



Agenda
Village of Arlington Heights
Zoning Board of Appeals
Virtual Meeting

August 18, 2020
7:00 PM

I. CALL TO ORDER

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

To participate in the virtual meeting, please follow these instructions: <https://bit.ly/2Dvc3U0>

Individuals who wish to comment or ask a question on an item on the Agenda may either participate virtually or send an email to the Village at dmach@vah.com. Please limit emails to 200 words or less. To be shared at the meeting, the email must be received by 3:00 p.m. on August 18, 2020.

II. ROLL CALL

III. APPROVAL OF MINUTES

- A. 1530 E. Northwest Hwy. - 7/13/20
B. 648 N. Dunton Ave. - 7/13/20

IV. REPORTS

V. OLD BUSINESS

VI. NEW BUSINESS

- A. 1147 N. Dryden Ave. - ZBA#20-016
B. 721 S. Beverly Ln. - ZBA#20-017
C. 1141 N. Chestnut Ave. - ZBA#20-018
D. 216-220 W. Campus Dr. - ZBA#20-020

VII. OTHER BUSINESS

- A. 2021 Budget

VIIIADJOURNMENT

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



**Zoning Board of Appeals
8/18/2020**

Item: 1530 E. Northwest Hwy. - 7/13/20

Department: Planning & Community Development

ATTACHMENTS:

Description	Type
1530 E Northwest Hwy - 7/13/20 Minutes	Minutes
1530 E Northwest Hwy - 7/13/20 Findings	Agreement

ZONING BOARD

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

OF APPEALS

RE: 1530 EAST NORTHWEST HIGHWAY - ZBA #20-014

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Zoning Board of Appeals held via virtual Webinar, which permits
the public to fully participate in the virtual hearing via the Webinar or their phones,
pursuant to orders issued in response to the COVID-19 pandemic, on the 13th day
of July, 2020 at the hour of 7:00 p.m.

MEMBERS PRESENT:

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

ALSO PRESENT:

DEREK MACH, Development Planner

CHAIRPERSON SIAVELIS: All right, so let's call the meeting to order, and if you're encountering technical difficulties during the course of the session or the meeting, just please raise your hand, wave your hand, and I'll stop and recognize you and try to help you out with your technical difficulties if there are any.

All right, so I'd like to call the meeting to order. Welcome, everyone. This is the July 13th, 2020 Zoning Board of Appeals meeting. There are some things that we need to address for protocol here in view of the COVID pandemic guidelines and requirements. So, there's a couple of things that I need to go through for the benefit of the Board members and the Petitioners.

So, first off, I find that the public health concerns related to Coronavirus pandemic rendered in-person attendance at the regularly scheduled meeting location here at the Village Hall to be not feasible; thus, we're going to proceed virtually. Another protocol item here, after the Petitioner's presentation, if there's any comments from the audience, public attendees and audience members will have an opportunity to speak and provide their guidance and their thoughts. Please select the Raise Your Hand icon on your screen, your display screen, and wait for me to call on you one at a time. By the way, I am the host, so if you need to flag me to speak when it comes time for public comment, so be it.

Just as another housekeeping item, for all participants in this call, please mute your microphone when not speaking so we can avoid background noises, pets, kids, those sorts of things. During the meeting, if the Staff Liaison, Derek, he's the host, if he loses connection, please remain in the meeting until he can rejoin us and resume the meeting. If a participant loses their connection, you can rejoin using the original meeting link, okay?

So, without further ado, let's begin with the roll call. So, Derek, can you call roll?

MR. MACH: Chairman Siavelis.

CHAIRPERSON SIAVELIS: Here.

MR. MACH: Mr. Drake.

(No response.)

MR. MACH: Mr. Geisel.

COMMISSIONER GEISEL: Here.

MR. MACH: Mr. Jaffe.

COMMISSIONER JAFFE: Here.

MR. MACH: Mr. Lanaghan.

COMMISSIONER LANAGHAN: Here.

MR. MACH: Mr. Selbka.

COMMISSIONER SELBKA: Here.

MR. MACH: Mr. Divito.

COMMISSIONER DIVITO: Here.

CHAIRPERSON SIAVELIS: Derek, I had a little glitch when you called Tom Drake. Did you get a response from Tom?

MR. MACH: Again, Mr. Drake?

COMMISSIONER DRAKE: Here.

CHAIRPERSON SIAVELIS: Okay, good. I apologize, Tom. My screen

froze; I just want to make sure we got you.

COMMISSIONER DRAKE: No problem.

CHAIRPERSON SIAVELIS: Because it's also been stressed that we need to have verbal responses for a lot of things, audible responses to keep the record clean. So, thank you.

All right, next item, Pledge of Allegiance. Derek will display the flag, then we'll stand and do the pledge.

(Pledge of Allegiance recited.)

CHAIRPERSON SIAVELIS: Thanks, everyone.

Okay, our next item is the approval of minutes. I know last month we had seven petitions so the minutes from the meeting were quite extensive. Hopefully, all the Board members have had an opportunity to review them. If there are no changes to the draft minutes, is there a motion to approve?

COMMISSIONER SELBKA: Motion to approve.

CHAIRPERSON SIAVELIS: Do we have a second?

COMMISSIONER JAFFE: I second.

CHAIRPERSON SIAVELIS: Great, thank you. Derek, roll?

MR. MACH: Chairman Siavelis.

CHAIRPERSON SIAVELIS: Yes.

MR. MACH: Mr. Divito.

COMMISSIONER DIVITO: Yes.

MR. MACH: Mr. Drake.

COMMISSIONER DRAKE: Yes.

MR. MACH: Mr. Geisel.

COMMISSIONER GEISEL: Yes.

MR. MACH: Mr. Jaffe.

COMMISSIONER JAFFE: Yes.

MR. MACH: Mr. Lanaghan.

COMMISSIONER LANAGHAN: Yes.

MR. MACH: Mr. Selbka.

COMMISSIONER SELBKA: Yes.

CHAIRPERSON SIAVELIS: All right, sounds like the minutes have been, the motion passes and the minutes have been approved from the prior meeting. Thank you very much.

Next item, we have a couple of other hearing procedures. Some of these are important for the Petitioners to understand. If less than six members are present of the Commission, which I believe that's the situation today, Derek, how many members are present? I didn't count them up before.

MR. MACH: Six members, and four in the affirmative is required in order for the motion to carry.

CHAIRPERSON SIAVELIS: Right. So, you need four affirmative votes to approve a variance, each and every variance sought, regardless of the number of Board members in attendance. If a variance is denied, a Petitioner cannot reapply for an entire year on that particular variance, okay? So, keep that in mind, Petitioners.

There is a Staff presentation as well. Derek will provide that. It's

essentially a project overview and the extent of the variance and the particulars of the variance.

Another important aspect for the Petitioners, and hopefully you saw this in your paperwork that you submitted in connection with seeking the variance, that there are four elements that the Petitioners must establish in order for the Board to be able to grant a variance. These are the Petitioners' responsibilities to establish these four elements. It's not the Board or the Board members' responsibility.

The four elements are as follows:

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 properties;
2. That the plight of the owner is due to unique circumstances which may include the length of time the subject property has been vacant as zoned;
3. That the proposed variation is in harmony with the spirit and intent of the chapter in zoning ordinances; and
4. That the variance requested is the minimum variance necessary to allow reasonable use of the property.

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

All right, I believe we are ready to begin. Derek, let's, yes, let's start with item number, there it is, 20-014. The address is 1530 East Northwest Highway. To the Petitioner, please identify himself or herself such that we can swear you in?

MR. MACH: Arlene, if you could unmute yourself please? It should be the lower left corner.

CHAIRPERSON SIAVELIS: Do you want to try her again, Derek, to see if she's fine?

MR. MACH: Yes. Let me see if I can unmute.

(Long pause.)

MR. MACH: David, are you able to unmute?

COMMISSIONER DIVITO: I can ask them. Mute, that's the only button I see.

MR. MACH: Yes, that's all I see. There we go.

COMMISSIONER DIVITO: There, that worked.

CHAIRPERSON SIAVELIS: There we go.

Okay, Arlene, can you identify yourself? First name, last name, address, then I'll swear you in, okay?

MS. MERKEL: All right.

CHAIRPERSON SIAVELIS: Then Derek will give an overview of the project and the variance sought, okay?

MS. MERKEL: All right. Arlene Merkel, 1530 East Northwest Highway, 1-A, Arlington Heights.

CHAIRPERSON SIAVELIS: Great. Okay, can you raise your right hand now, Arlene?

(Witness sworn.)

CHAIRPERSON SIAVELIS: Okay, we're going to let Derek give the Staff's presentation, Arlene, and then we'll hand it back to you to give your presentation and

obviously touching on the four elements. But go ahead, Derek.

MR. MACH: Thank you, Chairman. The Petitioner is proposing to attach a pergola on the west elevation of the existing multi-family structure. The proposed pergola will be set back 0.5 feet from the rear property line where 30 feet is required. Therefore, the Petitioner is requesting a 29.5-foot variation from Chapter 28, Section 5.1-6.3, to allow a pergola with a rear yard setback of 0.5 feet where 30 feet is required. Thank you, Chairman.

CHAIRPERSON SIAVELIS: All right, thank you.

Okay, I'll hand it back to you, Arlene, to provide your presentation. Again, make sure you touch on each of the four elements that you're required to show.

MS. MERKEL: Okay, we're a really unique lot, so the rear is actually the side of our building. So, we're looking at a brick wall of an apartment building that's right next door to us. The alley, what we say is our back, is actually our parking lot. So, there's very little yard here to work with, land here to work with.

We're actually on two frontage roads. So, we have a park in front of us and a park on the east of us. So, the only residents that would actually see the pergola are the renters from the apartment.

We have a seven-unit condo building that pretty much has no amenities, and so we're looking to gain some more outdoor living space, especially with this COVID. We really realized the necessity for that, and it's going to really improve the look of our building. A lot of people think that we are actually connected with the apartment building next door, so we're really trying to work hard to differentiate ourselves; that we are a condominium.

The apartment building had a really beautiful, nice, large tree, and the previous owner cut that down just when, it was the stark reality of the sun, you know, coming in. So, for other reasons besides the look and enjoying the outside; my husband has some skin cancer issues, so we're trying everything we can to keep sun out of our area.

Let's see. What's going to make it easy is that we have a fence right now that has some columns. So, the pergola will attach right on top of those columns, so it will be very simple. It's going to be a real nice addition to the building and look really nice. We have a lot of neighbors that stop by and thank us, thank us, you know, how much they've enjoyed the building. I think everybody is going to think this is a really nice addition.

CHAIRPERSON SIAVELIS: Okay, Arlene, I've got a couple of quick questions that I'll run through. In this picture that I believe Derek is displaying to everybody, does that accurately reflect those columns that you were talking about?

MS. MERKEL: Yes. Yes.

CHAIRPERSON SIAVELIS: That are already there, that the pergola would meet up with them, is that correct?

MS. MERKEL: Correct. Yes.

CHAIRPERSON SIAVELIS: So, you're trying to create an outdoor living space basically with the use, further outdoor living space and maybe improve that outdoor living space with this pergola?

MS. MERKEL: Yes, and keep the sun, the sun just comes so hard in that

room there, and that would really help that a lot, too.

CHAIRPERSON SIAVELIS: What will the length of the pergola be, say as you're looking at this picture from front to rear? Not from left to right, the actual length, front to rear?

MS. MERKEL: Okay, so the fence is 12-foot in-between to those columns, so they'd be in the center of those columns. So, I would say about 14 feet would be total.

CHAIRPERSON SIAVELIS: Okay, so you're only going to do it, you're only contemplating installing that pergola for one of those spans, right?

MS. MERKEL: Just between those two columns.

CHAIRPERSON SIAVELIS: From one column to another?

MS. MERKEL: Right, not the whole area.

CHAIRPERSON SIAVELIS: Okay, I assume, right, is your unit the one that is shown right there with the -- Derek, can you go back to that picture please?

MR. MACH: Yes.

MS. MERKEL: Yes, that is our unit.

CHAIRPERSON SIAVELIS: Essentially underneath the proposed pergola?

MS. MERKEL: Yes.

CHAIRPERSON SIAVELIS: Okay, okay. Have you talked to the other, your neighbors, or the other condominium owners, or the other owners in your condominium building? Let's just do that first. Did you talk to them?

MS. MERKEL: Oh, yes. They're all for it. They think it will be beautiful, and they come and enjoy it, too. So, we all sit out there together.

CHAIRPERSON SIAVELIS: Did you receive any feedback on the proposed variance from the folks who reside in the apartment building that you'd mentioned and that I believe we can see to the left here in this picture?

MS. MERKEL: No, nothing.

CHAIRPERSON SIAVELIS: No feedback?

MS. MERKEL: No feedback from anybody. None of the neighbors. Just people that have stopped by, and they thought the pergola was going on the other side and they were, you know, like oh, that will be beautiful. So, nothing but positive from anybody that stopped as they're walking by.

CHAIRPERSON SIAVELIS: Okay. All right, at this time, I think it makes sense to see if there's any other questions from the Board.

COMMISSIONER LANAGHAN: I have one. Is the patio as constructed, has that been approved and permitted?

MS. MERKEL: Yes, that was done last summer. I had a permit from the Village.

COMMISSIONER LANAGHAN: So, you got a variance to get within the --

MS. MERKEL: No, I didn't need a variance.

COMMISSIONER LANAGHAN: Really? Okay, that's interesting.

MS. MERKEL: Yes, I thought it was interesting. That's why I was so surprised that I needed one for this.

MR. MACH: Patios can go up to the property line, and the fence is code compliant.

COMMISSIONER SELBKA: I just have one quick question, Ms. Merkel.

Are you applying on behalf of the association or as an individual owner?

MS. MERKEL: I would say both. They all want it, but it's more personal. Obviously, I live there, so I have more use than everybody else.

COMMISSIONER SELBKA: Is the patio a common element or is it your property?

MS. MERKEL: Just because of the way our bylaws are, within 10 feet of someone's window it's, you know, no one is supposed to be hanging out there, but when we invite and they ask, of course.

COMMISSIONER SELBKA: Okay.

CHAIRPERSON SIAVELIS: Okay, and following up on Mr. Selbka's question, is this, are you funding this pergola or is the association funding it? Or some other funding?

MS. MERKEL: I am funding it.

CHAIRPERSON SIAVELIS: Okay. Okay, any other questions from the Board?

(No response.)

CHAIRPERSON SIAVELIS: All right, hearing none, are there any comments from the audience? Again, folks out there in the audience, click on the Raise Your Hand button or feature if you would like to speak, and Derek will acknowledge you and give you the ability to communicate with us.

(No response.)

CHAIRPERSON SIAVELIS: Okay, Derek, I don't see anybody. Do you see anybody on your side from the audience who is trying to activate the Raise Your Hand button?

MR. MACH: I do not.

CHAIRPERSON SIAVELIS: Okay. All right, that being said, I think it's time that we close it down and begin the phase where the Board deliberates on this. Joe, I don't know if you want to start? I can share my thoughts. Either way is fine by me.

COMMISSIONER GEISEL: Happy to. Initially concerned given the 29-foot request where 30 is required. But now that we've got a full understanding of the location, the fact that they were using the existing fence and columns, and it's just the overall configuration of the property and the location of this improvement and the request, I don't find this to be problematic and I would support the improvement.

CHAIRPERSON SIAVELIS: Well said. Go ahead, Joe.

COMMISSIONER SELBKA: No, I agree, especially because this doesn't change the permeable surface in any way. I think it's a nice addition. It is a unique lot, so there is a hardship there; therefore, I'd support this as well.

MS. MERKEL: Thank you.

CHAIRPERSON SIAVELIS: Well, said. I agree on similar grounds for the same reasons. Are there any other comments from the Board members?

COMMISSIONER DRAKE: I would support it as well. All of the departments at the Village had no issue with it, and I think the Petitioner has met all the requirements. I think it looks nice. You know, if that was my patio, that's how I would want to finish it off. So, I'm for it.

MS. MERKEL: Thank you.

CHAIRPERSON SIAVELIS: Any other comments from Board members?
(No response.)

CHAIRPERSON SIAVELIS: All right, hearing none, is any Board member ready to advance a motion?

COMMISSIONER DIVITO: I'll motion to approve.

COMMISSIONER JAFFE: Seconded.

CHAIRPERSON SIAVELIS: Derek, roll?

MR. MACH: Who is the second?

COMMISSIONER JAFFE: It's Jaffe.

MR. MACH: I'm sorry, who seconded the motion?

COMMISSIONER JAFFE: Derek, it's me, Ben Jaffe.

MR. MACH: Thank you.

Mr. Divito.

COMMISSIONER DIVITO: Yes.

MR. MACH: Mr. Drake.

COMMISSIONER DRAKE: Yes.

MR. MACH: Mr. Geisel.

COMMISSIONER GEISEL: Yes.

MR. MACH: Mr. Jaffe.

COMMISSIONER JAFFE: Yes.

MR. MACH: Mr. Lanaghan.

COMMISSIONER LANAGHAN: Yes.

MR. MACH: Mr. Selbka.

COMMISSIONER SELBKA: Yes.

MR. MACH: Chairman Siavelis.

CHAIRPERSON SIAVELIS: Yes.

All right, congratulations, Arlene.

MS. MERKEL: Thank you.

CHAIRPERSON SIAVELIS: Your variance has passed.

MS. MERKEL: All right, thank you. It was fun!

CHAIRPERSON SIAVELIS: Feel free to drop from the meeting. Yes, you don't have to stay connected if you don't want, of course you can if you really want to.

MS. MERKEL: Thank you.

