



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

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF MINUTES

- A. 706 E. Marion St. - 8/14/23
- B. 326 S. Derbyshire Ln. - 8/14/23
- C. 1624 N. Dale Ave - 8/14/23
- D. 624 N. Haddow Ave. - 8/14/23

IV. REPORTS

V. OLD BUSINESS

VI. NEW BUSINESS

- A. 815 W. Sigwalt St. - ZBA#23-026
- B. 813 N. Hickory Ave. - ZBA#23-028
- C. 907 W. Braeside Dr. - ZBA#23-029
- D. 831 S. Dryden Pl. - ZBA#23-030
- E. 31 N. Wilshire Ln. - ZBA#23-032
- F. 2606 E. Warwick Ct. - ZBA#23-033

VII. OTHER BUSINESS

- A. Public Comment

VIII. PUBLIC COMMENT

IX. ADJOURNMENT

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



**Zoning Board of Appeals
9/11/2023**

Item: 706 E. Marion St. - 8/14/23

Department: Planning & Community Development Department

ATTACHMENTS:

Description	Type
706 E Marion St - 8/14/23 Findings	Minutes
706 E Marion St - 8/14/23 Minutes	Minutes

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS
AUGUST 14, 2023

PETITIONER: Bruce Residence
ADDRESS OF PROPERTY: 706 E. Marion St.
VARIATION: 6.6-5 (Permitted Obstructions)

A variance to allow a generator in the required side yard setback along the east property line.

The petitioner testified as to hardship, uniqueness of circumstances, and the character of the locality. The petitioner further testified that the proposed generator placement would fit best on the side yard. The petitioner explained that the placement of the existing windows along the rear elevation limits the options for placing a generator in the rear yard. The petitioner shared letters of support for the proposed variance.

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. Selbka. 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.

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.

Benjamin Jaffe, Acting Chair
Zoning Board of Appeals
Village of Arlington Heights

ZONING BOARD

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

OF APPEALS

RE: 706 EAST MARION STREET - ZBA #23-018

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, 2nd Floor, Commissions Room,
Arlington Heights, Illinois on the 14th day of August, 2023 at the hour of
7:00 p.m.

MEMBERS PRESENT:

BENJAMIN JAFFE, Acting Chairman
JOSEPH SELBKA
JOSEPH GEISEL
FRANK PORTERA
TOM DRAKE

ALSO PRESENT:

DEREK MACH, Development Planner

ACTING CHAIRMAN JAFFE: All right, we're going to call this month's Zoning Board of Appeals meeting to order.

Can we start with roll call?

MR. MACH: Chairman Siavelis.

(No response.)

MR. MACH: Mr. Drake.

COMMISSIONER DRAKE: Here.

MR. MACH: Mr. Geisel.

COMMISSIONER GEISEL: Here.

MR. MACH: Mr. Jaffe.

ACTING CHAIRMAN JAFFE: Here.

MR. MACH: Mr. Lanaghan.

(No response.)

MR. MACH: Mr. Selbka.

COMMISSIONER SELBKA: Here.

MR. MACH: Mr. Portera.

COMMISSIONER PORTERA: Here.

ACTING CHAIRMAN JAFFE: Okay, next, we'll do the Pledge of Allegiance.

(Pledge of Allegiance recited.)

ACTING CHAIRMAN JAFFE: Next up is the approval of minutes. Did everybody have an opportunity to review the minutes from last month's meeting, and are there any edits or corrections to be made?

(No response.)

ACTING CHAIRMAN JAFFE: Is there a motion to approve?

COMMISSIONER DRAKE: So moved.

ACTING CHAIRMAN JAFFE: Is there a second?

COMMISSIONER GEISEL: Second.

ACTING CHAIRMAN JAFFE: All in favor?

(Chorus of ayes.)

ACTING CHAIRMAN JAFFE: All opposed?

(No response.)

ACTING CHAIRMAN JAFFE: Great.

All right, so for the audience, I'm going to go over our hearing procedures. So, first, if less than six members are present, the petitioner has the option to continue the meeting. It takes four affirmative votes to approve a variance, regardless of the number of Board members in attendance. If denied, a petitioner cannot reapply for a whole year. So, as you can see, we have five tonight, so you need to go four out of five.

As far as the flow of events and sequence of events, so we will first begin with the Staff presentation, which will be administered by Derek Mach. We expect the petitioner to explain the following four elements, all of which are necessary to establish in order for this Board to be able to grant a variance. Those four elements are:

1. That the proposed use will not alter the essential character of the locality and will be compatible with the existing uses and zoning of nearby property;
2. That the plight of the owner is due to unique circumstances which may include the length of time the subject property has been vacant as zoned;

3. That the proposed variation is in harmony with the spirit and intent of this chapter; and finally,
4. That the variance requested is the minimum variance necessary to allow reasonable use of the property.

The variation shall be permitted only if the evidence, in the judgment of the Board of Appeals, sustains each of the four conditions enumerated. So, again, please, we have all the paperwork, but it's incumbent upon you, the petitioner, to address all four of those points.

For each petition, we will swear in the petitioner. The petitioner will have the opportunity to provide their presentation. You will get questions from this Board. We will then allow the audience to provide comments on each petition. The petitioner will be allowed to respond to those comments. Then finally, we'll close the discussion for deliberation amongst the Board members, and at which point we will call for a motion and vote if appropriate.

So, that being said, we will now turn to new business, and we'll begin with Petition A, 706 East Marion, Zoning Board of Appeals #23-018.

MR. BRUCE: Hi, my name is Mike Bruce.

ACTING CHAIRMAN JAFFE: Have you signed in?

MR. BRUCE: I have.

ACTING CHAIRMAN JAFFE: And what's your address?

MR. BRUCE: 706 East Marion.

(Witness sworn.)

ACTING CHAIRMAN JAFFE: Derek, do you want to --

MR. MACH: Sure, thank you.

The subject property includes a single-family residence, and the Petitioner is proposing a generator within the required side yard setback. Therefore, they're requesting a variance from Chapter 28, Section 6.6-5 to allow a generator in the required side yard setback along the east property line. Thank you.

MR. BRUCE: The reason for my petition is that in the spirit of safety, a placement of the generator in the backyard meeting the requirements of the code is accessible I think in running to about four windows, two window wells and a large picture window, a kitchen window. Placement on the side of the house is only, the only window in a sense or point of entry into the house is a one-window well which would be about seven feet I think from where the unit would be proposed.

The required setback is, we have about a 66-foot lot, so I believe the required setback is 6.6 feet from the property line. We would be asking to encroach upon that about three feet seven inches onto that. There's about seven-foot, three-inches between the property line and our house property.

Before we even pursued this, I went to my neighbor to be sure that he and his wife are okay with the placement of a generator there; otherwise, we would have never pursued this in the first place. He not only was in favor of it but he thought it made a whole lot of sense. They have a generator on the side of their house; however, they are within the setback parameters.

I did bring along a letter that was e-mailed to Derek from that neighbor and the neighbor on the other side of the house. We haven't heard of anything from our neighbors directly about any problems with that.

The placement of it aesthetically wouldn't change anything. It would, I don't think it's altering any landscaping or anything like that. If you have the picture of it, I did measure it right before I came here, and I believe the third stone from the white fence, it would be about from the house up to the beginning of that third stone. So, I tried to superimpose a diagram that would show the general idea of the placement of that. It would be opposite a brick wall of our house except for that one window well, and would be opposite our neighbor's garage which would have no points of entry as well, but I don't believe it's violating any spirit, landscaping, in terms of the location or the look.

ACTING CHAIRMAN JAFFE: Tom, do you have anything on this?

COMMISSIONER DRAKE: Yes, I have a few questions.

MR. BRUCE: Yes?

COMMISSIONER DRAKE: How long have you been in the home?

MR. BRUCE: We have been there about, 17? 18?

MRS. BRUCE: Eighteen.

MR. BRUCE: 18 years.

COMMISSIONER DRAKE: Okay, and how many residents? How many people in the family?

MR. BRUCE: We used to have four. We are now empty nesters, so it's just my wife and myself and our dog.

COMMISSIONER DRAKE: Until they move back, right?

MR. BRUCE: Right.

MRS. BRUCE: That happens.

MR. BRUCE: They visit frequently, but they haven't moved back.

COMMISSIONER DRAKE: Yes, it happens. You want to put in a generator. Are you having any issues with losing power or is this just a safety measure?

MR. BRUCE: Well, both. It started when we started pursuing the notion of getting a generator. It was in correspondence with the stretch where we were losing power rather frequently. Our basement has flooded twice due to sump pump issues predominantly. So, when we're home, I can try to get out there with a portable generator and prevent that flooding, but if I can't and if we are going to travel a little bit, we're both retired, we're a little concerned about leaving the home alone.

Fortunately, summer hasn't been bad. But so now, I think to directly answer your question, it's a little bit more of an insurance moving forward. But we were starting to get situations where we were without power, and the worst was during the winter. I think it was like November where we were out for a few days.

COMMISSIONER DRAKE: That's all I have.

ACTING CHAIRMAN JAFFE: Any other questions from the Board?

COMMISSIONER GEISEL: A quick one, please. The diagram you presented --

MR. BRUCE: Yes.

COMMISSIONER GEISEL: -- it's got dimensions. So, you're indicating that the outside dimension of the unit would be that three-foot-seven?

MR. BRUCE: Correct. The unit is about 25 inches and it has to be 18 inches from the house.

COMMISSIONER GEISEL: Derek, did you need to read those or distribute them or both?

MR. MACH: I was going to share them; if I can read them into the record.

To whom it may concern regarding the 8/14/23 hearing for a zoning variance: We're the next-door neighbors at 702 East Marion Street. We support Mike Bruce and Lisa Farrington's request for a zoning variance to install a generator into the required property side yard setback. Sincerely, neighbors Douglas and Cynthia Jones.

Next e-mail: The Bruces next door asked if we had an issue with the placement of a generator between our two houses. We just wanted to contact you directly to let you know that we have no concerns whatsoever. We feel there is ample space for the generator there. Most of the space between our homes backs up to the back of our garage which has no windows. There's only one window in our home that is on that side of our house and it's quite a distance from where the generator would be. We strongly support the variance if one is needed to install the generator. David and Laura Wise, 708 East Marion Street.

MR. BRUCE: Yes, it really is on the safety. We felt like this is a much safer option in terms of, if the generator was running for extended periods of time, carbon monoxide issues.

ACTING CHAIRMAN JAFFE: All right, with no other questions, you can have a seat and we'll see if there's any comments from the audience.

Anyone in the audience who wishes to comment on this petition?

MS. CAYER: Melissa Cayer speaking. How is that generator powered? Is it natural gas, solar power or propane?

ACTING CHAIRMAN JAFFE: Mr. Bruce, can you come up to the microphone, please?

MR. BRUCE: It will be powered by natural gas.

MS. CAYER: Okay, thanks.

ACTING CHAIRMAN JAFFE: Any other questions or comments from the audience?

(No response.)

ACTING CHAIRMAN JAFFE: Okay, hearing none, we'll close it down for Board deliberation.

Tom, would you like to start?

COMMISSIONER DRAKE: Yes, I'll start it off. I think it's a reasonable request. I think that the Petitioner has met all the requirements. There is no opposition from any neighbors, in fact there is support from the neighbors which is good. The three Staff departments that we rely on for feedback have all said they don't have any comments or any objections.

So, I'm in favor of this and I actually think with all this discussion about the power grid that we keep reading about, I think having a generator is a good move. So, I'm in favor.

ACTING CHAIRMAN JAFFE: Any other comments or thoughts?

(No response.)

ACTING CHAIRMAN JAFFE: Is there a motion?

COMMISSIONER DRAKE: I move that we approve this petition as presented.

COMMISSIONER SELBKA: Second.

MR. MACH: Mr. Drake.

COMMISSIONER DRAKE: Yes.

MR. MACH: Mr. Geisel.

COMMISSIONER GEISEL: Yes.

MR. MACH: Mr. Selbka.

COMMISSIONER SELBKA: Yes.

MR. MACH: Mr. Portera.

COMMISSIONER PORTERA: Yes.

MR. MACH: Acting Chairman Jaffe.

ACTING CHAIRMAN JAFFE: Yes.

Congratulations, your petition has been approved. You're welcome to stay, but you're free to leave.

MRS. BRUCE: Thank you for your time.

MR. BRUCE: Thank you so much.

ACTING CHAIRMAN JAFFE: You're welcome.

MR. BRUCE: Thank you, Derek, for all your help here.

(Whereupon, the public hearing on the above-mentioned petition was adjourned at 7:12 p.m.)



**Zoning Board of Appeals
9/11/2023**

Item: 326 S. Derbyshire Ln. - 8/14/23

Department: Planning & Community Development Department

ATTACHMENTS:

Description	Type
326 S Derbyshire Ln - 8/14/23 Findings	Minutes
326 S. Derbyshire Ln. - 8/14/23 Minutes	Minutes

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS
AUGUST 14, 2023

PETITIONER: Dueball Residence
ADDRESS OF PROPERTY: 326 S. Derbyshire Ln.
VARIATION: 6.13-3c (Location of Fences-Exterior Side Yard)

A variation to allow a 6-foot tall solid fence along the exterior side yard (Chatham Place) to be setback 0-feet from the property line where a setback of 5-feet is required, and to waive the requirement to provide landscaping on the street side of the fence.

The petitioner testified as to hardship, uniqueness of circumstances, and the character of the locality. The petitioner testified that they are proposing to install a six-foot tall, solid fence along the exterior side yard (Chatham Place). Pursuant to Chapter 28, Section 6.13-3c, fences in the exterior side yard that are taller than three feet must be setback five feet and landscaping must be provided along the street side of the fence. The petitioner explained that they have three young children and that the proximity to Northwest Highway is a concern. The petitioner further explained that they would like to use the full yard and that setting the fence back would remove approximately 340 square feet of yard.

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

Thereafter, a motion was made by Mr. Geisel and seconded by Mr. Drake. 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.

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.

Benjamin Jaffe, Acting Chair
Zoning Board of Appeals
Village of Arlington Heights

ZONING BOARD

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

OF APPEALS

RE: 326 SOUTH DERBYSHIRE LANE - ZBA #23-024

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Zoning Board of Appeals taken at the Arlington Heights
Village Hall, 33 South Arlington Heights Road, 2nd Floor, Commissions Room,
Arlington Heights, Illinois on the 14th day of August, 2023 at the hour of
7:12 p.m.

MEMBERS PRESENT:

BENJAMIN JAFFE, Acting Chairman
JOSEPH SELBKA
JOSEPH GEISEL
FRANK PORTERA
TOM DRAKE

ALSO PRESENT:

DEREK MACH, Development Planner

ACTING CHAIRMAN JAFFE: Okay, next up we have agenda item B, 326 South Derbyshire Lane, Zoning Board of Appeals Case 23-024.

State your name and address for the record.

MR. DUEBALL: Scott Dueball, 326 South Derbyshire.

(Witness sworn.)

ACTING CHAIRMAN JAFFE: Derek?

MR. MACH: Thank you.

The subject property has frontage along South Derbyshire Lane and South Chatham Place. The Petitioner is proposing to install a six-foot fence along the exterior side yard. However, fences in the exterior side yard that are taller than three feet must be set back five feet and landscaping must be provided along the street side of the fence.

It should also be noted that per Chapter 28, a fence within 12 feet of intersecting property lines at streets, walks and driveways shall not exceed 36 inches. Therefore, in the southeast corner near the alley and Chatham Place, the fence must either be located out of the vision triangle or be reduced to a maximum height of three feet if located within the vision triangle.

The Petitioner is requesting a variation from Chapter 28, Section 6.13-3c to allow a six-foot tall solid fence along the exterior side yard to be set back zero feet from the property line where a setback of five feet is required, and to waive the requirement to provide landscaping on the street side of the fence. Thank you.

MR. DUEBALL: Great, thank you.

So, we moved to Stonegate in May, into this home. We moved here because we loved the character and the greenery, the character of the homes and just the neighborhood in general. Our intent is fully to live within sight of that.

The main issue that we have is we have three young children. I have twin boys who are two-and-a-half, and a daughter who is six. So, I can tell you the six-year-old is a little bit easier to manage but the twin boys are chaos and they run in opposite directions, it's never the same direction. That's our big concern is, especially with Chatham coming off of Northwest Highway, it's a safety concern. A lot of cars come zipping down.

I think when we bought the place, our assumption was or our understanding was we would be able to get a fence in there for safety. I would add that there's also a security concern because we're right there. We have a garage back there that's, you know, it's not connected so we're not out there in the evening, for example. So, being able to get into that garage and zip out, you know, take what you want, zip out to Northwest Highway, is particularly concerning to us. So, being able to seal off the backyard and be able to keep the kids in and not worry about people coming in is our main concern.

Obviously, we're seeking full use of our property. I believe that's still, we're requesting the minimum necessary. But the full, you know, to adhere to the code as it currently stands would remove 340 square-foot of our yard, so almost 10 percent of our backyard, which would be, you know, really disappointing if that's the choice that we have to make between trading off the safety and security of our home for adhering to a code here and, you know, losing again more than 10 percent of our yard.

ACTING CHAIRMAN JAFFE: So, I actually drove by your house yesterday

to get a vantage point a bit. So, on page 10 of the packet, it looks like you want to start the fence from, that's your sunroom you're calling it?

MR. DUEBALL: Yes.

ACTING CHAIRMAN JAFFE: And to run towards Northwest Highway, and then fence off the rest of your yard by meeting the garage?

MR. DUEBALL: Yes, dodge back into the garage, yes.

ACTING CHAIRMAN JAFFE: And you're removing a shed as a result of this?

MR. DUEBALL: There is a shed, but it's been removed already.

ACTING CHAIRMAN JAFFE: Okay, approximately, how many feet do you think exists between where you want to put the fence and Chatham Place?

MR. DUEBALL: It's like 20, 15-20 feet. It's a large; I don't have that number off the top of my head, but --

ACTING CHAIRMAN JAFFE: Okay, and then you're aware that in lieu of waiving landscaping, you're going to be able to maintain that side of your property, right?

MR. DUEBALL: Absolutely, yes. If you drove by, you saw there's a lot of greenery that would cover up this fence. Quite honestly, I don't think it's going to be noticed for the most part because it's behind that. We've already gotten requests in to take care of some of the dying trees and stuff and, you know, as that progresses, obviously we've been here since May. As we have more time, we will continue to clear out that. We've already done quite a bit of work on that side which is the Village's property.

ACTING CHAIRMAN JAFFE: All right, just two more questions.

MR. DUEBALL: Yes.

ACTING CHAIRMAN JAFFE: What about the comments around either reducing the height of the fence in the back to 36 inches or to keep it out of the vision triangle?

MR. DUEBALL: Yes, so I would need a little bit of clarification on what the vision, on how the vision triangle is defined. I did go through the code today and it wasn't ultra clear to me. We're willing to adhere to the rest of it. I did go out there and put a stake at 12 feet back from both roads. It's still outside of that corner of the property there.

MR. MACH: It would actually be 12 feet from the corner of the property. So, the fence would either have to taper at the corner, you know, if you pull it into 12 feet, if you want to keep the six feet, or reduce to three feet.

MR. DUEBALL: Okay, yes. I mean, like I said, we didn't request that. I understand that there's a safety concern with that. Quite honestly, you can't see anyway because of the trees that are there, but we've got to adhere to that. I'm not going to balk at that portion. I'll just want to probably work with you to make sure I understand what exactly, yes, what exactly constitutes the triangle.

ACTING CHAIRMAN JAFFE: And then, have you discussed this plan with any of your neighbors?

MR. DUEBALL: So, we obviously mailed out to all the neighbors. We were in regular contact with three houses right, you know, adjacent to us, and they're all in support of it as far as we can tell. I will say the house across the street, we went over there to speak with them directly to make sure they didn't have any concerns. They didn't answer and they've had all the information, all our contact information, so I don't know. We don't know them that well.

ACTING CHAIRMAN JAFFE: Other questions from the Board?

(No response.)

ACTING CHAIRMAN JAFFE: Okay. All right, why don't you have a seat?

MR. DUEBALL: Thank you.

ACTING CHAIRMAN JAFFE: We'll see if there's anybody in the audience.
Is there anybody in the audience who would like to comment on this

petition?

(No response.)

ACTING CHAIRMAN JAFFE: Okay, hearing none, we'll close it down for Board deliberation.

I'm okay with the request. As a point of clarification, Derek, so as part of the permitting process, would the Petitioner then have to decide at that point whether he would want to go to the height of three feet or to taper it at that corner?

MR. MACH: Correct.

ACTING CHAIRMAN JAFFE: So, that would not have any bearing on us granting the variance?

MR. MACH: It would, it's a code requirement. If having satisfied the requirement --

ACTING CHAIRMAN JAFFE: Okay. All right, well, given that, I don't have any concerns.

Anybody have any other comments or who wish to opine?

COMMISSIONER GEISEL: I think, to be honest, just given where it's located, it's so close to Northwest Highway, there's really only one home that it would have any remote impact to across the street and it's not really in anyone's direct line of sight. So, I think there's minimal impact.

ACTING CHAIRMAN JAFFE: As Acting Chair, can I make a motion or just the other Board members go ahead with it?

COMMISSIONER GEISEL: I will motion to approve the variance.

ACTING CHAIRMAN JAFFE: Is there a second?

COMMISSIONER PORTERA: Second.

MR. MACH: Mr. Drake.

COMMISSIONER DRAKE: Yes.

MR. MACH: Mr. Geisel.

COMMISSIONER GEISEL: Yes.

MR. MACH: Mr. Selbka.

COMMISSIONER SELBKA: Yes.

MR. MACH: Mr. Portera.

COMMISSIONER PORTERA: Yes.

MR. MACH: Acting Chair Jaffe.

ACTING CHAIRMAN JAFFE: Yes.

Congratulations, you're all set.

MR. DUEBALL: Thank you, guys.

(Whereupon, the public hearing on the above-mentioned petition was adjourned at 7:20 p.m.)



**Zoning Board of Appeals
9/11/2023**

Item: 1624 N. Dale Ave - 8/14/23

Department: Planning & Community Development Department

ATTACHMENTS:

Description	Type
1624 N Dale Ave - 8/14/23 Findings	Minutes
1624 N. Dale Ave. - 8/14/23 Minutes	Minutes

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS AUGUST 14, 2023

PETITIONER: Langlais Residence
ADDRESS OF PROPERTY: 1624 N. Dale Ave.
VARIATION: 5.1-3.3 (Required Minimum Yards)

A 1.8-foot variation from Chapter 28, Section 5.1-3.3 (Required Minimum Yards) to allow an addition with a front yard setback of 29.7 feet instead of the required 31.5 feet and an additional 1.0 feet for the eave and 2.9 feet for the awning above the garage door.

The petitioner testified as to hardship, uniqueness of circumstances, and the character of the locality. The petitioner testified that they are proposing a one-story expansion in the rear of the home and a second story addition above the existing attached garage. The petitioner further testified that along the east property line, the proposed addition encroaches 1.8 feet into the required front yard setback. The petitioner explained that the existing footprint is nonconforming and that the zoning has changed from when the house was built in 1984.

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

Thereafter, a motion was made by Mr. Geisel and seconded by Mr. Drake. 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.

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.

Benjamin Jaffe, Acting Chair
Zoning Board of Appeals
Village of Arlington Heights

ZONING BOARD

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

OF APPEALS

RE: 1624 NORTH DALE AVENUE - ZBA #23-025

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Zoning Board of Appeals taken at the Arlington Heights
Village Hall, 33 South Arlington Heights Road, 2nd Floor, Commissions Room,
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7:20 p.m.

MEMBERS PRESENT:

BENJAMIN JAFFE, Acting Chairman
JOSEPH SELBKA
JOSEPH GEISEL
FRANK PORTERA
TOM DRAKE

ALSO PRESENT:

DEREK MACH, Development Planner

ACTING CHAIRMAN JAFFE: Agenda item C, 1624 North Dale Avenue, Zoning Board of Appeals Case 23-025.

MRS. LANGLAIS: Hi, good evening. I'm Tracy Langlais. I reside at 1624 North Dale. So, we are looking to --

ACTING CHAIRMAN JAFFE: All right.

MRS. LANGLAIS: Sorry.

ACTING CHAIRMAN JAFFE: It's okay.

(Witness sworn.)

ACTING CHAIRMAN JAFFE: Okay, and then Derek is going to actually give the Staff report.

MRS. LANGLAIS: Wonderful.

MR. MACH: Thank you.

The Petitioner is proposing an addition to the existing two-story residence. The proposed addition includes a one-story expansion in the rear of the home and a second-story addition above the existing attached garage. Along the east property line, the proposed addition encroaches 1.8 feet into the required front yard setback.

Therefore, they're requesting a 1.8-foot variation from Chapter 28, Section 5.1-3.3 to allow an addition with a front yard setback of 29.7 feet instead of the required 31.5 feet and an additional one foot for the eave and 2.9 feet for the awning above the garage door. Thank you.

MRS. LANGLAIS: Perfect, great.

So, with our addition that we're looking to do, our family has increased. We're also with twins and so we went from two children to four children, so we want to add another bedroom above our garage. So, we are not looking to change anything as far as siding will be the same, color and everything has gone along with it. We are part of the Courts of Russetwood and we've gotten approval from them with all of the changes and everything. We just need to submit the permits once we get them.

So, we're looking to just extend but still keep it flush with our garage so it's not overhanging or going any closer. It's just that the zoning had changed from when our house was built in 1984, so that's why it's just a tiny bit different as far as the encroachment, closer to the easement.

COMMISSIONER GEISEL: So, if I could please, Derek, just confirm. Do you have the page in the package? There's a couple of plats of survey, but they don't really specifically do a great job of calling down the distance from the property line and the easement.

I just want to confirm something. If I'm interpreting this correctly, we're 29.8 in terms of the documents that have been submitted?

MR. MACH: Yes.

COMMISSIONER GEISEL: In the site plan, correct?

MR. MACH: Correct.

COMMISSIONER GEISEL: Okay, because it's not correctly, not well depicted on the plats to show where the addition is going to be. We really have an existing non-conforming.

