



Agenda
Village of Arlington Heights
Zoning Board of Appeals
Buechner Room, 1st Floor

Arlington Heights Village Hall
33 S. Arlington Heights Road
Arlington Heights, IL 60005
July 11, 2016
7:00 PM

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF MINUTES

- A. 17 S. Mitchell Ave. - 6/13/16
- B. 2122 E. Miner St. - 6/13/16
- C. 1624 W. Cambridge St. - 6/13/16
- D. 604 N. Carlyle Ln. - 6/13/16
- E. 4 N. Reuter Dr. - 6/13/16
- F. 131 N. Waterman Ave. - 6/13/16
- G. 1119 N. Beverly Ln. - 6/13/16
- H. 19 N. Prindle Ave. - 6/13/16
- I. 1418 N. Salem Blvd. - 6/13/16

IV. REPORTS

V. OLD BUSINESS

VI. NEW BUSINESS

- A. Banks Residence - 319 S. Walnut Ave.
- B. 1017 N. Beverly Ln. Residence
- C. Vittore Residence - 124 S. Walnut Ave.

VII. OTHER BUSINESS

VIII. ADJOURNMENT

Persons with disabilities requiring auxiliary aids or services, such as an American Sign Language interpreter or written materials in accessible

formats, should contact David Robb, Disability Services Coordinator, at 33 S. Arlington Heights Road, Arlington Heights, Illinois 60005, (847)368-5793 (Voice), (847)368-5980 (Fax) or drobb@vah.com.



Item: 17 S. Mitchell Ave. - 6/13/16

Department: Planning & Community Development

ATTACHMENTS:

Description	Type
Minutes 6/13/16 - Kirk	Minutes
Findings 6/13/16 - Kirk	Minutes

DRAFT

ZONING BOARD

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

OF APPEALS

RE: KIRK RESIDENCE - 17 SOUTH MITCHELL AVENUE

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Zoning Board of Appeals taken at the Arlington Heights
Village Hall, 33 South Arlington Heights Road, 1st Floor Buechner Room,
Arlington Heights, Illinois on the 13th day of June, 2016, at the hour of 7:00 p.m.

MEMBERS PRESENT:

TONY PETRILLO, Chairman
TOM DRAKE
DAVID DIVITO
JOSEPH GEISEL
JOSEPH SELBKA

ALSO PRESENT:

DEREK MACH, Village Planner

DRAFT

CHAIRMAN PETRILLO: All right. We will call the Zoning Board of Appeals June 13th, 2016 meeting to order. First order of business, Derek, would you call the roll please?

MR. MACH: Chairman Petrillo.

CHAIRMAN PETRILLO: Here.

MR. MACH: Mr. Divito.

(No response.)

MR. MACH: Mr. Drake.

MR. DRAKE: Here.

MR. MACH: Mr. Geisel.

MR. GEISEL: Here.

MR. MACH: Mr. Schwingbeck.

(No response.)

MR. MACH: Mr. Selbka.

MR. SELBKA: Here.

MR. MACH: Mr. Siavelis.

(No response.)

CHAIRMAN PETRILLO: We have a quorum, we have four members and we have a quorum. Approval of the minutes, has every member had an opportunity to review the minutes? Are there any changes or comments?

None being heard, Derek, I was not at the last Board meeting. If I recuse myself, does the majority rule, or the majority of the Board decision rule with only four members?

MR. MACH: No. You would need four members.

CHAIRMAN PETRILLO: We need a four-member vote? Okay, so we'll come back to that then.

MR. MACH: Chairman, Pledge of Allegiance?

CHAIRMAN PETRILLO: I forgot the Pledge of Allegiance, thank you for that. If you'd all rise and join us in the Pledge of allegiance?

(Pledge of allegiance.)

CHAIRMAN PETRILLO: Good evening, everyone. This evening, we have about eight petitions before the Board this evening, so we'll try and move through them as quickly but as thoroughly as possible. It looks like there will be a lot of people here that are interested in speaking. I personally have reviewed the submissions and the submission related to the petition on Mitchell was very thorough and very extensive.

So, what we'll ask with that petition is any individual in the audience that wishes to come up and address that petition, we will allow you to do so. But we'll ask that you don't repeat information that was provided in prior testimony from anybody that speaks before you. I also ask that if you do intend to speak related to a petition, that you please sign in. That will help expedite the swearing in and the testimony.

Petitioners, after you're sworn in this evening, let the record reflect that Board Member Divito has arrived. We'll ask you to touch upon three areas in order for us to consider your petition. First, that the property in question cannot return a reasonable

return on its investment if the code is applied to its strict adherence; that the plight of the owner is due to unique circumstances; and if the variation is granted, that it will not detract from the character of the neighborhood. Does everybody understand that? Do I need to repeat any of those?

Okay, we'll go back then and let's clean up the minutes. So, we had asked that we'll come back, Commissioner Divito, that if you've had an opportunity to review the minutes from the last meeting, if you have any questions or comments?

MR. DIVITO: I wasn't present for the meeting, but I did review the minutes.

CHAIRMAN PETRILLO: A non-present Commissioner can vote on the minutes if they weren't at the last meeting?

MR. MACH: No.

CHAIRMAN PETRILLO: So, we could, well, push that to the next scheduled meeting, okay. With that said, there is no old business.

The first Petitioner is the Kirk Residence, 17 South Mitchell Avenue. Petitioner, if you would please step forward? Could you state your name and address for the record please?

MR. LANDER: Al Lander, 6719 Stone Wall Avenue, Downers Grove, Illinois.

CHAIRMAN PETRILLO: Would you raise your right hand please?

(Witness sworn.)

MR. LANDER: I represent Capital Homes who's got a contingent contract with the Kirk estate in regard to the property at 17 Mitchell. We are well aware and have been well aware that the property is undersized for the zoning district. However, we believe that the individual block is a very unique condition in the fact that there are multiple lots of the same size with aging homes that are in the area of 80 to 90 and upper 90's, a lot of the homes, some of them a little bit younger, but the majority of them are, you know, 87 to 97 years old.

There are, by our calculations, six other homes that would be in the same condition where they do not own any contiguous property that would enable them to enlarge their lots. Therefore, if they were ever to sell them, you know, they would have to be, the house would have to be sold as is, you know, with the aging market there. So, we believe that further down the line there could be some other issues. We count three on the east side of the street and three on the west, and we're using data from the Assessor's and the Treasurer's Office insofar as the ownership in the county records.

The current owner has had the property on the market as of April 8th of last year. They did go on the market at 25 percent higher than our offer. They had subsequently lowered the price twice. We feel that the only way that we can develop that property is to put two smaller homes which we believe would be more in line with the neighborhood as versus to a home that could be as large as 4,700 square feet.

Now, on the east side of Mitchell, according to the Assessor's Office, the average home is 1,515 square feet. The property could, with the R-3 calculations, hold a house as much as 2,400 square feet if it was a detached garage; a little bit less if it was attached. We've done a couple of studies on different configurations and feel that a detached garage or attached could either work there, and that would be fitting with the physical size of all the other homes in the neighborhood instead of having a footprint that could be 50 by 45 which would absolutely dwarf everything else.

I think we've presented everything else.

CHAIRMAN PETRILLO: Could you just be a little bit more clear for me?
What is the hardship placed upon --

MR. LANDER: If the house was to go as a single lot, it would --

CHAIRMAN PETRILLO: There is no hardship on this purchaser at this point in time because they don't, or potential purchaser because they don't own the property. Isn't the hardship on the --

MR. LANDER: On the seller.

CHAIRMAN PETRILLO: On the seller because, excuse me

MR. LANDER: On the seller, because there is no way that they would get a house on a single lot if, I'll let you finish.

CHAIRMAN PETRILLO: Because even if they do this, if we've approved this variance tonight, it really transfers to the seller because that variance on this lot stays with them, correct, Derek? It will stay?

MR. MACH: Right.

CHAIRMAN PETRILLO: But any variances that we, and we don't see any others before us this evening, would not transfer, correct? So, anybody that would purchase these likewise or if this sale falls through, they would inherit this approval if it would happen this evening, but they would have to come before this Board or before another board, the Design Commission and/or this for any other variances.

MR. MACH: Chairman Petrillo, if the variance was approved, it would run with the land and it would continue if the property was sold.

CHAIRMAN PETRILLO: Right, it would continue. But to build on those, then there might be additional variances that would be sought by any other purchaser, or have to be sought by any other purchaser.

MR. MACH: If they did need additional variances, they would have to come again before the Board.

MR. LANDER: Yes, we don't see where any additional would be needed.

CHAIRMAN PETRILLO: Okay. So, for me, I'm trying to figure out how this is a hardship on this purchaser.

MR. LANDER: It's a hardship on the seller, it's not on the purchaser. Our contract is contingent, if it goes as a single lot, we're not interested.

CHAIRMAN PETRILLO: And you're representing?

MR. LANDER: Capital Homes, the purchaser.

CHAIRMAN PETRILLO: Which is the purchaser?

MR. LANDER: Correct.

CHAIRMAN PETRILLO: Is the seller here this evening?

MR. LANDER: No, she's not. She wasn't able to make it. She's coming out of emission from cancer.

CHAIRMAN PETRILLO: Are you testifying that you do represent the seller in spite of that?

MR. LANDER: Yes. Yes.

CHAIRMAN PETRILLO: Okay, thank you. So, if you could explain for me then the uniqueness? Too, that this won't detract from the neighborhood.

MR. LANDER: Well, I think having a potential for a 4,700 square-foot lot in

the middle of that property, one, it would probably take them years to sell it. I mean we certainly wouldn't be interested in that, I mean the market share would be so tiny, you know. There's a lot of million-dollar homes which are in Arlington Homes that are really not moving that fast, and it would have to be up in that range, you know, because of the size, you know, to warrant that lot price.

We feel that we can make a 2,400, 2,300 square-foot house work in there in the \$600,000 range which we think would be a very effective market, you know, for the area which would be on the lower end for new construction. So, I mean what it basically comes down to is that we don't feel that the property is viable as a single lot. I'm also considering the fact that there are, as I can ascertain, six more lots that would be the same and they would be even more dire because, you know, if they can't sell houses a hundred years old, then you know, if it becomes an estate or they just decide to move, then they're going to have something that's not really marketable in the area.

CHAIRMAN PETRILLO: So, the only way they get a reasonable return on this investment is --

MR. LANDER: Is to do two homes.

CHAIRMAN PETRILLO: Well, potential investment.

MR. LANDER: Potential, right.

