



Agenda  
Village of Arlington Heights  
Zoning Board of Appeals  
Buechner Room, 1st Floor  
33 S. Arlington Heights Rd.  
September 13, 2021  
7:00 PM

**I. CALL TO ORDER**

**II. ROLL CALL**

**III. APPROVAL OF MINUTES**

- A. 218 W. Palatine Rd - 8/9/21
- B. 4029 N. Mitchell Ave - 8/9/21

**IV. REPORTS**

**V. OLD BUSINESS**

**VI. NEW BUSINESS**

- A. 407 N. Brighton Pl - ZBA#21-025
- B. 1452 N. Yale Ave. - ZBA#21-027
- C. 2234 N. Dryden Ln - ZBA#21-029

**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  
9/13/2021**

**Item:** 218 W. Palatine Rd - 8/9/21

**Department:** Planning & Community Development

**ATTACHMENTS:**

**Description**

Minutes - 8/9/21

Findings - 8/9/21

**Type**

Minutes

Minutes

ZONING BOARD

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

OF APPEALS

RE: 218 WEST PALATINE ROAD, ZBA #21-026

REPORT OF PROCEEDINGS had before the Village of  
Arlington Heights Zoning Board of Appeals taken at the Arlington Heights  
Village Hall, 33 South Arlington Heights Road, 1st Floor, Buechner Room,  
Arlington Heights, Illinois on the 9th day of August, 2021 at the hour of  
7:00 p.m.

MEMBERS PRESENT:

PETER SIAVELIS, CHAIRMAN  
TOM DRAKE  
JOSEPH SELBKA  
BENJAMIN JAFFE  
JEFF LANAGHAN

ALSO PRESENT:

DEREK MACH, Development Planner

CHAIRMAN SIAVELIS: All right, let's call the meeting to order. Okay, welcome everyone. Today is August 9th, 2021, the Village of Arlington Heights Zoning Board of Appeals meeting. Let's now proceed. I'm going to call the meeting to order. I'm Chairman Peter Siavelis.

Derek, let's proceed with the roll call, please.

MR. MACH: Chairman Siavelis?

CHAIRMAN SIAVELIS: Here.

MR. MACH: Mr. Drake?

COMMISSIONER DRAKE: Here.

MR. MACH: Mr. Geisel?

(No response.)

MR. MACH: Mr. Jaffe?

COMMISSIONER JAFFE: Here.

MR. MACH: Mr. Lanaghan?

COMMISSIONER LANAGHAN: Here.

MR. MACH: Mr. Selbka?

COMMISSIONER SELBKA: Here.

CHAIRMAN SIAVELIS: Great. So, now I'll move to the Pledge of Allegiance.

(Pledge of Allegiance recited.)

CHAIRMAN SIAVELIS: Okay, next item is the approval of minutes from the July meeting. Hopefully everybody has had a chance to review the prior meeting minutes.

Are there any changes, revisions, anything like that?

(No response.)

CHAIRMAN SIAVELIS: Okay, hearing none, is there a motion to approve?

COMMISSIONER LANAGHAN: So moved.

COMMISSIONER JAFFE: Second.

CHAIRMAN SIAVELIS: All right, Derek, verbal?

MR. DEREK: All ayes.

CHAIRMAN SIAVELIS: Okay, all in favor?

(Chorus of Ayes.)

COMMISSIONER SELBKA: Okay, great.

Moving on now to substantive matters. We have two petitions for tonight. There are some hearing procedures, folks. Let me run through these procedures with you, make sure everybody understands the procedures and the guidelines because they are important. They govern how this meeting flows and things of that nature and when you, if you have questions with the procedures when you get up to present your petition, you can ask then and there. Now is not really the time to raise a question with them.

Okay, first off, if there are less than six members present, the Petitioner has an option to continue the meeting, okay? Please remember, it takes four affirmative votes to approve variance regardless of the number of Board members in attendance, okay, so we have five. So, the petition needs to go four for five to get a petition approved, okay, the variance approved. If you have a no vote and a denial,



excuse me, if you have a denial, not necessarily a no vote, but denial of the petition, the Petitioner cannot re-apply for an entire calendar year, okay?

Before the Petitioner of substantively speaks, the Staff, which would be Derek, he's going to give an overview and presentation on the project and the variance. At that point in time, the Petitioner will then have an opportunity to present his or her petition. And there are four elements that are necessary to establish for the Board to be able to grant a variance. I want to clarify and make sure you folks know that these elements are the Petitioner's responsibility, right? You must establish each of these four in order for us to vote in your favor. It's not our responsibility to pull them out of you, okay?

You must touch on reason and establish these four elements and they were in the papers that were provided you previously. And they are as follows:

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

Again, a variation shall be permitted only if the evidence and the judgment of this Board sustains each of the four conditions enumerated, okay?

All right, so let's proceed now with the first petition, then swear in the Petitioner and the Staff is going to give an overview, unless Derek, you want to give the overview before we swear him in. But either way, the agenda doesn't, it doesn't really matter. So, the new business first item and the first petition is ZBA #21-026; it's 218 West Palatine Road.

So, Derek, why don't you go ahead and give the overview.

MR. MACH: Thank you.

The Petitioner is proposing to install a six-foot tall solid fence in the front yard where code of law limits the height of fence is to an open three-foot high fence.

If the Zoning Board is supportive of the variance, request the location must comply with the 12-foot vision triangle at the corner of Chestnut and Palatine Road. In addition, it's recommended that the existing landscaping in the street side of the fence be maintained.

The Petitioner is requesting a three-foot variance in Chapter 28, Section 6.13-3, and Chapter 28, 6.13-3(a) to allow a six-foot tall solid fence in the front yard where code of law is a three-foot tall fence of open design. Thank you, Chairman.

COMMISSIONER SELBKA: Great, thank you very much, Derek.

Okay, who is presenting tonight on behalf of this petition? Okay, step right up. Okay, have you signed in?

MS. SCOPINSKI: I did.

CHAIRMAN SIAVELIS: Okay. All right, let's just state your name for the record, right, and then we'll swear you in.

MS. SCOPINSKI: Samantha Scopinski.

CHAIRMAN SIAVELIS: Okay, Samantha, can you raise your right hand, please?

(Witness sworn.)

CHAIRMAN SIAVELIS: Okay, you have the floor.

MS. SCOPINSKI: Thank you. Thank you for letting me come tonight.

Right now, we have a chain link fence when we moved in four years ago. Since then, I have two little girls, a four-year-old and a one-year-old and this year, when the one-year-old was born, her room is, faces Palatine Road and I was sitting in the chair and looking out and the four-foot fence, you can see into her room with the chain link that's already there. And so, we were thinking a solid fence would just be, have a little bit more safety, a little bit more privacy for my kids.

We also have at the corner there, we have a playground we recently put in; they run around the yard. Again, privacy and safety of the two little kids. We have the bushes, but again, people could walk by very nicely, but it would be a little bit more private and safe. The people across the street have, they're a side, but a little bit down Palatine they have the same type of fence that we're hoping to get even though they technically are a side yard, but it would be the same type of fence, so it would have the same esthetics as we would do.

So, we're not doing anything different, just raising the height for the safety and, like I said, it would still have the same look as it would across the street. And then for the Chestnut side, which is the other, the corner, it would go down, but just to keep the esthetic, I want the same look, not the chain link fence. But as you can see in the pictures, our house is on a little bit of a hill so when I was measuring to try to figure out what height I actually need to protect my daughter's bedroom, she's like the bottom right corner, yeah, where that one tree is blocking.

But you can see it in the top one, a six-foot, I had some cardboard out there looking and the six-foot is what would really cover her window, for people walking by, you know, at night or during the day or whatever, but it doesn't block the top windows. It doesn't block the view of the house. You know, our entrance is off of Chestnut, so it wouldn't be a, you know, a problem with traffic or, you know, anything like that. We're not pulling out onto Palatine Road. It would just go about really two feet higher than those bushes are right now, just to cover those windows in the bottom right.

CHAIRMAN SIAVELIS: Right, so that window that we see in that top picture --

MS. SCOPINSKI: Yes.

CHAIRMAN SIAVELIS: -- that is, those are your daughter's windows or the bedroom windows you're referring to?

MS. SCOPINSKI: Yeah, yeah, not the bay window, the bottom right of the house, yeah, right where Derek is.

CHAIRMAN SIAVELIS: So, those windows look pretty low on the elevation, right?

MS. SCOPINSKI: They are, she's the only room that's ground level, and that's why, again, my other daughter's in a different room, so when I had the new baby, I was like, ooh, I didn't realize kind of how level her room, you know, is to the ground.

CHAIRMAN SIAVELIS: Just so we're clear, approximately how far off the

ground is like the bottom edge of that window, would you say?

MS. SCOPINSKI: The bottom edge, so my sign is there right now and I think that's four feet right in front of it. I would say, I would probably say to my hip, maybe three feet, three to four feet.

CHAIRMAN SIAVELIS: Okay, yes, just approximately.

MS. SCOPINSKI: Yeah.

CHAIRMAN SIAVELIS: And just to let you know, most of us have your papers up on our computers, right?

MS. SCOPINSKI: Uh-huh.

CHAIRMAN SIAVELIS: So, we're, that's what we're looking at and we're cross-checking. It's not like we're --

MS. SCOPINSKI: Oh, yeah, no, no.

CHAIRMAN SIAVELIS: -- ESPN checking scores, or --

MS. SCOPINSKI: No.

COMMISSIONER LANAGHAN: I was. I'm not checking scores on my phone. I thought about it.

MS. SCOPINSKI: We have a gate, I don't know, maybe in the picture you can see, kind of at top-left where the garage meets the house, it's a detached garage. That's a six-foot gate, so again, the esthetic would continue kind of around the house where that gate is already, already there.

CHAIRMAN SIAVELIS: Okay. All right, so tell us, have you talked with your neighbors?

MS. SCOPINSKI: Yes.

CHAIRMAN SIAVELIS: Did any of your neighbors' voice opposition or concern?

MS. SCOPINSKI: Oh, no, the ones that, I hope you get an 18, no, but yeah, no, they, they were very supportive. We share with our neighbor on Palatine, we share a chain link which we would keep. Again, that would just be the front and the side and then our neighbors to, down Chestnut, were great across; they all were in support just because they know we have the little ones.

CHAIRMAN SIAVELIS: Okay, just so the record is clear, Derek, can you flip to the overhead?

MR. MACH: Yes.

CHAIRMAN SIAVELIS: So, the neighbors that you share the chain link fence are to the east of you, correct, to the right?

MS. SCOPINSKI: Yes, her, right there. That's her house, to the --

CHAIRMAN SIAVELIS: So, to the east of you, okay.

MS. SCOPINSKI: Yes.

CHAIRMAN SIAVELIS: 214 is the lot number I believe there or the address there.

MS. SCOPINSKI: Yeah.

CHAIRMAN SIAVELIS: And then the house that has the other six-foot fence that you said was across the, was it across the street from you?

MS. SCOPINSKI: It's, it's, I think we're like open a little bit farther down. It's right almost where the frontage kind of splits, if you're familiar down there, but theirs is

technically side, but it looks like the same as what we're hoping to get.

CHAIRMAN SIAVELIS: Okay.

MS. SCOPINSKI: It's not right across, but --

CHAIRMAN SIAVELIS: So, the neighbor to your due west of you --

MS. SCOPINSKI: Uh-huh.

CHAIRMAN SIAVELIS: -- across the street, across Chestnut from you --

MS. SCOPINSKI: Yes.

CHAIRMAN SIAVELIS: -- did they voice any opposition or any concern?

MS. SCOPINSKI: No, not at all.

CHAIRMAN SIAVELIS: Okay.

MS. SCOPINSKI: And neither did the one south.

CHAIRMAN SIAVELIS: And they have a buffer, it looks like they have a buffer. I do see they have a lot of trees there.

MS. SCOPINSKI: Yeah, they have those pine triangle kind of ones that they have.

CHAIRMAN SIAVELIS: Okay, all right.

COMMISSIONER JAFFA: Is that a trampoline or --

MS. SCOPINSKI: It's a pool, it's a pool. So, that was another, you really can't see into the pool, but just kind of another, you know, thought is there, but that's all fenced in.

COMMISSIONER JAFFA: Okay.

CHAIRMAN SIAVELIS: And the backyard fence there, what is that, that's chain link?

MS. SCOPINSKI: That is also chain link, yes.

CHAIRMAN SIAVELIS: Okay, and then the fence on the north side, north of the garage, that's chain link?

MS. SCOPINSKI: That's also chain link, yeah. The only one that's vinyl is the gate between the detached garage and the house.

CHAIRMAN SIAVELIS: Okay, and the fence that you're seeking, the variance for would be a vinyl?

MS. SCOPINSKI: Would be vinyl.

CHAIRMAN SIAVELIS: A solid type of fence?

MS. SCOPINSKI: Yeah.

CHAIRMAN SIAVELIS: To match up with that?

MS. SCOPINSKI: Yes.

CHAIRMAN SIAVELIS: Okay, and are you aware of the commentary, like the commentary and the requirements from the Village Staff that Derek was reading at the outset of this, before your presentation started?

MS. SCOPINSKI: Yes.

CHAIRMAN SIAVELIS: Okay, and are you willing to comply with those requests?

MS. SCOPINSKI: Oh, yes.

CHAIRMAN SIAVELIS: Okay, any other questions?

COMMISSIONER LANAGHAN: I just have one which I'm a little confused. The, it looks like the engineer had two variances he pointed out when you're only asking

for one, are we --

MS. SCOPINSKI: I think it was because it was solid was one, and then the height.

COMMISSIONER LANAGHAN: One's a three foot, the height, then the other is a setback on the side here. So, one is technically a side yard and one's a front yard variance. Are you --

MS. SCOPINSKI: Yes, so the, the Palatine side would be the front yard variance and then the Chestnut would be the side yard variance.

COMMISSIONER LANAGHAN: So, we are asking for two variances here, not one.

MR. MACH: Just to clarify, it's one variance. The fence along Chestnut Avenue is code compliant.

COMMISSIONER LANAGHAN: It's code compliant, okay.

MR. MACH: It's the fence that, beyond the front of the house, which is the area, the Palatine Road property line, between there and the house is, would be the variance for what the Petitioner is asking for a six foot.

COMMISSIONER LANAGHAN: I got you, okay.

CHAIRMAN SIAVELIS: And the 12-foot vision triangle, Derek, can you just elaborate on that so that the Petitioner understands that --

MR. MACH: Sure.

CHAIRMAN SIAVELIS: -- because she's testified like two minutes ago to the fact that she's going to be wanting to comply with all the comments, so let's make sure you're square with that.

MS. SCOPINSKI: Thank you.

MR. MACH: Per code of this area, if you extended this area 12 feet in each direction, then made a triangle of this area, nothing in this area can exceed three feet in height in order to maintain vision for drivers and that's a code requirement.