MR. MACH: Correct. There is a building line on the property; however, the required front yard setback in this case is the average of the lot which is, therefore, the --

COMMISSIONER GEISEL: Which is also a very, very limited average.

MR. MACH: Right.

COMMISSIONER GEISEL: Okay, so those were the issues that I was really looking at. This document suggests 29.8. I think the submittal says 29.7, it's pretty minor. With that clarification, I was really looking at, I was looking at it, but otherwise, I think the project looks nice and it's fairly straight-forward.

Anybody else?

ACTING CHAIRMAN JAFFE: I don't have anything.

MRS. LANGLAIS: Great, thank you.

ACTING CHAIRMAN JAFFE: Thank you.

COMMISSIONER GEISEL: Thank you.

ACTING CHAIRMAN JAFFE: Is there anybody in the audience who wishes to comment on this petition?

(No response.)

ACTING CHAIRMAN JAFFE: Okay, hearing none, we'll close it for Board deliberation.

COMMISSIONER GEISEL: As I stated, this is existing non-conforming. There are very few other homes on the block to really have a well substantiated average. So, the one-foot or 18 inches that they're looking for is a very minor request given the existing conditions. I would support the project.

ACTING CHAIRMAN JAFFE: Any comments?

(No response.)

ACTING CHAIRMAN JAFFE: Is there a motion?

COMMISSIONER GEISEL: I would move to approve the variance sought.

ACTING CHAIRMAN JAFFE: Is there a second?

COMMISSIONER DRAKE: Second.

MR. MACH: Mr. Drake.

COMMISSIONER DRAKE: Yes.

MR. MACH: Mr. Geisel.

COMMISSIONER GEISEL: Yes.

MR. MACH: Mr. Selbka.

COMMISSIONER SELBKA: Yes.

MR. MACH: Mr. Portera.

COMMISSIONER PORTERA: Yes.

MR. MACH: Acting Chair Jaffe.

ACTING CHAIRMAN JAFFE: Yes.

Congratulations, your petition is approved.

MRS. LANGLAIS: Great, thank you so much.

(Whereupon, the public hearing on the above-mentioned petition was adjourned at 7:26 p.m.)



**Zoning Board of Appeals
9/11/2023**

Item: 624 N. Haddow Ave. - 8/14/23

Department: Planning & Community Development Department

ATTACHMENTS:

Description	Type
624 N Haddow Ave - 8/14/23 Findings	Minutes
624 N. Haddow Ave. - 8/14/23 Minutes	Minutes

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS AUGUST 14, 2023

PETITIONER: Zittergruen Residence
ADDRESS OF PROPERTY: 624 N. Haddow Ave.
VARIATION: 5.1-3.3 (Required Minimum Yards)

A 3.4-foot variation to allow a new home with a front yard setback of 32.3 feet instead of the required 35.7 feet and an additional 1.0 feet for the eave.

The petitioner testified as to hardship, uniqueness of circumstances, and the character of the locality. The petitioner explained that the project requires approval from the Zoning Board of Appeals to allow a 32.3 foot front yard setback, where 35.7 feet is the minimum required. The petitioner further explained that if all the houses that face Haddow were included in the average front calculation, the required front yard setback would decrease by more than three feet. The petitioner testified that the house on the corner at 604 N. Haddow faces Haddow Avenue; however, per the zoning code, the frontage is defined as the exterior side yard. Therefore, 604 N Haddow is not included as part of the average for the required front yard setback. The petitioner further testified that moving the home forward 3.4 feet will allow for additional landscaping between the pool and the rear property line.

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

Thereafter, a motion was made by Mr. Selbka and seconded by Mr. Geisel. 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.

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.

Benjamin Jaffe, Acting Chair
Zoning Board of Appeals
Village of Arlington Heights

ZONING BOARD

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

OF APPEALS

RE: 624 NORTH HADDOW AVENUE - ZBA #23-027

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, 2nd Floor, Commissions Room,
Arlington Heights, Illinois on the 14th day of August, 2023 at the hour of
7:26 p.m.

MEMBERS PRESENT:

BENJAMIN JAFFE, Acting Chairman
JOSEPH SELBKA
JOSEPH GEISEL
FRANK PORTERA
TOM DRAKE

ALSO PRESENT:

DEREK MACH, Development Planner

ACTING CHAIRMAN JAFFE: Next, agenda item D as in delta, 624 North Haddow, Zoning Board of Appeals Case 23-027.

MR. ANSTADT: John Anstadt, JMB Architects.

ACTING CHAIRMAN JAFFE: Your address?

MR. ANSTADT: This is for 624 Haddow.

MR. ZITTERGRUEN: Tyler Zittergruen, I'm the owner of the property, 624 North Haddow.

(Witnesses sworn.)

ACTING CHAIRMAN JAFFE: Okay, let's give Derek a second.

MR. MACH: Thank you.

The Petitioner is proposing to demolish an existing one-and-a-half story residence to allow construction for a new two-story home. The property has a total land area of 17,424 square feet, and the proposed residence will have approximately 6,734 square feet. The project requires approval from the Zoning Board to allow a 32.3-foot front yard setback where 35.7 feet is the minimum required.

Therefore, they're requesting a 3.4-foot variation from Chapter 28, Section 5.1-3.3 to allow a new home with a front yard setback of 32.3 feet instead of the required 35.7 feet and an additional one foot for the eave. Thank you.

ACTING CHAIRMAN JAFFE: Can I say something? I know, Joe, you've got lead. Can I say a quick clarifying question?

COMMISSIONER SELBKA: Yes.

ACTING CHAIRMAN JAFFE: On the petition document itself, in each of the responses, it lists the address as 604 South Haddow. Are you referencing a different property or was that just an error?

MR. ZITTERGRUEN: The property is definitely 624 North Haddow, so that must be an error. I don't know, I don't have the document in front of me.

COMMISSIONER SELBKA: Actually, I think the petition, it says 624 on the top. 604, they want us to include that on the average for purposes of determining the setback. So, 604 is technically on Euclid and Haddow, so 604 has been used for Euclid and not for Haddow. 604 has a very short setback, so that's what they're referring to 604.

ACTING CHAIRMAN JAFFE: It's 624 North Haddow?

MR. ZITTERGRUEN: It is 624 North Haddow.

ACTING CHAIRMAN JAFFE: But the paperwork says 624 South.

COMMISSIONER SELBKA: Oh, okay.

ACTING CHAIRMAN JAFFE: I'm probably being nitpicky, but that's what I'm here for.

COMMISSIONER SELBKA: Okay, yes.

COMMISSIONER DRAKE: I was confused, too.

ACTING CHAIRMAN JAFFE: All right, thanks.

MR. ANSTADT: It's the corner property of that story.

MR. ZITTERGRUEN: It's on Haddow, but it's --

MR. ANSTADT: On Haddow, yes, right. So, basically, what we're looking to do here is we would like to include all the houses that faces Haddow in our average front calculation. By doing so, we'd be able to move that house up that three plus feet forward compared to where it is actually zoned to be.

The reason we cannot include 604 in our calculation is because the lot isn't quite as deep as it is wide compared to all the other lots on that street which then forces that lot to have a front setback on Euclid versus Haddow. The house itself, if you've been down the street, faces, or I should say the door, the garage door all face Haddow. The house to me feels like that's the front yard of the house. It was kind of designed that way and it's just the lot itself was zoned so the front yard is actually on Euclid.

So, what we thought we would like to do is we'd like to include that in our average which would push our house to more towards the front. What we are asking for would push the house very similar to the house that is to our north to where their front setback is. So, those two houses would be somewhat in line.

The other thing that we did when we were initially designing this house, we do want to have a pool in the backyard. This variation would help us with some space in that backyard to have that pool. We purposely designed the garages so they weren't all front facing which kind of pushed the garages back somewhat which is where our restriction is for a pool in the backyard. That's kind of what our request is in a nutshell.

COMMISSIONER SELBKA: I think I have a few questions.

MR. ANSTADT: Sure.

COMMISSIONER SELBKA: The red Georgian is the house that's being ripped down, correct, and you're going to then build on both lots?

MR. ANSTADT: Correct. Correct.

COMMISSIONER SELBKA: Okay, I looked at the survey. It seems like a pool in the back requires an eight-foot setback; is that correct?

MR. ANSTADT: That's correct.

COMMISSIONER SELBKA: You've got 9.5 feet back there, right?

MR. ANSTADT: Correct.

COMMISSIONER SELBKA: So, is there any reason you can't move the house, the whole house and pool back an actual foot-and-a-half to comply with, in part, with the zoning code?

MR. ANSTADT: We could. To me, it would be kind of a pinch point in that backyard. I mean, eight feet is really close, if you think about how close eight feet would be from a pool to a fence, right? So, we thought that this was a reasonable request to be able to pull that forward an extra two feet and give some relief to that backyard.

COMMISSIONER SELBKA: Okay.

MR. ZITTERGRUEN: Maybe just to add to that, we've got three young kids as well. So, we're going to put a fence in obviously with the pool and then with the landscaping as well. It's just a really tight area, so we just want to make sure that we've got, you know, room to kind of go around the pool area.

COMMISSIONER SELBKA: Okay, and then do you live on the property now in that house?

MR. ZITTERGRUEN: I do not. We live at 103 North Pine, so literally five blocks away. I saw this property go for sale when I was on a run with my two daughters and went back and forth with the person on negotiations. They went a different direction, it fell through, they came back to me. So, it was kind of a back and forth process, but we're in the neighborhood. My wife has been in Arlington Heights for, you know, her entire life. I'm from Iowa, but I've been here for the last, you know, six years.

COMMISSIONER SELBKA: And have you spoken to the neighbors at all

around this property?

MR. ZITTERGRUEN: Yes. We met the people just that are facing our house, just to the left of us. We were walking with our three children one night and had a nice chat with them. Then we know the people across the street, so we've met two of them so far. We just haven't seen the others whenever we've been outside so far in the summer.

COMMISSIONER SELBKA: Have you heard any objections from anybody?

MR. ZITTERGRUEN: From those two, no.

COMMISSIONER SELBKA: Have you spoken to them about this at all?

MR. ZITTERGRUEN: The neighbor to the left of us, we've mentioned we are going to put a pool in and a fence, and they were excited.

COMMISSIONER SELBKA: They weren't? You said they weren't excited?

MR. ZITTERGRUEN: No, were.

COMMISSIONER SELBKA: Okay, sorry.

MR. ZITTERGRUEN: Yes, yes. I mean, if you've seen the house, it obviously needs repair.

COMMISSIONER SELBKA: Yes, I know.

MR. ZITTERGRUEN: So, just from a property value standpoint, we're just kind of, you know, making a nicer home there. I think it should be beneficial for everybody from a property value standpoint.

COMMISSIONER SELBKA: Right, right, okay. Those are the only questions I've got.

COMMISSIONER DRAKE: The paperwork we had said you were going in front of the Design Commission?

MR. ANSTADT: Yes, we did. Yes.

COMMISSIONER DRAKE: How did that go?

MR. ANSTADT: We are approved.

MR. ZITTERGRUEN: Approved, yes.

COMMISSIONER DRAKE: Great.

MR. ZITTERGRUEN: Yes, look, I think, you know, we're trying to do everything a hundred percent by the book. Obviously, hired some more builders and a team, and so we're trying to do everything to the best of our ability. We've got three kids, and so our current house we love, it's just we have no room for our garage, and so we have basically one car in and one car out. Then we have no backyard.

So, when I saw this property go for sale, I was like, oh, my gosh, this is like our dream lot because it's bigger, we can build the house of our dreams and have a backyard for our children. So, that's why we're excited to do this. So, when we ran the calculations and we saw all that, we wanted to come here just to get the approval for that as well.

ACTING CHAIRMAN JAFFE: Joe? Frank?

COMMISSIONER GEISEL: I think you indicated that this house as proposed would be in line with the, you said the adjacent home to the north?

MR. ANSTADT: Yes.

MR. ZITTERGRUEN: Yes.

MR. ANSTADT: So, their setback is 32 feet even, I believe. 32 feet even.

COMMISSIONER GEISEL: Yes, I was referring to the table here.

MR. ANSTADT: Yes, we're requesting 32.2. So, I guess 0.2 feet farther back than where he's at.

COMMISSIONER GEISEL: When you made the statement, I was trying to look it up just to get the actual setback.

MR. ANSTADT: Yes, if you look at my site plan --

COMMISSIONER GEISEL: Yes, I'm looking at the table and you said it would be in line, I was just trying to figure out what that line was or wasn't. So, it would be, you know, from my understanding it's a bit --

ACTING CHAIRMAN JAFFE: All right, so we'll see if there's any comments from the audience. If there are, then we'll allow you both to rebut and respond.

MR. ANSTADT: Okay, thank you.

ACTING CHAIRMAN JAFFE: Is there anybody in the audience who wishes to comment on this petition?

(No response.)

ACTING CHAIRMAN JAFFE: Hearing none, we'll close it down for Board deliberations.

COMMISSIONER SELBKA: Well, I think they are correct that the house to the north, 604 North Haddow, isn't being included although it is for all practical purposes on that block. The only issue I've got which I guess before the discussion is they do have an extra foot-and-a-half in the back, so the absolute minimum variance that they would need would be 1.9. But they have said that, you know, they'd like to keep some extra room in the back for landscaping and for a fence. I think that's enough of a reason for a very minimal extension past the absolute minimum for the variance.

Therefore, I think I'd be in favor of this variance as petitioned as opposed to the 1.9 I was thinking about when I walked in here today.

ACTING CHAIRMAN JAFFE: I think that's a good point. I think a little extra space, landscaping would also provide some privacy, and also some sound insulation for the neighbors. So, yes, I don't think it's an egregious ask and I would support it.

MR. DRAKE: I agree with that.

COMMISSIONER GEISEL: No, just the fact that this, what I was focusing on, it does align with the home adjacent. I think this really doesn't look like it's projecting terribly far into the front yard setback. So, I would support it.

ACTING CHAIRMAN JAFFE: Is there a motion?

COMMISSIONER SELBKA: Motion to approve.

ACTING CHAIRMAN JAFFE: Is there a second?

COMMISSIONER GEISEL: Second.

MR. MACH: Mr. Drake.

COMMISSIONER DRAKE: Yes.

MR. MACH: Mr. Geisel.

COMMISSIONER GEISEL: Yes.

MR. MACH: Mr. Selbka.

COMMISSIONER SELBKA: Yes.

MR. MACH: Mr. Portera.

COMMISSIONER PORTERA: Yes.

MR. MACH: Acting Chair Jaffe.

ACTING CHAIRMAN JAFFE: Yes.

Congratulations, your petition is approved.
MR. ANSTADT: Okay, thank you.
(Whereupon, the public hearing on the above-mentioned
petition was adjourned at 7:37 p.m.)



**Zoning Board of Appeals
9/11/2023**

Item: 815 W. Sigwalt St. - ZBA#23-026

Department: Planning & Community Development

REQUEST

A 4.8 foot variation from Chapter 28, Section 10.2-11.1b (Parking in Yards – Driveway Width) to allow a driveway with a width of 26.8 feet where a maximum width of 22 feet is permitted.

ATTACHMENTS:

Description

Supporting Documents

Type

Exhibits

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: September 11, 2023
Date Prepared: September 5, 2023
Project Title: Mundt Residence
Address: 815 W. Sigwalt Ave.

Background Information

Petition Number: ZBA #23-026
Petitioner: Walter Mundt
Address: 815 W. Sigwalt Ave.
Arlington Heights IL 60004

Existing Zoning: R-2 – Residential Single-Family District

Requested Action/Background Information

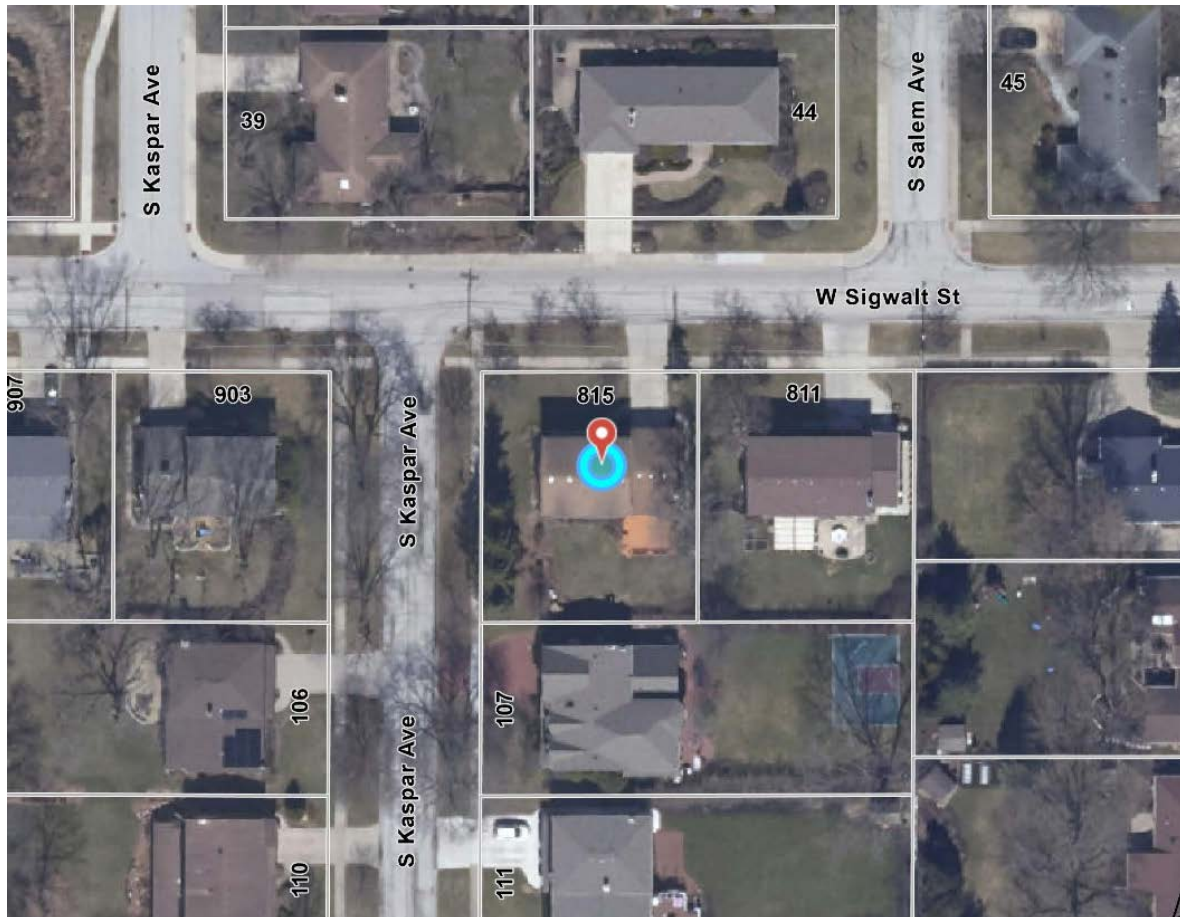
The subject property is zoned R-2, One Family District. The petitioner is proposing to increase the width of the driveway. The proposed expansion results in a driveway with a width of 26.8 feet where a maximum width of 22 feet is permitted. Therefore, the petitioner requests the following variation:

- A 4.8 foot variation from Chapter 28, Section 10.2-11.1b (Parking in Yards – Driveway Width) to allow a driveway with a width of 26.8 feet where a maximum width of 22 feet is permitted.

Variation Review Standards

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

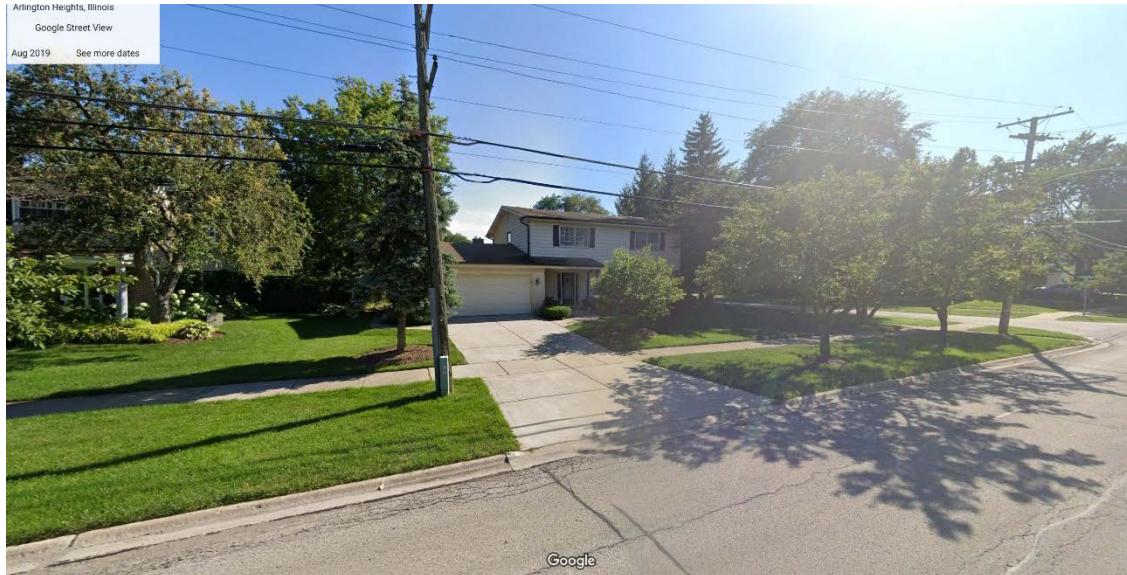
Map of General Vicinity



Items required to be Submitted 15 Days Prior to Public Hearing

<u>Item</u>	<u>Provided</u>	<u>Dated</u>	<u>Remarks</u>
1. Notification Affidavit	✓	8/24/23	
2. List of Property Owners Within 250 feet of Subject Property	✓	8/24/23	
3. Letter that was Mailed	✓	8/24/23	
4. Photographs of Sign on Property	✓	8/24/23	

Photographs of Existing Structure





Village of Arlington Heights Building & Life Safety Department

Interoffice Memorandum

To: Derek Mach, Zoning Board of Appeals Liaison

From: Nusrat Jahan, Building & Life Safety Department

Project Name: Mundt Residence

Project Address: 815 W. Sigwalt Street

ZBA #: 23-026

Date: August 8, 2023

Derek:

We have reviewed the request for the following variance:

- **A 9.0 foot variation from Chapter 28, Section 10.2-11.1b (Parking in Yards – Driveway Width) to allow a driveway with a width of 31.0 feet where a maximum width of 22 feet is permitted.**

and do not have any objection to the request.

From: Schwab, Brigit
To: Mach, Derek
Cc: DiMatteo, Pat; Pagones, Mike
Subject: RE: ZBA hearing 8/14/23 - For Department Review
Date: Tuesday, July 25, 2023 3:50:00 PM

Derek –

Please see my comments below:

1. **326 S Derbyshire** – Engineering has NO OBJECTION to the variation request from Chapter 28, Section 6.13-3c (Location of Fences-Exterior Side Yards) to allow a 6-foot tall, solid fence along the exterior side yard (Chatham Place) to be setback 0 feet from the property line where a setback of 5 feet is required, and to waive the requirement to provide landscaping on the street side of the fence.
2. **1624 N Dale Ave** - Engineering has NO OBJECTION to the 1.8-foot variation request from Chapter 28, Section 5.1-3.3 (Required Minimum Yards) to allow an addition with a front yard setback of 29.7 feet instead of the required 31.5 feet and an additional 1.0 feet for the eave and 2.9 feet for the awning. **Please note**, a grading plan will be required showing the existing and proposed topography and the existing and proposed top of foundation.
3. **815 W Sigwalt St** - Engineering has NO OBJECTION to a 9.0 foot variation request from Chapter 28, Section 10.2-11.1b (Parking in Yards – Driveway Width) to allow a driveway with a width of 31.0 feet where a maximum width of 22 feet is permitted.
4. **624 N Haddow Ave** - Engineering has NO COMMENT to the 3.4-foot variation request from Chapter 28, Section 5.1-3.3 (Required Minimum Yards) to allow a new home with a front yard setback of 32.3 feet instead of the required 35.7 feet and an additional 1.0 feet for the eave.

Thank you,

Brigit F. Schwab, P.E.

Village of Arlington Heights Public Works Department
Engineering Division
33 South Arlington Heights Road
Arlington Heights, IL 60005

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Mundt Residence

Project Address: 815 W. Sigwalt Street

ZBA #: 23-026

ZBA Hearing Date: August 14, 2023

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

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

From: Derek Mach, Landscape Planner

Transmitted On: July 26, 2023

- A 9.0 foot variation from Chapter 28, Section 10.2-11.1b (Parking in Yards – Driveway Width) to allow a driveway with a width of 31.0 feet where a maximum width of 22 feet is permitted.

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 August 4, 2023.