CHAIRMAN PETRILLO: Is to do the two homes. The uniqueness to the neighborhood, I didn't see any proposed construction documents that would describe these homes.

MR. LANDER: Well, we kind of went the Zoning route, or the Plan Commission, I'm sorry, route, and we didn't get much feedback and then they kind of routed us to you because we didn't want to develop plans. I do have a couple of sketches which I could share which were our thoughts, the first two. But we've got nothing written in stone and we would certainly be needing to work with the Design Commission on that. We did some lot studies and floor area ratios.

CHAIRMAN PETRILLO: Derek, on this, is there any instance where they would not go before the Design Commission to raise these homes?

MR. MACH: There is an administrative process for design review and then there is a process to appear in front of the full Design Commission. Once plans are received, we review them and then a determination is made. Most likely, this would go in front of the full Design Commission review in a public meeting.

MR. LANDER: That was the information we were given as well. Normally, that would go first. But in the light of having to develop, you know, two full sets of plans for homes that possibly would not be built, it just didn't make economic sense.

CHAIRMAN PETRILLO: One of my concerns is not seeing those plans and seeing this for the first time just this evening and not having something go before the Design which almost cuts on both sides, I don't know how this would or would not detract from the character of the neighborhood. The other concern I have is that you might have to come back and seek additional variances, and I don't know that I'm comfortable without seeing more detail.

MR. LANDER: Yes, I don't foresee any.

CHAIRMAN PETRILLO: And having the Design Commission sign off on something at least preliminarily.

MR. LANDER: Well, that would be fine with us. I mean if --

CHAIRMAN PETRILLO: For a small investment, that could be done.

MR. LANDER: Five to ten thousand dollars isn't, they want --

CHAIRMAN PETRILLO: Well, a million two for two lots.

MR. LANDER: Well, yes, we're not --

CHAIRMAN PETRILLO: Okay, any other questions by any other member of the Board? Tom or Dave, do you have any questions?

MR. DRAKE: The question I have, and maybe I'm getting ahead of where we're at, is in relation to the flooding, the comments that were in the packet about flooding with building on two properties.

MR. LANDER: I was not aware of any.

CHAIRMAN PETRILLO: I think, were those, Tom, I think, were those comments of the submittals from the petition from the neighbors?

MR. DRAKE: The neighbors.

MR. LANDER: I would think with the two smaller homes, in fact the floor area ratios that I did up, the smaller homes would actually have, you know, less impervious area by far than the larger. That would be like 90 percent.

MR. DRAKE: There was quite a bit of content in the packet related to flooding and citing studies that the Village had done and so on. You know, I don't know how to sort through any of that because I don't know if that, Derek, do you want to comment? Or if there are going to be neighbors or other residents that were involved in submitting that that want to comment. But that's one of my questions is about the flooding.

MR. LANDER: Yes, I was not aware that there were any issues that were brought up.

MR. MACH: The Engineering Department did review that letter, and I did share the memo with the Zoning Board. Basically, it states that the new homes would be constructed with overhead sewers per code and will be subject to, will not be subject to basement backups due the mainline sewer surcharging. So, there was a comment about the basements.

MR. DRAKE: So, the concerns that those residents had are --

MR. MACH: That was one of the concerns, yes.

MR. DRAKE: Yes, really the flooding, okay.

CHAIRMAN PETRILLO: Your other option, if this variance is not granted, is to take both lots and build one single home. You could do that within the code, correct?

MR. LANDER: Correct, yes, but we'd have to market it over a million.

CHAIRMAN PETRILLO: Okay.

MR. LANDER: So, it's just we wouldn't be willing to do that. You know, that's too much of an investment for us because we think it would take several years to sell.

CHAIRMAN PETRILLO: Joe or Joe, do you have any questions or comments?

MR. GEISEL: Well, I guess a suggestion is it could be up to 4,500 or 4,700 square feet, it doesn't have to be.

MR. LANDER: Correct, correct, yes. In all cases, I did the largest. I did studies on the largest that you could be put on the lot. That doesn't say it's going to be.

MR. GEISEL: I just wanted to clarify that.

MR. LANDER: Correct, yes. That's the biggest. With a detached three-car garage, a 4,700 square-foot house, a little bit under, I mean it just maxed everything out, the impervious area, lot coverage, floor area ratios, et cetera, where they weren't on the other homes.

MR. GEISEL: Which to your point would largely dwarf many of the existing structures on there?

MR. LANDER: Correct.

MR. GEISEL: Thank you.

CHAIRMAN PETRILLO: Joe?

MR. SELBKA: No.

CHAIRMAN PETRILLO: Is there anyone in the audience that wishes to speak to this petition? Whoever would like to step up first, it looks like there's a number of people. So, again for those that arrived late, if you intend to speak, if you would take the opportunity as soon as this gentleman is done, sign in, and we'll ask that you do not repeat any information that was provided before. All the Board members have read the packet of information that was submitted. It was very thorough, so thank you all for your work in combining the reference materials very well. Thank you.

Sir, your name and address?

MR. DOTY: Brad Doty, 24 South Mitchell.

CHAIRMAN PETRILLO: Great. Can I swear you in?

(Witness sworn.)

MR. DOTY: First of all, to the point of there's a hardship on the seller or the Capital Homes, the developer, no such hardship exists because the seller actually refused a cash offer of \$380,000 a year ago. A neighbor offered her, the sister of the deceased, offered her \$380,000 cash which is more than a fair offer for a home that doesn't meet code with a nice yard and really nice trees. So, the fact of the matter is the house could have been moved a year ago under pretty favorable terms. I'm not sure what the developer is offering to pay for it, but I don't think it's a significant amount larger than that. So, his main statement of being a hardship really does not exist.

Secondly, the hardship to the neighborhood is threefold. Maybe I should let somebody else talk about flooding or anything. I failed to get pictures printed for you but pretty much every year, sometimes two or three times a year, the sewer backs up in front of our street. We're in the middle of the street, the lowest part of the street. Obviously, the developer hasn't done his homework, he isn't even aware that it floods. But it floods in the middle of the street, Gary's property, in our property, and the Marreros and Hurst/Oskroba's next to us. We all flood whenever it storms really bad. It comes up to, we have a ramp on our driveway that's about two feet high. It's about a couple of feet above the street, it floods up to the top of that ramp.

Several neighbors had problems with the sewer backing up. He needs to do his homework because he's going to have difficulty constructing two homes in a flood plain like that. It's not officially a flood plain but it does flood due to the sewer.

The other thing is our flooding problem has been neglected for like decades, frankly. We still have a hundred-year-old sewer system that combines storm runoff with the sanitary sewer. Every once in a while, most of our neighbors have gotten it fixed, but every once in a while it still backs up in neighbors' houses in the most unsanitary

way. That will be worse with the overhead sewers and two houses rather than one new house. That will all be made worse by his plan. So, sewer flooding, the flooding in the street are both problems.

Probably the first step they'll do is tear down Gary's beautiful trees. Gary loved his neighborhood, he loved his trees, he had a big dog out in the yard we all loved him. We're losing trees in the neighborhood all the time. I'm sure the first thing he'll do is cut down those trees because you can't build two houses with the trees on the lot.

That will make the flooding worse. That will drive down the prices of the neighborhood, another hardship on the neighborhood. I submit that the value of a nice neighborhood is mostly in its trees. Think of the North Shore versus Niles or neighborhoods, the city near O'Hare, which one do you want Arlington to be more like? I'd say let's do what we can to lessen the impact, environmental impact on building things.

Then, let's see, the flooding, and then parking. How are you going to get two sets of cars in that small lot? Basically, it's one lot. It might be a big lot but I think north of Euclid it's an average to small lot. It's not a big lot. I don't know if officially it's a lot-and-a-half or what exactly, but it's an average-sized lot north of Euclid. It's only little slightly bigger than our other lots on our street. To squeeze two houses in there with a crowbar is just not a good idea.

So, loss of trees, the flooding, the parking, those are the main issues that I say would harm the neighborhood, and I say there is no hardship on the seller who was not able to make it tonight apparently because she turned down an offer of \$380,000 cash already. So, we feel like we're kind of under attack by greed of the developer, and that this is strictly a greedy proposal to take one lot that could build a nice house, keep a couple of trees, and instead squeeze two houses in there, maximize his profit. Then the parking and the sewer and the flooding is going to be borne by the people gullible enough to buy his two houses built on one lot and the rest of us neighbors.

The other thing is I'd say you've got rules in place. They're there to protect the value of the Village, to protect the investment of the neighbors, of the neighborhood. Please keep those rules. If you throw the rule book out tonight, I don't know when you're ever going to deny a variance. If you accept this variance, you might as well close up shop and stay home and not bother to kill your evenings and not ever apply the rules again because this is a textbook case of a variance that you should not approve.

CHAIRMAN PETRILLO: I have a question for you. How many lots would you estimate in Arlington Heights around that general area are 50-foot lots that already have homes existing?

MR. DOTY: Our lot is a 50-foot lot, and I think it's average. I'm not sure of the exact numbers.

CHAIRMAN PETRILLO: There are many 50-foot lots. I used to live down in Downtown Arlington as well.

MR. DOTY: Yes.

CHAIRMAN PETRILLO: Let's say that the --

MR. DOTY: But Tim might be able to speak to that better, so let me defer to his testimony.

CHAIRMAN PETRILLO: Okay. If these homes were, or if this land was bifurcated and there was two 50-foot lots and the home that exists there stays there, would

you oppose a second home being built than what would be created on a vacant buildable lot by a variance?

MR. DOTY: Well, I think the sewer issues and just the crowding issues would still be the same. I know that there was somebody on Campbell that bought an older house, tore it down and built a big fine house on that lot. I think they paid \$700,000 just for the house on a big lot, it was a long lot, one of those long lots about the alley. So, I don't know why you couldn't do the same thing in this spot. Just the last construction was -

CHAIRMAN PETRILLO: What I'm trying to understand is if it's two homes versus one large home and the square footage were virtually identical, the impervious surface is virtually identical, they went through the building permit process, the review process, and issues with water accumulation were remediated through the permit process, there were measures put in place so it wouldn't add to the flooding problem that already exists, that can happen whether there's two homes or whether there is one home.

MR. DOTY: Well, I mean the amount of water going through the sewer and the water service is going to be more for two families than it is for one family. The amount of construction is going to be worse for two houses.

CHAIRMAN PETRILLO: Well, you would have virtually the same impervious surface, they would have to meet all those requirements. So, doubling it in essence wouldn't be adding to it --

MR. DOTY: Well, again the sewer is combined.