MS. SCOPINSKI: Okay.

CHAIRMAN SIAVELIS: So, maintain those sight lines, right?

MR. MACH: Correct.

CHAIRMAN SIAVELIS: So, there is a possibility that that lower left corner, the southwest corner, or your fence there where Derek is putting his mouse, you may need to push it up, make sure it's at least 12 feet away from --

MR. MACH: In this direction.

CHAIRMAN SIAVELIS: Yes.

MS. SCOPINSKI: Okay.

COMMISSIONER JAFFA: Is that from the road or is that from the property line?

MR. MACH: From the property line.

COMMISSIONER JAFFA: From the property line.

MS. SCOPINSKI: From the property line, okay. Okay, because the current, yeah, the current fence is back and I think that we talked about that, why that was a factor maybe was when they put this fence in for vision, I'm not sure, but whatever needs to be done, we will do it.

CHAIRMAN SIAVELIS: Right, and I think that's actually an important point

since it's going to be a six-foot solid fence on that corner. You don't want to monkey with the sight line, compromise the sight line.

MS. SCOPINSKI: Yeah, if we did like a, one of the --

CHAIRMAN SIAVELIS: Stagger down.

MS. SCOPINSKI: Yeah, the stagger down, would that meet for that corner?

MR. MACH: Yes, yes, you could either taper it or drop it to three feet.

CHAIRMAN SIAVELIS: So, Derek, how far do they have to be from that, that corner of the property line if they're at three feet? Can they go to the property line if they're at three feet?

MR. MACH: Yes, anything three feet or lower can be within that vision triangle.

MS. SCOPINSKI: Okay.

CHAIRMAN SIAVELIS: Okay, so, but you realize what the issue is going to be then, right? As you're coming westbound, you go from six feet down to three feet.

MS. SCOPINSKI: Down to three feet.

CHAIRMAN SIAVELIS: Then you're going to make the turn and go north at three feet and then you're going to take her back up to six feet?

MS. SCOPINSKI: To be honest, our whole concern was Palatine, so if to get it, if it goes down to three for Chestnut, that's, we can keep it at three. We really just wanted the Palatine six foot and whatever we could get because that's our big concern.

MR. MACH: Just as long as you understand what the requirements are.

MS. SCOPINSKI: Yes.

CHAIRMAN SIAVELIS: Okay.

MR. MACH: And then just to clarify then the landscaping will be on the outside wood fence along Palatine Road?

MS. SCOPINSKI: Yes. And does that, just to clarify, does that need to still be the current bushes or can it be new landscaping put in?

MR. MACH: Either.

MS. SCOPINSKI: Either, okay.

CHAIRMAN SIAVELIS: Okay, any further questions?

COMMISSIONER JAFFA: But the fence line does not go out as far to the west as that indicates. It could remain six feet tall?

CHAIRMAN SIAVELIS: As long as it doesn't encroach on 12 feet, within 12 feet of that southwest corner.

COMMISSIONER JAFFA: So, you either taper it or pull it back closer to the house and maintain the six-foot height.

MR. MACH: Or the 45-foot corner --

COMMISSIONER JAFFA: Pardon me?

MR. MACH: Or the 45 --

COMMISSIONER JAFFA: So, just, you know, before you make your final plan, if you don't like the taper idea, you can maintain this --

MS. SCOPINSKI: The six.

COMMISSIONER JAFFA: -- this height, but now you're pushing it back towards your house.

MS. SCOPINSKI: Okay.

CHAIRMAN SIAVELIS: That's probably something you'll work with a fence contractor on.

MS. SCOPINSKI: Yeah, they'd have a better vision.

CHAIRMAN SIAVELIS: And be out there with a tape measure and stuff and ignore your cardboard boxes, but that would probably--

All right, no other questions from the Board? At this phase now, we open it up for comments from the audience. So, we have two other folks in the audience.

Are you here to comment on this petition or are you waiting for petition two?

MR. SWANSON: We're waiting for petition two.

CHAIRMAN SIAVELIS: Okay, no other, nobody else, I assume is going to be commenting from the audience, since there's no one else.

And Derek, we don't have anybody, we're not supporting any Zoom audience members, right?

MR. MACH: Correct.

CHAIRMAN SIAVELIS: Okay, so no need for you to respond to any comments from the audience because there are none, so we move to the next phase, which is deliberation by the Board members and you can take a seat.

MS. SCOPINSKI: Okay.

CHAIRMAN SIAVELIS: We'll call you back if we have any specific questions. I don't know who wants to start with this, but go ahead, Tom.

COMMISSIONER DRAKE: Reasonable request. I think she's met all the requirements. She's willing to be flexible in terms of the sight lines, so it's pretty straightforward in my mind. You want to have the safety for your daughter, privacy, that makes complete sense, so I'm in favor of it.

COMMISSIONER SELBKA: I agree.

CHAIRMAN SIAVELIS: Yes, so do I. I asked that specific question about the height of that window because when the Petitioner was speaking and talking about the views, that point is very well made that those bedroom windows are quite low on that side of the house. I think it's an entirely reasonable request and be a concern that I would have as well and we all know Palatine Road is an extremely busy street, extremely busy. So, I'm fully in support of this and I appreciate the fact that the Petitioner is willing to comply with the Village's request for the corner and some of these other little nuances, landscaping as well.

Any other comments?

(No response.)

CHAIRMAN SIAVELIS: Okay, do we have a motion?

COMMISSIONER DRAKE: I would move for approval.

COMMISSIONER JAFFA: Second it.

CHAIRMAN SIAVELIS: Role call.

MR. MACH: Mr. Drake?

COMMISSIONER DRAKE: Yes.

MR. MACH: Mr. Jaffe?

COMMISSIONER JAFFE: Yes.

MR. MACH: Lanaghan?

COMMISSIONER LANAGHAN: Yes.

MR. MACH: Mr. Selbka?

COMMISSIONER SELBKA: Yes.

MR. MACH: Chairman Siavelis?

CHAIRMAN SIAVELIS: Yes.

Congratulations, variance granted. You can stick around or you can leave; you're not going to hurt our feelings if you depart.

MS. SCOPINSKI: Thank you all very much.

(Whereupon, the public hearing on the above-mentioned petition was adjourned at 7:23 p.m.)



# ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

## FINDINGS August 9, 2021

PETITIONER: Szopinski Residence

ADDRESS OF PROPERTY: 218 W. Palatine Rd.

VARIATION: 6.13-3 (Location of Fences), 6.13-3a (Location of Fences-Front Yard)

A 3' variation to allow a 6' tall solid fence in the front yard (Palatine Rd), where code allows a 3' tall fence of open design.

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The petitioner testified as to hardship, uniqueness of circumstances, and the character of the locality. The petitioner explained that they have a chain link fence and they are proposing a six foot tall solid fence within the front yard. The petitioner explained that some of the bedrooms face Palatine Road and they are proposing a fence that would provide additional privacy. The petitioner also explained that they have children that play in the yard and that a six foot tall fence would provide additional safety. The petitioner testified that the proposed fence at the corner of Chestnut Avenue and Palatine Road will not obstruct the vision triangle per the code requirement. The petitioner also testified that the landscaping on the perimeter of the fence along Chestnut Avenue and Palatine Road will remain and be maintained.

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. Jaffe with a condition that the homeowner provide pervious pavers for the additional impervious surface coverage. Thereafter, the Board voted 5-0 to approve the variance request.

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

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

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

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



**Zoning Board of Appeals  
9/13/2021**

**Item:** 4029 N. Mitchell Ave - 8/9/21

**Department:** Planning & Community Development

**ATTACHMENTS:**

**Description**

Minutes - 8/9/21

Findings - 8/9/21

**Type**

Minutes

Minutes

ZONING BOARD


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

OF APPEALS

RE: 4029 NORTH MITCHELL AVENUE; ZBA #21-028

REPORT OF PROCEEDINGS had before the Village of  
Arlington Heights Zoning Board of Appeals taken at the Arlington Heights  
Village Hall, 33 South Arlington Heights Road, 1st Floor, Buechner Room,  
Arlington Heights, Illinois on the 9th day of August, 2021 at the hour of  
7:24 p.m.

MEMBERS PRESENT:

PETER SIAVELIS, CHAIRMAN  
TOM DRAKE  
JOSEPH SELBKA  
BENJAMIN JAFFE  
JEFF LANAGHAN

ALSO PRESENT:

DEREK MACH, Development Planner

CHAIRMAN SIAVELIS: All right, next item up is Petition #21-028; 4029 North Mitchell Avenue.

Derek, can you please provide the overview?

MR. MACH: Thank you. The Petitioner is proposing to add three feet of pavement to the side of their existing driveway, which results in a driveway that is 25 feet wide where the maximum allowed width is 22 feet. Therefore, they are requesting a three-foot variation from Chapter 28, Section 10.2-11.1b, to allow a driveway with the maximum width of 25 feet, where a maximum width of 22 feet is permitted. Thank you, Chairman.

CHAIRMAN SIAVELIS: Thank you very much, Derek.

All right, whoever is going to be speaking on behalf of this petition, please come up, identify yourself, and let's get you signed in and sworn in.

MR. SWANSON: I have signed in.

CHAIRMAN SIAVELIS: Okay.

MR. SWANSON: Randall Swanson.

CHAIRMAN SIAVELIS: Randall, okay. Randall, please raise your right hand.

(Witness sworn.)

CHAIRMAN SIAVELIS: Great, you have the floor.

MR. SWANSON: Okay, so just a minor clarification. The existing driveway at the point of the garage door is actually 16 feet, so we're looking to expand the width of the driveway a total of nine feet, which would make it 25 feet at the, where it abuts the house. As you can see, it would be adding a siding here to accommodate the third car without blocking the two-car garage that exists. So, with this, it is in the, it is in similar concept to many other houses in the area.

There are three other houses on the same block right now that have this sort of siding and at least a dozen in a one or two block area that have a similar siding. We live in a five-bedroom house, technically it's a six-bedroom house with one bedroom being used as a den. I currently have four-and-a-half drivers, I'll have the fifth driver come December. I currently have four cars, so the challenge ends up being in the summer when bicycles are in the garage, we only have use of one stall.

So, every night we're needing to park the car on the apron to be able to accommodate things right now. So, this would avoid the need to park on the apron as well as give direct access to three vehicles and avoid a lot of shuffling and subsequent parking of vehicles on the street. There are a number of children in the area, so we didn't want to have to park any additional vehicles on the street from both a play safety perspective as well as just potential damage to vehicle perspective.

You can see, I have an odd-shaped lot, irregular shaped lot I guess is the proper term, you know, where the pie opens to the front, so there's still going to be substantial amount of green space between this expansion and my neighbor. I have spoken to many neighbors in the area including the ones immediately adjacent to me. All of them have supported this. We've also, if you care to see, lot six, nearby neighbors that have all signed a petition in support.

CHAIRMAN SIAVELIS: Have you provided them, those petitions, were

those provided to Derek prior to today?

MR. SWANSON: The, I have not provided the signatures because we only gathered them over the weekend.

CHAIRMAN SIAVELIS: Okay, so if you --

MR. SWANSON: I can give you a copy of that.

CHAIRMAN SIAVELIS: Yes, if you want those in the record, you know, part of the record for consideration, hand those to Derek and recognize that you're not going to get those back, so hopefully you've got another copy of them.

MR. SWANSON: Yes, I want to make sure I'm giving you a copy.

MR. DEREK: You can e-mail me a Pdf.

MR. SWANSON: Okay, the other thing I would add to the record, and I can get copies of this, is a picture of what, what it looks like when a vehicle is parked on the apron.

CHAIRMAN SIAVELIS: This is in our packet.

MR. SWANSON: Oh, great.

CHAIRMAN SIAVELIS: Something very similar to it. Same concept, just a different rear view instead of a front view.

MR. SWANSON: So, I guess, I believe that this is --

CHAIRMAN SIAVELIS: So, you're going to get rid of the basketball hoop that's there?

MR. SWANSON: No, the basketball hoop I was looking to maintain. If you have the sketch from the contractor up there?

CHAIRMAN SIAVELIS: Oh, you're going to relocate it?

MR. SWANSON: No, the basketball hoop would stay exactly where it is. There is some existing concrete walkway to the side of the top, so the extension would go right to the house, you know, where the garage door is, and then I would have 21 feet from that point to the basketball hoop. So, there would be ample room to get a car in and pull it out. I did consider relocating the basketball hoop, but I had enough room and felt that that was just an extra expense that I didn't think I needed to incur at this point.

CHAIRMAN SIAVELIS: Okay.

MR. SWANSON: I guess, going down the points here, I do think that this is compatible with the existing property. I'm not looking to, you know, change the flavor or use of zoning. I think this kind of circumstances that has prompted to do this. I have four drivers, four cars right now, and I will have a fifth driver soon, foreseeable at some point I might have another car, at which point, you know, having three across would allow me to not have to use the apron at all.

And, then I guess, what's the next point? I described the reason for this, you know, it's just a matter of the apron and wanting to keep cars off the street, because there are a number of children that play ball in the street and another, from a safety and potential damage to vehicle perspective and, you know, I am, I am, I think, making what I think is the minimum request to be able to comfortably fit a car there, which would be, you know, expanding three feet wider than the code allows currently.

CHAIRMAN SIAVELIS: Okay, and you spoke to your neighbor, because I didn't get a chance to look closely at the petition you just handed out, right? Did you speak to the neighbor just to your north, adjacent to your north?

MR. SWANSON: Adjacent to the north, which is corner around on Grafton, yes, they support it, they are signed on the petition. There is the neighbor to the south who we weren't able to sign on the petition, but he has told me he supports it and he's one of the three houses that actually already has this sort of siding, so you can see on his property, he has, he has that. And then if you go a couple houses south, you'll see, you know, the two other houses on the same block that have that kind of third car siding. I guess the cutoff --

CHAIRMAN SIAVELIS: Okay, good to know.

Any questions from Board members here? Jeff, maybe?

COMMISSIONER LANAGHAN: No, not really. I appreciate the clarification because I have, I've been looking at the dimension at the sidewalk at 18 feet, and I'm like, wait a second, 18 and 9 is 27, that's not what you're asking for. So, that clarification is helpful. It seems to make some sense to me and, you know, you're a much braver man than I would be with new drivers and a basketball hoop right behind cars to be a target, but --

MR. SWANSON: I never said that.

CHAIRMAN SIAVELIS: I was thinking the same thing, but the Petitioner should take note that many of the basketball pole manufacturers make a pad that you can wrap around that pole.

MR. SWANSON: Mine is padded.

CHAIRMAN SIAVELIS: Yes, so that's a good idea. And make sure your pad is in good condition and stays out there while your young drivers are navigating that.

MR. SWANSON: I will say the bumpers on at least two of the vehicles are a little scuffed, so --

CHAIRMAN SIAVELIS: Have been used?