(Whereupon, at 7:27 p.m., the hearing on the above-mentioned petition was adjourned.)

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS July 13, 2020

PETITIONER: Merkel Residence

ADDRESS OF PROPERTY: 1530 E. Northwest Hwy.

VARIATION: 5.1-6.3 (Required Minimum Yards – Rear Yard)

A 29.5' variation to allow a pergola with a rear yard setback of 0.5' where 30' is required.

The petitioner explained that the rear yard is defined as the side yard per the Zoning Code. The petitioner explained that there are limited opportunities on the site for outdoor living space. The petitioner testified that the building includes seven condo units. The petitioner testified that they are proposing to add a pergola that will attach to the existing building and the existing masonry fence columns.

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

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

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

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

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

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



**Zoning Board of Appeals
8/18/2020**

Item: 648 N. Dunton Ave. - 7/13/20

Department: Planning & Community Development

ATTACHMENTS:

Description	Type
648 N Dunton Ave - 7/13/20 Minutes	Exhibits
648 N Dunton Ave - 7/13/20 Findings	Minutes

ZONING BOARD

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

OF APPEALS

RE: 648 NORTH DUNTON AVENUE - ZBA #20-015

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Zoning Board of Appeals held via virtual Webinar, which permits
the public to fully participate in the virtual hearing via the Webinar or their phones,
pursuant to orders issued in response to the COVID-19 pandemic, on the 13th day
of July, 2020 at the hour of 7:27 p.m.

MEMBERS PRESENT:

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

ALSO PRESENT:

DEREK MACH, Development Planner

CHAIRPERSON SIAVELIS: Okay, next item up for business, and I'll just announce it by number and wait for Derek to catch up. It's ZBA# 20-015, again ZBA# 20-015. The address is 648 North Dunton, and I see the Petitioners there.

Can you folks, can you identify yourself for the record? If you're both going to be speaking, I need to swear you in individually. So, let's proceed that way. Of course, again, then we do the Staff presentation after we get you sworn.

MR. LYON: Okay, I'm Don Lyon and my wife.

MRS. LYON: I'm Laura Lyon.

MR. LYON: We could both be speaking tonight, so maybe swear us both in.

CHAIRPERSON SIAVELIS: Yes, right. I think that probably would be a better way to do it, Don. That will give you a little more flexibility. Okay, so we'll do ladies first. Laura, please raise your right hand.

(Witness sworn.)

CHAIRPERSON SIAVELIS: Okay, Don, your turn.

(Witness sworn.)

CHAIRPERSON SIAVELIS: Great. Okay, back to Derek then.

COMMISSIONER GEISEL: If I could interject just briefly? Mr. and Mrs. Lyon live in my neighborhood and I'm familiar with them. I just wanted to make sure that I acknowledge that. I don't feel that it would have any impact on my consideration of this matter, but I did want to state that appropriately.

CHAIRPERSON SIAVELIS: Okay, and Joe, just for the record, to be clear, you are not recusing yourself, correct?

COMMISSIONER GEISEL: Not recusing myself, simply acknowledging that they live in my neighborhood and I'm familiar with them.

CHAIRPERSON SIAVELIS: Okay. All right, thank you very much, Joe.

All right, back to Derek then for the Staff presentation on this particular variance.

MR. MACH: Thank you, Chairman. The subject property is at 648 North Dunton Avenue, and the Petitioner is proposing to install a five-foot tall, open, decorative metal fence along the exterior side yard which is the north property line. The proposed fence along the property line, it's located along the property line where a setback of five feet is required for a fence taller than three feet.

Therefore, the Petitioner is requesting a variation from Chapter 28, Section 6.13-3(C), to allow a five-foot tall fence located along the north property line in the rear yard with no street side landscaping where code allows a maximum of three-foot tall fence. Thank you, Chairman.

CHAIRPERSON SIAVELIS: All right, thank you very much, Derek.

MR. MACH: We did have two responses that I'd like to read into the record when you feel appropriate.

CHAIRPERSON SIAVELIS: Right, when we go after the Petitioner's presentation and we complete the next phase, questions from the Board, I think that the following phase, comments from the audience, is probably the appropriate spot to have you read those in there.

Okay, so with that in mind, Petitioners, here is your opportunity to

state the grounds for your variance. Again, make sure you touch on all four of the elements that are required to carry the showing, to make the showing.

MR. LYON: Okay, so we have lived at 648 North Dunton for 26 years. Long time HANA residents. We lived at 507 North Douglas for five years prior, so we are long-time Arlington Heights owners.

I grew up in Arlington Heights, moved here in 1963 and am a product of Windsor, Minor and Prospect High School, for what it's worth. We raised three daughters in the house that are Olive, Thomas and Hersey alumni. They are all now out of the house and we're very proud of them. Two of them are married. We have one grandchild that's 13 months old and another granddaughter coming in November. So, we're anxious to have them back visiting as much as we can get them.

We recently completed a re-roofing of the house and a complete repainting of the house. Capital improvements that indicate we're not planning on leaving this property any time soon. We look forward to being here for a long time.

So, why do we need a fence at this point? We've been here a long time. We've operated with an electric pet fence for our dogs, but recently we've had more concern for the safety and security of our pets. Now that grandchildren are arriving to play in our backyard, we're certainly concerned about the safety and security of our family in our backyard.

This past April, as you see on Exhibit 1, we had a coyote. There are actually multiple coyotes living in the neighborhood. This one in particular would traverse our yard almost on a daily basis, living somewhere back behind one of our neighbors. We certainly had concern that our terrier would be quite a snack for the coyote if he so chose, and that if any of our grandchildren were in the yard, that there would be a security issue on that front also.

We also, as grandchildren visit, are concerned about them running out onto Hawthorne which is not an immensely busy street, but also onto Dunton Avenue which is busy. So, we feel a fence is appropriate at this time for those reasons. Also, keeping our, two of our children have dogs, and when they come visit, the dogs have gone into the neighbors' yards, and the neighbors have requested that we do what we can to keep them out of their yards. So, to accomplish that, and neighbors' pets coming to our yard and take care of their morning business at times in our yard, so it's time for a fence.

So, when our contractor applied for the permit to install the fence, the Village came back with, they denied the permit and said you have three options. Option one is to erect the five-foot fence five feet off the property line. As you can see, Derek, if you could go back to that slide? So, as you can see, we have arborvitae planted at the five-foot line. So, putting the five-foot fence five feet inside would require us to move those arborvitae south. If you look at the next slide, if we were to move those south, it would require us to remove the boulder wall that we've landscaped, and as we move the boulder wall, that would require us to move the patio decking that is in place, and also add more to the berm. So, it would come at quite a cost to accomplish all that.

The second option was to put a three-foot fence on the property line. As you can see, our berm is about a foot-and-a-half tall. So, if you put a three-foot fence up against the berm, effectively you've got a foot-and-a-half of fencing as opposed to the

three feet that it would be from the finished floor of the sidewalk. So, that really didn't work.

The third option was to pursue a variance, which we're doing tonight, to erect the five-foot fence on the property line. As I said, we've been HANA, Historical Arlington Neighborhood Association members for 26 years. We love the neighborhood. We don't want to do anything that would not be in keeping with the neighborhood, respecting our neighbors. It's a walking neighborhood. So, we've chosen this black fencing that, when constructed against the landscaping, will really become transparent.

So, the goal was to provide the safety and security that we need, but not have a decking fence that would present a walled-off yard visual for anyone walking down the street. So, that's why this fence was chosen. It exists today in our neighborhood. There's an example three doors down from us on Hawthorne, if you go to the next slide. This is actually at 635 North Highland, but this is the Hawthorne front; they're on a corner lot. You can see, or maybe you can't see, the fencing that is 22 inches from the sidewalk that really blends in with the landscaping, so it doesn't detract from the visual of the street.

So, we have tried to accommodate neighbors, be respectful of the neighborhood by using this fence with our landscaping. We have talked to neighbors to tell them what we're doing. The neighbor most affected by this would be immediately north of us on Hawthorne Street, at Hawthorne and Dunton, the other corner, and that's Brian Daley. Brian is fully supportive of the variance. So, we've reached out to other neighbors in the neighborhood, and they've all been supportive of the variance.

As I think Derek mentioned, there's a husband and wife that did submit a comment. I knocked on their door just to show them what we were doing and make sure they were fully aware of the type of fencing and why we were using it. They didn't say if they felt better about the variance or not, but we felt it was important to at least knock on their door and make sure they were aware of what we were proposing to do.

So, that's why we believe we need a fence, and that's why we're applying for the variance.

CHAIRPERSON SIAVELIS: Thank you, Don. That was quite comprehensive; we appreciate that level of detail. I have a couple of questions, but before I launch in, I didn't know if there were, I want to see if there's any other members who had questions and give them an opportunity to pose them first.

(No response.)

CHAIRPERSON SIAVELIS: Okay, so with that in mind, I'll start the questions.

Derek, can you, before I start that, Derek, can you scroll down to show one of the pictures that Don kind of referenced during his presentation where he's showing the arborvitae to the left of the sidewalk? That perspective of you looking down the sidewalk?

MR. MACH: This one?

CHAIRPERSON SIAVELIS: Hold on, it's still loading up, Derek.

MR. MACH: Okay.

CHAIRPERSON SIAVELIS: Yes, right, that's the one.

So, Don, I just want to ask you a couple of questions on this. You did provide us with an annotated survey, and I just want to kind of match that up because I surmise that other Board members have a similar set of questions or interest in this.

So, this is around the sidewalk that borders Hawthorne, is that correct?

MR. LYON: Right.

CHAIRPERSON SIAVELIS: Don?

MR. LYON: Yes.

CHAIRPERSON SIAVELIS: Where is your property line with regard to the inner edge of the sidewalk?

MR. LYON: The property line is, you mean how far off the sidewalk?

CHAIRPERSON SIAVELIS: Yes, sir.

MR. LYON: It looks like maybe four inches.

CHAIRPERSON SIAVELIS: Okay, off that inner edge of the sidewalk as we're seeing it here in what you've identified as Exhibit 2, correct?

MR. LYON: Correct.

CHAIRPERSON SIAVELIS: Okay, and then the proposed fence that you're contemplating, how far away from the property line will that fence be?

MR. LYON: We propose putting it a foot inside of the sidewalk, so that would be an extra eight inches inside of the property line, assuming that the property is at four inches, but it will be a foot inside of the sidewalk.

CHAIRPERSON SIAVELIS: So, then it will be essentially adjacent to the outer edge of the arborvitae, is that right?

MR. LYON: Correct. The goal is to keep it as far off the sidewalk as we can, still allowing the arbs to live.

CHAIRPERSON SIAVELIS: Can you say the last part again? You kind of, we had a technology glitch there, so repeat that one, please?

MR. LYON: The goal is to keep the fence as far towards the arborvitae without jeopardizing their life, without killing them.

CHAIRPERSON SIAVELIS: Okay, and so again then, the proposed fence, so essentially one foot from that inner edge of the sidewalk, right?

MR. LYON: Correct.

CHAIRPERSON SIAVELIS: Okay, and Don, why did you choose a five-foot fence as opposed to say a four-foot fence?

MR. LYON: Again, if you go to the next slide down, the landscape berm creates an elevation of a foot-and-a-half above grade. So, we felt like having three-and-a-half feet, if one of our dogs is standing on top of that berm, we just wanted to create the biggest impediment we could to them getting out. We have, one of our daughters has a Blue Heeler which is a beautiful dog, and he can jump it. So, it's more for protecting our dogs from getting out than certainly the coyotes or anything else getting in.

CHAIRPERSON SIAVELIS: Okay, and you thought that the five-foot height will give you, in view of the berm, would give you, would provide the best option for either a dog jumping over that fence, or as your grandkids get older, one of those kids from scaling that?

MR. LYON: Yes, absolutely. That attempt will occur, I can guarantee you,

at some point.

CHAIRPERSON SIAVELIS: I one hundred percent believe, Don. I've experienced it myself, so I don't doubt that.

I want to clarify one other thing just to make sure the record is clear. You said you spoke to, I believe your neighbor who is adjacent to you, is that correct? His name was Brian Daley?

MR. LYON: Correct. He's across Hawthorne, on the north side of Hawthorne, if you go back to the aerial view. He's the one that would be visually most impacted as his backyard will be looking at the fence, at our landscaping and the fence.

CHAIRPERSON SIAVELIS: Give Derek a chance just to load it up, Don.

MR. LYONS: Yes.

COMMISSIONER DIVITO: He has the small, like three-foot picket fence, is that right?

MR. LYON: Correct.

COMMISSIONER DIVITO: Okay.

MR. LYON: Right, so he is that lot. Yes, exactly. So, he would be looking at it, and then the alleyway is the other frontage that people would see it as they drove down that alleyway.

CHAIRPERSON SIAVELIS: And which lot number is Mr. Daley?

MR. LYON: Looks like 702.

CHAIRPERSON SIAVELIS: Yes, okay. Good. Thank you very much, Don. That was helpful.

All right, so are there any other questions from Board members? Any items for discussion for this Petitioner?

COMMISSIONER LANAGHAN: No, Peter, you touched on the ones I had, and Mr. Lyon had already kind of answered those as he went through his report. So, I think, I don't have any other questions at this point in time.

CHAIRPERSON SIAVELIS: Great, thank you, Jeff. Anyone else? Joe, your mic went active. Do you want to speak? Are we having technical difficulties or was that just background noise?

COMMISSIONER SELBKA: Mine?

CHAIRPERSON SIAVELIS: No, I'm sorry, Joe Geisel.

COMMISSIONER GEISEL: Mine? No, I did not have anything to add. The presentation was complete.

CHAIRPERSON SIAVELIS: Okay, great. Thanks, Joe.

All right, at this point in time, let's move on to comments from the audience. Let's do this, before we take live comments, Derek, can you read in the two e-mails that we have received and that were included in the materials provided to the Board?

MR. MACH: Sure. The first e-mail stated: Hi, writing in opposition to the variance request. I agree with the principles of the existing code. Let's follow it.

Then, Chairman, we received another e-mail that said: Hello, I'm writing to oppose the variance requested by Laura Lyon at 648 Dunton Avenue for a five-foot fence with no street side landscaping, where code allows a maximum three-foot fence. Hawthorne is a very quiet street and it should not have a tall fence right up against

the sidewalk. It would make the quiet neighborhood sidewalk feel boxed in. Furthermore, it would not blend well with the other homes on Hawthorne Street which face Hawthorne and are set back. Allowing this variance would open the door for many other similarly-positioned homes to request a similar variance, and this would change the feel of our neighborhood, making it feel boxed in and walled off. There is already a variance that allows for taller fencing if you are on a very busy street, but since Hawthorne is so quiet, it should not be permitted in this case. A three-foot fence is all that should be allowed here as the code already outlines.

CHAIRPERSON SIAVELIS: Okay, great. Thanks, Derek. Let's also see if there's any members of the public or the audience who are listening in. If they would like to speak, now would be the time. So, again, please click on the Raise Your Hand button or icon if you would like to speak at this point in time.

COMMISSIONER JAFFE: Sorry, Mr. Chairman, can we understand the address of the person who submitted that letter?

CHAIRPERSON SIAVELIS: Good point, Ben.

MR. MACH: It's a neighbor to the subject property.

COMMISSIONER JAFFE: That's all the information that we have?

MR. MACH: Yes.

COMMISSIONER JAFFE: Okay.

MR. LYON: I don't know if it's our place to describe where they live, but it is not an adjoining neighbor and it is a resident on the east side of Dunton Avenue.

COMMISSIONER JAFFE: Thank you.

COMMISSIONER DRAKE: I just want to clarify. Were both of those letters in opposition to the petition, or is one for and one against?

MR. MACH: Both were in opposition.

COMMISSIONER DRAKE: Okay, I thought so. Thank you.

MR. LYON: And I believe it's husband and wife.

CHAIRPERSON SIAVELIS: Derek, can you display those e-mails?

(Slight pause.)

CHAIRPERSON SIAVELIS: Okay. All right, so the Board doesn't have a way of determining whether they're husband and wife. We do know that they're the same last names and the folks who sent those e-mails did not identify their own address in a manner that survives the redactions, okay?

All right, again, let's allow any members, excuse me, any audience members or, you know, general public who are participating in this to be heard if they would so like.

(No response.)

CHAIRPERSON SIAVELIS: Derek, do you see anybody in the audience who is trying to active the Raise Your Hand button and participate?

MR. MACH: I do not.

CHAIRPERSON SIAVELIS: Okay, we'll close down that phase of the presentation then, the audience participation phase. Let's now move to the phase where the Board members deliberate. I don't know if anybody has strong feelings amongst the Board as to whether they want to commence discussions, but I can start just to kind of move the process along efficiently.

I think this is a well-reasoned and well-grounded petition. I think it's important to note that the Petitioner has the proposed fence a foot from the inner edge of the sidewalk, I think that's important. I also think it's important that it is an open decorative metal fence. It is not a board-on-board or a fence that obstructs sight lines. This fence as depicted and as we've seen in a number of different residences across the Village is quite tasteful.

The Petitioner has made a compelling argument with regard to three feet versus four feet versus five feet, at least in my eyes. I personally have five-foot fencing along my side yards, so I think that is a reasonable ask, especially when he's facing the street. I don't even face the street like this, and he has a documented concern with the coyote. I don't know if the Lyons are shutterbugs and they were waiting for that coyote, but that was a pretty good picture there showing definitively a coyote, and I think a lot of us with small kids or smaller pets have similar concerns and are troubled by pictures like that.

So, in my eyes, the Lyons' petition request for a five-foot decorative metal fence a foot from the sidewalk is reasonable. It is appropriate, and I know we've done similar things in the past.