CHAIRMAN PETRILLO: Or detracting to it from two different types of approaches on that.

MR. DOTY: Right.

MR. GEISEL: Without a variance. They would be permitted to construct a 4,000 and some odd square-foot home with no variance required on our part.

CHAIRMAN PETRILLO: I think 47.

MR. GEISEL: 4,700. It could have just as many bathrooms in one structure as in two.

MR. DOTY: Well, let's say unless a family with many kids buys it, I don't think they'd have as much demand on the system.

MR. GEISEL: Then you have a giant house in the middle of your block that people don't really like that much. That's the other possibility of how this could go without anything happening if it was denied.

MR. DOTY: I'm not sure how everybody feels, but I'd rather have one nice house than two crackerjack houses slammed in there. As far as, I think one family is just not going to take as much water and sewer. When you're talking about impervious land, yes, the runoff might be the same, but the sewer, the tax on the sewer system is probably going to be worse with two houses because you're going to have two sets of plumbing in there. So, I think that the one house would be preferable at least for the sanitary sewer part of the equation with one house than with two.

CHAIRMAN PETRILLO: Derek, new homes that are built in Arlington Heights, I do happen to live in a home where my drain tiles are connected into the sewer service and I've had backups. On new home construction with the overhead sewers, are those systems separated into sanitary and the drainage? Do you know?

MR. MACH: It depends. It's my understanding it depends on what part of town you are. Certain areas are combined which I believe this area is, and I am not certain --

CHAIRMAN PETRILLO: Yes, I think it is. I used to live over there. I know it's combined but I didn't know if they made you go across the street because I think they're on either side if they're not.

MR. MACH: Probably impervious would be surface drain.

CHAIRMAN PETRILLO: Yes.

MR. MACH: Then plumbing would be --

CHAIRMAN PETRILLO: Yes, okay.

MR. DOTY: If the Village would want to split our sewers and give us a better sewage system out of this whole deal, we might be willing to listen to that. But I doubt that's --

MR. GEISEL: But that's the comment that I have just so that we're clear about this, the only thing that this Board can speak to is the zoning issue.

MR. DOTY: Right.

MR. GEISEL: You know, the flooding, we feel badly that occurs in your neighborhood, that in and of itself is not within our particular purview.

MR. DOTY: I guess the main thing I wanted to address that you guys had discussed was the hardship on the seller. The seller has already turned down a pretty reasonable cash offer. On the developer, I think they could still make a decent profit on one house. But I think that, you know, I think they're just trying to maximize profits here is all I'm saying. That's not a hardship to, you know, not to let them maximize profits by throwing out our rule book, it's not a hardship on them I would argue.

CHAIRMAN PETRILLO: Thank you, sir. Anybody else that wishes to speak to this petition? Do you have new information to offer, sir?

MR. MEYER: I do.

CHAIRMAN PETRILLO: Please, step forward. Could you state your name and address for the record, sir?

MR. MEYER: Tim Meyer, 29 South Mitchell.

(Witness sworn.)

MR. MEYER: All right, I'd like to start by giving you guys one more opposition to the variance from the neighbor on Chestnut behind the property. I know that we've presented you guys with over 20 of these. So, I'm pretty sure you're aware that most, almost all of the neighborhood is against this.

CHAIRMAN PETRILLO: This is, sir, they have asked you, the Dwyers have asked you to deliver this this evening?

MR. MEYER: Yes. They cannot be here tonight.

CHAIRMAN PETRILLO: They can't make it, okay. So, this is their, they join the rest of the signatures that were submitted, correct?

MR. MEYER: Yes.

CHAIRMAN PETRILLO: Just a clarification for the record.

MR. MEYER: Okay. To answer the earlier statement about how many 50-foot lots there are of the same size, there are three on the east side and two on the west side. Not three, or not six.

The other thing I want to point out is that, you know, you guys have seen it in the packet already, is that the block on the west side is a large oversized square block, and all of those 50-foot lots that are wide have super deep lots. So, there's all that land to absorb the water. So, they don't get all those flooding issues and seepage issues that we all enjoy on the east side, which is where he wants to put his two houses.

The other thing I want to point out just for your information is I went online today and I understand that the asking price is 389 which is only \$9,000 more than they were offered a year ago, and that the actual current market value of this property, according to sources that I found on the internet related to, you know, realty and all that, \$250,000. The seller is asking \$139,000 over the market value of that land. So, I don't see the hardship here, what I see is greed.

CHAIRMAN PETRILLO: Do you happen to have a copy of that with the information you provided with the source?

MR. MEYER: I would love to e-mail it to you, but I don't have it on me right now. If you want to go to Zillow.com and look up 17 South Mitchell, you'll see it for yourself.

The other thing that I'd like to point out is that, you know, to the character of the neighborhood, he will be dramatically changing the character of the neighborhood. On the east side of our block, as you can see pictured in the packet that we gave you, every house including ours which Gary's is in the middle of has a side yard. We are all older homes, we're much older than the houses that are on the west side. This is the original character of the neighborhood, that people would buy two parcels, they would build on one, and they would garden on the other and they would leave that land open. That is the history of our neighborhood. That was happening, and you see that in the houses on the west side, because they have extra deep lots because of the squareness of their block. Everybody might have or many people have a 50-foot wide lot, but many lots are 175 feet deep, not 107, and some of them are even more than that.

So, I mean when you think about it, don't think about these as little tiny 50-foot lots. Most of them are 50 feet by 175, 200 feet. Some of them are L-shaped, and there is just a ton of land behind these houses that will absorb water and prevent flooding.

You know, when we're talking about brand new houses, we're talking about not basements that have seven-foot ceilings like our old homes, we're talking about houses that have eight or nine-foot ceilings in their basement. This is water displacement that will cause problems for the neighbors. It will cause seepage issues, and you know, when you cut off those houses with their overhead sewers and the other homes don't have overhead sewers, what you're doing is you're pushing all of that water from the sewer into the other homes that don't have overhead sewers. So, you are creating a hardship for the neighborhood when you do that. It's something to remember because we don't have newer homes with overhead sewers that were built after 1960.

In terms of the old house not being resellable, I don't believe that for a minute. I think people, there's a lot of people who love old houses and they would take that old house of Gary's and they would fix it up and it would be beautiful. They would have an amazing side yard and they could even put up a large porch on the side of that house. You know, it's really not a hardship at all. Really, you need a little creativity and you can

make that house amazing. You could even like take the roof off and go full two stories. Right now that house is one-and-a-half stories, it's not even a full two-story house.

It hasn't been updated, I don't think, since the 1940's. I have personally been in the home, and I've even been in the basement where I know he had a standpipe for flooding so that he wouldn't get water in his basement.

So, I just, you already have the packet, I've told you everything else that you need to know in the packet. That's all the stuff I have.

CHAIRMAN PETRILLO: Can I ask you a question?

MR. MEYER: Sure.

CHAIRMAN PETRILLO: Just to the latter part of your comments, I used to live over there, it would flood as well. Very similar home, I took the roof off and built a second story. It was really tough for a family of four to live in that without increasing the footprint just by going with the existing.

But do you view the seller's current condition with flooding issues of the standpipe a hardship to sell that property knowing that there is flooding? Do you think the market will respond positively to a home that they know floods?

MR. MEYER: Okay. Well, I purchased a home in this neighborhood not more than eight years ago. It did not have an overhead sewer at the time, it still does not have an overhead sewer. We're looking at doing it. But we bought it and we fixed it up and it's amazing.

We have four people, we live in this house. It's a two-story house, not any bigger than our neighbors' houses. It's fantastic, we love it. We totally can live in it, it's a ton of space for us. Really not a hardship at all.

I think that assuming that a 2,400 square-foot house or less is unlivable is kind of elitist to be honest with you.

CHAIRMAN PETRILLO: I guess that depends on the size of your family.

MR. MEYER: Four people, same as yours. We have a dog.

CHAIRMAN PETRILLO: My children are very rambunctious, and they have friends over and there's parties and things like that.

MR. MEYER: Yes, we've had 104 kids over one day in our side yard.

CHAIRMAN PETRILLO: I don't know about this home but you do know about this home. My basement was about seven, seven-and-a-half feet and cinder block.

MR. MEYER: Ours, too.

CHAIRMAN PETRILLO: You know, finishing that basement was a challenge to be able to keep all our stuff and be able to provide a laundry room to do that. Do you know the construction, the foundation of this home?

MR. MEYER: It's a block.

CHAIRMAN PETRILLO: Block, okay. All right, thank you.

MR. MEYER: You're welcome.

CHAIRMAN PETRILLO: Anything else?

MR. MEYER: No. Thank you.

CHAIRMAN PETRILLO: I appreciate your testimony. Thank you. Is there anyone else in the audience who would like to speak? Ma'am?

MS. RODRIGUEZ: Good evening.

CHAIRMAN PETRILLO: Good evening, ma'am. Can you state your name

and address for the record please?

MS. RODRIGUEZ: Ileana Rodriguez, 18 South Mitchell Avenue.

CHAIRMAN PETRILLO: Ms. Rodriguez, would you raise your hand?
(Witness sworn.)

CHAIRMAN PETRILLO: Thank you.

MS. RODRIGUEZ: Good evening. I'm not going to repeat the pieces that are in the report about flooding and what has been said already. I just wanted to have an opportunity to address you and compel you to think about our collective responsibility to be fiscally responsible here. We have a report in front of us, a flood study that very clearly looked at this area, identified the risks, and identified as one of the areas where actually overhead sewers was not going to be the solution, and projecting no less than \$2.7 million being the price, the sticker price to be able to at least create the infrastructure to equitably serve us with the appropriate sewer support and capacity.

So, that's ahead of us. We're not entirely sure how the Village is going to take the results of the study, how the engineers will, you know, recommend the implementation of that. But anything that exacerbates this problem in the near term is something that behooves us all.

Regardless of how the specific functions of this particular Board are defined, I think we need to be very forward-looking and future-looking and community-centered. So, we are here as a united neighborhood and community to compel you to help us remember the historical context of the community, help us also look forward and make sure that we are investing in a way that will allow us to be fiscally responsible as a community and retain the character of the community.

I live right across the street from this property. Every morning I have my coffee in my porch and look at the property, and I would want nothing more than to welcome a family into it. We just want to make sure that we are doing this in a way that is responsible. So, thank you.

CHAIRMAN PETRILLO: Ma'am, can I ask you a question please?

MS. RODRIGUEZ: Sure.

