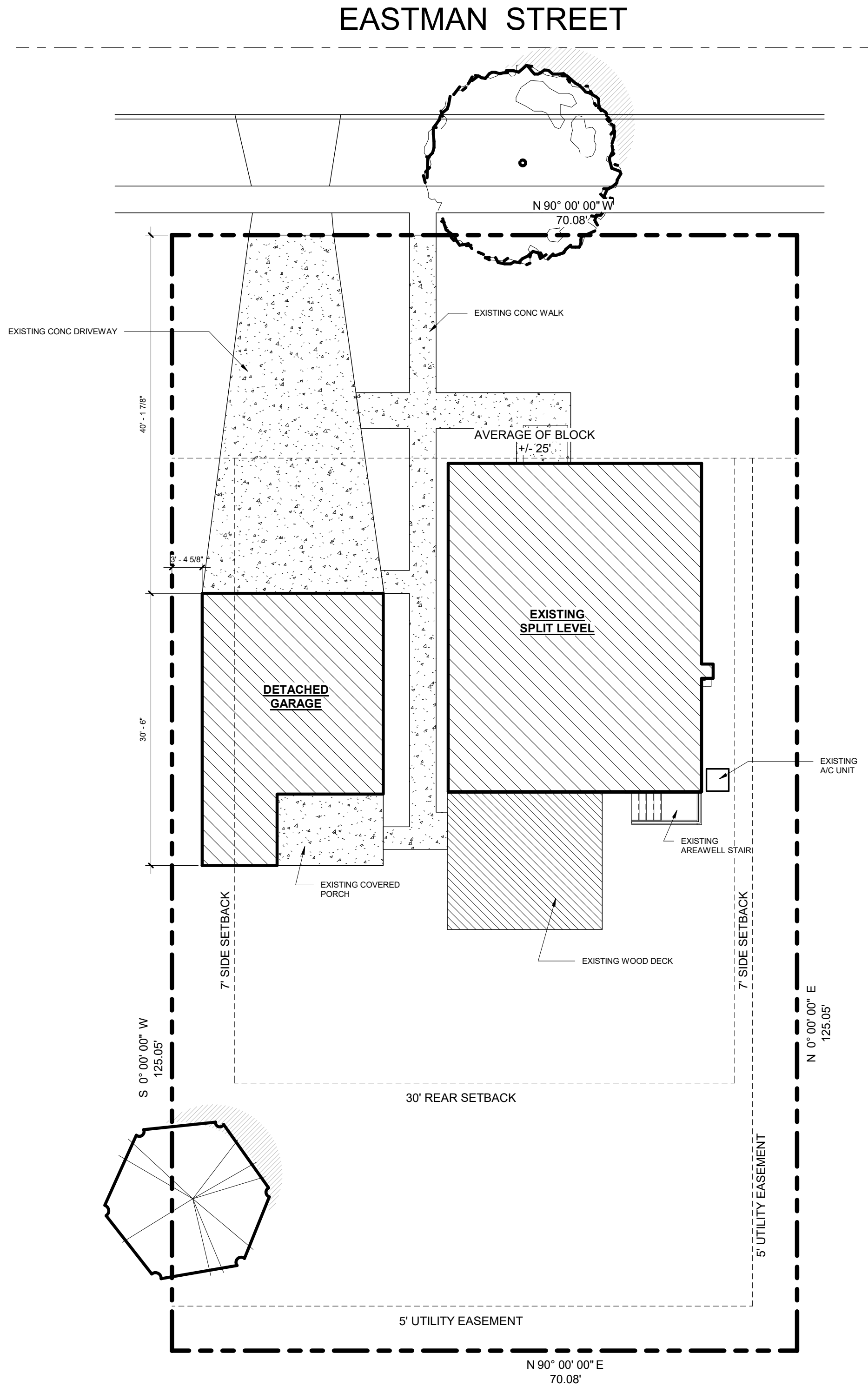
DEMO: -1,603 SF
TOTAL IMPERVIOUS AREA: 2,944 SF
PROPOSED IMP COVER.: 0.34

FRONT YARD COVERAGE