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 _____

being the owner of the property commonly know as: _____

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

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

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 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): _____

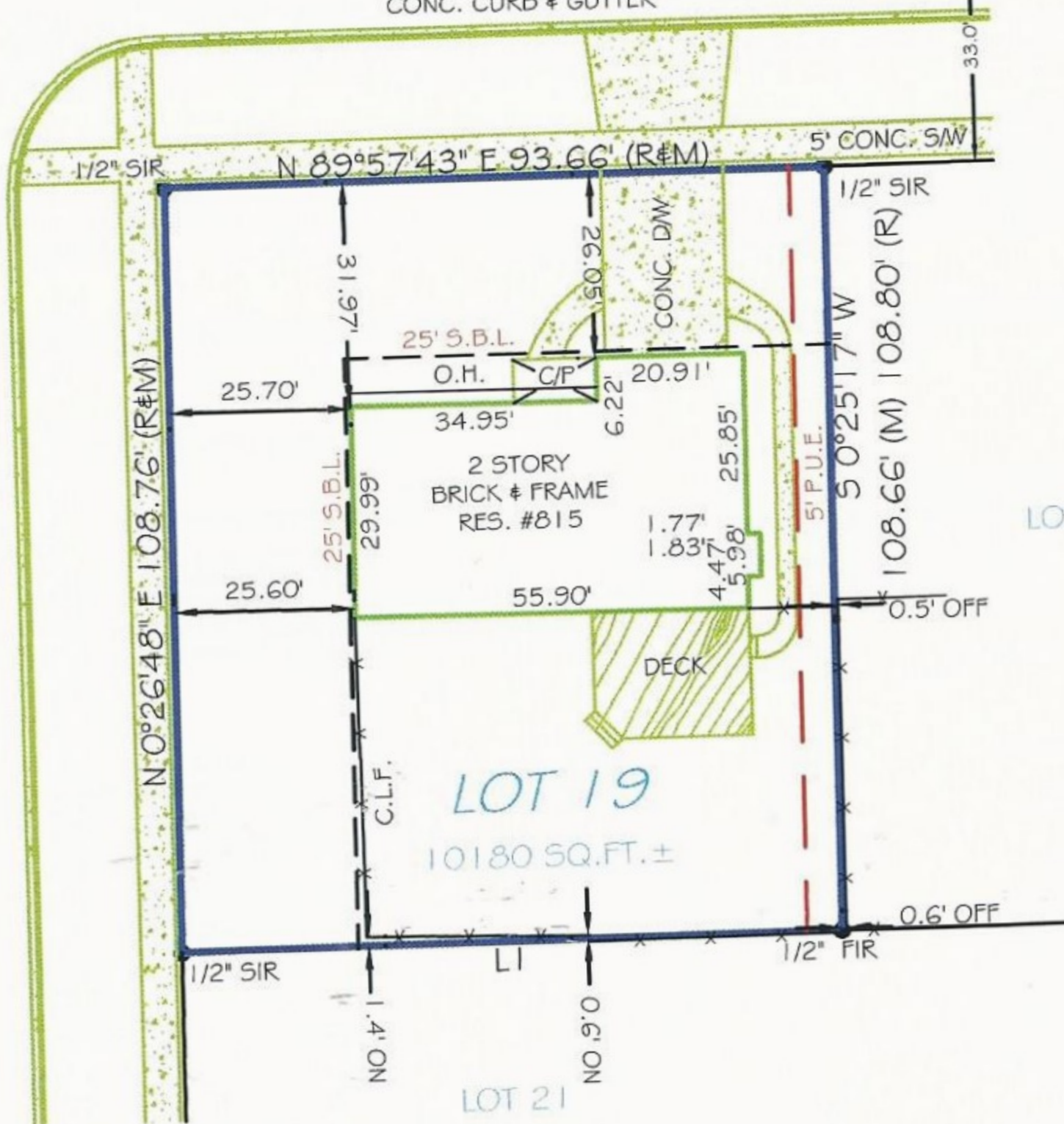
Signed: Walt Mundt
Petitioner

Date: _____

KASPER AVE. (66' R/W)

W SIGWALT STREET (66' R/W)

CONC. CURB & GUTTER



W SIGWALT STREET (66' RW)

CONC. CURB & GUTTER

Existing Apron

Bottom L 14' x W 18' 8"

Top L 14' X W 16' 2"

Proposed apron

Bottom L 14' X 20' 8"

Top L 14' X 18' 2"

Existing Driveway

L 26' 1" X 16' 1"

Extended east side of drive 8'-9"

Extend east side of drive 2'

Total L 26'-1" X W 26'-9"

Set back from property line 8' 3"
after extension

Patio

Top of new patio will be
7 ¾ below the threshold

KASPER AVE. (66' RW)

1/2" SIR

N 89°57'43" E 93.66' (R&M)

5' CONC.

N 0°26'48" E 108.76' (R&M)

25.70'

31.97'

25' S.B.L.

O.H.

C/P

20.91'

34.95'

6.22'

2 STORY
BRICK & FRAME
RES. #815

1.77'

1.83'

25.85'

5.98'

4.47'

25.60'

25' S.B.L.

29.99'

55.90'

5' P.U.E.

1/2" SIR

S 0°25'17" W

108.66' (M) 108.80' (R)

0.5' OFF

C.L.F.

LOT 19

10180 SQ.FT. ±

1/2" SIR

L1

1/2" FIR

0.6' OFF

1.4' ON

0.9' ON

LOT 21

815 W SIGWALT ST REVISED FLATWORK DESCRIPTION 6/7/2023

PROPOSED SERVICES

Front Drive Width Expansion

Thickness

- 4 inches of concrete over 4 inches of compacted CA6 aggregated base course
- 6 bag mix
- Number 4 rebar shall be used to pin the new concrete to existing driveway

Width

- Extend east side of driveway 8' 9" from front of the garage with a 45% angel as drive approaches public
- Driveway widened to approach will taper down at a 45-degree angle to match width at the sidewalk
- Extend west size of driveway 2' from front of garage to the bottom of the Apron

Patio Removal and Replacement

- Remove backyard deck and patio underneath and replace patio with stamped concrete. 24 X 19
- Extend west side of driveway 2" all the way down to apron following existing parkway drive angle .
- Extend east side of driveway 8' up to the front of the garage with a 45% angel as drive approaches public walkway

Value of work \$10,000



**Zoning Board of Appeals
9/11/2023**

Item: 813 N. Hickory Ave. - ZBA#23-028

Department: Planning & Community Development Department

REQUEST

1. A 5.0-foot variation from Chapter 28, Section 5.1-3.3a (Required Minimum Yards) to allow a front porch with front yard setback of 20.0 feet instead of the required 25.0 feet and an additional 1.0 feet for the eave.
2. A 1.1-foot variation from Chapter 28, Section 5.1-3.3b (Required Minimum Yards) to allow a front porch with a side yard setback of 3.9 feet instead of the required 5.0 feet and an additional 1.0 feet for the eave.

ATTACHMENTS:

Description

Supporting Documents

Type

Exhibits

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: September 11, 2023
Date Prepared: September 6, 2023
Project Title: Sommer Residence
Address: 813 N. Hickory Ave.

Background Information

Petition Number: ZBA #23-028
Petitioner: Emily Licata – Erdmann Exteriors
Address: 3104 N. Arlington Heights Rd.
Arlington Heights IL 60004

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

Requested Action/Background Information

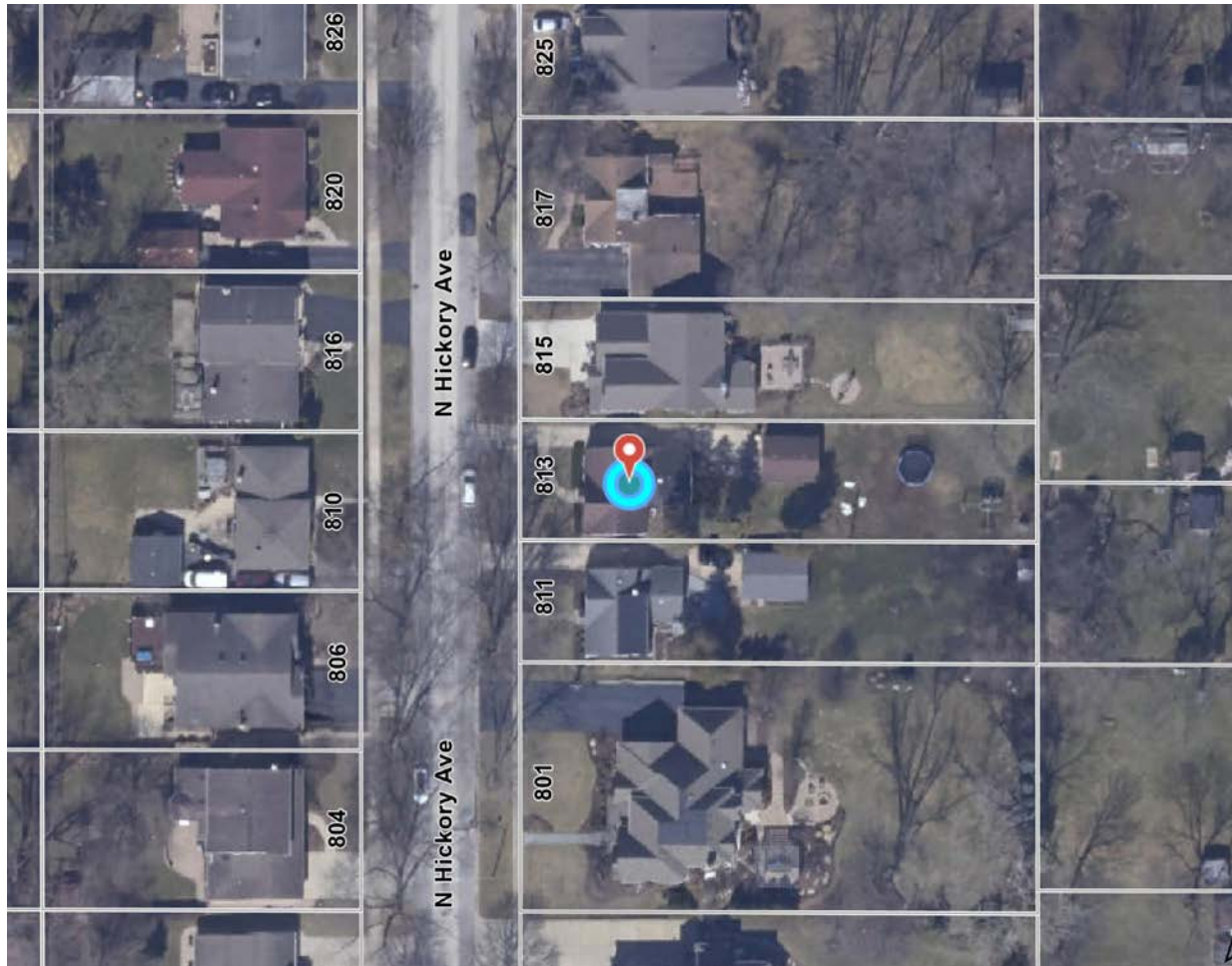
The subject property is zoned R-3, One-Family Dwelling District and the property has a total land area of 10,698 square feet. The petitioner is proposing to add a front porch addition to the existing home. The proposed front porch is 5.0 feet deep by 19.3 feet in width and the proposed front yard setback is 20.0 feet; however, per code, a front yard setback of 25.0 feet is required. In addition, the proposed front porch is encroaching 1.1 feet into the required side yard setback. Therefore, the petitioner requests the following variations:

- A 5.0-foot variation from Chapter 28, Section 5.1-3.3a (Required Minimum Yards) to allow a front porch with front yard setback of 20.0 feet instead of the required 25.0 feet and an additional 1.0 feet for the eave.
- A 1.1-foot variation from Chapter 28, Section 5.1-3.3b (Required Minimum Yards) to allow a front porch with a side yard setback of 3.9 feet instead of the required 5.0 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	✓	8/10/23	
2. List of Property Owners Within 250 feet of Subject Property	✓	8/10/23	
3. Letter that was Mailed	✓	8/10/23	
4. Photographs of Sign on Property	✓	8/10/23	

Photographs of Existing Structure



PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Sommer Residence

Project Address: 813 N. Hickory Avenue

ZBA #: 23-028

ZBA Hearing Date: September 11, 2023

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

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

From: Derek Mach, Landscape Planner

Transmitted On: August 22, 2023

- A 5.0-foot variation from Chapter 28, Section 5.1-3.3a (Required Minimum Yards) to allow a front porch with front yard setback of 20.0 feet instead of the required 25.0 feet and an additional 1.0 feet for the eave.
- A 1.1-foot variation from Chapter 28, Section 5.1-3.3b (Required Minimum Yards) to allow a front porch with a side yard setback of 3.9 feet instead of the required 5.0 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 front porch is nicely designed.

Steve Hautzinger, Design Planner

Please review, comment, and return to me no later than September 1, 2023.

From: [Schwab, Briget](#)
To: [Mach, Derek](#); [DiMatteo, Pat](#)
Cc: [Pagones, Mike](#)
Subject: Engineering ZBA review for 9/11/23
Date: Thursday, August 31, 2023 9:24:44 AM

Derek –

Please see my comments below:

813 N Hickory –

1. Engineering has NO COMMENT to the request for a 5.0-foot variation from Chapter 28, Section 5.1-3.3a (Required Minimum Yards) to allow a front porch with front yard setback of 20.0 feet instead of the required 25.0 feet and an additional 1.0 feet for the eave.
2. Engineering has NO OBJECTION to the request for a 1.1-foot variation from Chapter 28, Section 5.1-3.3b (Required Minimum Yards) to allow a front porch with a side yard setback of 3.9 feet instead of the required 5.0 feet and an additional 1.0 feet for the eave.

907 Braeside Dr -

1. Engineering has NO OBJECTION to the request for a 3 foot variation from Chapter 28, Section 6.13-3 (Location of Fences) and Chapter 28, Section 6.13-3a (Location of Fences – Front Yard) to allow a 6 foot tall solid fence in the front yard (Kennicott Avenue), where code allows a 3 foot tall fence of open design.

831 S. Dryden Pl –

1. Engineering has NO COMMENT to the request for a 369 square foot variation from Section 5.1-3.4 (Maximum Floor Area- R-3 Zoning District), to allow a Floor Area Ratio (FAR) of 3,804 square feet instead of the maximum allowed 3,435 square feet.
2. Engineering has NO COMMENT to the request for a 209 square-foot variation from Chapter 28, Section 5.1-3.5a (Maximum Building Lot Coverage) to allow building lot coverage of 2,881 square-feet where 2,672 is the maximum allowed by code.
3. Engineering has NO OBJECTION to the request for a 3.0-foot variation from Chapter 28, Section 5.1-3.3b (Required Minimum Yards) to allow an addition with a side yard setback of 2.8 feet instead of the required 5.8 feet and an additional 1.0 feet for the eave. **Petitioner should note that an existing and proposed grading plan will be required when submitting for a permit. The proposed grading plan must include cross sections along the south property line.**

919 S. Vail Ave –

1. Engineering is NOT IN FAVOR of the request for a 4.0-foot variation from Chapter 28, Section 5.1-3.3b (Required Minimum Yards) to allow an addition with a side yard setback of 3.0 feet instead of the required 7.0 feet and an additional 1.0 feet for the eave. Existing grade along the north side of the house is pitched towards the adjacent property (913 S Vail). Allowing the addition to encroach limits the ability to regrade the area for positive drainage away from adjacent property. If the variation is allowed, the existing sidewalk should be removed and not allowed to be replaced in the future. The drawings submitted do show the sidewalk being removed on sheet A-0, but is still shown on EX-0, so unclear if the intentions would be to

remove the existing walk. In addition, if approved, **petitioner should note that an existing and proposed grading plan will be required when submitting for a permit. The proposed grading plan must include cross sections along the north property line. A stepped foundation may be required.**

2. Engineering has NO COMMENT to the request for a 2.5-foot variation from Chapter 28, Section 5.1-3.3a (Required Minimum Yards) to allow a front porch with front yard setback of 27.5 feet instead of the required 30.0 feet and an additional 1.0 feet for the eave.
3. Engineering has NO COMMENT to the request for a variance from Chapter 28, Section 6.6-5 (Permitted Obstructions) to allow two air conditioning units in the required side yard setback along the north property line.

31 N. Wilshire –

1. Engineering has NO COMMENT to the request for a 4.6-foot variation from Chapter 28, Section 5.1-3.3a (Required Minimum Yards) to allow a front porch with front yard setback of 24.8 feet instead of the required 29.4 feet and an additional 1.0 feet for the eave.

2606 E Warwick –

1. Engineering has NO OBJECTION to the request for a 7.0 foot variation from Chapter 28, Section 6.6-5.1 (Table of Permitted Obstructions) to allow a deck with a rear yard setback of 8.0 feet from the north property line instead of the minimum required 15.0 feet.



Village of Arlington Heights Building & Life Safety Department

Interoffice Memorandum

To: Derek Mach, Zoning Board of Appeals Liaison

From: Elliot Eldridge, Assistant Building Official, Building & Life Safety Depart.

Project Name: Sommer Residence

Project Address: 813 N. Hickory Avenue

ZBA #: 23-028

Date: September 5, 2023

Derek:

I have reviewed the request for the following variance:

A 5.0-foot variation from Chapter 28, Section 5.1-3.3a (Required Minimum Yards) to allow a front porch with front yard setback of 20.0 feet instead of the required 25.0 feet and an additional 1.0 feet for the eave.

A 1.1-foot variation from Chapter 28, Section 5.1-3.3b (Required Minimum Yards) to allow a front porch with a side yard setback of 3.9 feet instead of the required 5.0 feet and an additional 1.0 feet for the eave.

The Building & Life Safety Department has the following comments:

1. The south wall / eave projection shall have a minimum 1-hour fire-resistance rating.
2. The eave projection over the south wall of the addition cannot be less than 2 feet from the lot line.
3. The soffit on the south wall shall have a 1-hour fire-resistance rating or solid blocking between the top plate and the roof sheathing.

and have no other objections or comments.

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 Erdmann Exteriors

being the owner of the property commonly known as: 813 N Hickory Ave

and appeals to the Zoning Board of Appeals of the Village of Arlington Heights for a Variation from Section 5.1-3.3

Chapter 28, of the Arlington Heights Municipal Code, in order to: Build a pergola in their back yard
Portico

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): YES

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 setbacks as they currently stand make it impossible to put up a pergola anywhere on their yard
Portico

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

I hereby state that the variance requested is the minimum variance necessary to allow reasonable use of the property (please explain): yes we are just redoing what is currently existing and making no size changes

Signed: 
Petitioner

Date: 7/17/23

DIG # A 131 3649

PLAT OF SURVEY

THE NORTH 25 FEET OF LOT 5 AND THE SOUTH 25 FEET OF LOT 6 IN BLOCK 3 IN ARLINGTON FARMS, A SUBDIVISION OF THE EAST 60 ACRES OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 29, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

DATE 5-4-09 ADDRESS 813 N Hickory Ave

NOTES: PAGE #

PLANS APPROVED CONTINGENT UPON REVISED DRAWINGS SUBMITTED (DATES)

APPROVED PLANS ARE REQUIRED AT THE JOB SITE/NO INSPECTIONS WILL OCCUR WITHOUT THE APPROVED PLANS ON SITE.

ARCHITECT/CONTRACTOR OR OWNER IS RESPONSIBLE TO MEET ALL APPLICABLE FEDERAL, STATE AND LOCAL CODES/STANDARDS.

Part of Lot 6
NICHOLAS COZEKPO, CBO, DIRECTOR OF BUILDING VILLAGE OF ARLINGTON HEIGHTS, ILLINOIS

The North Line of the South 25' of Lot 6

ANY CHANGES MADE TO THE SCOPE OF WORK THAT IS NOT REFLECTED ON THESE "APPROVED" DRAWINGS, MUST BE RESUBMITTED FOR APPROVAL

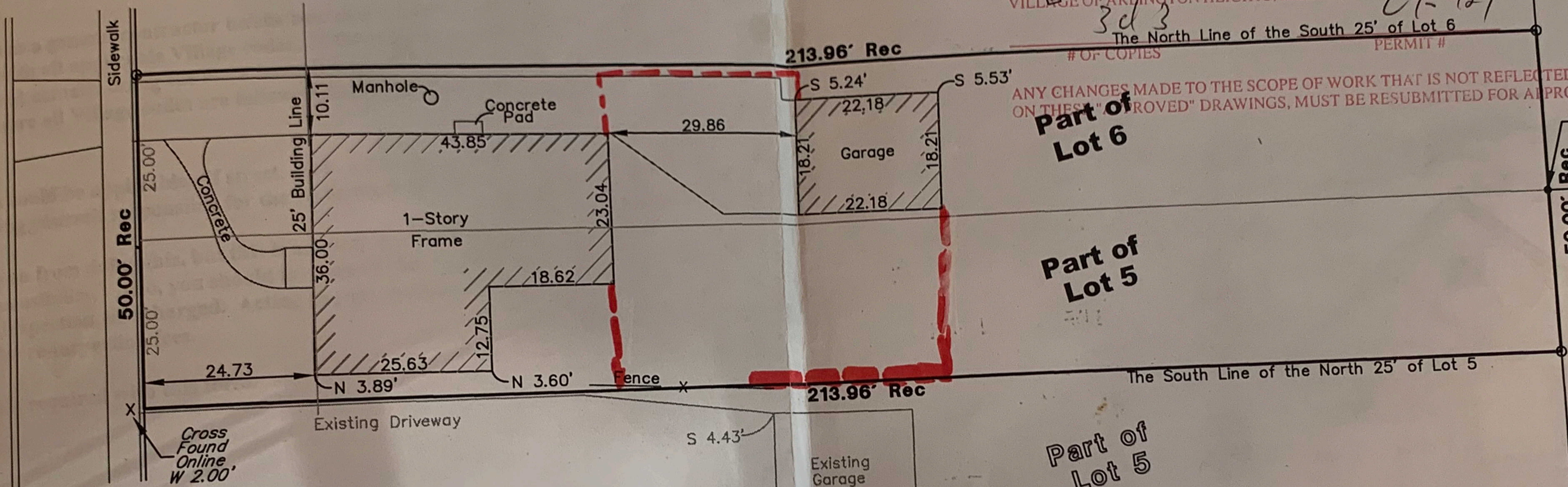
Part of Lot 6

Part of Lot 5

Part of Lot 5

4 foot cedar picket

N Hickory Avenue



Legend:

O-Set 3/4" Iron Pipe

Surveyor Notes:

- Field Work Completed on 11-18-06
- Prepared for Republic Title Company, for real estate transaction.
- Site Address: 813 N Hickory Ave., Arlington Hts., IL. 60004
- Pin No.: 03-29-203-024
- The easements shown hereon are provided from the current title and the use of the recorded subdivision plat. No search of the records for easements or encumbrances was made as part of this survey.
- Compare deed description and site conditions with the data given on this plat and report any discrepancies to the surveyor at once.

STATE OF ILLINOIS)
COUNTY OF COOK)

WE, LAND SURVEYING SERVICES, INC. DO HEREBY STATE THAT WE HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THIS PLAT REPRESENTS THE CONDITIONS FOUND AT THE TIME OF FIELD SURVEY

GIVEN UNDER MY HAND AND SEAL THIS 27TH DAY OF NOVEMBER 2006. IN PALATINE, ILLINOIS.

GLORIA JEAN KOTER, AN AGENT FOR LAND SURVEYING SERVICES, INC.

ILLINOIS PROFESSIONAL LAND SURVEYOR NUMBER 035-003323
License Expiration Date 11-30-08

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

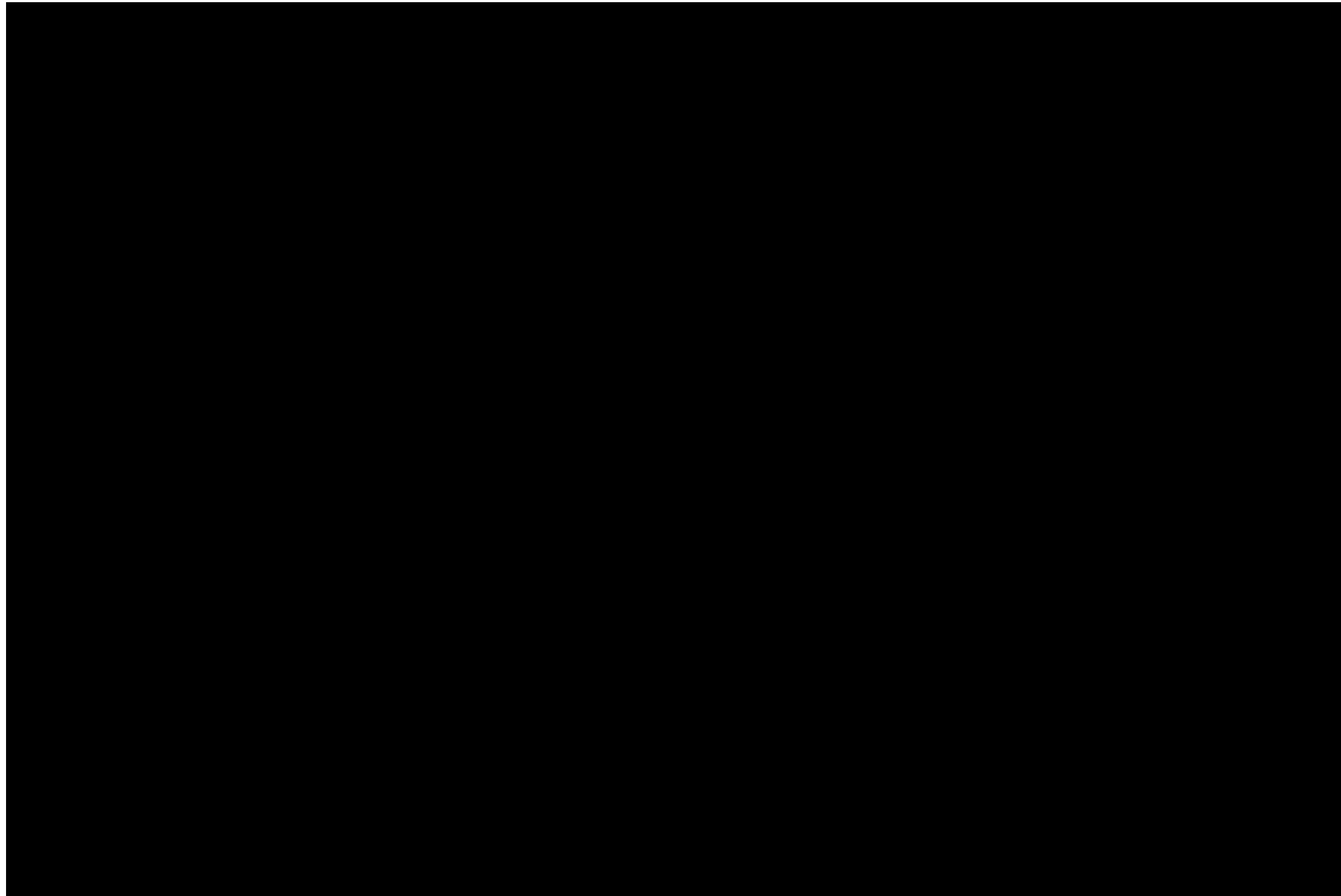
August 8, 2017

Drawing Revisions	Checked	Drawn	Date
	GJK		

Field Work Completed:	11-18-06
Date:	11-20-06
Scale:	1" = 20'
Site Address:	813 N Hickory Avenue Arlington Heights, Illinois

Land Surveying Services Inc.
19 S Bothwell St., Suite 210, Palatine, IL 60067
PH: (847) 991-7700
FAX: (847) 991-7700
License No. 184-003632

Job Number	LS062001
Sheet Name	PLAT OF SURVEY
Sheet Number	SURVEY





**Zoning Board of Appeals
9/11/2023**

Item: 907 W. Braeside Dr. - ZBA# 23-029

Department: Planning & Community Development Department

REQUEST

A 3 foot variation from Chapter 28, Section 6.13-3 (Location of Fences) and Chapter 28, Section 6.13-3a (Location of Fences – Front Yard) to allow a 6 foot tall solid fence in the front yard (Kennicott Avenue), where code allows a 3 foot tall fence of open design.