MR. SWANSON: Yeah, they've been used. They've been used and the high school parking lot is not always kind to them.

CHAIRMAN SIAVELIS: Joe, anything?

COMMISSIONER SELBKA: I have none.

CHAIRMAN SIAVELIS: Okay, let's see if there's any comments from the audience?

MRS. SWANSON: I fully support it. He makes an excellent case.

CHAIRMAN SIAVELIS: Okay. All right, I assume you're with the Petitioner, with Randall, right?

MRS. SWANSON: You are correct.

CHAIRMAN SIAVELIS: All right, my assumption is correct. All right, so there are no other members of the audience here, so there will be no other comments from them and no response needed from the Petitioner. So, at this phase, let's go to deliberation of the Board members and we'll proceed that way.

Anybody want to start?

COMMISSIONER LANAGHAN: I'll jump in. I mean, I would certainly say, you know, it's very much in keeping with the neighborhood regardless of the number of bedrooms and number of cars. It is definitely in keeping with the neighborhood. I prefer having the cars parked up by the house as opposed to on the apron, that makes sense to me as well. So, you know, to me it makes sense, the request and I would support it.

COMMISSIONER JAFFA: I agree, it's more space for parking and this makes sense. Yes, I would do it.

COMMISSIONER SELBKA: Yes, and the adjacent neighbor to the left and the lot irregularity diminishes any concerns that I have because you don't have a neighbor there that's right there adjoining you who could, you know, be, impacted or affected by it, so I think the Petitioner made a good set of arguments there. I think it's entirely reasonable. The need is legitimate, and getting cars off aprons and parking sideways on that, that's a royal pain and I notice that, you know, in these pictures. The Petitioner is not parking across the sidewalk, which is nice, being a good neighbor. So, all those factors count in his favor and would support from the others.

CHAIRMAN SIAVELIS: Anyone else?

(No response.)

CHAIRMAN SIAVELIS: All right, do we have a motion?

COMMISSIONER SELBKA: Motion approved.

COMMISSIONER JAFFA: Second it.

MR. MACH: Mr. Drake?

COMMISSIONER DRAKE: Yes.

MR. MACH: Mr. Jaffe?

COMMISSIONER JAFFE: Yes.

MR. MACH: Mr. Lanaghan?

COMMISSIONER LANAGHAN: Yes.

MR. MACH: Mr. Selbka?

COMMISSIONER SELBKA: Yes.

MR. MACH: Chairman Siavelis?

CHAIRMAN SIAVELIS: Yes.

Congratulations, your variance is being granted unanimously.

MR. SWANSON: I appreciate it.

CHAIRMAN SIAVELIS: Thank you very much.

Okay, motion to adjourn?

MR. DEREK: There is another agenda item.

CHAIRMAN SIAVELIS: Oh, yes, the budget. Oh, you know what? You folks better, Petitioners, you don't have to stay for this if you don't want to.

MR. SWANSON: I was going to stay, but I do have a question that I'll ask afterwards. What's the next step of my plan?

CHAIRMAN SIAVELIS: Okay, you can do that off the record, so --

MR. MACH: We haven't -- previous year.

CHAIRMAN SIAVELIS: Yes, we're a year over, right?

MR. MACH: Yes, it's \$100 for office supplies. We really don't, haven't been photocopying since we went to, everything electronic.

CHAIRMAN SIAVELIS: Right, and 2019 was the last year of compensation, right? Compensation was paid in 2020?

MR. MACH: Yes.

CHAIRMAN SIAVELIS: I did notice there is no line item for team building at Peggy Kinnane's?

COMMISSIONER JAFFA: There should be.

CHAIRMAN SIAVELIS: We talked about that, did we not, Board?

COMMISSIONER SELBKA: Every time we talked about that.

CHAIRMAN SIAVELIS: Yes, yes.

COMMISSIONER JAFFA: Can we compel the other Boards and Commissions to strike their office supplies' budget by taking the lead and make a story for them?

CHAIRMAN SIAVELIS: Can we now re-allocate the \$200 from photocopying as the team building at Peggy Kinnane's? Is that not feasible, Derek?

MR. MACH: It's not feasible.

COMMISSIONER JAFFA: I thought we were going to do a dinner for all the Boards at some point?

CHAIRMAN SIAVELIS: Yes, that's a travesty if ever I've seen one in the last week or so, but okay, so we're going to move to approve, is that what we need to do?

All right, do we have a motion to approve the current budget as presented on the screen there without the team building expense?

COMMISSIONER LANAGHAN: Motion to approve.

COMMISSIONER JAFFA: Second it.

MR. MACH: Mr. Drake?

COMMISSIONER DRAKE: Yes.

MR. MACH: Mr. Jaffe?

COMMISSIONER JAFFE: Yes.

MR. MACH: Mr. Lanaghan?

COMMISSIONER LANAGHAN: Yes.

MR. MACH: Mr. Selbka?

COMMISSIONER SELBKA: Yes.

MR. MACH: Chairman Siavelis?

CHAIRMAN SIAVELIS: Yes

All right, now I believe we are ready to adjourn. Do we have a motion to adjourn?

COMMISSIONER LANAGHAN: So moved.

COMMISSIONER JAFFA: Second.

CHAIRMAN SIAVELIS: All in favor?

(Chorus of ayes.)

CHAIRMAN SIAVELIS: All right, thank you very much. We are now off the record.

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



# ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

## FINDINGS August 9, 2021

PETITIONER: Swanson Residence  
ADDRESS OF PROPERTY: 4029 N. Mitchell Dr.  
VARIATION: 10.2-11.1b (Parking in Yards-Driveway Width)

A 3' variation to allow a driveway with a maximum width of 25' where a maximum width of 22' is permitted.

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The petitioner testified as to hardship, uniqueness of circumstances, and the character of the locality. The petitioner testified that the existing driveway is 16 feet wide and that they are proposing to expand the width of the driveway nine feet, which would result in a 25 foot wide drive. The petitioner explained that there are four drivers in the home. The petitioner also explained that there are a number of children in the area, and for safety reasons they prefer to park on the driveway. The petitioner shared a letter signed by the neighbors in support of the project.

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. Jaffe with a condition that the homeowner provide pervious pavers for the additional impervious surface coverage. Thereafter, the Board voted 5-0 to approve the variance request.

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

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

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

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



**Zoning Board of Appeals  
9/13/2021**

**Item:** 407 N. Brighton Pl - ZBA# 21-025

**Department:** Planning & Community Development

**REQUEST**

A 2.5 foot variation from Chapter 28, Section 5.1-3.2 (Required Minimum Yards) to allow a garage addition along the north property line with a side yard setback of 7.5 feet instead of the required 10.0 feet and an additional 1.0 feet for the eave.

**ATTACHMENTS:**

**Description**

Supporting Documents

**Type**

Exhibits

## ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

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### Staff Analysis

Prepared By: Derek Mach, Planner  
Hearing Date: September 13, 2021  
Date Prepared: September 8, 2021  
Project Title: Gruzewski Residence  
Address: 407 N. Brighton Place

### Background Information

Petition Number: ZBA #21-025  
Petitioner: Kevin Purdom – JRC Design Build  
Address: 1275 E Davis St.  
Arlington Heights IL 60005

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

### Requested Action/Background Information

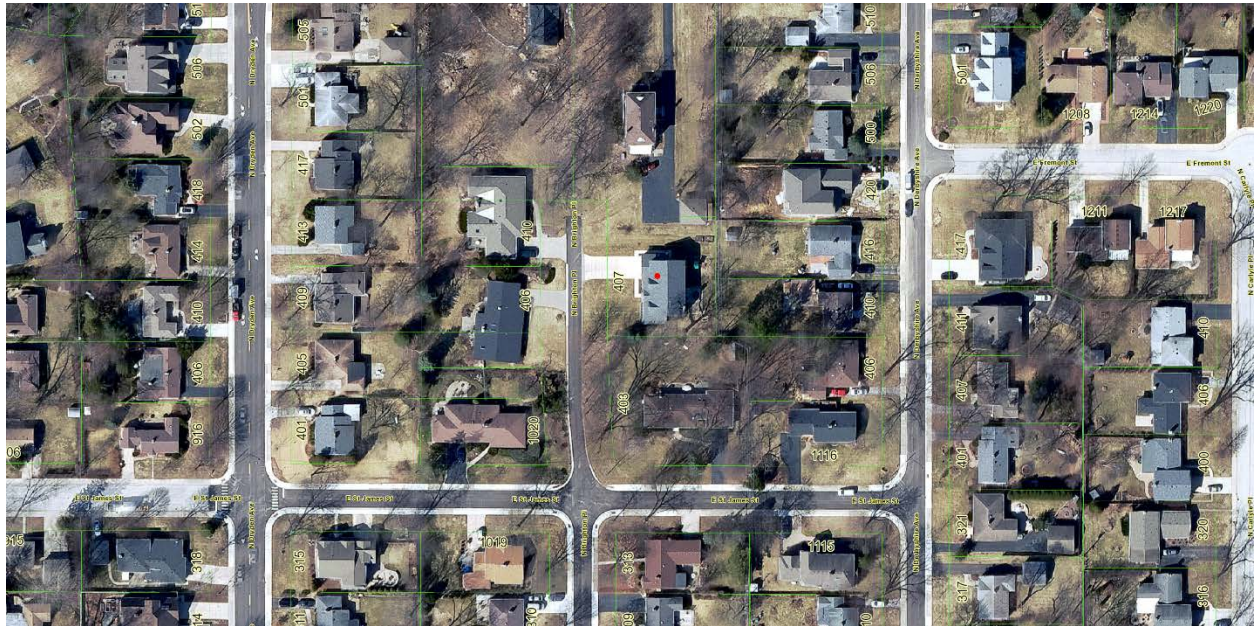
The subject site is zoned R-3, One Family Dwelling District. The property has a total land area of 9,889 square feet. The petitioner is proposing to expand the existing two car attached garage and create a three car attached garage. The proposed garage expansion requires a zoning variation to allow a side yard setback of 7.5 feet, where 10.0 feet is required. Therefore, the petitioner is requesting the following variation:

- A 2.5 foot variation from Chapter 28, Section 5.1-3.2 (Required Minimum Yards) to allow a garage addition along the north property line with a side yard setback of 7.5 feet instead of the required 10.0 feet and an additional 1.0 feet for the eave.

### Variation Review Standards

In its consideration of the standards of practical difficulties or particular hardships, the Zoning Board of Appeals shall require evidence that (1) the 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                                      | ✓               | 8/23/21      |                |
| 2. List of Property Owners Within 250 feet of Subject Property | ✓               | 8/23/21      |                |
| 3. Letter that was Mailed                                      | ✓               | 8/23/21      |                |
| 4. Photographs of Sign on Property                             | ✓               | 8/23/21      |                |

Photographs of Existing Structure





# **Village of Arlington Heights Building & Life Safety Department**

## **Interoffice Memorandum**

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**To:** Derek Mach, Zoning Board of Appeals Liaison

**From:** Deb Pierce, Building & Life Safety Department

**Project Name:** Gruzewski Residence

**Project Address:** 407 N Brighton Pl

**ZBA #:** 21-025

**Date:** July 27, 2021

Derek:

I have reviewed the request for the following variance:

- A 2.5-foot variation from Chapter 28, Section 5.1-3.2 (Required Minimum Yards) to allow a garage addition along the north property line with a side yard setback of 7.5 feet instead of the required 10.0 feet and an additional 1.0 feet for the eave.

and have no objection to the request.

ZBA# 21-025  
407 Brighton Place - ZBA  
Rev. Eng: Briget Schwab, P.E.  
cc: Mike Pagones, P.E. Village Engineer

Application Date: June 23 2021  
Received by Planning:  
Transmitted to Engineering: July 21, 2021  
Completed: July 22, 2021  
ZBA Meeting Date: August 9, 2021

The proposed ZBA application indicates that the petitioner is seeking:

A 2.5-foot variation from Chapter 28, Section 5.1-3.2 (Required Minimum Yards) to allow a garage addition along the north property line with a side yard setback of 7.5 feet instead of the required 10.0 feet and an additional 1.0 feet for the eave.

**The Engineering Division has NO OBJECTION to the variance request for Required Minimum Yards.**

**PROJECT REVIEW TRANSMITTAL**  
*for*  
**Zoning Board of Appeals Review**

Project Name: Gruzewski Residence

Project Address: 407 Brighton Place

ZBA #: 21-025

ZBA Hearing Date: August 9<sup>th</sup>, 2021

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

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

From: Derek Mach, Zoning Board of Appeals Liaison

Transmitted On: July 21, 2021

- A 2.5 foot variation from Chapter 28, Section 5.1-3.2 (Required Minimum Yards) to allow a garage addition along the north property line with a side yard setback of 7.5 feet instead of the required 10.0 feet and an additional 1.0 feet for the eave.

Attached are the Petitioner's:

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

Comments: The proposed garage addition is nicely designed to fit with the existing house.

- Steve Hautzinger, Design Planner

Please review, comment, and return to me no later than July 30, 2021.



# 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 JRC Design Build - Kevin Purdom

being the owner of the property commonly know as: 407 Brighton Pl

and appeals to the Zoning Board of Appeals of the Village of Arlington Heights for a Variation from Section 5.1-2.2b

Chapter 28, of the Arlington Heights Municipal Code, in order to: build a third car garage with a 7'-6" sideyard setback where 10'-0" is 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):* House design will match the existing house and was originally planned with construction but removed for cost reasons  
design should blend cohesively and follow all design guidelines per village.

*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 lot is oddly located to where the homeowner already had to apply for a variance when they decided to build the house in 2013. There is plenty of open space and because of the size of the lot a full size third car garage won't fit without a variance.

*I hereby state that the proposed variation is in harmony with the spirit and intent of this Chapter (please explain):* All design guidelines and zoning requirements are met besides the sideyard setback.  
Additional setback because of plot of land allows extra space between houses and is in harmony with chapter.

*I hereby state that the variance requested is the minimum variance necessary to allow reasonable use of the property (please explain):* In order to add a full third car garage with enough room to manuever and park safely. If we were to build to allowed setback, the garage would only be 9.5' wide which is not ideal or feasible for a car to be parked.

