



Agenda
Village of Arlington Heights
Zoning Board of Appeals
Virtual Meeting

September 14, 2020
7:00 PM

I. CALL TO ORDER

- A. In response to the COVID-19 pandemic, this meeting is closed to in-person, public attendance. The meeting is being held virtually, which permits the public to fully participate via their computers or using their phones.

To participate in the virtual meeting, please follow these instructions: <https://bit.ly/3iiYMNs>

Individuals who wish to comment or ask a question on an item on the Agenda may either participate virtually or send an email to the Village at dmach@vah.com. Please limit emails to 200 words or less. To be shared at the meeting, the email must be received by 3:00 p.m. on September 14, 2020.

II. ROLL CALL

III. APPROVAL OF MINUTES

- A. 1147 N. Dryden Ave. - 8/18/20
B. 721 S. Beverly Ln. - 8/18/20
C. 1141 N. Chestnut Ave. - 8/18/20
D. 216-220 W. Campus Dr. - 8/18/20
E. 2021 Budget - 8/18/20

IV. REPORTS

V. OLD BUSINESS

- A. Motion to Reconsider Variations for 1141 N. Chestnut Ave.
B. Reconsideration of Variations for 1141 N. Chestnut Ave.

VI. NEW BUSINESS

- A. 1252 N. Yale Ave. - ZBA#20-021

- B. 2360 E. Bradshire Ct. - ZBA#20-022
- C. 129 S. Highland Ave. - ZBA#20-023
- D. 948 E. University Dr. - ZBA#20-024

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.



**Zoning Board of Appeals
9/14/2020**

Item: 1147 N. Dryden Ave. - 8/18/20

Department: Planning & Community Development

ATTACHMENTS:

Description	Type
1147 N. Dryden Ave - 8/18/20 Minutes	Minutes
1147 N. Dryden Ave - 8/18/20 Findings	Minutes

ZONING BOARD

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

OF APPEALS

RE: 1147 NORTH DRYDEN AVENUE - ZBA #20-016

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Zoning Board of Appeals taken virtually in response to the
COVID-19 pandemic, which permits the public to fully participate via their
computers or using their phones, on the 18th day of August, 2020 at the hour of
7:00 p.m.

MEMBERS PRESENT:

PETER SIAVELIS, Chairperson
DAVID DIVITO
THOMAS DRAKE
JOSEPH GEISEL
JOSEPH SELBKA
JEFF LANAGHAN

ALSO PRESENT:

DEREK MACH, Development Planner

CHAIRPERSON SIAVELIS: Good evening, everyone. I'm going to call this meeting to order.

Welcome to the August 18, 2020 Zoning Board of Appeals meeting. My name is Peter Siavelis; I'm Chairman of the Zoning Board of Appeals. This is, I think our third meeting via Zoom, so welcome to this format. There are some challenges that we have, so we'd appreciate it if everybody is patient with us as we're switching back and forth between speakers and presenters.

There's a couple of things that I need to get into the record before we commence substantive discussions. So, let me just kind of step through that, and hello and good evening to all the other members of the Zoning Board.

So, first off, I find that the public health concerns related to the Coronavirus pandemic render in-person attendance at the regular meeting location here at the Village Hall infeasible. Thus, we're proceeding remotely via Zoom.

After the petitioner's presentation, as part of comments from the audience, public attendees will have an opportunity to speak. Please select the Raise Hand icon on your screen or display, and wait for me to call on you one at a time. If you have your hand raised and I don't see you, you can wave your hand as well, so that's not a problem.

To all participants other than the presenter, please mute your microphone when you're not speaking to avoid background noise and feedback, barking dogs, kids, that sort of thing.

During the meeting, if the Staff Liaison, that's Derek, loses connection, hang out, just remain in the meeting and hang out in the meeting until he can rejoin and resume the meeting. I don't think that's happened to us, Derek, in this format, but it's certainly happened probably to each and every one of us in other work-related events or social events using Zoom. So, just be patient and Derek will restart then. If you as a participant lose connection, you can rejoin the session using the original meeting link that was provided to you.

Okay, I think that dispenses with the introductory items there and we can proceed to roll call. So, Derek, please proceed with that.

MR. MACH: Chairman Siavelis.

CHAIRPERSON SIAVELIS: Here.

MR. MACH: Mr. Drake.

COMMISSIONER DRAKE: Here.

MR. MACH: Mr. Geisel.

COMMISSIONER GEISEL: Here.

MR. MACH: Mr. Jaffe.

(No response.)

MR. MACH: Mr. Lanaghan.

COMMISSIONER LANAGHAN: Here.

MR. MACH: Mr. Selbka.

COMMISSIONER SELBKA: Here.

MR. MACH: Mr. Divito.

COMMISSIONER DIVITO: Here.

CHAIRPERSON SIAVELIS: Great, thank you.

So, Derek, it sounded like we're short one today, is that correct?

MR. MACH: That's correct.

CHAIRPERSON SIAVELIS: Okay. All right, next item, by the way, being short one member of the Board is not a problem. I think we can still proceed, we still have quorum, for the petitioners' benefit.

So, let's proceed to the Pledge of Allegiance.

Derek, I see you have the flag displayed, is that correct?

MR. MACH: Yes.

CHAIRPERSON SIAVELIS: Okay, great. So, I guess we'll stand up wherever you're at in your room.

Derek, go ahead.

(Pledge of Allegiance recited.)

CHAIRPERSON SIAVELIS: All right, moving along, let's move to approval of the minutes from the July meeting in which there were two variances presented to us.

Have the Board members had a chance to review those meeting minutes?

(Chorus of yeses.)

CHAIRPERSON SIAVELIS: Great. Are there any corrections to be noted for the record to those minutes?

(No response.)

CHAIRPERSON SIAVELIS: Hearing none, is there a motion to approve the minutes?

COMMISSIONER DIVITO: I'll motion.

COMMISSIONER DRAKE: So moved.

COMMISSIONER DIVITO: Second.

CHAIRPERSON SIAVELIS: Derek?

MR. MACH: Mr. Drake.

COMMISSIONER DRAKE: Yes.

MR. MACH: Mr. Geisel.

COMMISSIONER GEISEL: Yes.

MR. MACH: Mr. Lanaghan.

COMMISSIONER LANAGHAN: Yes.

MR. MACH: Mr. Selbka.

COMMISSIONER SELBKA: Yes.

MR. MACH: Mr. Divito.

COMMISSIONER DIVITO: Yes.

MR. MACH: Chairman Siavelis.

CHAIRPERSON SIAVELIS: Yes.

Great, the meeting minutes from the July session are now approved. I'd like to proceed now into tonight's meeting and the four petitions that are up as new business for this evening.

There are some hearing procedures that I'd like to run through with the petitioners so they are aware of them. If there's questions that you have, please hold your questions until it's your turn to come up to present; you can ask your question then.

So, first item under the hearing procedures, if there's less than six members present, you've have an option, for the petitioners, have an option to continue

the meeting. That's not the scenario here, right, because we have six, but remember folks, that it takes four affirmative votes to approve a variance regardless of the number of Board members in attendance. If your variance is denied, either in whole or in part, a petitioner cannot reapply for a whole year, so for an entire 12-month period.

Next, the Staff will provide a presentation overview as we're stepping through each of the four variances or the four matters tonight. The Staff will provide basically an overview and description of the variance.

There are four elements that a petitioner must establish for the Board to be able to grant a variance. Again, these are elements that the petitioner is responsible for showing and establishing. It's not the Board's responsibility, for us to pull them out of the petitioner and establish them. They are the four elements that you probably saw in connection with the submission of your paperwork, and I'll read them again at this point:

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

So, again, a variance is permitted and granted only if the evidence in the judgment of the Board sustains each of the four conditions enumerated that the petitioner must show.

Okay, moving on, we're now at the stage where we can commence with the first petition; that is 1147 North Dryden Avenue, and it's ZBA Reference No. 20-016.

MR. MACH: Chairman, the Petitioner is proposing to install a six-foot tall solid fence along the north property line adjacent to the rear yard. The proposed fence is located along the property line where a setback of five feet is required for a fence taller than three feet. Therefore, they're requesting a variance from Chapter 28, Section 6.13-3(c) to allow a six-foot tall solid fence located along the north property line in the rear yard with no street side landscaping where code allows a maximum of three-foot tall open fence.

CHAIRPERSON SIAVELIS: Thank you very much, Derek.

At this point in time, the Petitioner associated with this variance request needs to identify themselves such that I can swear you in.

MRS. DUBNICKA: Good evening. This is Joan Dubnicka from 1147 North Dryden.

CHAIRPERSON SIAVELIS: Good evening. Can you raise your right hand, Joan, and I'll swear you in?

MRS. DUBNICKA: Sure.

CHAIRPERSON SIAVELIS: Great, thank you.

(Witness sworn.)

CHAIRPERSON SIAVELIS: Great, thank you very much. Go ahead, please commence your presentation and, like I mentioned a couple of minutes ago, be

sure to address each of the four elements that are needed to sustain a yes or to retain a yes vote on your variance, okay?

MRS. DUBNICKA: Sure. Good evening, it's nice to see all of you.

Yes, my husband and I have lived at this property for 18 years. During this entire time, we've had a hedge for privacy because we are on a side lot, as you can see, a heavily-walked side lot. However, the hedges are dying and we can't replace them with plant material. The reason being because there's a lot of mature landscaping, and the landscaping that we have installed has matured over the years. What's happening is that the hedges are underneath the canopies of the mature trees and the park lawn trees.

So, since we don't have an option, a landscaping option for privacy, we need to put in a fence. So, we're requesting to put in just a privacy fence, a six-foot high fence just from the back of our house to almost the back of the lot line, so just for the backyard. The reason that we also have not, I know one of the issues is landscaping was part of the requirement. We love landscaping. We landscape our yard very well and maintain it all the time, but where we're proposing to put the fence is on the north side of our lot. It's under these canopies from several mature trees, and we're putting it in because the hedges won't grow. So, I don't have a problem putting in like hosta or something that actually grows, but we can't put, nothing will grow under the trees.

So, really our petition in terms of character will not alter the character of the area; in fact, it will enhance it. Right now, people walk, heavily walk there and the bushes are dead. If you look at them, it's hard, if you look straight into them, you can see that all the bottom has died and you can see right through it and we can't get them to grow, especially underneath the trees. So, it won't alter the area by having a fence, it will enhance it because it will be a more pleasant walking experience than having the dead plant just in the area. In our area, if you walk around, there's lots of six-foot privacy fences in the area. It's not uncommon at all.

As far as unique circumstances, really circumstances is just mature landscaping. The trees will continue to grow during this time. The reason we're asking for it not five-foot back, but actually closer to the lot line is, it's probably hard for you to see, but we've landscaped that entire side of the house. Where that split rail fence is in the front of the yard, we want to replace it exactly where it was and we don't need a variance for that, but we want that to align with the privacy fence. It would look silly not to, and we can't move that split rail fence in without taking down mature landscaping. In the back where the privacy fence is going, like for example, we have a tree that's been there 12 years that we planted in memory of my father-in-law. So, we're just, our unique circumstances is that the landscaping is mature and we just want to beautify the area instead of kind of having this fence put in a random place.

We believe, I honestly believe one of the beautiful things about Arlington Heights is that we have mature landscaping. Everybody loves the park lawn trees. People comment about our landscaping quite a bit. People enjoy it; the neighbors enjoy walking around our home and our area, and I think we're just being consistent with that. We're trying to actually improve it by improving the situation there. Again, we're asking for the minimum variance, just enough to align that split rail fence in the front with that portion that we need the privacy fence in the back.

I hope that covers what you need to know, but obviously let me know

if you have questions. I do have some other pictures if you can't see well from that fence. I guess if you want to see the, it's a little hard to see where it's dead from that picture, but if you need more pictures I have those as well.

CHAIRPERSON SIAVELIS: Thank you very much, that was informative.

Joe, do you have any questions or comments for the Petitioner?

COMMISSIONER GEISEL: Just a few questions, please. So, you've indicated you would like to do a solid fence --

MRS. DUBNICKA: Yes.

COMMISSIONER GEISEL: -- is that correct?

MRS. DUBNICKA: Yes, yes.

COMMISSIONER GEISEL: There were no samples of fencing materials submitted which typically we receive so we at least get some idea of what you're intentions are. So, what are --

MRS. DUBNICKA: I submitted them. I submitted it from the contractor, a picture of the fencing.

COMMISSIONER GEISEL: Well, unfortunately, that didn't make the package. So, if you could identify what --

MRS. DUBNICKA: I can get one online if you want to hold on.

COMMISSIONER GEISEL: If you could just tell us, we can go from there.

MRS. DUBNICKA: Oh, just a six-foot standard fence, solid.

COMMISSIONER GEISEL: Wood? Vinyl?

MRS. DUBNICKA: Oh, wood. Wood.

MRS. DUBNICKA: Cedar fence in a natural color, is that --

COMMISSIONER GEISEL: Okay, All right, I think we can all envision that. Then if you could please, how much room is there between the existing fence, if you will, and the sidewalk?

MRS. DUBNICKA: That we're proposing the fence?

COMMISSIONER GEISEL: Correct.

MRS. DUBNICKA: Okay, so if you go to where the roots, so right now the hedges go right up to the sidewalk. We try to keep them trimmed, right, so they don't cover the sidewalk, but they grow. But we'll be putting the fence in probably two or three, one foot in from that. So, there will actually be a gap between the sidewalk and where the fence is.

COMMISSIONER GEISEL: That's sort of where I'm going if you would please, because when we've had requests to do a solid fence, as you proposed, in addition to the request for the landscaping relief, that does kind of provide just kind of a blank wall. So, to the extent that you might entertain, you suggested hostas, but even in other circumstances where they've put forth something like just taller grasses, to at least give a little bit of relief against the fence line as opposed to just the solid wood wall.

MRS. DUBNICKA: Yes. No, I love the grasses idea. We love landscaping, so I'm happy to do that. I just don't want to buy bushes and things that don't grow on the north side of the fence. So, absolutely to the grasses.

COMMISSIONER GEISEL: I can appreciate, you know, the desire to maintain the landscaping, the desire to put in a fence, all of that. I'm not sure if any of the other Board members have any other questions as well.

(No response.)

COMMISSIONER GEISEL: Anybody else?

CHAIRPERSON SIAVELIS: I don't.

COMMISSIONER GEISEL: Okay.

COMMISSIONER LANAGHAN: No, I have a couple of quick ones. So, looking at the pictures, Joan, the shrubs or the bushes are roughly five or six-foot tall now running down the side. Is that what you're looking to remove and replace?

MRS. DUBNICKA: Yes, but they're probably, oh, they're about six feet.

COMMISSIONER LANAGHAN: They're taller than that?

MRS. DUBNICKA: Yes, yes. So, it will be less imposing, yes.

COMMISSIONER LANAGHAN: Okay, and the trees around there are growing up to the point where they're just shading them out, is that what I'm kind of understanding here?

MRS. DUBNICKA: Yes, in the canopies. So, there's a maple on our property line that's just grown quite a bit, so the canopy from the tree, and then there's a park lawn tree and then our neighbor has a huge tree that's like 34-35 feet tall, and then there's a pine tree that's taller than our house in the front. So, just over the years, the trees have matured and they shade that area.

COMMISSIONER LANAGHAN: They certainly seem to, you know, I certainly understand the kind of concerns there. This photo doesn't necessarily do a great job of showing that, I have to admit.

MRS. DUBNICKA: Yes.

COMMISSIONER LANAGHAN: And I certainly share Joe's concerns that, you know, putting just a solid fence there is going to be a much harsher kind of treatment than what exists currently which is, you know, kind of this nice shrub row that kind of helps screen you. So, I would certainly follow his recommendation to push it back a little bit farther to give you some ability to plant something there and break that up.

MRS. DUBNICKA: Yes.

CHAIRPERSON SIAVELIS: Joe, to clarify, what --

MRS. DUBNICKA: Oh, can I just answer that? The problem with pushing it back then, it doesn't align. We just want a straight row of fencing, the split rail in the front to meet with the privacy fence in the back. So, to move one back, I don't think it's going to look good. Then it would also go through, like I mentioned the tree for my father-in-law, we've got these, what do you call it?

Anyways, we have to take out landscaping to do it, so that's, we just, it will look nice. It's certainly going to look nice.

Yes, so what's happening, the front landscaping, if you can see from that picture, I'm sorry, I've got like two screens here. So, if you look at the top picture, that split rail fence is allowed to be there and we're just going to replace that with what's there.

So, that's like a foot-and-a-half off the sidewalk right off the property line. So, all the landscaping that we've had designed is in a row even with that. So, if we change the backyard, it will --

COMMISSIONER GEISEL: What I was questioning and inquiring is to whether or not it would be amenable would be I think consistent as to if you put the fence up, perhaps to your point, 12 to 18 inches off the sidewalk so there would still be the opportunity to align with the cedar split rail, but allow just, as I said, 12 to 18 inches to have at least a limited area to perhaps put in a little something to give some relief to a

solid wood fence. I'm not suggesting the whole five feet. I think we're basically talking about the same thing.

MRS. DUBNICKA: Yes, I'm absolutely in agreement with you on that. I think that will look fine. I think it will look nice, yes.

COMMISSIONER GEISEL: I think if you would be amenable to that, I think I would support the petition as proposed, obviously subject to the other Board members' approval.

MRS. DUBNICKA: Thank you.

CHAIRPERSON SIAVELIS: So, Joe, let me chime in here because we're languishing here, we have three other petitions behind this. So, if that split rail fence is at 18 inches from the sidewalk, all right, and we want to have align, let's define the term as 18 inches such that it is aligned with the split rail and move forward in that manner, because I think the Petitioner represented to us that that split rail, that was the distance off the sidewalk for the split rail. So, I would support that. I think 12 inches is a little too tight on the sidewalk, especially for a solid six-foot fence, not even board-on-board. That's where I stand.

COMMISSIONER GEISEL: Well, and that was the purpose of trying to determine where, you know, where the new fence would go in terms of the sidewalk. So, if we could stipulate to the 18 inches or so along that area for something, some other plant material like tall grasses to give a little relief to that solid fence, as I said, I would be supportive of the request.

CHAIRPERSON SIAVELIS: Agreed.

COMMISSIONER GEISEL: Okay.

CHAIRPERSON SIAVELIS: Okay, I think at this point then, we need to open this up to the audience to see if there's any comments from anybody participating who is in the audience, basically who are not the Petitioners. If there are, click on the Raise Hand icon if you want to speak; otherwise, we will proceed to the next section.

MR. MACH: Chairman, we did receive an e-mail in support of this petition which I'd like to read for the record:

Pursuant to the request in hearing for Ms. Joan Dubnicka at 1147 North Dryden regarding the variance from Chapter 28, for the location of their desired fence, we fully support this request as neighbors to this property, and therefore, believe it should be approved.

CHAIRPERSON SIAVELIS: All right, thanks, Derek, appreciate that. I guess if there's any further brief comments from the Petitioner, this would be the time before we close it down for deliberation.

MRS. DUBNICKA: I just want to say thank you; thanks for your consideration.

CHAIRPERSON SIAVELIS: All right, so it sounds like you're willing to align the new fence at 18 inches such that it matches up with the split rail fence in there, correct?

MRS. DUBNICKA: Yes, correct.

CHAIRPERSON SIAVELIS: Okay, great.

Let's close this down now for deliberation of the Board members. Joe, if you want to start this off please?

COMMISSIONER GEISEL: Again, I would support the petition as

requested with the caveat or stipulation that it be a minimum of 18 inches off the sidewalk and that at least some landscaping materials such as tall grasses would be installed to provide some relief against the fence.

CHAIRPERSON SIAVELIS: Great, thanks, Joe.

Anybody else?

COMMISSIONER DRAKE: I'm supportive of that as well. Just one comment for the record. The handwritten petition, the application mentions the six-foot fence, but the typed petition does not. I don't know if that's a big deal in terms of, you know, approving this, but I just want to point that out.

COMMISSIONER GEISEL: So noted.

CHAIRPERSON SIAVELIS: Duly noted.

COMMISSIONER DRAKE: Thank you.

CHAIRPERSON SIAVELIS: All right, is there a motion?

COMMISSIONER SELBKA: Motion to approve.

MR. MACH: And then second?

COMMISSIONER DRAKE: Second.

COMMISSIONER LANAGHAN: Yes, one clarification. So, we're approving this based upon Joe's stipulations, correct?

COMMISSIONER GEISEL: Yes.

COMMISSIONER LANAGHAN: Thank you.

MR. MACH: And I'm sorry, but can I get clarification on who first, I have Mr. Selbka for putting forward the motion. Is there a second?

COMMISSIONER DRAKE: Second.

MR. MACH: Thank you.

CHAIRPERSON SIAVELIS: Derek, do you have Joe's motion clearly or do you need him to restate it at this point in time?

MR. MACH: I do have it. Basically, it's a motion to approve the proposed six-foot tall solid fence with the condition that it be set back 18 inches from the sidewalk and include landscaping.

CHAIRPERSON SIAVELIS: Good, thank you very much. I just want to make sure the record is clear on that.

MRS. DUBNICKA: Can you add landscaping such as grasses?

MR. MACH: Sure.

MRS. DUBNICKA: Thank you.

CHAIRPERSON SIAVELIS: Are you ready to call the vote, Derek?

MR. MACH: Mr. Drake.

COMMISSIONER DRAKE: Yes.

MR. MACH: Mr. Geisel.

COMMISSIONER GEISEL: Yes.

MR. MACH: Mr. Lanaghan.

COMMISSIONER LANAGHAN: Yes.

MR. MACH: Mr. Selbka.

COMMISSIONER SELBKA: Yes.

MR. MACH: Mr. Divito.

COMMISSIONER DIVITO: Yes.

MR. MACH: Chairman Siavelis.

CHAIRPERSON SIAVELIS: Yes.

Congratulations, your variance has passed subject to the conditions that we enumerated.

MRS. DUBNICKA: All right, thank you very much.

(Whereupon, the public hearing on the above-mentioned petition was adjourned at 7:29 p.m.)

DRAFT

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS August 18, 2020

PETITIONER: 1147 N. Dryden Ave.

ADDRESS OF PROPERTY: 1147 N. Dryden Ave.

VARIATION: 6.13-3c

A variation to allow a 6' tall solid fence located along the north property line in the rear yard with no street side landscaping where code allows a maximum 3' tall open fence.

The petitioner testified as to hardship, uniqueness of circumstances, and the character of the locality. The petitioner testified that there is existing landscaping in the rear yard that would conflict with the proposed fence if it were setback five feet. The Zoning Board recommended that the fence be setback 18 inches in order to allow for perennials between the sidewalk and the 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. Selbka and seconded by Mr. Drake. Thereafter, the Board voted 6-0 to approve the variance request, with a condition that the fence is setback 18-inches from the sidewalk and include landscaping such as ornamental grasses.

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, with a condition that

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

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

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



**Zoning Board of Appeals
9/14/2020**

Item: 721 S. Beverly Ln. - 8/18/20

Department: Planning & Community Development

ATTACHMENTS:

Description	Type
721 S. Beverly Ln. - 8/18/20 Minutes	Minutes
721 S. Beverly Ln. - 8/18/20 Findings	Minutes

ZONING BOARD

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

OF APPEALS

RE: 721 SOUTH BEVERLY LANE - ZBA #20-017

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Zoning Board of Appeals taken virtually in response to the
COVID-19 pandemic, which permits the public to fully participate via their
computers or using their phones, on the 18th day of August, 2020 at the hour of
7:29 p.m.

MEMBERS PRESENT:

PETER SIAVELIS, Chairperson
DAVID DIVITO
THOMAS DRAKE
JOSEPH GEISEL
JOSEPH SELBKA
JEFF LANAGHAN

ALSO PRESENT:

DEREK MACH, Development Planner

CHAIRPERSON SIAVELIS: Okay, next up is 721 South Beverly Lane, ZBA Reference No. 20-017, and I have the materials in front of me.

Can the Petitioner please identify himself or herself?

MR. GIANNOPOULOS: I'm here. It's Perry Giannopoulos.

CHAIRPERSON SIAVELIS: Okay, Mr. Giannopoulos, can you please raise your right hand such that I can swear you in?

(Witness sworn.)

CHAIRPERSON SIAVELIS: Great, thank you very much.

Joan, by the way, you can stay, you can depart, you can do whatever your heart desires here, okay?

COMMISSIONER DIVITO: Chairman Siavelis? I --

CHAIRPERSON SIAVELIS: Go ahead. You froze, Dave.

MR. MACH: Chairman, the Petitioner is proposing a 14-foot wide by nine-foot tall trellis along the south property line in the rear yard where code would require a three-foot setback. Therefore, they're requesting a 2.9-foot variation from Chapter 28, Section 6.5-2 to allow a trellis with a side yard setback of 0.1 feet from the south property line where a minimum of three feet is required.

CHAIRPERSON SIAVELIS: Great, thank you.

I think, Dave Divito, Board Member Dave Divito was trying to speak, but he's frozen mid-word here. Dave, I'm not sure if you can hear us or if you want to rejoin? Let's see. All right, that's actually, well, if and when Dave rejoins, we'll give him a chance to speak.

Mr. Giannopoulos, please proceed, but be mindful of the four elements that you need to establish.

MR. GIANNOPOULOS: Sure thing. So, just thankful for allowing me to present today and for your consideration on this.

We've been a resident of Arlington Heights for over 26 years. We've lived on this property for about 11 years. We have a pool in our backyard, and recently what happened is that the house to the south of us was sold. I believe it was in the process of being resold, and so they tore down a lot of trees and brush that had existed along our south property line.

I believe there's an overhead photo that shows the location of our property in relation to Dryden School and the tennis courts. I'd just like to point out kind of what we're looking at from an overhead. I think that's maybe in the prior slide?