ATTACHMENTS:

Description

Supporting Documents

Type

Exhibits

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: September 11, 2023
Date Prepared: September 6, 2023
Project Title: Brennan Residence
Address: 907 W. Braeside Dr.

Background Information

Petition Number: ZBA #23-029
Petitioner: Sean Brennan
Address: 907 W. Braeside Dr.
Arlington Heights IL 60004

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

Requested Action/Background Information

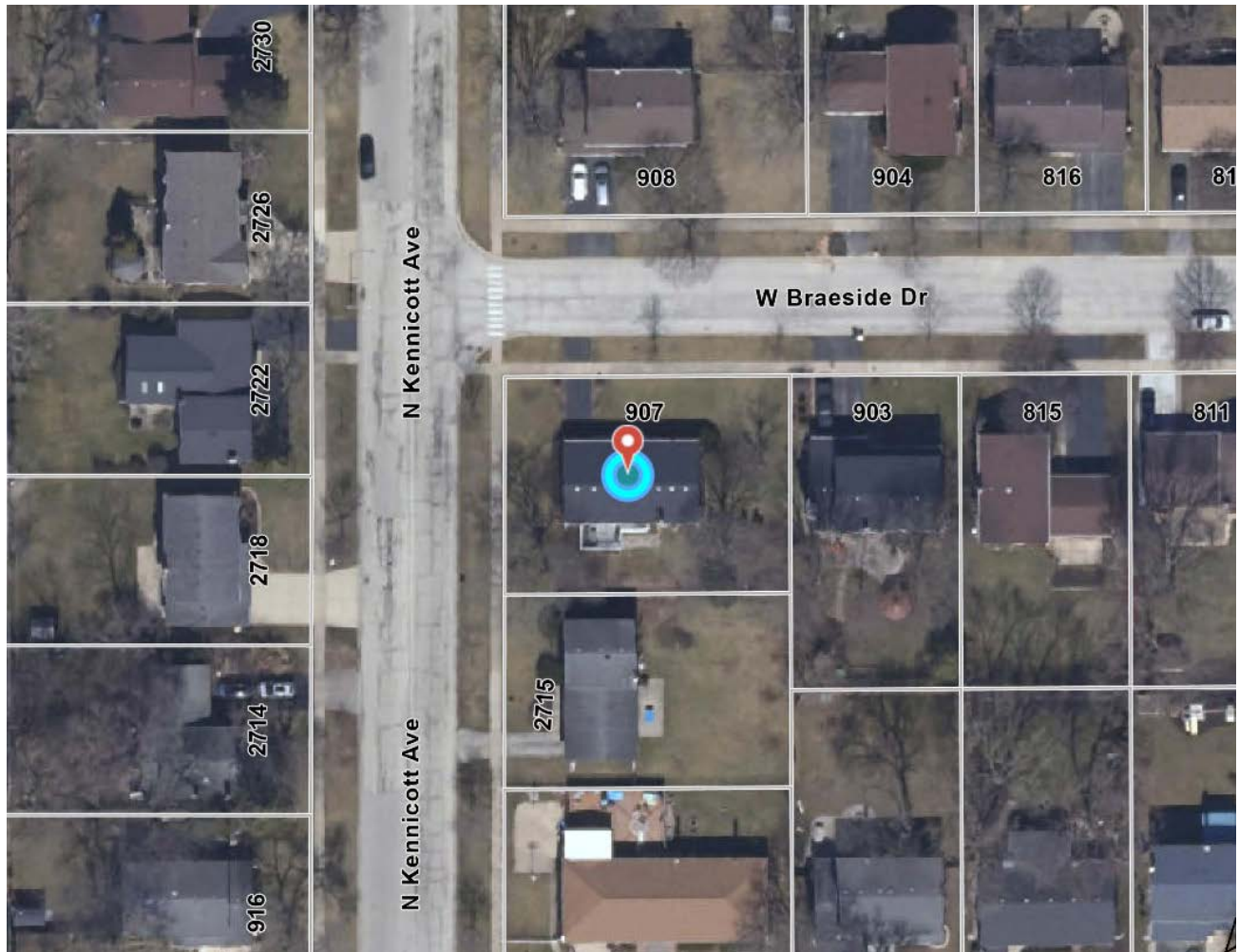
The subject property is zoned R-3, One Family Dwelling District and is located at the southeast corner of Kennicott Avenue and Braeside Drive. The petitioner is proposing a six foot tall solid fence in the front yard (Kennicott Avenue) where code limits the height of fences to an open three foot high fence. The fence is setback from the property line along Kennicott and if the Zoning Board is supportive of the variance request, it is recommended that the landscaping on the streetside of the fence be provided. The petitioner is requesting the following variation:

- A 3 foot variation from Chapter 28, Section 6.13-3 (Location of Fences) and Chapter 28, Section 6.13-3a (Location of Fences – Front Yard) to allow a 6 foot tall solid fence in the front yard (Kennicott Avenue), where code allows a 3 foot tall fence of open design.

Variation Review Standards

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

Map of General Vicinity



Items required to be Submitted 15 Days Prior to Public Hearing

<u>Item</u>	<u>Provided</u>	<u>Dated</u>	<u>Remarks</u>
1. Notification Affidavit	✓	8/24/23	
2. List of Property Owners Within 250 feet of Subject Property	✓	8/24/23	
3. Letter that was Mailed	✓	8/24/23	
4. Photographs of Sign on Property	✓	8/24/23	

Photographs of Existing Structure



From: [Schwab, Briget](#)
To: [Mach, Derek](#); [DiMatteo, Pat](#)
Cc: [Pagones, Mike](#)
Subject: Engineering ZBA review for 9/11/23
Date: Thursday, August 31, 2023 9:24:44 AM

Derek –

Please see my comments below:

813 N Hickory –

1. Engineering has NO COMMENT to the request for a 5.0-foot variation from Chapter 28, Section 5.1-3.3a (Required Minimum Yards) to allow a front porch with front yard setback of 20.0 feet instead of the required 25.0 feet and an additional 1.0 feet for the eave.
2. Engineering has NO OBJECTION to the request for a 1.1-foot variation from Chapter 28, Section 5.1-3.3b (Required Minimum Yards) to allow a front porch with a side yard setback of 3.9 feet instead of the required 5.0 feet and an additional 1.0 feet for the eave.

907 Braeside Dr –

1. Engineering has NO OBJECTION to the request for a 3 foot variation from Chapter 28, Section 6.13-3 (Location of Fences) and Chapter 28, Section 6.13-3a (Location of Fences – Front Yard) to allow a 6 foot tall solid fence in the front yard (Kennicott Avenue), where code allows a 3 foot tall fence of open design.

831 S. Dryden Pl –

1. Engineering has NO COMMENT to the request for a 369 square foot variation from Section 5.1-3.4 (Maximum Floor Area- R-3 Zoning District), to allow a Floor Area Ratio (FAR) of 3,804 square feet instead of the maximum allowed 3,435 square feet.
2. Engineering has NO COMMENT to the request for a 209 square-foot variation from Chapter 28, Section 5.1-3.5a (Maximum Building Lot Coverage) to allow building lot coverage of 2,881 square-feet where 2,672 is the maximum allowed by code.
3. Engineering has NO OBJECTION to the request for a 3.0-foot variation from Chapter 28, Section 5.1-3.3b (Required Minimum Yards) to allow an addition with a side yard setback of 2.8 feet instead of the required 5.8 feet and an additional 1.0 feet for the eave. **Petitioner should note that an existing and proposed grading plan will be required when submitting for a permit. The proposed grading plan must include cross sections along the south property line.**

919 S. Vail Ave –

1. Engineering is NOT IN FAVOR of the request for a 4.0-foot variation from Chapter 28, Section 5.1-3.3b (Required Minimum Yards) to allow an addition with a side yard setback of 3.0 feet instead of the required 7.0 feet and an additional 1.0 feet for the eave. Existing grade along the north side of the house is pitched towards the adjacent property (913 S Vail). Allowing the addition to encroach limits the ability to regrade the area for positive drainage away from adjacent property. If the variation is allowed, the existing sidewalk should be removed and not allowed to be replaced in the future. The drawings submitted do show the sidewalk being removed on sheet A-0, but is still shown on EX-0, so unclear if the intentions would be to

remove the existing walk. In addition, if approved, **petitioner should note that an existing and proposed grading plan will be required when submitting for a permit. The proposed grading plan must include cross sections along the north property line. A stepped foundation may be required.**

2. Engineering has NO COMMENT to the request for a 2.5-foot variation from Chapter 28, Section 5.1-3.3a (Required Minimum Yards) to allow a front porch with front yard setback of 27.5 feet instead of the required 30.0 feet and an additional 1.0 feet for the eave.
3. Engineering has NO COMMENT to the request for a variance from Chapter 28, Section 6.6-5 (Permitted Obstructions) to allow two air conditioning units in the required side yard setback along the north property line.

31 N. Wilshire –

1. Engineering has NO COMMENT to the request for a 4.6-foot variation from Chapter 28, Section 5.1-3.3a (Required Minimum Yards) to allow a front porch with front yard setback of 24.8 feet instead of the required 29.4 feet and an additional 1.0 feet for the eave.

2606 E Warwick –

1. Engineering has NO OBJECTION to the request for a 7.0 foot variation from Chapter 28, Section 6.6-5.1 (Table of Permitted Obstructions) to allow a deck with a rear yard setback of 8.0 feet from the north property line instead of the minimum required 15.0 feet.

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Brennan Residence

Project Address: 907 W. Braeside Drive

ZBA #: 23-029

ZBA Hearing Date: September 11, 2023

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

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

From: Derek Mach, Landscape Planner

Transmitted On: August 22, 2023

- A 3 foot variation from Chapter 28, Section 6.13-3 (Location of Fences) and Chapter 28, Section 6.13-3a (Location of Fences – Front Yard) to allow a 6 foot tall solid fence in the front yard (Kennicott Avenue), where code allows a 3 foot tall fence of open design.

Attached are the Petitioner's:

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

Comments: _____

No Comments.

Steve Hautzinger, Design Planner

Please review, comment, and return to me no later than September 1, 2023.



Village of Arlington Heights Building & Life Safety Department

Interoffice Memorandum

To: Derek Mach, Zoning Board of Appeals Liaison

From: Elliot Eldridge, Assistant Building Official, Building & Life Safety Depart.

Project Name: Brennan Residence

Project Address: 907 W. Braeside Drive

ZBA #: 23-028

Date: September 5, 2023

Derek:

I have reviewed the request for the following variance:

A 6-foot privacy fence on the Kennicott Side of the house.

The Building & Life Safety Department has the following comments:

Construct the fence per attached "Fence Permit Application Checklist".
and have no other objections or comments.

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 _____

being the owner of the property commonly know as: _____

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

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

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 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): _____

Signed: Sean J Brennan
Petitioner

Date: _____

LOT 11 IN BLOCK 11 IN BEEKLEY SQUARE UNIT 3, A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

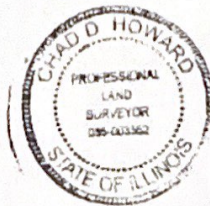
(66' ROW)

KENNICOTT AVENUE
(DO' RCH)

From
sidewalk

A 6' tall solid privacy fence, horizontal style to be installed by all XXX T-8' double drive gate and T-4' single gate.

1. COMPARE THE DESCRIPTION ON THIS PLAN WITH YOUR DEED, ABSTRACT, OR CERTIFICATE OF TITLE ALSO COMPARE ALL POINTS BEFORE BUILDING BY SAME, AND REPORT ANY DIFFERENCE IMMEDIATELY.
2. THIS SURVEY IS NOT VALID WITHOUT THE SURVEYOR'S ORIGINAL SIGNATURE.
3. BEARINGS SHOWN HEREON ARE ASSUMED.
4. ALL DISTANCES SHOWN HEREON ARE MEASURED UNLESS OTHERWISE NOTED.
5. FIELD WORK COMPLETED 10/24/2006
6. PREPARED FOR: TANK, COOK, WRIGHT & SALADIN, P.C.



STATE OF ILLINOIS)
) SS
(COUNTY OF MCHENRY)

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT
ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

GIVEN UNDER MY HAND AND SEAL AT WOODSTOCK, ILLINOIS.

THIS 24TH DAY OF OCTOBER, A.D. 2020.

BY: [Signature]

ILLINOIS PROFESSIONAL LAND SURVEYOR NUMBER 3352
LICENSED EXPIRE NOVEMBER 30, 2020.
PROFESSIONAL DESIGN FIRM 184 006180



MERIDIAN
Land Surveying Co.
2547 APPLEWOOD LANE
WOODSTOCK, IL
(815)861-3135

907 BRAESIDE DRIVE
ARLINGTON HEIGHTS, IL

PROJECT NO. 20-352
DATE 10/24/20
SCALE 1" = 20'
DRAWN BY: CDH
CHECKED BY: CDH

PAGE
1
OF
1









Zoning Board of Appeals 9/11/2023

Item: 831 S. Dryden Pl. - ZBA#23-030

Department: Planning & Community Development Department

REQUEST

1. A 369 square foot variance from Section 5.1-3.4 (Maximum Floor Area- R-3 Zoning District), to allow a Floor Area Ratio (FAR) of 3,804 square feet instead of the maximum allowed 3,435 square feet.
2. A 209 square-foot variation from Chapter 28, Section 5.1-3.5a (Maximum Building Lot Coverage) to allow building lot coverage of 2,881 square-feet where 2,672 is the maximum allowed by code.
3. A 3.0-foot variation from Chapter 28, Section 5.1-3.3b (Required Minimum Yards) to allow an addition with a side yard setback of 2.8 feet instead of the required 5.8 feet and an additional 1.0 feet for the eave.

ATTACHMENTS:

Description

Supporting Documents

Type

Exhibits

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: September 11, 2023
Date Prepared: September 6, 2023
Project Title: Victor Residence
Address: 831 S. Dryden Pl.

Background Information

Petition Number: ZBA #23-030
Petitioner: Robert Flubacker / Robert Flubacker Architects
Address: 1895 Rohlwing Rd, Suite B
Rolling Meadows, IL 60008

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

Requested Action/Background Information

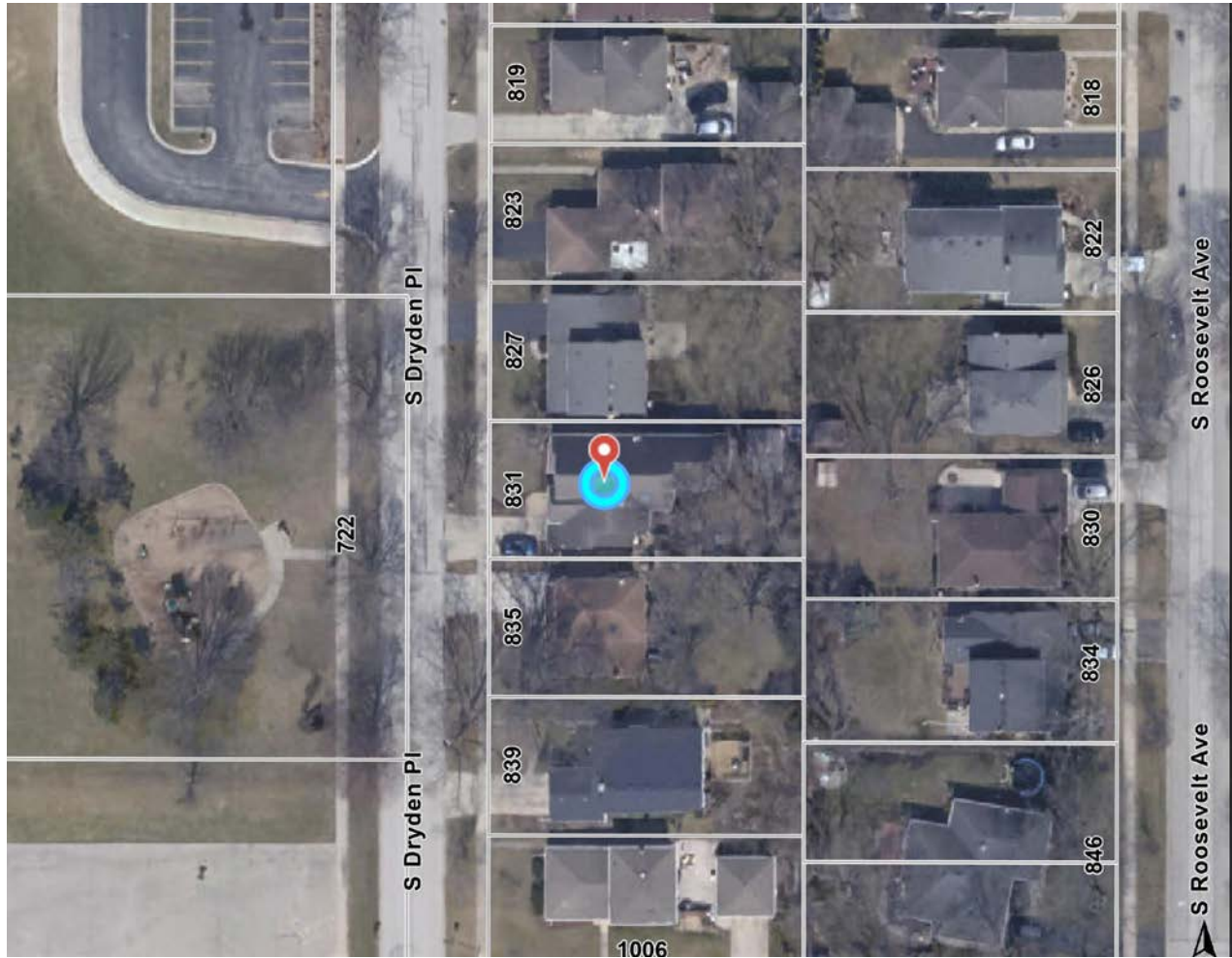
The petitioner is proposing an addition to the existing split-level residence. The subject site is zoned R-3, One Family Dwelling District. The property has a total land area of 7,635 square feet and the proposed residence with the addition will be 3,804 square feet. The petitioner is requesting a 369 square foot variation for the Floor Area Ratio. In addition, the petitioner is requesting a 209 square foot variance for the Building Lot Coverage. Along the south property line, the proposed addition encroaches 3.0 feet into the required side yard setback. Therefore, the petitioner is requesting the following variations:

- A 369 square foot variance from Section 5.1-3.4 (Maximum Floor Area- R-3 Zoning District), to allow a Floor Area Ratio (FAR) of 3,804 square feet instead of the maximum allowed 3,435 square feet.
- A 209 square-foot variation from Chapter 28, Section 5.1-3.5a (Maximum Building Lot Coverage) to allow building lot coverage of 2,881 square-feet where 2,672 is the maximum allowed by code.
- A 3.0-foot variation from Chapter 28, Section 5.1-3.3b (Required Minimum Yards) to allow an addition with a side yard setback of 2.8 feet instead of the required 5.8 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.

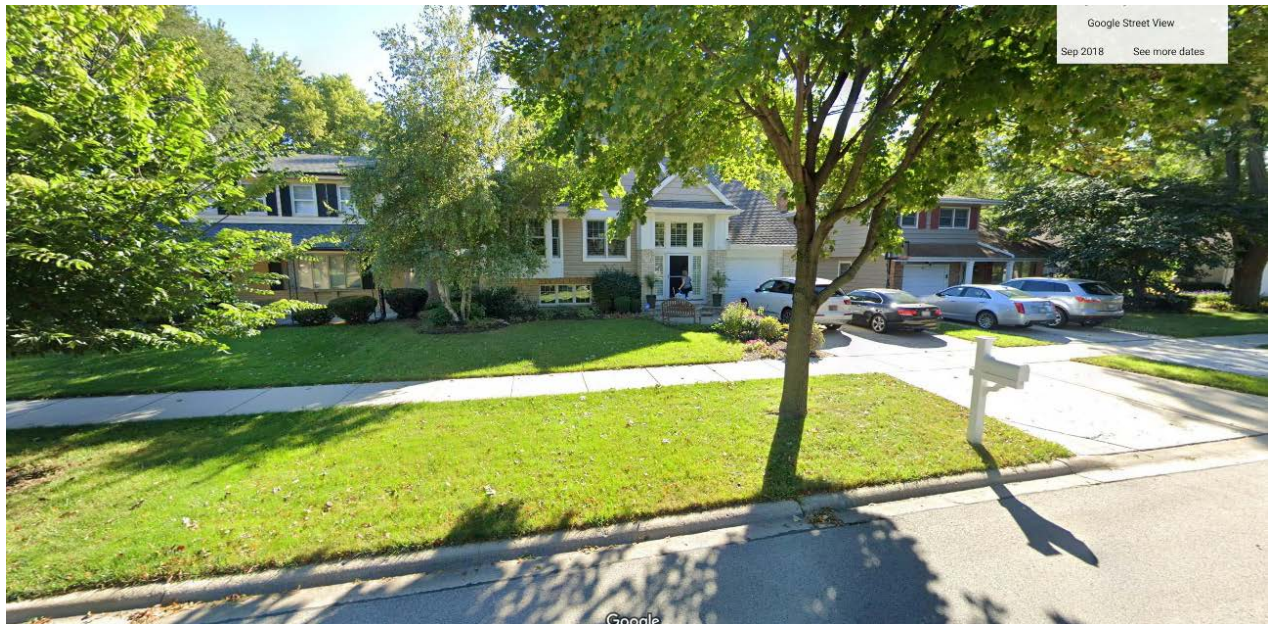
Map of General Vicinity



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	✓	8/24/23	
2. List of Property Owners Within 250 feet of Subject Property	✓	8/24/23	
3. Letter that was Mailed	✓	8/24/23	
4. Photographs of Sign on Property	✓	8/24/23	

Photographs of Existing Structure



From: [Schwab, Briget](#)
To: [Mach, Derek](#); [DiMatteo, Pat](#)
Cc: [Pagones, Mike](#)
Subject: Engineering ZBA review for 9/11/23
Date: Thursday, August 31, 2023 9:24:44 AM

Derek –

Please see my comments below:

813 N Hickory –

1. Engineering has NO COMMENT to the request for a 5.0-foot variation from Chapter 28, Section 5.1-3.3a (Required Minimum Yards) to allow a front porch with front yard setback of 20.0 feet instead of the required 25.0 feet and an additional 1.0 feet for the eave.
2. Engineering has NO OBJECTION to the request for a 1.1-foot variation from Chapter 28, Section 5.1-3.3b (Required Minimum Yards) to allow a front porch with a side yard setback of 3.9 feet instead of the required 5.0 feet and an additional 1.0 feet for the eave.

907 Braeside Dr -

1. Engineering has NO OBJECTION to the request for a 3 foot variation from Chapter 28, Section 6.13-3 (Location of Fences) and Chapter 28, Section 6.13-3a (Location of Fences – Front Yard) to allow a 6 foot tall solid fence in the front yard (Kennicott Avenue), where code allows a 3 foot tall fence of open design.

831 S. Dryden Pl –

1. Engineering has NO COMMENT to the request for a 369 square foot variation from Section 5.1-3.4 (Maximum Floor Area- R-3 Zoning District), to allow a Floor Area Ratio (FAR) of 3,804 square feet instead of the maximum allowed 3,435 square feet.
2. Engineering has NO COMMENT to the request for a 209 square-foot variation from Chapter 28, Section 5.1-3.5a (Maximum Building Lot Coverage) to allow building lot coverage of 2,881 square-feet where 2,672 is the maximum allowed by code.
3. Engineering has NO OBJECTION to the request for a 3.0-foot variation from Chapter 28, Section 5.1-3.3b (Required Minimum Yards) to allow an addition with a side yard setback of 2.8 feet instead of the required 5.8 feet and an additional 1.0 feet for the eave. **Petitioner should note that an existing and proposed grading plan will be required when submitting for a permit. The proposed grading plan must include cross sections along the south property line.**

919 S. Vail Ave –

1. Engineering is NOT IN FAVOR of the request for a 4.0-foot variation from Chapter 28, Section 5.1-3.3b (Required Minimum Yards) to allow an addition with a side yard setback of 3.0 feet instead of the required 7.0 feet and an additional 1.0 feet for the eave. Existing grade along the north side of the house is pitched towards the adjacent property (913 S Vail). Allowing the addition to encroach limits the ability to regrade the area for positive drainage away from adjacent property. If the variation is allowed, the existing sidewalk should be removed and not allowed to be replaced in the future. The drawings submitted do show the sidewalk being removed on sheet A-0, but is still shown on EX-0, so unclear if the intentions would be to

remove the existing walk. In addition, if approved, **petitioner should note that an existing and proposed grading plan will be required when submitting for a permit. The proposed grading plan must include cross sections along the north property line. A stepped foundation may be required.**

2. Engineering has NO COMMENT to the request for a 2.5-foot variation from Chapter 28, Section 5.1-3.3a (Required Minimum Yards) to allow a front porch with front yard setback of 27.5 feet instead of the required 30.0 feet and an additional 1.0 feet for the eave.
3. Engineering has NO COMMENT to the request for a variance from Chapter 28, Section 6.6-5 (Permitted Obstructions) to allow two air conditioning units in the required side yard setback along the north property line.