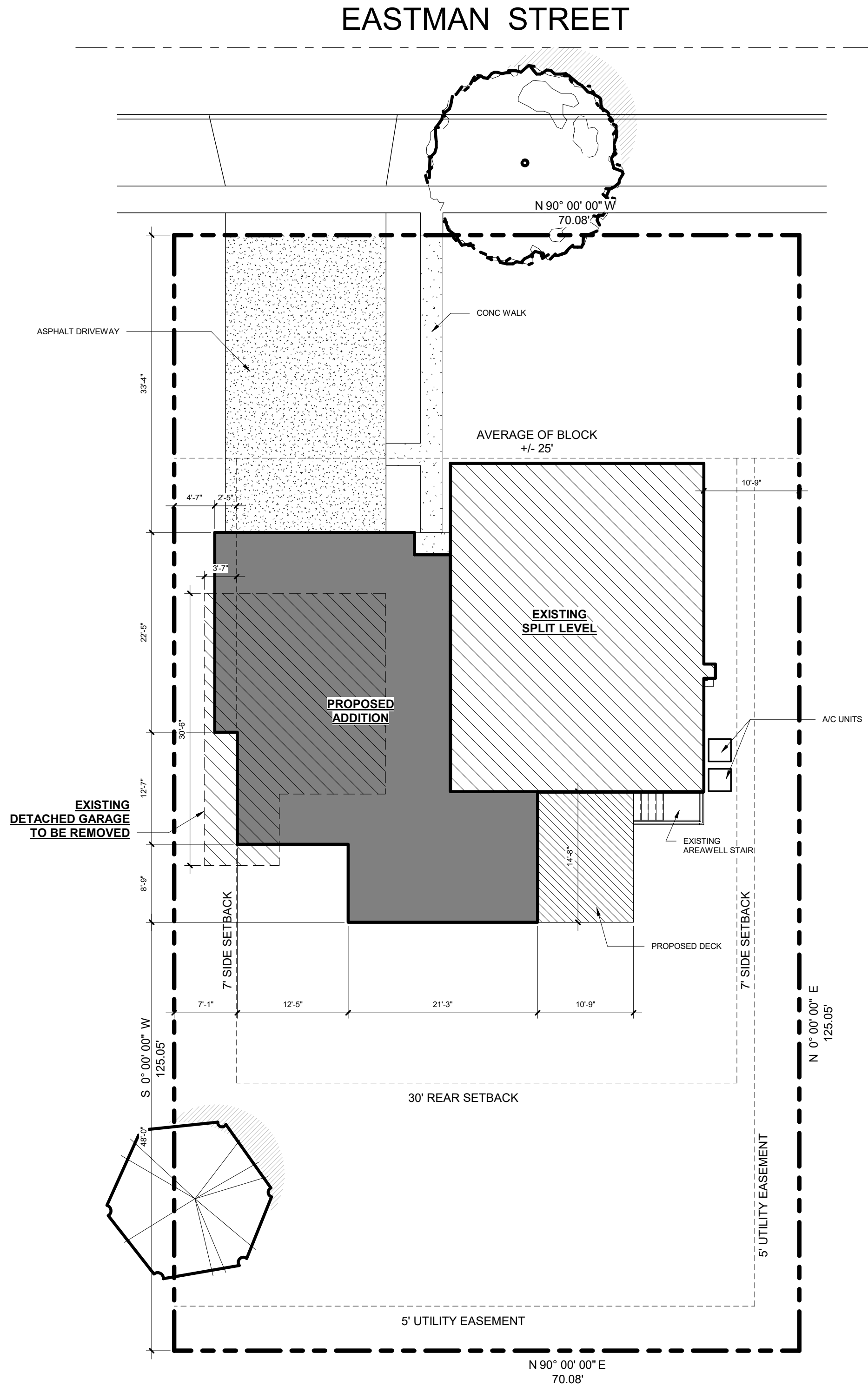
FRONT YARD AREA: 1,750 SF

WALK: 80 SF
DRIVE: 400 SF

TOTAL IMPERVIOUS AREA: 480 SF