So, what you can see, if you look at it from the overhead, to the east of us is the Dryden School parking lot. Then right next to that, kind of kitty-corner to us, are the Dryden School tennis courts. So, I don't know if you're familiar with the area, but the Dryden tennis courts and that park area tend to be occupied by a lot of teenagers meeting especially during summer and spring and fall when the weather is nice. So, we have a concern with privacy within our yard, particularly when we have teenagers outside, and family and friends.

So, the privacy aspect of it is important to us and we feel, as I mentioned, our neighbors removed a lot of brush and a lot of trees that happened to be along our south property line. Over the years, we'd added a lot of arborvitae to that south

border and with the removal of the brush, what happened is that it's exposed, there were actually two portions that were exposed. This is one of them; the other one is closer to the east corner. There we were able to add some arborvitae, but in this section we're not because of the, you can kind of see the pavers that are there. Those pavers are in a circular, semi-circular outline because there is a piece of furniture that sits there. So, we wouldn't be able to necessarily remove all the pavers and add more arborvitae there.

So, what we're hoping to do is to add a trellis roughly right up, you know, just within our fence line there. The idea is that the trellis would provide privacy and would fit in with the overall look of the yard. You can see there what's happened now is that with everything being removed, the pool area, spa area are visible to, you know, pretty far down to several houses.

There's another view, I think it might be the next slide, where you can actually see the tennis courts. Now, you know, the picture that we've taken was probably a few weeks ago, and now everything is very mature and very lush and green, so there is a little bit of privacy there, but you can still kind of see through those bushes. When those are not quite as green, it's a pretty clear view right into our pool area from the tennis courts and from the park area which is a little bit to the south of those tennis courts.

So, what we're looking to do is enhance the privacy of our backyard, and I feel that that's in the spirit of the chapter. We're not, you know, the overall look, I think I've provided some drawings of what we are hoping to do as far as the trellis goes. We're not oversizing it in any way. The arborvitae that are in that area are probably about 13 or 14 feet tall. I think we've provided, there's another photo that you can see that shows the rough location, and so you can see that it's not going to be any taller than the arborvitae that are around it. In fact, it will be significantly shorter, and it's only going to be on, you know, the one area where we absolutely need it to be which is the area that's really exposed there, and I think it's roughly eight percent of our property line.

Also, it's not going to be a very deep structure. So, it's not going to be something that will be probably even apparent from anywhere other than the east side of the yard, certainly not to the north or the south. Then on top of it, we're making it a decorative trellis. I think there's another photo afterwards that kind of shows what the overall design is.

So, I think that it will fit in with the, you know, with the spirit of Chapter 29, or Chapter 28, excuse me. It will enhance the privacy of our area without affecting really the privacy or the lighting or the safety of any of the surrounding areas at all.

Again, we're proposing this because we really don't have a lot of options in that area. It's a clear fence, and then even if, you know, without doing something like this, it's a pretty exposed area. People have already commented about how it's uncomfortable for, you know, to be seating in that area now. So, that's the reason that we're looking to do it.

CHAIRPERSON SIAVELIS: Okay, understood. Mr. Giannopoulos, did you talk to your neighbors to the south? So, basically the adjoining neighbors that, as we're looking at this image, we're looking into their backyard.

MR. GIANNOPOULOS: So, we've had conversations with all of the neighbors in the vicinity. The situation with the neighbors to the south of us is that the people that live there now are renting. The people that bought it, I think originally bought

it with the intent of building their home there, but then they found another property that was on Burton, less than a couple of hundred feet away from us. They, I believe, are building there, and then I think they tried to sell this property, couldn't do it, so then they started renting it.

We don't have, you know, normal contact with them. We weren't sure how to get a hold of them, but I do know that because they own this property and the property on Burton, we actually sent them two letters. So, I know that they were notified of it and in fact would have received two letters, one for their new property and then one for this one. We've had the sign out in front. Several neighbors have approached us and asked exactly what we're doing and we've explained it to them. They've all been happy with the overview that we've given them.

CHAIRPERSON SIAVELIS: Okay, so it sounds like the neighbor who's just to the south of you, or at least the owner of that property to the south of you, has received double notice, right?

MR. GIANNOPOULOS: The owners, that's for sure. Then the renters are aware of it as well and they hadn't expressed any concern to us.

CHAIRPERSON SIAVELIS: No opposition?

MR. GIANNOPOULOS: None.

CHAIRPERSON SIAVELIS: Okay. All right, it's pretty self-explanatory. You gave a very thorough explanation there. I don't have any questions.

Any other members of the Board have questions for Mr.

Giannopoulos?

(No response.)

CHAIRMAN SIAVELIS: Okay, hearing none, this would be the time now if there's any comments from the audience; if you would like to speak and be heard in the Giannopoulos petition here for this variance, now is the time. Click on the Raise Your Hand icon on your screen.

Thank you, Derek, you're showing me what that hand-sketched, right, the sketch of what the trellis would look like, and that goes to Mr. Giannopoulos' point about it being a decorative trellis.

So, if there's any comments, like I said, from the audience, click on your Raise Your Hand icon or button on your screen; otherwise, we will move forward.

(No response.)

CHAIRMAN SIAVELIS: Derek, anyone?

MR. MACH: No.

CHAIRPERSON SIAVELIS: Okay, great.

So, at this point in time, we can close it down for deliberations of the Board members. I'll start here.

MR. MACH: Chairman, Mr. Lanaghan did have a comment.

COMMISSIONER LANAGHAN: No, that's for the last one, Derek; I was a little slow I think when I raised my hand.

MR. MACH: Okay, my apologies.

COMMISSIONER LANAGHAN: No worries.

CHAIRPERSON SIAVELIS: So, Jeff, was that on the prior petition?

COMMISSIONER LANAGHAN: Correct, Peter, yes.

CHAIRPERSON SIAVELIS: Okay. All right, so we're at the stage where it's

deliberation of the Board members, and like I said, I'll proceed. I think this is a reasonable variance that's being sought. It's tasteful. It sits way deep in the backyard when you look at the survey and the plat. It's obviously a nice piece of, you know, accessory trellis there. I can see the purpose; I understand exactly what the purpose is.

I think it's important to note that the Petitioner didn't cause the situation, the removal of the, you know, bushes and shrubs in the adjoining yard. I think it's a reasonable result because ripping up those pavers and then trying to repave would probably be a considerable additional cost there as compared to this trellis.

I live in this area. I understand exactly what Mr. Giannopoulos was testifying in regards to as far as Dryden being quite popular in the evenings with the local teenagers, and during the course of the day. So, I think there's a definite need, a demonstrable need here and I'm in support of the petition.

Anybody else?

(No response.)

CHAIRMAN SIAVELIS: Okay, if there's no other comments from Board members, I'll move for approval of the variance being sought.

MR. MACH: Chairman, that needs to come from one of the members of the ZBA.

CHAIRPERSON SIAVELIS: Okay, all right.

COMMISSIONER SELBKA: Motion to approve.

CHAIRPERSON SIAVELIS: Thanks, Joe.

COMMISSIONER GEISEL: Second.

MR. MACH: Mr. Drake.

COMMISSIONER DRAKE: Yes.

MR. MACH: Mr. Geisel.

COMMISSIONER GEISEL: Yes.

MR. MACH: Mr. Lanaghan.

COMMISSIONER LANAGHAN: Yes.

MR. MACH: Mr. Selbka.

COMMISSIONER SELBKA: Yes.

MR. MACH: Mr. Divito.

COMMISSIONER DIVITO: Yes.

MR. MACH: Chairman Siavelis.

CHAIRPERSON SIAVELIS: Yes.

Congratulations, the variance is approved. I do apologize for jumping the gun there, I was just trying to keep us on track.

MR. GIANNOPOULOS: Thank you.

CHAIRPERSON SIAVELIS: All right. Yes, Mr. Giannopoulos, you can stay, depart, do whatever your heart desires at this point.

MR. GIANNOPOULOS: I'm going to go. We've got to join a Prospect High School meeting. So, I appreciate it. Thanks so much.

CHAIRPERSON SIAVELIS: Great, thank you.

(Whereupon, the public hearing on the above-mentioned petition was adjourned at 7:42 p.m.)

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS August 18, 2020

PETITIONER: 721 N. Beverly Ln.

ADDRESS OF PROPERTY: 721 N. Beverly Ln.

VARIATION: 6.5-2

A 2.9' variation to allow a trellis with a side yard setback of 0.1' from the south property line where a minimum of 3.0' is required.

The petitioner testified as to hardship, uniqueness of circumstances, and the character of the locality. The petitioner testified that they would like to screen the Dryden School tennis courts and are proposing a trellis along the side property line in the rear yard.

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

Thereafter, a motion was made by Mr. Selbka and seconded by Mr. Geisel. Thereafter, the Board voted 6-0 to approve the variance request.

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

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

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

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



**Zoning Board of Appeals
9/14/2020**

Item: 1141 N. Chestnut Ave. - 8/18/20

Department: Planning & Community Development

ATTACHMENTS:

Description	Type
1141 N. Chestnut Ave. - 8/18/20 Minutes	Minutes

ZONING BOARD

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

OF APPEALS

RE: 1141 NORTH CHESTNUT AVENUE - ZBA #20-018

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Zoning Board of Appeals taken virtually in response to the
COVID-19 pandemic, which permits the public to fully participate via their
computers or using their phones, on the 18th day of August, 2020 at the hour of
7:42 p.m.

MEMBERS PRESENT:

PETER SIAVELIS, Chairperson
DAVID DIVITO
THOMAS DRAKE
JOSEPH GEISEL
JOSEPH SELBKA
JEFF LANAGHAN

ALSO PRESENT:

DEREK MACH, Development Planner

CHAIRPERSON SIAVELIS: Okay, next item up is 1141 North Chestnut Avenue, ZBA Reference No. 20-018.

Can the -- yes, I'm sorry, let me just state real quickly, can the person who's speaking on behalf of this petition please identify himself or herself?

MR. COCHRAN: Hi, guys. My name is Jim Cochran from JRC Design Build. Thank you for hearing our request tonight.

CHAIRPERSON SIAVELIS: Good evening, Jim. Let me swear you in, okay, and then we'll commence with the substantive showings, okay?

MR. COCHRAN: All right, please.

CHAIRPERSON SIAVELIS: Great, thank you.

(Witness sworn.)

CHAIRPERSON SIAVELIS: Great, thank you. Please commence.

MR. MACH: Chairman, the subject property is zoned R-3 Single Family. The Petitioner is proposing to knock down the existing home and create two buildable lots. The zoning lot consists of two parcels; however, variations are necessary since the parcels do not meet the minimum R-3 zoning requirements for lot width and area. In addition, the Petitioner is requesting a setback variance for the exterior side yard setback along Clarendon Street.

Therefore, they're requesting a variation from Chapter 28, Section 5.1-3.1 to allow Lot 11 with an area of 7,920 square feet to be buildable where 8,750 square feet is required. In addition, they're requesting a 10-foot variation from Chapter 28, Section 5.1-3.1 to allow Lot 11 with a width of 60 feet to be buildable where 70 feet is required.

For Lot 12, the corner lot, they're requesting a variation from Chapter 28, Section 5.1-3.1 to allow Lot 12 with an area of 8,469 square feet to be buildable where 8,750 square feet is required. Also, they're requesting a 26-foot variation from Chapter 28, Section 5.1-3.1 to allow Lot 12 with a width of 64 feet to be buildable where 90 feet is required for a corner lot. In addition, they're requesting a 12.3-foot variation from Chapter 28, Section 5.1-3.2 to allow a new home with an exterior side yard setback of 11 feet instead of the required 23.3 feet.

CHAIRPERSON SIAVELIS: Okay, so a total, Derek, a total of five variances over this petition, is that correct?

MR. MACH: Correct, yes.

CHAIRPERSON SIAVELIS: Two for Lot 11, three for Lot 12, the corner lot, correct?

MR. MACH: Correct.

CHAIRPERSON SIAVELIS: Okay, Mr. Cochran, you now have the floor.

MR. COCHRAN: Thank you. Yes, so we studied the lot before we purchased it and we spent time with all the neighbors and had evaluated all the corner lots on all the corners in the neighborhood with a lot of commitment, and everybody seems like they're on board to have it. Basically, this lot after it's subdivided would be equal to all of the lots in all of the corners surrounding it on that block and several surrounding neighborhood blocks in the area.

So, I know that these subdivisions were done and that the zoning

was done after the subdivisions were done. But within keeping with the norm of the neighborhood, we felt it was a good risk, you know, to make the purchase, to do this subdivision, not necessarily to get it subdivided, but to get the variances to do the properties. Like I said, we did talk to the neighbors and everybody is excited and happy.

We plan on doing basically a couple of farm-looking homes. The one on the corner to the northeast is a farm home as well, so it would be complementing to the neighborhood. So, we're kind of very excited about the project and I hope you guys are, too. I'm here for any questions or comments.

CHAIRPERSON SIAVELIS: Okay, Joe, do you have any questions for Mr. Cochran?

COMMISSIONER SELBKA: Yes, I did have a few. So, was this, were the two lots that you're trying carve out, were they originally two lots with two PIN numbers? Or was this always one lot and now you're breaking it up into two lots?

MR. COCHRAN: It was always two PIN numbers. All of those lots in that neighborhood were all divided, Derek might have to correct me, but I believe they were all originally divided equally.

MR. MACH: That's correct. They are two separate parcels. They are separate PIN numbers for the subject zoning lot. It's one zoning lot, but it's comprised of two parcels.

COMMISSIONER SELBKA: Okay, and then I've got a little bit of a bigger concern with Lot 12 than Lot 11. Lot 12 you're asking for a width reduction of approximately a third of what would ordinarily be required. Then the setback, you're reducing to approximately 45 percent of what is typically required. Is there any way you can build this lot without variations that large?

MR. COCHRAN: We've designed the homes on the lots already to be like 3,000 square-foot to meet all the rear yard and other side yard setbacks and within keeping with what the other homes are in the neighborhood, especially the one on the northeast corner across the street from that one which is the most identical in size and probably distance from the setbacks.

COMMISSIONER SELBKA: Then, okay, so at the time -- all right. So, there's no other way to build a house without variations this large is what you're saying?

MR. COCHRAN: I mean, we could put something like really skinny, like a 20-foot lighthouse in there that would look kind of odd in the neighborhood to meet the setback on the side yard. I should say, I guess it's the roadside setback on that side. I don't know that we would ever get an odd-looking house like that through the Design Commission.

COMMISSIONER SELBKA: Right.

MR. COCHRAN: That would be kind of a tough design to really be 20 feet wide. Typically, it would be at least 30 feet wide to make, you know, but people are expecting, you know, a new home these days to make their rooms and all their areas work the way they want them.

COMMISSIONER SELBKA: And you said that you've spoken to all the neighbors around these two lots?

MR. COCHRAN: Yes, Kevin -- I'm sorry.

Kevin, the architect, Purdom, he's also online. Him and I have spoken to several of the neighbors and kind of gave them the heads up as to what we're

wanting to do. Nobody had raised issues with any of the divisions that we're talking about here. It is what's in keeping with the rest of the neighborhood. All the lots would be identical then.

COMMISSIONER SELBKA: Well, I mean, these are big asks, but I'd like to hear from the neighbors if there are anybody who'll want to speak. I don't know, Derek, anybody else, any of the community members waiting to speak on this matter? But since there are no, if there are no objections, I guess I would be in favor of this because it seems like it is hard to build two houses on these two lots in accordance with the current zoning code.

Is anyone else going to speak on this matter?

CHAIRPERSON SIABELIS: So, Joe, I share your concern, at least initially when I looked at this. I was thinking five variances sought for arguably, you know, two lots. That is a big ask, but Mr. Cochran has done a reasonably good job explaining what the needs are and what the constraints are. If you wear the hat of an -- it's hard to argue with how he's responding and the logic and rationale.

I did notice that, you know, Design Commission is obviously a little further down the path or down the road here for Mr. Cochran to move forward with this project. Engineering doesn't have any issues and doesn't have any comments on it and, you know, my concerns have largely been addressed, but like you, I'd like to hear from the neighbors if anybody has signed in to participate here. It would be good to get their take on it and see what their feedback is if any.

But before we do that, I want to see if there's any Board members with any questions to Mr. Cochran or any points they'd like to raise?

COMMISSIONER DIVITO: One question I have real quick is around the sidewalks in that neighborhood. So, it looks like that block, the sidewalks die right at those corner lots. The house to the north doesn't have one, but the house directly to the east of that does have one. So, is there any plans on building a sidewalk to kind of go eastward off of that corner lot?

MR. COCHRAN: I haven't done the engineering a 100 percent yet. We're working it out with the engineer. We've kind of pulled back to see before we spend a lot of money on engineering; we're waiting to see what your take was going to be on this. There are no sidewalks I believe on that street, across the street, or a five-foot one on our lot. It would be a dead end at the end of the lot.

CHAIRPERSON SIABELIS: Are you saying that because there's no sidewalks running parallel to, that's Clarendon, right?

MR. COCHRAN: Yes. I believe that there's no sidewalk line east and west on Clarendon on that whole --

COMMISSIONER DIVITO: There's one segment on the other side of the block closer to St. Peter's that does have one, but it dies at the house directly across the street from you.

MR. COCHRAN: On the north side of the street?

COMMISSIONER DIVITO: On the north side, correct. But there's nothing on the south side whatsoever that gives a clear and safe path to St. Peter's.

MR. COCHRAN: I mean, we've built some homes in the past that, for instance on Charles, we did one years ago. It was actually my house, and I was the only sidewalk on the entire street until you got to the corner. It was kind of odd but, you know,

if Engineering wants it, if you guys request it, we can certainly do it, but it wouldn't be consistent with the neighborhood on that street, on that corner.

COMMISSIONER DIVITO: Would still look awkward, yes.

MR. MACH: Chairman, I would defer to Engineering, and that is if the Zoning Board is supportive of the variations, that is something that would be addressed at time of permit. They may be required to address the sidewalk at that time.

CHAIRPERSON SIAVELIS: Yes, understood.

COMMISSIONER DIVITO: Thanks, Derek.

CHAIRPERSON SIAVELIS: Yes, Dave, do you have any questions specific to the five variances sought for Mr. Cochran?

COMMISSIONER DIVITO: No. Otherwise, you know, I see that it's very reasonable. So, you know, I'm interested to hear if anybody else has any other further comments.

COMMISSIONER LANAGHAN: Yes, I have a couple, Peter, if I can jump in.

CHAIRPERSON SIAVELIS: Yes, sure, go ahead.

COMMISSIONER LANAGHAN: One of the questions I would have is the setback on Lot 12, there's quite a large setback it looks like, or quite a large right-of-way anyway off of Clarendon. How big is that? Because that kind of acts as part of the yard even though it's not technically in that, you know, the lot itself. Does anybody have any idea how large that right-of-way is over there?

MR. COCHRAN: I do not know the dimensions, but it's going to be within the average setback of the surrounding homes from the side yard.

COMMISSIONER LANAGHAN: Got you. So, you're basically designing the plan, Mr. Cochran, to be the average setback of everything else along Clarendon there, is that kind of what you're trying to work out?

MR. COCHRAN: Yes, it is.

COMMISSIONER LANAGHAN: All right. Yes, I'm not a huge fan of making such a big variance to the zoning code. Obviously, these lots were made at a time before the zoning code was changed, however. So, if we're actually going to try to keep the neighborhood in tact, I kind of think the direction he's taken makes more sense maybe than a strict interpretation of the code at this point in time.

CHAIRPERSON SIAVELIS: Okay.

COMMISSIONER GEISEL: I think splitting this into two lots and homes that are reasonable in size would honestly be preferable to what otherwise could be constructed, if you will. He's not asking for relief or variances relative to buildable area or FAR. So, I think while the numbers are not small relative to the setbacks, they are consistent with the adjoining properties and, therefore, it's actually, you know, a reasonable request in that light.

CHAIRPERSON SIAVELIS: Yes. So, Joe, you are alluding to the potential for a quite large house replacing this existing house given that, you know, this is two parcels, two lots, a very large home could be built that would essentially dwarf the neighboring homes.

COMMISSIONER GEISEL: Correct, and that would be very inconsistent relative to the entire neighborhood. So, I think building on two lots with homes that are apportioned correctly actually is in the benefit of the neighborhood and would look

appropriate relative to what otherwise could be constructed.

CHAIRPERSON SIAVELIS: That's a really good point.

Okay, any other comments from Board members?

COMMISSIONER DRAKE: Yes, Peter. I had some doubts going into this, but I think the Petitioner has made a good case or a reasonable case. I think all these thoughtful comments from the other folks on the Board would lead me to support this. If there's anybody in the audience that has a comment, I'd like to hear, but I'm in favor of it at this point.

CHAIRPERSON SIAVELIS: All right, great. Thanks, Tom.

I'm about to ship this over into that stage where we're going to seek comments from the audience if any. But before I do that, is there any other Board member who would like to speak at this phase?

(No response.)

CHAIRPERSON SIAVELIS: Okay, hearing none, let's move to the phase where comments from the audience can be received. Again, audience members, click on the Raise Your Hand icon or button if you want to speak. Now is the time. If not, we will proceed to the next phase.

(No response.)

CHAIRPERSON SIAVELIS: Derek, is there anybody from the audience who wishes to speak?

MR. MACH: I'm not showing any hands at this time.

CHAIRPERSON SIAVELIS: Okay. All right, let's move then to the next phase, it's deliberation of the Board members. We've kind of done that a bit here de facto.

Joe Geisel, why don't you -- actually, I'm sorry, Joe Selbka, why don't you lead us off here on deliberations, being mindful of what has transpired in the last five or ten minutes.

COMMISSIONER SELBKA: Well, I did have my doubts when I first reviewed this variance request, but the builder's presentation I thought and the comments from the other Board members, especially Joe Geisel, have convinced me that I think this is probably the best for the neighborhood. I think there is a hardship because when these lots were created there was a different zoning code in place. It would be very difficult to build two houses on these lots under the current zoning code without these variances or similar variances. Therefore, I would be in favor of these variance requests.

COMMISSIONER GEISEL: Well said, Joe.

CHAIRPERSON SIAVELIS: Great, is there a motion?

COMMISSIONER GEISEL: Motion.

COMMISSIONER SELBKA: Second.

CHAIRPERSON SIAVELIS: Derek, roll call, please.

MR. MACH: Mr. Drake.

COMMISSIONER DRAKE: Yes.

MR. MACH: Mr. Geisel.

COMMISSIONER GEISEL: Yes.

MR. MACH: Mr. Lanaghan.

COMMISSIONER LANAGHAN: Yes.

MR. MACH: Mr. Selbka.

COMMISSIONER SELBKA: Yes.

MR. MACH: Mr. Divito.

COMMISSIONER DIVITO: Yes.

MR. MACH: Chairman Siavelis.

CHAIRPERSON SIAVELIS: Yes.

Congratulations, Mr. Cochran. The five variances sought have been approved.

MR. COCHRAN: Well, thank you, gentlemen. I'd love to eventually, hope to make a warming couple of homes on that corner lot as we have done in the past and I appreciate your support.

CHAIRPERSON SIAVELIS: Certainly.

(Whereupon, the public hearing on the above-mentioned petition was adjourned at 8:01 p.m.)

DRAFT



**Zoning Board of Appeals
9/14/2020**

Item: 216-220 W. Campus Dr. - 8/18/20

Department: Planning & Community Development

ATTACHMENTS:

Description	Type
216-220 W. Campus Dr. - 8/18/20 Minutes	Exhibits
216-220 W. Campus Dr. - 8/18/20 Findings	Minutes

ZONING BOARD

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

OF APPEALS

RE: 216-220 WEST CAMPUS DRIVE - ZBA #20-020

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Zoning Board of Appeals taken virtually in response to the
COVID-19 pandemic, which permits the public to fully participate via their
computers or using their phones, on the 18th day of August, 2020 at the hour of
8:01 p.m.

MEMBERS PRESENT:

PETER SIABELIS, Chairperson
DAVID DIVITO
THOMAS DRAKE
JOSEPH GEISEL
JOSEPH SELBKA
JEFF LANAGHAN

ALSO PRESENT:

DEREK MACH, Development Planner

CHAIRPERSON SIAVELIS: Moving on, next item up for consideration is 216-220 West Campus Drive, ZBA Reference No. 20-020.

Derek, I think you have it up on the screen. Actually, Derek, we'll let you identify this and then we'll go to the presenter, okay, and swear the presenter?

MR. MACH: Thank you, Chairman.

The Petitioner is proposing to modify the existing parking lot in order to gain additional parking spaces. The subject site is zoned M-1 Limited Manufacturing District. In order to add additional parking spaces, the Petitioner is requesting variances for locating parking in the required front yard.

The Petitioner is also requesting a variance to forgo the required three-foot high landscape screening adjacent to the parking lot along Campus Drive. The Petitioner has indicated, however, that they are amenable to pursuing an easement for the landscape screening within the Village right-of-way subject to the Petitioner being responsible for the maintenance of the plant material. In addition, the Petitioner is requesting a variance for no landscaped islands at the ends of the proposed parking rows located in the southwest corner where landscaped islands with the four-inch caliper shade trees are required.

The Petitioner is requesting a variance from Chapter 28, Section 10.2-11.2 for nine parking spaces located in the required front yard at the 216 West Campus Drive. Then 220 West Campus Drive they're requesting a variance again from Chapter 28, Section 10.2-11.2 for 12 parking spaces located in the required front yard. In addition, they're requesting a variance from Chapter 28, Section 6.15-1.2(b) for no landscaped islands at the end of the proposed parking rows located in the southwest corner where landscaped islands with a four-inch caliper shade tree is required.

Thank you, Chairman.

CHAIRPERSON SIAVELIS: So, Derek, just to confirm, three variances sought, correct?

MR. MACH: Correct.

CHAIRPERSON SIAVELIS: One for 216 West Campus Drive, and then two for 220 West Campus Drive, correct?

MR. MACH: Yes, that's correct.

CHAIRPERSON SIAVELIS: Thank you, appreciate that.

All right, can the person speaking on behalf of this variance identify him or herself please?