CHAIRMAN PETRILLO: Would you prefer, if this variance were granted on the basis of either one or two homes solely and not the other conditions, would you rather see a one large home or two small homes on these lots?

MS. RODRIGUEZ: I would like to see one home that is responsibly built in that lot, considering all the risk factors that this community and Village has been presented with regarding the flooding risk. So, I don't know that actually it would be a very large home. I think that the Village should look at that responsibly.

CHAIRMAN PETRILLO: They could build up to a 4,700 square-foot home.
So, I just wanted to let you know --

MS. RODRIGUEZ: I understand.

CHAIRMAN PETRILLO: I'm just trying to get a feel because it could go the other way at some point. Sir, I'm sorry, I wanted to ask you that same question, I failed to do so.

MR. MEYER: Sure.

CHAIRMAN PETRILLO: Would you rather see, putting aside these other issues, two homes or one large home up to 4,700 square feet?

MR. MEYER: Yes, I would like to see one home. I know that the permeable, percentage of permeable area for a single home in that lot would be at 55 percent, versus if you put two homes there, they only have to, they can go up to 50 percent. It's actually --

CHAIRMAN PETRILLO: Actually it's the opposite.

MR. MEYER: Yes, that's correct.

CHAIRMAN PETRILLO: It's 55, yes.

MR. MEYER: So, it's 50 percent coverage versus 55. But 55 on that large a lot, I think those numbers --

CHAIRMAN PETRILLO: Yes, the difference is the impervious surface is roughly 4,900 square feet on the two lots combined compared to 5,400 square feet. So, there's a marginal difference.

MR. MEYER: I just don't understand how someone would buy a new house without a two-car garage. I don't know how they would fit a two-car garage on that land with a house.

CHAIRMAN PETRILLO: Okay, thank you. Anything else, ma'am?

MS. RODRIGUEZ: No.

CHAIRMAN PETRILLO: Does anybody else have any questions for this witness? Okay, thank you very much.

MS. RODRIGUEZ: Thank you.

CHAIRMAN PETRILLO: Is there anybody else that wishes to speak to this petition with any new information? Please step forward, ma'am.

MRS. DOTY: Hi, I'm Lisa Doty. My address is 24 South Mitchell.

(Witness sworn.)

MRS. DOTY: One of the things that I did want to address was the character of this neighborhood and the change that I have witnessed. We have lived in our home almost 20 years this coming Thanksgiving. Is it November? End of November. We were the first house that was flipped on the block. The house was bought, it was classified in the last listing as a shack. It was a one-and-a-half story home, one story with a dormer on top, girls on one side, boys on another. The man who owned the home, it was a one-owner home, he built it himself when he was coming home from the factory and he built that home for his kids.

We saw over the past 20 years, most of the neighbors who are here today are new neighbors, because what they were able to do with the existing homes and the existing lots and everything the same was they were able to rehab these homes. They were able to enhance these homes and maintain the character of the property. None of these homes, I don't believe any of the sellers had issues selling the homes, working with things, getting things done.

What I see as a pattern, however, with this particular seller is she is unwilling to entertain any offers that are not, as Tim pointed out, \$139,000 over what the asking price really should be. That I think is the problem with that. That is why the house has not moved in the market. I am aware of another offer, I can't disclose it because I don't have that person's permission to do so, but I do know someone who gave them an offer that was refused. It was a cash offer as well.

What I really want you guys to think about with the variances, think very hard whether or not this is indeed a hardship for the seller, because we do not believe

it is. In my 20 years of living on that block, I have not seen homes sit on the market for a long time except for that one. I have not seen people unwilling to take older homes.

The Klancniks are a case in point. What's your address? 32 South Mitchell. If you look at what their home looked like when they bought the home, and they live their with their children, it was a very, very small home. The Botterman family lived in that home previously with eight children. It's a very large yard, it's a very large lot. But the Klancniks were able to turn that into a beautiful modern home that still fits in the tone of the neighborhood and they had no hardships doing so.

So, what I respectfully respect this group to do is to really consider if this is indeed a hardship on the seller that that variance needs to be made.

CHAIRMAN PETRILLO: Ma'am?

MRS. DOTY: Yes.

CHAIRMAN PETRILLO: I'll ask you the same question I asked the previous witnesses.

MRS. DOTY: Sure.

CHAIRMAN PETRILLO: Would you prefer to see two homes smaller scale, setting aside the other issues, or one large home?

MRS. DOTY: I'd prefer one large home.

CHAIRMAN PETRILLO: Okay, thank you.

MRS. DOTY: Thank you.

CHAIRMAN PETRILLO: Is there any other individual who wishes to speak to this petition? Sir.

MR. CORCORAN: I'm Jim Corcoran, I'm at 24 South Chestnut. So, I'm actually directly behind.

CHAIRMAN PETRILLO: Have you signed in?

MR. CORCORAN: No, I will.

CHAIRMAN PETRILLO: I'll swear you in and if you would sign in?

MR. CORCORAN: Okay.

(Witness sworn.)

MR. CORCORAN: I'm going to address the flooding as well.

CHAIRMAN PETRILLO: Sir, could you, we've already heard testimony on the flooding. Unless anybody else has any questions about that, I think that was very thoroughly covered. We can note that you do have that same concern unless there is a different concern on the flooding.

MR. CORCORAN: I took some grading on it to give you some numbers.

CHAIRMAN PETRILLO: Sir, unless, you know, unless you are a certified surveyor and so forth and you have some written testimony to offer, this is strictly a matter of opinion then and I don't have any further questions on the flooding. I used to live in that area, I'm well aware of that. I don't know if any of the other Board members wish to hear that or not.

MR. SELBKA: I heard enough.

CHAIRMAN PETRILLO: Okay, I'm just trying to move along so that the other petitioners have as equal opportunity and the attention of this Board.

MR. CORCORAN: Absolutely.

CHAIRMAN PETRILLO: But anything else, sir?

MR. CORCORAN: No, that's it.

CHAIRMAN PETRILLO: Okay, thank you. Can I ask you the same question I asked the other petitioners?

MR. CORCORAN: One home.

CHAIRMAN PETRILLO: One home? Thank you, sir. Is there anyone else in the audience that wishes to be heard on this petition? Excuse me, to the court reporter, can you repeat that gentleman's last name and address for me?

COURT REPORTER: I believe it was Jim Corcoran.

CHAIRMAN PETRILLO: Corcoran? Okay, thank you. What was your address, sir?

MR. CORCORAN: 24 South Chestnut.

CHAIRMAN PETRILLO: Thank you. Thank you for signing in, and I'm going to swear you in.

(Witness sworn.)

CHAIRMAN PETRILLO: Your name and address, sir?

MR. CASTANOLI: John Castanoli, 177 North Hickory.

CHAIRMAN PETRILLO: Go ahead, sir.

MR. CASTANOLI: I own the property at 18 South Chestnut, and I can testify that my yard flooded completely up to just past the garage and up to the house. So, I can testify the water is flowing, without, you know, shooting grades it's flowing into the property behind us. So, with two houses being built, there's going to be more of a challenge of keeping that water from flowing east towards Chestnut. So, that's where my concern is.

CHAIRMAN PETRILLO: I'll ask you the same question I asked the other petitioners with one caveat. Two homes or one home with an equal number of bedrooms and bathrooms and individuals potentially residing in those two circumstances?

MR. CASTANOLI: One home that can handle the grading changes a lot more effectively than two homes with a detached, potentially detached garages and so forth.

CHAIRMAN PETRILLO: I just want to state it's a matter of my opinion only, no engineering study or anything, but just based upon experience also that if this one home were to remain and a second home to be built, that one home doesn't have an opportunity to have any of those issues addressed insofar as the flooding or overhead or, you know, redirecting water and so forth. Two new homes, one old home, one new home, one large home, different scenarios.

MR. CASTANOLI: If they're going to be tearing the home down, one home.

CHAIRMAN PETRILLO: Okay, thank you.

MR. CASTANOLI: Thank you.

CHAIRMAN PETRILLO: Anyone else in the audience?

MR. DOTY: Can I ask a question? You keep talking about a large home on the lot. The zoning rules I guess are set, are cut and dried. Why don't they consider flooding issues and why aren't they adaptable to a flood zone area or an under-served sewer area?

CHAIRMAN PETRILLO: Well, I believe any new home construction is subject to that type of review through the Engineering Department. We've had previous petitions that have had designs and drawings of homes, and the Engineering Department,

usually when that review comes to us, that has been remediated or addressed if there is a flooding issue. So, this not being through the permit process, we're at a little bit of a disadvantage to be able to answer any of those questions that may be addressed by the proper department.

Is there anyone else that wishes to speak to this petition? Sir, would you step forward again please?

The one area that I have trouble with is that we don't know what's going to happen with this property. You're saying two buildings, we don't know if that would ever change to one building. But the one area of the owner or the seller getting a reasonable return on their investment, how long has that individual resided in the home?

MR. LANDER: Her brother lived there I believe all his life.

CHAIRMAN PETRILLO: And she?

MR. LANDER: She's the trustee from the estate.

CHAIRMAN PETRILLO: Okay, oh, I see, thank you.

MR. LANDER: He died and it was left to his mother who died, and now she's got it along with a sister.

CHAIRMAN PETRILLO: Are there any liabilities or debt on this property?

MR. LANDER: Not to my knowledge. We haven't pulled title on it.

CHAIRMAN PETRILLO: Okay, if you could just estimate for me, using your experience and your knowledge, one, let's just talk about this as a 50-foot lot where the existing home resides. In your estimation, what would be the value of that property to a potential purchaser?

MR. LANDER: \$160,000 which is what we're paying for it, for the individual lots. 320 total.

CHAIRMAN PETRILLO: The value of that, okay, so the value of the property is \$320,000. Cost per square foot to build a new home?

MR. LANDER: 2,400 square-foot range would be around \$250 a square foot. If we go larger, it would go down to about \$208. We currently have two other homes listed in Arlington Heights, new construction. We are the, as of two weeks ago, we were the second and fifth lowest cost per square foot, so I don't think greed is a factor here. The smaller the house, the highest the cost per square foot.

CHAIRMAN PETRILLO: If anybody else has any questions for this gentleman while I'm doing the calculation, feel free to ask.

MR. DRAKE: How current are those drawings that you showed us?

MR. LANDER: We actually did those a few weeks ago for the Design Commission, and then they kind of declined to hold any opinion on it and sent us this way. So, that's kind of what we came up with a concept, we originally came up with the concept for the attached garage which we believe would have the lowest impact on the property because the entire backyard would be open land. Then we did another one with a detached garage, but then you've got that ribbon of concrete plus the 22 by 22 garage in the back. That would be like a 30 by 45-foot wide house.