PROPOSED FY COVERAGE: 0.27

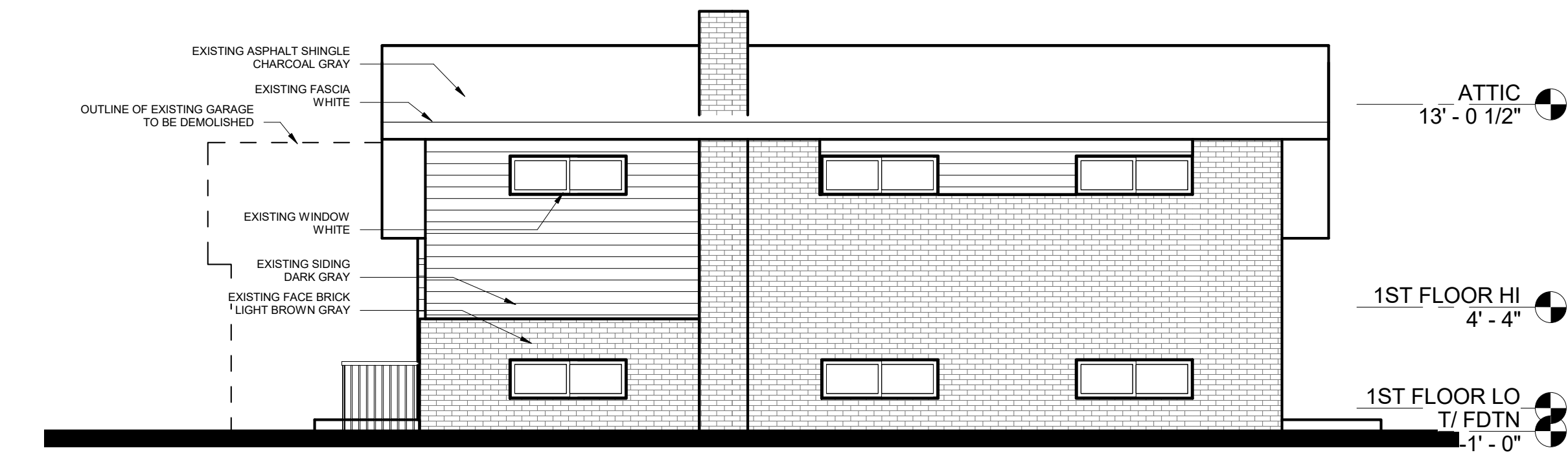


2 SITE PLAN - EXISTING
1" = 10'-0"

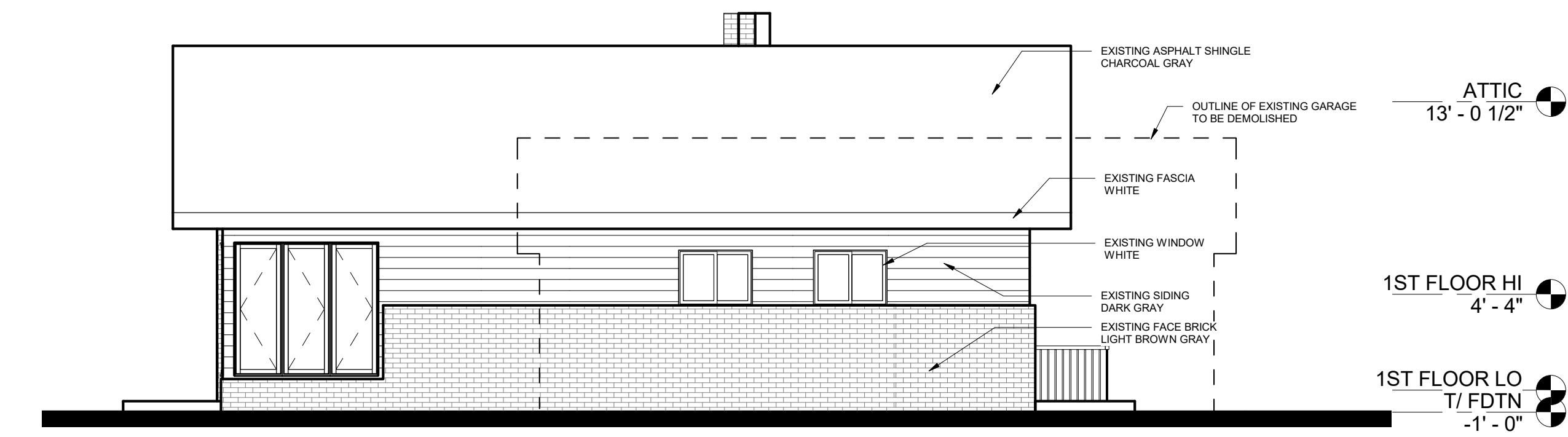