MR. LIRA: Gary Lira, Lira & Associates, architects. I'm here with Gordon Schroll.

CHAIRPERSON SIAVELIS: Okay, Gary, are both of you going to speak tonight or just you or --

MR. LIRA: Both of us will.

CHAIRPERSON SIAVELIS: Okay, Gary, let's start swearing you in and we'll go from there, okay?

(Witness sworn.)

CHAIRPERSON SIAVELIS: Great, thank you.

Mr. Schroll, can you raise your right hand please, too?

MR. SCHROLL: Yes.

(Witness sworn.)

MR. SCHROLL: Sorry, I got in the screen there.

CHAIRPERSON SIAVELIS: Yes, I got you. All right, thank you.

All right, so, gentlemen, you have the floor. Please proceed.

MR. LIRA: Yes, so what Gordon is trying to do is obtain some additional parking for his two properties that he has up here on the north side which is a commercial neighborhood.

In 220, that's the one that has what we're calling the hardship because of the cul de sac that comes in and takes out a big swath of his property. So, in order to gain some additional parking spaces, we're looking to go into the front yard there kind of around that cul de sac. We are putting some landscaping that meets the three-foot landscaping in front. We're just asking to potentially go in the front yard setback.

In 216, that's the property to the south, we're looking to again go into the front yard with nine additional spaces. Again, we're dealing on this one, where the cul de sac does come and slightly cuts it, but we're dealing with an existing building that Mr. Schroll bought, how long ago?

MR. SCHROLL: Year-and-a-half.

MR. LIRA: Year-and-a-half ago that prior to that was vacant for a little over a year. So, what we're doing is trying to work with that existing structure to provide this building with more current number of spaces. When Mr. Schroll is going to be putting that front yard parking in, we will be doing a landscape buffer in the front on the western edge of the parking spaces as you can see. The islands that we didn't get on the 216 on the south end, we do have a small island there, but not the size that the Village is, the minimum size the Village is requiring. So, we do have an island there.

As far as affecting the neighborhood, it's in context with the neighborhood because it is a commercial spot, a lot of parking in front. I believe there is one property on University, maybe 905, Derek can correct me, that they seek a variance very similar to this with a lot more spots. Gordon and ABC has a very public image. When you come by their property, you'll see their property is well maintained, their trucks are well maintained, and their image is well maintained. So, this property and this variance will be well maintained with their landscape, and that meets the spirit of the code.

Two things I want to address. I don't know if we need a variance for this, Derek, but when I spoke to Engineering is that on 216, the existing drive aisle is 18 feet or 19 feet two inches or something, and we're maintaining the existing drive aisle, but that is not current code. New parking spaces at 216 are 18 feet and I think the code is 19 feet, is that correct, Derek?

MR. MACH: Correct. The drive aisle is existing non-conforming.

MR. LIRA: Correct, and then is the minimum for a parking spot 19 feet?

MR. MACH: 18 feet depth is required for code.

MR. LIRA: Perfect, so we don't need a zoning variance there, strike that.

CHAIRPERSON SIAVELIS: All right, anything else, sir, you'd like to present before getting some questions from the Board?

MR. SCHROLL: I think Gary spoke to how we like to do things and how

image is very important to us. We've invested moderately in the grounds and, you know, we would want to make sure this looks good when we're done, too.

CHAIRPERSON SIAVELIS: Understood.

Tom, do you have any questions for the Petitioner?

COMMISSIONER DRAKE: Yes, I do. Thank you, Mr. Chairman.

Gentlemen, I thought you mentioned ADT? What are the businesses at those two addresses?

MR. LIRA: ABC.

COMMISSIONER DRAKE: It's just one company?

MR. SCHROLL: Yes. Well, so at 216 is ABC Plumbing, Heating, Cooling & Electric. At 220, there are three other tenants as well as ABC.

COMMISSIONER DRAKE: Okay, do you think that all the remote work that's being done because of the pandemic, does that in any way affect these businesses and the number of people that would normally be coming in and out of there, maybe are working remotely now and could affect the number of spaces you need?

MR. SCHROLL: So, I think the impact, the people that are in this particular building, the 220 building right now in fact is pretty minimal here as opposed to the businesses that demand, kind of essential service businesses. So, it really hasn't had a big deal of impact. There's a couple of people working remotely, but not too many.

COMMISSIONER DRAKE: Okay, and you mentioned in your petition that you had looked at some other options but ruled those out. Could you just mention what those were?

MR. LIRA: Well, we tried to look at re-configuring the spacing so that we did not need to go into the front yard setback, and it just was not feasible for Gordon and ABC.

COMMISSIONER DRAKE: Okay, and you had mentioned that there would be no issues as far as you know with any of the surrounding businesses there because of the way that that area is zoned?

MR. LIRA: Correct.

COMMISSIONER DRAKE: How long has ABC been located at that property?

MR. SCHROLL: Five-and-a-half years.

COMMISSIONER DRAKE: Five-and-a-half years, okay.

MR. SCHROLL: Five-and-a-half years at the one building and about a year-and-a-half at the other one.

COMMISSIONER DRAKE: Okay, and has your business been growing as far as you know, I mean, the need for more spaces?

MR. SCHROLL: Yes. Yes, it's a growing business.

COMMISSIONER DRAKE: Those are the main questions I have. I don't know if any of the other Board members have questions or comments.

CHAIRPERSON SIAVELIS: Thanks, Tom. I personally do not have any other questions, but let's see if other members of the Board have.

COMMISSIONER LANAGHAN: I have one, Peter, if you don't mind.

CHAIRPERSON SIAVELIS: Go ahead.

COMMISSIONER LANAGHAN: Gentlemen, are both of those buildings

completely occupied at this point in time?

MR. SCHROLL: Yes.

COMMISSIONER LANAGHAN: Okay, thank you.

COMMISSIONER DIVITO: The one question for me is, it possible to consider removing that little turnabout since you are the property owner of the two properties? Is that Village land right there?

MR. SCHROLL: That's Village land.

COMMISSIONER DIVITO: Okay, just checking, because that would alleviate a lot of those issues.

COMMISSIONER DRAKE: I do have an additional question, gentlemen. Are you aware of the comments that Engineering, they had no objection, but they had a comment about providing an exhibit on vehicle turn movements?

MR. LIRA: Yes. So, I talked with Mr. Pagones with the Engineering Department in regards to that. His concern was the drive aisle of 216 that I brought up that was 19 feet four inches, plus or minus. That's what I informed Mr. Pagones that that is the existing drive aisle that is non-conforming and we're maintaining that. As I spoke with Mr. Pagones, I said if it works now, it's going to work if we have a car there.

The new proposed parking spaces that we have are actually wider. We designed those to be nine-foot 18 inches in width versus nine-foot, so that way the western new parking spots will have an easier turn. Mr. Schroll does have a video of somebody parking, backing out of the existing spaces, and you can see how they can back up within the existing non-conforming aisle space. If you'd like to see the video, he can pull it up for you.

COMMISSIONER DRAKE: Yes, I don't think that would be necessary.

Derek, would that satisfy what the Engineering group is looking for as far as some kind of exhibit?

MR. MACH: Yes. If the ZBA is supportive of the variance, at time of permit they're going to have to demonstrate and provide that exhibit which I hear they're willing to do.

CHAIRPERSON SIAVELIS: Okay, any other comments from Board members?

(No response.)

CHAIRPERSON SIAVELIS: All right, hearing none, let's move to the phase where any comments from the audience are presented. So, again, audience, if you would like to be heard on this petition, please click on the Raise Your Hand button or icon and you will be given a chance to speak. If not, we'll move to the next phase.

(No response.)

CHAIRPERSON SIAVELIS: Derek, are you detecting anyone?

MR. MACH: I'm not showing any hands at this time.

CHAIRPERSON SIAVELIS: Okay, let's move on then to deliberation of Board members.

Tom, do you want to commence those deliberations?

COMMISSIONER DRAKE: Sure, thank you.

I think they've done a good job of presenting the petition and justifying what they want to do. You know, I think we all want to be supportive of

businesses that are growing in Arlington Heights and helping them with the things that they need to do that. There were no objections from any of the three Staff Departments; they were supportive. They had some comments, but no objections.

So, I think this is a request that I would support and, you know, would hope that the other Board members would as well.

CHAIRPERSON SIAVELIS: Tom, I agree wholeheartedly with your comments, and I think it is important to recognize the importance of supporting local businesses, especially when they make all the showings and they jump through all the procedural requirements. These are tough times we're dealing with here and I'm happy to see businesses surviving and doing well in our community and I will support them as best as I personally can.

So, I am in support of the variances sought here.

Anyone else?

COMMISSIONER LANAGHAN: I'll jump in. Yes, I agree. I think they've done a nice job. I agree with Commissioner Divito, had the Village not put the cul de sac there, I think this would have worked a lot easier. But I think, you know, what they've done to try and solve the problems while maintaining the businesses here in Arlington Heights are to be commended.

I do have concerns about the 19-foot-and-change drive aisle. As a developer, you know, that would be very uncomfortable, even where I'm trying to squeeze an extra parking stalls. So, I do think it would be -- down the road. So, I would certainly ask them to look at, you know, eight inches is not going to quite do it in my opinion, but I'll let Engineering stop that down the road.

COMMISSIONER GEISEL: Just to confirm, I believe that that was confirmed as existing non-conforming, so that in and of itself is not a request that they're making.

COMMISSIONER LANAGHAN: Understand.

CHAIRPERSON SIAVELIS: Okay, any other comments from Board members?

(No response.)

CHAIRPERSON SIAVELIS: Do we have a motion?

MR. MACH: Chairman, if the Zoning Board is supportive of the variations, Staff would recommend that a condition be included that the Petitioner pursue a landscape, locating the landscaping, you know, within the right-of-way, assuming there's no utility conflicts or things like that.

CHAIRPERSON SIAVELIS: Derek, is that request in the materials that are provided to us?

MR. MACH: They have indicated that they're amenable to that condition. Yes, and this has been done elsewhere in this area.

CHAIRPERSON SIAVELIS: Right. Let me just clarify something. Of the materials that were presented to the Board here, is that request enumerated? Is it presented there, including those materials?

MR. MACH: Just outlined in the Staff analysis.

CHAIRPERSON SIAVELIS: Okay, can you display that real quick? Because if we're going to condition a variance on that, I just want to make sure we know

exactly what we're going to condition.

MR. MACH: Sure.

CHAIRPERSON SIAVELIS: And it probably makes sense to hear what the Petitioners have to say on that condition.

Can you highlight it?

MR. MACH: Can you see that?

CHAIRPERSON SIAVELIS: Yes. Can you maintain that highlight just such that we can call Mr. Lira and Mr. Schroll's attention to it and get their affirmation and agreement?

MR. MACH: Sure.

CHAIRPERSON SIAVELIS: So, gentlemen, let me read this into the record, right, so we're aligned here and we don't have a miscommunication here.

Derek, can you just scroll to the top of this page just so the record is going to be clear? Okay, so a little higher, Derek, please? Just scroll to the title of this page just real quick again.

Okay, so what we're referring to here is the Staff analysis page. On the Staff analysis page, under the section entitled Requested Action/Background Information, there is a sentence that reads as follows: The Petitioner was also requesting a variance to forgo the required three-foot high landscape screening adjacent to the parking lot along Campus Drive; however, the variation is no longer necessary since the Petitioner has indicated that they are amenable to pursuing an easement for the landscape screen within the Village right-of-way subject to the Petitioner being responsible for the maintenance of the plant material.

MR. LIRA: Yes, Commissioner Siavelis, that's my fault on that because I didn't pick that text up in there. I would have called Derek to tell him to strike that because if you look at the plans that we prepared, we had a three-foot high landscape buffer in the plan that Mr. Schroll is willing to maintain and put in there. So, I should have caught that discrepancy.

MR. SCHROLL: So, for the record, yes, we're very willing to put the landscape in and take care of the landscaping there.

MR. LIRA: And I believe it's shown on my diagram.

CHAIRPERSON SIAVELIS: Say that last part again, Gary?

MR. LIRA: I believe it's shown on my diagram.

CHAIRPERSON SIAVELIS: Okay, so then you're in agreement then with the language here that we write in this sentence, is that correct?

MR. LIRA: Yes.

MR. SCHROLL: Yes, we are.

CHAIRPERSON SIAVELIS: Okay, Derek, with that in mind, with that affirmation provided by the Petitioner and his architect, does that satisfy the Staff's concern and the Village's concern that you raised a couple of minutes ago?

MR. MACH: Yes. However, I mean, Staff will coordinate with the Petitioner because, you know, certain approvals will be necessary.

CHAIRPERSON SIAVELIS: Understood. At this point, at this juncture, it's copasetic, right, what the Petitioner said pending further consideration by the Village?

MR. MACH: Yes, correct.

COMMISSIONER DRAKE: Derek, can that be just written into the permit process, that language or whatever that requirement is?

MR. MACH: No, ultimately it would be an easement, a landscape easement. So, it would ultimately be Village Board approval.

COMMISSIONER DRAKE: The Village Board, okay.

MR. MACH: Correct.

CHAIRPERSON SIAVELIS: Okay, before I ask or make a call for a motion, Mr. Schroll or Mr. Lira, do you have any final comments directed to this particular issue, this narrow issue? Otherwise, we're going to move on to try and make this --

MR. LIRA: I do not.

MR. SCHROLL: No.

CHAIRPERSON SIAVELIS: Okay, great. Thank you, gentlemen.

Do we have a motion to be made by a Board member?

COMMISSIONER DRAKE: It's my understanding all three of these variance requests can be handled with one motion. So, I would move approval of the petition.

COMMISSIONER DIVITO: I'll second it.

CHAIRPERSON SIAVELIS: Thank you, Mr. Divito.

COMMISSIONER LANAGHAN: Do we need to put in the note or has it already been basically done that, you know, they need to look for an easement with the landscaping?

MR. MACH: The motion should include the condition which the Petitioner has agreed to.

COMMISSIONER GEISEL: So, it's approval of the three requests with the condition that the landscape material to be installed and maintained by the Petitioner.

MR. MACH: Subject to Village Board approval.

COMMISSIONER GEISEL: Subject to Board approval.

CHAIRPERSON SIAVELIS: Right. So, procedurally, gentlemen, we should have a renewed motion with this clarification made so the record is clear.

So, Tom, if you are willing to do such?

COMMISSIONER DRAKE: Sure. I would move approval of the petition with the three variance requests, with the addition that the Village Board approve any easement requirement tied into what needs to be done with the three-foot issue of either landscaping, screening, or whatever they determine.

CHAIRPERSON SIAVELIS: Do we have a second?

COMMISSIONER DIVITO: And I will second that again.

MR. MACH: Mr. Drake.

COMMISSIONER DRAKE: Yes.

MR. MACH: Mr. Geisel.

COMMISSIONER GEISEL: Yes.

MR. MACH: Mr. Lanaghan.

COMMISSIONER LANAGHAN: Yes.

MR. MACH: Mr. Selbka.

COMMISSIONER SELBKA: Yes.

MR. MACH: Mr. Divito.

COMMISSIONER DIVITO: Yes.

MR. MACH: Chairman Siavelis.

CHAIRPERSON SIAVELIS: Yes.

Congratulations, gentlemen. Your three variances have been granted subject to the additional conditions that we discussed. So, that concludes that phase.

MR. LIRA: Thank you, gentlemen.

MR. SCHROLL: Thank you very much.

CHAIRPERSON SIAVELIS: Thank you.

MR. LIRA: Have a good night.

MR. SCHROLL: Really appreciate the support.

CHAIRPERSON SIAVELIS: Take care.

(Whereupon, the public hearing on the above-mentioned petition was adjourned at 8:26 p.m.)

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS August 18, 2020

PETITIONER: 216 & 220 W. Campus Dr.

ADDRESS OF PROPERTY: 216 & 220 W. Campus Dr.

VARIATION: 10.2-11.2, 6.15-1.2b

216 W. Campus Dr: A variation for 9 parking spaces located in the required front yard.

220 W. Campus Dr: A variation for 12 parking spaces located in the required front yard; and a variation for no landscape islands at the end of the proposed parking rows located in the southwest corner where landscape islands with a 4-inch caliper shade tree is required.

The petitioner testified as to hardship, uniqueness of circumstances, and the character of the locality. The petitioner explained that they are proposing to modify the existing parking lot in order to gain additional parking spaces. The petitioner testified that the cul-de-sac takes out a big swath of the petitioner's property and in order to gain additional parking spaces, it is necessary to place in the required front yard. The petitioner explained that they options have been evaluated and that there is a need for additional parking. The petitioner explained that due to site constraints, the only option is to place the parking in the required front yard.

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

Thereafter, a motion was made by Mr. Drake and seconded by Mr. Divito. Thereafter, the Board voted 6-0 to approve the variance request, with a condition for 220 W. Campus Drive that they pursue a landscape easement for the 3' high code required screen in the parkway.

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, with a condition that

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

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

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



**Zoning Board of Appeals
9/14/2020**

Item: 2021 Budget

Department: Planning & Community Development

ATTACHMENTS:

Description	Type
2021 Budget - 8/18/20 Minutes	Minutes

ZONING BOARD

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

OF APPEALS

RE: 2021 BUDGET

REPORT OF PROCEEDINGS had before the Village of
 Arlington Heights Zoning Board of Appeals taken virtually in response to the
 COVID-19 pandemic, which permits the public to fully participate via their
 computers or using their phones, on the 18th day of August, 2020 at the hour of
 7:00 p.m.

MEMBERS PRESENT:

PETER SIAVELIS, Chairperson
 DAVID DIVITO
 THOMAS DRAKE
 JOSEPH GEISEL
 JOSEPH SELBKA
 JEFF LANAGHAN

ALSO PRESENT:

DEREK MACH, Development Planner

CHAIRPERSON SIAVELIS: All right, I think we have one matter, Other Business. Not New Business, not Old Business, but Other Business. That is the budget. Correct, Derek?

MR. MACH: Correct. The budget is consistent with prior years, includes just some administrative items. If the Zoning Board could make a motion recommending the budget as presented?

CHAIRPERSON SIAVELIS: Sure. I do notice that there has obviously been a decline in the budget given the fact that the ZBA members no longer receive that small stipend for meetings attended. That's why you see a disparity when you scan across the columns left to right. Much to my chagrin, there is not a line item there for post meeting cocktails or beers at Peggy Kinnanes or Cortland's Garage. My plea seems to fall on deaf ears each and every year, but such as life (chuckling).

COMMISSIONER DIVITO: It should be noted that under my chairmanship though I did reduce the budget down to about 89 percent of what it was.

CHAIRPERSON SIAVELIS: Too bad we can't have you running the state of Illinois or the city of Chicago.

COMMISSIONER DIVITO: Just saying.

CHAIRPERSON SIAVELIS: We wouldn't be in the fiscal morass that we find ourselves there.

Anyway, Derek, back on target. We digressed dramatically. Are you asking for a motion to be made by one of the members to adopt the budget?

MR. MACH: To submit it as a recommendation to the Village Board.

COMMISSIONER LANAGHAN: Yes, so moved.

COMMISSIONER SELBKA: Second.

MR. MACH: So, I have Mr. Lanaghan and Mr. Selbka.

Roll call, Mr. Drake.

COMMISSIONER DRAKE: Yes.

MR. MACH: Mr. Geisel.

COMMISSIONER GEISEL: Yes.

MR. MACH: Mr. Lanaghan.

COMMISSIONER LANAGHAN: Yes.

MR. MACH: Mr. Selbka.

COMMISSIONER SELBKA: Yes.

MR. MACH: Mr. Divito.

COMMISSIONER DIVITO: Yes.

MR. MACH: Chairman Siavelis.

CHAIRPERSON SIAVELIS: Yes.

MR. MACH: Thank you.

CHAIRPERSON SIAVELIS: All right, I think we can conclude and close out tonight's meeting with an adjournment.

COMMISSIONER DIVITO: I'll motion to adjourn.

COMMISSIONER DRAKE: Second.

MR. MACH: Mr. Drake.

COMMISSIONER DRAKE: Yes.

MR. MACH: Mr. Geisel.

COMMISSIONER GEISEL: Yes.

MR. MACH: Mr. Lanaghan.

COMMISSIONER LANAGHAN: Sorry, had the mute on. Yes.

MR. MACH: Mr. Selbka.

COMMISSIONER SELBKA: Yes.

MR. MACH: Mr. Divito.

COMMISSIONER DIVITO: Yes.

MR. MACH: Chairman Siavelis.

CHAIRPERSON SIAVELIS: Yes.

time. Have a good evening, gentlemen. Thank you very much for your

(Whereupon, the meeting was adjourned at 8:29 p.m.)



Zoning Board of Appeals 9/14/2020

Item: Motion to Reconsider Variations for 1141 N. Chestnut Ave.

Department: Planning & Community Development

On August 18, 2020, the Zoning Board of Appeals granted variations for 1141 N. Chestnut in order to create two buildable lots. However, upon further review of the survey, it was noted that 4 feet was previously deeded to the property to the south; therefore, the variations that were previously granted for Lot 11 on August 18, 2020 were not consistent with the survey. In order to consider variations consistent with the survey, a motion to reconsider the variation for 1141 N Chestnut Ave would be in order.

ATTACHMENTS:

Description	Type
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No Attachments Available



Zoning Board of Appeals 9/14/2020

Item: Reconsideration of Variations for 1141 N. Chestnut Ave

Department: Planning & Community Development

On August 18, 2020, the Zoning Board of Appeals granted variations for 1141 N. Chestnut in order to create two buildable lots. The petitioner is proposing to knock down the existing home and create two buildable lots. The zoning lot consists of two parcels; however, variations are necessary since the parcels (Lot 11 and Lot 12) do not meet the minimum R-3 zoning requirements for lot width and area. For Lot 11, the petitioner received a variation for a 60-foot wide lot, but the lot is 56 feet in width. Upon further review of the survey, it was noted that 4 feet was previously deeded to the property to the south. The variations that were granted for Lot 11 on August 18, 2020 were as follows:

Lot 11 (Standard Interior Lot)

- A variation from Chapter 28, Section 5.1-3.1 (Minimum Lot Size), to allow a lot (Lot 11) with an area of 7,920 square feet to be buildable where 8,750 square feet is required.
- A 10 foot variation from Chapter 28, Section 5.1-3.1 (Minimum Lot Width) to allow a lot (Lot 11) with a width of 60 feet to be buildable where 70 feet is required.

Since the above variations are not consistent with the survey, the variations should be as follows:

- A variation from Chapter 28, Section 5.1-3.1 (Minimum Lot Size), to allow a lot (Lot 11) with an area of 7,397 square feet to be buildable where 8,750 square feet is required.
- A 14 foot variation from Chapter 28, Section 5.1-3.1 (Minimum Lot Width) to allow a lot (Lot 11) with a width of 56 feet to be buildable where 70 feet is required.

ATTACHMENTS:

Description	Type
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Supporting Documents

Exhibits

PETITION for 1141 Chestnut

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

PETITION

NOW COMES the Petitioner Kevin Purdom

being the owner of the property commonly known as: 1141 N Chestnut

and appeals to the Zoning Board of Appeals of the Village of Arlington Heights for a Variation from Section 5.1-3.1

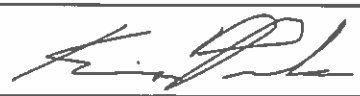
Chapter 28, of the Arlington Heights Municipal Code, in order to: create two separate lots with lot widths of 56'-0" (interior Lot) and 64'-3" (corner lot)

I hereby state that the proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property if the variation(s) were granted (please explain): the proposed plans include new single family residences that will not only be compatible with the existing uses and zoning but will actually fit in better than the existing lot does. On all other blocks in area, the same size lot is split into 2 separate single family lots.

I hereby state that the plight of the owner is due to unique circumstances, which may include the length of time the subject property has been vacant as zoned (please explain): The plight of the owner is that the surrounding corner lots and inner lots are plotted in a similar fashion to what is being proposed. One large vacant home lot can be split and used for two new houses to improve the neighborhood.

I hereby state that the proposed variation is in harmony with the spirit and intent of this Chapter (please explain): By creating two lots with similar lot dimensions to surrounding buildings, we are still respecting the intent and spirit of this chapter of zoning regulations.

I hereby state that the variance requested is the minimum variance necessary to allow reasonable use of the property (please explain): the proposed variance maintains the largest lots in which the single lot can be split into to respect the existing guidelines and does the best possible to keep to the required lot dimensions.