Signed:   
Petitioner

Date: 06/23/2021





PROJECT DATA

|                                        |                    |
|----------------------------------------|--------------------|
| PROJECT LOCATION:                      | 407 BRIGHTON PLACE |
| ZONING DISTRICT:                       | R-3                |
| LOT AREA:                              | 9,889 SF           |
| PIN:                                   | 03-29-422-014-0000 |
| MAX LOT COVERAGE:(35%)                 | 3461 SF            |
| PROPOSED LOT COVERAGE:                 | 2734 SF            |
| MAX FAR:<br>3938 + [(9890-8750) X 0.4] | 4394 SF            |
| PROPOSED FAR:                          | 4026 SF            |
| MAX IMPERVIOUS COVERAGE<br>(50%)       | 4945 SF            |
| PROPOSED IMPERVIOUS<br>COVERAGE:       | 4058 SF            |
| MAX BUILDING HEIGHT:                   | 25'-0"             |
| PROPOSED BUILDING HEIGHT:              | 24'-4"             |
| LOCATION AREAS:                        |                    |
| FIRST FLOOR                            | 2043 SF            |
| SECOND FLOOR                           | 1692 SF            |
| GARAGE                                 | 691 SF             |
| TOTAL SQUARE FOOTAGE:                  | 3765 SF            |

ENERGY CODE COMPLIANCE NOTES

1. ENERGY CODE COMPLIANCE DESIGN BY PRESCRIPTIVE MEANS.  
CLIMATE ZONE : 5  
MAX. GLAZING U-FACTOR: 0.30  
ACTUAL U-FACTOR: 0.30  
MIN. SKYLIGHT U-FACTOR: 0.55  
ACTUAL SKYLIGHT U-FACTOR: 0.55  
SHGC : N R  
MIN. CEILING R-VALUE: 49  
ACTUAL CEILING R-VALUE: 49 (BLOWN)  
MIN. FRAME WALL R-VALUE: 20 OR 13+5  
ACTUAL WALL R-VALUE: 15 + 5 (BATT & RIGID)  
MIN. FLOOR R-VALUE: 30  
ACTUAL FLOOR R-VALUE: N/A  
MIN. BASEMENT R-VALUE: 15/19  
ACTUAL BASEMENT R-VALUE: 21  
GC TO PROVIDE PERMANENT CERTIFICATE TO BE POSTED ADJACENT TO ELECTRICAL PANEL INDICATING INSULATION AND ENERGY VALUES FOR BUILDING INSULATION, FENESTRATION AND DUCT SYSTEMS. SPRAY FOAM BOX SILLS AND SILL PLATES, AND ADD R-15 HIGH DENSITY FRICTION FIT BATT INSULATION.

2. ALL PENETRATIONS THROUGH THERMAL ENVELOPE SHALL BE ADEQUATELY SEALED BY CAULK, GASKET, WEATHERSTRIPPING OR OTHER BARRIER MEANS PER 2018 IECC REQUIREMENTS. ALL WINDOWS AND EXTERIOR DOOR JAMBS ARE TO BE SEALED WITH LOW-EXPANSION FOAM. ALL BOTTOM PLATES ON EXTERIOR WALLS SHALL BE GLUED TO SUB-FLOOR.

3. ALL FIREPLACES SHALL HAVE GASKETED DOORS & OUTSIDE COMBUSTION AIR.

4. ALL RECESSED LIGHTING IN THERMAL ENVELOPE SHALL BE SEALED TO PREVENT AIR LEAKAGE. ALL RECESSED DOWNLIGHTING TO BE IC-RATED.

5. PROVIDE PROGRAMMABLE THERMOSTATS FOR EACH ZONE WITH SETBACK AND MANUAL OVERRIDE.

6. ALL DUCTWORK SHALL BE ADEQUATELY SEALED. ALL SUPPLY DUCTWORK IN UNCONDITIONED ATTIC TO HAVE R-8 INSULATION. ALL OTHER DUCTWORK TO HAVE R-6 INSULATION. HVAC CONTRACTOR SHALL PROVIDE EITHER POST-CONSTRUCTION OR ROUGH-IN TEST OF TOTAL AIR LEAKAGE FOR DUCT SYSTEMS.

7. ALL MECHANICAL SYSTEM PIPING CAPABLE OF CARRYING FLUIDS ABOVE 105 DEG F OR BELOW 55 DEG F SHALL BE INSULATED TO A MINIMUM OF R-3. ALL HOT WATER LINES TO HAVE R-3 PIPE INSULATION & MANUAL SWITCH FOR RECIRC. PUMP.

8. ALL ACCESS HATCHES/DOORS TO UNCONDITIONED SPACE SHALL BE INSULATED & WEATHERSTRIPPED.

9. AT LEAST 90% OF ALL LIGHTING TO HAVE HIGH-EFFICACY BULBS.

10. FURNACE: +90% AFUE  
WATER HEATER: +95% AFUE  
A/C: 13+ SEER  
SHGC: 0.27 OR BTR

11. WINDOWS, SKYLIGHTS AND SLIDING GLASS DOORS SHALL HAVE AN AIR INFILTRATION RATE NO MORE THAN 0.3 CFM PER SF, AND SWINGING DOORS NO MORE THAN 0.5 CFM PER SF.

DESIGN CRITERIA

**FLOOR**  
SLEEPING ROOMS 40# LL - 10# DL  
OTHER ROOMS 40# LL - 10# DL  
VEH. GARAGES 50# LL - 10# DL

**WALL**  
60# PLF OR ACTUAL LOAD  
20 PSF WIND 0'-20' HEIGHT  
25 PSF WIND 21'-29' HEIGHT  
30 PSF WIND 30' HEIGHT AND ABOVE

**CEILING**  
UNHAB W/O STOR 10# LL - 10# DL  
UNHAB LIM STOR 20# LL - 10# DL  
HAB W/ FIX STAIR 30# LL - 10# DL

**WIND SPEED**  
NOMINAL 115 MPH 3 SECOND GUST & 89

**ROOF**  
30# LL (SNOW) - 10# DL (ALL SLOPES)

**CATHEDRAL**  
30# LL - 15# DL (ALL SLOPES)

**EXT DECK**  
40# LL - 10# DL

**EXT BALCONY**  
40# LL - 10# DL

**STAIRS**  
40# LL + 300# CONCENTRATED LOAD

**GUARD & HANDRAILS**  
200# LL AT ANY DIRECTION APPLIED AT THE TOP

**FROST DEPTH**  
42" (3'-6")

**STRUCTURAL FRAMING LUMBER**  
BASE VALUE (USE NO MULTIPLIERS AGAINST BASE VALUE)  
GRADE #2 SPECIES SPF DOMESTIC OR CANADIAN BASE Fb 875

SPECIFY MANUFACTURER AND NAME OF SPECIFIC BEAM PRODUCT WITH THE CURRENT SIZE, Fb, AND E VALUES PER MANUFACTURER

MANUFACTURER - TRUS-JOIST  
PRODUCT - LVL HEADERS & BEAMS MICRO-LAM

APPLICABLE CODES

ALL WORK PERFORMED AND MATERIALS USED SHALL COMPLY WITH THE FOLLOWING:

**BUILDING CODE** 2018 INTERNATIONAL RESIDENTIAL CODE WITH AMENDMENTS  
**MECHANICAL CODE** INTERNATIONAL MECHANICAL CODE, 2018  
**ELECTRICAL CODE** 2017 NATIONAL ELECTRICAL CODE WITH AMENDMENTS  
**PLUMBING CODE** 2014 ILLINOIS PLUMBING CODE WITH AMENDMENTS  
**ENERGY CODE** 2018 ILLINOIS ENERGY CONSERVATION CODE WITH STATE AMENDMENTS

ALL APPLICABLE LOCAL AND STATE CODES, ORDINANCES, AND REGULATIONS.

MANUFACTURERS' SPECIFICATIONS AND TRADE ASSOCIATIONS RECOMMENDATIONS.

ACCEPTED ENGINEERING AND CONSTRUCTION PRACTICES.

| 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. ARCHITECTURAL SITE PLAN IN FOR SCHEMATIC PURPOSES ONLY. SEE SITE ENGINEERING PLAN AND LANDSCAPE PLAN FOR ADDITIONAL INFORMATION                                                                                                                        |
| 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)                                                                                                                                                                                                                                                                                                                                                                   |
| 10.                      | FOR LOCATION OF PUBLIC AND PRIVATE UTILITIES AT WORK SITE. 48 HOUR NOTICE IS REQUIRED.                                                                                                                                                                                                                                                                                                                                          |
| 11.                      | 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.                                                                                                                                                                                                                                                                       |
| 12.                      | 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. |
| 13.                      | 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.                                                                                                                                                                                                                                                                                           |
| 14.                      | ALL PARKWAY TREES SHALL HAVE A SNOW FENCE THAT EXTENDS TO THE DRIP LINE. NO TRAFFIC SHALL GO OVER THE ROOT SYSTEM.                                                                                                                                                                                                                                                                                                              |
| 15.                      | 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". 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 SNOWFENCE 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.                                                                                                                                                                                                                                                                                         |

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EASEMENT LINE

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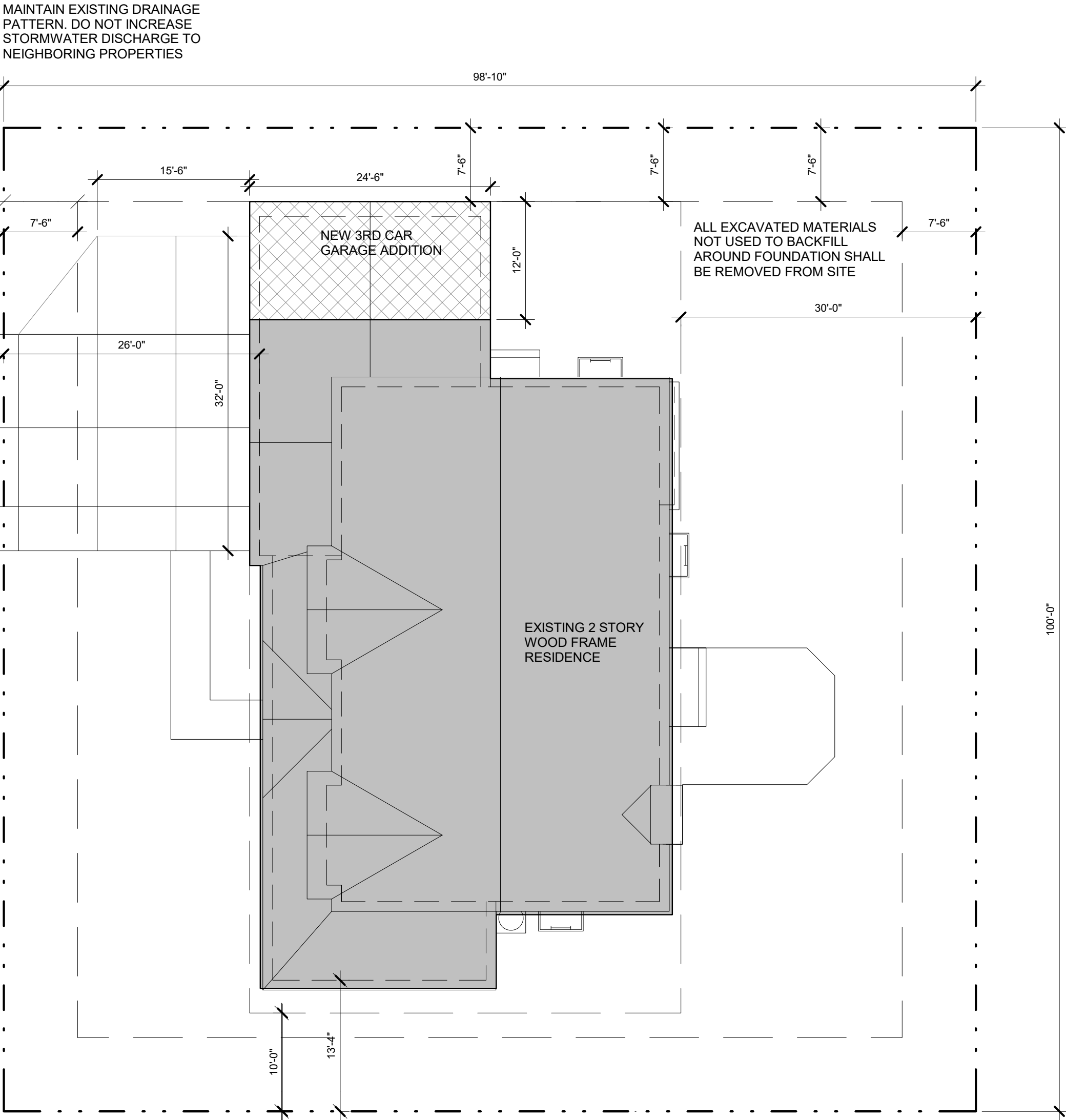
PROPERTY LINE

----

SETBACK LINE

BRIGHTON PLACE

1 SITE PLAN - PROPOSED  
A0.0 1" = 10'-0"



SITE SETBACKS (R-3)

|                   | REQUIRED | PROPOSED |
|-------------------|----------|----------|
| FRONTYARD         | 25'-0"   | 26'-0"   |
| INTERIOR SIDEYARD | 10'-0"   | 13'-5"   |
| INTERIOR SIDEYARD | 10'-0"   | 10'-0"   |
| REARYARD          | 30'-0"   | 30'-8"   |
| HEIGHT - MEAN     | 25'-0"   | 24'-4"   |

TABLE R301.2(1) CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

| GROUND SNOW LOAD | WIND DESIGN |              |                     | SEISMIC DESIGN CATEGORY | SUBJECT TO DAMMAGE FROM |        |                  | WINTER DESIGN TEMP | ICE BARRIER UNDER LAYMENT REQ | FLOOD HAZARDS CHAPTER 15 OF VILLAGE CODE | AIR FREEZING INDEX | MEAN ANNUAL TEMP |         |
|------------------|-------------|--------------|---------------------|-------------------------|-------------------------|--------|------------------|--------------------|-------------------------------|------------------------------------------|--------------------|------------------|---------|
|                  | SPEED (MPH) | TOPO EFFECTS | SPECIAL WIND REGION |                         | WIND-BORNE DEBRIS ZONE  | WTHRNG | FROST LINE DEPTH |                    |                               |                                          |                    |                  | TERMITE |
| 25               | 115         | NO           | NO                  | NO                      | b                       | SEVERE | 42"              | MOD-TO-HEAVY       | -4                            | YES                                      | NOV 8 2000         | 2000             | 47.6    |

SHEET INDEX - ARCHITECTURAL

|      |                           |               |
|------|---------------------------|---------------|
| A0.0 | COVER SHEET               | 1- 06/28/2021 |
| A2.1 | FIRST FLOOR PLAN          | 1- 06/28/2021 |
| A2.3 | ROOF PLAN & STAIR DETAILS | 1- 06/28/2021 |
| A3.0 | ELEVATIONS                | 1- 06/28/2021 |



1275 E. DAVIS, ARLINGTON HEIGHTS, IL 60005  
PHONE: (847)255-2322  
EMAIL: JIMJRCDB@GMAIL.COM  
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GARAGE ADDITION  
GRUZEWSKI RESIDENCE  
407 BRIGHTON PLACE  
ARLINGTON HEIGHTS, IL