CHAIRMAN PETRILLO: You don't know what the previous or the deed holder paid for that property, do you?

MR. LANDER: No idea. I'm sure he bought it.

CHAIRMAN PETRILLO: About how many years ago did he purchase that?

MR. LANDER: It's possible he got it when it was new, I don't know. I honestly don't know. I know he lived there pretty much his entire adult life, and he had retired. I believe he worked for Public Works in the Village.

CHAIRMAN PETRILLO: Would you estimate that at 20 to 25 years, 25 to 30 years?

MR. LANDER: Probably 30 years plus.

CHAIRMAN PETRILLO: You don't know whether there is a lien or debt on the property? You haven't found that yet?

MR. LANDER: I'm sure it's clear. I believe it's all clear, I've got a copy of the trust as part of our contract and I do believe everything is paid for. There is nothing there. The house is not, to go back and redo that house, you would have to, the existing home, you would have to bring it up to modern code. There is just no way that it's just affordable unless you're going to live there and do it yourself. From a business perspective, you certainly wouldn't.

That's the first thing we looked at actually. The rooms don't work. The ceiling heights are off. The basement is just shot.

CHAIRMAN PETRILLO: So, and just so I understand correctly, each lot is \$160,000. You're gaining that home then as potentially a tear-down?

MR. LANDER: Yes, I mean it's an encumbrance.

CHAIRMAN PETRILLO: The home in its current condition is a starter home?

MR. LANDER: I don't believe it's even sellable. We have it as a \$10,000 loss. That's not counting the 160. You'd have to live there to do it. I mean you could, I'm not saying nobody can do it. I'm just saying that from a business standpoint we wouldn't do it.

MR. DRAKE: When you say it wasn't sellable, we're hearing that someone else made an offer on that, whether they could knock it down or not.

MR. LANDER: I would suggest they redo the offer, I'm sure she would take it. There was a battle between her and her sister, between Sandy who was not a trustee of the estate. I believe that's where they came from. But I would recommend she took it if they're going to offer 380, highly recommend it. We'd walk away and be happy for it.

CHAIRMAN PETRILLO: Any other questions for this witness? Okay, thank you, sir. We're going to close this petition to Board member comments only. I'll start just by giving my perspective.

In my opinion, the Petitioner has not met the hardship requirements in that there is a reasonable return in my opinion on this investment seeing that it's a title-free property. But what really troubles me more is the lack of information that was included in the Petitioner's packet. I would have liked to have seen what these two homes would look like. I don't think I could make a decision on something to make it buildable and not know what these, you know, the potential home, if it's a single or dual homes, is going to look like. I think the petition failed in that matter for me this evening.

I'll open it up to the rest of the Board. David?

MR. DIVITO: For me, I would agree. The reasonable return was one thing that stuck out to me. Without the actual owner being present or the trustee being present and without any testament, personal testament from them to represent them tonight and with all the neighborhood dissent, those are the main factors in my decision to deny it.

CHAIRMAN PETRILLO: Joe or Joe?

MR. SELBKA: I'm going to vote against this as well. I think whenever you want to put multiple houses where one is currently there, I consider it to be a high burden. I don't see a hardship. I think given how much and how many people are here to testify against this, I think it will change the character of the neighborhood. I think the neighborhood clearly believes that. So, I will vote against the variance.

CHAIRMAN PETRILLO: Tom or Joe?

MR. DRAKE: I completely agree with everything that the other Board members have said. I was hoping that a long, weighted discussion, that some sort of a win-win would emerge or at least some clarity that everybody could walk out here with half a loaf. I don't see that. I'm not in favor of voting for this petition, either of the two requests.

MR. GEISEL: You know, obviously we're not the Design Committee, so the design of the homes is irrelevant on one hand. But quite frankly, as we've determined earlier, someone else could purchase this, could demolish it without really any notice to any neighbors and you would all wake up to a new large house that's being constructed without any input whatsoever and that architecturally wouldn't fit the neighborhood potentially.

Correspondingly, I think there's a reason that the zoning rules were changed where 5,000 square-foot lots were deemed to be too small. So, to go back and just because some do exist from 1910 or whatever, I don't think that means we should revert back to that at this point. So, that's my opinion.

CHAIRMAN PETRILLO: With all the comments of the Board members being heard, is there a motion?

MR. SELBKA: Motion to deny the variance.

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

MR. DIVITO: I'll second.

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

MR. MACH: Mr. Drake.

MR. DRAKE: I vote to deny, yes.

MR. MACH: Mr. Geisel.

MR. GEISEL: Deny.

MR. MACH: Mr. Selbka.

MR. SELBKA: Deny.

MR. MACH: Mr. Divito.

MR. DIVITO: Deny.

MR. MACH: Chairman Petrillo.

CHAIRMAN PETRILLO: Yes, which would be a denial. I just want to thank all, everybody for being here. This is really indicative in the character I think of Arlington Heights how much people care about being here. Your work was very thorough and your presentations were very articulate. We appreciate your time.

Sir, we wish you the best of luck and we hope you continue to build beautiful homes in Arlington Heights.

MR. LANDER: Thank you.

(Whereupon, the above-mentioned petition was adjourned at 7:58 p.m.)

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS June 13, 2016

PETITIONER: Kirk Residence

ADDRESS OF PROPERTY: 17 S. Mitchell Ave.

VARIATION: 5.1-3.4 (Minimum Lot Size) & 5.1-3.5

Lot 3: a variance to allow a 50' wide, 5,359 square foot lot to be buildable, where 70' wide, 8,750 square feet is required by code.

Lot 4: A variance to allow a 50' wide, 5,359 square foot lot to be buildable, where 70' wide, 8,750 square feet is required by code.

The petitioner explained that they have a contract with contingencies with the Kirk estate for the property located at 17 S. Mitchell. The petitioner explained that the proposal is before the Zoning Board of Appeals because of the substandard lot area and width. The petitioner explained that there are two platted lots which were platted in 1911 and the lots lack adequate size and width to meet the lot size standards in the R-3 zoning district. The petitioner testified that they are proposing to construct a home on each parcel.

The petitioner explained that they believe that the individual block is unique in the fact that there are multiple lots of the same size with aging homes. The petitioner explained that there are six other homes that would be in the same condition where they do not own any contiguous property that would enable them to enlarge their lots. The petitioner testified that according to the Assessor's Office there are three other homes on the east side of the street and three on the west that are similar size lots. The petitioner explained that the current owner has had the property on the market since April 8th of last year. The petitioner explained that the homeowner listed the house and two parcels 25 percent higher than their offer; however, they had subsequently lowered the price twice. The petitioner testified that in their opinion the only way that they can develop that property is to put two smaller homes which they believe would be more in character with the neighborhood versus a home that could be as large as 4,700 square feet. The petitioner explained that they have done a few studies on different configurations and feel that a detached garage or attached garage could work on the 50 foot wide, 5,359 square foot lot.

Neighbors spoke against the project and felt two homes did not fit in with the character of the block. The neighbors also expressed concern that two homes opposed to one home would increase water runoff and cause flooding.

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

Proof of ownership and compliance with the Notification Provisions of the Ordinance were presented.

Thereafter, a motion was made by Mr. Selbka and seconded by Mr. Divito. Thereafter, the Board voted 5-0 to deny the variance request.

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

You are hereby notified that this ruling is subject to appeal to the Circuit Court of Cook County, under the Administrative Review Law. Such appeal must be filed within thirty-five (35) days of the date of receipt of this decision.

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



Item: 2122 E. Miner St. - 6/13/16

Department: Planning & Community Development

ATTACHMENTS:

Description	Type
Minutes 6/13/16 - Giannola	Minutes
Findings 6/13/16 - Giannola	Minutes

ZONING BOARD

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

OF APPEALS

RE: GIANNOLA RESIDENCE - 2122 EAST MINER STREET

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Zoning Board of Appeals taken at the Arlington Heights
Village Hall, 33 South Arlington Heights Road, 1st Floor Buechner Room,
Arlington Heights, Illinois on the 13h day of June, 2016, at the hour of 7:58 p.m.

MEMBERS PRESENT:

TONY PETRILLO, Chairman
TOM DRAKE
DAVID DIVITO
JOSEPH GEISEL
JOSEPH SELBKA

ALSO PRESENT:

DEREK MACH, Village Planner

CHAIRMAN PETRILLO: The next petition, all those who were related to that petition and didn't have any input in the others, you're free to go and leave whenever you like. Giannola Residence on Miner. Giannola? Have a good evening, folks.

Folks, have you had the opportunity to sign in? Would you state your name and address for the record, sir?

MR. GIANNOLA: Dominic Giannola, address is 2122 East Miner. This is my wife Deanne. We're the owners of the house.

CHAIRMAN PETRILLO: Deanne, are you going to be providing testimony this evening? If you would, just in case, would you sign in if you haven't? Then I'll swear you both in and we'll move right along.

(Witnesses sworn.)

CHAIRMAN PETRILLO: Thank you. Do you need me to repeat any of the areas, the standards that we wish you to address?

MR. GIANNOLA: No, thank you. I'm clear on the three questions.

CHAIRMAN PETRILLO: Okay, thank you. You may proceed.

MR. GIANNOLA: So, we are requesting a variance to accommodate a second floor addition and a two-car garage on our new home. Before we purchased the house, our general contractor met with a representative from the Planning Department prior to us making an offer and discussed our plans and made sure that this was a viable option for us. We weren't aware of the restrictions on a corner lot. So, we purchased the home with all intention to perform this work. We feel that if it's not granted, there is no way that this home can meet the needs of our growing family.

As you can see, we're expecting our first child in September and planning more soon after that. Unfortunately, with the two-bedroom and one bath house and one-car garage, it's just not going to work for us long term. We can't really justify the cost of doing the second-floor addition without the two-car garage. We think that's pretty important for us and probably most of other families.

If we ever did need to sell the home, we think we'd have a really hard time selling a two-story house with a one-car garage. Unfortunately, if we were to sell the house right now without doing any work to it, we'd have a pretty significant loss there. We have these closing costs, the double mortgage that we've been spending since we closed on the house, and then the time that we've lost trying to prepare for our baby on the way.

So, some of the unique circumstances, basically because this is a corner lot that's 80 feet wide, technically the front of our house is on Waterman Avenue. But if you look at our house from a practical standpoint, the address and the front of the house is certainly on Miner Street. That's what we understood when we bought the house and that's what we understood after the initial meeting with the Planning Department. So, we weren't aware that a variance was something we had to even consider.