To the neighbors, the two neighbors' concern, husband and wife, whoever they may be, their concern, it's important to understand that this does not open the door or open the floodgates if we vote yes and grant the petition for the Lyons. Each petition is taken and evaluated carefully by the Board on its merits, on its pros and cons. So, that's an important point to recognize.

Then the other point that Mr. Lyon raised about the neighbor across Hawthorne who would be looking at this and would be most visually impacted being in support of this, I believe his name was Mr. Daley, I think that that's an important point as well.

So, for all those reasons, I am in support of the variance sought by Mr. and Mrs. Lyon.

COMMISSIONER JAFFE: That's a very thorough and detailed summary, Mr. Chairman, and I would agree with your assessment and would also support the Petitioner's request as presented.

COMMISSIONER DIVITO: The only additional points I'll make here is that, you know, the neighbor across the street that has given their support has a three-foot fence or a four-foot fence, depending on one of the sides of it. So, if anyone can talk about the look and feel of the neighborhood, they would have direct opposition capabilities because they're complying to the shorter fence.

I'm going to go back to like White Oak, we had a similar-looking fence that we did that was right on the sidewalk. Not for precedence's sake, but just to attest to the Petitioner that the look and feel, because they had existing plantation as well and they put that fence right along the sidewalk, and it does absorb right into that vegetation to where you really can't tell and it still is approachable, whereas if you go further up on Hawthorne, there is a smaller fence that's right on the sidewalk that is a shorter fence, but it's board-on-board wooden fence. That actually looks more closed in than the decorative fence that you're putting in here.

The only other thing I would mention is sound wasn't an issue

presented by our Petitioner, so making the quiet neighborhood doesn't really make sense in that argument. So, I just want to bring that up for today's presentation.

CHAIRPERSON SIAVELIS: Okay, duly noted. Any other Board members with comments?

COMMISSIONER LANAGHAN: I'll just jump in real quick and say I agree. I think my initial reaction was why can't you just move it back five feet, but hearing the thought process and, you know, kind of looking and seeing that they'd have to remove a big deal of vegetation to actually get that fence five-foot back, I think it's counterintuitive to what you're trying to do there which is screen the neighbors and make it a little more open feeling. I like the fact that it's an open fence. So, I definitely can support this.

CHAIRPERSON SIAVELIS: Well said.

COMMISSIONER GEISEL: I walk the neighborhood daily with my daughter and walk by there routinely, and I can tell you I have seen that coyote on more than one occasion myself. It's not just a one-off that Mrs. Lyon apparently was able to snap a photo of. I've seen the coyote on more than one occasion.

CHAIRPERSON SIAVELIS: More than one troubling occasion, I would imagine, Joe, in that regard.

COMMISSIONER GEISEL: I've got a big enough dog; I wasn't worried, but he's there.

CHAIRPERSON SIAVELIS: So, Joe, are you in support of the Petitioner's variance?

COMMISSIONER GEISEL: Yes, I am.

CHAIRPERSON SIAVELIS: Okay, and other Board members, Tom and Joe, do you guys have any thoughts that you'd like to share?

COMMISSIONER DRAKE: I'm in support. I agree with everything I've heard.

COMMISSIONER SELBKA: I do as well. I occasionally bike down Dunton and I pass that property quite often. I don't, I think that the black wrought iron fence would fit in with the neighborhood; therefore, I'm in favor of the variance.

CHAIRPERSON SIAVELIS: Okay, is there a motion on this particular variance sought by the Lyons?

COMMISSIONER DRAKE: I'd like to move approval of the petition.

COMMISSIONER DIVITO: Second.

CHAIRPERSON SIAVELIS: Roll call?

MR. MACH: Mr. Divito.

COMMISSIONER DIVITO: Yes.

MR. MACH: Mr. Drake.

COMMISSIONER DRAKE: Yes.

MR. MACH: Mr. Geisel.

COMMISSIONER GEISEL: Yes.

MR. MACH: Mr. Jaffe.

COMMISSIONER JAFFE: Yes.

MR. MACH: Mr. Lanaghan.

COMMISSIONER LANAGHAN: Yes.

MR. MACH: Mr. Selbka.

COMMISSIONER SELBKA: Yes.

MR. MACH: Chairman Siavelis.

CHAIRPERSON SIAVELIS: Yes.

Okay, congratulations! Your variance has been approved and granted.

MR. LYON: Thank you very much. We appreciate your time.

MRS. LYON: Thank you.

CHAIRPERSON SIAVELIS: Certainly, you are welcome. At this point in time, you can drop from the meeting if you would like.

Derek, we do not have any other old business, do we now?

MR. MACH: We do not, Chairman.

CHAIRPERSON SIAVELIS: Okay, great.

Do we have a motion to adjourn?

COMMISSIONER DRAKE: Mr. Chairman, before we adjourn, I have a question. Maybe this is for Derek. Do you expect we'll continue to do these Zoom meetings in the short term or is it just month-by-month?

MR. MACH: I'm waiting to hear regarding the August meeting. We are discussing and evaluating. I hope to know in the next week or two.

COMMISSIONER DRAKE: Okay, thanks.

MR. MACH: Yes.

CHAIRPERSON SIAVELIS: Okay, Tom, any further questions on that?

(No response.)

CHAIRPERSON SIAVELIS: Sounds like none. Okay, do we have a motion to adjourn?

COMMISSIONER LANAGHAN: So moved.

COMMISSIONER JAFFE: Seconded.

CHAIRPERSON SIAVELIS: Great, roll call?

MR. MACH: Mr. Divito.

COMMISSIONER DIVITO: Yes.

MR. MACH: Mr. Drake.

COMMISSIONER DRAKE: Yes.

MR. MACH: Mr. Geisel.

COMMISSIONER GEISEL: Yes.

MR. MACH: Mr. Jaffe.

COMMISSIONER JAFFE: Yes.

MR. MACH: Mr. Lanaghan.

COMMISSIONER LANAGHAN: Yes.

MR. MACH: Mr. Selbka.

COMMISSIONER SELBKA: Yes.

MR. MACH: Chairman Siavelis.

CHAIRPERSON SIAVELIS: Yes.

All right, thank you, everyone. We are done. Have a great evening and have a good week. Stay healthy, everyone.

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

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS July 13, 2020

PETITIONER: Lyon Residence

ADDRESS OF PROPERTY: 648 N. Dunton Ave.

VARIATION: 6.13-3c (Location of Fences – Front Yards)

A variation to allow a 5' tall fence along the north property line in the rear yard with no street side landscaping where code allows a maximum 3' tall fence.

The petitioner testified that they are proposing five-foot tall decorative fence along the south property line adjacent to the rear yard. The petitioner explained that they have concerns for the safety and security of their pets. The petitioner also explained that they are concerned since their grandchildren will play in the rear yard. The petitioner testified that this past spring there were multiple coyotes living in the neighborhood and they have witnessed the coyotes in the back yard sometimes on a daily basis. The petitioner testified that there is an existing berm where the fence is proposed and that the berm is approximately 18 inches high. The petitioner explained that if a three-foot fence is placed against the berm, effectively the fence is only a foot-and-a-half tall.

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

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

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

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

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

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



**Zoning Board of Appeals
8/18/2020**

Item: 1147 N. Dryden Ave. - ZBA#20-016

Department: Planning & Community Development

REQUEST

- A variation from Chapter 28, Section 6.13-3c (Location of Fences – Front Yards) to allow a 6-foot tall solid fence located along the north property line in the rear yard with no street side landscaping where code allows a maximum 3-foot tall open fence.

ATTACHMENTS:

Description

Supporting Documents

Type

Exhibits

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: August 18, 2020
Date Prepared: August 11, 2020
Project Title: Dubnicka Residence
Address: 1147 N. Dryden Ave.

Background Information

Petition Number: ZBA #20-016
Petitioner: Joan Dubnicka
Address: 1147 N. Dryden Ave.
Arlington Heights IL 60004

Existing Zoning: R-3 Single-Family Residential District

Requested Action/Background Information

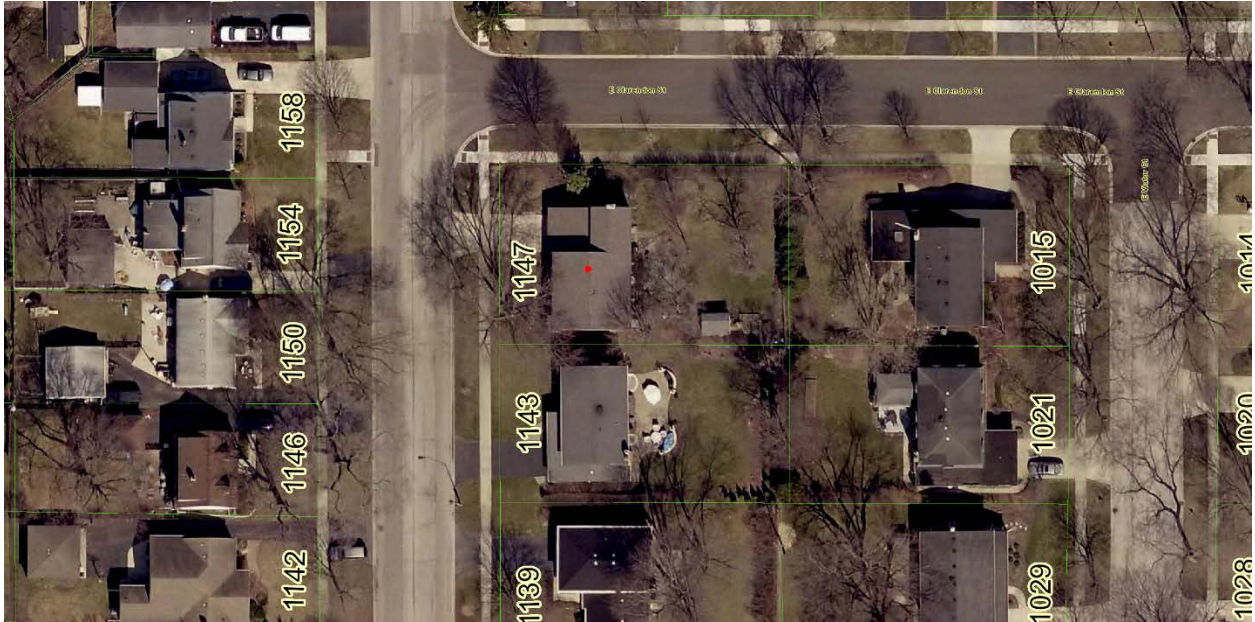
The subject property is zoned R-3, Single Family Dwelling District. The petitioner is proposing to install a 6-foot tall solid fence along the north property line adjacent to the rear yard. The proposed fence is located along the property line where a setback of 5 feet is required for a fence taller than three feet. Therefore, the petitioner requests the following variation:

- A variation from Chapter 28, Section 6.13-3c (Location of Fences – Front Yards) to allow a 6-foot tall solid fence located along the north property line in the rear yard with no street side landscaping where code allows a maximum 3-foot tall open fence.

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

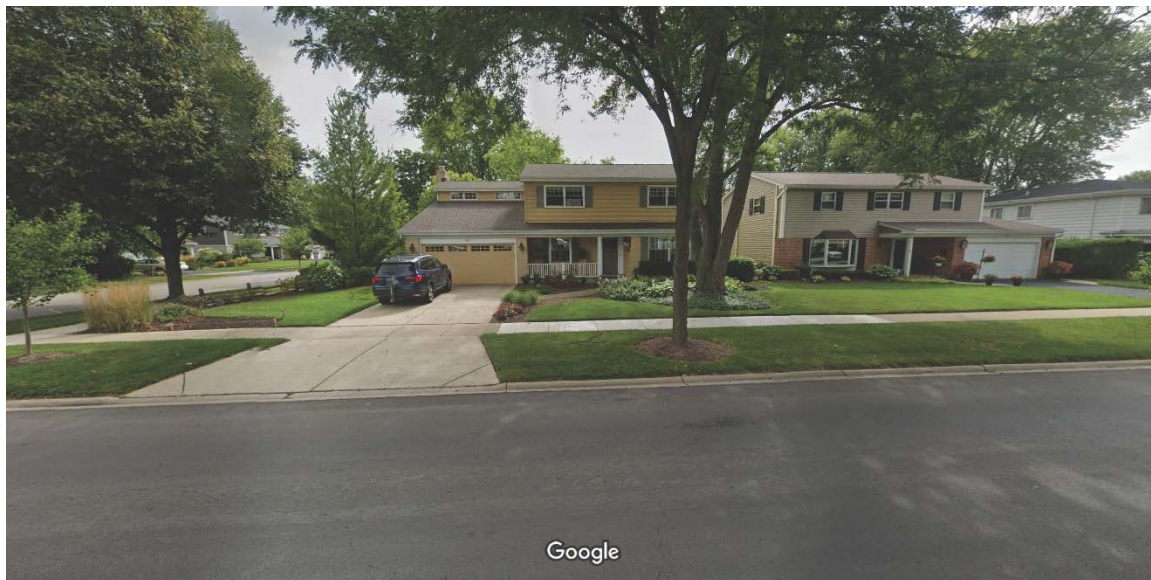


Items required to be Submitted 15 Days Prior to Public Hearing

<u>Item</u>	<u>Provided</u>	<u>Dated</u>	<u>Remarks</u>
1. Notification Affidavit	✓	7/31/20	
2. List of Property Owners Within 250 feet of Subject Property	✓	7/31/20	
3. Letter that was Mailed	✓	7/31/20	
4. Photographs of Sign on Property	✓	7/31/20	

Photographs of Existing Structure







Village of Arlington Heights Building & Life Safety Department

Interoffice Memorandum

To: Derek Mach, Zoning Board of Appeals Liaison

From: Deb Pierce, Building & Life Safety Department

Project Name: Dubnicka Residence

Project Address: 1147 N Dryden Ave

ZBA #: 20-016

Date: June 18, 2020

Derek:

I have reviewed the request for a variance to allow a 6-foot tall fence located along the north property line in the rear yard with no street side landscaping where code allows a maximum 3-foot tall fence, and have no objection to the variance.

ZBA# 20-016
1147 N Dryden Ave- ZBA
Rev. Eng: Briget Schwab, P.E.
cc: Mike Pagones, P.E. Village Engineer

Application Date: June 10, 2020
Received by Planning:
Transmitted to Engineering: June 18, 2020
Received by Briget: June 22, 2020
Completed: June 26, 2020

The proposed ZBA application indicates that the petitioner is seeking:

A variation from Chapter 28, Section 6.13-3c (Location of Fences – Front Yards) to allow a 6-foot tall solid fence located along the north property line in the rear yard with no street side landscaping where code allows a maximum 3-foot tall open fence.

The Engineering Division has NO COMMENT on the proposed variance for location of fences.

--

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Dubnicka Residence

Project Address: 1147 N. Dryden Avenue

ZBA #: 20-016

ZBA Hearing Date: July 13, 2020

To: Mike Pagones, Village Engineer
Steven Touloumis, Director of Building and Life Safety

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

From: Derek Mach, Zoning Board of Appeals Liaison

Transmitted On: June 18, 2020

- A variation from Chapter 28, Section 6.13-3c (Location of Fences – Front Yards) to allow a 6-foot tall solid fence located along the north property line in the rear yard with no street side landscaping where code allows a maximum 3-foot tall open fence.

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 July 1, 2020.

PETITIONER'S APPLICATION
ZONING BOARD OF APPEALS, VILLAGE OF ARLINGTON HEIGHTS

Application Date: 6/10/20

ZBA Case #: _____

Subject Property Address: 1147 N. Dryden Avenue

Subject Property PIN: 03-20-421-025-0000

REQUEST:

Variation from Chapter 28, Section 3.2 of the Arlington Heights Municipal Code

Brief statement of Variation Request: _____

Requesting to put in 6 foot high privacy fence on one side (north side) - for about 1/2 length of lot for privacy. Requesting ~~for~~ to be ~~perm~~ permitted to install fence 1 to 2 feet from sidewalk (0-1 feet from property line) and waive ~~be~~ related landscaping requirement. Our current hedges ^{in this location} ~~are~~ don't grow well because under mature trees and need to be removed.

PETITIONER/CONTACT INFORMATION

Name: Joan Dubnicka
Signature: Joan K. Dubnicka
Address: 1147 N. Dryden Ave
City, State, Zip: Arlington Hts, IL 60004
Phone #: 847-946-7350
Fax #: _____
Email Address: dubsx5@sbcglobal.net

OWNER INFORMATION (IF DIFFERENT FROM PETITIONER)

Name: NA
Signature: _____
Address: _____
City, State, Zip: _____
Phone #: _____
Fax #: _____
Email Address: _____

IT IS ESSENTIAL TO COMPLETE THE FOLLOWING QUESTIONS:

- HAVE YOU EVER APPLIED FOR A VARIANCE FOR THIS PROPERTY? YES ☐ NO ☒
- IF YES, WHAT WAS THE VARIANCE FOR? _____
- DATE YOU APPEARED BEFORE THE ZONING BOARD: _____
- WAS THE VARIANCE: APPROVED ☐ DENIED ☐

VILLAGE OF ARLINGTON HEIGHTS - 33 SOUTH ARLINGTON HEIGHTS ROAD
DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT
ARLINGTON HEIGHTS, ILLINOIS 60005
PHONE: (847) 368-5200
FAX: (847) 368-5988

Petition

Now comes the Petitioners, Joan and Tom Dubnicka, being the owner of the property commonly known as: 1147 North Dryden Avenue, Arlington Heights.

We appeal to the Zoning Board of Appeals of the Village of Arlington Heights for a Variation from Section 6.13, Chapter 28, of the Arlington Heights Municipal Code, in order to install a privacy fence along the north side of our property, from the back of the house to 5 feet from the rear property line within 2 feet of the sidewalk (and 1 foot within the property line).