DATE

1- 06/28/2021

ISSUE DATE

1- 06/28/2021 1 - ZBA

SHEET TITLE

COVER SHEET

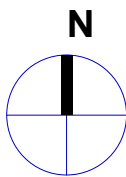
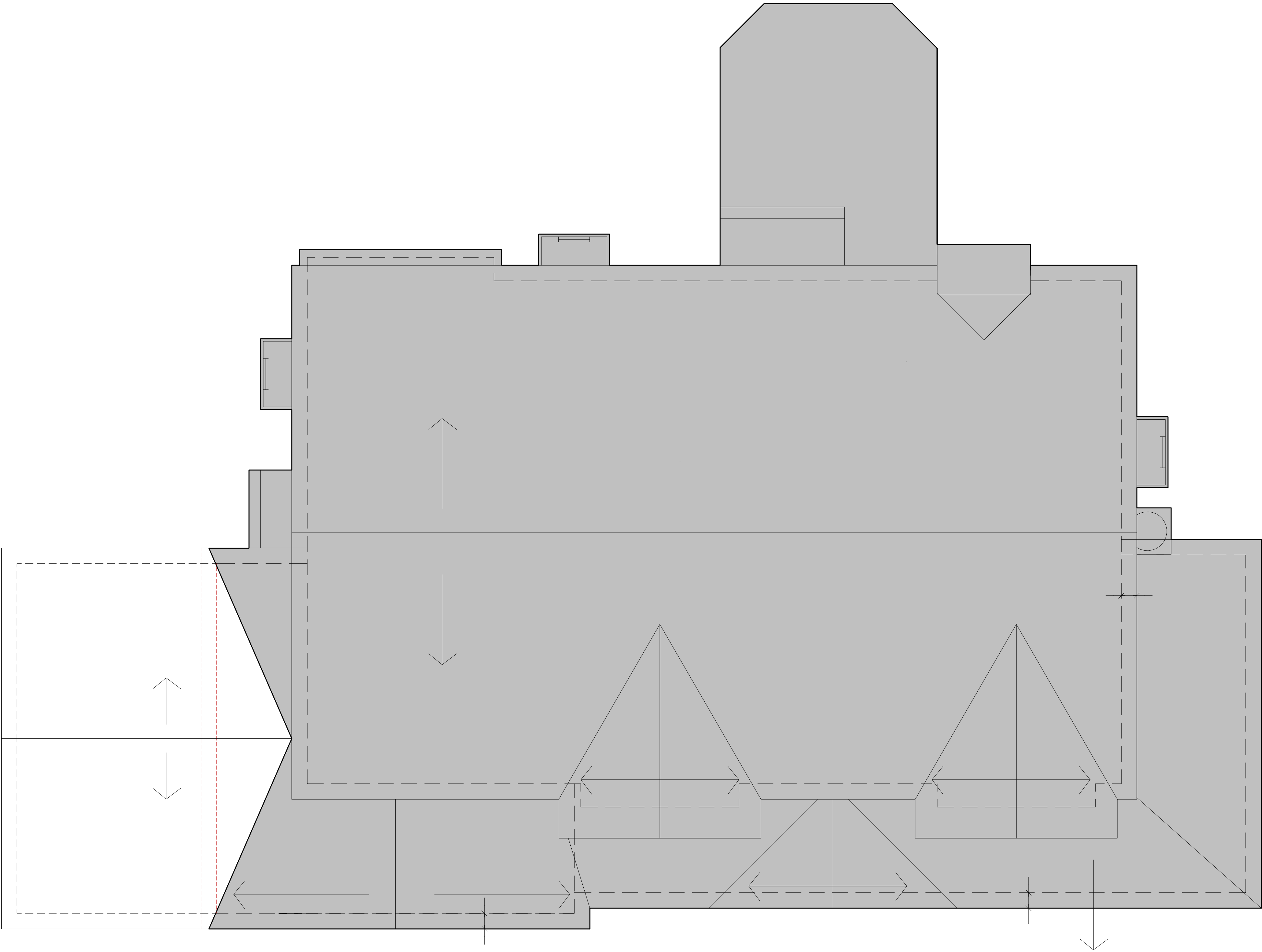
SHEET NUMBER

A0.0



R905.1.2 ICE BARRIERS

IN AREAS WHERE THERE HAS BEEN A HISTORY OF ICE FORMING ALONG THE EAVES CAUSING S BACKUP OF WATER AS DESIGNATED IN TABLE R301.2(1), AN ICE BARRIER SHALL BE INSTALLED FOR ASPHALT SHINGLES, METAL ROOF SHINGLES, MINERAL-SURFACED ROLL ROOFING, SLATE AND SLATE-TYPE SHINGLE, WOOD SHINGLES AND WOOD SHAKES. THE ICE BARRIER SHALL CONSIST OF NOT FEWE THAN TWO LAYERS OF UNDERLAYMENT CEMENTED TOGETHER, OR A SELF-ADHERING POLYMER-MODIFIED BITUMEN SHEET SHALL BE USED IN PLACE OF NORMAL UNDERLAYMENT AND EXTEND FROM THE LOWEST EDGES OF ALL ROOF SURFACES TO A POINT NOT LESS THAN 24 INCHES (610 MM) INSIDE THE EXTERIOR WALL LINE OF THE BUIDLING. ON ROOF SLOPES WITH SLOPE EQUAL TO OR GREATER THAN 8 UNITS VERTICAL IN 12 UNITS HORIZONTAL, THE ICE BARRIER SHALL ALSO BE APPLIED NOT LESS THAN 36 INCHES MEASURED ALONG THE ROOF SLOPE FROM THE EAVE EDGE OF THE BUILDING.



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EMAIL: JIMJRCDB@GMAIL.COM  
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GARAGE ADDITION  
GRUZEWSKI RESIDENCE  
407 BRIGHTON PLACE  
ARLINGTON HEIGHTS, IL

DATE

1- 06/28/2021

ISSUE DATE

1- 06/28/2021 1 - ZBA

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

SHEET TITLE

ROOF PLAN & STAIR DETAILS

SHEET NUMBER

A2.3



**GARAGE ADDITION**  
**GRUZEWSKI RESIDENCE**  
407 BRIGHTON PLACE  
ARLINGTON HEIGHTS, IL

DATE

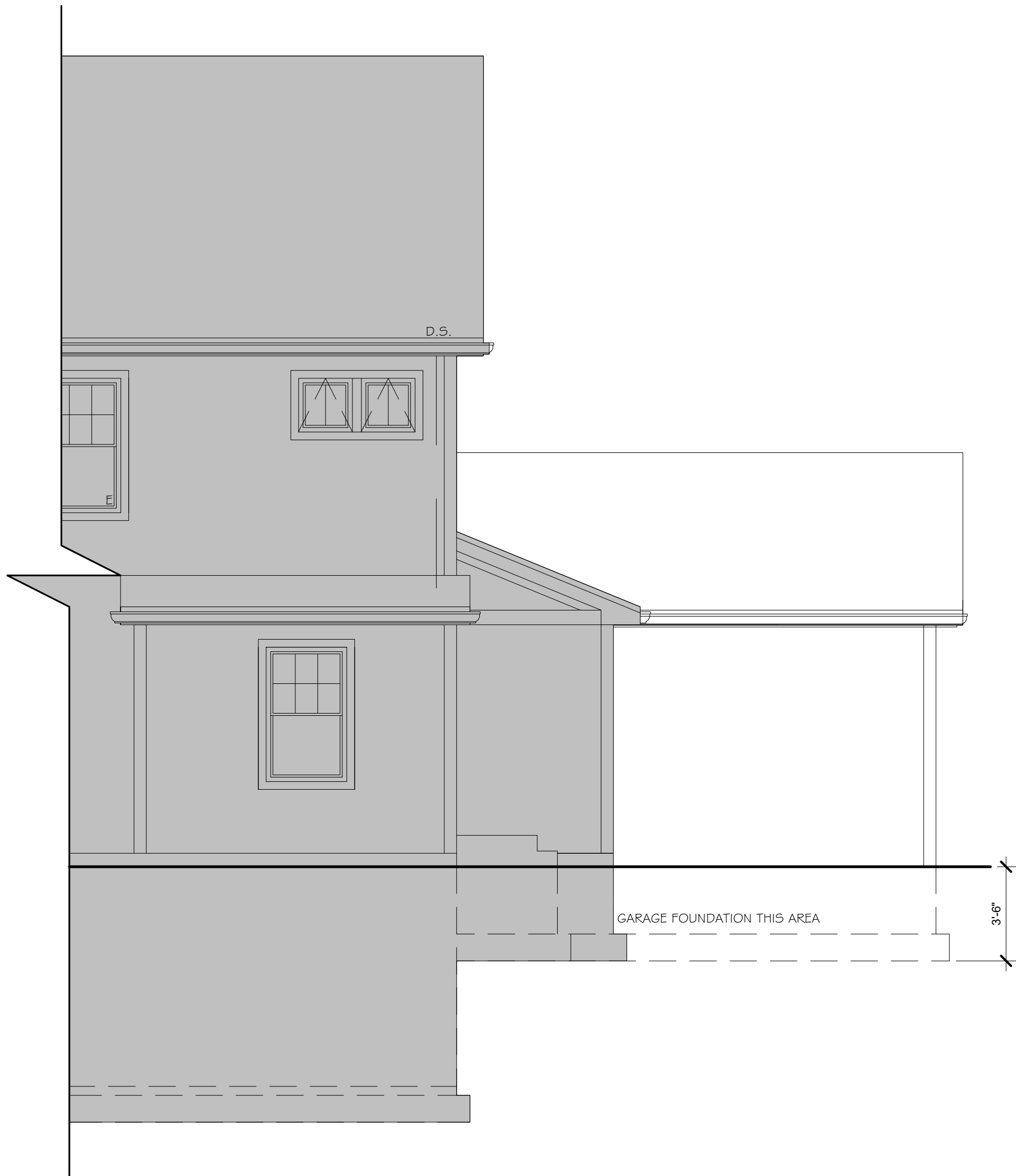
1- 06/28/2021

ISSUE DATE

1- 06/28/2021 1 - ZBA



**1 SOUTH ELEVATION - PROPOSED**  
A3.0 1/4" = 1'-0"



**2 PARTIAL NORTH ELEVATION - PROPOSED**  
A3.0 1/4" = 1'-0"



**3 WEST ELEVATION - PROPOSED**  
A3.0 1/4" = 1'-0"

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

SHEET TITLE

ELEVATIONS

SHEET NUMBER

**A3.0**



## **Zoning Board of Appeals 9/13/2021**

**Item:** 1452 N. Yale Ave - ZBA#21-027

**Department:** Planning & Community Development

### **REQUEST**

- A 11 foot variation from Chapter 28, Section 10.2-11.1b (Parking in Yards – Driveway Width) to allow a driveway with a width of 33 feet where a maximum width of 22 feet is permitted.
- A variation from Chapter 28, Section 10.2-12.2 to allow a 11 foot wide gravel drive (located on the west side of the asphalt drive) where a driveway must be surfaced with asphaltic concrete or some comparable all weather dustless material of design.

### **ATTACHMENTS:**

#### **Description**

Supporting Documents

#### **Type**

Exhibits

## ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

---

### Staff Analysis

Prepared By: Derek Mach, Planner  
Hearing Date: September 13, 2021  
Date Prepared: September 8, 2021  
Project Title: Klauke Residence  
Address: 1452 N. Yale Ave.

### Background Information

Petition Number: ZBA #21-027  
Petitioner: Jeff Klauke  
Address: 1452 N. Yale Ave.  
Arlington Heights IL 60004

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

### Requested Action/Background Information

The subject property is zoned R-3, One-Family Dwelling District and the lot is approximately 9,800 square feet in area. The petitioner is proposing to modify the existing non-conforming driveway. On the east side of the driveway, the petitioner is reducing the width of the existing drive by eliminating a portion of the asphalt near the front entrance. In place of the drive, the petitioner is proposing a new front walk that will connect to the front door. In addition, the petitioner is proposing to expand the existing gravel area on the west side of the drive. Therefore, the petitioner is requesting the following variations.

- A 11 foot variation from Chapter 28, Section 10.2-11.1b (Parking in Yards – Driveway Width) to allow a driveway with a width of 33 feet where a maximum width of 22 feet is permitted.
- A variation from Chapter 28, Section 10.2-12.2 to allow a 11 foot wide gravel drive (located on the west side of the asphalt drive) where a driveway must be surfaced with asphaltic concrete or some comparable all weather dustless material of 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

| <u>Item</u>                                                    | <u>Provided</u> | <u>Dated</u> | <u>Remarks</u> |
|----------------------------------------------------------------|-----------------|--------------|----------------|
| 1. Notification Affidavit                                      | ✓               | 8/20/21      |                |
| 2. List of Property Owners Within 250 feet of Subject Property | ✓               | 8/20/21      |                |
| 3. Letter that was Mailed                                      | ✓               | 8/20/21      |                |
| 4. Photographs of Sign on Property                             | ✓               | 8/20/21      |                |



Photographs of Existing Structure





## **Village of Arlington Heights Building & Life Safety Department**

### **Interoffice Memorandum**

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**To:** Derek Mach, Zoning Board of Appeals Liaison

**From:** Deb Pierce, Building & Life Safety Department

**Project Name:** Klauke Residence

**Project Address:** 1452 N Yale Ave.

**ZBA #:** 21-027

**Date:** September 8, 2021

Derek:

I have reviewed the request for the following variances:

- A 11-foot variation from Chapter 28, Section 10.2-11.1b (Parking in Yards – Driveway Width) to allow a driveway with a maximum width of 33 feet where a maximum width of 22 feet is permitted.
- A variation from Chapter 28, Section 10.2-12.2 to allow a 11-foot wide gravel drive (located on the west side of the asphalt drive) where a driveway must be surfaced with asphaltic concrete or some comparable all-weather dustless material of design.

I do not have any comments or objections to the request.

ZBA# 21-027  
1452 N Yale Ave  
Eng: Briget Schwab, P.E.  
cc: Mike Pagones, P.E. Village Engineer

Application Date: 7-9-2021  
Received by Planning: July 16, 2021  
Transmitted to Engineering: August 25, 2021  
Completed: September 2, 2021  
ZBA Meeting Date: September 13, 2021

The proposed ZBA application indicates that the petitioner is seeking:

A 11-foot variation from Chapter 28, Section 10.2-11.1b (Parking in Yards – Driveway Width) to allow a driveway with a maximum width of 33 feet where a maximum width of 22 feet is permitted.

A variation from Chapter 28, Section 10.2-12.2 to allow a 11-foot-wide gravel drive (located on the west side of the asphalt drive) where a driveway must be surfaced with asphaltic concrete or some comparable all weather dustless material of design.