1 SITE PLAN - PROPOSED
1" = 10'-0"

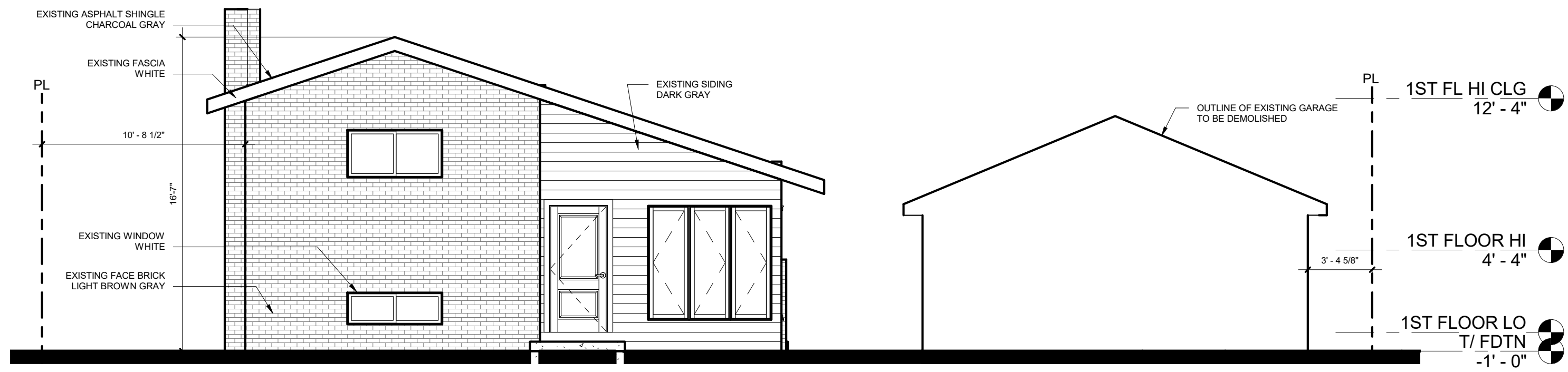
No.	Description	Date
1	ZONING VARIANCE	09/08/16