Signed: 

Petitioner

RECEIVED

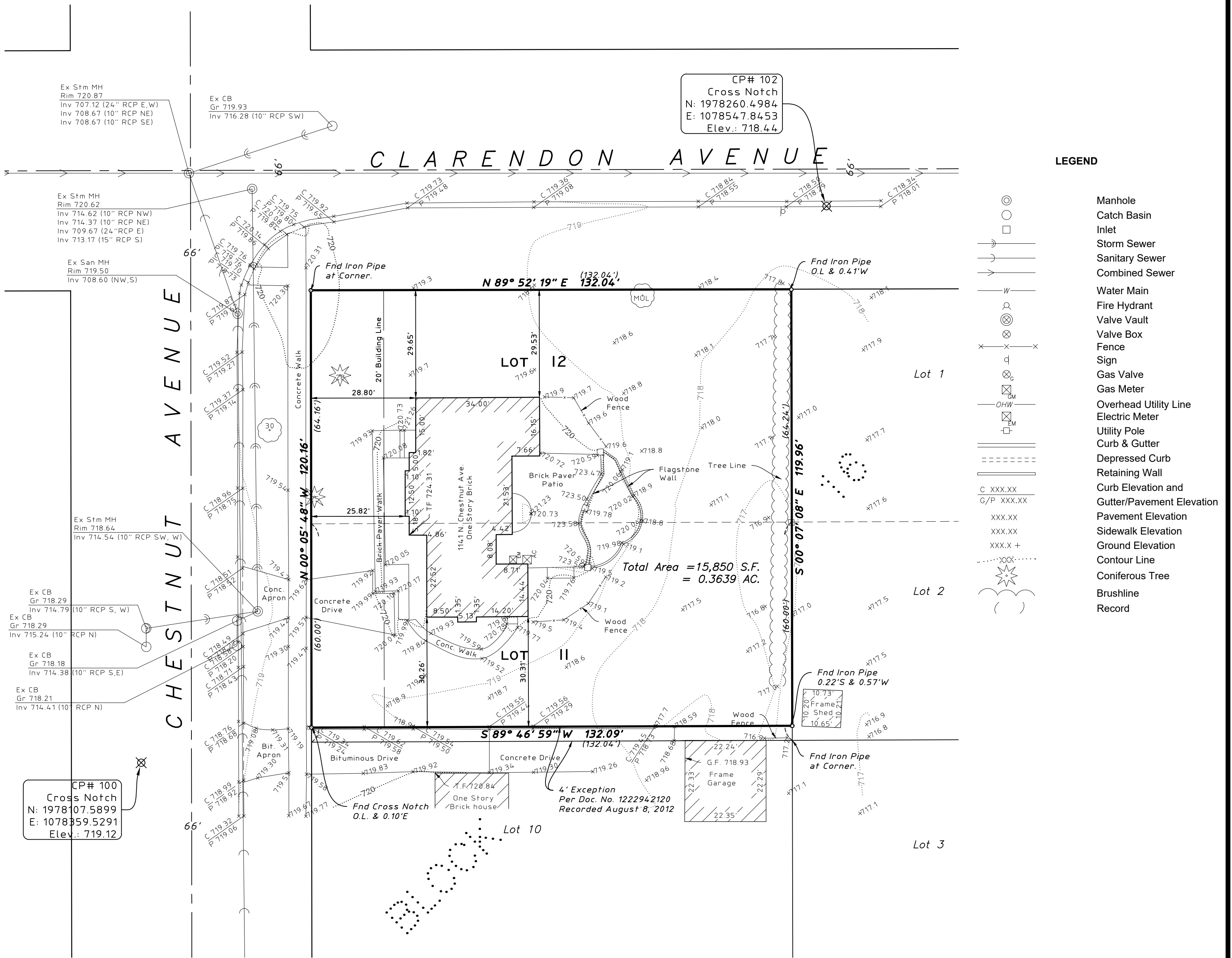
SEP 09 2020

Date: 06/29/2020

**PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT**

LEGAL DESCRIPTION

LOTS 11 AND 12 (EXCEPT THE SOUTH 4.0 FEET OF LOT 11) IN BLOCK 16 IN NORTHWEST HIGHLANDS, A SUBDIVISION OF THE EAST HALF OF THE SOUTHEAST QUARTER (EXCEPT 2 ACRES IN THE EXTREME SOUTHEAST CORNER) OF SECTION 19, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.



Site Benchmark

CP # 100 (See Survey)
Description: Cross Notch
Elevation: 719.12 NAVD 88 (Geoid 12A)

CP #102 (See Survey)
Description: Cross Notch
Elevation: 718.44 NAVD 88 (Geoid 12A)

Surveyor's Notes:

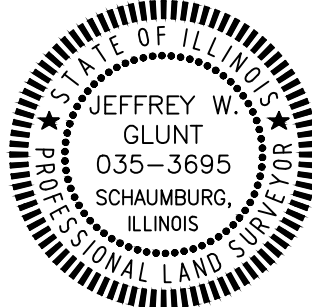
- Field work was completed on June 3, 2020.
- The Horizontal coordinates and basis of bearing shown hereon are based on NAD 83(2012) Illinois East Zone 1201 State Plane Coordinates as referenced from Kara Company's RTK Network.
- The Vertical Datum referenced hereon is based on NAVD 88 (Geoid 12A) as referenced from Kara Company's RTK Network.
- A title commitment policy was not provided for this survey. This property may be subject to easements and/or restrictions not provided to the surveyor prior to the completion of this survey.
- Utility information shown hereon is based upon field measurements, available records. Information from field data is limited to that which is visible and can be measured. This survey does not exclude the possibility of the existence of other underground utilities and/or structures. Record information is based upon data collected from both public and private sources. The completeness and/or accuracy of these records cannot be guaranteed, except for those items that can be verified by field measurement. Prior to any excavation contact J.U.L.I.E (1-800-892-0123).

State of Illinois)
County of Cook) SS:

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

Schaumburg, Illinois June 16, 2020

By: _____ Illinois Professional Land Surveyor No. 3695



Ordered By: JRC Builders
Order No.: 20-080

EXPIRES 11-30-20

BOUNDARY & TOPOGRAPHIC SURVEY

1141 N. CHESTNUT AVE
ARLINGTON HEIGHTS, IL

HAEGER ENGINEERING
consulting engineers • land surveyors
100 East State Parkway, Schaumburg, IL 60173 Tel: 847.394.6600 Fax: 847.394.6608
Illinois Professional Design Firm License No. 184-003152
www.haegerengineering.com

No. Date Revision



0 20
Scale: 1" = 20'

Project Manager: MJA
Drafter: JCH
Date: 06-16-2020
Project No.: 20-080
Sheet: 1/1

SITE SETBACKS (R-3)	REQUIRED	PROPOSED
FRONTYARD	27'-8"	31'-10"
INTERIOR SIDEYARD 10% LOT WIDTH	5.5'	5.5'
INTERIOR SIDEYARD 10% LOT WIDTH	5.5'	5.5'
REARYARD	30'-0"	42'-7"
HEIGHT - MEAN	25'-0"	23'-8"

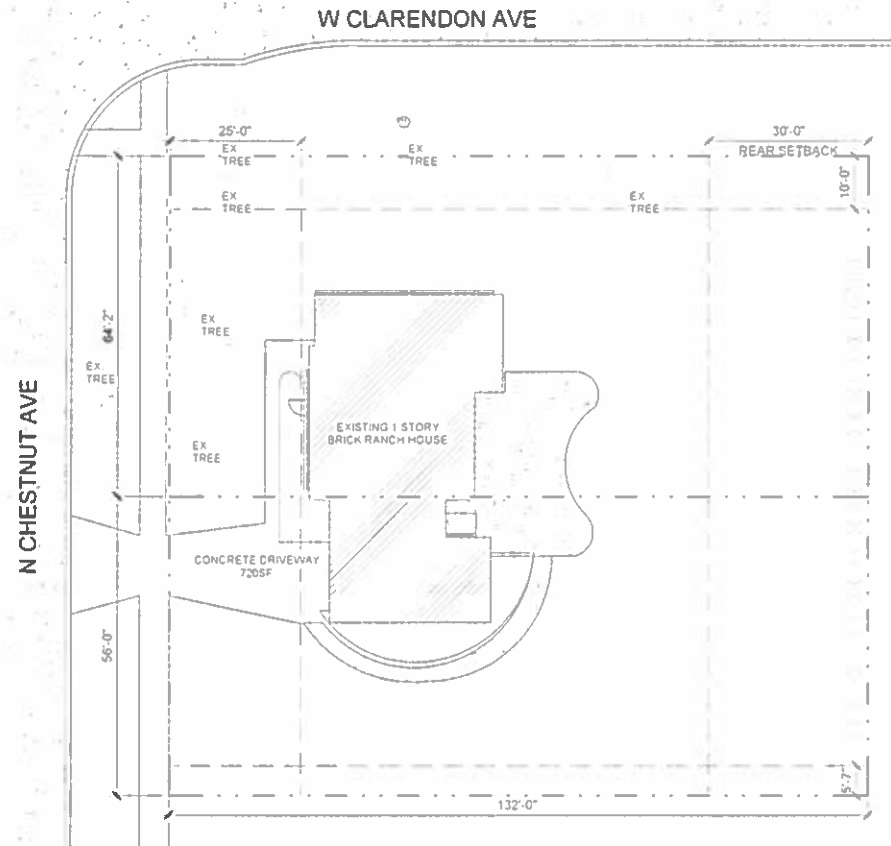
AVERAGE SETBACKS

ADDRESS	FRONT YARD
1141 CHESTNUT (SUBJECT PROPERTY)	25'-7"
1137 CHESTNUT AVE	27'-2"
1133 CHESTNUT AVE	25'-8"
1127 CHESTNUT AVE	29'-4"
1119 CHESTNUT AVE	29'-0"
1111 CHESTNUT AVE	28'-3"
1105 CHESTNUT AVE	29'-4"
216 W OAKTON ST	28'-1"
AVERAGE SETBACK	27'-8"

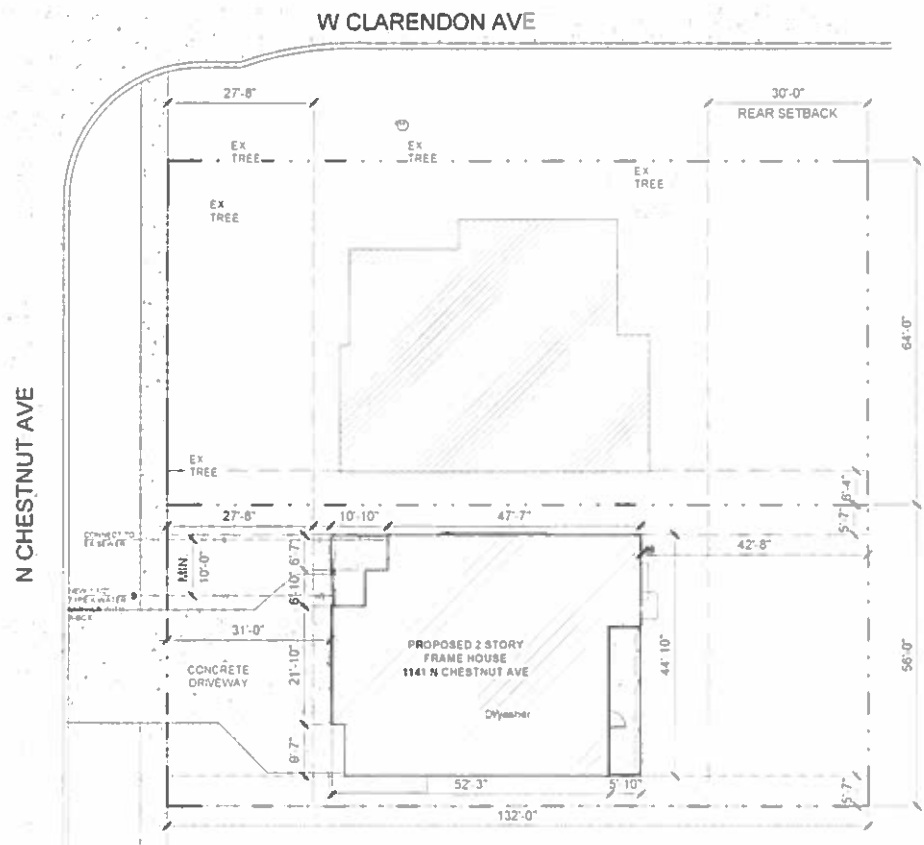
SITE PLAN LEGEND & NOTES

- 1 INFORMATION ON THIS DRAWING IS ACCUMULATED FROM EXISTING DOCUMENTATION AND MUST BE CONFIRMED BY THE CONTRACTOR AND COORDINATED WITH THE ARCHITECT PRIOR TO CONSTRUCTION
- 2 VERIFY LOCATIONS OF ALL UTILITIES AND OTHER BUILDING SERVICES PRIOR TO EXCAVATION
- 3 PROVIDE REQUIRED WORK TO ACCOMMODATE EXISTING UTILITIES OR OTHER BUILDING SERVICES
- 4 PROTECT EXISTING LANDSCAPING DURING CONSTRUCTION TO GREATEST EXTENT POSSIBLE
- 5 PROVIDE TEMPORARY CONSTRUCTION/SECURITY FENCING AROUND ALL OPEN EXCAVATIONS. HEIGHT AS REQ'D BY LOCAL CODES
- 6 VERIFY LOCATIONS OF ALL MATERIAL STOCKPILES AND DUMPSTERS WITH OWNER
- 7 CONTRACTOR TO VERIFY ALL EXISTING CONDITIONS PRIOR TO COMMENCING WITH THE WORK. ANY DISCREPANCIES IN FIELD CONDITIONS ARE TO BE REPORTED TO THE ARCHITECT BEFORE PROCEEDING
- 8 PLEASE NOTIFY THE ARCHITECT IMMEDIATELY IF THERE ARE ANY DISCREPANCIES IN THE CONSTRUCTION DOCUMENTS
- 9 STATE LAW BEFORE DIGGING: CALL JULIE (811 OR 1-800-892-0123) FOR LOCATION OF PUBLIC AND PRIVATE UTILITIES AT WORK SITE. 48 HOUR NOTICE IS REQUIRED.
- 10 THE HOUSE SHALL PASS A BLOWER DOOR TEST AND A COPY OF THE RESULTS SHALL BE PROVIDED TO THE BUILDING DEPARTMENT PRIOR TO SCHEDULING THE FINAL INSPECTIONS
- 11 CONSTRUCTION DEBRIS AND REFUSE CONTAINMENT SHALL BE REQUIRED FOR ALL JOB SITES. CONTAINMENT SHALL OCCUR ON THE PROPERTY THAT IS THE SUBJECT OF THE PERMIT & SHALL BE WITHIN A DUMPSTER, STRUCTURE OR CONTAINER THAT CAN BE COVERED TO PREVENT WINDBLOWN DEBRIS. ALL SUCH DUMPSTERS, STRUCTURES OR CONTAINERS SHALL BE COVERED AT ALL TIMES WHEN NO WORK IS BEING PERFORMED ON THE PROPERTY THAT IS THE SUBJECT OF THE PERMIT.
- 12 ALL DISTURBED PARKWAY/LAWN AREAS WILL BE RESTORED WITH NEW SOD ON 6" OF TOPSOIL. ALL SOD SHALL BE WATERED AS REQ'D TO SUSTAIN GROWTH.
- 13 ALL PARKWAY TREES SHALL HAVE A SNOW FENCE THAT EXTENDS TO THE DRIP LINE. NO TRAFFIC SHALL GO OVER THE ROOT SYSTEM.
- 14 SURFACE DRAINAGE TO BE DIVERTED FROM STRUCTURE SO AS NOT TO CREATE A HAZARD ON THIS OR ADJACENT PROPERTY. GRADE FROM FOUNDATION TO DROP A MINIMUM OF 6" IN 10'-0".
- 15 PROVIDE SWALES OR DRAINS TO ENSURE DRAINAGE FROM STRUCTURE AND ADJACENT PROPERTY.
- 16 TOILET FACILITIES SHALL BE PROVIDED AT ALL JOB SITES PER ILLINOIS PLUMBING CODE. THIS WILL BE A CONDITION OF THE PERMIT.
- 17 PROVIDE AND MAINTAIN A 5'-0" HIGH FENCE ALONG THE FULL LENGTH OF INTERIOR SIDE YARDS UNTIL EXTERIOR CONSTRUCTION IS COMPLETE.
- 18 PROVIDE AND MAINTAIN A 5'-0" HIGH CONSTRUCTION FENCE DURING NON-WORKING HOURS THAT WILL ENCLOSE ALL OPEN EXCAVATIONS UNTIL FOUNDATION IS BACK FILLED & FIRST FLOOR DECK IS COMPLETED.
- 19 ERECT PROTECTIVE SNOW FENCE PRIOR TO ANY CONSTRUCTION ACTIVITY. DO NOT STORE ANY EQUIPMENT OR MATERIALS WITHIN THE PROTECTION AREA. REMOVE THE PROTECTIVE SNOW FENCE ONLY AFTER CONSTRUCTION IS COMPLETE.
- 20 ALL TREES ARE TO BE PROTECTED DURING CONSTRUCTION WITH FENCING FOR EVERY 1" OF TREE DIAMETER. MAINTAIN 1'-0" DISTANCE AWAY FOR FENCING.

	NEW FIRST CONSTRUCTION
	PROPERTY LINE
	SETBACK LINE
	EXISTING CONTOUR TO REMAIN
	EXISTING CONTOUR REMOVED
	NEW CONTOUR



1 SITE PLAN - EXISTING
A1.0 1/16" = 1'-0"



2 SITE PLAN - PROPOSED
A1.0 1/16" = 1'-0"



1275 E DAVIS, ARLINGTON HEIGHTS, IL 60005
PHONE (847) 255-2322
EMAIL JMAJRC@GMAIL.COM
© 2020 COPYRIGHT ALL RIGHTS RESERVED

NEW SINGLE FAMILY RESIDENCE

1141 N CHESTNUT AVE
ARLINGTON HEIGHTS, IL
60004

DATE
09/08/2020

ISSUE DATE
09/08/2020 1 - DESIGN REVIEW
REV01

RECEIVED
SEP 09 2020
PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT

THESE DRAWINGS ARE NOT FOR CONSTRUCTION AND ARE FOR CONCEPT ONLY. DIMENSIONS, HEIGHTS, AND WALL LOCATIONS TO BE VERIFIED.

SHEET TITLE
SITE PLAN

SHEET NUMBER

A1.0



Zoning Board of Appeals 9/14/2020

Item: 1252 N. Yale Ave. - ZBA#20-021

Department: Planning & Community Development

REQUEST

1. A 12-foot variation from Chapter 28, Section 5.1-3.2d (Required Minimum Yards – Rear Yards) to allow a rear yard setback of 18 feet where 30 feet is required.
2. A 716 square-foot variation from Chapter 28, Section 5.1-3.3 (Maximum Floor Area Ratio) to allow a maximum square-footage of 4,650 square-feet where 3,934 square-feet is the maximum allowed by code.
3. A 124 square-foot variation from Chapter 28, Section 5.1-3.4a (Maximum Building Lot Coverage) to allow building lot coverage of 3,184 square-feet where 3,060 is the maximum allowed by code.
4. A 109 square-foot variation from Chapter 28, Section 5.1-3.be (Maximum Impervious Surface Coverage) to allow impervious surface coverage of 4,480 square-feet where 4,371 square-feet is the maximum allowed by code.

ATTACHMENTS:

Description	Type
Supporting Documents	Exhibits

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: September 14, 2020
Date Prepared: September 8, 2020
Project Title: Corley Residence
Address: 1252 N. Yale Avenue

Background Information

Petition Number: ZBA #20-021
Petitioner: Robert Flubacker
Address: 1835 Rohlwing Rd. Suite B
Rolling Meadows, IL 60008

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

Requested Action/Background Information

On February 11, 2019 the Zoning Board of Appeals approved variations for the subject site. Pursuant to Chapter 28, Section 12.1d 'No order of the Board permitting the erection or alteration of a building shall be valid for a period longer than one year, unless a building permit for such erection or alteration is obtained within such period and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit'. Since a year has passed, the approvals from the Zoning Board of Appeals are no longer valid. The petitioner is returning with essentially the same project with a slight reduction to the Floor Area Ratio and the Building Lot Coverage.

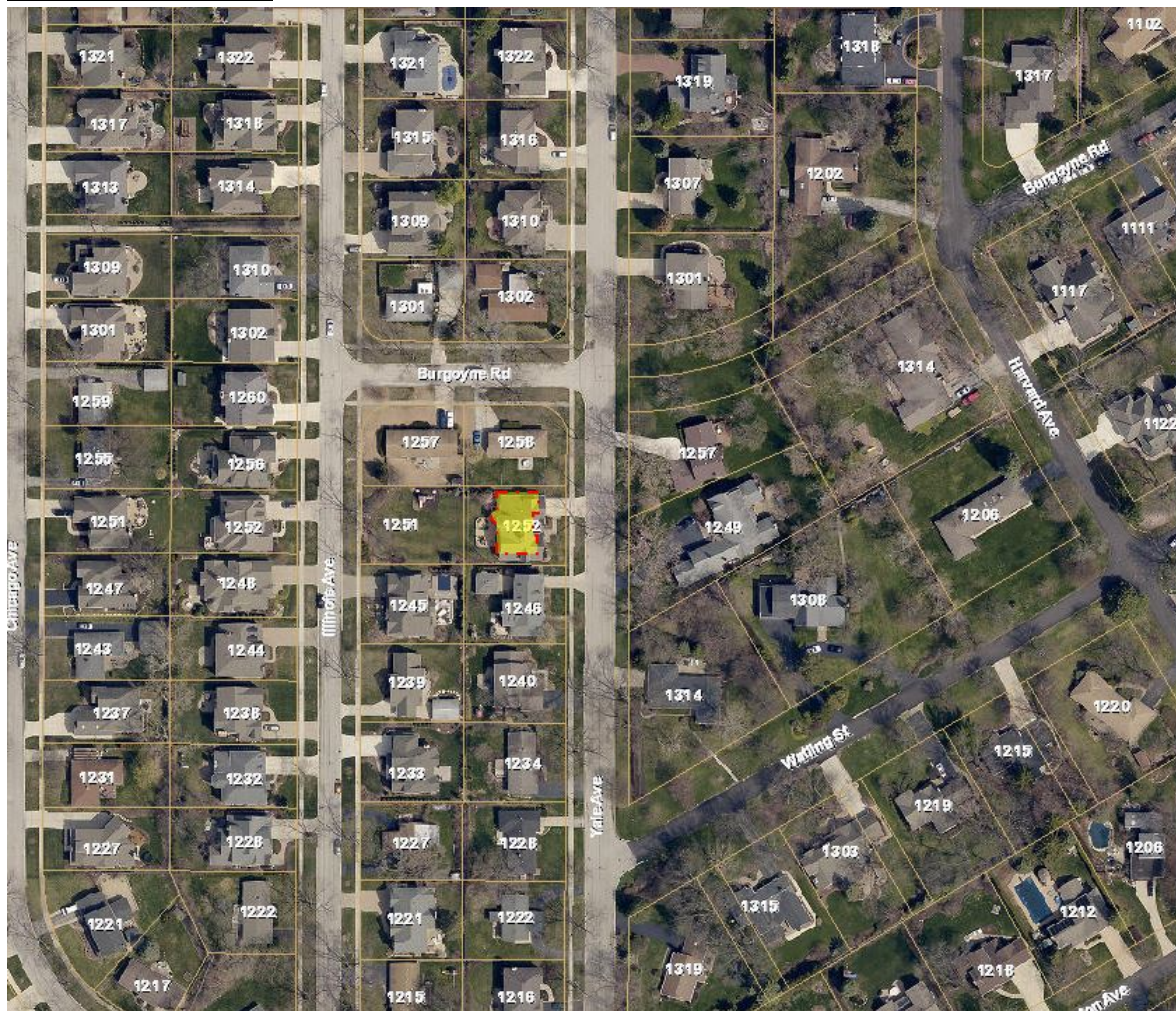
The subject property is zoned R-3, One-Family Dwelling District and includes a single-family home, that is approximately 3,900 square feet. The property has a total land area of 8,743 square-foot and a lot width of 82 feet. The petitioner is proposing to add an addition to the rear of the existing home. However, this would result in a rear yard setback of 18 feet where 30 feet is required and a total floor area of 4,650 square-feet where a maximum floor area of 3,934 square feet is permitted. Also, the addition would result in a building lot coverage of 3,184 square-feet where 3,060 square feet is permitted, and 4,480 square-feet of impervious surface coverage where 4,371 square-feet is allowed. Therefore, the petitioner requests the following variations:

- A 12-foot variation from Chapter 28, Section 5.1-3.2d (Required Minimum Yards – Rear Yards) to allow a rear yard setback of 18 feet where 30 feet is required.
- A 716 square-foot variation from Chapter 28, Section 5.1-3.3 (Maximum Floor Area Ratio) to allow a maximum square-footage of 4,650 square-feet where 3,934 square-feet is the maximum allowed by code.
- A 124 square-foot variation from Chapter 28, Section 5.1-3.4a (Maximum Building Lot Coverage) to allow building lot coverage of 3,184 square-feet where 3,060 is the maximum allowed by code.
- A 109 square-foot variation from Chapter 28, Section 5.1-3.4b (Maximum Impervious Surface Coverage) to allow impervious surface coverage of 4,480 square-feet where 4,371 square-feet is the maximum allowed by code.

Variation Review Standards

In its consideration of the standards of practical difficulties or particular hardships, the Zoning Board of Appeals shall require evidence that (1) the proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property; and (2) the plight of the owner is due to unique circumstances, which may include the length of time the subject property has been vacant as zoned; and (3) the proposed variation is in harmony with the spirit and intent of this Chapter; and (4) the variance requested is the minimum variance necessary to allow reasonable use of the property. A variation shall be permitted only if the evidence, in the judgment of the Board of Appeals, sustains each of the four conditions enumerated.

Map of General Vicinity



Items required to be Submitted 15 Days Prior to Public Hearing

<u>Item</u>	<u>Provided</u>	<u>Dated</u>	<u>Remarks</u>
1. Notification Affidavit	✓	8/25/20	
2. List of Property Owners Within 250 feet of Subject Property	✓	8/25/20	
3. Letter that was Mailed	✓	8/25/20	
4. Photographs of Sign on Property	✓	8/25/20	

Photographs of Existing Structure



78

ZBA# 19-001
1252 N Yale Ave - ZBA
Rev. Eng: Nanci Julius, P.E.
cc: Michael L. Pagones, P.E., Village Engineer

Submitted: January 23, 2019
Completed: January 25, 2019

The proposed ZBA application indicates that the petitioner is seeking:

A 12 ft variance to allow a rear yard setback of 18 ft where 30 ft is required;

A 787 sq ft variance to allow a maximum square-footage of 4,721 sf where 3,934 sf is the maximum allowed by code;

A 195 sq ft variance to allow a building lot coverage of 3,255 sf where 3,060 sf is the maximum allowed by code;

And a 109 sf variance to allow impervious surface coverage of 4.480 sf where 4,371 sf is the maximum allowed by code:

Note: The petitioner owns the adjacent lot to the rear of the property (fronting on Illinois). One of the hardships stated in the petition is that the Village would not allow consolidation of the two lots. The review comments are based on 1252 N Yale as a new SFR could eventually be constructed on the N Illinois vacant lot.