**The Engineering Division has NO OBJECTION to the variance request for Parking in Yards – Driveway Width.**

**The Engineering Division has NO OBJECTION to the variance request for an 11-foot gravel driveway on the side of their asphalt driveway.**

**NOTES: The existing driveway is wider than the 22 feet permitted and they have an existing gravel base that is located on the private side only.**

**PROJECT REVIEW TRANSMITTAL**  
*for*  
***Zoning Board of Appeals Review***

Project Name: Klauke Residence

Project Address: 1452 N Yale

Avenue ZBA #: 21-027

ZBA Hearing Date: September 13<sup>th</sup>, 2021

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

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 24, 2021

- A 11 foot variation from Chapter 28, Section 10.2-11.1b (Parking in Yards – Driveway Width) to allow a driveway with a maximum width of 33 feet where a maximum width of 22 feet is permitted.
- A variation from Chapter 28, Section 10.2-12.2 to allow a 11 foot wide gravel drive (located on the west side of the asphalt drive) where a driveway must be surfaced with asphaltic concrete or some comparable all weather dustless material of design.

Attached are the Petitioner's:

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

Comments: If the ZBA supports the driveway width variation, then it is recommended that the entire driveway be paved for a cohesive appearance.

Steve Hautzinger, Design Planner

Please review, comment, and return to me no later than September 3, 2021.

## 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 JEFF & BARB KLAUKE

being the owner of the property commonly known as 1452 N. YALE AV

and appeals to the Zoning Board of Appeals of the Village of Arlington Heights for a Variation from Section 10.2-11.1

Chapter 28, of the Arlington Heights Municipal Code in order to: WIDEN DRIVEWAY TO 31.5'

OF WHICH 11' TO BE CONSTRUCTED OF CRUSHED COMPACTED STONE

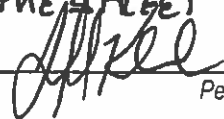
I hereby state that the proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property if the variation(s) were granted (please explain): I HAVE LIVED IN THIS HOUSE FOR OVER 20 YRS. THE DRIVEWAY WAS WIDER THEN PROPOSED & HAD THE SAME AMOUNT OF STONE. SO THERE SHOULD BE NO CHANGES THEN OTHER THEN LOOKING NICER

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): WITH OUR DRIVEWAY & FRONT DOOR ON THOMAS ST, WHICH IS BUSY WE DON'T FEEL AT EASE WITH OUR OLDER PARENTS AND YOUNG CHILDREN GETTING OUT OF CARS ON THE STREET.

I hereby state that the proposed variation is in harmony with the spirit and intent of this Chapter (please explain): I BELIEVE THAT IT WOULD ENHANCE THE AESTHETICS AND CURB APPEAL OF THE HOUSE WHICH WOULD BE IN HARMONY OF THE NEIGHBORHOOD AND VILLAGE

I hereby state that the variance requested is the minimum variance necessary to allow reasonable use of the property (please explain): WE FEEL THAT BY ALLOWING US A WIDER DRIVEWAY WE CAN HAVE OUR PARENTS, OUR SON AND HIS FAMILY OVER AND FEEL SAFE WITH THEM PARKING IN OUR DRIVEWAY INSTEAD OF THE STREET

Signed



Petitioner

Date:

7/9/2021

RECEIVED

JUL 13 2021

PLANNING & COMMUNITY  
DEVELOPMENT DEPARTMENT

RECEIVED

JUL 15 2021

PLANNING & COMMUNITY  
DEVELOPMENT DEPARTMENT

# Plat of Survey

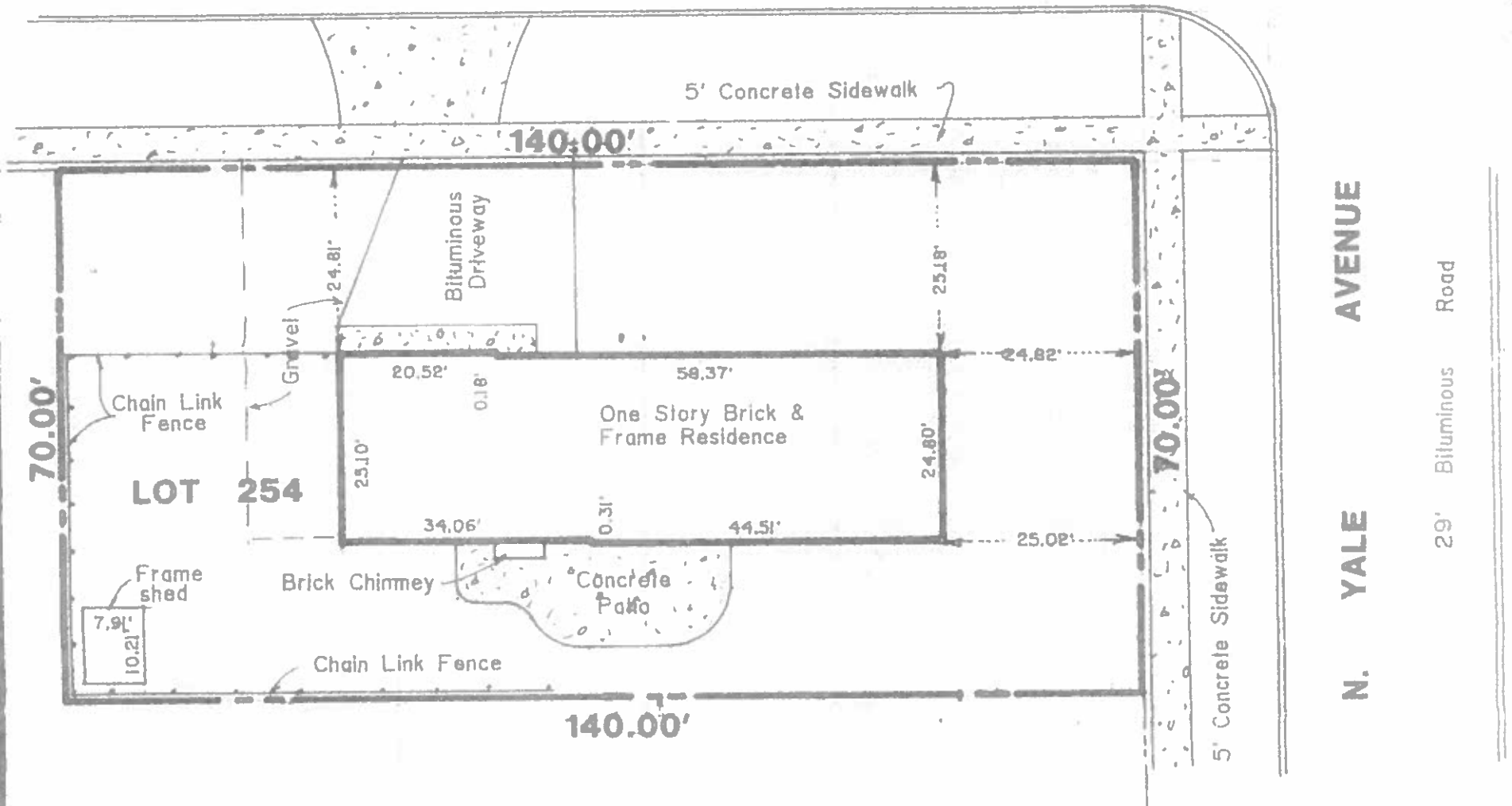


THOMAS

AVENUE

27' Bituminous Road

Scale: 1" = 20'



- 1 FOR BUILDING LINES, EASEMENTS AND OTHER RESTRICTIONS NOT SHOWN HEREON, REFER TO YOUR DEED, ABSTRACT CONTRACT AND LAND DEVELOPMENT ORDINANCES.
- 2 CAUTION; BUILDING TIE DIMENSIONS SHOULD BE USED TO DETERMINE LOT LINE LOCATION WHEN BEING USED FOR CONSTRUCTION PURPOSES ALONG LOT LINES REFER TO A LOT CORNERS FOR CONSTRUCTION
- 3 SCALING FROM REPRODUCTIONS IS NOT RECOMMENDED
- 4 THE LEGAL DESCRIPTION SHOWN HEREON IS AS PROVIDED TO THE SURVEYOR

LOT 254 IN RAYMOND L. LUTGERT'S SUBDIVISION OF THE WEST 78 ACRES OF THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THE SOUTH 25 FEET THEREOF) IN COOK COUNTY, ILLINOIS.

Ordered by George Drosi & Assoc.  
Job no. 418-12

STATE OF ILLINOIS ) 19-42-11  
COUNTY OF COOK )

I, KEITH E. LACY, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF ILLINOIS, DO HEREBY CERTIFY THAT A SURVEY HAS BEEN MADE UNDER MY SUPERVISION OF THE PROPERTY DESCRIBED HEREON, AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION THEREOF.

DATE 07-22-98

KEITH E. LACY  
PROFESSIONAL LAND SURVEYOR  
ILLINOIS NO. 1976

1452 NORTH YALE AVE., ARLINGTON HEIGHTS, ILLINOIS

# Plat of Survey

RECEIVED  
JUL 16 2021  
PLANNING & COMMUNITY  
DEVELOPMENT DEPARTMENT

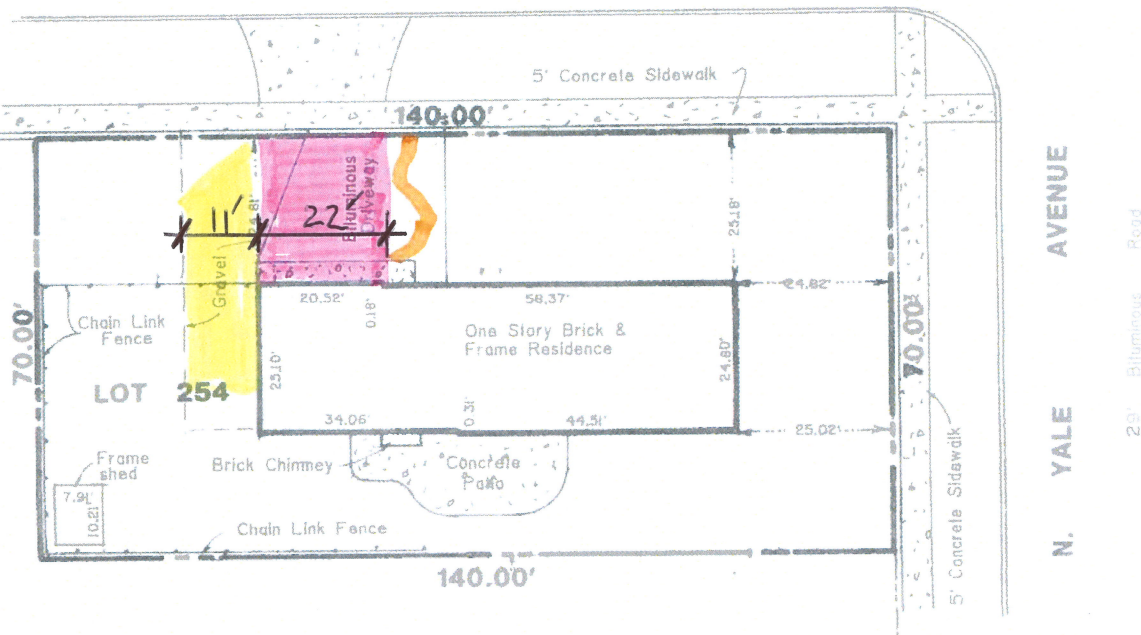


THOMAS

AVENUE

27' Bituminous Road

Scale: 1" = 20'



- Gravel
- Brick Pavers
- Asphalt

1. FOR BUILDING LINES, EASEMENTS AND OTHER RESTRICTIONS NOT SHOWN HEREON, REFER TO YOUR DEED, ABSTRACT, CONTRACT AND LAND DEVELOPMENT ORDINANCES.
2. CAUTION: BUILDING LINE DIMENSIONS SHOULD NOT BE USED TO DETERMINE LOT LINE LOCATIONS WHEN BEING USED FOR CONSTRUCTION PURPOSES ALONG LOT LINES. REFER TO ACTUAL LOT CORNERS FOR CONSTRUCTION.
3. SCALING FROM REPRODUCTIONS IS NOT RECOMMENDED.
4. THE LEGAL DESCRIPTION SHOWN HEREON IS THAT PROVIDED TO THE SURVEYOR.

LOT 254 IN RAYMOND L. LUTGENT'S SUBDIVISION OF THE WEST 78 ACRES OF THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THE SOUTH 25 FEET THEREOF) IN COOK COUNTY, ILLINOIS.

Ordered by George Drost & Assoc.  
Job no. 418-12

STATE OF ILLINOIS ) 19-42-11  
COUNTY OF COOK

I, KEITH E. LACY, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF ILLINOIS, DO HEREBY CERTIFY THAT A SURVEY HAS BEEN MADE UNDER MY SUPERVISION OF THE PROPERTY DESCRIBED HEREON, AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION THEREOF.

DATE 07-22-98

Keith E. Lacy  
KEITH E. LACY  
PROFESSIONAL LAND SURVEYOR  
ILLINOIS NO. 1976

1452 NORTH YALE AVE., ARLINGTON HEIGHTS, ILLINOIS

BARRINGTON ENGINEERING 132-B S. NORTHWEST HWY. BARRINGTON, ILLINOIS 60010 (847)382-6337









## **Zoning Board of Appeals 9/13/2021**

**Item:** 2234 N. Dryden Ln - ZBA#21-029

**Department:** Planning & Community Development

### **REQUEST**

- A 10.5 foot variation from Chapter 28, Section 5.1-3.2d (Required Minimum Yards) to allow a screened in patio with a rear yard setback of 19.5 feet where 30 feet is required.

### **ATTACHMENTS:**

| <b>Description</b>   | <b>Type</b> |
|----------------------|-------------|
| Supporting Documents | Exhibits    |

## ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

---

### Staff Analysis

Prepared By: Derek Mach, Planner  
Hearing Date: September 13, 2021  
Date Prepared: September 8, 2021  
Project Title: Buttitta Residence  
Address: 2234 N. Dryden Lane

### Background Information

Petition Number: ZBA #21-029  
Petitioner: Leo Buttitta  
Address: 2234 N. Dryden Ln.  
Arlington Heights IL 60004

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

### Requested Action/Background Information

The subject property is zoned R-3, One-Family Dwelling District and includes a single-family home, that is approximately 2,500 square feet. The property has a total land area of 8,750 square-feet and a lot width of 70 feet. The petitioner is proposing to rebuild an existing screened porch located at the rear of the home; however, this would result in a rear yard setback of 19.5 feet where 30.0 feet is required. Therefore, the petitioner requests the following variation:

- A 10.5 foot variation from Chapter 28, Section 5.1-3.2d (Required Minimum Yards) to allow a screened in patio with a rear yard setback of 19.5 feet where 30 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.