As far as the character of the locality, a two-story home with a two-car garage is pretty common in our neighborhood. If you look at other corner lots in the area, it's pretty typical that they have a garage on what is deemed a backyard but like I mentioned practically the side yard.

So, I also just want to mention that Deanna and I both grew up in the neighborhood. Our parents both live in the neighborhood, both sets of our parents still to this day. We're really looking forward to coming back and raising our family there, so I hope

you consider that. That's all I've got, thank you.

CHAIRMAN PETRILLO: I think the setback, the rear yard setback of 10-foot-4, that's to accommodate the garage, correct?

MR. GIANNOLA: That's correct.

CHAIRMAN PETRILLO: Then the setback, the next setback to allow the porch, could you walk me through that in a little bit more detail?

MR. GIANNOLA: I can have my architect here if I don't answer it to what you need. But basically because we're working with an existing structure, we will need to extend the front porch. It's a pretty minor setback that we're asking for, for the front porch, and that's just because we have an existing structure that we're working with. We obviously don't want to tear the house down.

CHAIRMAN PETRILLO: I can't see by the drawings here, what's the depth of that porch? Do you know approximately?

MR. GIANNOLA: Sorry.

MR. KOLOSOSKI: Five feet.

MR. GIANNOLA: Five feet.

CHAIRMAN PETRILLO: Sir, would you just step up? Since you're providing that figure for us, and we'd like you to, if you would, sign in afterwards?

MR. KOLOSOSKI: I have signed in.

CHAIRMAN PETRILLO: State your name, address, and your relation to this petition?

MR. KOLOSOSKI: My name is Robert Kolososki, I'm an architect, I'm the architect with this letter that you have.

(Witness sworn.)

CHAIRMAN PETRILLO: Thank you.

MR. KOLOSOSKI: The depth of the porch is five feet.

CHAIRMAN PETRILLO: It is five feet, okay. Can you just address, not included or included in that five feet, I noticed that there are some columns and they seem to have very large bases. The depth of those columns are also included in that five feet?

MR. KOLOSOSKI: Yes.

CHAIRMAN PETRILLO: So, in some of those areas it might be four-and-a-half or four feet?

MR. KOLOSOSKI: Right. That's exactly correct.

CHAIRMAN PETRILLO: Okay, we've had a lot of porch variance petitions. Okay, thank you. Then the last variance is you're on a corner, the lot, it requires it to be 90 feet but you're looking to do this on this 80-foot lot and this is an odd-shaped or misplaced lot on the corner. Is that what you said, sir?

MR. GIANNOLA: That is listed as a variance but we have, the house exists and that's how we purchased it, sir. Yes, that's correct, that's why.

CHAIRMAN PETRILLO: Derek, is this considered already, this would be already considered a nonconforming, existing nonconforming?

MR. MACH: Yes, a legal nonconforming lot.

CHAIRMAN PETRILLO: Nonconforming, okay. Any member of the Board have any questions or comments for the Petitioner?

MR. SELBKA: A couple of the objectors suggested building a tandem

garage or expanding the existing one-car garage on the east side into a two-car garage. Why are those possibilities not doable?

MR. KOLOSOSKI: We looked at that possibility, but we were told, the general contractor that was representing my clients conferred with someone at the Village and that person thought that this was a better approach to the problem. I did do preliminary plans with that concept in mind.

MR. SELBKA: Which one? The tandem garage or the existing one-car garage into the two-car garage?

MR. KOLOSOSKI: The existing into the two with the driveway out to Waterman.

MR. SELBKA: Could you do that? Is it possible to do that, and do you have plans for that if it is?

MR. KOLOSOSKI: It's possible. We'd have to have, I mean that would be a different variance. You know, we still would require a variance for it.

CHAIRMAN PETRILLO: Yes, you're either going to load and unload into Waterman which is a narrow street, or load and unload onto Miner which is a much larger street in width.

MR. KOLOSOSKI: Right.

MR. GIANNOLA: I'd also like note Waterman is a through street from Euclid and Northwest Highway.

CHAIRMAN PETRILLO: Yes.

MR. GIANNOLA: So, there's significantly more traffic in being on the corner by the stop sign. I mean honestly I would have some concerns with my child playing in the driveway with all those cars. I'd much prefer it on Miner. But it is technically --

CHAIRMAN PETRILLO: But you're taking square footage away from the home then if you were to keep that one-car garage, that one-car now is going to turn into a livable or if you develop it into a livable area, usable area for living.

MR. GIANNOLA: Correct, yes. The intention is to turn that current garage into our dining room.

CHAIRMAN PETRILLO: Just how many more square feet will that add to the first floor, and what will its uses become?

MR. KOLOSOSKI: The garage?

CHAIRMAN PETRILLO: Yes. It's going to be --

MR. KOLOSOSKI: On Miner Street?

CHAIRMAN PETRILLO: The garage the way it exists today is going to become built into a usable livable space.

MR. KOLOSOSKI: Oh, the existing garage?

CHAIRMAN PETRILLO: Yes, I'm sorry.

MR. KOLOSOSKI: Oh, I'm sorry. That's going to be a dining room.

CHAIRMAN PETRILLO: What's the square footage of that, do you know?

MR. KOLOSOSKI: Approximately just over 200 square feet, approximately.

CHAIRMAN PETRILLO: Okay. Anybody else have any questions for the Petitioner? None being heard, you may have a seat and we'll call you back up later. Is there anybody in the audience that wishes to speak to this petition?

MRS. SOLGER: I need to sign in.

CHAIRMAN PETRILLO: Yes, please, ma'am. Could you state your name and address for the record please?

MRS. SOLGER: My name is Kris Solger. My address is 2106 East Miner.
(Witness sworn.)

CHAIRMAN PETRILLO: Thank you.

MRS. SOLGER: Actually mine is more in the way of a question and suggestions, although I do have a few comments about the two-car garage. We do have a lot of one-car garages in our neighborhood, all up and down Waterman, Phelps, Gibbons. We've had a lot of people building tandem garages because they don't have a choice. There is no width to add so they are going back and forth.

As we noted, the neighbors connoted in our comments, there are a lot of homes in our area and most of them really have not been expanded or remodeled. There is one tear-down on Phelps and then the second one that's going to happen, that actually is happening right now which is a neglected property. But both in our area and in Stone Gate just a little bit to the south of us, lots of one-car garages. People apparently are willing to live in a home with a one-car garage or to build a tandem with the tradeoffs of having a nice neighborhood and mature trees.

So, I just, I don't think it demonstrates a hardship. A one-car garage is not a hardship, it's a preference that some people have. Some people are willing to make some sacrifices and others aren't.

A question that I have, and the Petitioners made reference to this, that the Village had recommended that they look at the other side. It's not clear who in the Village might have recommended that they do the attached two-car garage on the west versus expanding the existing one-car garage and asking for a much smaller variance on the east side of the house. So, a two-car garage is basically pretty much square and the architect can confirm that to me, it seems to me you could leave the garage doors on the Miner side. There is already a two-car driveway there.

CHAIRMAN PETRILLO: Ma'am, if you would just address the Board please?

MRS. SOLGER: I'm sorry. There is a two-car driveway there already. The people had, if you look at the picture of the front of the house, the previous owners expanded the driveway so they could park a second car on the side. So, you kind of have a visual of what a two-car garage would look like there. So, I'm not sure why the garage doors would have to front to Waterman and be changed. Why couldn't it just stay on the Miner side and then build the mudroom on the back of that?

So, the floor plans for the house show a mudroom over on the west side of the house and turning the existing one-car garage into a dining room. If you build the two-car garage on the east side and put the mudroom over there, then you can turn what was going to be the mudroom in that area into a dining room. So, I'm not sure they would be losing a lot of square footage. They would just be utilizing the one-car garage.

Another thing to note is that the one-car garage that's there now is right behind the neighbor to the north since this is a corner lot. That's their garage. So, in terms of a setback from the front yard which is the Waterman side, I know it's always an average of the properties, et cetera. The house next door is an L-shaped split level and its garage backs up to this property. So, a little bit of an extension going five yards into that

front yard isn't going to be seen by that neighbor. His front door is around in the corner of their garage. The people down the street, they probably really wouldn't notice it that much.

CHAIRMAN PETRILLO: Okay, if they build a two-car garage on the west, the east side or the west side, what does that change? If we were addressing a variance for the east side and that driveway stayed where it was as opposed to flipping it to the west side, what is the objection to that?

MRS. SOLGER: Square footage, how much extra square footage they're going to be taking. We're concerned about flooding because the current area where they would want to put this two-car garage on the west side is quite a bit lower than the adjoining property. There is already standing water in the property just to the north of it back in the corner. So, we're concerned about flooding.

A lot of our concerns are based on experiences with people having neighbors build out their homes and suddenly, you know, somebody has been living in a house for 30-40 years, have never had a basement flooding, you know, as the previous discussion went, you know, you start putting in foundations, you're damming off an area. There are two mature trees in that area which would also be removed which of course also pull up a lot of water after rainstorms.

So, it's a significant variance. They're looking for 19 feet where they're supposed, a 19-foot variance where they're supposed to have a 30-foot setback. We just think that's a really large variance, especially because there are viable alternatives on the east side of the house which would result in either no variance or a much smaller one.

CHAIRMAN PETRILLO: We don't know that, whether that petition would be granted for a two-car garage on that side.

MRS. SOLGER: Of course.

CHAIRMAN PETRILLO: But then we're just talking about 200 square feet. They do meet the impervious surface under this which had been reviewed by the Engineering Department, and the building permits will address any of those water runoff and shed and diffusion as they have in all other petitions. Correct, Derek?

MR. MACH: Correct.

MRS. SOLGER: That's all I have.

CHAIRMAN PETRILLO: Thank you, ma'am.

MRS. SOLGER: Thank you.

CHAIRMAN PETRILLO: Is there anyone else that wishes to address this petition? Would you state your name and address for the record please?

MR. KALKWARF: My name is Ben Kalkwarf, I live at 128 North Donald.
(Witness sworn.)

CHAIRMAN PETRILLO: Thank you.

MR. KALKWARF: So, I just want to be here in support of our neighbors and speak very briefly about a couple of items. One of them is the hardship and the driveway where it is. I have three small children right on the corner. That is a very busy corner. It is also obstructed heavily from, you might not be able to see, but there's a wall from the cemetery. So, you've got a very busy intersection and two busy streets, so moving the driveway would help a little bit with small children.