The Public Works Engineering Division has NO OBJECTION to the rear yard setback, maximum square-footage, or building lot coverage variances, and is **NOT IN FAVOR of the variance requested for impervious surface coverage**. It is recommended that revisions be made to the addition and/or proposed patio to bring it into compliance with code. In the event the impervious surface coverage variance is granted, it is recommended that permeable pavers be used for the patio.

RECEIVED
JAN 25 2019
PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT



Village of Arlington Heights Building & Life Safety Department

Interoffice Memorandum

To: Derek Mach, Zoning Board of Appeals Liaison

From: Deb Pierce, Building & Life Safety Department

Project Name: Corley Residence

Project Address: 1252 N Yale Ave

ZBA #: 19-001

Date: January 28, 2019

RECEIVED
JAN 29 2019
PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT

Derek:

I have reviewed the request for the following variances:

- A 12-foot variance to allow a rear yard setback of 18 feet where 30 feet is required.
- A 787 square foot variance to allow a maximum square footage of 4,721 square-feet where 3,934 square feet is the maximum allowed by code.
- A 195 square foot variance to allow building lot coverage of 3,255 square feet where 3,060 is the maximum allowed by code.
- A 109 square foot variance to allow impervious surface coverage of 4,480 square feet where 4,371 square feet is the maximum allowed by code.

and, have no objection to the variances requested.

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Corley Residence

Project Address: 1252 N. Yale Avenue

ZBA #: 19-001

ZBA Hearing Date: February 11, 2019

To: Mike Pagones, Village Engineer
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: January 23, 2019

- A 12-foot Variation from Chapter 28, Section 5.1-3.2d (Required Minimum Yards – Rear Yards) to allow a rear yard setback of 18 feet where 30 feet is required.
- A 787 square-foot Variation from Chapter 28, Section 5.1-3.3 (Maximum Floor Area Ratio) to allow a maximum square-footage of 4,721 square-feet where 3,934 square-feet is the maximum allowed by code.
- A 195 square-foot Variation from Chapter 28, Section 5.1-3.4a (Maximum Building Lot Coverage) to allow building lot coverage of 3,255 square-feet where 3,060 is the maximum allowed by code.
- A 109 square-foot Variation from Chapter 28, Section 5.1-3.4b (Maximum Impervious Surface Coverage) to allow impervious surface coverage of 4,480 square-feet where 4,371 square-feet is the maximum allowed by code.

Attached are the Petitioner's:

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

Comments: THE PROPOSED SCREEN ROOM IS NICELY

DESIGNED TO MATCH THE EXISTING HOUSE.

-STEVE HAUZINGER, DESIGN PLANNER

Please review, comment, and return to me no later than January 31, 2019.

PETITION

NOW COMES the Petitioner, **Robert Corley**, being the owner of the property commonly known as: **1252 North Yale Avenue**, and appeals to the Zoning Board of Appeals of the Village of Arlington Heights for a variation from, **Section 5.1-3.2 Required Minimum Yard: Rear Yard, Section 5.1-3.3 Maximum Floor Area Ratio, and Section 5.1-3.4 Maximum Building Lot Coverage and Maximum Impervious Surface Coverage**, Chapter 28, of the Arlington Heights Municipal Code, in order to:

Construct a one-story screened porch addition; Encroaching 12 feet-0 inches into the required rear yard setback, exceeding floor area ratio by 716 sq.ft. (81%), exceeding building lot coverage by 124 sq.ft. (4%) and exceeding impervious coverage by 109 sq.ft. (2%).

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

Due to the inability to consolidate the two lots the owner is not able to improve their property to the highest and best use and is limited to standards applicable to one lot only.

I hereby state that the following unique circumstances exist:

The owner currently owns two lots (1252 North Yale Ave. and 1251 North Illinois Ave.). The Village planning department has stated they are not in favor of consolidating these lots, therefore limiting development of the property to the maximum allowed on one lot. The lots in question are also unusually shallow at roughly 106 feet deep.

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

Through significant improvements, updates and exterior enhancements the property will be enhanced and increase in value substantially which will remain consistent with other new projects in the neighborhood. The improved property will fit well within the surrounding neighborhood while also lending a uniqueness to the property.

Signed: _____

Petitioner

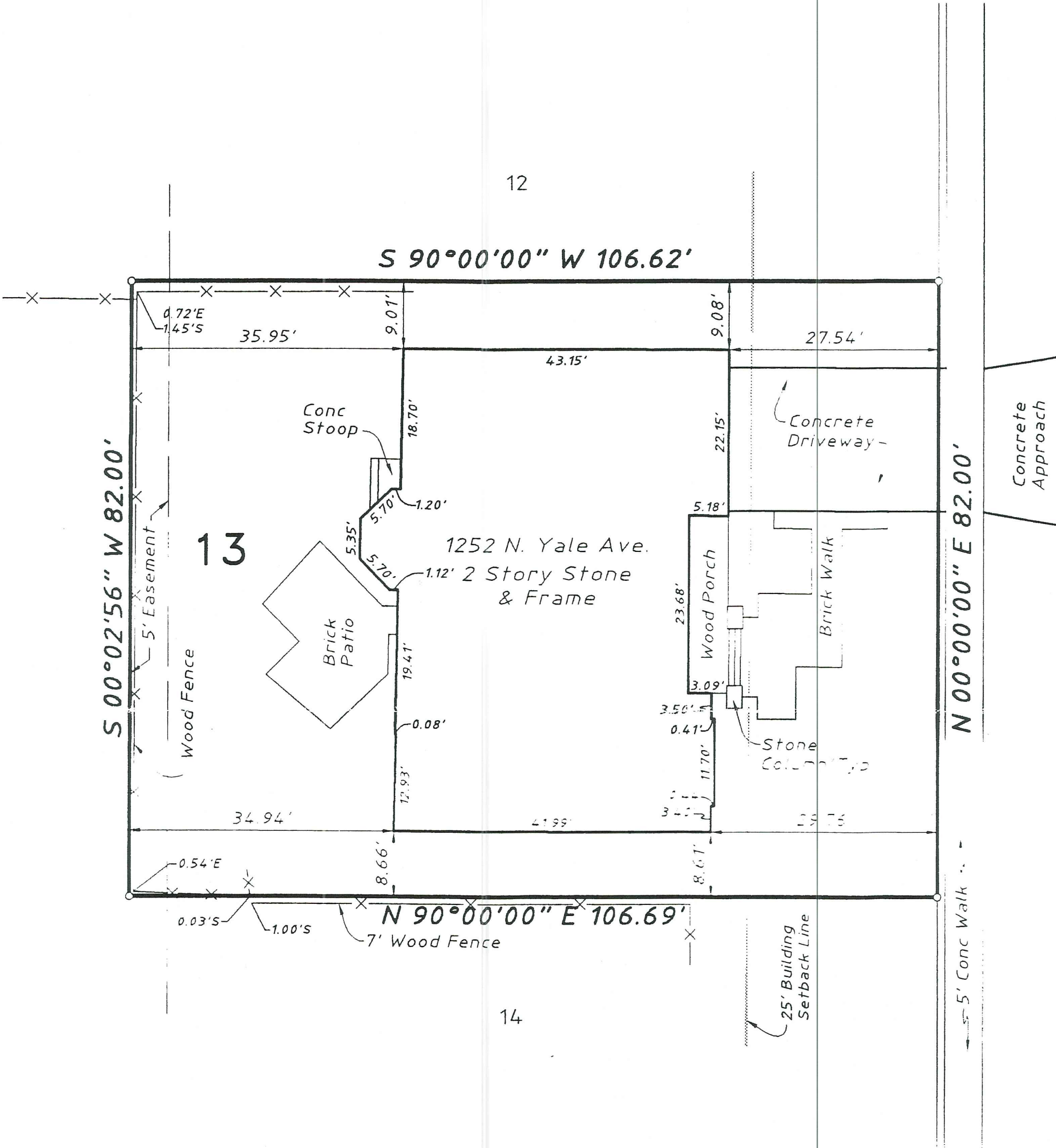
Date: _____

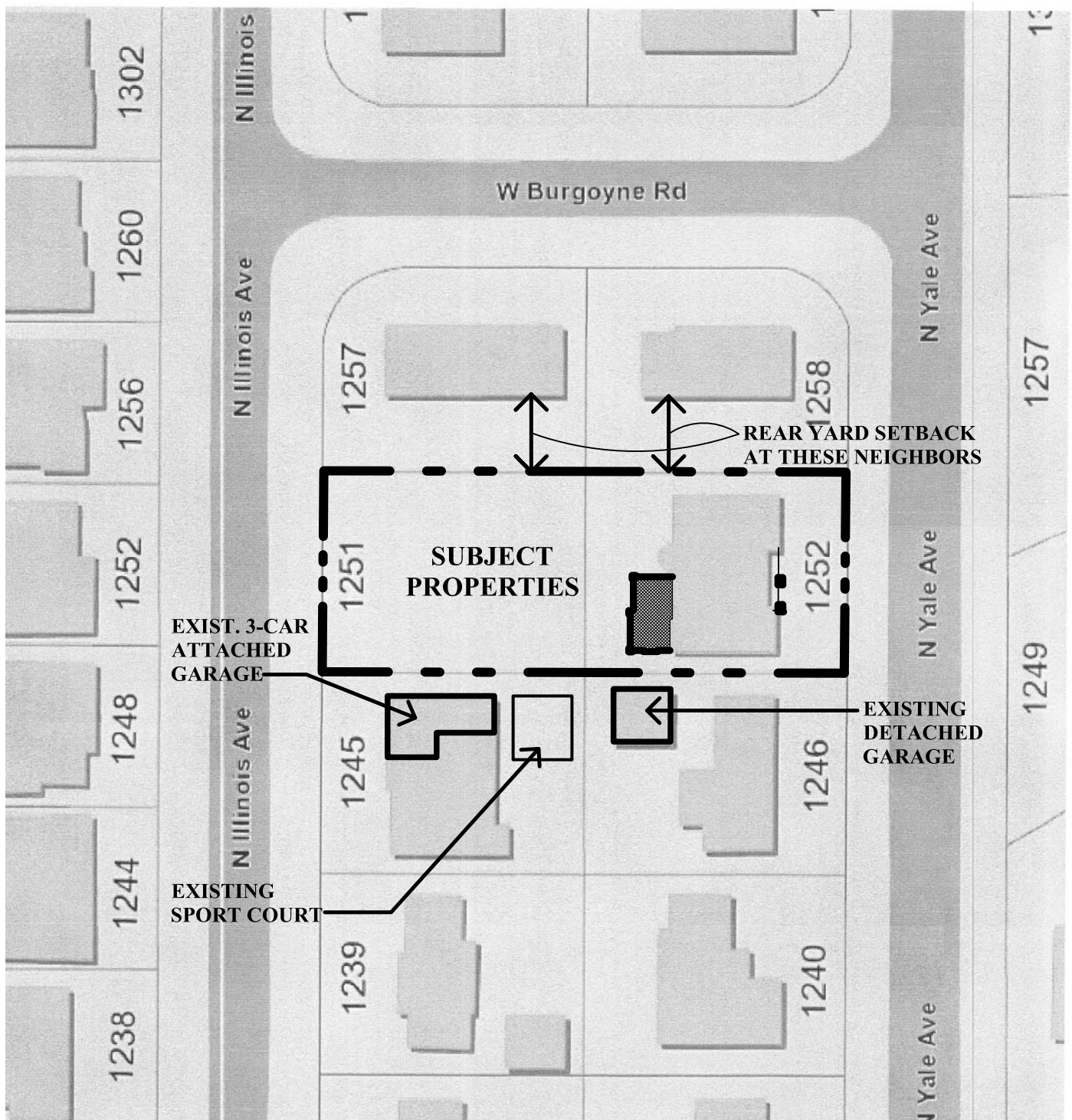
1.23.20

PLAT OF SURVEY

OF

LOT 13 IN RAYMOND L. LUTGERT'S SUBDIVISION OF THE WEST 78 ACRES OF THE S.W. 1/4 OF SECTION 19, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THE SOUTH 25 FEET THEREOF), ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 19, 1953 AS DOCUMENT NUMBER 15747615, IN COOK COUNTY, ILLINOIS.





ADJACENT LOTS DIAGRAM

SCALE: 1" = 20'-0"

CORLEY RESIDENCE

1252 N. YALE AVE.

ARLINGTON HEIGHTS, ILLINOIS

ROBERT FLUBACKER ARCHITECTS, LTD.

JULY 23, 2020

SITE PLAN GENERAL NOTES

1. INFORMATION ON THIS DRAWING IS ACCUMULATED FROM EXISTING DOCUMENTATION AND MUST BE CONFIRMED BY THE CONTRACTOR AND COORDINATED WITH THE ARCHITECT PRIOR TO CONSTRUCTION

2. VERIFY LOCATIONS OF ALL UTILITIES AND OTHER BUILDING SERVICES PRIOR TO EXCAVATION

3. PROVIDE REQUIRED WORK TO ACCOMMODATE EXISTING UTILITIES OR OTHER BUILDING SERVICES

4. PROTECT EXISTING LANDSCAPING DURING CONSTRUCTION, TO GREATEST EXTENT POSSIBLE

5. PROVIDE TEMPORARY CONSTRUCTION/SECURITY FENCING AROUND ALL OPEN EXCAVATIONS; HEIGHT AS REQ'D. BY LOCAL CODES

6. VERIFY LOCATIONS OF ALL MATERIAL STOCKPILES AND DUMPSTERS WITH OWNER

7. ALL DOWNSPOUTS TO DISCHARGE TOWARDS REAR YARD; DISCHARGE TO TERMINATE WITHIN 10 FEET OF BUILDING

■ DENOTES DOWNSPOUT AND DIRECTION OF DISCHARGE

SITE PLAN LEGEND:

EXIST. CONSTRUCTION TO REMAIN

NEW FIRST FLOOR CONSTRUCTION

PROPERTY LINE

SETBACK LINE

EXIST. CONTOUR TO REMAIN

EXIST. CONTOUR REMOVED

NEW CONTOUR

RFA

ROBERT FLUBACKER

ARCHITECTS LIMITED

1835-B Rohlwing Rd.
Rolling Meadows,
Illinois 60008
847-704-3200

IL Design Firm
#184.001489

ADDITIONS AND ALTERATIONS FOR

THE CORLEY RESIDENCE

1252 N. YALE AVE.
ARLINGTON HEIGHTS, ILLINOIS

Date	Description
7/23/20	ZBA

© 2020 R.F.A. LTD.

Project Number
18025

AS-1

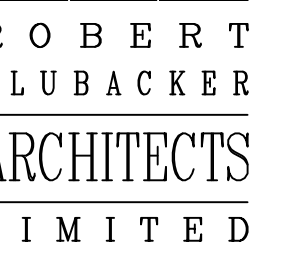
The site plan illustrates the proposed additions and alterations to the Corley Residence at 1252 N. Yale Ave. The property is bounded by N. Illinois Ave. to the west and N. Yale Ave. to the east. The existing 2-story masonry and frame house is shown with its footprint and setbacks. A new screened porch addition (494 s.f.) is proposed on the rear side of the house. A new patio, to be constructed by a landscaper, is located to the west of the house. The plan also shows the removal of an existing patio and a tree. Setbacks are indicated for the rear yard (30'-0" and 17'-0 1/2"), side yard (8'-2" and 8'-2" [10%]), and building line (25'-0"). The plan includes dimensions for the property (106.62' x 82.00') and the setbacks (106.65' x 82.00'). A 5'-0" easement is shown on the north side of the property. A north arrow is located in the bottom right corner.

1

AS-1

SITE PLAN

1/8" = 1'-0"



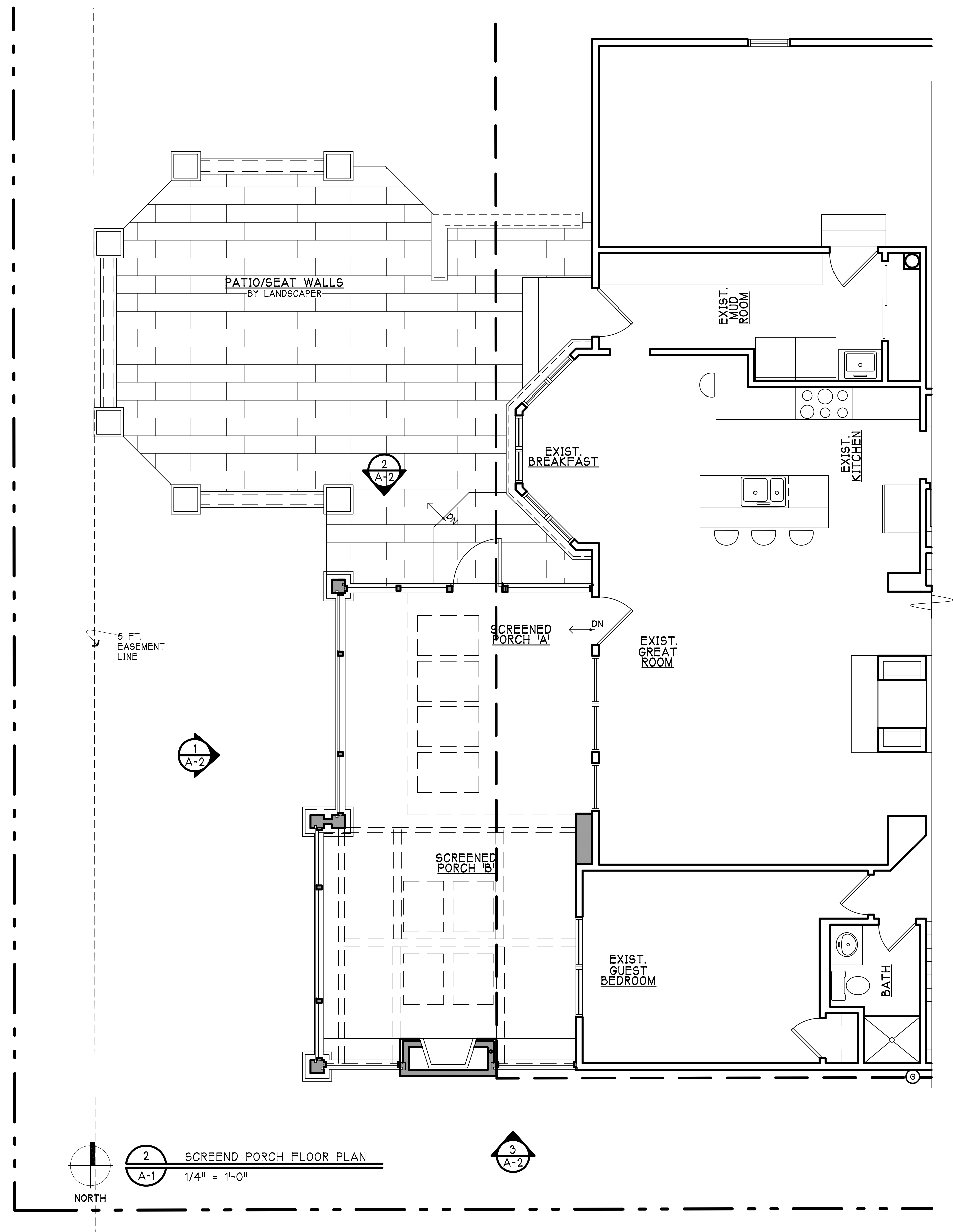
35-B Rohlwing Rd.
Rolling Meadows,
Illinois 60008
47-704-3200

IL Design Firm
#184.001489

THE CORLEY RESIDENCE
1252 N. YALE AVE.
ARLINGTON HEIGHTS, ILLINOIS

[illegible]Project Number
18025

A-1

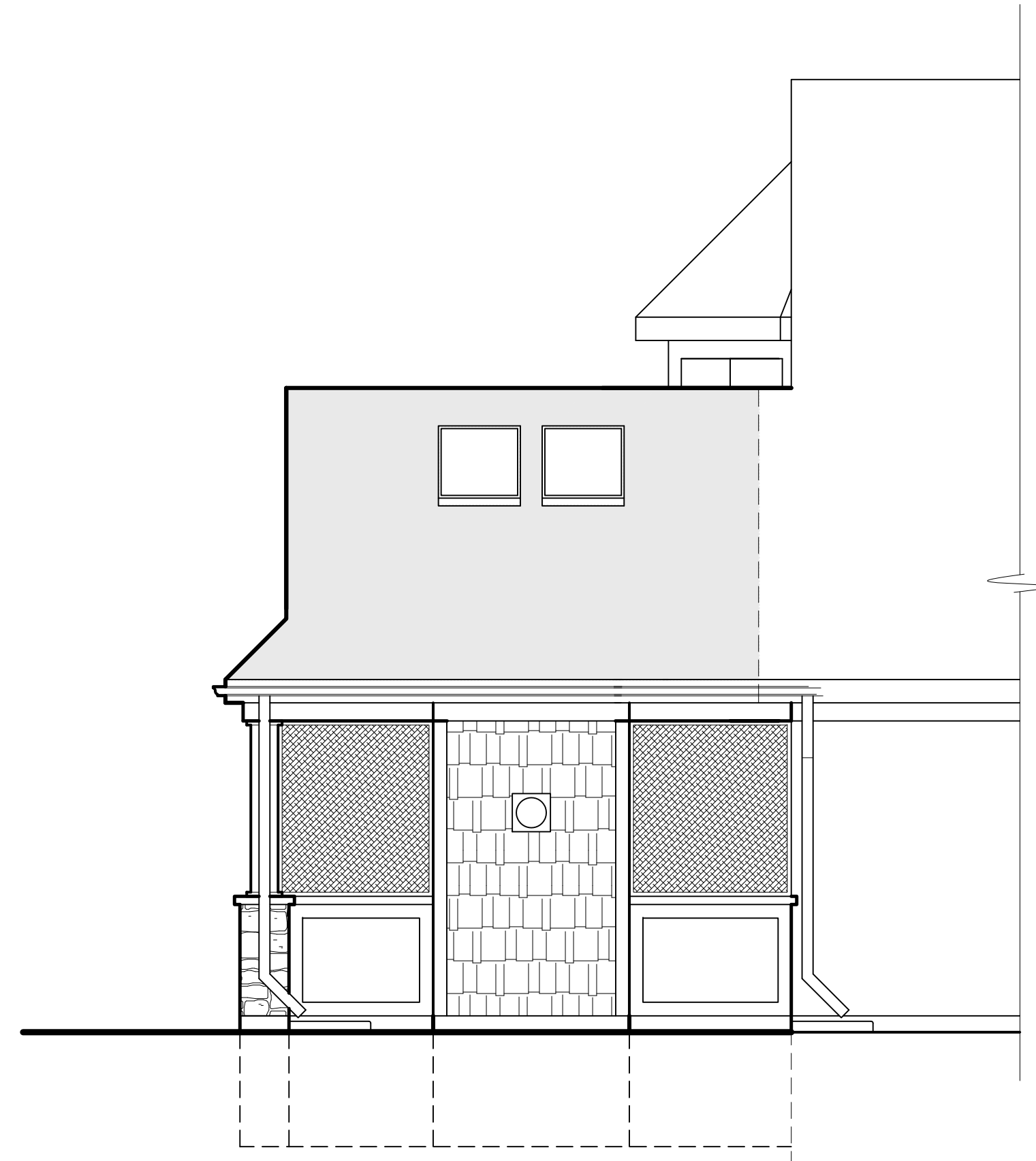




1 WEST ELEVATION
A-2 1/4" = 1'-0"



2 NORTH ELEVATION
A-2 1/4" = 1'-0"



3 SOUTH ELEVATION
A-2 1/4" = 1'-0"

Date	Description
7/23/20	ZBA



**Zoning Board of Appeals
9/14/2020**

Item: 2360 E. Bradshire Ct. - ZBA#20-022

Department: Planning & Community Development

REQUEST

1. A variance from Chapter 28, Section 6.6-5.1 (Table of Permitted Obstructions) to allow an existing basketball pole that is located approximately 3 feet from the side property line where 5 feet is required.

ATTACHMENTS:

Description

Supporting Documents

Type

Exhibits

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: September 14, 2020
Date Prepared: September 8, 2020
Project Title: Mosqueda Residence
Address: 2360 E. Bradshire Ct.

Background Information

Petition Number: ZBA #20-022
Petitioner: Edgar & Cheryl Mosqueda
Address: 2360 E. Bradshire Ct.
Arlington Heights IL 60004

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

Requested Action/Background Information

The petitioner installed a basketball pole in the front yard that is approximately three feet from the side property line where five feet is required. Therefore, the petitioner requests the following variation:

- A variance from Chapter 28, Section 6.6-5.1 (Table of Permitted Obstructions) to allow an existing basketball pole that is located approximately 3 feet from the side property line where 5 feet is required.

Variation Review Standards

In its consideration of the standards of practical difficulties or particular hardships, the Zoning Board of Appeals shall require evidence that (1) the proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property; and (2) the plight of the owner is due to unique circumstances, which may include the length of time the subject property has been vacant as zoned; and (3) the proposed variation is in harmony with the spirit and intent of this Chapter; and (4) the variance requested is the minimum variance necessary to allow reasonable use of the property. A variation shall be permitted only if the evidence, in the judgment of the Board of Appeals, sustains each of the four conditions enumerated.

Map of General Vicinity



Items required to be Submitted 15 Days Prior to Public Hearing

Item	Provided	Dated	Remarks
1. Notification Affidavit	✓	8/24/20	
2. List of Property Owners Within 250 feet of Subject Property	✓	8/24/20	
3. Letter that was Mailed	✓	8/24/20	
4. Photographs of Sign on Property	✓	8/24/20	

Photographs of Existing Structure







Village of Arlington Heights Building & Life Safety Department

Interoffice Memorandum

To: Derek Mach, Zoning Board of Appeals Liaison

From: Deb Pierce, Building & Life Safety Department

Project Name: Mosqueda Residence

Project Address: 2360 E Bradshire Ct

ZBA #: 20-022

Date: August 25, 2020

Derek:

I have reviewed the request for a 2 foot variance from Chapter 28, Section 6.6-5.1 (Table of Permitted Obstructions) to allow a basketball pole that is 3 feet from the side property line where 5 feet is required, and do not have any objections or comments.