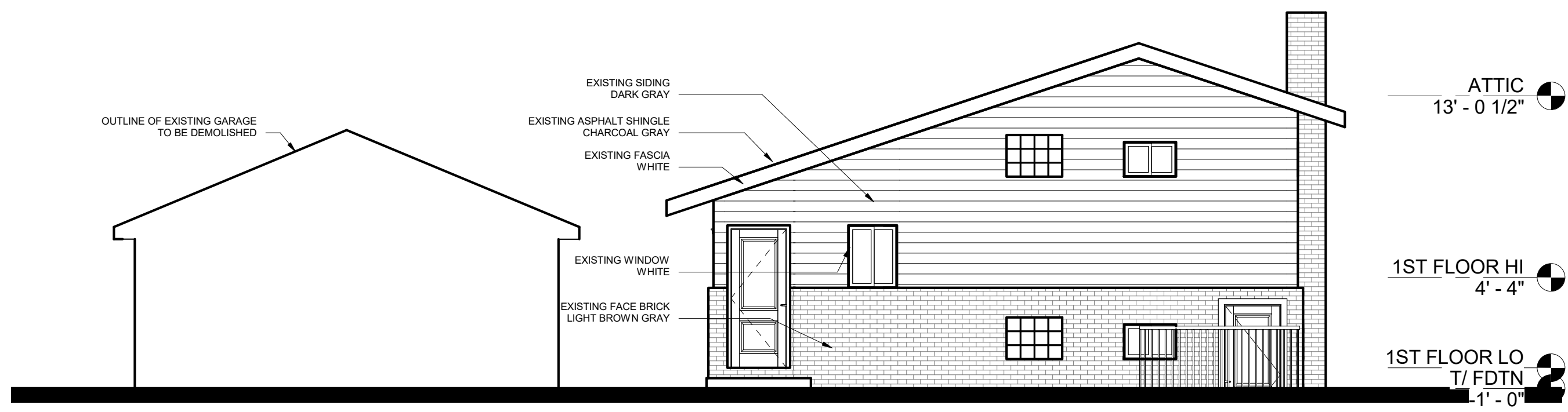
③ SIDE (EAST) ELEV EXISTING
3/16" = 1'-0"



④ SIDE (WEST) ELEV EXISTING
3/16" = 1'-0"



① FRONT (NORTH) ELEV EXISTING
3/16" = 1'-0"



② REAR (SOUTH) ELEV EXISTING
3/16" = 1'-0"