But the other item I want to speak to is, as they mentioned, if the front

of the property were where the address is, this is a Miner address and yet somehow the front of the property is Waterman, if it were on Miner which is where the house is at, there would be no hearing, there would be no variances, there would be no issues. So, that's all I had.

CHAIRMAN PETRILLO: Thank you very much. Is there any questions for this witness? Comments? No? Thank you. Thank you very much.

MR. KALKWARF: Thank you.

CHAIRMAN PETRILLO: Any other individual in the room that wishes to speak to this petition? None being heard, does anybody have any other questions for the Petitioner? Oh, I'm sorry. You want to step forward, sir?

MR. SOLGER: My name is Bob Solger, I live at 2106 East Miner Street.
(Witness sworn.)

CHAIRMAN PETRILLO: 2106, sir, did you say?

MR. SOLGER: Yes. It's right where Phelps dead ends and joins our driveway. The thing that I wanted to point out, we always welcome new neighbors on board in our neighborhood. It's been for the most part a fairly stable neighborhood, not a lot of people have moved in and moved out for a number of years. Within the last few years, we've had quite a few people, younger people that moved in with children.

The thing that I have a problem with here is the issue of hardship. The hardship to me, not having a two-car garage, that was clearly visible when the house was purchased. If the intent was to buy a house, they needed a two-car garage, more than two bedrooms, more than one bath, then that wasn't the house to buy. You can't presume going into the deal that you're going to buy a house and change it to be what you need it to be or want it to be especially if you go in and you look which I would think would be probably the contractor's responsibility or the architect's responsibility, I'm going to design a house for you to fit on this lot, I would think that the first thing they would do is come to the Village and say what are the rules and regulations to build on that lot. Clearly, that lot is not compatible with a house of that size.

We offered alternatives in the letter that we submitted, moving the garage to the other side of the house. The big issue for us is that to build this house in this lot requires not one variance, it's not two variances but three variances. One, the front porch, kind of insignificant. The other one is the one about the size of the lot. It's something that existed when the house was built originally, so that's not a big deal. But to take a setback on a lot of 30 feet and take two-thirds of that for the house, that's a significant variance. That does change the character of what people around them are going to see.

That was my wife that was talking before, the other 2106 East Miner. Putting the garage on the east side of the house, it may not be the best arrangement to have the garage face Waterman, but it certainly can face Miner Street. The people that live there lived in that house without hardship for 20, for 30 some years. I mean they were two working professionals, both of them had, they had two cars. To get around the issue of the one-car garage, they built that little turnabout. Every morning one left, the other left.

So, the hardship wasn't there for the one, you know, the two-bedroom, one-bath, one-car-garage house. There are still people that want that. There are still people that need that. But I'm just saying that not any two-car garage is something

that existed when the house was purchased. I don't see where that would constitute a hardship. They didn't have to buy that house. There are lot of other houses in Arlington Heights for sale in that area I might add that have two-car garages.

CHAIRMAN PETRILLO: So, are you opposed to a two-car garage?

MR. SOLGER: I am opposed to granting the variance for the house the way it was proposed.

CHAIRMAN PETRILLO: But not a two-car garage?

MR. SOLGER: If the two-car garage, I would have less opposition to it if it was on the east side of the house.

CHAIRMAN PETRILLO: Would you agree with me though, if this variance is granted and the Petitioner was able to build, this distance that would exist between this house and the adjacent homes and probably all the way down that road is equal to or more than the distance between the homes?

MR. SOLGER: I'm not sure I understand your question.

CHAIRMAN PETRILLO: If they build the garage, their next closest neighbor is X number of feet away.

MR. SOLGER: Build the garage where? Where they're proposing for it?

CHAIRMAN PETRILLO: On the west side, I'm sorry.

MR. SOLGER: Yes.

CHAIRMAN PETRILLO: Thank you for the clarification. If they build the two-car garage on the west side.

MR. SOLGER: Yes.

CHAIRMAN PETRILLO: That home's west facade would be no closer to the nearest adjacent home than the other homes on that block or in that area that you see.

MR. SOLGER: The garage, it would be much closer to the living area of the home immediately next and other homes in the area. We have garages that face garages.

CHAIRMAN PETRILLO: Well, they're asking for a setback of 10 feet, correct?

MR. SOLGER: Right, and the setback right now is 30 feet.

CHAIRMAN PETRILLO: Right. This distance between these homes at 2118 and 2112, 21 --

MR. SELBKA: 2106.

CHAIRMAN PETRILLO: Yes, and 2022 --

MR. SOLGER: 2106 and 2122 are garage to garage, not front door of the house or back door of the house to the side of a garage. The other issue that we are trying to address here which was mentioned in the letter that we submitted as part of the packet was the issue of flooding. You saw the pictures in the letter, the fence that goes down like this. There are slopes in the backyard, their area always floods. There is a restrictor in the sewer at the corner of Waterman and Miner to kind of control the flooding in that area.

CHAIRMAN PETRILLO: Those issues would be addressed by Engineering, correct, Derek? That the water runoff wouldn't be --

MR. MACH: They would be required to submit a grading plan before the permit process.

MR. SOLGER: Let me just one question. If those issues aren't addressed, what's the recourse of the owners in neighborhood? We've had other people who had

houses here remodeled or mega houses built next door to them with all the proper review and everything, but after the house was built flooding occurred. What's their recourse?

I mean you do what you can, you do what due diligence you can to ensure that's not going to happen. But there's a lot of, if you look at that area originally, look at the old topographical maps of that area, there were farmlands there. Farmlands with a lot of swales and a lot of, we have a natural creek that runs underneath our house. Our neighbor actually lost his front and back porch because the property settled. Our house settled and cracked. We had to have it mudded up and built back up again.

So, flooding and water in that area has been an issue for years. It's something we're very concerned about. Putting the garage on the east side of the house is going to be less additional permeable surface taken up than putting the garage on the west side, because we're going to use part of what they're planning to use as a dining room is the existing garage as the new garage.

CHAIRMAN PETRILLO: The 200 square feet which this all still fits in?

MR. SOLGER: 200 square feet plus a two-car wide driveway.

CHAIRMAN PETRILLO: Correct, but all I was saying is the difference is 200 square feet from doing a two-car garage on the other side and keeping with the plan.

MR. SOLGER: 200 square feet in a swale. 200 square feet in a swale that drains water, taking out two giant material maple trees that also soak up water in the area.

CHAIRMAN PETRILLO: But if those trees become diseased, they could take those, they'd have to take those trees down.

MR. SOLGER: They could, they could, but they're not, and they're very healthy trees.

CHAIRMAN PETRILLO: Joe, did you have a question for the witness?

MR. SELBKA: Yes, it just seems like in certain places garages are very close to living spaces. If you look at 2118 and 2112, the 2118 garage is right next to the living space on 2112.

MRS. SOLGER: Those are bedrooms next on 2112.

MR. SELBKA: The bedrooms are next to the garage?

MRS. SOLGER: They're next to a garage.

MR. SELBKA: Right, okay.

MRS. SOLGER: But from 2118 to 2122, it's the kitchen, and now it would be right to the garage, and it's the main path to the yard on 2118. So, that resident goes in and out that backdoor to the yard. Again, you know, the 2118 was built in 1960. The house next door was built I think in the early 70's, around there. The resident of 2118 is here if she wants to speak. So, yes, it's a primary, it's the only way to get to the backyard from the house. So, relative to the rest of us, yes, we have 10 feet off of our lot line but we don't go out the west side, we don't go out that side of our house to the neighbor.

One thing to note is that this house I think would be like 84 feet long or something like that. What's the total length of the house? The architect may be able to tell us. It would be much larger in terms of mass in front.

CHAIRMAN PETRILLO: Ma'am, okay, if we would, let's focus on the --

MR. SOLGER: Okay, that's just about all I wanted to say. One other comment I wanted to make is the Petitioner has also said that there are houses similar. I

think they referenced Gregory, Grove and Willow street south of their house that have garages on the west side. Two of the three houses that have garages on the west side have the 30-foot setback. I don't think anybody would have an issue with that. The other house is a house with a detached garage which also has the legal setback because their setback for a detached is less than it is for an attached garage.

So, my major concern is I don't see where there's a hardship here to justify granting a variance of this significance for that house.

CHAIRMAN PETRILLO: Thank you, sir.

MR. SOLGER: Thank you.

CHAIRMAN PETRILLO: Is there anyone else in the audience before we move on? Could you state your name and address for the record?

MS. VALENTINE: My name is Joanne Valentine, address is 2115 East Miner Street.

(Witness sworn.)

CHAIRMAN PETRILLO: Thank you.

MS. VALENTINE: I just want to make a statement on the driveway situation, pulling out on Miner Street. I'm directly across the street at 2115. I have the stop sign. There is no problem pulling out of the driveway, and I'm closer to the stop sign than they would be. So, if they put the garage on the east side of the house, there would be absolutely no probably pulling out of the driveway.

The cemetery fence is clearly, you can visual the whole intersection from that side. The only person that would have a problem would be the person on the opposite side of Waterman that their neighbor directly across the street is the cemetery. They're the only one that doesn't have clearance pulling out of their driveway.

CHAIRMAN PETRILLO: Is there any question for this witness?

MR. SELBKA: Do you have a detached garage, ma'am?

MS. VALENTINE: Yes.

CHAIRMAN PETRILLO: Thank you very much. Is there anyone else in the audience? Sir. Could you state your name and address for the record please?

MR. TRAXLER: I'm David Traxler, I live at 206 North Waterman. I'm the house directly north.

(Witness sworn.)

MR. TRAXLER: Basically, I don't know, somebody mentioned that there was flooding to the house north of them, and I have never had flooding. I've been there 24 years. Also, two dozen years ago, they put all that sewer work into Miner Street, tied it in to the deep vault so the streets don't flood it like they once used to.

I basically don't see any problems with this. I'm the neighbor that's closest to them. You go down East Miner Street and the houses all look a lot closer together than this one will to the neighbors, because they're all facing the narrow width going all the way down.

My other comment is that corner lots are notoriously hard to build on.

MR. SELBKA: You're on 2118, sir?

MR. TRAXLER: No, 206.

MR. SELBKA: 206.

MR. TRAXLER: 206, I'm directly north. The L-shaped to the north.

MR. SELBKA: Okay.

CHAIRMAN PETRILLO: Thank you very much. Does anyone else in the audience who wishes to speak to this petition? None being heard, the Petitioners, if you would step forward?