The proposed fence will be located where an existing hedge is now in place. While we prefer to use landscaping materials in this location to create privacy to our backyard, after consultation with a landscape designer, it has been determined that plant material will not grow well in this location. The hedges (and the proposed fence) are located under two mature trees, one of which is in the park lawn. The hedges have been in this location for at least 18 years and are dying in places because of insufficient light.

In addition, we request a variance from the requirement to plant 3 feet tall landscaping materials between the fence and the sidewalk because there is insufficient light in this location to grow healthy looking plants.

The proposed fence will not harm any neighbors, nor blight the area. In fact, the fence will be much more attractive to people passing by than the existing struggling hedges. The fence will be shorter than the existing hedge and will not block any neighbors' light or view.

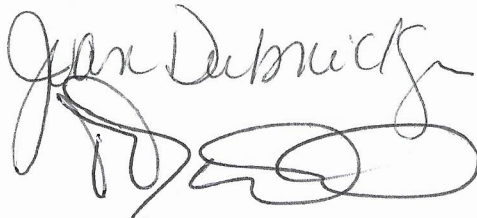
The proposed fence will align with a replacement split rail fence that will run from the back of the house to the front of the lot, ending a couple feet from the sidewalk. (We've had a split rail fence in this location for 18 years and just removed it so it can be replaced.) We cannot adjust the location of the split rail fence because we have substantial mature landscaping growing in the beds along the sidewalk.

We are homeowners that take great pride in our landscaping and appearance of our home. I can assure you that, if granted this waiver, the property appearance will only be enhanced. Many neighbors have commented on the appearance of our landscaping and lot. We are requesting this variance so we can continue to have a home that enhances our neighborhood.

We hereby state that the variance requested is the minimum variance necessary to allow reasonable use of the property to allow us to have a private setting in our backyard and to be able to do so with an attractive option (rather than hedges that are struggling to survive.)

Signed: Joan and Tom Dubnicka

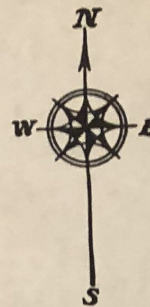
Date: 6/11/20

Handwritten signatures of Joan and Tom Dubnicka. The signature of Joan Dubnicka is written in cursive and is positioned above the signature of Tom Dubnicka, which is also in cursive and appears to be a stylized, bold signature.



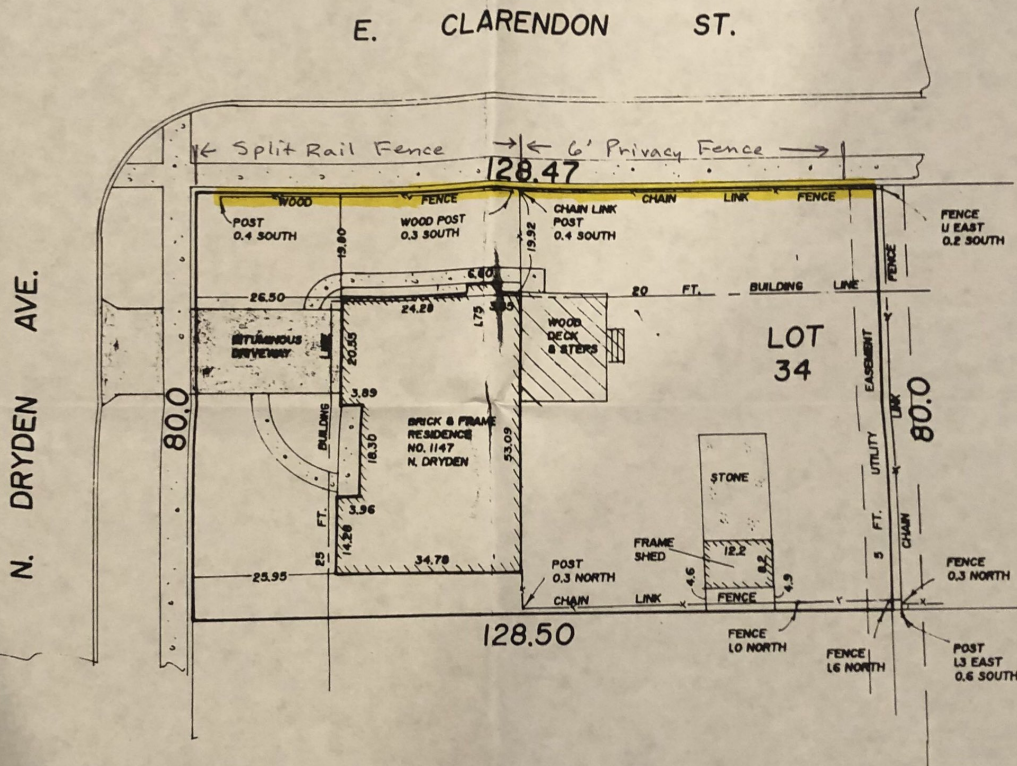
MURRY AND MOODY, LTD. Land Surveyors

Illinois Professional Land Surveying Firm Corporation License No. 048-000087
933 S. Plum Grove Road Suite 101 Palatine, Illinois 60067
Phone: (847) 358 3960



PLAT OF SURVEY OF

LOT 34 IN ORCHARD MANOR, BEING A SUBDIVISION IN THE SOUTHEAST QUARTER OF SECTION 20, 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 JANUARY 7, 1966, AS DOCUMENT NUMBER 2250480.



LEGEND AND NOTES

Dimensions shown thus: 50.25 are feet and decimal parts thereof. Angular data shown thus: 90° 00' 00" indicate degrees, minutes and seconds.

50.25 / N 90° 00' 00" E indicates measure dimension / bearing.
(50.25) / (N 90° 00' 00" E) indicates record dimension / bearing.
(50.25 d) / (N 90° 00' 00" E d) indicates deed call dimension / bearing.

Bearings shown hereon, if any, per local or assumed data, unless shown otherwise.

Compare your points before using same and report any differences immediately.

Check legal description with deed or title policy and report any discrepancy immediately. Building lines and easements, if any, shown hereon are as shown on the recorded subdivision plat or as indicated.

STATE OF ILLINOIS } ss.
COUNTY OF COOK }

I, James C. Colbourne II, an Illinois Professional Land Surveyor do hereby certify that I have surveyed the above described property, and that the above plat is a correct representation of said survey.

Palatine, Illinois MARCH 11, 2002

James C. Colbourne II
Illinois Professional Land Surveyor

ORDER No. 02-1079 138L70 SURVEY MADE FOR GUY M. KARM, ATTORNEY AT LAW SCALE 1" = 20'



**Zoning Board of Appeals
8/18/2020**

Item: 721 S. Beverly Ln. - ZBA#20-017

Department: Planning & Community Development

REQUEST

- A 2.9 foot variation from Chapter 28, Section 6.5-2 to allow a trellis with a side yard setback of 0.1 feet from the south property line where a minimum of 3.0 feet is required.

ATTACHMENTS:

Description

Supporting Documents

Type

Exhibits

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: August 18, 2020
Date Prepared: August 12, 2020
Project Title: Giannopoulos Residence
Address: 721 S. Beverly Ln.

Background Information

Petition Number: ZBA #20-017
Petitioner: Perry Giannopoulos
Address: 721 S. Beverly Ln.
Arlington Heights IL 60005

Existing Zoning: R-E Single-Family Residential District

Requested Action/Background Information

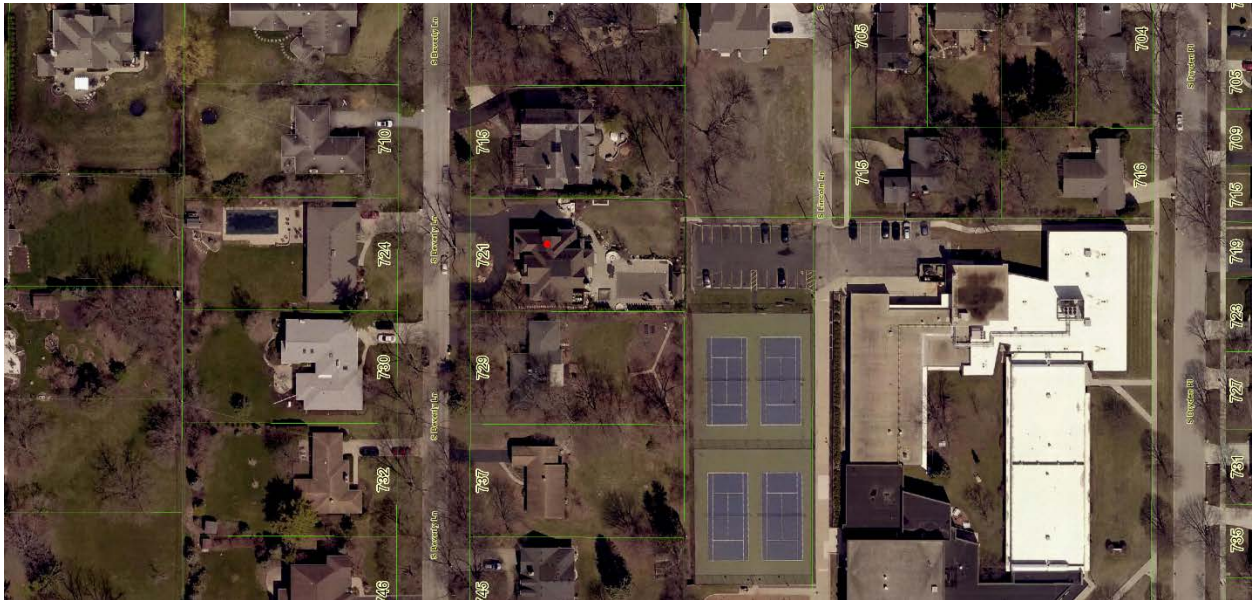
The subject property is zoned R-E, One-Family Dwelling District. The petitioner is proposing a 14 feet wide by 9 feet tall trellis along the south property line in the rear yard. Therefore, the petitioner requests the following variation:

- A 2.9 foot variation from Chapter 28, Section 6.5-2 to allow a trellis with a side yard setback of 0.1 feet from the south property line where a minimum of 3.0 feet is required.

Variation Review Standards

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

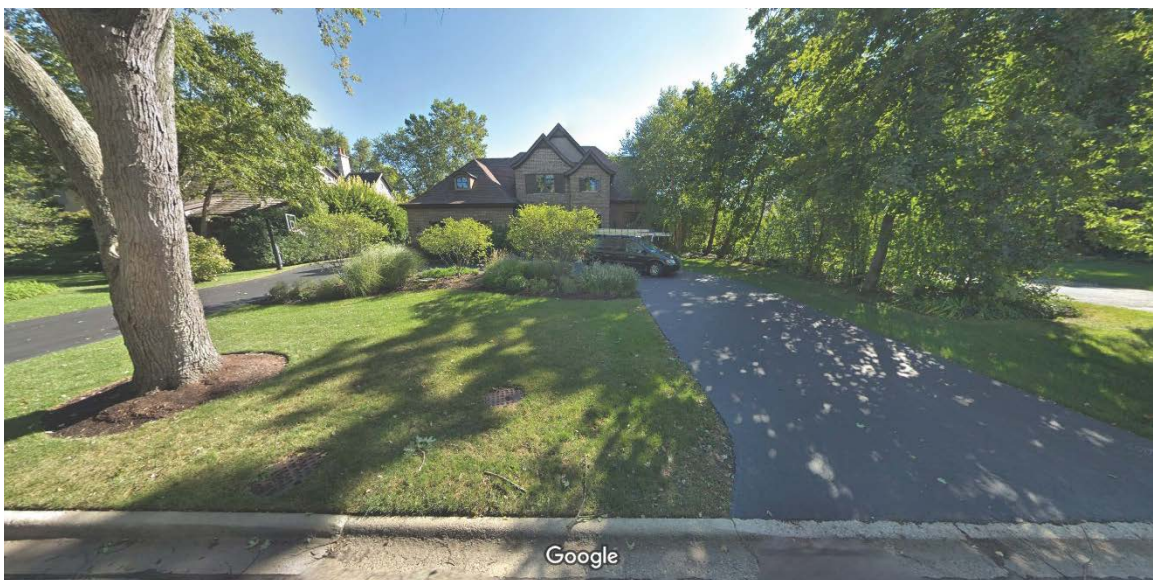
Map of General Vicinity



Items required to be Submitted 15 Days Prior to Public Hearing

<u>Item</u>	<u>Provided</u>	<u>Dated</u>	<u>Remarks</u>
1. Notification Affidavit	✓	7/28/20	
2. List of Property Owners Within 250 feet of Subject Property	✓	7/28/20	
3. Letter that was Mailed	✓	7/28/20	
4. Photographs of Sign on Property	✓	7/28/20	

Photographs of Existing Structure



ZBA# 20-017
721 S Beverly Lane- ZBA
Rev. Eng: Briget Schwab, P.E.
cc: Mike Pagones, P.E. Village Engineer

Application Date: July 10, 2020
Received by Planning:
Transmitted to Engineering: August 12, 2020
Received by Briget: August 12, 2020
Completed: August 12, 2020

The proposed ZBA application indicates that the petitioner is seeking:

A 2.9 foot variation from Chapter 28, Section 6.5-2 to allow a trellis with a side yard setback of 0.1 feet from the south property line where a minimum of 3.0 feet is required.

The Engineering Division has NO COMMENT on the proposed variance request.

--



Village of Arlington Heights Building & Life Safety Department

Interoffice Memorandum

To: Derek Mach, Zoning Board of Appeals Liaison

From: Deb Pierce, Building & Life Safety Department

Project Name: Giannopoulos Residence

Project Address: 721 S Beverly Lane

ZBA #: 20-017

Date: August 12, 2020

Derek:

I have reviewed the request for a 2.9 foot variation from Chapter 28, Section 6.5-2 to allow a trellis with a side yard setback of 0.1 feet from the south property line where a minimum of 3.0 feet is required and have no objections.

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Giannopoulos Residence

Project Address: 721 S. Beverly Lane

ZBA #: 20-017

ZBA Hearing Date: August 18, 2020

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

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

From: Derek Mach, Zoning Board of Appeals Liaison

Transmitted On: July 24, 2020

- A 2.9 foot variation from Chapter 28, Section 6.5-2 to allow a trellis with a side yard setback of 0.1 feet from the south property line where a minimum of 3.0 feet is required.

Attached are the Petitioner's:

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

Comments: No Comments. Steve Hautzinger, Design Planner

Please review, comment, and return to me no later than August 5, 2020.

PETITION

NOW COMES the Petitioners Perry and Rubine Giannopoulos

being the owners of the property commonly known as 721 S. Beverly Lane

and appeals to the Zoning Board of Appeals of the Village of Arlington Heights for a Variation from Section 6.13-3 Chapter 28, of the Arlington Heights Municipal Code, in order to construct a 14' wide by 9' tall decorative trellis within 1' of the property line.

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 trellis would not be visible from the street and could only be seen by the neighbors to the south. At 14' wide, the trellis will take up less than 8% of the property line. The trellis will be decorative and will fit in nicely with the existing arborvitae. The height of the trellis will be lower than the adjacent arborvitae.

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):

Our neighbor to the south recently removed a number of trees and bushes from their backyard. This created two large open views into our backyard which did not exist previously. Because we have a pool and hot tub which are frequently used by my wife, teenage daughter, and their friends, we desire a high level of privacy. Our property and the properties to the south also border the tennis courts and park at Dryden School, and people in those areas could clearly see into our pool and hot tub area. We planted a number of arborvitae to obscure one section of our yard but we are unable to plant arborvitae in the other section because of existing patio pavers and furniture. Because of the proximity to the pool in that section, we are not able to rearrange the pavers or the furniture. We would like to install a decorative trellis to partially screen the view into the yard in that section.

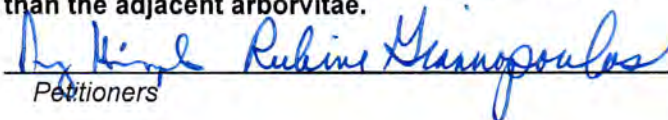
I hereby state that the proposed variation is in harmony with the spirit and intent of this Chapter (please explain):

The intent of Chapter 28 includes to provide adequate light, air, privacy and convenience of access to property (Section 2.3) and to promote and protect the public health, safety, morals, comfort and general welfare of the people (Section 2.1). The trellis will increase the privacy of our backyard, particularly in the pool and hot tub area where my family and our guests, including teenaged minors, frequently gather. The trellis will also increase the safety and comfort of my family and our guests. The trellis will not have a negative impact on the light, air, privacy, convenience of access, health, safety, or comfort of our neighbors. Therefore, I believe that the proposed variation is in harmony with the spirit and intent of this Chapter.

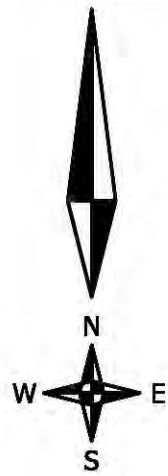
I hereby state that the variance requested is the minimum variance necessary to allow reasonable use of the property (please explain):

We have closed off other open views into our yard using a number of arborvitae but we are unable to plant arborvitae in this section because of the configuration of existing patio pavers and furniture. The proximity to the pool in that section precludes us from rearranging the pavers and the furniture. The 14' wide area that we have identified is the minimum section that can be screened and this area is adjacent to arborvitae on both sides. The 9' height of the trellis will provide a partial obstruction while allowing people to stand under it comfortably. The height is also less than the adjacent arborvitae.