31 N. Wilshire –

1. Engineering has NO COMMENT to the request for a 4.6-foot variation from Chapter 28, Section 5.1-3.3a (Required Minimum Yards) to allow a front porch with front yard setback of 24.8 feet instead of the required 29.4 feet and an additional 1.0 feet for the eave.

2606 E Warwick –

1. Engineering has NO OBJECTION to the request for a 7.0 foot variation from Chapter 28, Section 6.6-5.1 (Table of Permitted Obstructions) to allow a deck with a rear yard setback of 8.0 feet from the north property line instead of the minimum required 15.0 feet.

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Victor Residence

Project Address: 831 S. Dryden Place

ZBA #: 23-030

ZBA Hearing Date: September 11, 2023

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

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

From: Derek Mach, Landscape Planner

Transmitted On: August 22, 2023

- A 369 square foot variance from Section 5.1-3.4 (Maximum Floor Area- R-3 Zoning District), to allow a Floor Area Ratio (FAR) of 3,804 square feet instead of the maximum allowed 3,435 square feet.
- A 209 square-foot variation from Chapter 28, Section 5.1-3.5a (Maximum Building Lot Coverage) to allow building lot coverage of 2,881 square-feet where 2,672 is the maximum allowed by code.
- A 3.0-foot variation from Chapter 28, Section 5.1-3.3b (Required Minimum Yards) to allow an addition with a side yard setback of 2.8 feet instead of the required 5.8 feet and an additional 1.0 feet for the eave.

Attached are the Petitioner's:

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

Comments:

A complete Design Commission application is required to be submitted for review, but the proposed addition appears to be nicely designed to fit with the existing house.

Steve Hautzinger, Design Planner.

Please review, comment, and return to me no later than September 1, 2023.



Village of Arlington Heights Building & Life Safety Department

Interoffice Memorandum

To: Derek Mach, Zoning Board of Appeals Liaison

From: Elliot Eldridge, Assistant Building Official, Building & Life Safety Depart.

Project Name: Victor Residence

Project Address: 831 S. Dryden Place

ZBA #: 23-030

Date: September 5, 2023

Derek:

I have reviewed the request for the following variance:

- A 369 square foot variance from Section 5.1-3.4 (Maximum Floor Area- R-3 Zoning District), to allow a Floor Area Ratio (FAR) of 3,804 square feet instead of the maximum allowed 3,435square feet.
- A 209 square-foot variation from Chapter 28, Section 5.1-3.5a (Maximum Building Lot Coverage) to allow building lot coverage of 2,881 square-feet where 2,672 is the maximum allowed by code.
- A 3.0-foot variation from Chapter 28, Section 5.1-3.3b (Required Minimum Yards) to allow an addition with a side yard setback of 2.8 feet instead of the required 5.8 feet and an additional 1.0 feet for the eave.

The Building & Life Safety Department has the following comments:

1. The south part of the addition, located within 5 feet from the side lot line shall have a minimum of 1-hour fire-resistance rated construction with exposure from both the inside and outside of the wall, based on the distance to the lot line of less than 5 feet.
2. The soffit projection of the addition shall have a minimum of 1-hour fireresistance rated construction on the underside or solid blocking between the top plate and the roof sheathing based on the distance to the lot line of between 2 feet to 5 feet.
3. The maximum openings on the south wall shall be 25% of the wall area.

and have no other objections or comments on building lot coverage / Floor Area Ratio.

PETITION

NOW COMES the Petitioner, **Robert Flubacker**, being the petitioner of the property commonly known as: **831 S. Dryden Pl.**, and appeals to the Zoning Board of Appeals of the Village of Arlington Heights for a variation from, **Section 5.1-3.3b Required Minimum Yards, Table**

6.6-5.1 Table of Permitted Obstructions, Section 5.1-3.4 Maximum Floor Area Ratio and Section 5.1-3.5 (a) Maximum Building Lot Coverage Chapter 28, of the Arlington Heights Municipal Code, in order to:

Construct a one-story room addition and garage addition in which:

1. encroaches 2.78 feet into the required 5.78 foot side yard setback and also to construct the eave, overhang and gutter to project an additional 1.82 feet (to match existing eaves)
2. exceeds allowable F.A.R. of 3,435 sq.ft. by 369 sq.ft.
3. exceeds allowable Building Lot Coverage of 2,672 sq.ft. by 191 sq.ft.

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 variations were granted:

The use of the existing house is not changing and the surrounding neighborhood has single-family homes of a widely varied mix of sizes and shapes. The propose addition enhances the existing architectural character of the home and maintains it's compatibility with the neighborhood.

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:

Due to the significant amount of floor area that's partially underground the impact to the surrounding area is minimized. As an illustration, if the existing basement floor was 1 foot lower (as the previous and current additions are designed) none of the lower level would count toward F.A.R. and a variation would not be required. Even though there would be no difference in exterior design. The existing one car Garage was original to the home built in a time when a one car Garage was adequate. Today's standard of a home of this caliber requires at least two cars of garaging.

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

The project maintains the character of the neighborhood, while providing the desired expansion of the home the owner needs. The distance between the proposed Garage and the house to the South exceeds the cumulative total of two 10% setbacks.

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

Due to the quality and size of the existing and proposed house a two car Garage is critical to maintain market value. The width of the proposed Garage is below village width standards in order to maintain 3 feet clear to the lot line.

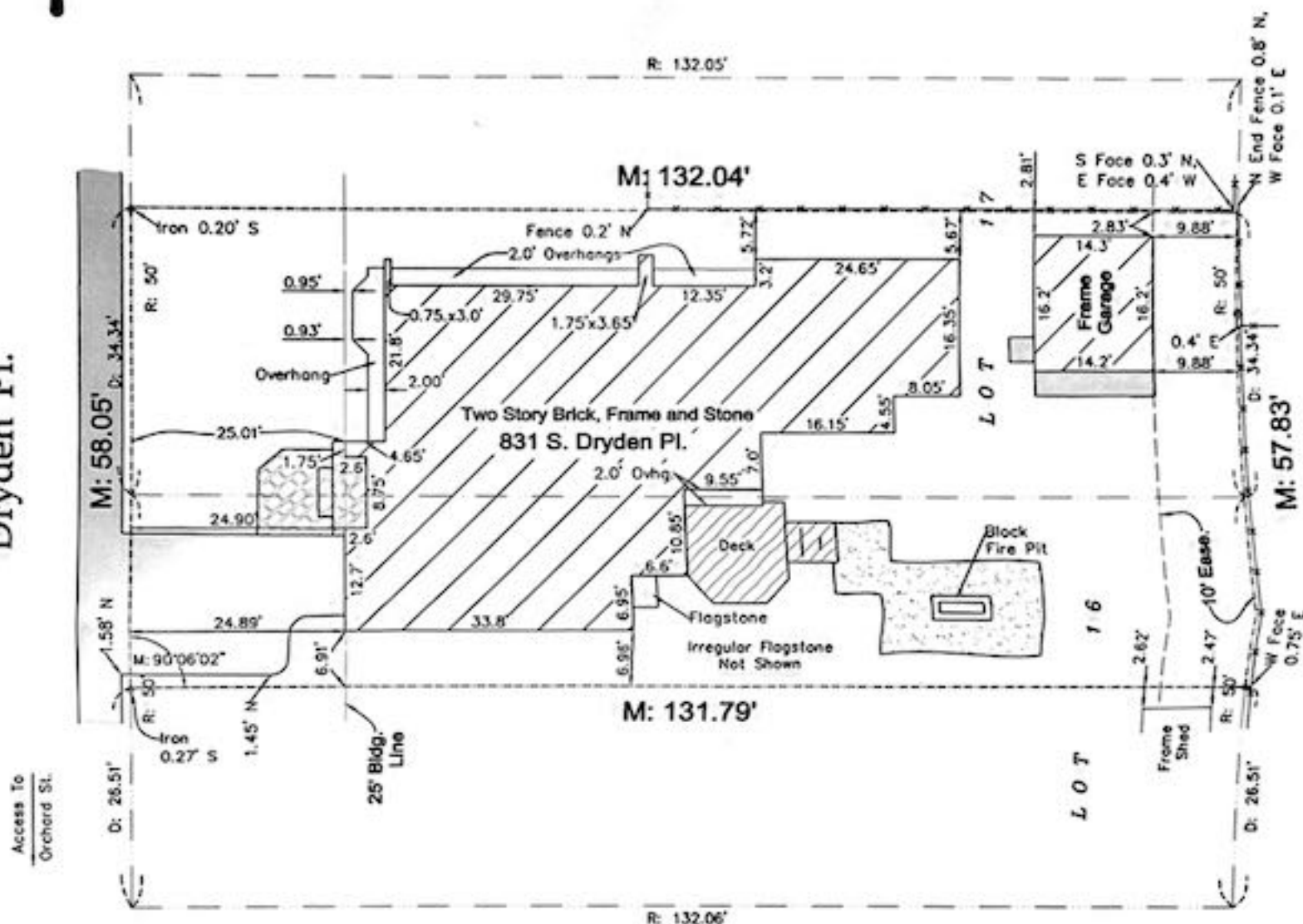
Signed: _____
Petitioner

Date: 8.8.13

PLAT OF SURVEY

LOT 16 (EXCEPT THE SOUTH 26.51 FEET THEREOF) AND THE SOUTH 34.34 FEET OF LOT 17, IN BLOCK 21 IN ARLINGTON HEIGHTS PARK MANOR, A SUBDIVISION IN THE EAST ½ OF SECTION 32, TOWNSHIP 42 NORTH, RANGE 11, EAST TO THE THIRD PRINCIPAL MERIDIAN AS PER PLAT RECORDED APRIL 29, 1926 AS DOCUMENT NO. 9257733, IN COOK COUNTY, ILLINOIS.

Dryden Pl.



PROPERTY AREA: 7642.7 SQ. FT.

CLIENT: ATTY. CLEGG

JN 20486

LEGEND	
R - RECORD DISTANCE	• FOUND IRON
M - MEASURED DISTANCE	⊙ UTILITY POLE
D - DEED	▨ GRAVEL
PROPERTY LINE	▨ PAVERS
FENCE LINE	
CONCRETE	

SCALE 1" = 15'

DATE OF SURVEY: JULY 24, 2020

STATE OF ILLINOIS

COUNTY OF KANE



I HEREBY CERTIFY THAT THE ABOVE DESCRIBED PROPERTY HAS BEEN SURVEYED, UNDER MY SUPERVISION, ACCORDING TO THE OFFICIAL RECORD AND THAT THE ABOVE PLAT CORRECTLY REPRESENTS SAID SURVEY. ALL DISTANCES ARE SHOWN IN FEET AND DECIMALS THEREOF.

I FURTHER CERTIFY THAT UNLESS OTHERWISE SHOWN, THE BUILDINGS ON THE PARCEL ARE WITHIN PROPERTY LINES AND THE ADJOINING VISIBLE IMPROVEMENTS DO NOT ENCROACH ON THE ABOVE DESCRIBED PROPERTY.

I FURTHER CERTIFY THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

Vincent B. Frye

MY LICENSE EXPIRES 11-30-2020

COMPARE THE DESCRIPTION OF THIS PLAT WITH DEED, REFER TO THE TITLE POLICY FOR ITEMS OF RECORD NOT SHOWN ABOVE. UNLESS OTHERWISE NOTED, UTILITIES WITHIN EASEMENTS ARE NOT SHOWN HEREON. UNDERGROUND UTILITIES INCLUDING BUT NOT LIMITED TO CONDUITS AND CABLE (IF ANY) HAVE NOT BEEN SHOWN HEREON.

ILLINOIS PROFESSIONAL DESIGN FIRM LAND SURVEYING CORPORATION NO. 4183

SCHLAF-SEDIG
& ASSOCIATES, INC.
130 GATES STREET
ELBURN, ILLINOIS 60119
(630) 365-9631
schlafsedig@comcast.net

ALTERATIONS AND ADDITIONS FOR
**THE VICTOR
RESIDENCE**
831 S. DRYDEN PL.
ARLINGTON HEIGHTS, ILLINOIS

SYMBOLS



SHEET NUMBER (TYP.)

ELEVATION KEY



EXISTING PARTITION TO REMAIN

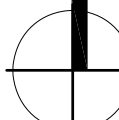
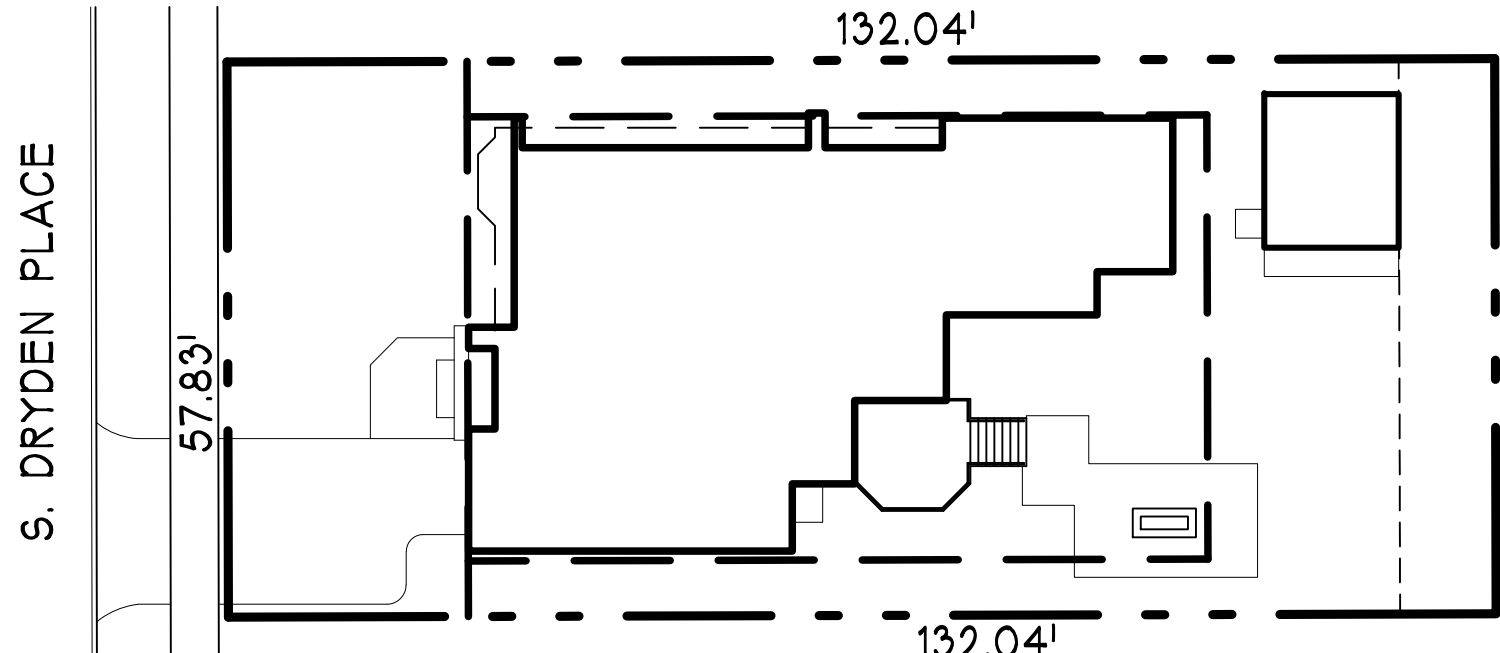


EXISTING DOOR TO REMAIN

LIST OF DRAWINGS

EX-0 TITLE SHEET / SITE PLAN
EX-1 EXIST. LOWER LEVEL PLAN
EX-2 EXIST. UPPER LEVEL PLAN

SITE PLAN



NORTH



SITE PLAN

$$1'' = 10^1 - 0''$$

SITE PLAN LEGEND:



EXIST. CONSTRUCTION
TO REMAIN



● PROPERTY LINE



- SETBACK LINE

CODE REVIEW

<u>ZONING</u>		R-3 SINGLE FAMILY	
<u>LOT AREA</u>	7,635 SQ.FT.		
<u>BUILDING AREAS</u>		<u>EXISTING</u>	<u>ALLOWED</u>
BASEMENT - ALL		1,626 SQ.FT.	
EX. BASE. ABOVE GRADE		1,177 SQ.FT.	
EX. LOWER BASEMENT A		449 SQ.FT.	
FIRST FLOOR		2,117 SQ.FT.	
ATTACHED GARAGE		260 SQ.FT.	
ACCESSORY STRUCTURES		224 SQ.FT.	
WOOD FRAME DECK		160 SQ.FT.	
FLOOR AREA RATIO (FAR)		*3,294 SQ.FT.	3,435 SQ.FT.
*ING. PORTIONS OF BASEMENT GREATER THAN HALF ABOVE GRADE			
<u>BUILDING LOT COVERAGE</u>		2,110 SQ.FT.	2,672 SQ.FT.
<u>IMPERVIOUS SURFACE COVER.</u>		2,699 SQ.FT.	3,817 SQ.FT.
<u>BEUILDING HEIGHT</u>		2133 FT.	25 FT.

Date	Description
5/11/23	EXIST.

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Project Number

EX-0

ALTERATIONS AND ADDITIONS FOR

THE VICTOR RESIDENCE

831 S. DRYDEN PL.
ARLINGTON HEIGHTS, ILLINOIS

ABBREVIATIONS

●	AT	EXP.	EXPANSION	PLAM.	PLASTIC LAMINATE
<	ANGLE	F.D.	FLOOR DRAIN	PLYWD.	PLYWOOD
SS	FIVE SHELVES	F.F.	FINISH FLOOR	P.S.F.	POUNDS PER SQUARE FOOT
A/C.	AIR CONDITIONING	FIN.	FINISH	P.S.I.	POUNDS PER SQUARE INCH
ADJ.	ADJUSTABLE	FIXT.	FIXTURE	PSL	PARALLEL STRAND LUMBER
AF.F.	ABOVE FINISH FLOOR	FND.	FOUNDATION	PVC.	POLYVINYL CHLORIDE
ALT.	ALTERNATE	F.O.C.	FACE OF CONCRETE	R.	RADIUS
ALUM.	ALUMINUM	F.O.S.	FACE OF STUD	R.D.	ROOF DRAIN
APPROX.	APPROXIMATE	FRZ.	FREEZER	R.R.	ROOF RAFTERS
ARCH.	ARCHITECTURAL	F.S.	FOOTING SUMP	R&S	ROD & SHELF
B/	BOTTOM OF	FTG.	FOOTING	REBAR	REINFORCING BAR
BD.	BOARD	FURN.	FURNACE	REF.	REFRIGERATOR
B.I.	BUILT-IN	GA.	GAUGE	REG.	REGULAR
BLDG.	BUILDING	GALV.	GALVANIZED	REIN.	REINFORCE
B.O.	BY OWNER	GLU-LAM.	GLUE LAMINATED BEAM	RM.	ROOM
BRG.	BEARING	GYP.BD.	GYP.SUM BOARD	R.O.	ROUGH OPENING
C.	CARPET	HGT.	HEIGHT	R.O.	SOLID CORE
CAB.	CABINET	H.M.	HOLLOW METAL	SECT.	SECTION
C.I.	CAST IRON	H.O.R.Z.	HORIZONTAL	S.H.	SINGLE-HUNG CLOSET ROD
C.J.	CONSTRUCTION JOINTS	H.T.G.	HEATING	SIM.	SIMILAR
CL.	CENTER LINE	H.V.A.C.	HEATING, VENTILATION, AIR CONDITIONING	SUMP PIT	SUMP PIT
CLG.	CEILING	H.W.	HOT WATER	SPEC.	SPECIFICATION
CMU.	CONCRETE MASONRY UNIT	INSUL.	INSULATION	SQ.	SQUARE
C.O.	CASED OPENING/ CLEAN OUT	INT.	INTERIOR	STD.	STANDARD
COL.	COLUMN	L.	LINEN	STL.	STEEL
CONC.	CONCRETE	LAM.	LAMINATE	STOR.	STORAGE
CONST.	CONSTRUCTION	LAV.	LAVATORY	STRUCT.	STRUCTURAL
CONT.	CONTINUOUS	LLV.	LONG LEG VERTICAL	SUSP.	SUSPENDED
C.T.	CERAMIC TILE	LLV.	LONG LEG VERTICAL	T/	TOP OF
C.W.	COLD WATER	LVL.	LAMINATED VENEER LUMBER	T&B.	TOP & BOTTOM
D.	DRYER	LVL.	LAMINATED VENEER LUMBER	T&S.	TONGUE & GROOVE
DEMO.	DEMOLITION	M.C.	MEDICINE CABINET	TEL.	TELEPHONE
D.H.	DIAMETER	MECH.	MECHANICAL	T.M.E.	TO MATCH EXIST.
DIA.	DIAMETER	MED.	MEDIUM	T.O.P.	TOP OF PLATE
DM.	DIMENSION	MICRO.	MICROWAVE	TV.	TELEVISION
DISP.	DISPOSAL	MIN.	MINIMUM	TYP.	TYPICAL
DIV.	DIVISION	MISC.	MISCELLANEOUS	U.O.N.	UNLESS OTHERWISE NOTED
DN.	DOWN	M.O.	MASONRY OPENING	V.C.T.	VINYL COMPOSITION TILE
D.S.	DOWN SPOUT	MTL.	METAL	VERT.	VERTICAL
D.W.	DISHWASHER	N.F.H.B.	NON-FREEZE HOSE BIBS	V.T.R.	VENT THRU ROOF
EA.	EACH	N.I.C.	NOT IN CONTRACT	W.	WITH
E.I.F.S.	EXTERIOR INSULATION AND FINISH SYSTEM	NO.	NUMBER	W.C.	WATER CLOSET
ELECT.	ELECTRICAL	NOM.	NOMINAL	WD.	WOOD
ELEV.	ELEVATION	N.T.S.	NOT TO SCALE	WDW.	WINDOW
EP	EJECTOR PIT/SUMP	O.A.	OVER ALL	W.H.	WATER HEATER
EQ.	EQUAL	O.C.	ON CENTER	W.I.C.	WALK-IN CLOSET
EQUIP.	EQUIPMENT	O.H.	OVERHANG	WO	WITHOUT
EQUIV.	EQUIVALENT	OPP.	OPPOSITE	WT.	WEIGHT
EW.	EACH WAY	PERF.	PERFORATED	W.W.F.	WELDED WIRE FABRIC
EXIST.	EXISTING	PL.	PLATE		

SYMBOLS

	DETAIL NUMBER (TYP.)		EXISTING PARTITION TO REMAIN
	SHEET NUMBER (TYP.)		EXISTING CONSTRUCTION TO BE REMOVED
	BUILDING SECTION KEY		NEW FRAMED PARTITION
	MAJOR WALL SECTION KEY		EXISTING DOOR TO REMAIN
	DETAIL KEY		NEW DOOR & REFERENCE TAG
	ELEVATION MARK		NEW WINDOW REFERENCE TAG
	ROOM NAME		
	NEW HEADER REFERENCE TAG		

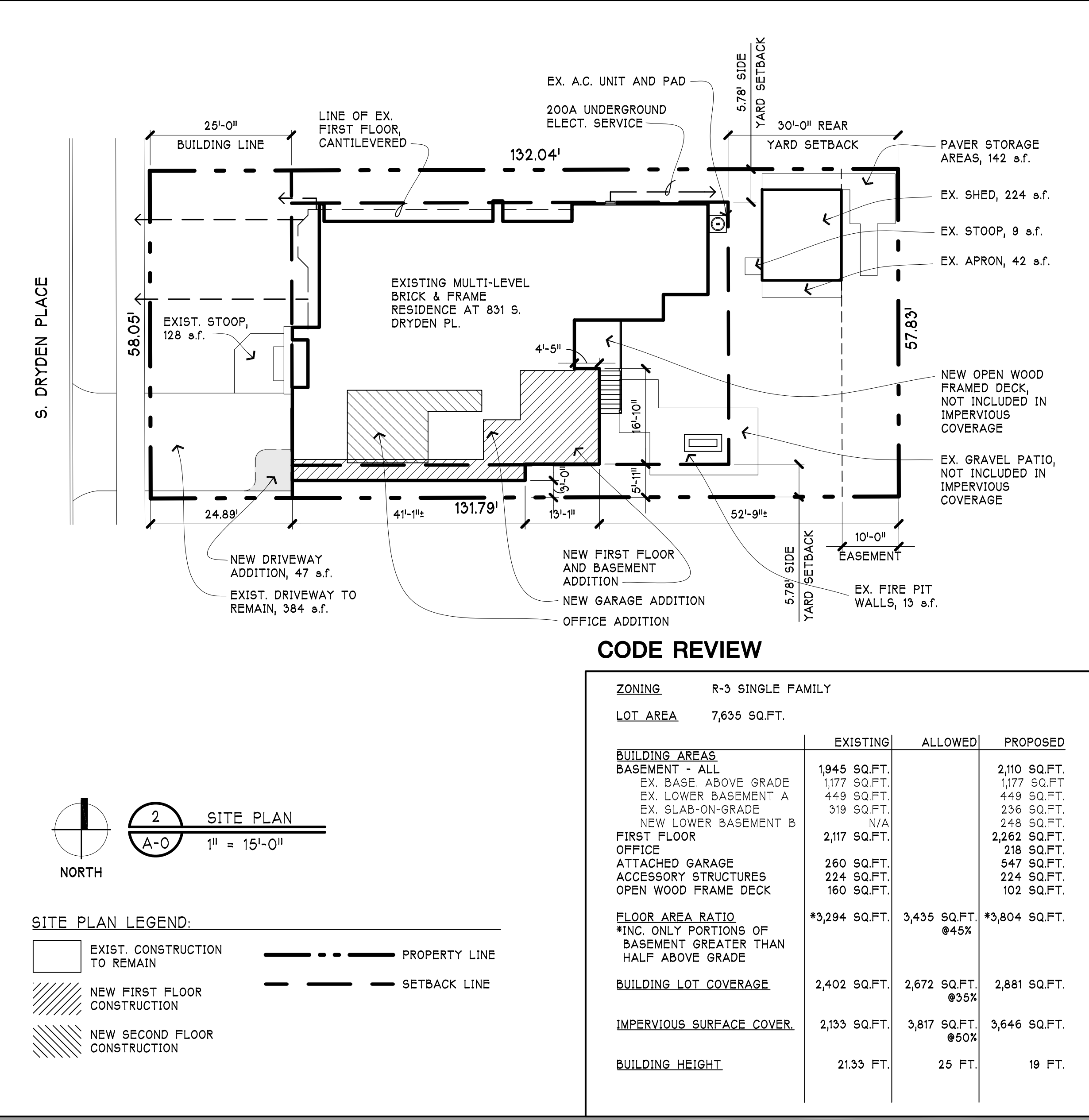
CODE DATA

- ALL CONSTRUCTION SHALL CONFORM WITH THE FOLLOWING:
- 2018 INTERNATIONAL CODE COUNCIL SERIES:
 - INTERNATIONAL RESIDENTIAL CODE (IRC)
 - INTERNATIONAL BUILDING CODE (IBC)
 - INTERNATIONAL EXISTING BUILDING CODE (IEBC)
 - INTERNATIONAL FIRE CODE (IFC)
 - INTERNATIONAL FUEL GAS CODE (IFGC)
 - INTERNATIONAL MECHANICAL CODE (IMC)
 - INTERNATIONAL PROPERTY MAINTENANCE CODE (IPMC)
 - INTERNATIONAL SWIMMING POOL AND SPA CODE
 - 2017 NATIONAL ELECTRICAL CODE (NFPA 70)
 - 2014 ILLINOIS STATE PLUMBING CODE
 - 2018 INTERNATIONAL ENERGY CONSERVATION CODE w/ STATE AMENDMENTS
 - 2018 ILLINOIS ACCESSIBILITY CODE
 - INCLUDING ALL APPROVED LOCAL AMENDMENTS TO THE ABOVE REFERENCED CODES