No.	Description	Date
1	ZONING VARIANCE	09/08/16

Project Name and Address

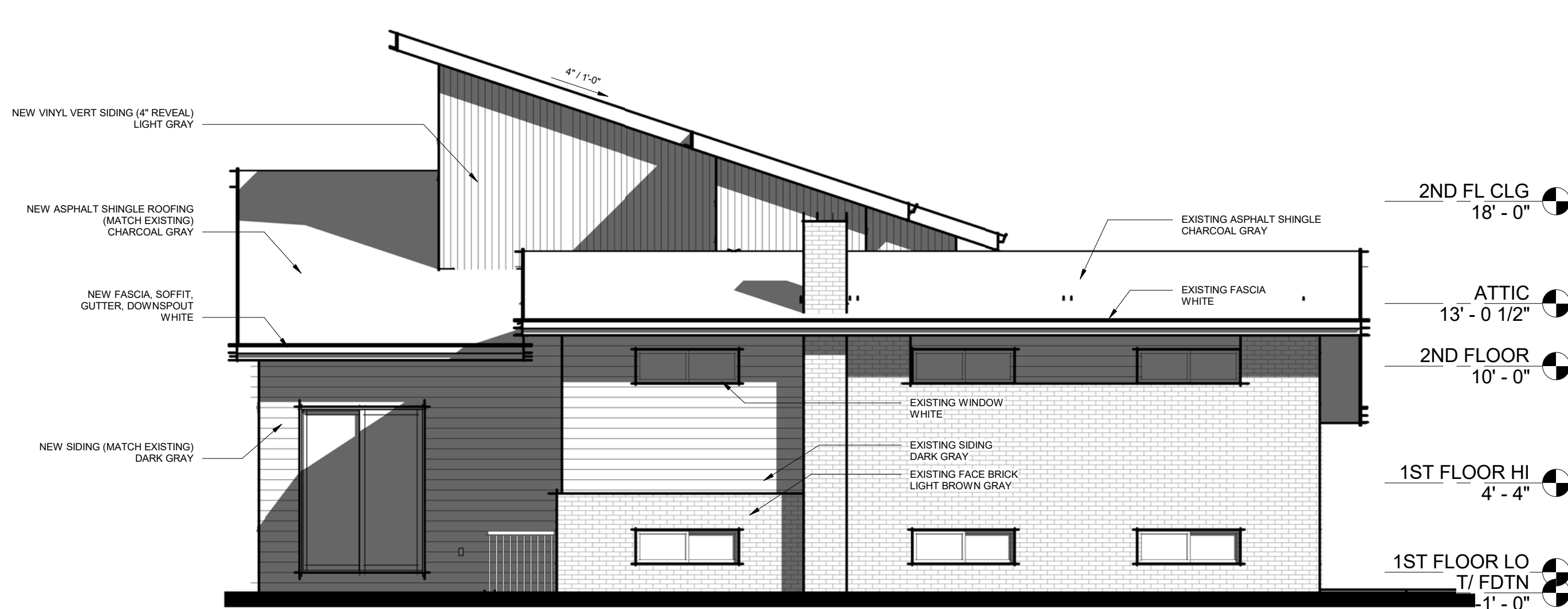
STUCKENBERG RES.
SIDE / REAR ADDITION

1409 EASTMAN ST
ARLINGTON HEIGHTS, IL

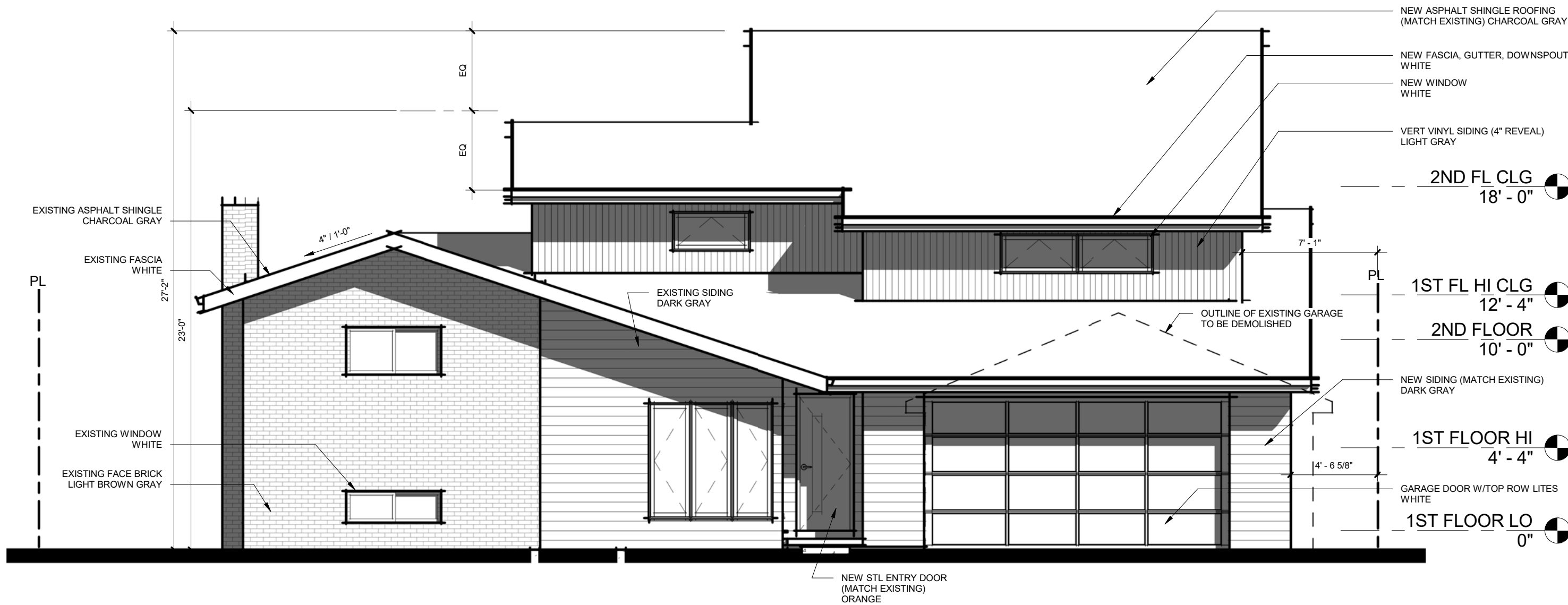
Project No. 16098

Description ELEVATIONS - EXISTING

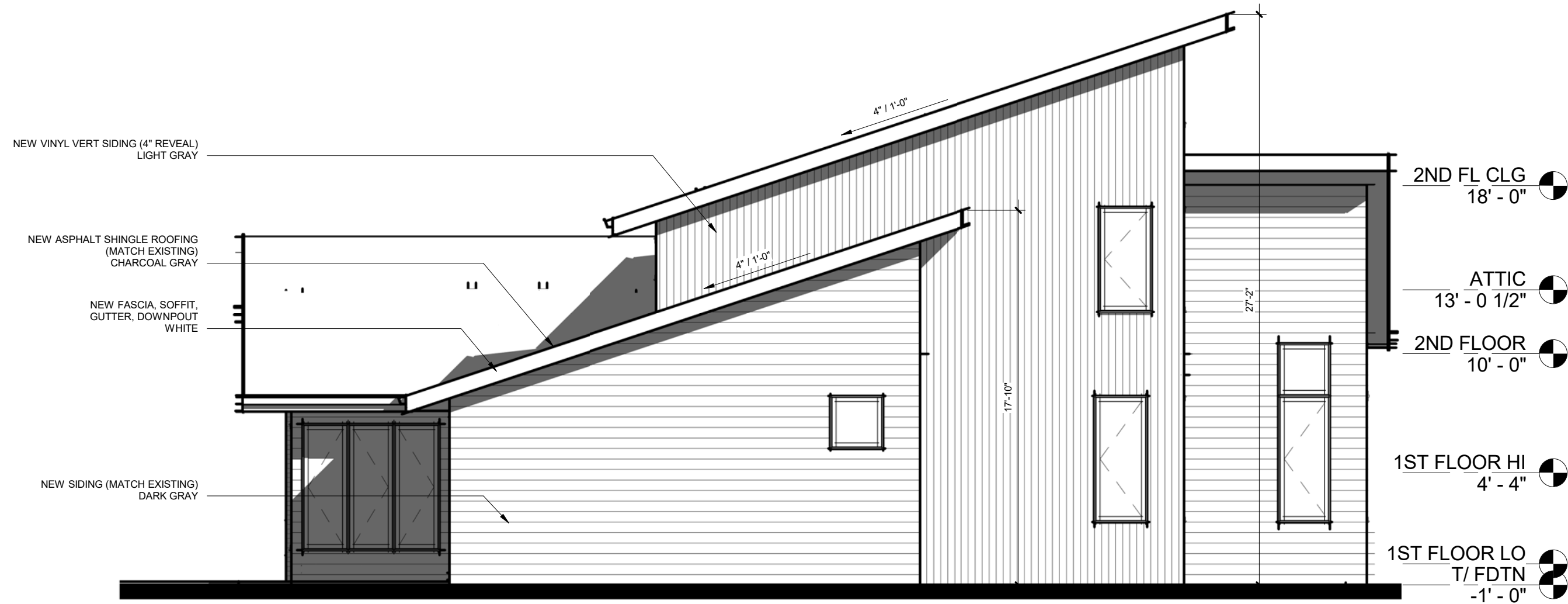
Sheet DC-2



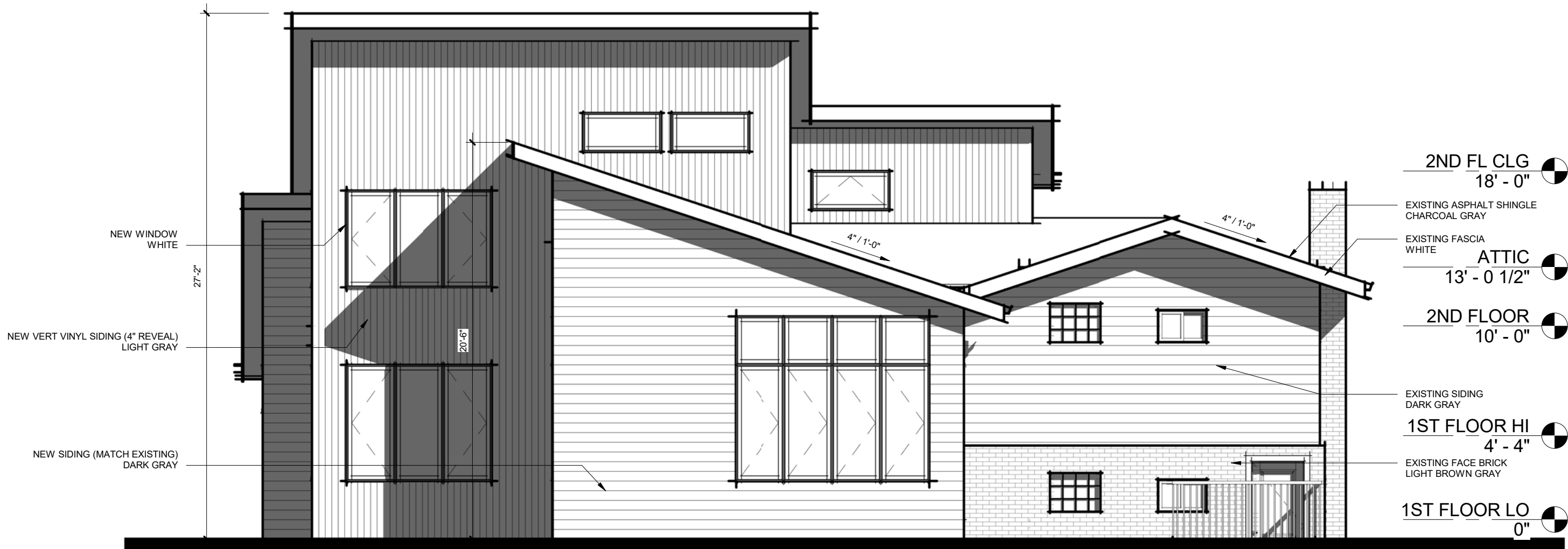
③ SIDE (EAST) ELEV PROPOSED
3/16" = 1'-0"



① FRONT (NORTH) ELEV PROPOSED
3/16" = 1'-0"