Signed:


Petitioners

Date: July 10, 2020



PLAT OF SURVEY

BY

JOHN M. HENRIKSEN

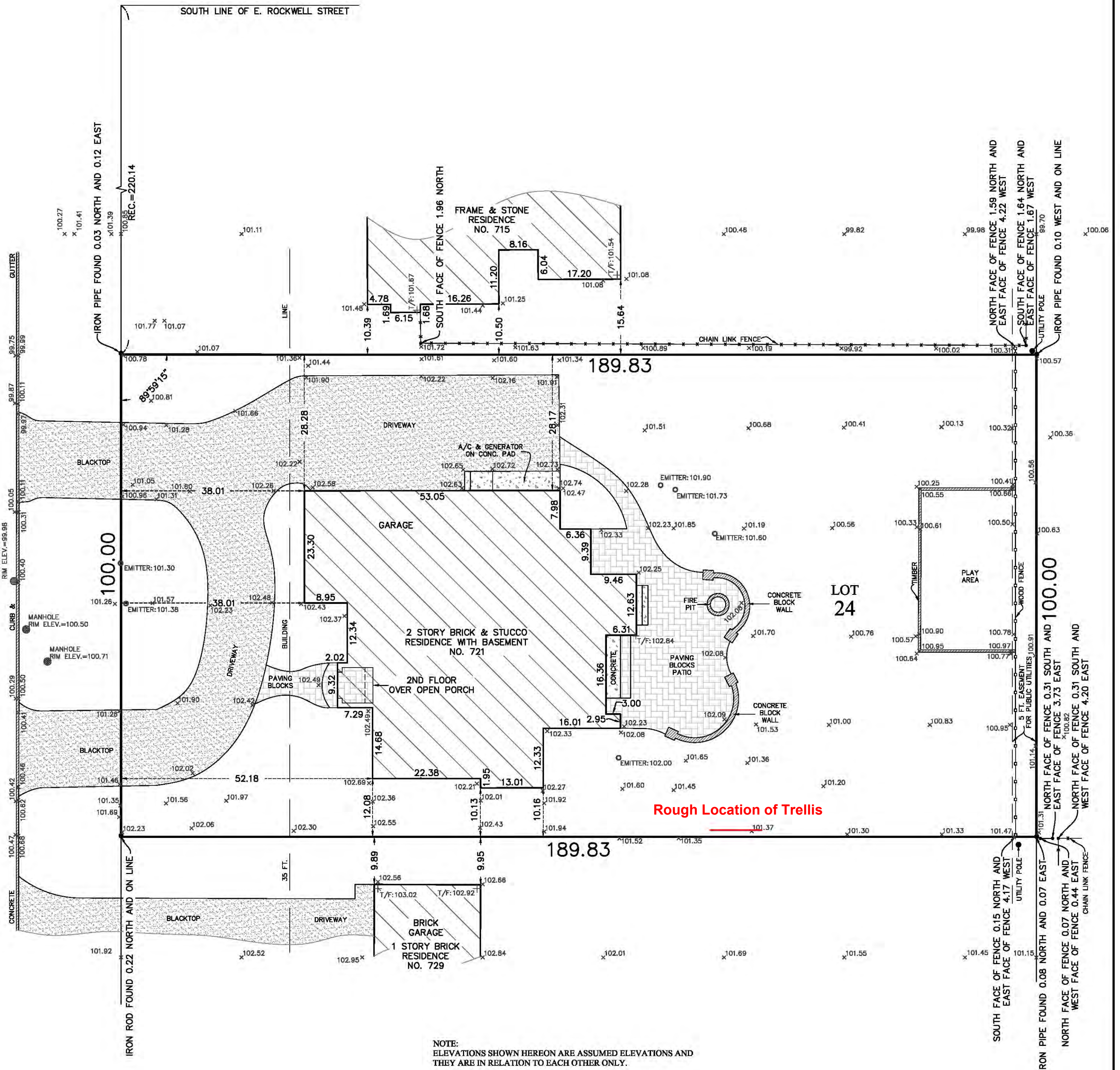
576 E. NORTHWEST HIGHWAY DES PLAINES, ILLINOIS 60016
TEL. 847-795-0301 FAX. 847-795-0302
WWW.HENRIKSENSURVEY.COM

OF

LOT 24 IN BLOCK 1 IN LAURINWOOD, A SUBDIVISION OF THE WEST HALF OF THE EAST 40 ACRES OF THAT PART LYING SOUTH OF THE NORTH 685.4 FEET OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 721 S. BEVERLY LANE
ARLINGTON HEIGHTS, IL

S. BEVERLY LANE



NOTE:
ELEVATIONS SHOWN HEREON ARE ASSUMED ELEVATIONS AND
THEY ARE IN RELATION TO EACH OTHER ONLY.

ORDER NUMBER: **050385-F-T**

SCALE: 1 INCH = 15 FEET

ORDERED BY: **SMART CONSTRUCTION GROUP, LTD.**

BUILDING LINES AND EASEMENTS, IF ANY, SHOWN HEREON
ARE BUILDING LINES AND EASEMENTS AS SHOWN ON THE
RECORDED SUBDIVISION PLAT. CONSULT LOCAL
AUTHORITIES FOR BUILDING LINES ESTABLISHED BY
LOCAL ORDINANCES.

PLEASE CHECK LEGAL DESCRIPTION WITH DEED.

COMPARE ALL POINTS BEFORE BUILDING AND REPORT
ANY DISCREPANCY IMMEDIATELY.

DIMENSIONS ARE NOT TO BE ASSUMED FROM SCALING.

FRACTIONAL INCH EQUIVALENTS
OF HUNDREDTHS OF A FOOT

0.01-1/8"	0.25-3"
0.02-1/4"	0.33-4"
0.03-3/8"	0.37-4-1/2"
0.04-1/2"	0.39-4-1/2"
0.05-5/8"	0.42-5"
0.06-3/4"	0.50-6"
0.07-7/8"	0.58-7"
0.08-1"	0.62-7-1/2"
0.09-1-1/8"	0.63-7-1/2"
0.10-1-1/4"	0.67-8"
0.11-1-3/8"	0.75-9"
0.12-1-1/2"	0.83-10"
0.13-1-1/2"	0.87-10-1/2"
0.14-1-5/8"	0.88-10-1/2"
0.15-1-3/4"	0.92-11"
0.16-1-7/8"	1.00-12"
0.17-2"	

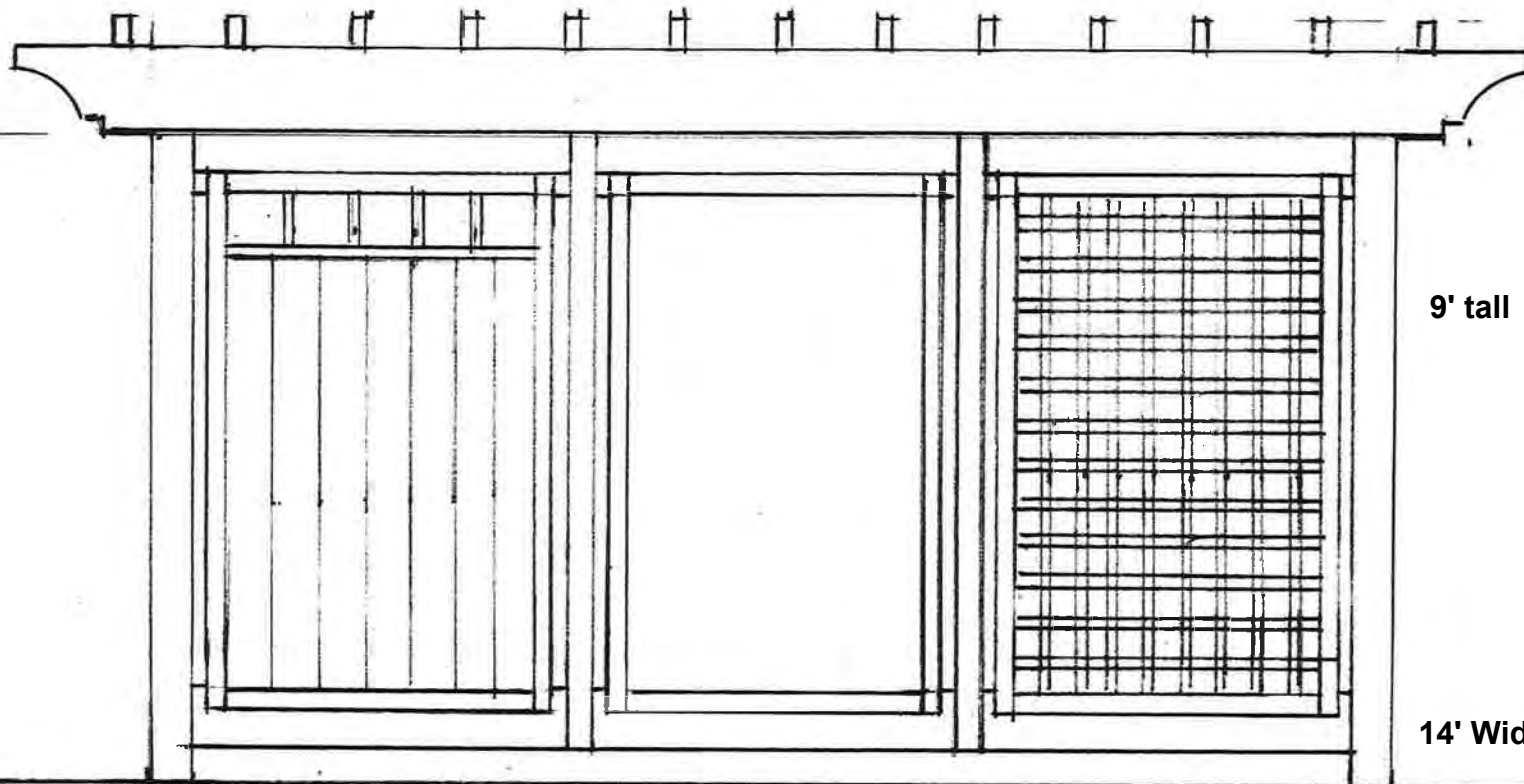
THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS
MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

STATE OF ILLINOIS)
COUNTY OF COOK)

I, JOHN M. HENRIKSEN, AN ILLINOIS PROFESSIONAL LAND SURVEYOR,
DO HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED
PROPERTY AND THAT THE PLAT HEREON DRAWN IS A CORRECT
REPRESENTATION OF SAID SURVEY. DIMENSIONS ARE SHOWN IN FEET
DECIMAL PARTS THEREOF.

DES PLAINES, ILLINOIS SEPTEMBER 10, 2013.

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2668
LICENSE EXPIRES NOVEMBER 30, 2014.



Top will be
about 17' wide.

9' tall

14' Wide

A

B

We have selected the
Trellis option (B)

GIANNOPOULOS TRELLIS



Clear view from the neighbor's house into the pool area.



Pool area is visible from multiple houses.



Pool area is visible from multiple yards.



Hot tub area is visible from Dryden School during most of the year when the bushes are not fully grown. The Dryden area is frequented by teens on many nights.



Rough Location of Trellis (not to scale)

A photograph of a well-maintained backyard patio. In the foreground, a circular fire pit with a mosaic tile border sits on a stone patio. Two wicker chairs with tan cushions and patterned throw pillows are positioned on either side of the fire pit. Behind the chairs is a stone built-in grill with a stainless steel top and a stone counter. To the right of the grill is a tall, black patio heater. In the background, a wooden trellis with a lattice pattern is covered in green vines. A brick house with white trim and dark shutters is visible behind the trellis. Large trees and dense foliage surround the patio, creating a lush, private outdoor space.

We would like to do a trellis pattern like this one, which is also in Arlington Heights. ←



Zoning Board of Appeals 8/18/2020

Item: 1141 N. Chestnut Ave. - ZBA#20-018

Department: Planning & Community Development

REQUEST

Lot 11 (Standard Interior Lot)

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

Lot 12 (Corner Lot)

- A variation from Chapter 28, Section 5.1-3.1 (Minimum Lot Size), to allow a lot (Lot 12) with an area of 8,469 square feet to be buildable where 8,750 square feet is required.
- A 26 foot variation from Chapter 28, Section 5.1-3.1 (Minimum Lot Width) to allow a lot (Lot 12) with a width of 64 feet to be buildable where 90 feet is required for a corner lot.
- A 12.3 foot variation from Chapter 28, Section 5.1-3.2 (Required Minimum Yards) to allow a new home with an exterior side yard setback of 11.0 feet instead of the required 23.3 feet.

ATTACHMENTS:

Description

Supporting Documents

Type

Exhibits

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: August 18, 2020
Date Prepared: August 12, 2020
Project Title: 1141 N Chestnut Ave
Address: 1141 N Chestnut Ave

Background Information

Petition Number: ZBA #20-018
Petitioner: Kevin Purdom / JRC Design Build
Address: 1275 E Davis St
Arlington Heights IL 60005

Existing Zoning: R-3 Single-Family Residential District

Requested Action/Background Information

The subject property is zoned R-3, Single-Family Residential District. The petitioner is proposing to knock down the existing home and create two buildable lots. The zoning lot consists of two parcels; however, variations are necessary since the parcels do not meet the minimum R-3 zoning requirements for lot width and area. Lot 11 is 7,920 square feet in area and 60 feet in width where 8,750 square feet and 70 feet in width is required. Lot 12 is 8,469 square feet in area and 64 feet in width where 8,750 square feet and 90 feet in width is required. In addition, the petitioner is requesting a setback variance for the exterior side yard setback along Clarendon Street. Therefore, the petitioner is requesting the following variations:

Lot 11 (Standard Interior Lot)

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

Lot 12 (Corner Lot)

- A variation from Chapter 28, Section 5.1-3.1 (Minimum Lot Size), to allow a lot (Lot 12) with an area of 8,469 square feet to be buildable where 8,750 square feet is required.
- A 26 foot variation from Chapter 28, Section 5.1-3.1 (Minimum Lot Width) to allow a lot (Lot 12) with a width of 64 feet to be buildable where 90 feet is required for a corner lot.
- A 12.3 foot variation from Chapter 28, Section 5.1-3.2 (Required Minimum Yards) to allow a new home with an exterior side yard setback of 11.0 feet instead of the required 23.3 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	✓	7/27/20	
2. List of Property Owners Within 250 feet of Subject Property	✓	7/27/20	
3. Letter that was Mailed	✓	7/27/20	
4. Photographs of Sign on Property	✓	7/27/20	

Photographs of Existing Structure



ZBA# 20-018 and 20-019
1141 and 1143 S Chestnut Avenue - ZBA
Rev. Eng: Briget Schwab, P.E.
cc: Mike Pagones, P.E. Village Engineer

Application Date: June 15, 2020
Received by Planning:
Transmitted to Engineering: August 12, 2020
Received by Briget: August 12, 2020
Completed: August 12, 2020

The proposed ZBA application indicates that the petitioner is seeking:

Lot 11 (Standard Interior Lot)

- A variation from Chapter 28, Section 5.3-3.1 (Table of Minimum Lot Size), for Lot 11 to allow a 7,920 square foot lot to be buildable where 8,750 square feet is required.
- A 10 foot variation from Chapter 28, Section 5.1-3.1 (Minimum Lot Size) to allow a lot (Lot 11) with a width of 60 feet to be buildable where 70 feet is required.

Lot 12 (Corner Lot)

- A variation from Chapter 28, Section 5.3-3.1 (Table of Minimum Lot Size), for Lot 12 to allow a 8,469 square foot lot to be buildable where 8,750 square feet is required.
- A 26 foot variation from Chapter 28, Section 5.1-3.1 (Minimum Lot Size) to allow a lot (Lot 12) with a width of 64 feet to be buildable where 90 feet is required for a corner lot.
- A 12.3 foot variation from Chapter 28, Section 5.1-3.2 (Required Minimum Yards) to allow a new home with an exterior side yard setback of 11.0 feet instead of the required 23.3 feet.

The Engineering Division has NO COMMENT on the proposed variance requests.

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Village of Arlington Heights Building & Life Safety Department

Interoffice Memorandum

To: Derek Mach, Zoning Board of Appeals Liaison

From: Deb Pierce, Building & Life Safety Department

Project Name: Cochran/JKJ Properties

Project Address: 1141 N. Chestnut

ZBA #: 20-018 & 20-019

Date: August 12, 2020

Derek:

I have reviewed the request for the following:

Lot 11 (Standard Interior Lot)

- A variation from Chapter 28, Section 5.3-3.1 (Table of Minimum Lot Size), for Lot 11 to allow a 7,920 square feet lot to be buildable where 8,750 square feet is required.
- A 10 foot variation from Chapter 28, Section 5.1-3.1 (Minimum Lot Size) to allow a lot (Lot 11) with a width of 60 feet to be buildable where 70 feet is required.

Lot 12 (Corner Lot)

- A variation from Chapter 28, Section 5.3-3.1 (Table of Minimum Lot Size), for Lot 12 to allow a 8,469 square feet lot to be buildable where 8,750 square feet is required.
- A 26 foot variation from Chapter 28, Section 5.1-3.1 (Minimum Lot Size) to allow a lot (Lot 12) with a width of 64 feet to be buildable where 90 feet is required for a corner lot.
- A 12.3 foot variation from Chapter 28, Section 5.1-3.2 (Required Minimum Yards) to allow a new home with an exterior side yard setback of 11.0 feet instead of the required 23.3 feet.

I have no objections to the variances.