LIST OF DRAWINGS

A-0	TITLE SHEET / BASEMENT AREA PLAN / SITE PLAN
A-1	PROPOSED FOUNDATION PLAN / LOWER LEVEL PLAN
A-2	PROPOSED MAIN LEVEL PLAN / UPPER LEVEL PLAN
A-3	PROPOSED EXTERIOR ELEVATIONS

SITE PLAN



CODE REVIEW

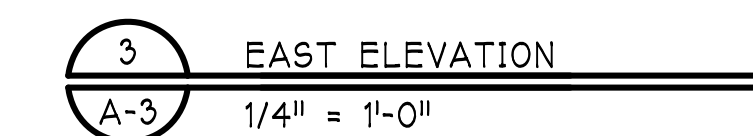
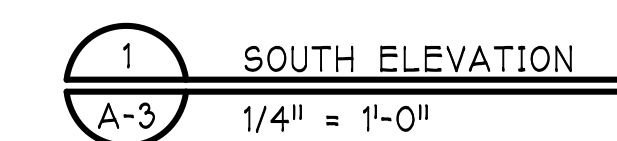
ZONING	R-3 SINGLE FAMILY		
LOT AREA	7,635 SQ.FT.		
<u>BUILDING AREAS</u>			
BASEMENT - ALL	1,945 SQ.FT.		2,110 SQ.FT.
EX. BASE ABOVE GRADE	1,177 SQ.FT.		1,177 SQ.FT.
EX. LOWER BASEMENT A	449 SQ.FT.		449 SQ.FT.
EX. SLAB-ON-GRADE	319 SQ.FT.		236 SQ.FT.
NEW LOWER BASEMENT B	N/A		248 SQ.FT.
FIRST FLOOR	2,117 SQ.FT.		2,262 SQ.FT.
OFFICE			218 SQ.FT.
ATTACHED GARAGE	260 SQ.FT.		547 SQ.FT.
ACCESSORY STRUCTURES	224 SQ.FT.		224 SQ.FT.
OPEN WOOD FRAME DECK	160 SQ.FT.		102 SQ.FT.
FLOOR AREA RATIO	*3,294 SQ.FT.	3,435 SQ.FT.	*3,804 SQ.FT.
*INC. ONLY PORTIONS OF BASEMENT GREATER THAN HALF ABOVE GRADE		@45%	
<u>BUILDING LOT COVERAGE</u>	2,402 SQ.FT.	2,672 SQ.FT.	2,881 SQ.FT.
		@35%	
<u>IMPERVIOUS SURFACE COVER.</u>	2,133 SQ.FT.	3,817 SQ.FT.	3,646 SQ.FT.
		@50%	
<u>BUILDING HEIGHT</u>	21.33 FT.	25 FT.	19 FT.

ALTERATIONS AND ADDITION FOR

THE VICTOR RESIDENCE

831 S. DRYDEN PL.
ARLINGTON HEIGHTS, ILLINOIS

Date	Description
8/8/23	ZBA
© 2023 R.F.A. LTD.	
Project Number	-





**Zoning Board of Appeals
9/11/2023**

Item: 31 N. Wilshire Ln. - ZBA#23-032

Department: Planning & Community Development Department

REQUEST

A 4.6-foot variation from Chapter 28, Section 5.1-3.3a (Required Minimum Yards) to allow a front porch with front yard setback of 24.8 feet instead of the required 29.4 feet and an additional 1.0 feet for the eave.

ATTACHMENTS:

Description

Supporting Documents

Type

Exhibits

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: September 11, 2023
Date Prepared: September 6, 2023
Project Title: Schreck Residence
Address: 31 N. Wilshire Ln.

Background Information

Petition Number: ZBA #23-032
Petitioner: Gary Lira / Gira Lira Associates
Address: 415 W. Golf Rd, #24
Arlington Heights IL 60005

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

Requested Action/Background Information

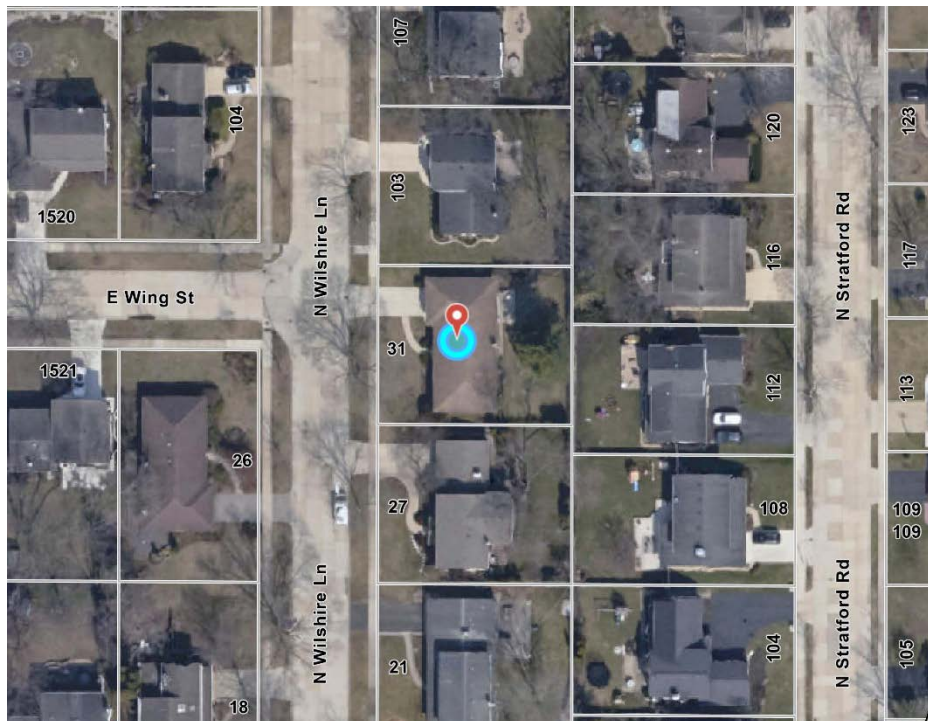
The subject property is zoned R-3, One-Family Dwelling District and the property has a total land area of 9,420 square feet. The petitioner is proposing to add a front porch addition to the existing home. The proposed front porch is 7.0 feet deep by 27.8 feet in width and the proposed front yard setback is 24.8 feet; however, per code, a front yard setback of 29.4 feet is required. Therefore, the petitioner requests the following variation:

- A 4.6-foot variation from Chapter 28, Section 5.1-3.3a (Required Minimum Yards) to allow a front porch with front yard setback of 24.8 feet instead of the required 29.4 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	✓	8/24/23	
2. List of Property Owners Within 250 feet of Subject Property	✓	8/24/23	
3. Letter that was Mailed	✓	8/24/23	
4. Photographs of Sign on Property	✓	8/24/23	

Photographs of Existing Structure



From: [Schwab, Briget](#)
To: [Mach, Derek](#); [DiMatteo, Pat](#)
Cc: [Pagones, Mike](#)
Subject: Engineering ZBA review for 9/11/23
Date: Thursday, August 31, 2023 9:24:44 AM

Derek –

Please see my comments below:

813 N Hickory –

1. Engineering has NO COMMENT to the request for a 5.0-foot variation from Chapter 28, Section 5.1-3.3a (Required Minimum Yards) to allow a front porch with front yard setback of 20.0 feet instead of the required 25.0 feet and an additional 1.0 feet for the eave.
2. Engineering has NO OBJECTION to the request for a 1.1-foot variation from Chapter 28, Section 5.1-3.3b (Required Minimum Yards) to allow a front porch with a side yard setback of 3.9 feet instead of the required 5.0 feet and an additional 1.0 feet for the eave.

907 Braeside Dr -

1. Engineering has NO OBJECTION to the request for a 3 foot variation from Chapter 28, Section 6.13-3 (Location of Fences) and Chapter 28, Section 6.13-3a (Location of Fences – Front Yard) to allow a 6 foot tall solid fence in the front yard (Kennicott Avenue), where code allows a 3 foot tall fence of open design.

831 S. Dryden Pl –

1. Engineering has NO COMMENT to the request for a 369 square foot variation from Section 5.1-3.4 (Maximum Floor Area- R-3 Zoning District), to allow a Floor Area Ratio (FAR) of 3,804 square feet instead of the maximum allowed 3,435 square feet.
2. Engineering has NO COMMENT to the request for a 209 square-foot variation from Chapter 28, Section 5.1-3.5a (Maximum Building Lot Coverage) to allow building lot coverage of 2,881 square-feet where 2,672 is the maximum allowed by code.
3. Engineering has NO OBJECTION to the request for a 3.0-foot variation from Chapter 28, Section 5.1-3.3b (Required Minimum Yards) to allow an addition with a side yard setback of 2.8 feet instead of the required 5.8 feet and an additional 1.0 feet for the eave. **Petitioner should note that an existing and proposed grading plan will be required when submitting for a permit. The proposed grading plan must include cross sections along the south property line.**

919 S. Vail Ave –

1. Engineering is NOT IN FAVOR of the request for a 4.0-foot variation from Chapter 28, Section 5.1-3.3b (Required Minimum Yards) to allow an addition with a side yard setback of 3.0 feet instead of the required 7.0 feet and an additional 1.0 feet for the eave. Existing grade along the north side of the house is pitched towards the adjacent property (913 S Vail). Allowing the addition to encroach limits the ability to regrade the area for positive drainage away from adjacent property. If the variation is allowed, the existing sidewalk should be removed and not allowed to be replaced in the future. The drawings submitted do show the sidewalk being removed on sheet A-0, but is still shown on EX-0, so unclear if the intentions would be to

remove the existing walk. In addition, if approved, **petitioner should note that an existing and proposed grading plan will be required when submitting for a permit. The proposed grading plan must include cross sections along the north property line. A stepped foundation may be required.**

2. Engineering has NO COMMENT to the request for a 2.5-foot variation from Chapter 28, Section 5.1-3.3a (Required Minimum Yards) to allow a front porch with front yard setback of 27.5 feet instead of the required 30.0 feet and an additional 1.0 feet for the eave.
3. Engineering has NO COMMENT to the request for a variance from Chapter 28, Section 6.6-5 (Permitted Obstructions) to allow two air conditioning units in the required side yard setback along the north property line.

31 N. Wilshire –

1. Engineering has NO COMMENT to the request for a 4.6-foot variation from Chapter 28, Section 5.1-3.3a (Required Minimum Yards) to allow a front porch with front yard setback of 24.8 feet instead of the required 29.4 feet and an additional 1.0 feet for the eave.

2606 E Warwick –

1. Engineering has NO OBJECTION to the request for a 7.0 foot variation from Chapter 28, Section 6.6-5.1 (Table of Permitted Obstructions) to allow a deck with a rear yard setback of 8.0 feet from the north property line instead of the minimum required 15.0 feet.

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Schreck Residence

Project Address: 31 N. Wilshire Lane

ZBA #: 23-032

ZBA Hearing Date: September 11, 2023

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

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

From: Derek Mach, Landscape Planner

Transmitted On: August 22, 2023

Attached are the Petitioner's:

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

- A 4.6-foot variation from Chapter 28, Section 5.1-3.3a (Required Minimum Yards) to allow a front porch with front yard setback of 24.8 feet instead of the required 29.4 feet and an additional 1.0 feet for the eave.

Comments: _____

The proposed front porch appears to be nicely designed.

Steve Hautzinger, Design Planner

Please review, comment, and return to me no later than September 1, 2023.



Village of Arlington Heights Building & Life Safety Department

Interoffice Memorandum

To: Derek Mach, Zoning Board of Appeals Liaison

From: Elliot Eldridge, Assistant Building Official, Building & Life Safety Depart.

Project Name: Schreck Residence

Project Address: 31 N. Wilshire Lane

ZBA #: 23-032

Date: September 5, 2023

Derek:

I have reviewed the request for the following variance:

A 4.6-foot variation from Chapter 28, Section 5.1-3.3a (Required Minimum Yards) to allow a front porch with front yard setback of 24.8 feet instead of the required 29.4 feet and an additional 1.0 feet for the eave.

and have no objections or comments.

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 CHARLES SCHRECK

being the owner of the property commonly known as: 31 H. WILSHIRE

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

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

SETBACK

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

THE PORCH SHALL ENHANCE THE LOCALITY.

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 PORCH IS AN ALREADY EXIST'G. STRUCTURE.

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

THE PORCH SHALL ENHANCE EXIST'G. STRUCTURE

I hereby state that the variance requested is the minimum variance necessary to allow reasonable use of the property (please explain): THE PORCH IS ONLY 7'-0" IN DEPTH

AND 2'-6" FURTHER THAN GARAGE.

Signed: _____

Charles Schreck

Petitioner

Date: 3/4/23

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

PLAT OF SURVEY OF

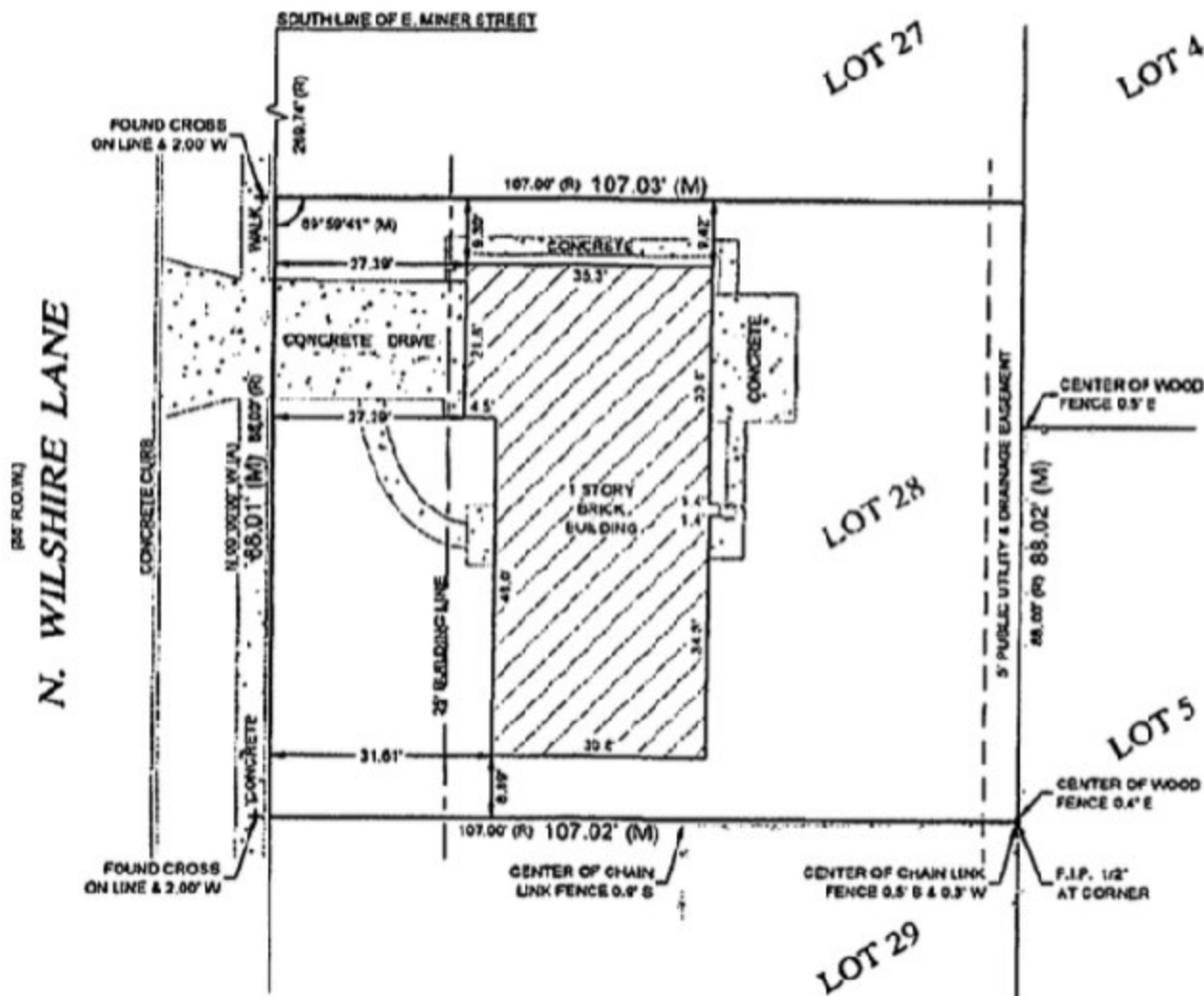
LOT 28 IN GREEN MEADOWS UNIT ONE, BEING A RESUBDIVISION IN THE
 SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 42 NORTH, RANGE 11, EAST
 OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF
 REGISTERED IN THE OFFICE OF THE REGISTRAR OF TITLES OF COOK
 COUNTY, ILLINOIS ON FEBRUARY 7, 1983 AS DOCUMENT NUMBER 2070985.



BASIS OF BEARING:
 EAST LINE OF N. WILSHIRE LANE AS FOUND
 MONUMENTED AND OCCUPIED PER RECORD
 SUBDIVISION.
 S 89°05'00" W (A)

AREA OF SURVEY:

CONTAINING 9.419 AC. OR 0.21 ACRES MORE OR LESS

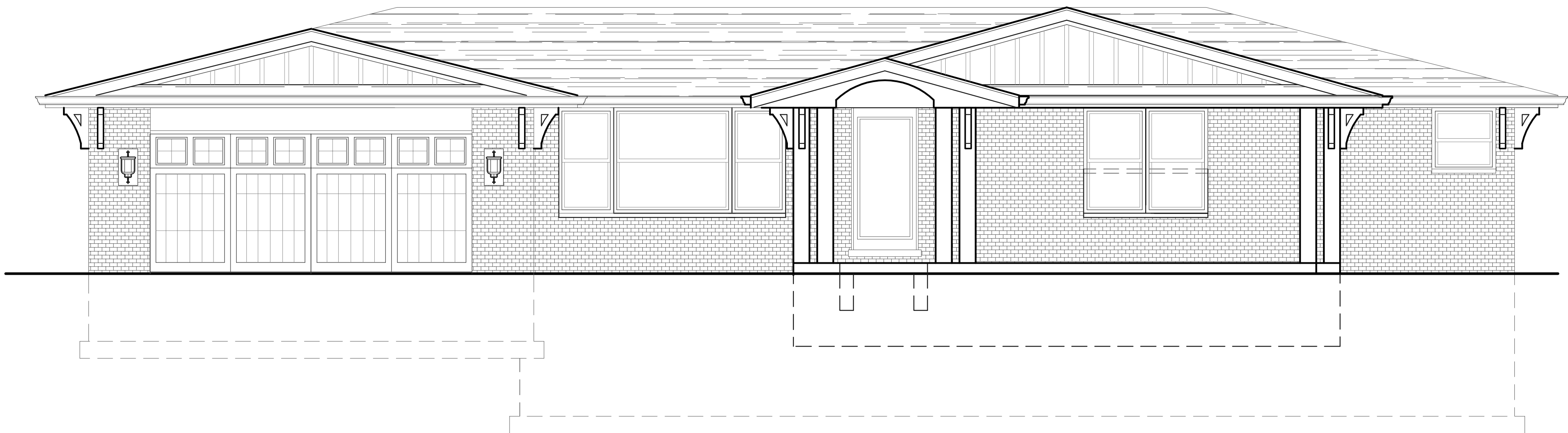


Morris Engineering, Inc.
 515 Warrenville Road, Lisle, IL 60532
 Phone: (630) 271-0770
 FAX: (630) 271-0774
 WEBSITE: WWW.ECNIL.COM

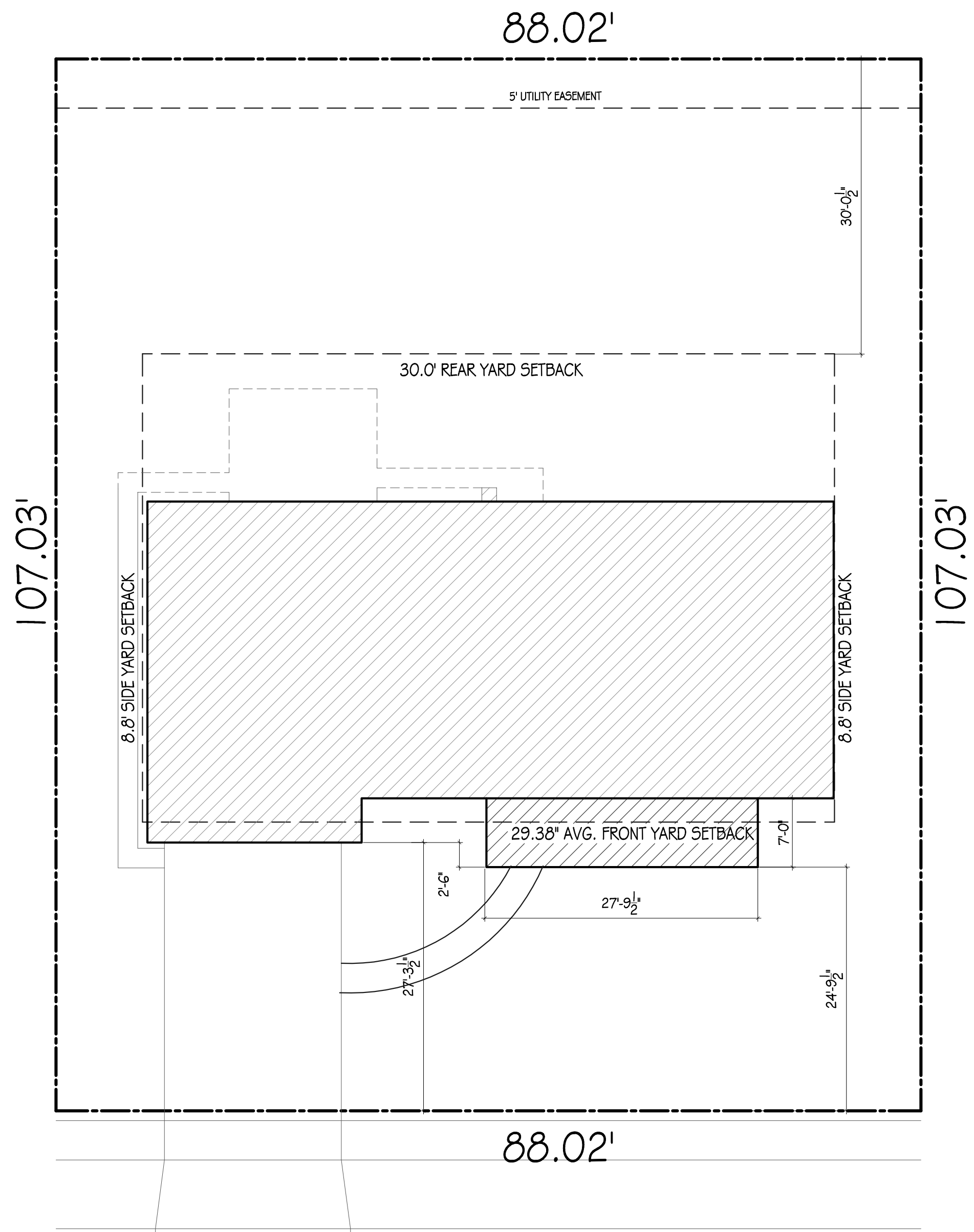
STATE OF ILLINOIS
 COUNTY OF DUPAGE
 I, THE UNDERSIGNED, AN ILLINOIS PROFESSIONAL LAND
 SURVEYOR, DO HEREBY CERTIFY THAT "THIS PROFESSIONAL
 SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM
 STANDARDS FOR A BOUNDARY SURVEY," AND THAT THE
 PLAT HEREON DRAWN IS A CORRECT REPRESENTATION
 OF SAID SURVEY.
 DATED, THIS 24TH DAY OF MAY, A.D.,
 2023, AT Lisle, ILLINOIS.
 J. P. Morrison
 ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-2917
 LICENSE EXPIRATION DATE NOVEMBER 30, 2024
 ILLINOIS BUSINESS REGISTRATION NO. 184-001245



NOTE:
 1. ALL TIES SHOWN ON THIS SURVEY ARE MEASURED TO THE
 BUILDING'S SIDING (BRICK, FRAME, STUCCO, METAL, ETC.)
 AND NOT TO THE FOUNDATION, UNLESS NOTED OTHERWISE.
 2. ROOF LINES AND OVERHANGS ARE TYPICALLY NOT SHOWN HEREON.
 3. COMPARE ALL DISTANCES AND POINTS IN FIELD AND REPORT
 ANY DISCREPANCIES TO SURVEYOR AT ONCE.
 4. NO DIMENSIONS SHALL BE ASSURED BY SCALING.
 ADDRESS COMMONLY KNOWN AS: 31 N. WILSHIRE LANE
 ARLINGTON HEIGHTS, ILLINOIS
 CLIENT: PRECISION TITLE COMPANY
 FIELDWORK DATE (ORER): 05/20/2023 (M/D/Y)
 DRAWN BY: RE.S. REVISED: JOB NO. 23-05-0317



ADDRESS	SETBACK
3 N. WILSHIRE	28.5'
7 N. WILSHIRE	29.25'
11 N. WILSHIRE	32.5'
15 N. WILSHIRE	29.0'
21 N. WILSHIRE	28.5'
27 N. WILSHIRE	33.0'
31 N. WILSHIRE	27.3'
103 N. WILSHIRE	28.5'
107 N. WILSHIRE	29.0'
111 N. WILSHIRE	28.3'
AVG. SETBACK	29.38'



2015 S. Arlington Hts. Rd.
Suite 118 C
Arlington Heights, IL 60005
Phone 847.956.7100
Fax 847.956.7170

All designs and documents produced by Lira & Associates are instruments of Lira & Associates' professional service and shall remain the property of Lira & Associates, and may not be; used, copied, reproduced, referenced or forwarded without the direct written consent of Lira & Associates for this project or any other. Doing so shall result in reimbursement for; filing costs, legal fees, architectural fees and all other expenses to Lira & Associates.