ZBA# 20-022
2360 E Bradshire Ct- ZBA
Rev. Eng: Briget Schwab, P.E.
cc: Mike Pagones, P.E. Village Engineer

Application Date: August 3, 2020
Received by Planning:
Transmitted to Engineering: August 25, 2020
Received by Briget: August 25, 2020
Completed: August 25, 2020

The proposed ZBA application indicates that the petitioner is seeking:

A 2 foot variance from Chapter 28, Section 6.6-5.1 (Table of Permitted Obstructions) to allow a basketball pole that is 3 feet from the side property line where five feet is required.

The Engineering Division has NO COMMENT on the proposed variance for Table of Permitted Obstructions.

--

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Mosqueda Residence

Project Address: 2360 E. Bradshire Ct.

ZBA #: 20-022

ZBA Hearing Date: September 14, 2020

To: Mike Pagones, Village Engineer
Mark Fink, Assistant Building Official

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

From: Derek Mach, Zoning Board of Appeals Liaison

Transmitted On: August 25, 2020

- A 2 foot variance from Chapter 28, Section 6.6-5.1 (Table of Permitted Obstructions) to allow a basketball pole that is 3 feet from the side property line where five feet is required.

Attached are the Petitioner's:

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

Comments: No Comments. Steve Hautzinger, Design Planner

Please review, comment, and return to me no later than September 4, 2020.

PETITION

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

PETITION

NOW COMES the Petitioner Edgar & Cheryl Mosqueda

being the owner of the property commonly known as: 2360 E. Bradshire Ct., Arlington Hts, IL 60004

and appeals to the Zoning Board of Appeals of the Village of Arlington Heights for a Variation from Section 6.6-5.1

Chapter 28, of the Arlington Heights Municipal Code, in order to: place a basketball pole less than the 5' minimum setback from side property line required.

I hereby state that the proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property if the variation(s) were granted (please explain): The basketball pole is more than 10' away from the adjacent property's structure and there is no window or other intended use in that area where the pole being 2' less than the minimum setback required by code would alter the character or existing use of the nearby property.

I hereby state that the plight of the owner is due to unique circumstances, which may include the length of time the subject property has been vacant as zoned (please explain): The unique circumstance is related to being separately identified among numerous homes within the Courts of Russetwood, a zero-lot line subdivision. These homes have in-ground basketball poles placed at less than the 5' minimum setback from the side property line required. Consistent compliance or consistent approval of variance from code is being requested.

I hereby state that the proposed variation is in harmony with the spirit and intent of this Chapter (please explain): The 2' variance request does not negatively impact the use and/or safety of the surrounding area thus is in harmony with the spirit and intent of the zoning ordinance.

I hereby state that the variance requested is the minimum variance necessary to allow reasonable use of the property (please explain): The basketball pole is placed next to the driveway and can not be placed any further away to accommodate a 5' setback from the property line.

Signed: _____


Petitioner

Date: 8/2/2020



PLAT OF SURVEY

OF



LOT 6, BLOCK D IN THE COURTS OF RUSSETWOOD, UNIT 5, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER (1/4) OF THE NORTHEAST QUARTER (1/4) OF SECTION 21, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

LEGEND

- FOUND IRON PIPE
- FOUND IRON ROD
- SET IRON PIPE
- CABLE PEDESTAL
- ELECTRIC PEDESTAL
- TELEPHONE PEDESTAL
- WOOD FENCE

PRECISION LAND SURVEYORS, INC.
d.b.a. TERATEK, INC.
SURVEYORS-ENGINEERS-CONSULTANTS
PROFESSIONAL DESIGN FIRM
LICENSE #184-004383 EXPIRES: 4/30/2021
603 E. BURNETT ROAD
ISLAND LAKE, IL 60042
(847) 487-0500

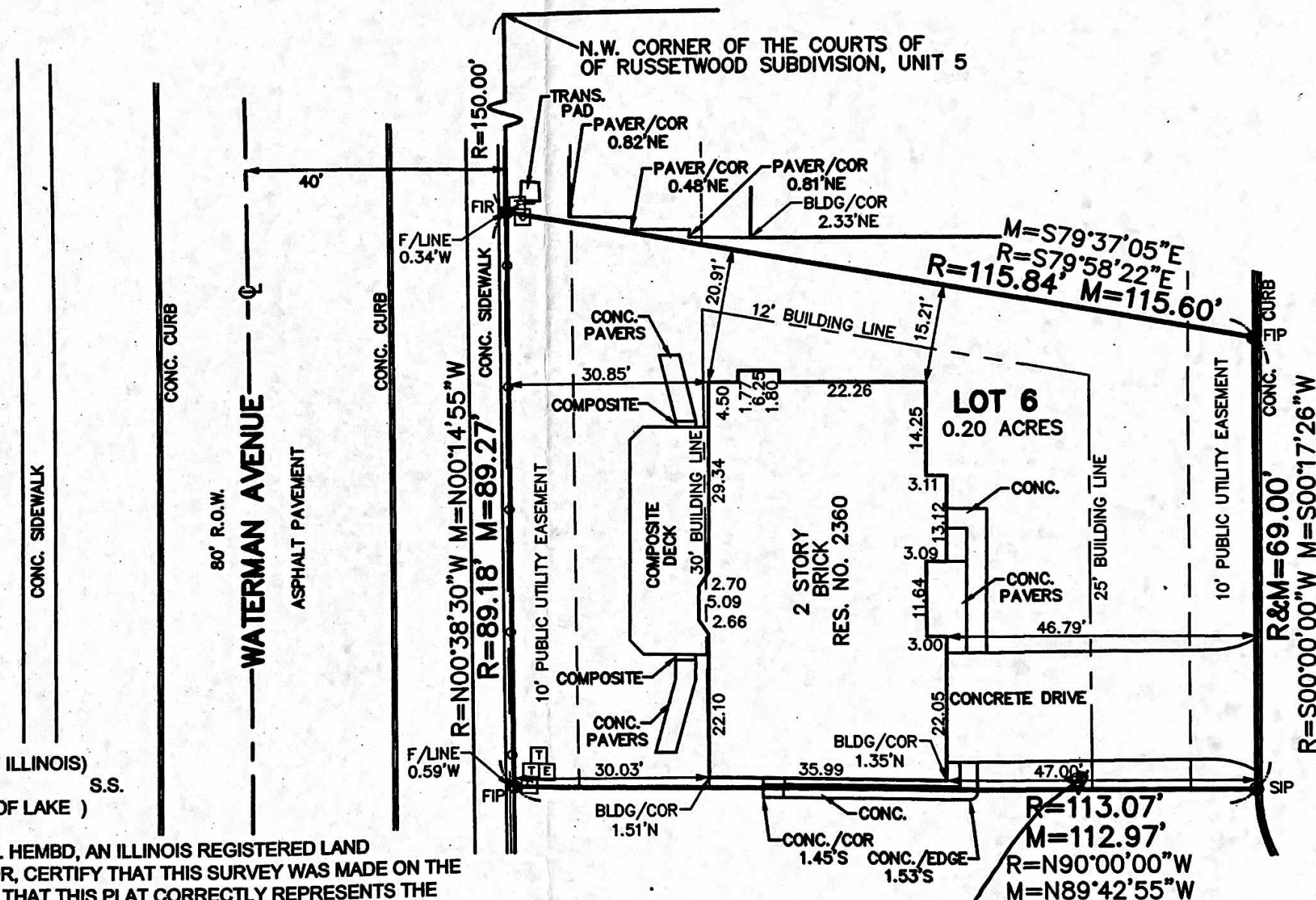
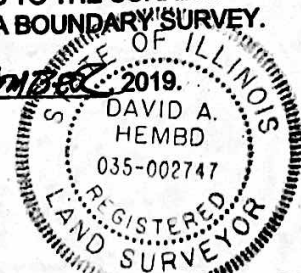
DRAWING NO.: P191010B
ORDERED BY: MOSQUEDA
DRAWN BY: AJ
FIELDWORK COMPLETED: 11/6/2019
RECORDS FROM: PLAT OF SUBDIVISION
BASIS OF BEARINGS: PLAT OF SUBDIVISION
SCALE: 1"=20'

STATE OF ILLINOIS)
COUNTY OF LAKE) S.S.

I, DAVID A. HEMBD, AN ILLINOIS REGISTERED LAND SURVEYOR, CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND, THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY AND THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

DATED THIS 11TH DAY OF November, 2019.

DAVID A. HEMBD, I.P.L.S.
REGISTRATION NO. 035-002747
EXPIRES 11-30-20



BASKETBALL HOOP
20 FEET FROM
GARAGE
3 FEET FROM
PROPERTY LINE

COMMONLY KNOWN AS: 2360 E.
BRADSHIRE CT., ARLINGTON HEIGHTS, IL

COMPARE LEGAL DESCRIPTION ABOVE AND
DRAWING WITH DEED. FOR BUILDING
RESTRICTIONS AND EASEMENTS NOT
SHOWN, REFER TO DEED, TITLE COMMITMENT
AND LOCAL MUNICIPAL CODES.
NOTIFY SURVEYOR IMMEDIATELY OF ANY
DISCREPANCY.











[REDACTED]

From: Andrea W. Armstrong [REDACTED]
Sent: Thursday, August 27, 2020 1:20 PM
To: Mach, Derek
Subject: 2360 E. Bradshire Ct. AH, IL 60004-basketball pole; 9/14/20 public hearing

[NOTICE: This message originated outside of Village of Arlington Heights email system -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

My name is Andrea Armstrong, I live at [REDACTED]. I live in the house DIRECTLY across the street from 2360 E. Bradshire Ct. I do not have any issues, NOT ONE with the basketball pole remaining in its' existing location at Edgar & Cheryl Mosqueda's residence at 2360 E. Bradshire Court in Arlington Heights IL.

I am seriously disheartened by the unnecessary pain, disruption and work the complainant has created by this. We support a variance from code. Thank you.

Andrea

Andrea W. Armstrong
[REDACTED]
[REDACTED]
[REDACTED]



[REDACTED]
[REDACTED]

From: Stilian Dinev [REDACTED]
Sent: Sunday, August 30, 2020 8:20 PM
To: Mach, Derek
Subject: 2360 E Bradshire ct, AH, IL 60004- basketball pole; 9-14-20 public hearing

Follow Up Flag: Follow up
Flag Status: Flagged

[**NOTICE:** This message originated outside of Village of Arlington Heights email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Antoaneta Galabova
[REDACTED] N Waterman, AH, IL 60004
8-30-2020

To Whom It May Concern,

I do not have any issue with the basketball pole remaining in its existing location at Edgar and Cheryl Mosqueda's residence at 2360 E Bradshire ct, AH as long as his direct neighbour does not have any objection. Thank you.

To

Zoning committee

9/3/2020

Village of Arlington Heights,

33 S. Arlington Heights Road.

Arlington Heights ILL 60005

Hello,

We are Reggie and Mini Kuncheria, the owners of [REDACTED] E Bradshire Court, Arlington Heights. We are writing this letter to inform the committee about our concern of the basketball hoop installed by my neighbor, who lives in 2360 E Bradshire court.

My family and I are worried about our safety. This hoop is very close to the property boundary line. It is two and three quarters feet from the property line. The hoop is not a safe distance from my house. I have my bedroom and bathroom glass windows just behind and above the basketball hoop. When the players shoot the ball and if they miss the backboard, then the ball will hit my bedroom glass window. Not only that, they also throw the ball to my house wall. If they miss the wall, the ball will land in the glass window. The Nicor Gas line and gas meter are very close to the hoop.

I have my family member work at night and it is very disturbance to sleep at day time, then, next day have to go work without enough sleep. Other neighbors' kids join in playing with them. It is very annoying. Because the hoop is very close to my house, it is too noisy when they play basketball. I have my children in college and high school. This pandemic situation means most high school and college students have to do E Learning from home with online classes. It is very distracting for my kids to focus with all these noise. My wife is also teaching from home and the noise can be heard by her students.

The hoop is not safe for my house and the neighborhood. This Basketball hoop is very high. The homeowner put up the hoop without the association approval and city permit. The person installed this basketball hoop does not have a license to install basketball hoop and so he didn't follow any safety measures. According to the land survey company, the house 2360 E Bradshire court was built very close to the property.

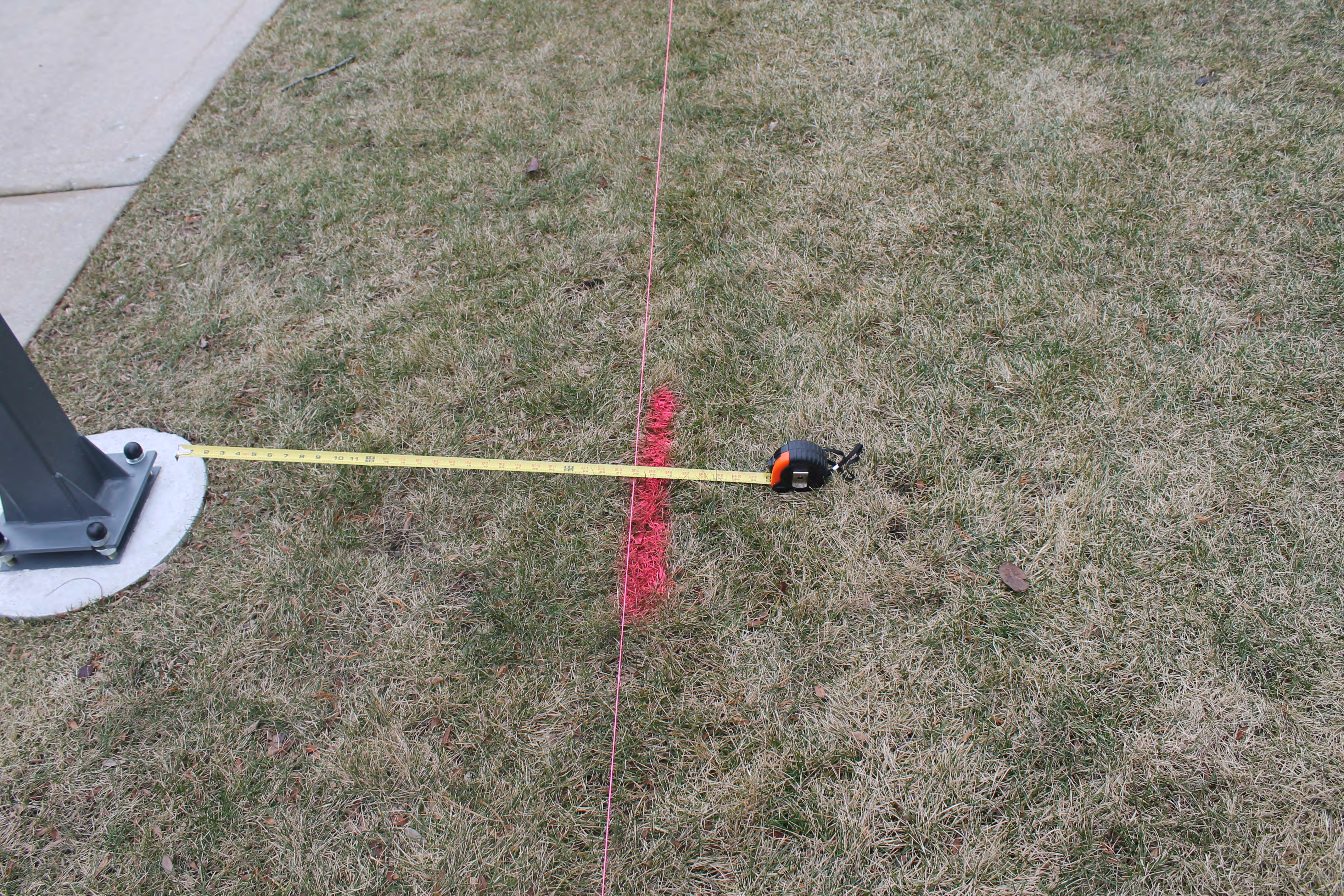
My family and I request that the hearing committee remove or relocate the hoop.

Sincerely,

Mr. & Mrs. Kuncheria

[REDACTED] E Bradshire CT
Arlington Heights ILL 60004

Reggie Kuncheria Mini Kuncheria





[REDACTED]

From: Lisa Mullen [REDACTED] >
Sent: Wednesday, August 26, 2020 8:09 PM
To: Mach, Derek
Subject: 2360 e Bradshire ct, AH, IL 60004 - basketball pole; 9/14/20 public hearing

[NOTICE: This message originated outside of Village of Arlington Heights email system -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Lisa & Dan Mullen
[REDACTED] E. Brockton ct, AH, IL 60004

We do NOT have any issues with the basketball pole remaining in its existing location at Edgar and Cheryl Mosqueda's residence are 2360 Bradshire ct in Arlington heights IL

THANKS!

Lisa Mullen - [REDACTED]

Referrals are the biggest compliment you can give me! I promise to take really good care of anyone you pass along for me to help! Thanks😊 please visit my updated website to set up your own home search, see current listings, or just browse the neighborhood!

<https://gcc02.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.lisamullenrealestate.com%2F&data=02%7C01%7Cdmach%40vah.com%7C4e9c540cae5941136cef08d84a25c83e%7Cdadc730e173642b8b5775874cf194623%7C0%7C0%7C637340873890596218&data=WS7MhTLMRrrkLpGScb3sdvpw5Z1iVHG9%2BV03vT6%2BIVw%3D&reserved=0>

Lisa Mullen
D'aprile properties, LLC
847.553.5504

Lmullen@daprileproperties.com

<https://gcc02.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.lisamullenrealestate.com%2F&data=02%7C01%7Cdmach%40vah.com%7C4e9c540cae5941136cef08d84a25c83e%7Cdadc730e173642b8b5775874cf194623%7C0%7C0%7C637340873890596218&data=WS7MhTLMRrrkLpGScb3sdvpw5Z1iVHG9%2BV03vT6%2BIVw%3D&reserved=0>

Illinois | Indiana | Wisconsin

[REDACTED]

From: Nocita, Janice [REDACTED] >
Sent: Wednesday, August 26, 2020 9:54 PM
To: Mach, Derek
Subject: 2360 E. Bradshire Court, Arlington Hts - 9/14/20 public hearing re: basketball pole

[NOTICE: This message originated outside of Village of Arlington Heights email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Hello,

As a neighbor of the Arlington Heights family residing at the home noted above, please know that I have NO issues with the basketball pole remaining in its existing location at Edgar and Cheryl Mosqueda's residence (at 2360 E. Bradshire Court).

Thank you!

Jan Nocita

[REDACTED] E. Barberry Court
Arlington Hts, IL 60004
[REDACTED]

[REDACTED]

From: Jason Sternburgh [REDACTED]
Sent: Monday, August 31, 2020 3:07 PM
To: Mach, Derek
Subject: 2360 E Bradshire Ct, AH, IL 60004 - basketball pole; 9/14/2020 public hearing

Follow Up Flag: Follow up
Flag Status: Flagged

[NOTICE: This message originated outside of Village of Arlington Heights email system -- **DO NOT CLICK on links or open attachments** unless you are sure the content is safe.]

Jason and Angela Sternburgh
[REDACTED] E Bradshire Ct
Arlington Hts, IL 60004

We are sending this email to voice support to allow the basketball pole to remain at Edgar and Cheryl Mosqueda's residence at 2360 E Bradshire Ct in Arlington Hts, IL. We have no issues with its current location.

Thank You,
Jason and Angela Sternburgh

[REDACTED]

From: ALAN TRAVIS [REDACTED] >
Sent: Thursday, August 27, 2020 8:23 PM
To: Mach, Derek
Subject: Mosqueda variance

[NOTICE: This message originated outside of Village of Arlington Heights email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Hi, I'm Alan Travis and I live on [REDACTED] E. Bradshire Court, a few doors away from the Mosqueda family. My wife and I have NO issues with their basketball pole. To me the location is no different than the thousands of BB poles in Arlington Heights.
Thank you!

Alan Travis
[REDACTED]



Zoning Board of Appeals 9/14/2020

Item: 129 S. Highland Ave. - ZBA#20-023

Department: Planning & Community Development

REQUEST

1. A variation from Chapter 28, Section 5.1-4.1 (Minimum Lot Size), to allow a lot with an area of 6,600 square feet to be buildable where 8,750 square feet is required.
2. A 20 foot variation from Chapter 28, Section 5.1-4.1 (Minimum Lot Width) to allow a lot with a width of 50 feet to be buildable where 70 feet is required.

ATTACHMENTS:

Description	Type
Supporting Documents	Minutes

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: September 14, 2020
Date Prepared: September 8, 2020
Project Title: Ericksen Residence
Address: 129 S. Highland Ave.

Background Information

Petition Number: ZBA #20-023
Petitioner: Mark Ericksen
Address: 133 S. Highland Ave.
Arlington Heights IL 60005

Existing Zoning: R-4 – Residential Single-Family District

Requested Action/Background Information

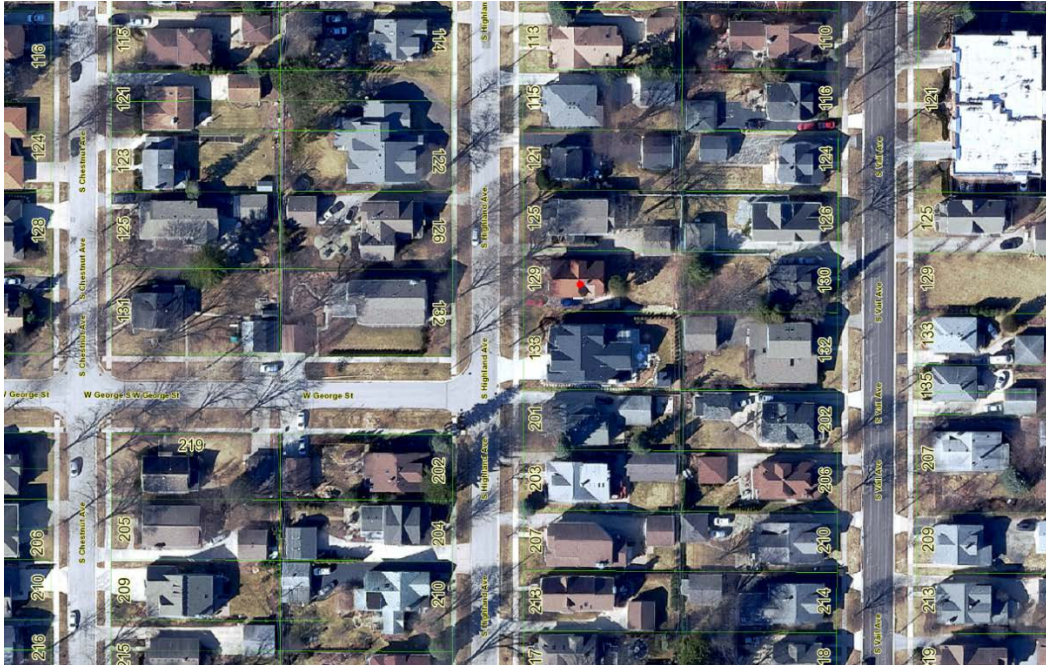
The petitioner is proposing to demolish an existing one-and-a-half story residence to build a new two-story single family residence with a detached two-car garage. The subject site is zoned R-4, Two Family Dwelling District. The property has a total land area of 6,600 square feet and the proposed residence will have approximately 2,968 square feet. The project does require approval by the Zoning Board of Appeals for a variation in lot width and size due to the existing 50' wide lot with 6,600 square feet not meeting the minimum required 70 foot width and 8,750 square feet. The project design does comply with all other zoning requirements. The petitioner is requesting the following variations:

- A variation from Chapter 28, Section 5.1-4.1 (Minimum Lot Size), to allow a lot with an area of 6,600 square feet to be buildable where 8,750 square feet is required.
- A 20 foot variation from Chapter 28, Section 5.1-4.1 (Minimum Lot Width) to allow a lot with a width of 50 feet to be buildable where 70 feet is required

Variation Review Standards

In its consideration of the standards of practical difficulties or particular hardships, the Zoning Board of Appeals shall require evidence that (1) the proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property; and (2) the plight of the owner is due to unique circumstances, which may include the length of time the subject property has been vacant as zoned; and (3) the proposed variation is in harmony with the spirit and intent of this Chapter; and (4) the variance requested is the minimum variance necessary to allow reasonable use of the property. A variation shall be permitted only if the evidence, in the judgment of the Board of Appeals, sustains each of the four conditions enumerated.