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Cochran/JKJ Properties

Project Address: 1141 N. Chestnut

ZBA #: 20-018 and 20-019

ZBA Hearing Date: August 18, 2020

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

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

From: Derek Mach, Zoning Board of Appeals Liaison

Transmitted On: July 24, 2020

Lot 11 (Standard Interior Lot)

- A variation from Chapter 28, Section 5.3-3.1 (Table of Minimum Lot Size), for Lot 11 to allow a 7,920 square feet lot to be buildable where 8,750 square feet is required.
- A 10 foot variation from Chapter 28, Section 5.1-3.1 (Minimum Lot Size) to allow a lot (Lot 11) with a width of 60 feet to be buildable where 70 feet is required.

Lot 12 (Corner Lot)

- A variation from Chapter 28, Section 5.3-3.1 (Table of Minimum Lot Size), for Lot 12 to allow a 8,469 square feet lot to be buildable where 8,750 square feet is required.
- A 26 foot variation from Chapter 28, Section 5.1-3.1 (Minimum Lot Size) to allow a lot (Lot 12) with a width of 64 feet to be buildable where 90 feet is required for a corner lot.
- A 12.3 foot variation from Chapter 28, Section 5.1-3.2 (Required Minimum Yards) to allow a new home with an exterior side yard setback of 11.0 feet instead of the required 23.3 feet.

Attached are the Petitioner's:

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

Comments: Design Commission applications will be required to be submitted for review/approval for
the two new houses. Steve Hautzinger, Design Planner

Please review, comment, and return to me no later than August 5, 2020.

PETITION for 1141 Chestnut

The following petition form shall be used when submitting a petition for a variation from Chapter 28 of the Arlington Heights Municipal Code. This must be submitted with a fully executed application to the Zoning Board of Appeals. Please refer to Section 12 of Chapter 28 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 Kevin Purdom

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

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

Chapter 28, of the Arlington Heights Municipal Code, in order to: create two separate lots with lot widths of 60'-0" (interior Lot)
and 64'-3" (corner lot)

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

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

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

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

Signed: 
Petitioner

Date: 07/02/2020

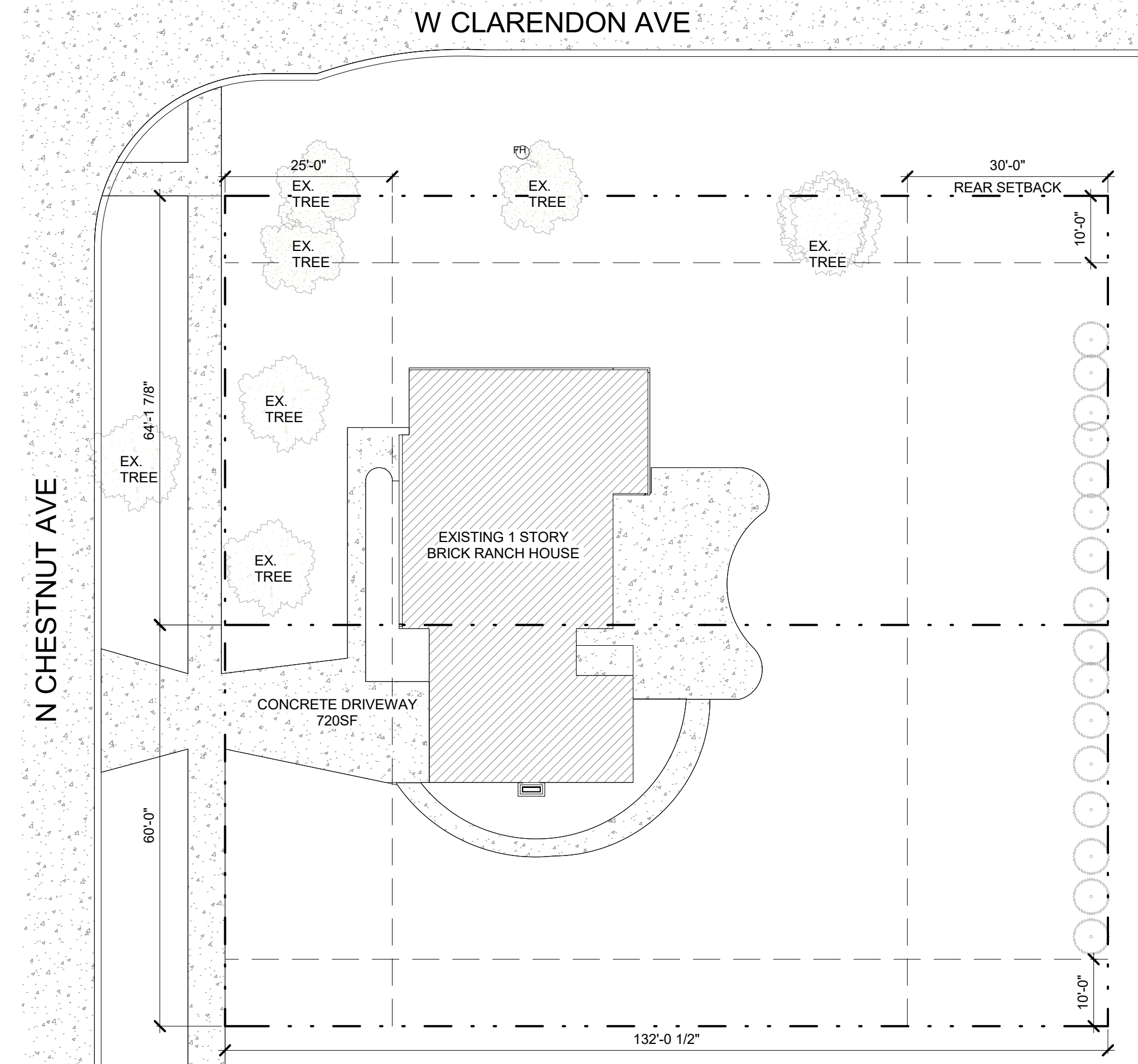
SITE SETBACKS (R-3)	REQUIRED	PROPOSED
FRONTYARD	27'-8"	32'-11"
INTERIOR SIDE YARD	6'-4"	6'-4"
EXTERIOR SIDEYARD 10% LOT WIDTH	10'-0"	11'-0"
REARYARD	30'-0"	40'-11"
HEIGHT - MEAN	25'-0"	24'-0"

SITE PLAN LEGEND & NOTES

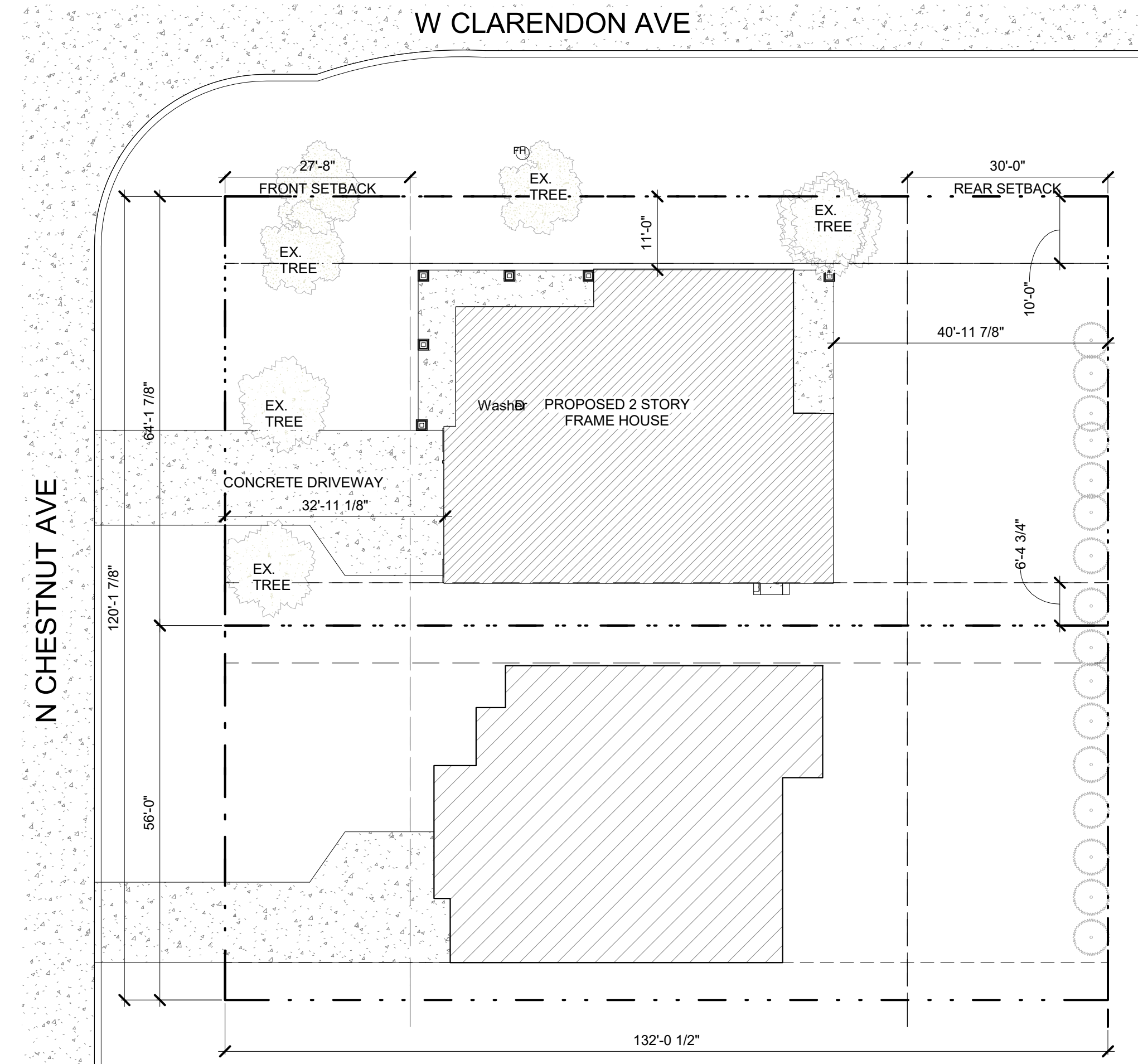
- INFORMATION ON THIS DRAWING IS ACCUMULATED FROM EXISTING DOCUMENTATION AND MUST BE CONFIRMED BY THE CONTRACTOR AND COORDINATED WITH THE ARCHITECT PRIOR TO CONSTRUCTION.
- VERIFY LOCATIONS OF ALL UTILITIES AND OTHER BUILDING SERVICES PRIOR TO EXCAVATION.
- PROVIDE REQUIRED WORK TO ACCOMODATE EXISTING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

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

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



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



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



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

NEW SINGLE FAMILY
RESIDENCE
1141 N CHESTNUT AVE
ARLINGTON HEIGHTS, IL
60004

DATE

06/XX/2020

ISSUE DATE

XX/XX/2020 DESIGN REVIEW

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

SHEET TITLE

SITE PLAN

SHEET NUMBER

A1.0



**Zoning Board of Appeals
8/18/2020**

Item: 216-220 W. Campus Dr. - ZBA#20-020

Department: Planning & Community Development

REQUEST

216 W. Campus Drive

- A variance from Chapter 28, Section 10.2-11.2 for 9 parking spaces located in the required front yard.

220 W. Campus Drive

- A variance from Chapter 28, Section 10.2-11.2 for 12 parking spaces located in the required front yard.
- A variance from Chapter 28, Section 6.15-1.2b for no landscape islands at the end of the proposed parking rows located in the southwest corner where landscape islands with a 4-inch caliper shade tree is required.

ATTACHMENTS:

Description

Supporting Documents

Type

Exhibits

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: August 18, 2020
Date Prepared: August 12, 2020
Project Title: 216 & 220 W. Campus Dr.
Address: 216 & 220 W. Campus Dr.

Background Information

Petition Number: ZBA #20-020
Petitioner: Gordon Schroll
Address: 220 W. Campus Dr.
Arlington Heights, IL 60004

Existing Zoning: M-1, Research, Development and Light Manufacturing District

Requested Action/Background Information

The petitioner is proposing to modify the existing parking lot in order to gain additional parking spaces. The subject site is zoned M-1, Limited Heavy Manufacturing District and the two parcels have a total land area of approximately 113,950 square feet. In order to add additional parking spaces, the petitioner is requesting variances for locating parking in the required front yard. Pursuant to Chapter 28, Section 10.2-11.2, off street parking in the M-1 zoning district may be located in any yard except the required front yard. The petitioner was also requesting a variance to forgo the required 3-foot high landscape screening adjacent to the parking lot along Campus Drive; however, the variation is no longer necessary since the petitioner has indicated that they are amenable to pursuing an easement for the landscape screen within the Village right-of-way subject to the petitioner being responsible for the maintenance of the plant material. In addition, the petitioner is requesting a variance for no landscape islands at the ends of the proposed parking rows located in the southwest corner where landscape islands with a 4-inch caliper shade tree is required. The petitioner is requesting the following variations:

216 W. Campus Drive

- A variance from Chapter 28, Section 10.2-11.2 for 9 parking spaces located in the required front yard.

220 W. Campus Drive

- A variance from Chapter 28, Section 10.2-11.2 for 12 parking spaces located in the required front yard.
- A variance from Chapter 28, Section 6.15-1.2b for no landscape islands at the end of the proposed parking rows located in the southwest corner where landscape islands with a 4-inch caliper shade tree is required.

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	✓	8/3/20	
2. List of Property Owners Within 250 feet of Subject Property	✓	8/3/20	
3. Letter that was Mailed	✓	8/3/20	
4. Photographs of Sign on Property	✓	8/3/20	

Photographs of Existing Structure







Village of Arlington Heights Building & Life Safety Department

Interoffice Memorandum

To: Derek Mach, Zoning Board of Appeals Liaison

From: Deb Pierce, Building & Life Safety Department

Project Name: Gordon Schroll

Project Address: 216 & 220 W Campus Dr

ZBA #: 20-020

Date: August 12, 2020

Derek:

I have reviewed the request for the following:

216 W. Campus Drive

- A variance from Chapter 28, Section 10.2-11.2 for parking located in the required front yard.

220 W. Campus Drive

- A variance from Chapter 28, Section 10.2-11.2 for parking located in the required front yard.
- A variance from Chapter 28, Section 6.15-1.2b for no landscape islands at the end of the parking rows located in the southwest corner where landscape islands with a 4 inch caliper shade tree is required.

I have no objections to the variances.

ZBA# 20-020

216 & 220 W Campus Dr - ZBA

Rev. Eng: Mike Pagones, P.E. Village Engineer

cc: Briget Schwab, P.E.

Application Date: July 17, 2020

Received by Planning:

Transmitted to Engineering: August 12, 2020

Received by Engineering: August 12, 2020

Completed: ~~August 12, 2020~~ **REVISED August 13, 2020**

The proposed ZBA application indicates that the petitioner is seeking:

216 W. Campus Drive: A variation from Chapter 28, Section 10.2-11.2 for parking located in the required front yard.

The Engineering Division has NO COMMENT on the requested parking variation to allow parking located in the required front yard.

The following COMMENTS are regarding geometrics:

- 1) No change is proposed to the existing 19.2' wide drive aisle.
Two-way traffic is occurring now. Code requires 24' width.**
- 2) Petitioner is notified that the 19.2' drive aisle may contribute to increased crashes associated with parking maneuvers. At permit, provide an exhibit showing vehicle turning movements for parking.**

220 W. Campus Drive: A variation from Chapter 28, Section 10.2-11.2 for parking located in the required front yard.

The Engineering Division has NO COMMENT on the requested parking variation to allow parking located in the required front yard.

220 W. Campus Drive: A variation from Chapter 28, Section 6.15-1.2b for no landscaping islands at the end of the parking rows located in the southwest corner where landscaping islands with a 4 inch caliper shade tree is required.

The Engineering Division has NO COMMENT on the requested variation to eliminate landscape islands at the end of the proposed parking rows.

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Gordon Schroll

Project Address: 216 and 220 W. Campus Drive

ZBA #: 20-020

ZBA Hearing Date: August 18, 2020

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

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

From: Derek Mach, Zoning Board of Appeals Liaison

Transmitted On: July 24, 2020

216 W. Campus Drive

- A variance from Chapter 28, Section 10.2-11.2 for parking located in the required front yard.

220 W. Campus Drive

- A variance from Chapter 28, Section 10.2-11.2 for parking located in the required front yard.
- A variance from Chapter 28, Section 6.15-1.2b for no landscape islands at the end of the parking rows located in the southwest corner where landscape islands with a 4 inch caliper shade tree is required.

Attached are the Petitioner's:

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

Comments: **No Comments.** Steve Hautzinger, Design Planner

Please review, comment, and return to me no later than August 5, 2020.

PETITION

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

PETITION

NOW COMES the Petitioner Gordon Schroll

being the owner of the property commonly know as: 216 and 220 W. Campus Drive, Arlington Heights, IL

and appeals to the Zoning Board of Appeals of the Village of Arlington Heights for a Variation from Section 0.2-11.2/10.2-8, 6.15-1.2b

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

Parking to be allowed in the required front yard, reduced code required drive aisle width,

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 area is heavily commercial, with many different parking applications, along with a previously approved similar variance type.

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): _____

Utilizing an old existing structure, old outdated existing parking footprint to accommodate current building use, further restricted by a cul-de-sac.

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

Allowing the variances will not hamper the aesthetics of the area, as screening will be provided, and the aisle width matches that of the existing width.

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

We have explored various other options to accommodate the Owner's needs, and these are the only reasonable options for the use of the property.

Signed: _____

Petitioner

Date: 7/17/20

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FOR OFFICE USE ONLY

ALTA / NSPS - LAND TITLE SURVEY
PREPARED BY
MARCHESE SURVEYING, INC.