MISCELLANEOUS NOTE:
> All demolition required shall include wall framing and all associated material, including but not limited to: Electrical, Mechanical, Plumbing
> All work to be demolished shall be the responsibility of each individual contractor to make the necessary adjustments, temporary/permanent as required to complete work required.
> All demolition work required is to be verified with existing conditions prior to any work performed. Should any trade require additional information regarding demolition work, the contractor is to contact the Architect immediately prior to any work beginning. Should the trade not receive a written directive from the Architect prior to the beginning of work, the contractor shall bear all responsibility for that portion of work, and any work affected.
> Each trade understands that the Owner has requested permit plans, only, from the Architect. Typical construction details and designs are not provided as per the Owner. Should the contractor require additional information than provided on the plans, he shall contact the Architect immediately prior to any work beginning. Should the trade not receive a written directive from the Architect prior to the beginning of work, the contractor shall bear all responsibility for that portion of work, and any work affected.
> All new work shall be as required by the Owner, and applicable to all codes. Demolished/Relocated systems are to be rerouted as required to provide a complete and properly operating system.
> All notes depicted in the documents shall be considered typical throughout. Discrepancies within the documents or related to the work shall be verified by the Contractor. Should the contractor proceed without receiving a written directive from the Owner, then the contractor shall bear full responsibility for that portion, and any work effected by it.

Schreck Residence

L&A #223 - Schreck

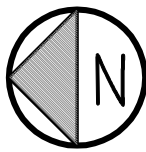
31 N. Wilshire
Arlington Hts, IL 60004
773.383.2490

Addition/Renovation

DATE:
Zoning
Variance
4 Aug 2023

SHEET INDEX:

ZV1





**Zoning Board of Appeals
9/11/2023**

Item: 2606 E. Warwick Ct. - ZBA#23-033

Department: Planning & Community Development Department

REQUEST

A 7.0 foot variation from Chapter 28, Section 6.6-5.1 (Table of Permitted Obstructions) to allow a deck with a rear yard setback of 8.0 feet from the north property line instead of the minimum required 15.0 feet.

ATTACHMENTS:

Description

Supporting Documents

Type

Exhibits

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: September 11, 2023
Date Prepared: September 6, 2023
Project Title: Cielak Residence
Address: 2606 E. Warwick Ct.

Background Information

Petition Number: ZBA #23-033
Petitioner: Karl Cielak
Address: 2606 E. Warwick Ct.
Arlington Heights IL 60004

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

Requested Action/Background Information

The petitioner is proposing to replace their existing deck. Pursuant to Chapter 28, Section 6.6-5.1, decks must be a minimum of 15 feet from the rear property line. The proposed deck is eight feet from the rear property line; therefore, the petitioner requests the following variation:

- A 7.0 foot variation from Chapter 28, Section 6.6-5.1 (Table of Permitted Obstructions) to allow a deck with a rear yard setback of 8.0 feet from the north property line instead of the minimum required 15.0 feet.

Variation Review Standards

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

Map of General Vicinity



Items required to be Submitted 15 Days Prior to Public Hearing

<u>Item</u>	<u>Provided</u>	<u>Dated</u>	<u>Remarks</u>
1. Notification Affidavit	✓	8/24/23	
2. List of Property Owners Within 250 feet of Subject Property	✓	8/24/23	
3. Letter that was Mailed	✓	8/24/23	
4. Photographs of Sign on Property	✓	8/24/23	

Photographs of Existing Structure



From: [Schwab, Briget](#)
To: [Mach, Derek](#); [DiMatteo, Pat](#)
Cc: [Pagones, Mike](#)
Subject: Engineering ZBA review for 9/11/23
Date: Thursday, August 31, 2023 9:24:44 AM

Derek –

Please see my comments below:

813 N Hickory –

1. Engineering has NO COMMENT to the request for a 5.0-foot variation from Chapter 28, Section 5.1-3.3a (Required Minimum Yards) to allow a front porch with front yard setback of 20.0 feet instead of the required 25.0 feet and an additional 1.0 feet for the eave.
2. Engineering has NO OBJECTION to the request for a 1.1-foot variation from Chapter 28, Section 5.1-3.3b (Required Minimum Yards) to allow a front porch with a side yard setback of 3.9 feet instead of the required 5.0 feet and an additional 1.0 feet for the eave.

907 Braeside Dr -

1. Engineering has NO OBJECTION to the request for a 3 foot variation from Chapter 28, Section 6.13-3 (Location of Fences) and Chapter 28, Section 6.13-3a (Location of Fences – Front Yard) to allow a 6 foot tall solid fence in the front yard (Kennicott Avenue), where code allows a 3 foot tall fence of open design.

831 S. Dryden Pl –

1. Engineering has NO COMMENT to the request for a 369 square foot variation from Section 5.1-3.4 (Maximum Floor Area- R-3 Zoning District), to allow a Floor Area Ratio (FAR) of 3,804 square feet instead of the maximum allowed 3,435 square feet.
2. Engineering has NO COMMENT to the request for a 209 square-foot variation from Chapter 28, Section 5.1-3.5a (Maximum Building Lot Coverage) to allow building lot coverage of 2,881 square-feet where 2,672 is the maximum allowed by code.
3. Engineering has NO OBJECTION to the request for a 3.0-foot variation from Chapter 28, Section 5.1-3.3b (Required Minimum Yards) to allow an addition with a side yard setback of 2.8 feet instead of the required 5.8 feet and an additional 1.0 feet for the eave. **Petitioner should note that an existing and proposed grading plan will be required when submitting for a permit. The proposed grading plan must include cross sections along the south property line.**

919 S. Vail Ave –

1. Engineering is NOT IN FAVOR of the request for a 4.0-foot variation from Chapter 28, Section 5.1-3.3b (Required Minimum Yards) to allow an addition with a side yard setback of 3.0 feet instead of the required 7.0 feet and an additional 1.0 feet for the eave. Existing grade along the north side of the house is pitched towards the adjacent property (913 S Vail). Allowing the addition to encroach limits the ability to regrade the area for positive drainage away from adjacent property. If the variation is allowed, the existing sidewalk should be removed and not allowed to be replaced in the future. The drawings submitted do show the sidewalk being removed on sheet A-0, but is still shown on EX-0, so unclear if the intentions would be to

remove the existing walk. In addition, if approved, **petitioner should note that an existing and proposed grading plan will be required when submitting for a permit. The proposed grading plan must include cross sections along the north property line. A stepped foundation may be required.**

2. Engineering has NO COMMENT to the request for a 2.5-foot variation from Chapter 28, Section 5.1-3.3a (Required Minimum Yards) to allow a front porch with front yard setback of 27.5 feet instead of the required 30.0 feet and an additional 1.0 feet for the eave.
3. Engineering has NO COMMENT to the request for a variance from Chapter 28, Section 6.6-5 (Permitted Obstructions) to allow two air conditioning units in the required side yard setback along the north property line.

31 N. Wilshire –

1. Engineering has NO COMMENT to the request for a 4.6-foot variation from Chapter 28, Section 5.1-3.3a (Required Minimum Yards) to allow a front porch with front yard setback of 24.8 feet instead of the required 29.4 feet and an additional 1.0 feet for the eave.

2606 E Warwick –

1. Engineering has NO OBJECTION to the request for a 7.0 foot variation from Chapter 28, Section 6.6-5.1 (Table of Permitted Obstructions) to allow a deck with a rear yard setback of 8.0 feet from the north property line instead of the minimum required 15.0 feet.

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Cielak Residence

Project Address: 2606 E. Warwick

ZBA #: 23-033

ZBA Hearing Date: September 11, 2023

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

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

From: Derek Mach, Landscape Planner

Transmitted On: August 22, 2023

Attached are the Petitioner's:

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

- A 7.0 foot variation from Chapter 28, Section 6.6-5.1 (Table of Permitted Obstructions) to allow a deck with a rear yard setback of 8.0 feet from the north property line instead of the minimum required 15.0 feet.

Comments: _____

No Comments. _____

Steve Hautzinger, Design Planner

Please review, comment, and return to me no later than September 1, 2023.



Village of Arlington Heights Building & Life Safety Department

Interoffice Memorandum

To: Derek Mach, Zoning Board of Appeals Liaison

From: Elliot Eldridge, Assistant Building Official, Building & Life Safety Depart.

Project Name: Cielak Residence

Project Address: 2606 E. Warwick

ZBA #: 23-033

Date: September 5, 2023

Derek:

I have reviewed the request for the following variance:

A 7.0-foot variation from Chapter 28, Section 6.6-5.1 (Table of Permitted Obstructions) to allow a deck with a rear yard setback of 8.0 feet from the north property line instead of the minimum required 15.0 feet.

and have no objections or comments.

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 _____

being the owner of the property commonly know as: _____

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

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

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 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): _____

Signed: Karl Cislak
Petitioner

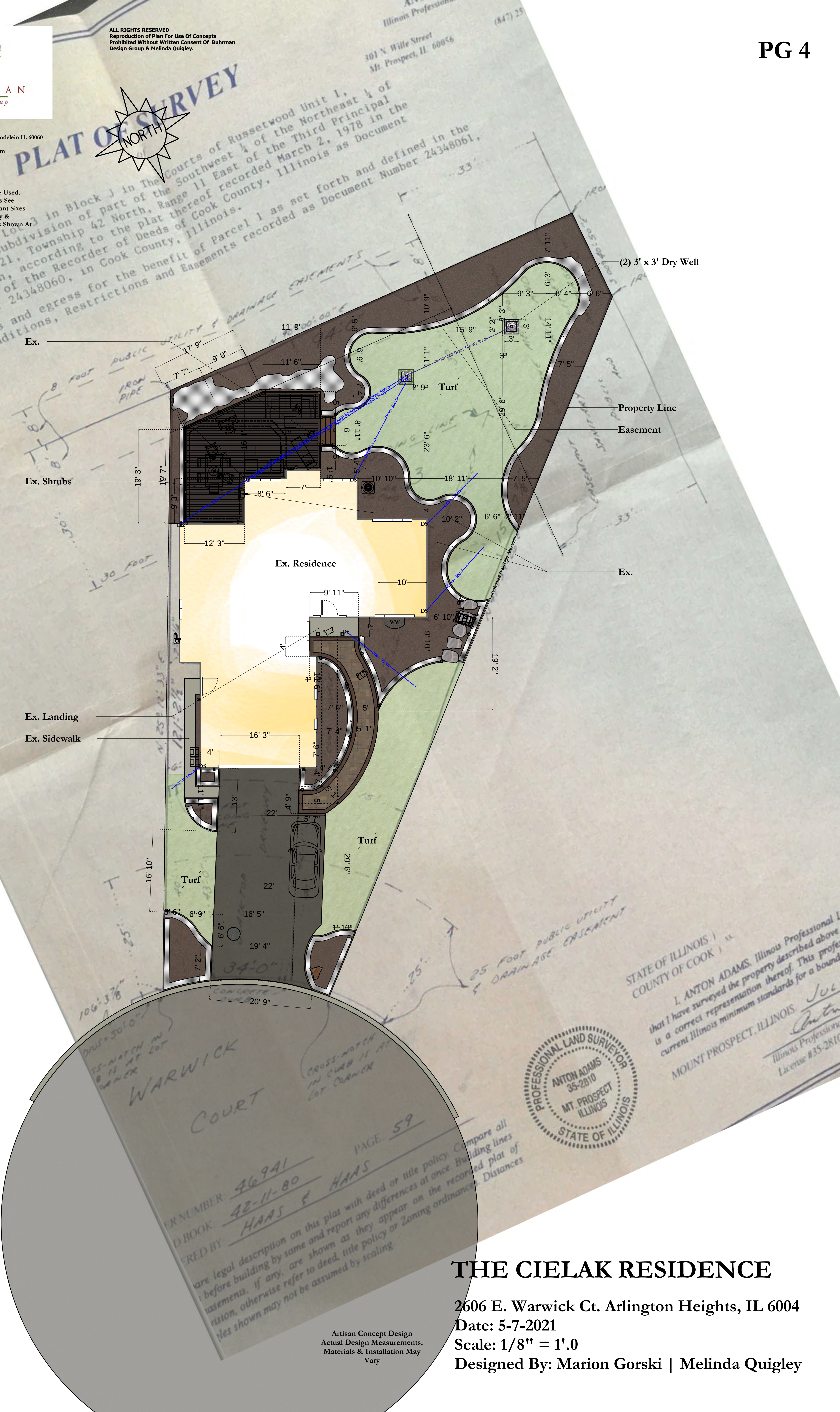
Date: _____



20200 W. Winchester Rd. | Mundelein IL 60060
847-949-9245
info@buhrmandesigngroup.com

NOTE:
Plant Substitutions May Be Used.
Installation Sizes On Plants See
Contractors Agreement. Plant Sizes
On Plan Shown At Maturity &
Maintained Height. Plants Shown At
Best Attribute.

ALL RIGHTS RESERVED
Reproduction of Plan For Use of Concepts
Prohibited Without Written Consent Of Buhrman
Design Group & Melinda Quigley.



THE CIELAK RESIDENCE

2606 E. Warwick Ct. Arlington Heights, IL 6004

Date: 5-7-2021

Scale: 1/8" = 1'.0

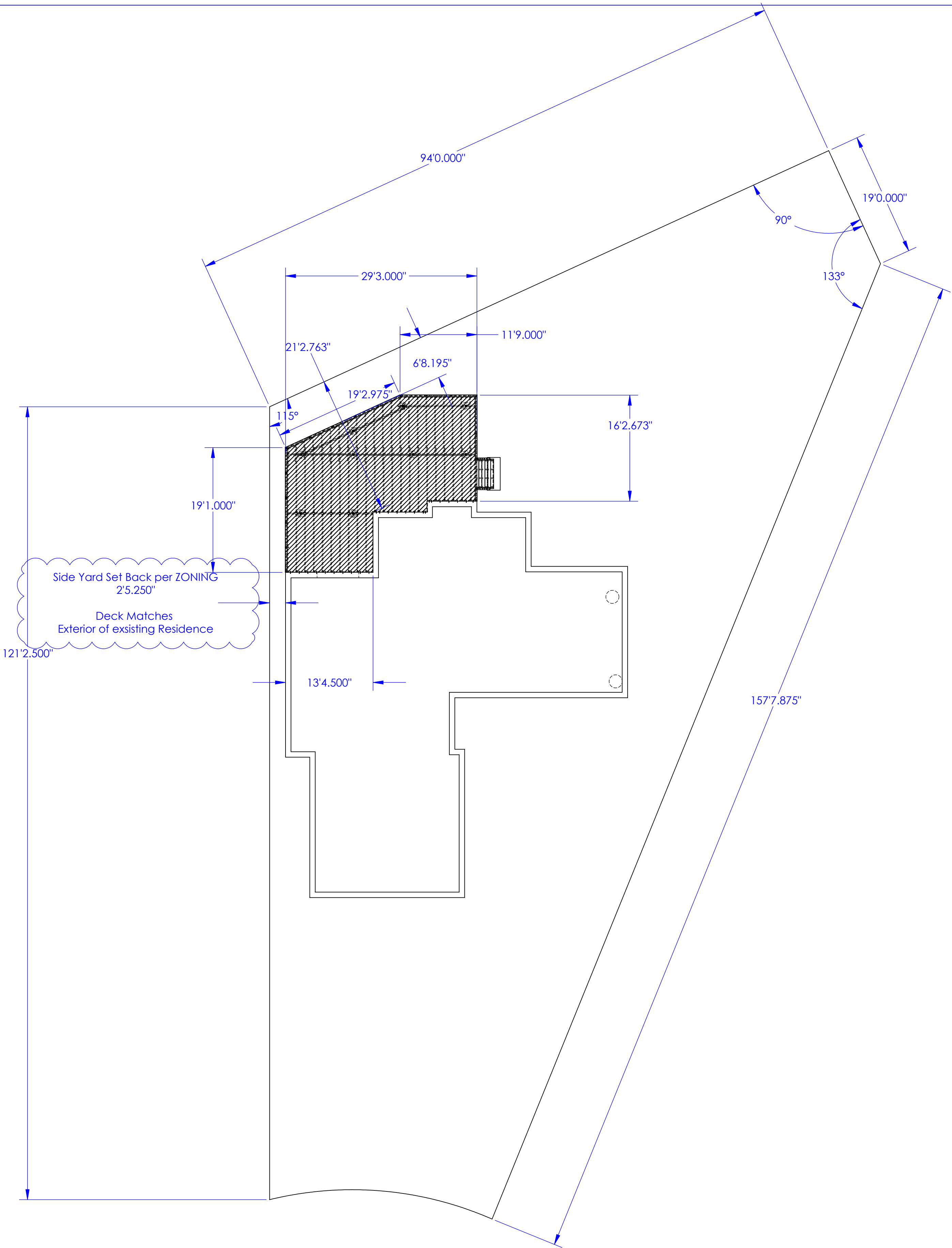
Designed By: Marion Gorski | Melinda Quigley

Artisan Concept Design
Actual Design Measurements,
Materials & Installation May
Vary

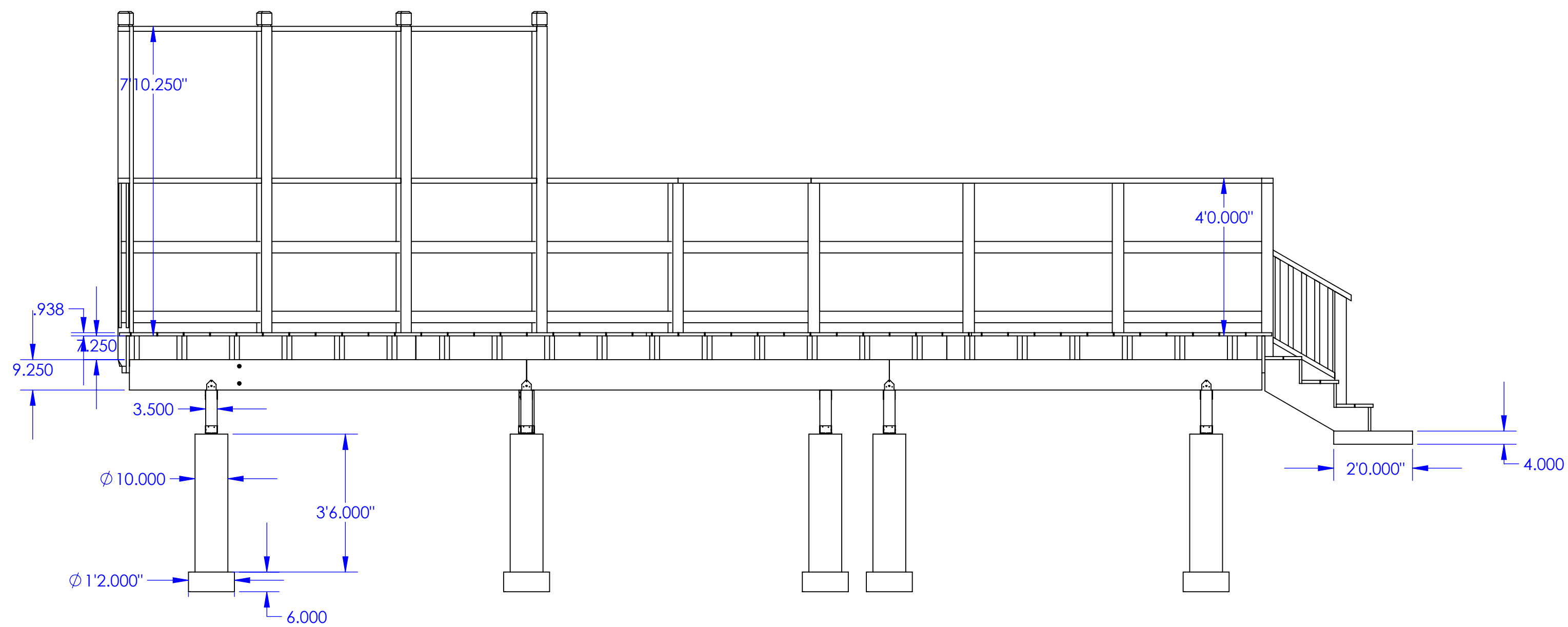
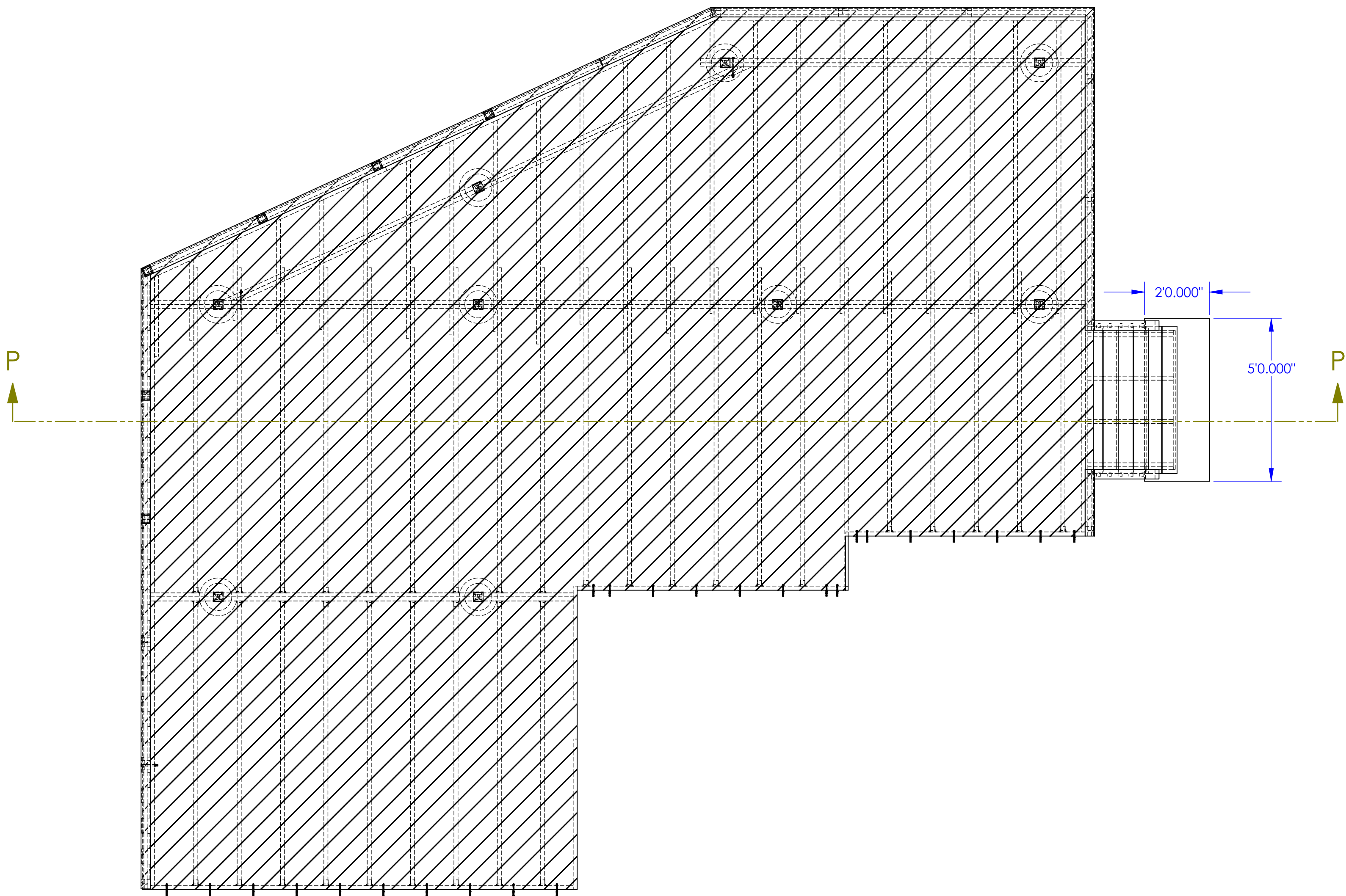
General Notes

1. Electrical Service is underground
2. Deck will be 16" above grade
3. Concrete piers to be 42" Min below grade
- Piers are 10" Dia with a 14"Dia x 6' Footing
4. Concrete piers to be a min. of 2" above grade
5. Ledger Boards are 2 x 10
6. Ledger Boards are attached to solid concrete foundation with 1/2 Dia Concrete anchors with expandable sleeves every 16" with 2 bolts within 6" of each edge.
Caulk to be placed between foundation and Board
9. Joist are flush with Beam nearest to the house,
Joists sit on top of the beam further from the house.
This is because of the steep grade away from the house.
10. Beam cantilever to be less than 2' at any location.
11. Concealed joist hangers to be used at the end of all Ledger Boards.
12. Simpson Strong Tie DTT1Z Lateral connections and hold down tension to be used in 8 locations as indicated on Framing Plan. Per 2018 IRC Section 507.9.2.
13. Stairs to be supported by 4" thick concrete pad.
14. A graspable hand rail will be installed both sides of stairway per 2018 IRC. Section R311.7.8.
15. All railing posts to be attached with two 1/2 diameter Through bolts. Washer to be used on front and back side of bolts and sucred with nut as per framing plan.