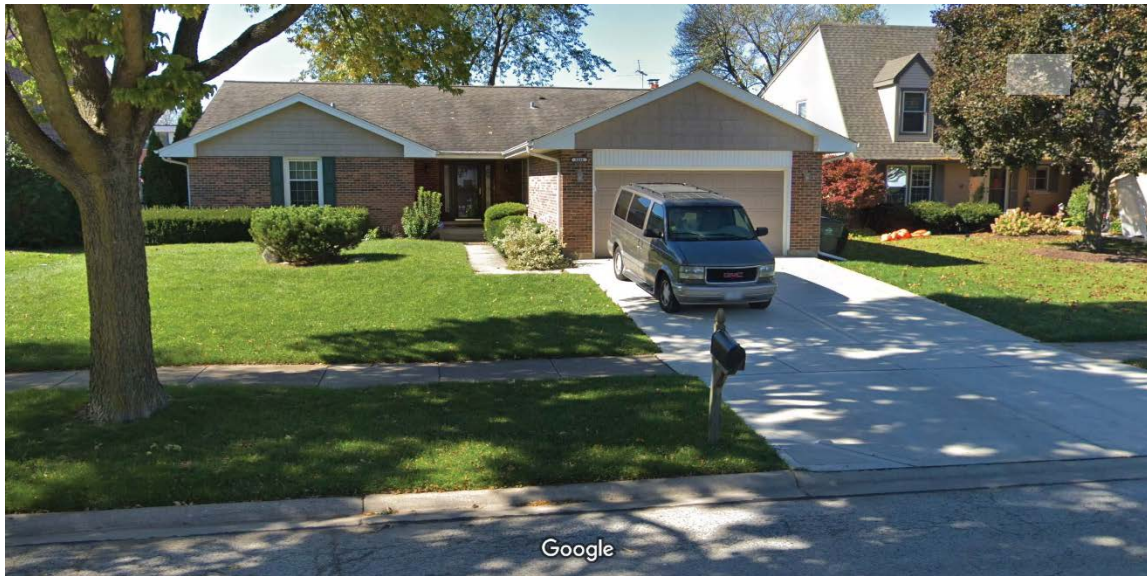
Map of General Vicinity



*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                                      | ✓               | 8/25/21      |                |
| 2. List of Property Owners Within 250 feet of Subject Property | ✓               | 8/25/21      |                |
| 3. Letter that was Mailed                                      | ✓               | 8/25/21      |                |
| 4. Photographs of Sign on Property                             | ✓               | 8/25/21      |                |

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:** Buttitta Residence

**Project Address:** 2234 N Dryden Ln.

**ZBA #:** 21-029

**Date:** September 8, 2021

Derek:

I have reviewed the request for the following variance:

- A 10.5-foot variation from Chapter 28, Section 5.1-3.2d (Required Minimum Yards) to allow a screened in patio with a rear yard setback of 19.5 feet where 30 feet is required.

I do not have any comments or objections to the request.

ZBA# 21-029  
2234 N Dryden Lane  
Eng: Briget Schwab, P.E.  
cc: Mike Pagones, P.E. Village Engineer

Application Date: 8-5-2021  
Received by Planning:  
Transmitted to Engineering: August 25, 2021  
Completed: September 2, 2021  
ZBA Meeting Date: September 13, 2021

The proposed ZBA application indicates that the petitioner is seeking:

A 10.5 foot variation from Chapter 28, Section 5.1-3.2d (Required Minimum Yards) to allow a screened in patio with a rear yard setback of 19.5 feet where 30 feet is required.

**The Engineering Division has NO OBJECTION to the variance request for Required Minimum Yards.**

**NOTES: The petitioner is making improvements to an existing condition. In addition, their rear yard backs up to Ivy Hill School where a significant amount of greens space exists and no drainage complaints are on record.**



**PROJECT REVIEW TRANSMITTAL**  
*for*  
***Zoning Board of Appeals Review***

Project Name: Buttitta Residence

Project Address: 2234 N Dryden Lane

ZBA #: 21-029

ZBA Hearing Date: September 13<sup>th</sup>, 2021

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

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 24, 2021

- A 10.5 foot variation from Chapter 28, Section 5.1-3.2d (Required Minimum Yards) to allow a screened in patio with a rear yard setback of 19.5 feet where 30 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 3, 2021.

# 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 Leo J Buttitta

being the owner of the property commonly know as: 2234 N Dryden Lane, Arlington Heights, IL 60004

and appeals to the Zoning Board of Appeals of the Village of Arlington Heights for a Variation from Section 5.1-3.2D

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

Replace an existing enclosed screened-in patio structure with an updated version of the same size.

*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):* \_\_\_\_\_

There is currently an old screen-in patio structure that has been there since the home was built in 1978. It existed when I bought the home in 2003. There are many other similar structures in the neighborhood of the same type an vintage. This existing structure meets all other zoning requirement as will the new structure.

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

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

*I hereby state that the variance requested is the minimum variance necessary to allow reasonable use of the property (please explain):* \_\_\_\_\_

I am not enlarging size of the structure.

Signed: \_\_\_\_\_

Leo Buttitta  
Petitioner

Date: 8/5/2021

# ANTON J. ADAMS

Registered Land Surveyor

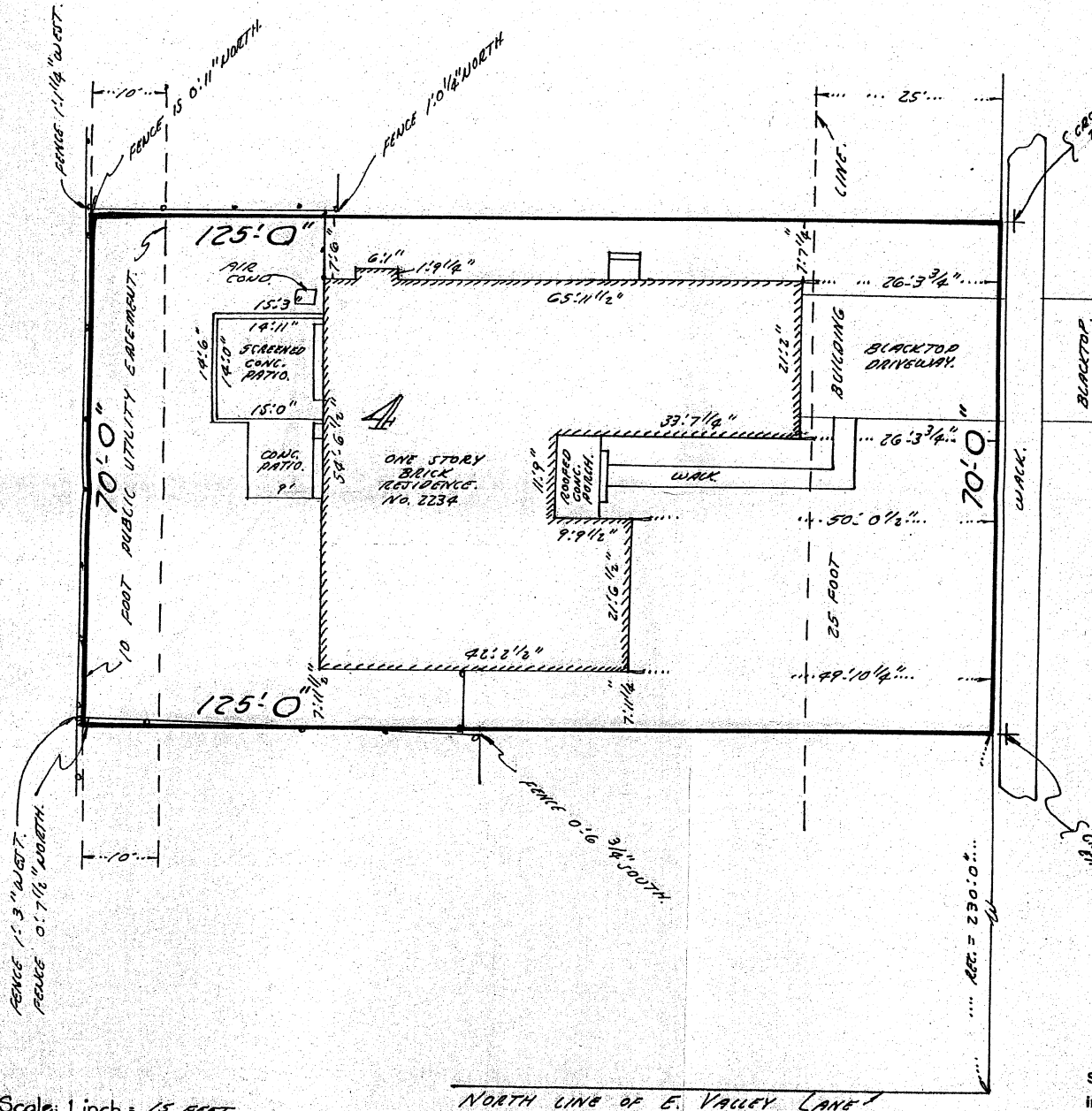
301 NORTH WILLE STREET, MOUNT PROSPECT, ILLINOIS 60056

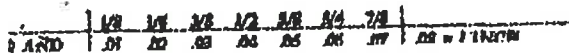
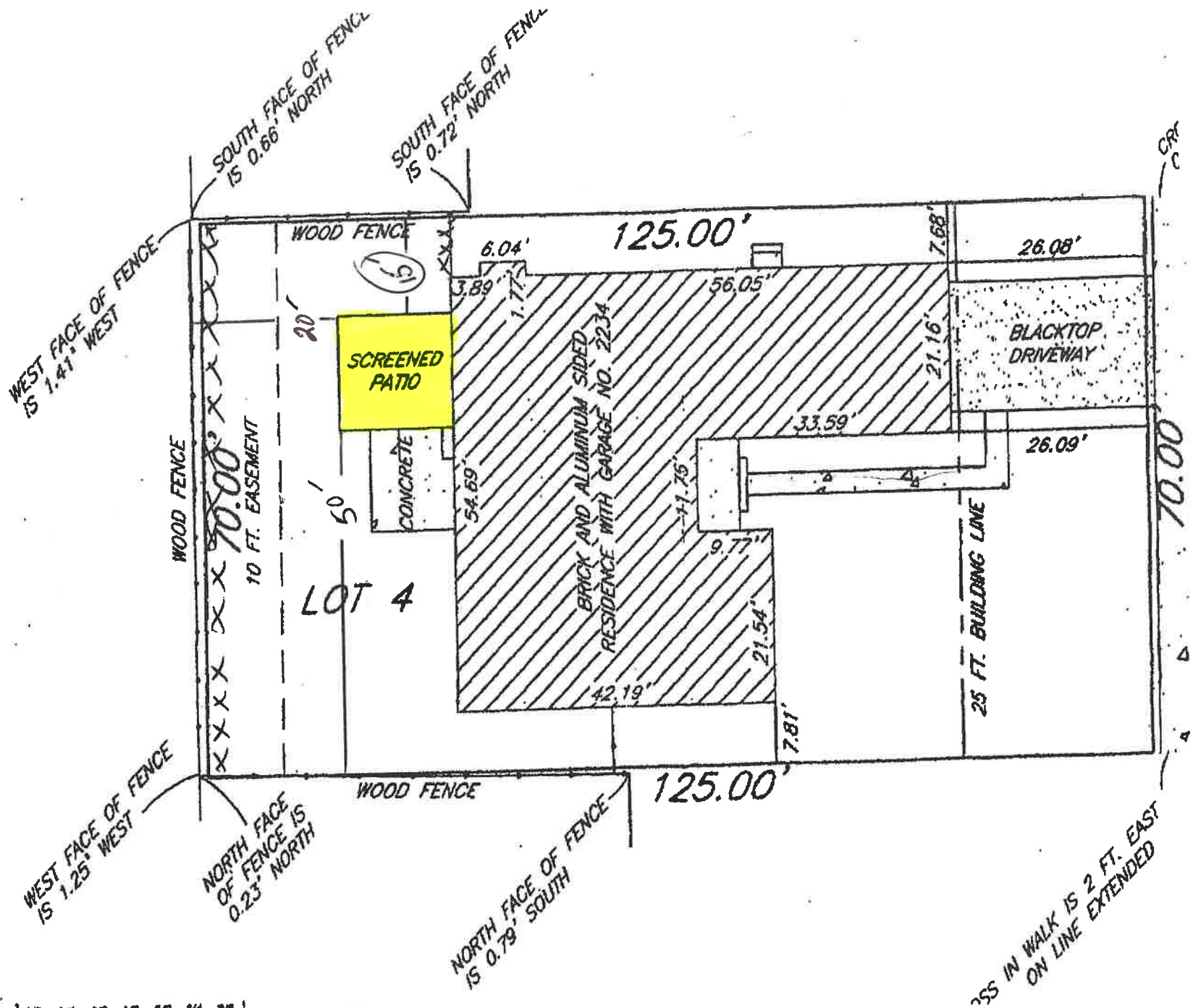
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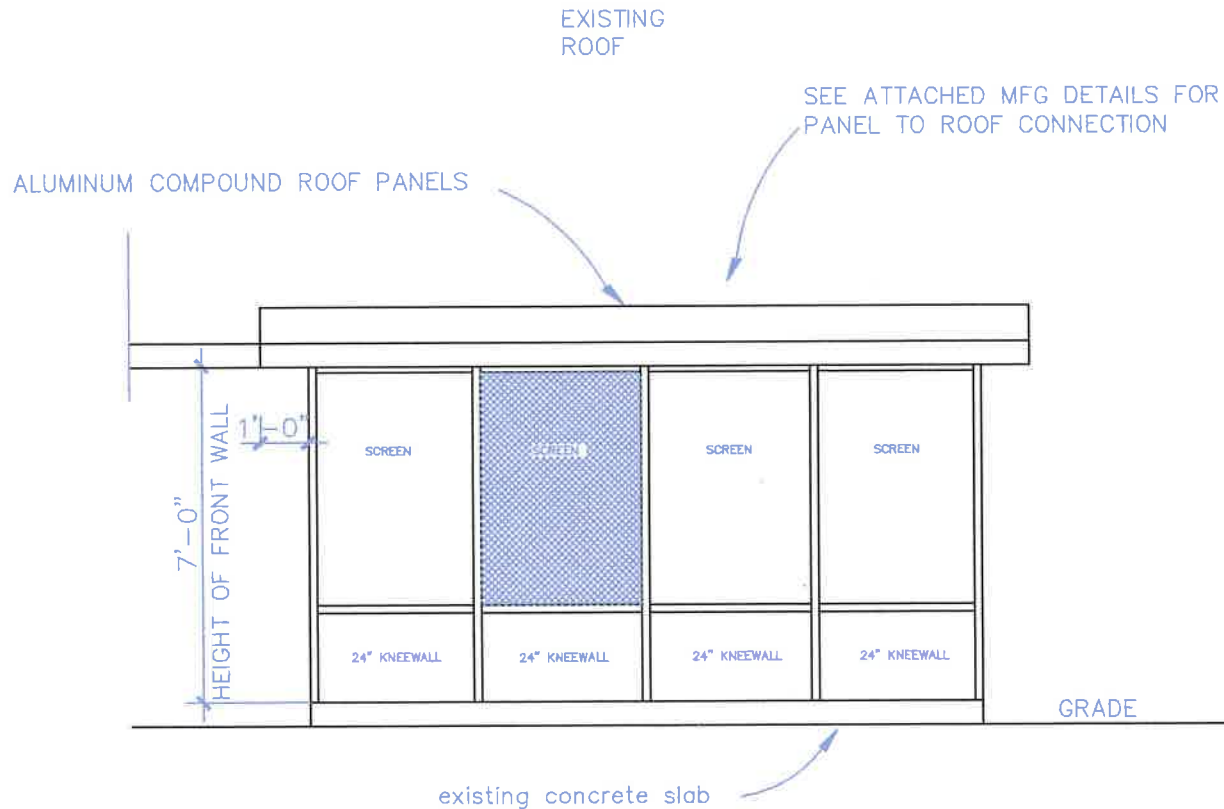


## PLAT OF SURVEY

Lot 4 in IVY HILL SUBDIVISION, UNIT NO. 12, PHASE 1, being a Subdivision of part of the East 1/2 of Township 42 North, Range 11 East of the Third Principal Meridian in Cook County, Illinois.