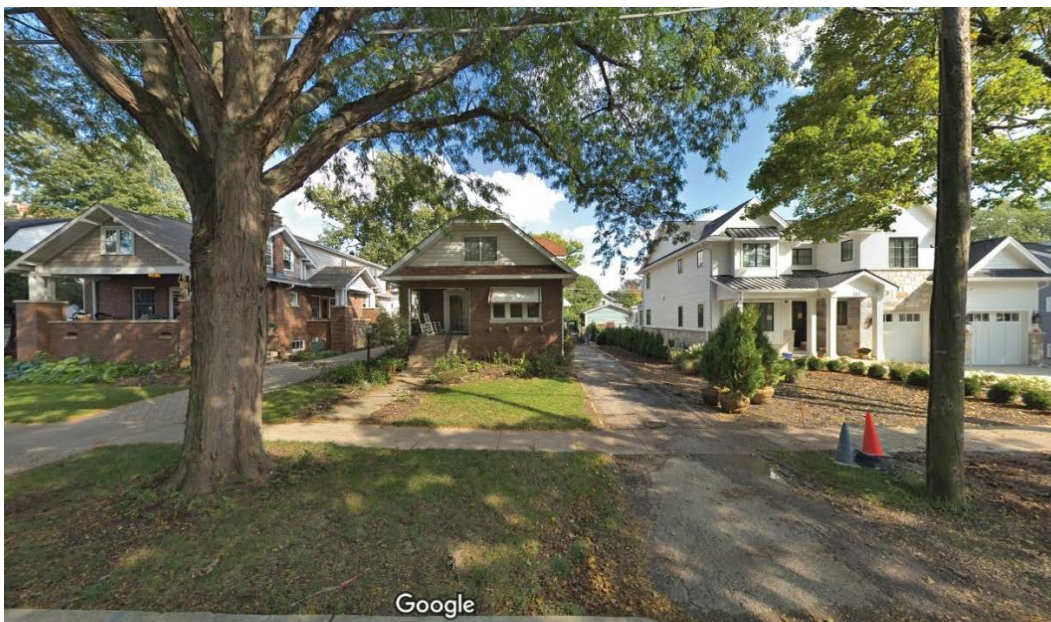
Map of General Vicinity



Items required to be Submitted 15 Days Prior to Public Hearing

<u>Item</u>	<u>Provided</u>	<u>Dated</u>	<u>Remarks</u>
1. Notification Affidavit	✓	8/24/20	
2. List of Property Owners Within 250 feet of Subject Property	✓	8/24/20	
3. Letter that was Mailed	✓	8/24/20	
4. Photographs of Sign on Property	✓	8/24/20	

Photographs of Existing Structure





Village of Arlington Heights Building & Life Safety Department

Interoffice Memorandum

To: Derek Mach, Zoning Board of Appeals Liaison

From: Deb Pierce, Building & Life Safety Department

Project Name: Ericksen Residence

Project Address: 129 S Highland Ave

ZBA #: 20-023

Date: August 25, 2020

Derek:

I have reviewed the request for the following variances:

- A variation from Chapter 28, Section 5.1-4.1 (Minimum Lot Size), to allow a lot with an area of 6,600 square feet to be buildable where 8,750 square feet is required;
- A 20 foot variation from Chapter 28, Section 5.1-4.1 (Minimum Lot Width) to allow a lot with a width of 50 feet to be buildable where 70 feet is required;

and do not have any objections or comments.

ZBA# 20-023
129 S Highland Ave- ZBA
Rev. Eng: Briget Schwab, P.E.
cc: Mike Pagones, P.E. Village Engineer

Application Date: August 14, 2020
Received by Planning:
Transmitted to Engineering: August 25, 2020
Received by Briget: August 25, 2020
Completed: August 25, 2020

The proposed ZBA application indicates that the petitioner is seeking:

A variation from Chapter 28, Section 5.1-4.1 (Minimum Lot Size), to allow a lot with an area of 6,600 square feet to be buildable where 8,750 square feet is required.

A 20 foot variation from Chapter 28, Section 5.1-4.1 (Minimum Lot Width) to allow a lot with a width of 50 feet to be buildable where 70 feet is required.

The Engineering Division has NO OBJECTION to the proposed variance for minimum lot size and width. The lot size is an existing condition that is similar to several properties in this area. The proposed side yards should be graded to ensure positive drainage from adjacent properties.

--

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Ericksen Residence
Project Address: 129 S. Highland Avenue
ZBA #: 20-023

ZBA Hearing Date: September 14, 2020

To: Mike Pagones, Village Engineer
Mark Fink, Assistant Building Official

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

From: Derek Mach, Zoning Board of Appeals Liaison

Transmitted On: August 25, 2020

- A variation from Chapter 28, Section 5.1-4.1 (Minimum Lot Size), to allow a lot with an area of 6,600 square feet to be buildable where 8,750 square feet is required.
- A 20 foot variation from Chapter 28, Section 5.1-4.1 (Minimum Lot Width) to allow a lot with a width of 50 feet to be buildable where 70 feet is required.

Attached are the Petitioner's:

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

Comments: This project received Design Commission approval on July 28, 2020.
Steve Hautzinger, Design Planner

Please review, comment, and return to me no later than September 4, 2020.

PETITION

NOW COMES the Petitioner, Mark Ericksen

Being the owner of the property commonly known as: 129 S Highland Ave, Arlington Heights, IL and appeals to the Zoning Board of Appeals of the Village of Arlington Heights for a Variation from Sections 5.1-4.1, Chapter 28, of the Arlington Heights Municipal Code, in order to:

reduce the minimum lot size from 8,750 SF to 6,600 SF and reduce the minimum lot width from 70 feet to 50 feet to allow for the construction of a new single-family home on the property. The lot is currently improved with an existing brick bungalow which is functionally obsolete and in poor structural condition.

I hereby state that the proposed use will not alter the essential character of the locality and will be compatible with the existing uses and zoning of nearby property if the variations were granted:

The vast majority of the properties on the block are around 50' width with a comparable lot area to the subject property. There is no subdivision proposed and no change in lot area or width from the existing. The design for the new proposed home has been completed. The new home will comply with all other zoning requirements. In deference to the character of the neighborhood, the proposed home maintains the side drive with detached garage and front porch. The existing brick bungalow has been reviewed to see if it can be re-used, but the building is functionally obsolete, and the structure is in poor condition.

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

The unique circumstance is the existing lot width and lot area. Please note that this is not vacant lot.

I hereby state that the proposed variation is in harmony with the spirit and intent of this chapter:

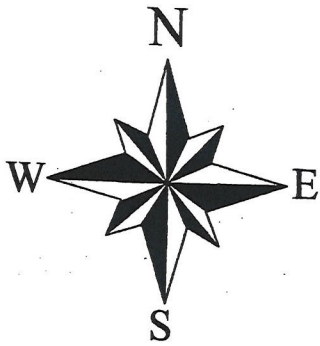
As stated above, the design of the new home is in character with the neighborhood. The design has been reviewed and unanimously approved by the Design Commission.

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

The variance is simply to resolve an existing condition. There is no increase in the variance requested.

Signed: 
Petitioner

Date: 8/12/20

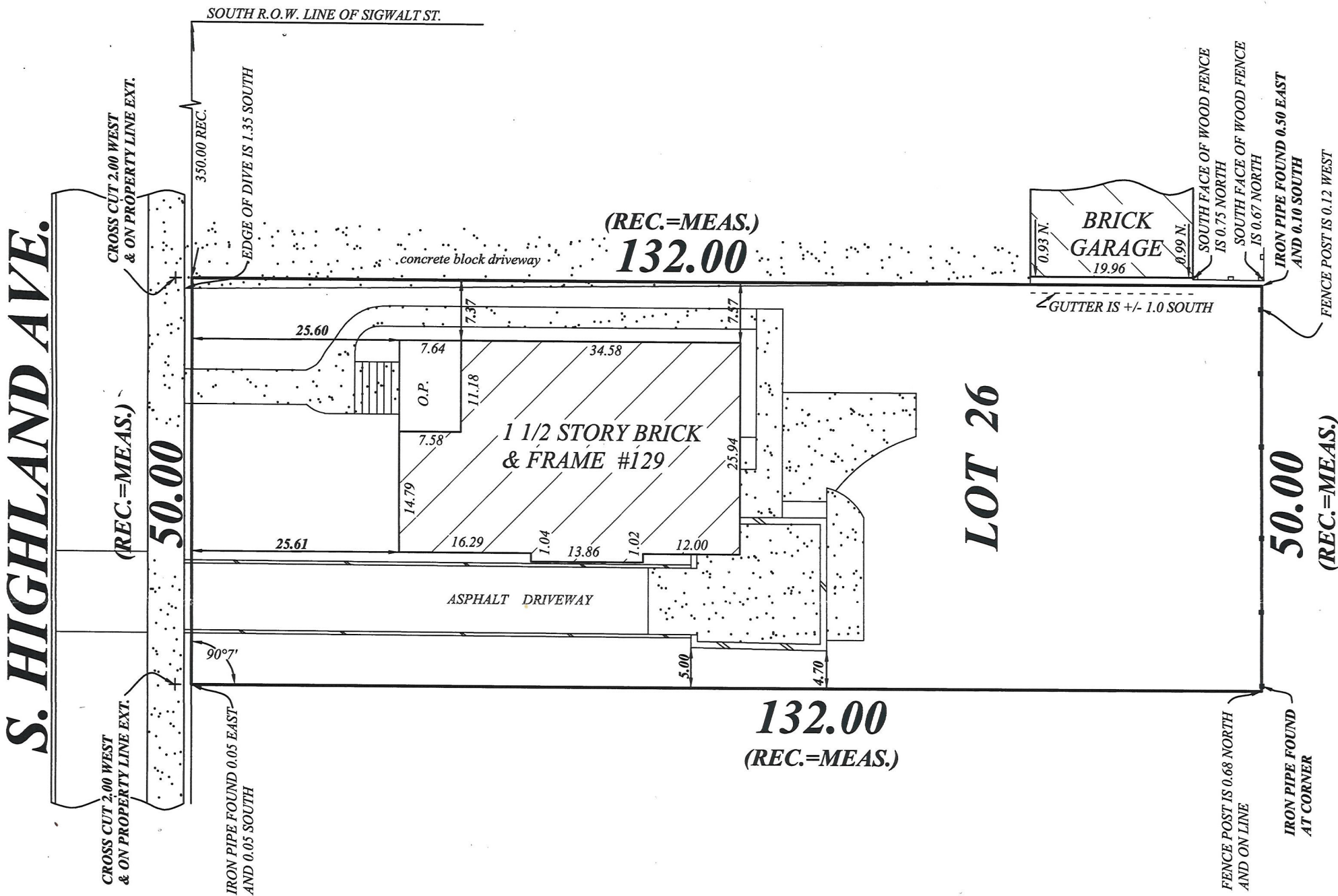


PLAT OF SURVEY

DESCRIBED AS :

LOT 26 IN SIGWALT'S SUBDIVISION OF THE NORTH HALF OF THE WEST 15 ACRES OF THE NORTH 30 ACRES OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, EXCEPT THE SOUTH 2.00 CHAINS OF THE NORTH 4.25 CHAINS OF THE EAST 2.50 CHAINS THEREOF, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 15, 1980 AS DOCUMENT NUMBER 1336420, IN COOK COUNTY, ILLINOIS.

TOTAL LAND AREA: 6600 SQ. FEET



LEGEND

- CHAIN LINK FENCE
- WOOD FENCE
- IRON FENCE
- CONCRETE PAVEMENT
- E. FR. P. - ENCLOSED FRAME PORCH
- O. FR. P. - OPEN FRAME PORCH
- SIDE BOUNDARY LINE
- EASEMENT LINE
- BLDG. SETBACK LINE
- CENTER LINE

ALL DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

SCALE : 1"=16'

ORDERED : GREGORY G. CASTALDI

JOB NO : 200504C

FIELDWORK COMPLETION MAY 1ST 2020

DATE :

MUNICIPALITY : ARLINGTON HTS.

THE LEGAL DESCRIPTION NOTED ON THIS PLAT IS A COPY OF THE ORDERS AND FOR ACCURACY MUST BE COMPARED WITH THE DEED.

STATE OF ILLINOIS
COUNTY OF COOK SS

SIGNATURE DATE:
MAY 4TH 2020

I, ANDRZEJ MURZANSKI, AN ILLINOIS REGISTERED LAND SURVEYOR, DO HERBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY.

ANDRZEJ MURZANSKI PLS. NO. 35-3258 EXPIRES 11/30/2020
THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

ANY DISCREPANCY IN MEASUREMENT SHOULD BE PROMPTLY REPORTED TO THE SURVEYOR FOR EXPLANATION OR CORRECTION.

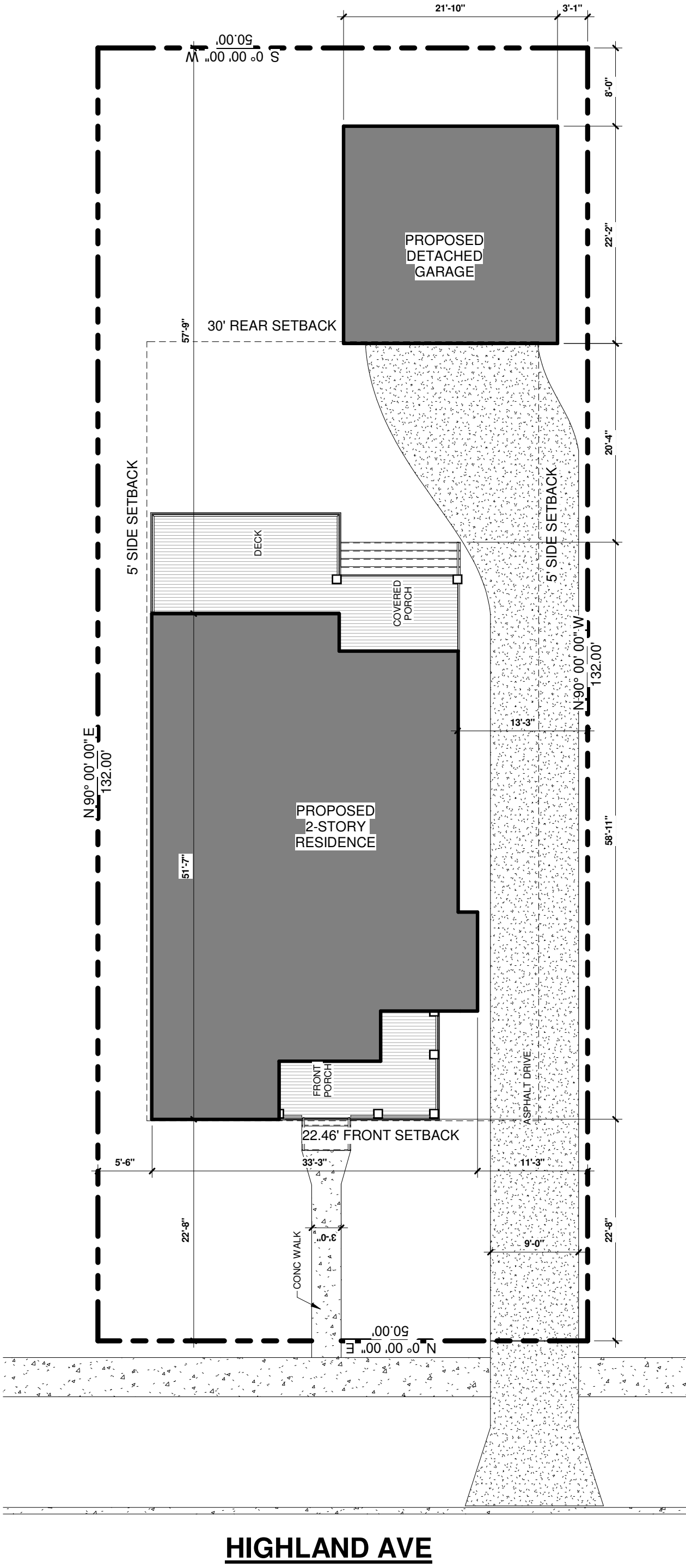
FOR EASEMENTS, BUILDING LINES AND OTHER RESTRICTIONS NOT SHOWN ON THIS PLAT REFER TO YOUR ABSTRACT, DEED, TITLE POLICY AND LOCAL BUILDING REGULATIONS.



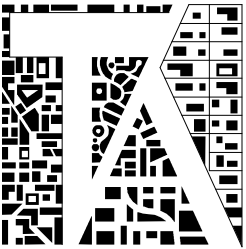
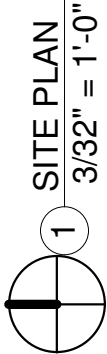
ANDRZEJ MURZANSKI
LAND SURVEYORS, INC
PROFESSIONAL DESIGN FIRM
NO. 184-004748

240 COUNTRY LANE
GLENVIEW, IL 60025
PHONE : 847-486-8731
FAX : 847-486-8732

amurzanski@outlook.com



HIGHLAND AVE



THOMAS ARCHITECTS
2800 S RIVER RD, #105
DES PLAINES, IL 60018
O: 847 235 6815
THOMAS@THOMASARCH.COM

SITE PLAN

129 S HIGHLAND AVE,
ARLINGTON HEIGHTS

20-065

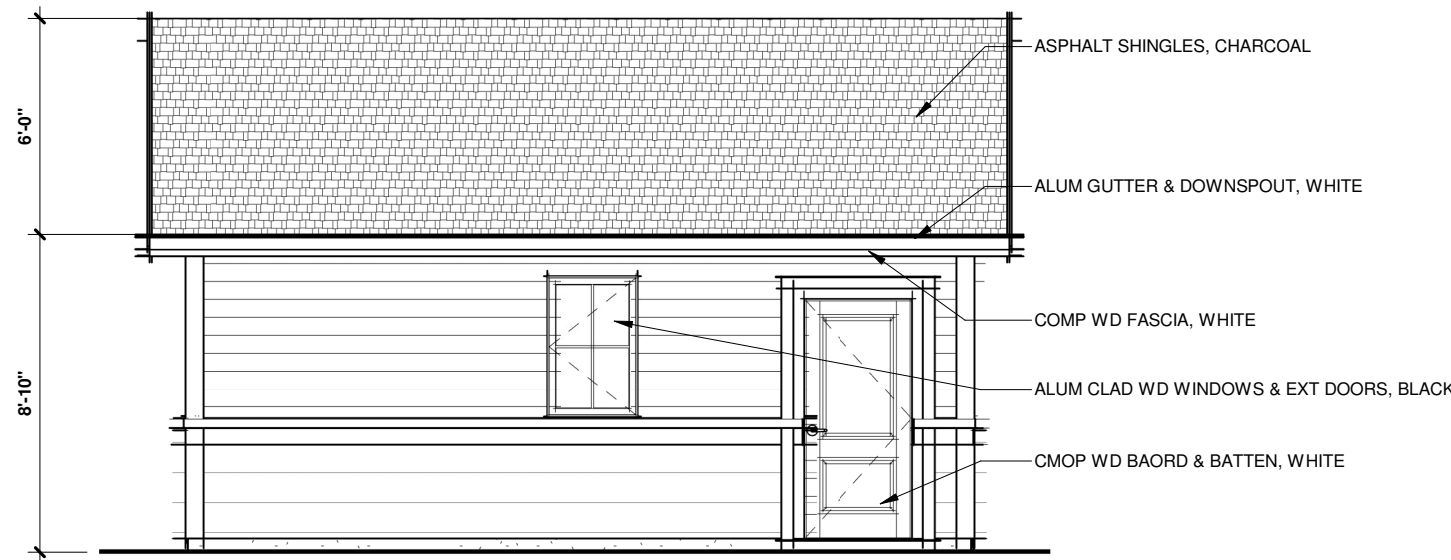
NEW SFR

05/20/2020

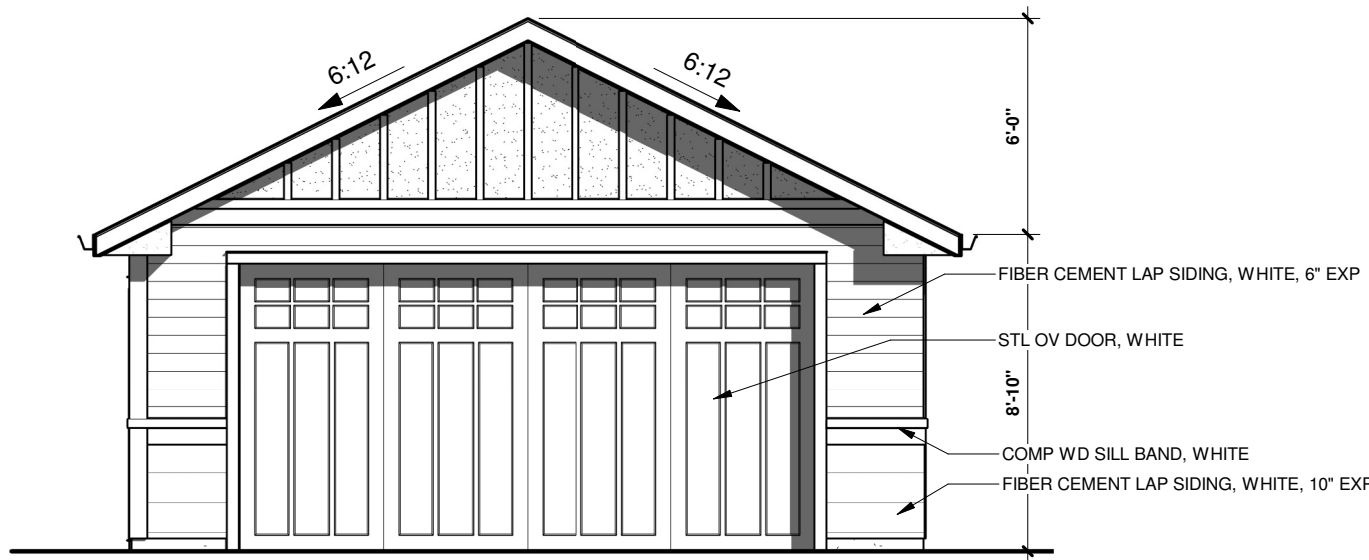
V.1

MATERIAL SCHEDULE		
MATERIAL TYPE	MANUFACTURER / MATERIAL	COLOR
ROOFING	GAF, ASPHALT SHINGLES	CHARCOAL
GUTTER, DOWNSPOUT	ALUMINUM	WHITE
FASCIA, SOFFIT	LP SMARTSIDE, COMP. WOOD	WHITE
SIDING - BOARD & BATTEN	LP SMARTSIDE, COMP. WOOD	WHITE
SIDING - TRIM	LP SMARTSIDE, COMP. WOOD	WHITE
WINDOW - ALUM CLAD WD DOUBLE HUNG	PELLA	BLACK
COLUMN WRAP	LP SMARTSIDE, COMP. WOOD	WHITE

7 GARAGE - EAST
3/16" = 1'-0"



6 GARAGE - FRONT
3/16" = 1'-0"



3 SIDE (WEST) ELEV
3/16" = 1'-0"



1 FRONT (NORTH) ELEV
3/16" = 1'-0"



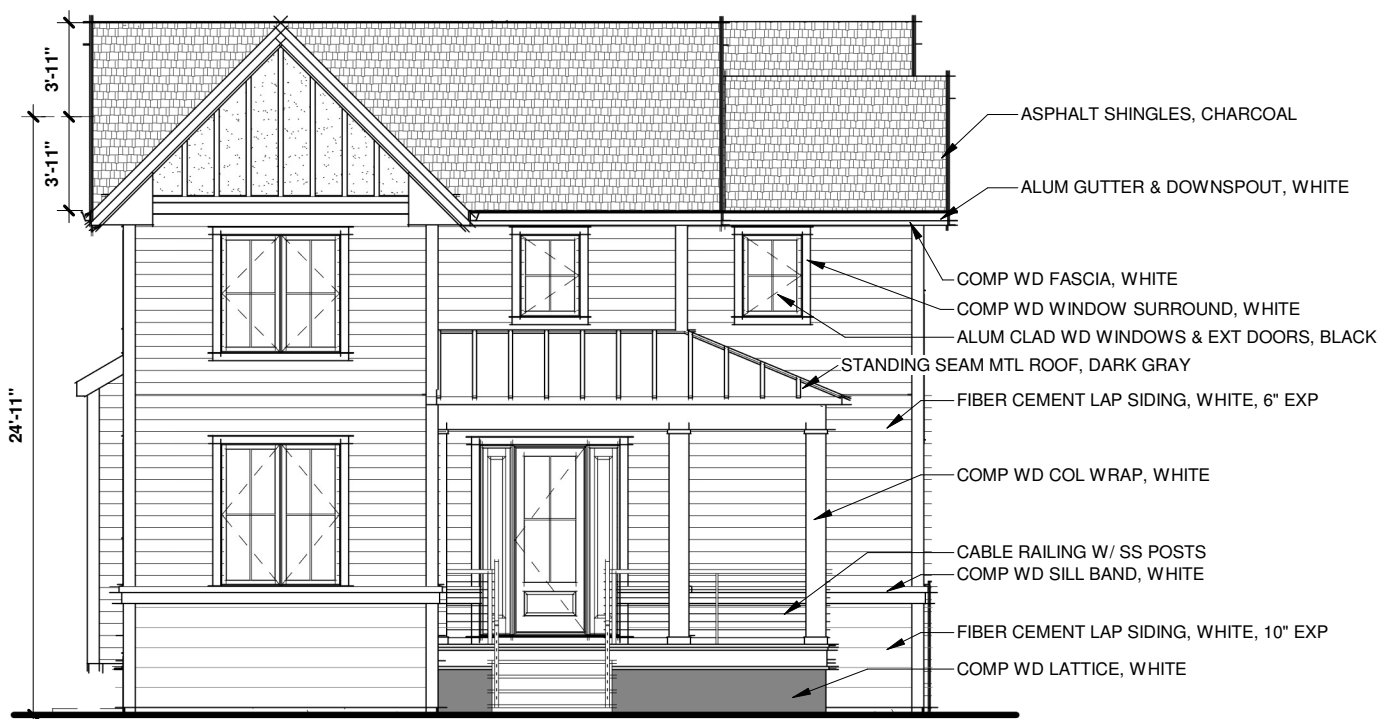
4 SIDE (EAST) ELEV
3/16" = 1'-0"

2 REAR (SOUTH) ELEV
3/16" = 1'-0"



No.	Description	Date
1	DESIGN COMMISSION SET	06/26/20

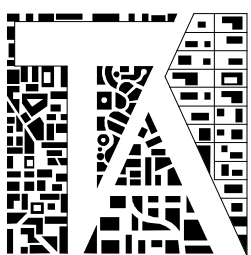
Project Name and Address		
ERICKSEN NEW SFR		
129 S HIGHLAND AVE, ARLINGTON HEIGHTS		
Project No. 20-065		
Description ELEVATIONS		
Sheet DC.3		