RESIDENTIAL - COMMERCIAL SURVEYS

714 Fairview Lane
Bartlett, Illinois 60103

Phone: (630)830-1570
Fax: (630)830-1844
E-Mail: marchesesurveying@gmail.com

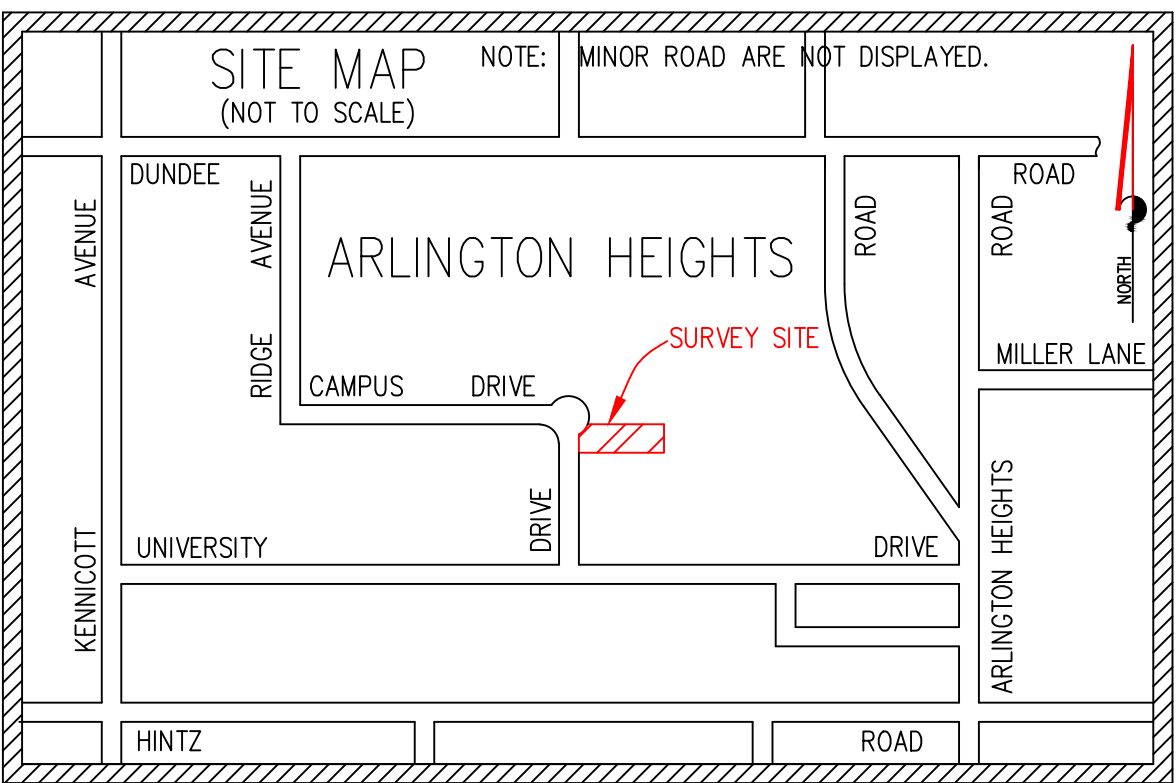
PROPERTY DESCRIPTION

LOT 16 IN THE RESUBDIVISION OF LOT 1 IN ARLINGTON INDUSTRIAL AND RESEARCH CENTER UNIT NUMBER 2, BEING A SUBDIVISION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 23, 1968 AS DOCUMENT NUMBER 20710559, IN COOK COUNTY, ILLINOIS.

ALSO KNOWN AS: 216 CAMPUS DRIVE IN ARLINGTON HEIGHTS, ILLINOIS.
CONTAINING 40,745.14 SQUARE FEET OR 0.94 ACRES, MORE OR LESS.

PERMANENT INDEX NUMBER = 03 - 07 - 204 - 009

COMMERCIAL BUILDING SHOWN HEREON HAS 14,170.13 SQUARE FEET, MORE OR LESS.



OWNER INFORMATION:
LW ARLINGTON, L.L.C.
PIN NO. 03-08-102-035
3250 NORTH ARLINGTON HEIGHTS
ARLINGTON HEIGHTS, ILLINOIS.
(NO KNOWN SUBDIVISION INFORMATION)

NOTES:
1) BASIS OF ALL BEARING SHOWN HEREON ARE ASSUMED.

SNOW NOTE:
DUE TO HEAVY SNOW AND ICE CONDITIONS SOME FEATURES MAY BE DISTORTED OR NOT SHOWN HEREON.

SCALE: ONE INCH = FIFTEEN FEET

ORDER NO.: 19-4210

ORDERED BY: MR. WILLIAM B. LEVY
ATTORNEY AT LAW

COMPARE ALL POINTS BEFORE BUILDING BY SAME AND AT ONCE REPORT ANY DIFFERENCE. FOR BUILDING LINE AND OTHER RESTRICTIONS NOT SHOWN HEREON, REFER TO YOUR CONTRACT, ABSTRACT, DEED, TITLE INSURANCE POLICY AND ZONING ORDINANCE.

STATE OF ILLINOIS S.S.
COUNTY OF DUPAGE

I, ROCCO J. MARCHESE, BEING A DULY LICENSED AND QUALIFIED SURVEYOR IN AND FOR THE STATE OF ILLINOIS, DO HEREBY CERTIFY TO:

PURCHASER: 216 CAMPUS, L.L.C. AN ILLINOIS LIMITED LIABILITY COMPANY

TITLE COMPANY: CHICAGO TITLE INSURANCE COMPANY

LENDER: NONE

THAT I MADE A SURVEY OF THE ABOVE DESCRIBED LAND IMPROVEMENTS DATED ON THE 10TH DAY OF MARCH 2019 IN ACCORDANCE WITH THE "MINIMUM STANDARDS DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS". JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS IN 2016, AND INCLUDES ITEMS: 1, 2, 3, 4, 7A, 7B, 7C, 8, 9, 11A (OBSERVED ONLY) AND 13. FROM TABLE "A" THEREOF. PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA/NSPS AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, UNDERSIGN FURTHER CERTIFIES THAT IN MY PROFESSIONAL OPINION, AS A LAND SURVEYOR REGISTERED IN THE STATE OF ILLINOIS, THE RELATIVE POSITIONAL ACCURACY OF THE SURVEY DOES NOT EXCEED THAT WHICH IS SPECIFIED THEREIN.

DATED AT BARTLETT, MARCH 12, 2019

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3039
MY LICENSE EXPIRES ON NOVEMBER 30, 2020

ANY REPRODUCTION OF THIS PLAT IS STRICTLY PROHIBITED WITHOUT WRITTEN CONSENT FROM MARCHESE SURVEYING, INC.

DRAWN BY: R.J.M.
CHECK BY: R.J.M.

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ZONING NOTES:

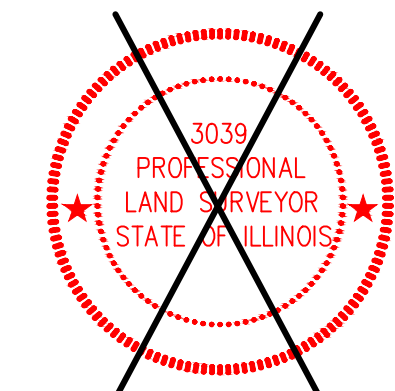
THE SURVEY SITE SHOWN HEREON IS DESIGNATED AS ZONE "M-1", WHICH IS ALSO KNOWN AS RESEARCH, DEVELOPMENT AND LIGHT MANUFACTURING DISTRICT. TO VERIFY AND/OR OBTAIN FURTHER INFORMATION AND DETAILS CONSULT THE VILLAGE OF ARLINGTON HEIGHTS BUILDING AND ZONING ORDINANCE. THE FOLLOW APPLIES TO THE ZONE "M-1".

MINIMUM BUILDING FRONT YARD SETBACK IS 50.00 FEET FOR MAJOR OR SECONDARY ARTERIAL, 40.00 FEET COLLECTOR, SUB-COLLECTOR.
MINIMUM BUILDING SIDE YARD SETBACK IN 10% OF LOT WIDTH OR 25.00 FEET WHICHEVER IS GREATER BUT TOTAL NOT TO EXCEED 50.00 FEET WHEN ADJACENT TO RESIDENTIAL DISTRICT IN WHICH CASE NOT CLOSER THAN 50.00 FEET.
MINIMUM BUILDING REAR YARD SETBACK IS 30.00 FEET EXCEPT WHEN ADJACENT TO RESIDENTIAL DISTRICT IN WHICH CASE A 50.00 FEET MINIMUM.

MAXIMUM FLOOR AREA RATIO: 250%.
MAXIMUM BUILDING COVERAGE: 200%.
MAXIMUM BUILDING HEIGHT: NO ZONING REQUIREMENTS, SEE BUILDING CODE.

REFER TO ARLINGTON HEIGHTS MUNICIPAL CODE FOR FURTHER DETAILS.

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FOR OFFICE USE ONLY



NOT VALID UNLESS SEAL IS IN RED INK.

NORTH

IT IS MY INTERPOLATION OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY MAPS KNOW AS "FEMA"

MAP SOURCE: FLOOD INSURANCE RATE MAP (NATIONAL FLOOD INSURANCE PROGRAM)
COMMUNITY PANEL NUMBER 63 OF 832

MAP NUMBER: 17031C0063J

DATED: AUGUST 19, 2008

ZONE: "X" (AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE OF FLOODPLAIN.

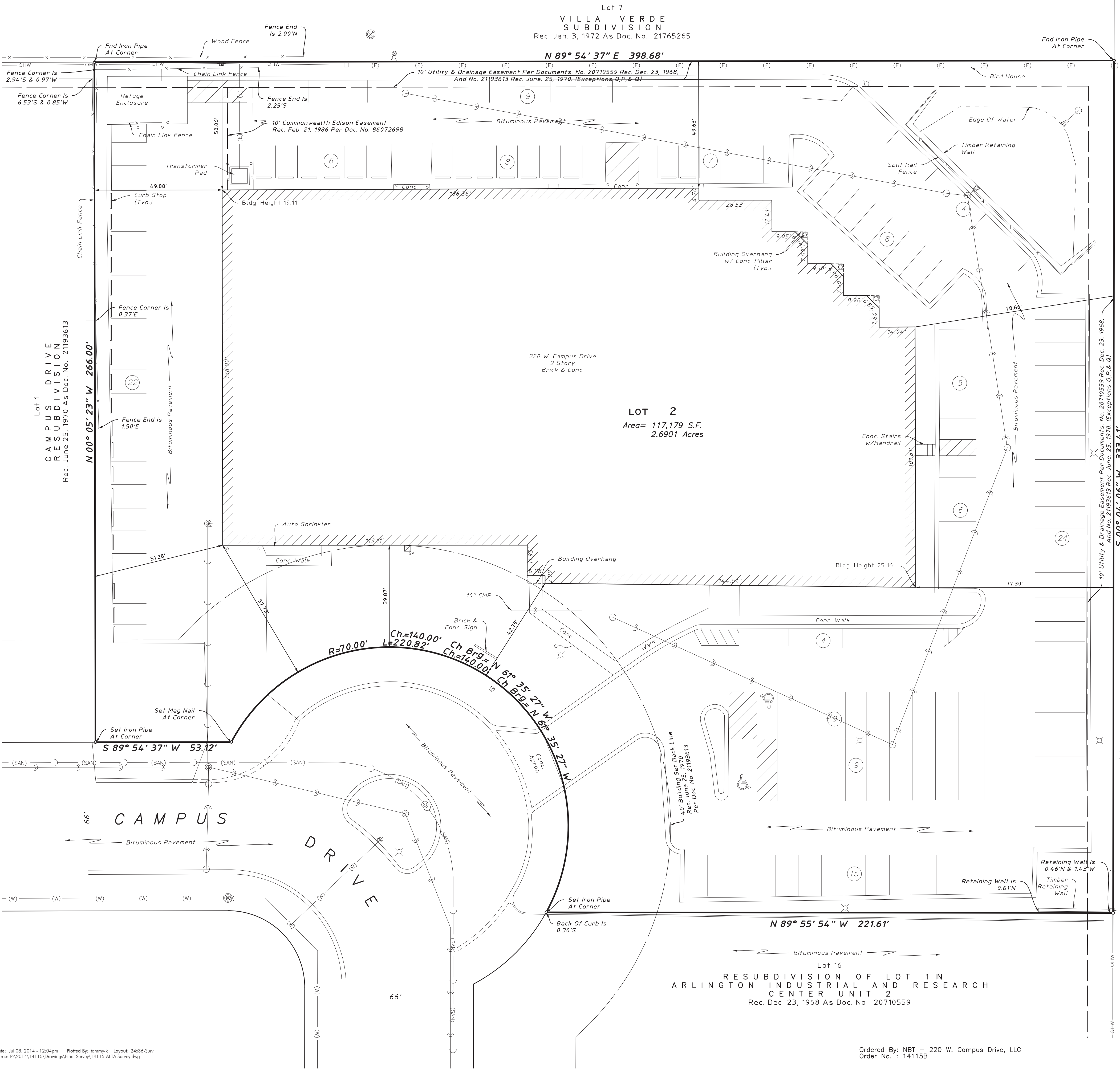
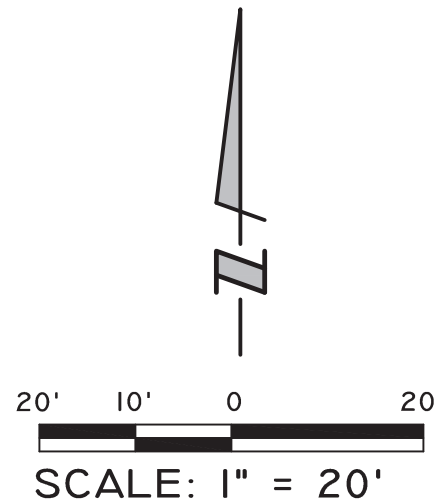
THIS DOES NOT ISSUE A GUARANTEE THAT THE SUBJECT PROPERTY MAY OR MAY NOT FLOOD.

NOTE THAT THE PARKING LINES/STRIPING SHOWN HEREON ARE SOMEWHAT FADED.
WE FIND 14 NORMAL PARKING SPACES LOCATED WITHIN THE SURVEY SITE.
WE FIND NO HANDICAP MARKINGS ON ANY OF THE SPACES.

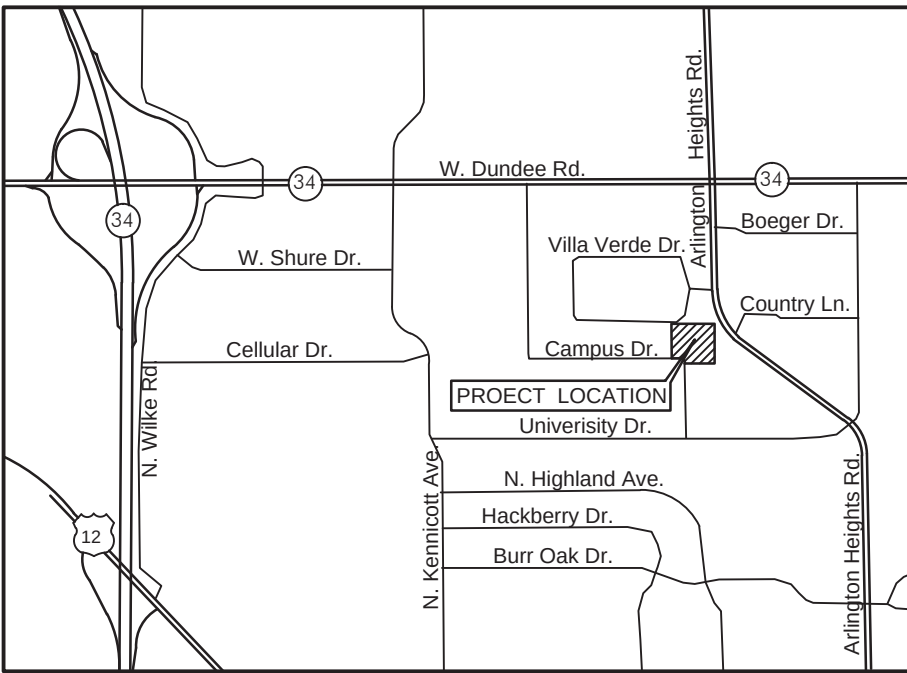
ALTA / ACSM LAND TITLE SURVEY

OF

LOT 2 IN CAMPUS DRIVE RESUBDIVISION OF LOTS 13 14 AND 15 IN RESUBDIVISION OF LOT 1 IN ARLINGTON INDUSTRIAL AND RESEARCH CENTER, UNIT NO. 2, BEING A SUBDIVISION OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 7, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY ILLINOIS.



ARLINGTON
HEIGHTS



LOCATION MAP
NOT TO SCALE

PARKING SUMMARY

Regular spaces	136
Accessible spaces	2
TOTAL	138

Surveyor's notes:

- The basis of bearing shown hereon is assumed.
- Utility information shown hereon is based upon field measurements, available records. Information from field data is limited to that which is visible and can be measured. This survey does not exclude the possibility of the existence of other underground utilities and/or structures. Record information is based upon data collected from both public and private sources. The completeness and/or accuracy of these records cannot be guaranteed, except for those items that can be verified by field measurement. Prior to any excavation contact J.U.L.E. (1-800-892-0123).
- Based on information provided on the Flood Insurance Rate Map Community - Panel No. 17031C0063J dated August 19, 2008 produced by the Federal Emergency Management Agency (FEMA) for Cook County, Illinois, the property shown and described hereon is located within Zone X, which is defined by FEMA as "Areas determined to be outside the 0.2% annual chance floodplain".
- In regards to Table A Item 6(a) - No Zoning information was supplied by the insurer. According to the Village of Arlington Heights GIS website (vah.com) Zoning map dated January 1, 2014 the subject property is Zoned "M-1" Research, Development and Light Manufacturing District.
- In the preparation of this survey reference was made to Chicago Title Insurance Company Commitment for Title Insurance Order No. 1412 SA9704080 with an Effective Date of June 5, 2014.