CONSTRUCT NEW DECK PER PLANS



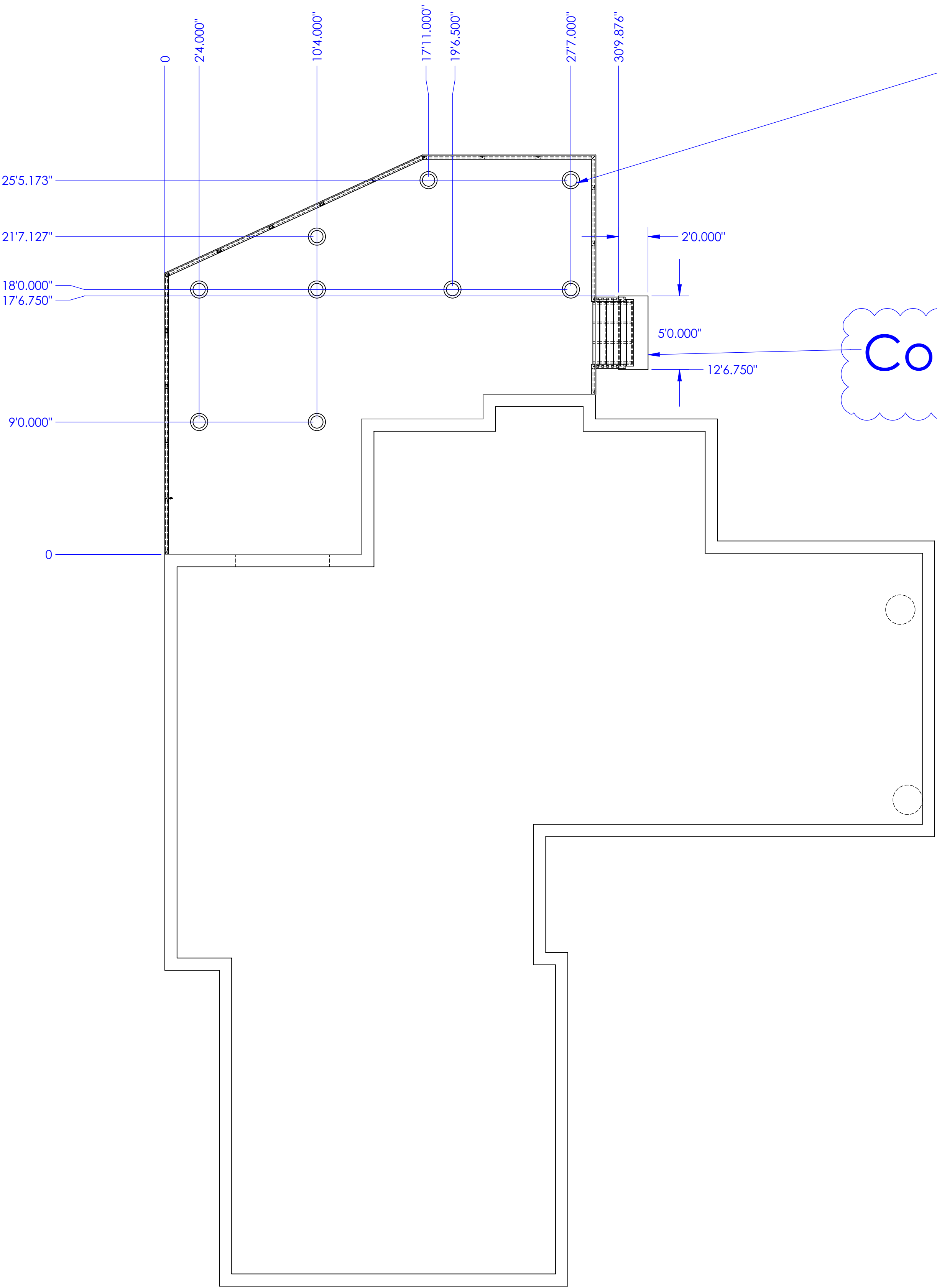
DRAWING SIZE D	CUSTOMER Karl & Marna Cielak				
	JOB DESCRIPTION Remove old deck. Construct new deck per plans				
	SW FILE NAME 2606 - Deck ASSY		Single Family Home		
INCHES DIMENSIONS IN INCHES 3RD ANGLE PROJECTION 	ADDRESS 2606 E Warwick Ct				
	CITY Arlington Heights		State Illinois	Zip Code 60004	
	DATE DRAWN 7/16/2023	SCALE 1:120	CHECKED BY	SHEET 1 OF 5	



SECTION P-P

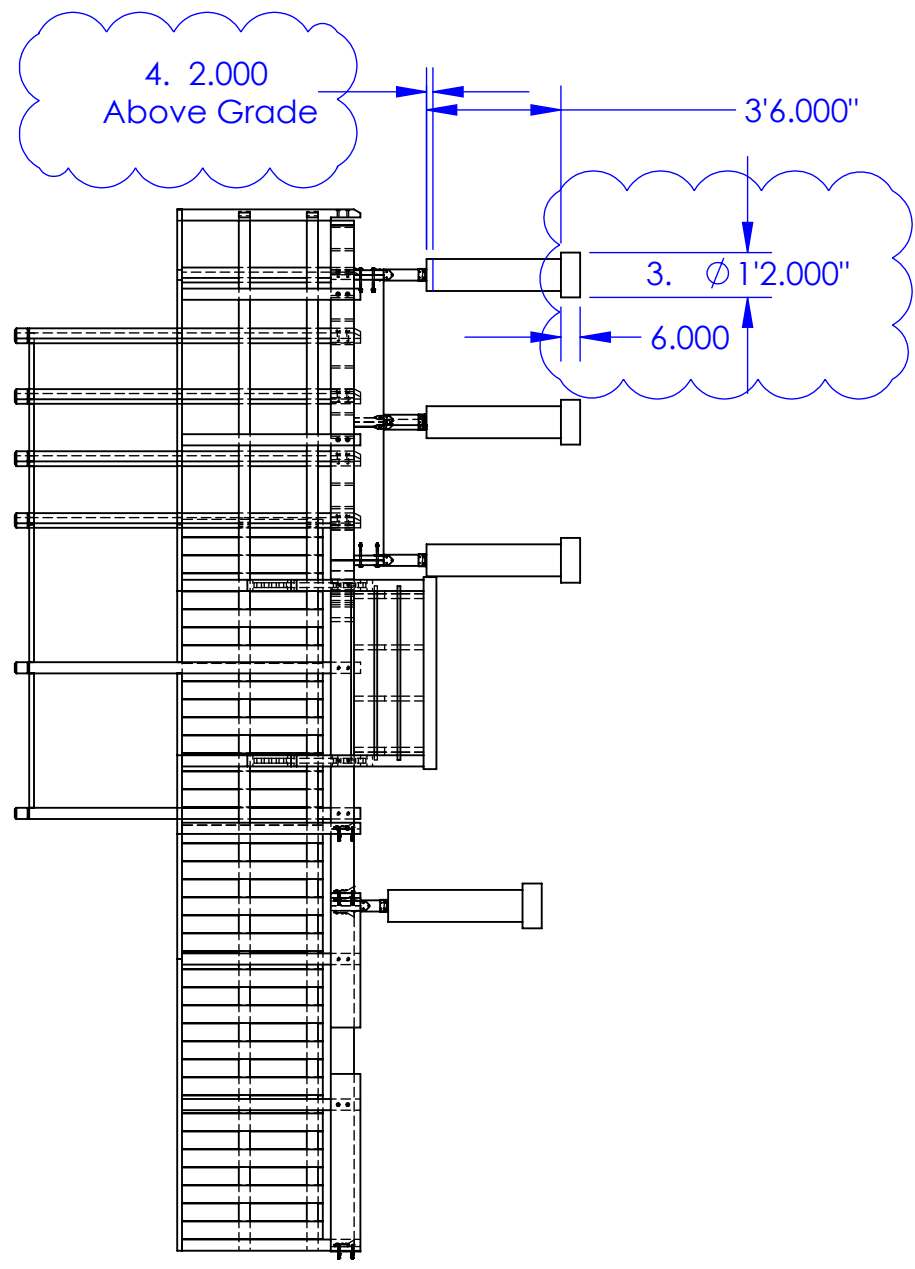
D INCHES DIMENSIONS IN INCHES 3RD ANGLE PROJECTION	DRAWING SIZE		CUSTOMER			
	JOB DESCRIPTION		Karl & Maria Cielak			
	SW FILE NAME		Remove old deck. Construct new deck per plans			
1 2	ADDRESS		2606 - Deck ASSY			
	CITY		Single family Home			
	DATE DRAWN		2606 E Warwick Ct			
	CHECKED BY		Arlington Heights			
SCALE		1:30		SHEET		2 OF 5
Zip Code		IL		60004		

CONCRETE PLAN VIEW



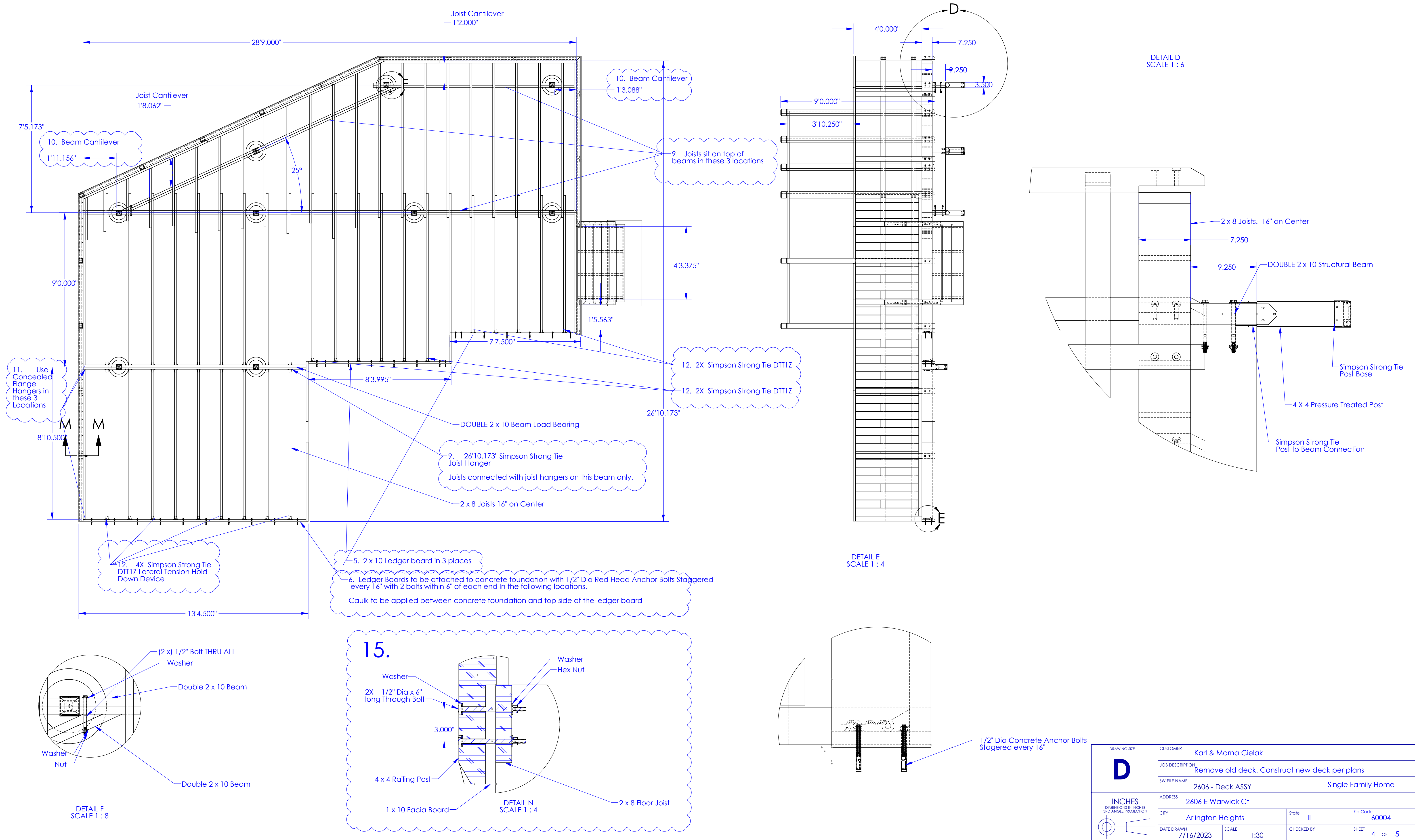
9 X
10" Dia. Concrete Piers
with 14" Diameter X 6" tall Footing
42" deep and 2" above Grade

Concrete Pad, 4" x 24" x 60" for stairs

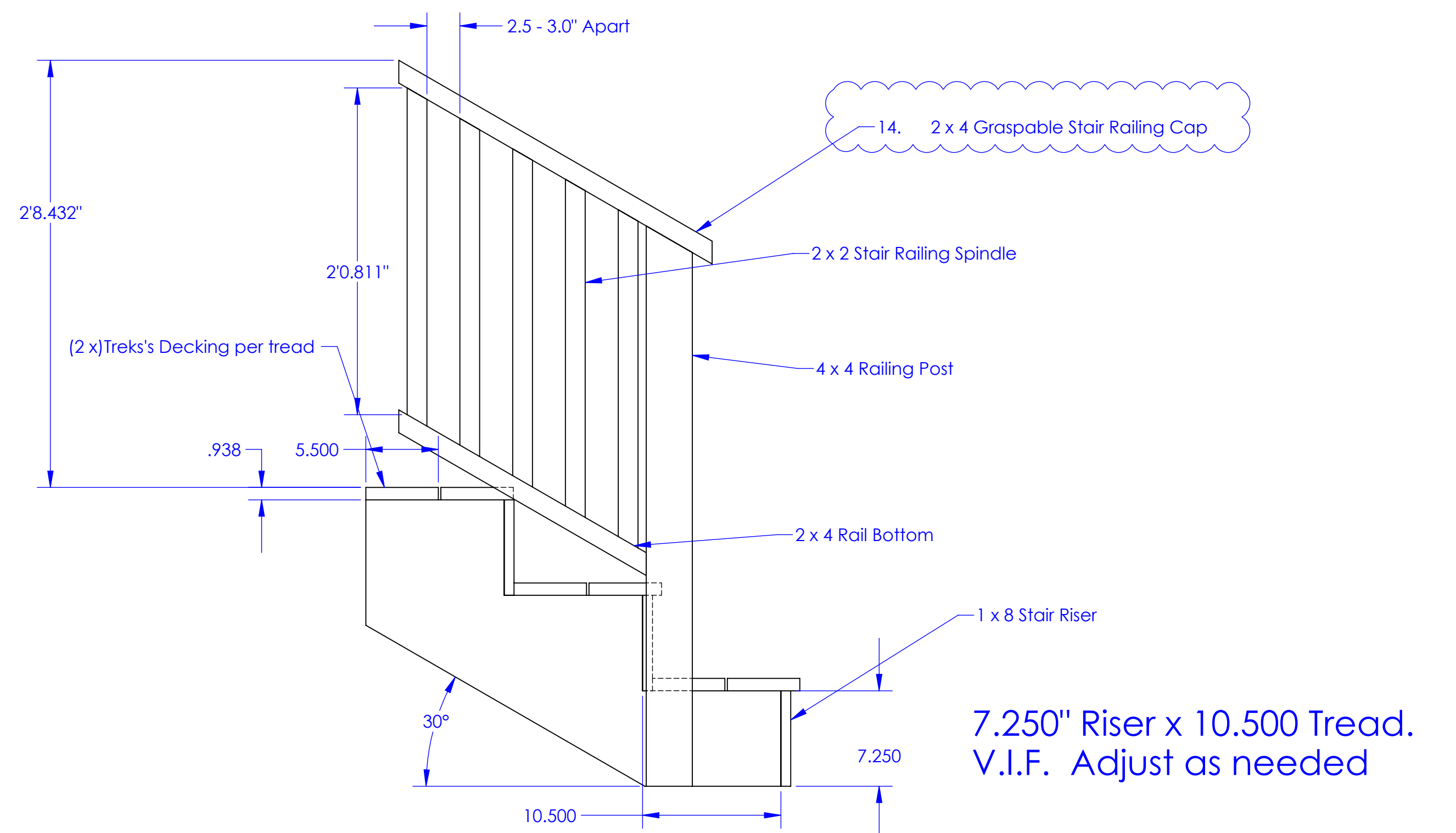
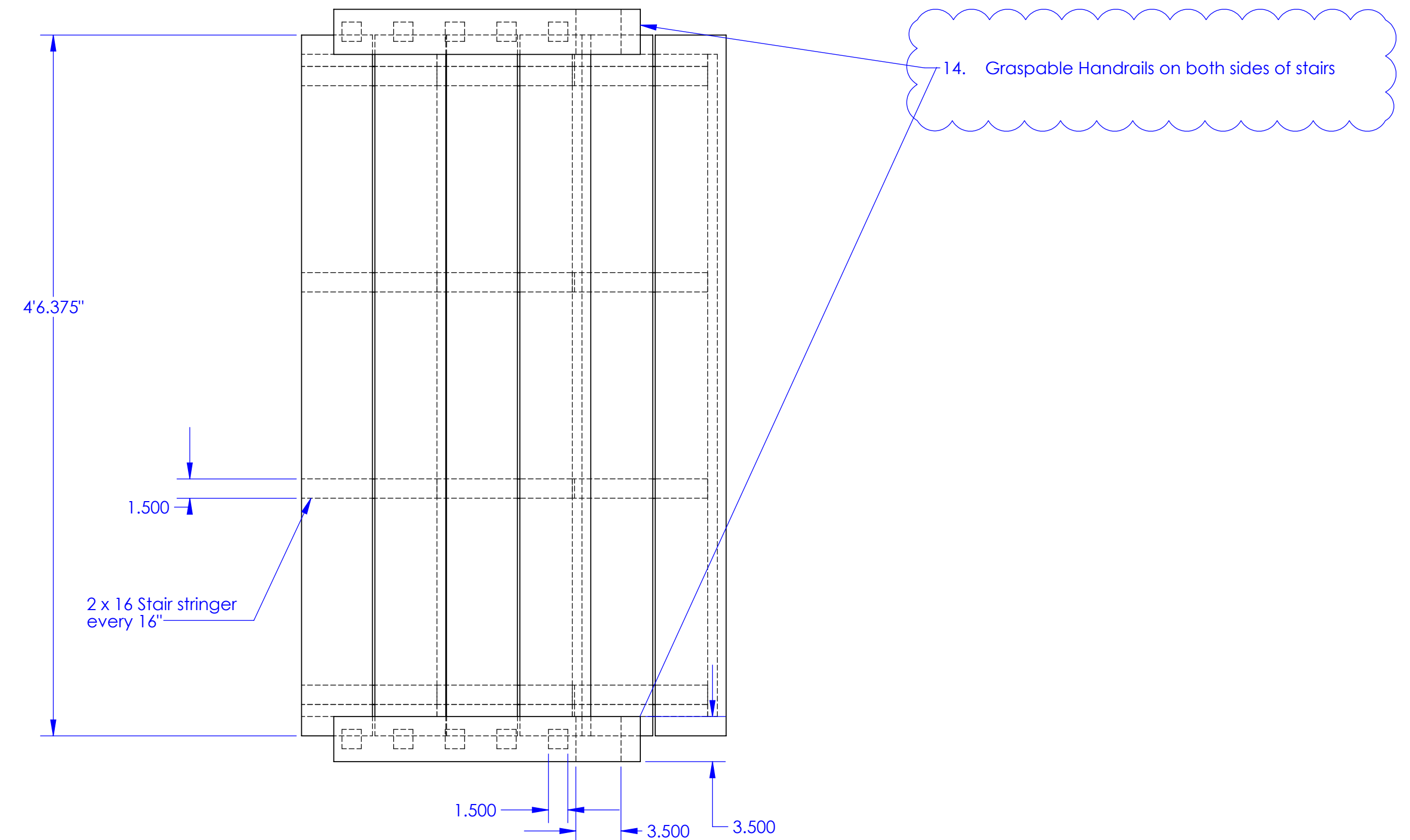
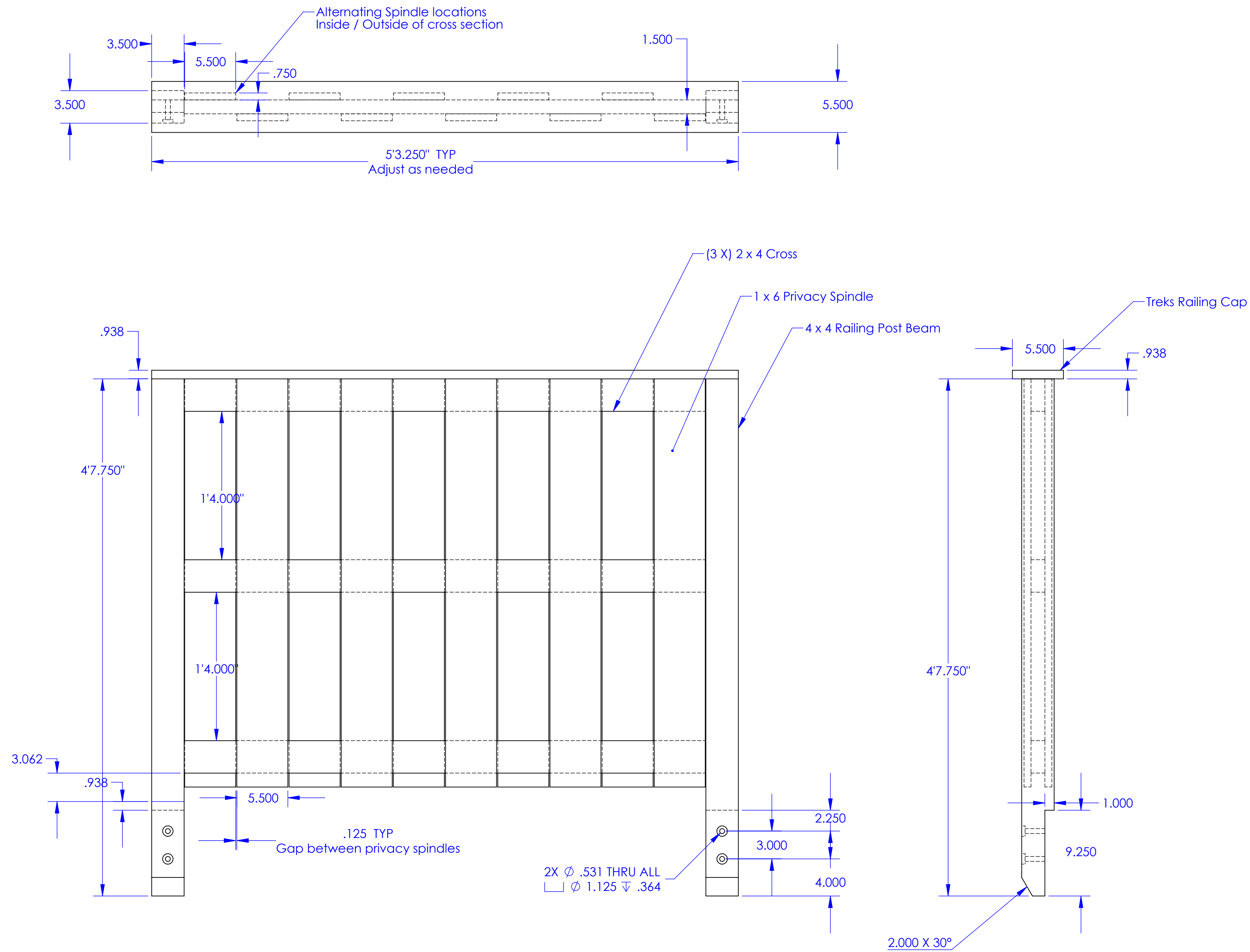


DRAWING SIZE D	CUSTOMER Karl & Marna Cielak				
	JOB DESCRIPTION Remove old deck. Construct new deck per plans				
	SW FILE NAME 2606 - Deck ASSY		Single Family Home		
INCHES DIMENSIONS IN INCHES 3RD ANGLE PROJECTION 	ADDRESS 2606 E Warwick Ct				
	CITY Arlington Heights		State IL	Zip Code 60004	
	DATE DRAWN 7/16/2023	SCALE 1:60	CHECKED BY	SHEET 3 of 5	

FRAMING PLAN VIEW



DRAWING SIZE D DIMENSIONS IN INCHES 3RD ANGLE PROJECTION	CUSTOMER Karl & Marna Cielak	
	JOB DESCRIPTION Remove old deck. Construct new deck per plans	
	SW FILE NAME 2606 - Deck ASSY	Single Family Home
	ADDRESS 2606 E Warwick Ct	
DATE DRAWN 7/11/2023	CITY Arlington Heights	State IL
	Zip Code 60004	
	SCALE 1:30	CHECKED BY
SHEET 4 OF 5		



D INCHES DIMENSIONS IN INCHES 3RD ANGLE PROJECTION	DRAWING SIZE		CUSTOMER		
	JOB DESCRIPTION		Karl & Marna Cielak		
	SW FILE NAME		Remove old deck. Construct new deck per plans		
	2606 - Railing Assy Detail		Single Family Home		
DATE DRAWN 7/16/2023 CHECKED BY SCALE 1:8 SHEET 5 OF 5	ADDRESS		2606 E Warwick Ct		
	CITY		Arlington Heights		
	State		IL		
	Zip Code		60004		