④ SIDE (WEST) ELEV PROPOSED
3/16" = 1'-0"



② REAR (SOUTH) ELEV PROPOSED
3/16" = 1'-0"

MATERIAL SCHEDULE		
MATERIAL TYPE	MANUFACTURER	COLOR
ROOFING	CERTAINTED - LANDMARK PRO ARCH ASPHALT SHINGLES	MOIRE BLACK CHARCOAL
FASCIA, SOFFIT, GUTTER, DOWNPOUT	ALUMINUM	WHITE
BRICK	EXISTING - FACEBRICK	LT BROWN GRAY
SIDING - HOR	ALSIDE VINYL HOR LAP (MATCH EXISTING)	DARK GRAY
SIDING - VERT	ALSIDE VINYL VERT REVEAL (4")	LT GRAY
SIDING - TRIM	CABOT	WHITE
WINDOW - VINYL	PELLA	WHITE

No.	Description	Date
1	ZONING VARIANCE	09/08/16

Project Name and Address

STUCKENBERG RES.
SIDE / REAR ADDITION

1409 EASTMAN ST
ARLINGTON HEIGHTS, IL

Project No. 16098

Description ELEVATIONS - PROPOSED

Sheet DC-3

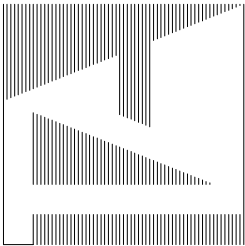


E EASTMAN ST



N WINDSOR DR

E EASTMAN ST



THOMAS
ARCHITECTS
211 S MAPLE LN
PROSPECT HTS, IL
O: 877.205.3799
F: 877.260.7209
THOMAS @
THOMASARCH.COM

SITE CONTEXT PHOTOS

1409 EASTMAN ST
NORTON HEIGHTS, IL
16098

09/08/16

DC-6