With respect to **Schedule B** of said commitment:

- Exception M** - Easement in Favor of Commonwealth Edison Company - Doc No. 86072698 - Plotted hereon
Exception N - Building Setback Line - Doc. No. 20710559 & 21193613 - Plotted hereon
Exception O - Easement for Public Utilities and Drainage - Doc. No. 20710559 & 21193613 - Plotted hereon.
Exception P - Utility Easement in favor of Commonwealth Edison Company and Illinois Bell Telephone Company - Doc. No. 20710559 & 21193613 - Plotted hereon
Exception Q - Utility Easement in favor of Northern Illinois Gas Company - Doc. No. 20710559 & 21193613 - Plotted hereon
Exception R - Covenants and Restrictions - Doc. No. 20663885 - affects the subject property, however there are no plottable survey items.

State of Illinois)
County of Cook) SS:

To: NBT - 220 W. Campus Drive, LLC;
220 Campus Drive, LLC;
Northbrook Bank & Trust Company;
Chicago Title Insurance Company its successors and/or assigns.

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 1, 2, 3, 4, 6(a), 7(a), 8, 9, 11(b) and 14 of Table A thereof. The field work was completed on July 7, 2014.

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

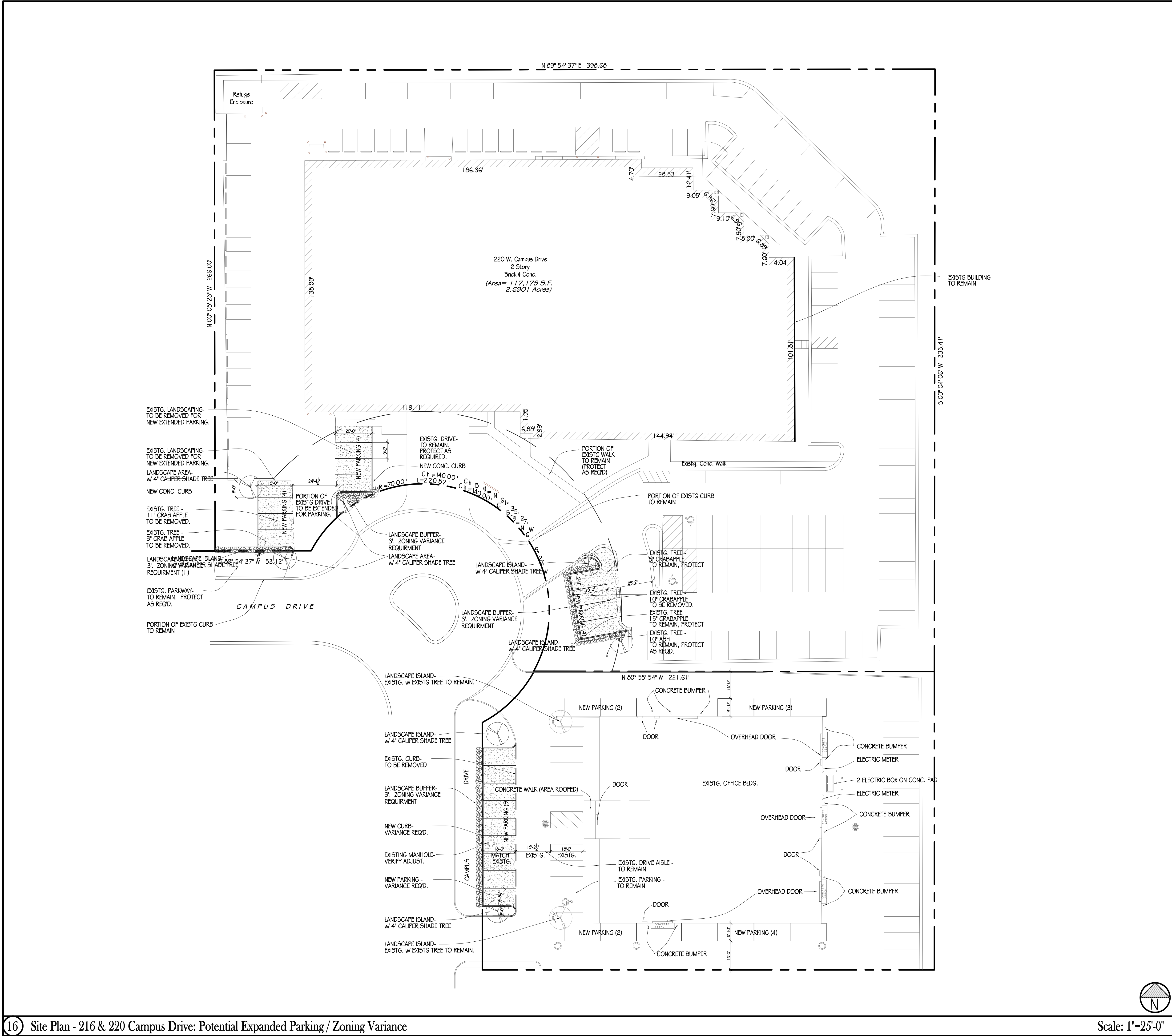
Schaumburg, Illinois, July 8, 2014

By: 
Illinois Professional Land Surveyor No. 3695

HAEGER ENGINEERING LLC
Illinois Professional Design Firm No. 184-003152
Consulting Engineers and Land Surveyors
1304 N. Plum Grove Road
Schaumburg, Illinois 60173
Tel: 847/394-6600 Fax: 847/394-6608



EXPIRES 11-30-14



ABC Buildout
216 Campus Drive
&
220 Campus Drive
Arlington Hts., IL

ARCHITECT:
LIRA & ASSOCIATES
2015 S. ARLINGTON HTS. RD.,
STE. 118C
ARLINGTON HEIGHTS, IL 60005
847.956.7100

OWNER:
220 Campus LLC
220 CAMPUS DRIVE
ARLINGTON HEIGHTS, IL
847.417.7900

Project Information

Copyright Lira and Associates 2020.

LIRA & ASSOCIATES

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.

Certification

ABC
L&A #220 - ABC Parking

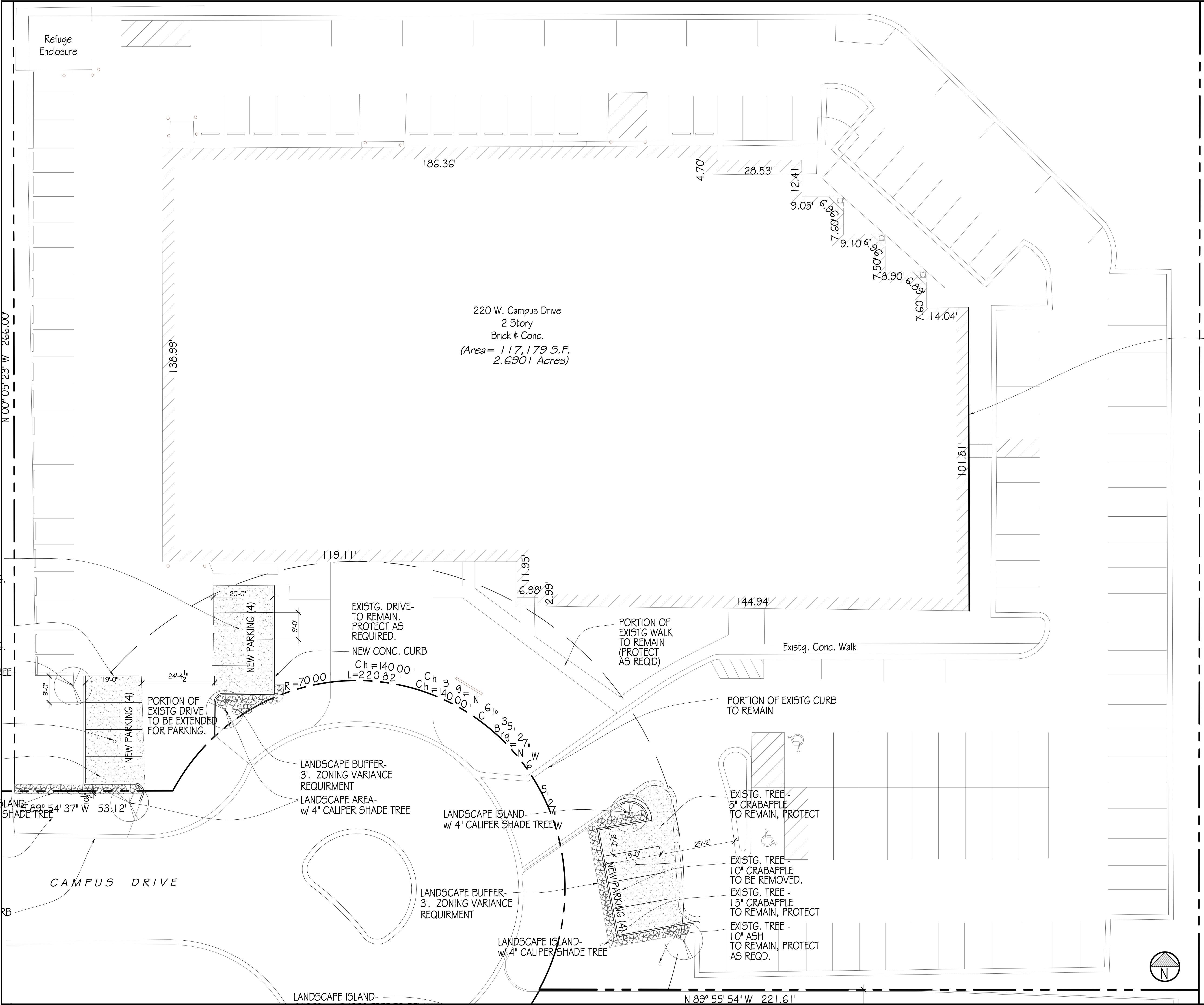
216 & 220 Campus Drive
Arlington Hts, IL 60004
847.417.7900

ABC Parking Variance

Typical Sheet Numbering Layout			
13	9	5	1
14	10	6	2
15	11	7	3
16	12	8	4

DATE:	SHEET INDEX:	
Zoning Variance 20 July 2020		
Zoning Variance - 220 Drive Aisle 12 Aug 2020		

ZV1



16) Site Plan - 220 Campus Drive: Potential Expanded Parking / Zoning Variance

Scale: 1"=15'-0"

Typical Sheet Numbering Layout			
13	9	5	1
14	10	6	2
15	11	7	3
16	12	8	4

4) Drawing Index

ABC Parking
216 Campus Drive
&
220 Campus Drive
Arlington Hts., IL

ARCHITECT:
LIRA & ASSOCIATES
2015 S. ARLINGTON HTS. RD.,
STE. 118C
ARLINGTON HEIGHTS, IL 60005
847.956.7100

OWNER:
220 Campus LLC
220 CAMPUS DRIVE
ARLINGTON HEIGHTS, IL
847.417.7900

Project Information

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LIRA & ASSOCIATES

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

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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.

Certification

ABC
L&A #220 - ABC Parking

216 & 220 Campus Drive
Arlington Hts, IL 60004
847.417.7900

ABC Parking Variance

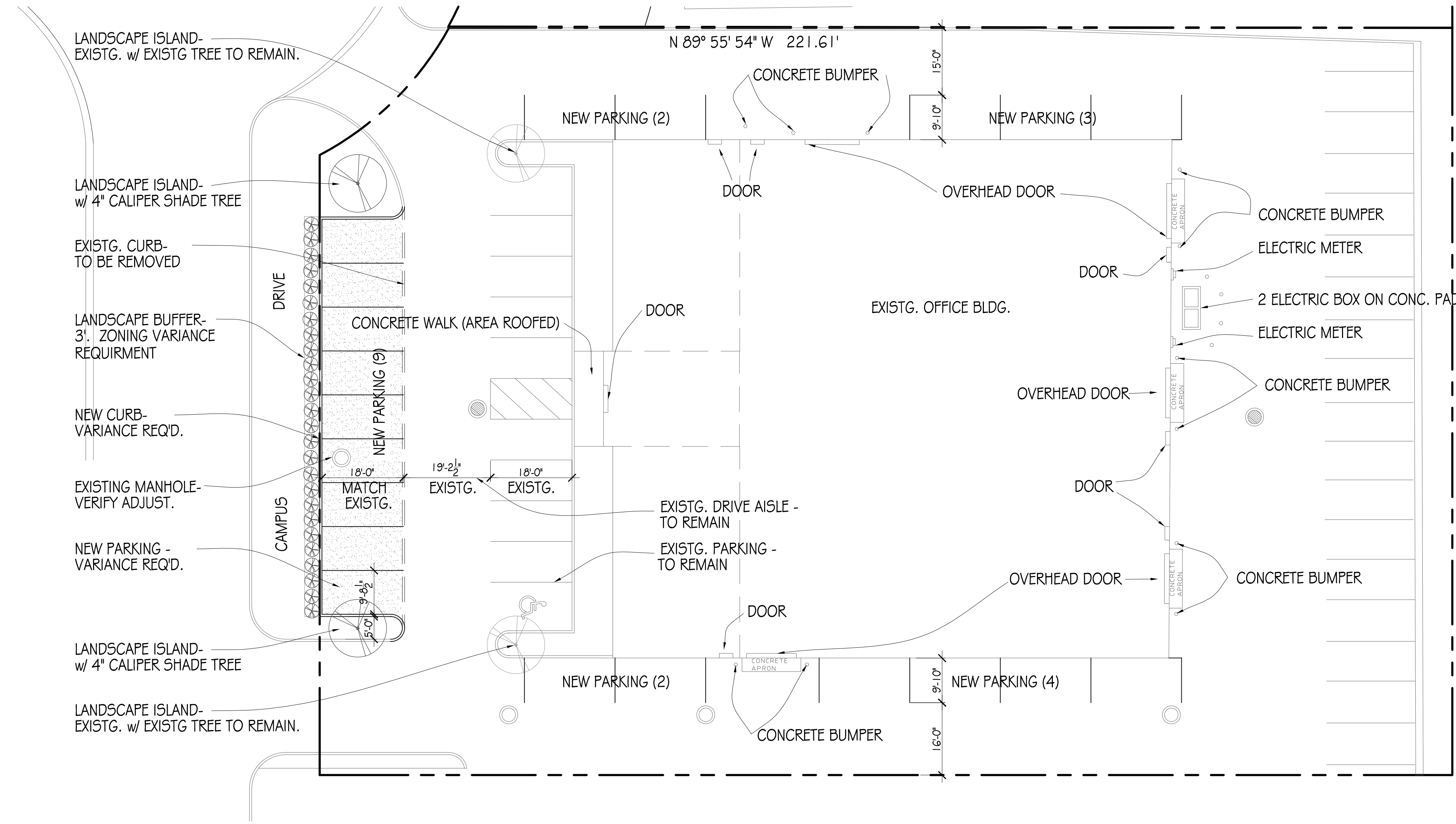
DATE:

Zoning
Variance
20 July 2020

Zoning
Variance -
220 Drive Aisle
12 Aug 2020

SHEET INDEX:

ZV2



ABC Parking
216 Campus Drive
&
220 Campus Drive
Arlington Hts., IL

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ARCHITECT:
LIRA & ASSOCIATES
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STE. 118C
ARLINGTON HEIGHTS, IL 60005
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ABC Parking Variance

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Zoning
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12 Aug 2020

ZV3

Typical Sheet Numbering Layout

13	9	5	1
14	10	6	2
15	11	7	3
16	12	8	4

Scale: 1"=15'-0"

4 Drawing Index

16 Site Plan - 216 Campus Drive: Potential Expanded Parking / Zoning Variance



**Zoning Board of Appeals
8/18/2020**

Item: 2021 Budget

Department: Planning & Community Development

ATTACHMENTS:

Description

2021 Budget

Type

Exhibits

MEMORANDUM

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

From: Derek Mach, Staff Liaison

Date: August 13, 2020

Re: Budget; 2021

The purpose of this memo is to share a draft of the budget for the Zoning Board of Appeals for the 2021 budget year. The budget topic has been placed on the August 18 agenda and the Zoning Board of Appeals will need to make a recommendation to submit a budget request for Village Board consideration. The draft of the budget is comparable to previous years.

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

At: *Draft of Budget*

VILLAGE OF ARLINGTON HEIGHTS

BOARDS & COMMISSIONS 2021 BUDGET REQUESTS

Name of Board or Commission: ZONING BOARD OF APPEALS

Chair: PETER SIABELIS

	2018 Actual	2019 Actual	2020 Adopted Budget	2020 Estimated Actual	2021 Proposed Budget	Accounts
COMPENSATION:						
Boards & Commissions	\$ 1,320	\$ 890	\$ -	\$ -	\$ -	101-1003-502.10-03
1 Chair x 15 mtg @ \$20 per mtg						
6 Members x 15 mtg @ \$15/pp per mtg						
Social Security	82	54	-	-	-	101-1003-502.19-11
Medicare	19	13	-	-	-	101-1003-502.19-12
CONTRACTUAL SERVICES:						
Photocopying	-	-	200	200	200	101-1003-502.22-15
COMMODITIES:						
Office Supplies	-	45	100	100	100	101-1003-502.30-05
TOTAL EXPENDITURES	\$ 1,421	\$ 1,002	\$ 300	\$ 300	\$ 300	