1 FRONT (NORTH) ELEV
1/8" = 1'-0"



4 SIDE (EAST) ELEV
1/8" = 1'-0"



THOMAS
ARCHITECTS
2800 S RIVER RD, #105
DES PLAINES, IL 60018
O: 847 235 6815
THOMAS@THOMASARCH.COM

ELEVATIONS

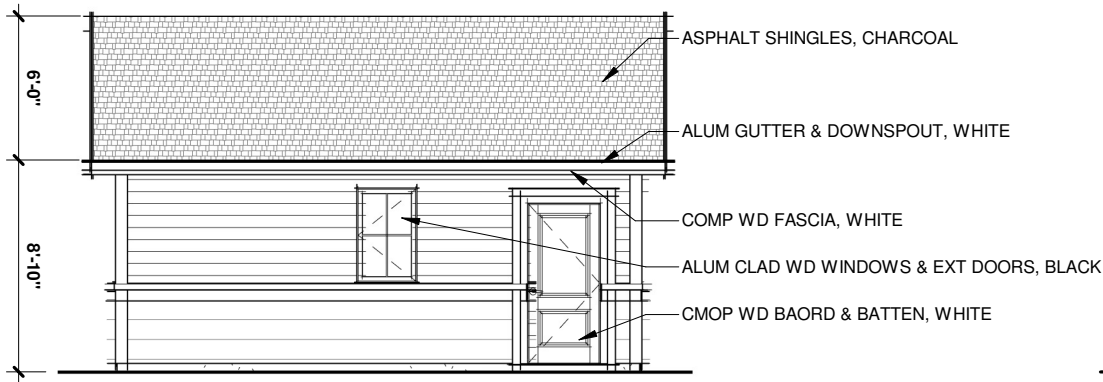
129 S HIGHLAND AVE,
ARLINGTON HEIGHTS

20-065

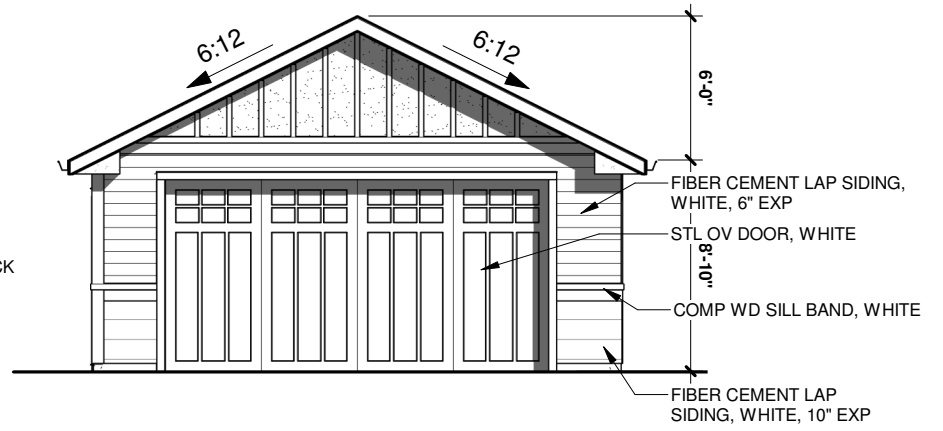
NEW SFR

05/20/2020

V.5



4 GARAGE - EAST
1/8" = 1'-0"



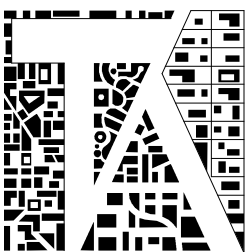
3 GARAGE - FRONT
1/8" = 1'-0"



2 REAR (SOUTH) ELEV
1/8" = 1'-0"



1 SIDE (WEST) ELEV
1/8" = 1'-0"



**THOMAS
ARCHITECTS**
2800 S RIVER RD, #105
DES PLAINES, IL 60018
O: 847 235 6815
THOMAS@THOMASARCH.COM

ELEVATIONS

129 S HIGHLAND AVE,
ARLINGTON HEIGHTS

20-065

NEW SFR

05/20/2020

V.6

[REDACTED]

From: keith allen [REDACTED]
Sent: Monday, September 7, 2020 10:53 AM
To: Mach, Derek
Subject: Variances - 129 S. Highland

Importance: High

[NOTICE: This message originated outside of Village of Arlington Heights email system -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Zoning Board of Appeals

I ask that you deny the egregious variance requests for property listed above: 33% over minimum lot size & 40% over minimum lot width. The zoning regulations were written with a purpose, continued allowance of egregious variances makes a mockery of the regulations. Please take into consideration the requirements to approve said variances:

11.2 Land Use Variations. In order to receive a variation, the Petitioner must provide support for each of the following factors:

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

It does not appear that any of the above requirements are met in this case, and all must be met to approve a variance.

Thank You

Keith Allen
[REDACTED] S. chestnut Ave.
Arlington Heights, IL 60005

[REDACTED]

From: MaryAnne O'Toole [REDACTED] >
Sent: Tuesday, September 8, 2020 2:16 PM
To: Mach, Derek
Subject: 129 S Highland

[**NOTICE:** This message originated outside of Village of Arlington Heights email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

You asked for comments and questions on 129 S Highland. My comment is on the bigger issue of how design and construction are handled.

A number of homeowners in this neighborhood have water problems, mostly from the intensity of storms and the amount of rain, including record breaking 10 inch rains in May for three years running now.

People have filled in what used to be swales along their back lot line that were supposed to allow water to flow to the street. Water that could be sent to the street has been allowed to flow onto adjacent properties. Sheds and compost piles impede flow.

I would like to see the Village study this area wide problem and provide help for existing homeowners.

Mary Anne O'Toole
[REDACTED] S Chestnut



**Zoning Board of Appeals
9/14/2020**

Item: 948 E. University Dr. - ZBA#20-024

Department: Planning & Community Development

REQUEST

1. A 2 foot variation from Chapter 28, Section 6.13-3 (Location of Fences) and Chapter 28, Section 6.13-3a (Location of Fences – Front Yard) to allow a 5 foot tall semi-open fence in the front yard, where code allows a 3 foot tall fence of open design.

ATTACHMENTS:

Description

Supporting Documents

Type

Exhibits

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: September 14, 2020
Date Prepared: September 8, 2020
Project Title: Padowski Residence
Address: 948 E. University Drive

Background Information

Petition Number: ZBA #20-024
Petitioner: Michael Padowski
Address: 948 E. University Drive
Arlington Heights IL 60004

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

Requested Action/Background Information

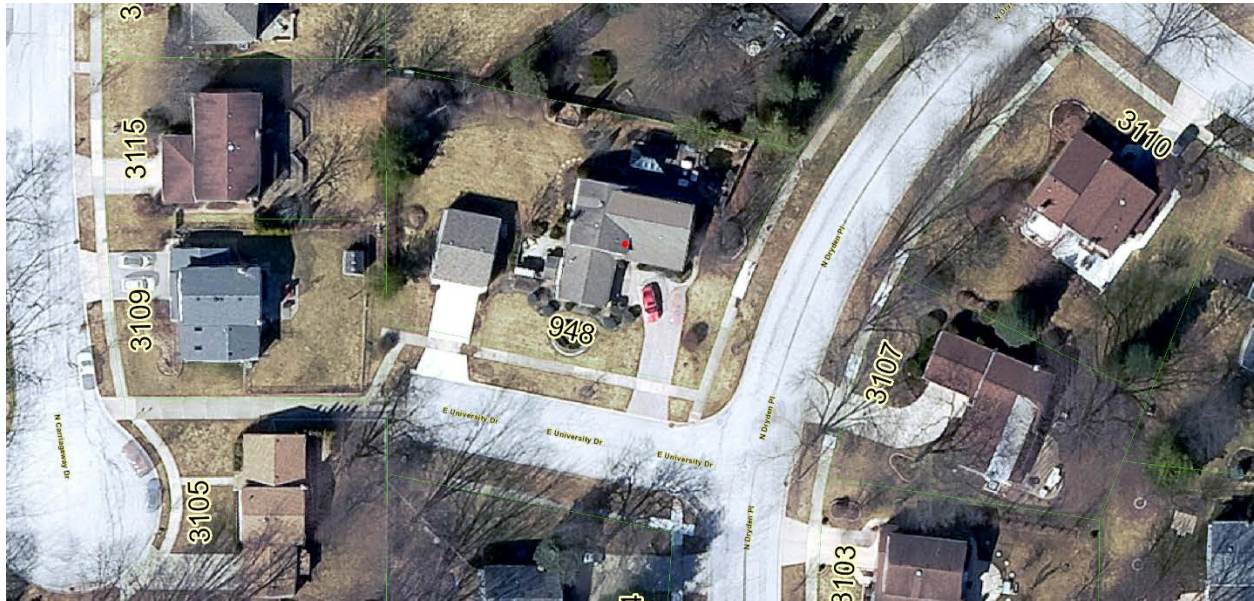
The subject property has frontage along N. Dryden Place and E. University Drive. Pursuant to Chapter 28, the smaller of the two dimensions adjacent to a street shall be considered the front yard and for the subject property, the frontage along N. Dryden Place is defined as the front. The petitioner is proposing to replace the existing five-foot tall, semi-open board-on-board wood fence in their front yard. However, fences in front yards are only permitted to be a maximum of 3 feet tall, and must be open in design. Therefore, the petitioner requests the following variation:

- A 2 foot variation from Chapter 28, Section 6.13-3 (Location of Fences) and Chapter 28, Section 6.13-3a (Location of Fences – Front Yard) to allow a 5 foot tall semi-open fence in the front yard, where code allows a 3 foot tall fence of open design.

Variation Review Standards

In its consideration of the standards of practical difficulties or particular hardships, the Zoning Board of Appeals shall require evidence that (1) the proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property; and (2) the plight of the owner is due to unique circumstances, which may include the length of time the subject property has been vacant as zoned; and (3) the proposed variation is in harmony with the spirit and intent of this Chapter; and (4) the variance requested is the minimum variance necessary to allow reasonable use of the property. A variation shall be permitted only if the evidence, in the judgment of the Board of Appeals, sustains each of the four conditions enumerated.

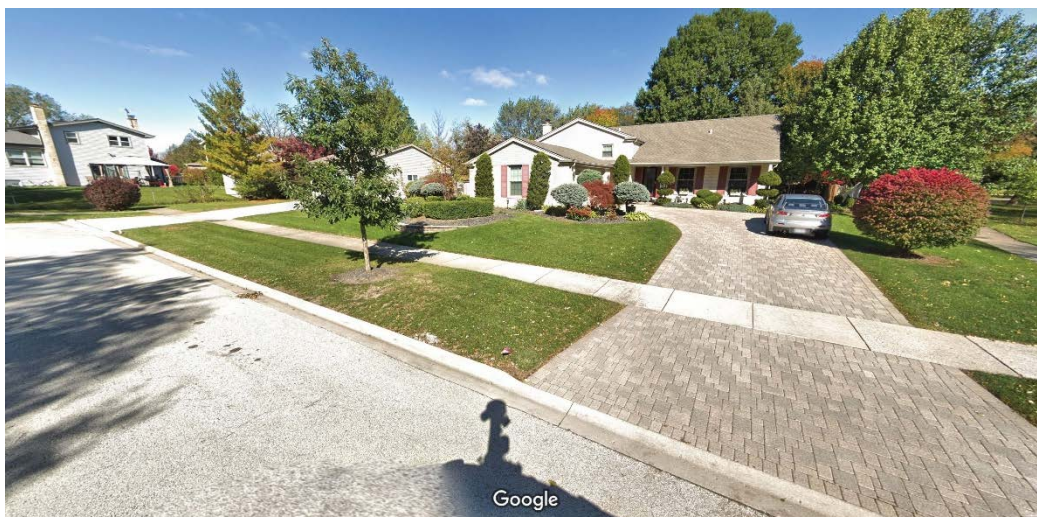
Map of General Vicinity



Items required to be Submitted 15 Days Prior to Public Hearing

Item	Provided	Dated	Remarks
1. Notification Affidavit	✓	8/28/20	
2. List of Property Owners Within 250 feet of Subject Property	✓	8/28/20	
3. Letter that was Mailed	✓	8/28/20	
4. Photographs of Sign on Property	✓	8/28/20	

Photographs of Existing Structure







Village of Arlington Heights Building & Life Safety Department

Interoffice Memorandum

To: Derek Mach, Zoning Board of Appeals Liaison

From: Deb Pierce, Building & Life Safety Department

Project Name: Padowski Residence

Project Address: 948 E University Dr.

ZBA #: 20-024

Date: August 25, 2020

Derek:

I have reviewed the request for the following variance:

- A 2 foot variation from Chapter 28, Section 6.13-3 (Location of Fences) and Chapter 28, Section 6.13-3a (Location of Fences – Front Yard) to allow a 5 foot tall semi-open fence in the front yard, where code allows a 3 foot tall fence of open design;

and do not have any objections or comments.

ZBA# 20-024
948 E University Ave - ZBA
Rev. Eng: Briget Schwab, P.E.
cc: Mike Pagones, P.E. Village Engineer

Application Date: August 12, 2020
Received by Planning:
Transmitted to Engineering: August 25, 2020
Received by Briget: August 25, 2020
Completed: August 25, 2020

The proposed ZBA application indicates that the petitioner is seeking:

A 2 foot variation from Chapter 28, Section 6.13-3 (Location of Fences) and Chapter 28, Section 6.13-3a (Location of Fences – Front Yard) to allow a 5 foot tall semi-open fence in the front yard, where code allows a 3 foot tall fence of open design

The Engineering Division has NO OBJECTION on the proposed variance for location of fences. The proposed fence will not impact sight distance for drivers.

--

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Padowski Residence

Project Address: 948 E. University Dr.

ZBA #: 20-024

ZBA Hearing Date: September 14, 2020

To: Mike Pagones, Village Engineer
Mark Fink, Assistant Building Official

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

From: Derek Mach, Zoning Board of Appeals Liaison

Transmitted On: August 25, 2020

- A 2 foot variation from Chapter 28, Section 6.13-3 (Location of Fences) and Chapter 28, Section 6.13-3a (Location of Fences – Front Yard) to allow a 5 foot tall semi-open fence in the front yard, where code allows a 3 foot tall fence of open design

Attached are the Petitioner's:

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

Comments: No Comments. Steve Hautzinger, Design Planner

Please review, comment, and return to me no later than **September 4, 2020.**

PETITION

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

PETITION

NOW COMES the Petitioner Michael Padowski

being the owner of the property commonly know as: 948 E. University Drive

and appeals to the Zoning Board of Appeals of the Village of Arlington Heights for a Variation from Section 6.13-3A

Chapter 28, of the Arlington Heights Municipal Code, in order to: Install a 5ft semi open fence in front yard where code allows 3ft open fence

I hereby state that the proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property if the variation(s) were granted (please explain): Requesting a 5' design that is very common in the neighborhood. Current fence is 5'. Similar layouts w/ 5' fence exist throughout the neighborhood. (pics)

I hereby state that the plight of the owner is due to unique circumstances, which may include the length of time the subject property has been vacant as zoned (please explain): The property is unique, side is considered front. Pond located in the corner of property prohibits using alternate fence plans/layouts. (pics)

I hereby state that the proposed variation is in harmony with the spirit and intent of this Chapter (please explain): Proposed fence will not be an eye sore or stand out. It covers a sma area of property that per design is typically considered side not front

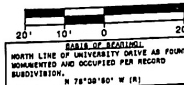
I hereby state that the variance requested is the minimum variance necessary to allow reasonable use of the property (please explain): Requesting a variance on small section of property to provide reasonable level of privacy in backyard with a common fence design that accommodates previously installed pond.

Signed: 
Petitioner

Date: 8/12/20

OF

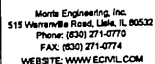
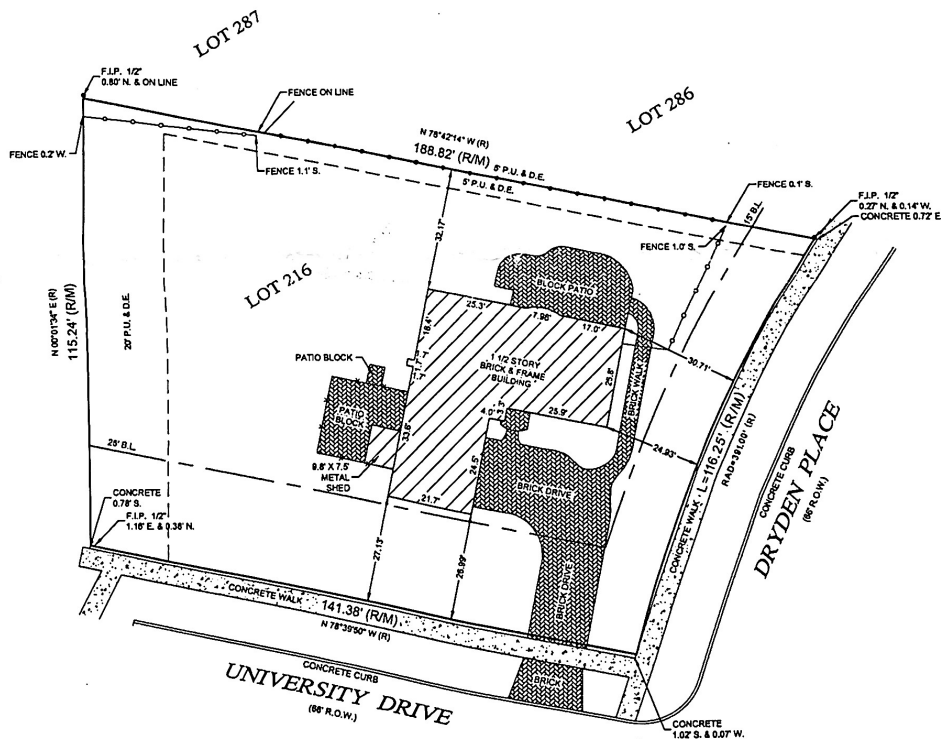
AREA OF SURVEY:
'CONTAINING 18.334 SQ. FT. OR 0.42 ACRES MORE OR LESS'



LEGEND

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

-N-	= CHAIN LINK FENCE
-O-	= WOOD FENCE
-C-	= METAL FENCE
-V-	= VINYL FENCE
-E-	= EASEMENT LINE
-B-	= BACKTRACK LINE
-I-	= INTERIOR LIMIT



STATE OF ILLINOIS 143
COUNTY OF DUPAGE
I, THE UNDERSIGNED, AN ILLINOIS PROFESSIONAL LAND
SURVEYOR, DO HEREBY CERTIFY THAT THIS PROFESSIONAL
SERVICE CONFORMS TO THE CURRENT ILLINOIS WRITING
STANDARDS FOR A BOUNDARY SURVEY,* AND THAT THE
PLAT HEREON DRAWN IS A CORRECT REPRESENTATION
OF SAID SURVEY.

DATED, THIS 10TH DAY OF MAY, A.D.,
2019, AT LITZLE, ILLINOIS.

J. C. Morrison

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-2317
LICENSE EXPIRATION DATE NOVEMBER 30, 2019
ILLINOIS BUSINESS REGISTRATION NO. 184-001248



NOTE:

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

ADDRESS COMMONLY KNOWN AS 848 E. UNIVERSITY DRIVE
ARLINGTON HEIGHTS, ILLINOIS
CLIENT CITYWIDE TITLE CORP.
FIELDWORK DATE (GROW) 05-07-18 (DJ/RJ)
DRAIN BY: LV REVIEWED: JOB NO. 18-04-0477

PROPOSED SITE PLAN

LOT 287

LOT 286

LOT 216

NEW 24'x30' GARAGE

1 1/2 STORY BRICK & FRAME BUILDING

BRICK PATIO

BRICK DRIVE

CONCRETE WALK

DRYDEN PLACE

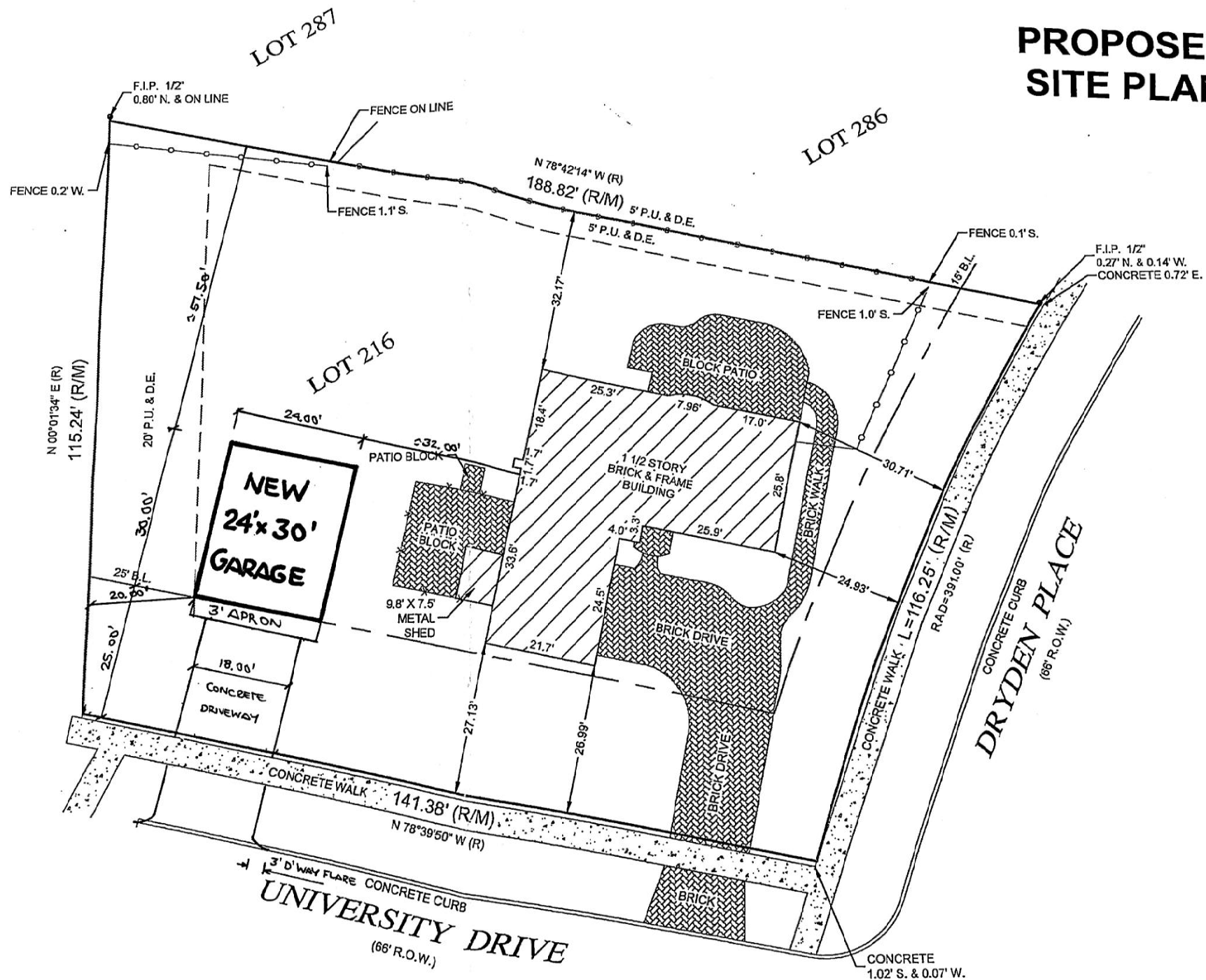
UNIVERSITY DRIVE

Portion of fence on this variance. Proposing 5ft semi open fencing.

948E

PADOWSKI

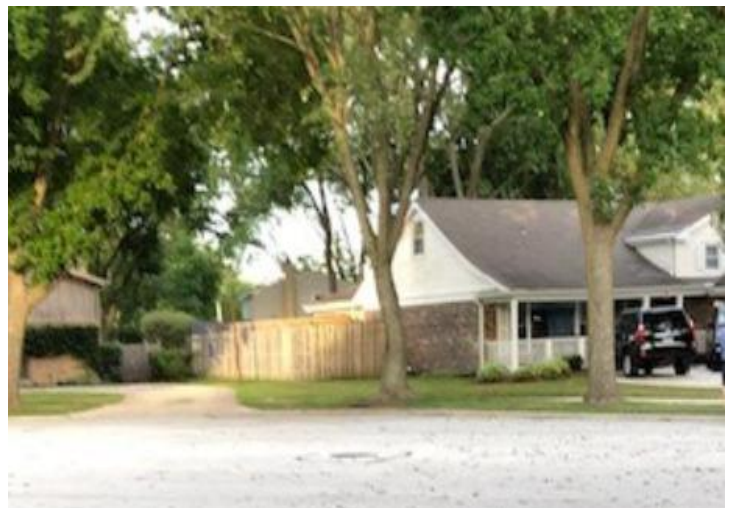
PROPOSED SITE PLAN



Addendum Page A

Arlington Heights: Northgate Neighborhood

Examples of similar property fence layouts / designs:



Addendum Page B

Arlington Heights: Northgate Neighborhood

Petitioners Property:



[REDACTED]

From: [REDACTED]
Sent: Tuesday, September 1, 2020 10:37 AM
To: Mach, Derek
Subject: Disapproval of Variation Request for property at 948 E. University Drive

[NOTICE: This message originated outside of Village of Arlington Heights email system -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Our address is at [REDACTED] N Volz Drive West in Arlington Heights. We are not in favor of granting the requested 2 foot variation for the proposed fence on this property. There are no other fences of this height in the front yards of the Northgate subdivision. A 5 foot fence would be an eyesore and detract from the visual appeal of the neighborhood. This variance would also set a future precedence. A 3 foot fence should be more than sufficient, and no variation should be allowed. It should also be considered that this property has already received a variation on an oversized detached garage. Codes are written to ensure that the quality of the whole neighborhood is considered when individuals make changes to their property. Please abide by the code as written.

Thank you,
Bob & Judy Kellen

Sent from [Mail](#) for Windows 10