FRONT ELEVATION

SCALE: 1" = 1'-0"



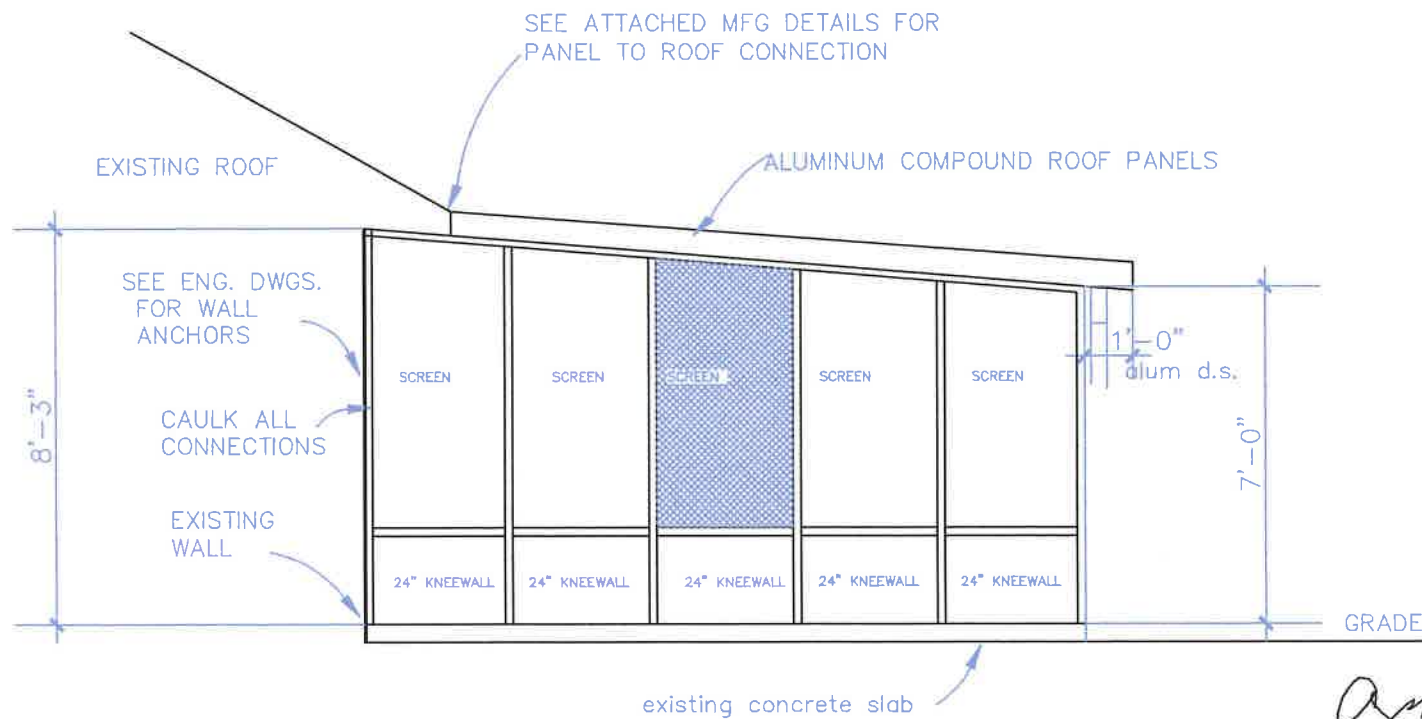
EXP: 11-30-2022

AFFORDABLE SCREEN & PATIO ENCLOSERS  
7600 75th STREET #16 KENOSHA, WISCONSIN 53172  
262-455-7123

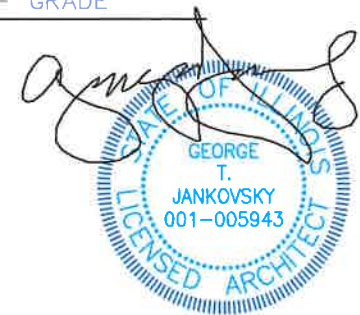
LEO BUHIHA  
2234 DYDEN LANE  
ARLINGTON HEIGHTS, ILLINOIS

PROJECT  
BUHIHA  
DATE  
06-26-2021  
DRAWN BY  
G.T.J.  
CHECKED BY

SHEET  
1  
OF 5 SHEETS



LEFT SIDE ELEVATION  
SCALE: 1" = 1'-0"



EXP: 11-30-2022

AFFORDABLE SCREEN & PATIO ENCLOSERS

7600 75th STREET #16 KENOSHA, WISCONSIN 53172  
262-455-7123

LEO BUHIHA  
2234 DYDEN LANE  
ARLINGTON HEIGHTS, ILLINOIS

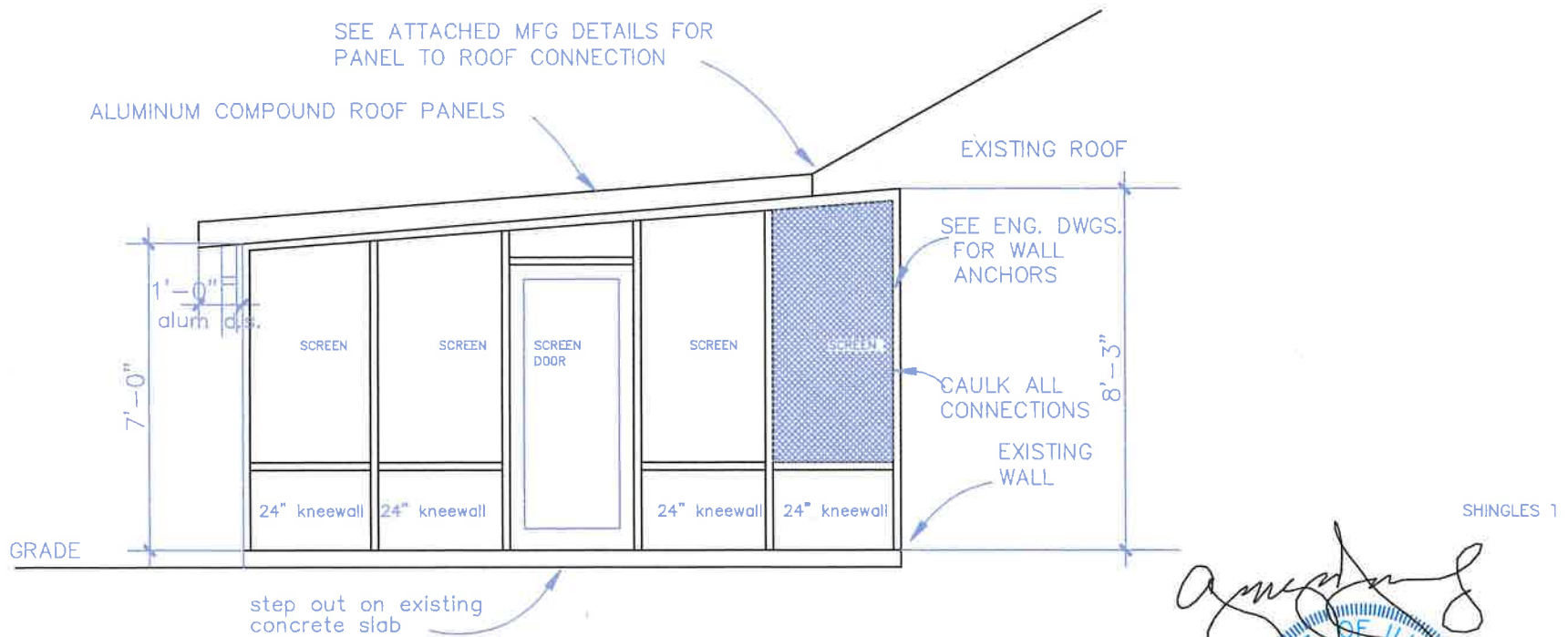
PROJECT  
BUHIHA  
DATE  
06-26-2021  
DRAWN BY  
G.T.J.  
CHECKED BY

SHEET

2

OF 5 SHEETS





LEFT SIDE ELEVATION  
SCALE: 1" = 1'-0"



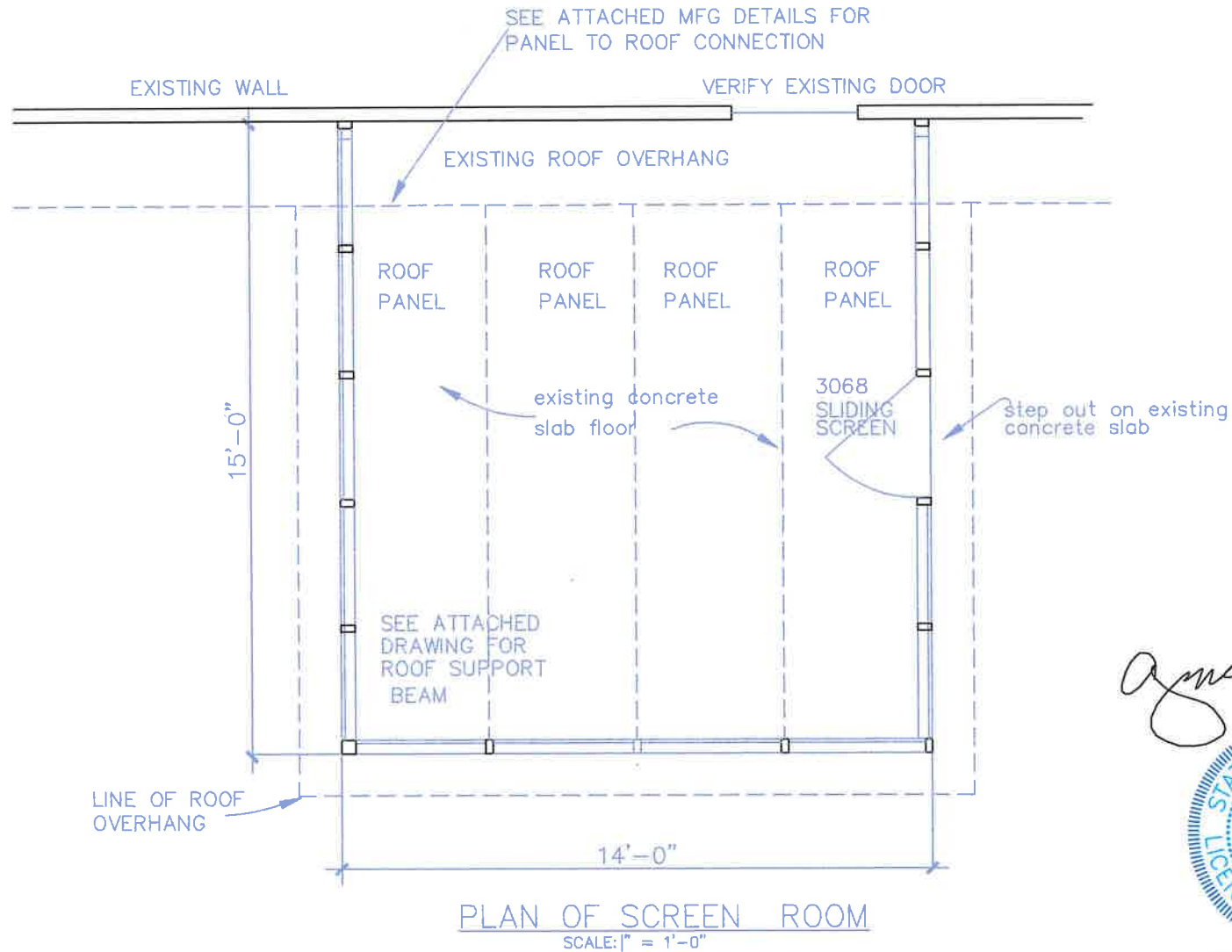
EXP: 11-30-2022

AFFORDABLE SCREEN & PATIO ENCLOSERS  
7600 75th STREET #16 KENOSHA, WISCONSIN 53172  
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LEO BUHIHA  
2234 DYDEN LANE  
ARLINGTON HEIGHTS, ILLINOIS

PROJECT  
BUHIHA  
DATE  
06-26-2021  
DRAWN BY  
G.T.J.  
CHECKED BY

SHEET  
3  
OF 5 SHEETS



*George T. Jankovsky*

STATE OF ILLINOIS  
GEORGE  
T.  
JANKOVSKY  
001-005943  
LICENSED ARCHITECT

EXP: 11-30-2022

# AFFORDABLE SCREEN & PATIO ENCLOSERS

7600 75th STREET #16 KENOSHA, WISCONSIN 53172  
262-455-7123

LEO BUHHA  
2234 DYDEN LANE  
ARLINGTON HEIGHTS, ILLINOIS

PROJECT  
BUHHA  
DATE  
06-26-2021  
DRAWN BY  
G.T.J.  
CHECKED BY

SHEET  
4  
OF 5 SHEETS



























[REDACTED]

---

**From:** Katherine SCORTINO [REDACTED]  
**Sent:** Wednesday, September 8, 2021 4:14 PM  
**To:** Mach, Derek  
**Subject:** Variation on Property at 2234 N. Dryden

You don't often get email from [REDACTED]. [Learn why this is important](#)

**[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 Derek,

I am a neighbor of Leo and Kate Buttitta and I am writing in support of the Variation to Rear Yard Encroachment that they are requesting for their property at 2234 N. Dryden. They are asking to rebuild an already existing screened-in patio structure, keeping it the same type and size.

Leo and Kate are truly good people and good neighbors! I hope that you will grant their request.

Thank you.

Kathy Scortino