MRS. SOLGER: I think she wanted to speak.

MS. STITT: My name is Mary Stitt. In 1960 --

CHAIRMAN PETRILLO: Ms. Stitt, could you wait until I swear you in?

MS. STITT: Yes.

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

MS. STITT: It's Mary Stitt, 2118 East Miner Street, Arlington Heights.
(Witness sworn.)

CHAIRMAN PETRILLO: Thank you.

MS. STITT: In 1960, we bought our house. The entrances are on the east and the west. So, that means if they build the garage, my kitchen and bedrooms will look on the garage. Now, if you go and measure my house, the depth of the lot, so we enter the front, it's on the west side. The back is on the east. So, it's a four-bedroom, two-bath house which we needed at that time.

So, I'm happy to have new neighbors. I don't want to do anything to disturb them because I'm the one in my backyard that has something for the new neighbors, so I intend to do that. But I'm not looking forward to looking out my kitchen window on a garage. Thank you.

CHAIRMAN PETRILLO: Ma'am, if we were, and we've done this on quite a few occasions, require, if there is an approval of this variance and they were to come closer, to have some beautification with landscaping and so forth to give you a buffer, let's say we require them to have arbor vita at eight feet or something along this --

MS. STITT: But there is not that much room. If you come and measure, their lot line is very, you know, very close to my house.

CHAIRMAN PETRILLO: Well, some could actually come right on that lot line, if they chose, they wanted some privacy, let's say they're going to fence in that yard, they can put up arbor vitae trees or whatever might be there, and give yourself some privacy as well.

MS. STITT: Well, that would have to do.

CHAIRMAN PETRILLO: Would that make a difference to you though then if they had the building behind it?

MS. STITT: You know, I'm at the age where I won't be living there that much longer after living there 56 years. The old man who built the house built a fence on the line because he didn't want the children from the cul-de-sac behind it to cut through. So, I'm accustomed to that lot line. Thank you very much.

CHAIRMAN PETRILLO: I just want to get your last opinion on that if I could. Having some type of barrier there, would that soften that for you?

MS. STITT: That would be very good.

CHAIRMAN PETRILLO: Thank you, ma'am. You may have a seat. I didn't see any other hands raised during the time that Ms. Stitt's hand did. If so, I'm going to call the Petitioners back up.

MR. KALKWARF: Can I address two of the comments?

CHAIRMAN PETRILLO: We don't allow witnesses to address other witness' comments, but thank you.

We had talked a little bit about the garage going on the east side. I travel that way quite frequently. I can't count the number of times there's near accidents in that area. Maybe it's me, the driver, I'm not sure. But what are your observations to that intersection? People try to seem to beat that stop sign for some reason or another.

MR. GIANNOLA: I grew up on Waterman, at 2 South Waterman, it's 12 houses down from that intersection. Yes, I absolutely agree with you, it is definitely heavy traffic and there's a serious concern about the traffic being there.

CHAIRMAN PETRILLO: Are there any other questions or comments from any member of the Board to the Petitioner? Would you be opposed to a requirement to provide landscape barriers between your building and Ms. Stitt's property line to give her some buffer as, you know, far back or as close to your garage, if this is approved, to your building or your structure as possible?

MR. GIANNOLA: Yes, we'd be more than happy to do that. We'd be happy to consult her on the specifics, what she'd like it to look like.

CHAIRMAN PETRILLO: If, and I'm not speaking for anyone or know where this is going yet, but if this were approved, you wouldn't mind a condition that we ask you to do that and consult with Ms. Stitt?

MR. GIANNOLA: We'd be happy to do that.

CHAIRMAN PETRILLO: Does any other member of the Board have any questions or comments for the Petitioner? Thank you very much.

We'll close this then to the Petitioner and the audience's testimony. Would any other Board member like to take the opportunity to start?

MR. DIVITO: I can start for you. You know, as the neighbor to the north said, corner lots are always giving us some difficulties here. The practicality of the house facing Miner and having the left side be considered the rear of the property creates this setback issue. If it was a side lot that it visibly looks to be, there would be no issue.

So, that, and the porch is obviously a non-issue considering how many other issues we've seen like that before, so really I think you're working with the best that they can off of this property and still making it reasonable.

The only other thing about the trees, there's two other trees on the Waterman side that would have to come down as well. So, one is a substantial high tree, the other one is a parkway tree that would have to come down. So, I just threw that out.

CHAIRMAN PETRILLO: Joe or Tom?

MR. DRAKE: We had the neighbors that live nearby that are trying redesign their project and that's reasonable when it affects your home and your neighborhood. We had the neighbors sort of in the middle, not really a problem if there's a berm or whatever, with other neighbors for it. So, I'm not keeping track of who said what, but it seems like it's kind of a mixed bag in terms of the neighborhood reaction.

I think families are different today than they were 56 years ago. The needs are different 30 years ago, 25. I think the project will enhance the home and certainly the neighborhood, and meet the needs of the resident. I don't see what real alternative they had.

I've been on Miner and on Waterman quite a bit. I used to go to Glenview and cut through those neighborhoods. I've seen a number of near misses in terms of that stop sign in that area. So, I can understand why you'd want to have the garage on the west side versus the east side and more living space. So, I'm in favor of their request as I see it right now.

CHAIRMAN PETRILLO: Joe or Joe, do you have anything you'd like to say?

MR. GEISEL: Yes, I think to your point, I mean just the fact that it's the corner makes it difficult. I mean the practical reality of considering Waterman the front is really a Village standard. When you look at the house, the front of the house is clearly on Miner. To your point, if you look at all of the other homes and you look at the distances that each one of those has relative to the lot line, this still leaves 10 feet which is considerably more than virtually all the other neighbors, or very close to it if not more than every single one of those homes.

MR. SELBKA: I agree with the other Board members. However, I do see an issue in that it does significantly change Ms. Stitt's view, and therefore, I'd be inclined to vote for this. Corner lots are really difficult, but I would attach the condition that some landscaping be put in place so as to accommodate Ms. Stitt. That would be the condition I would give to granting this variance.

MR. GEISEL: Not to disagree with you, but obviously when you look at the home facing east, you still see the side of the existing house. So, the difference is the proximity of that house to her, and to that point, yes, it would be certainly appropriate to add some screening if this were approved.

CHAIRMAN PETRILLO: All my comments have been covered by my fellow Board members, and at this time I'll ask that we will take all three of these variances in one single vote unless someone sees some reason to bifurcate those. I don't. So, with that consideration all in one motion, is there a motion?

MR. SELBKA: Tony, are we going to condition the --

CHAIRMAN PETRILLO: I think we would do that during the motion.

MR. SELBKA: Okay, and do we need two motions? One for no condition as well?

CHAIRMAN PETRILLO: I think since we haven't taken a motion, we could place that condition in a first roll call of any motion. Would you like to make a motion?

MR. SELBKA: Yes. I'll motion to approve the three variances with the first conditioned on placing screening in the form of landscaping in front of the, or along the side of the garage where it is visible from 2118 which is Ms. Stitt's property.

CHAIRMAN PETRILLO: In consultation with Ms. Stitt?

MR. SELBKA: In consultation with Ms. Stitt, yes.

CHAIRMAN PETRILLO: Is there a second to that motion?

MR. DRAKE: Second.

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

MR. MACH: Mr. Divito.

MR. DIVITO: Yes.

MR. MACH: Mr. Drake.

MR. DRAKE: Yes.

MR. MACH: Mr. Geisel.

MR. GEISEL: Yes.

MR. MACH: Mr. Selbka.

MR. SELBKA: Yes.

MR. MACH: Chairman Petrillo.

CHAIRMAN PETRILLO: Yes. Congratulations, folks. I want to again thank all of you for sitting through the long testimony of the first petition and the articulate comments this evening. They are all very well appreciated. Thank you.

(Whereupon, the above-mentioned petition was adjourned at 8:37 p.m.)

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS June 13, 2016

PETITIONER: Giannola Residence

ADDRESS OF PROPERTY: 2122 E. Miner St.

VARIATION: 5.1-3.6 (Required Minimum Yards), 5.4 (Table of Required Minimum Yards), 5.1-3.5 (Minimum Lot Width)

A 19.5' variance to allow an additional with a rear yard setback of 10.5' from the west property line instead of the minimum 30' and an additional 1.5' for the eave; A 3.3' variance to allow a porch with an exterior side yard setback of 28.0' from the south property line instead of the minimum 30' and an additional 1.0' for the eave; A variance to allow an 80' wide lot to be buildable, where 90' wide is required.

The petitioner explained that they are requesting a variance to accommodate a second floor addition and a new two-car attached garage. The petitioner explained that before they purchased the house, their general contractor met with a representative from the Planning Department in order discuss viable options for expanding the home and that they received verbal approval of their plans. The petitioner testified that they weren't aware of the restrictions on a corner lot. The petitioner testified that they can't justify the cost of constructing a second-floor addition without the two-car attached garage. Neighbors at the hearing did speak in opposition to the variance request. The neighbors expressed concerns with flooding and the removal of an existing tree as well as the proximity of the new two car attached garage to the home to the west. The neighbors suggested that the petitioner evaluate expanding the existing one car garage on the east side in order to create a two car garage.

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

Thereafter, a motion was made by Mr. Selbka and seconded by Mr. Drake with a conditioned on placing screening in the form of landscaping in front of the garage, or along the side of the garage where it is visible from the property to the west. Thereafter, the Board voted 5-0 to approve the variances requested.

Now, therefore, after hearing all the evidence and after due deliberation, the Zoning Board of Appeals, voted 5-0 to grant the variances as requested with a condition that landscaping be provided on the west elevation of the new attached garage.

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

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

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



Item: 1624 W. Cambridge St. - 6/13/16

Department: Planning & Community Development

ATTACHMENTS:

Description	Type
Minutes 6/13/16 - Holthouse	Minutes
Findings 6/13/16 - Holthouse	Minutes

ZONING BOARD

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

OF APPEALS

RE: HOLTHOUSE RESIDENCE - 1624 WEST CAMBRIDGE STREET

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Zoning Board of Appeals taken at the Arlington Heights
Village Hall, 33 South Arlington Heights Road, 1st Floor Buechner Room,
Arlington Heights, Illinois on the 13th day of June, 2016, at the hour of 8:37 p.m.

MEMBERS PRESENT:

TONY PETRILLO, Chairman
TOM DRAKE
DAVID DIVITO
JOSEPH GEISEL
JOSEPH SELBKA

ALSO PRESENT:

DEREK MACH, Village Planner

CHAIRMAN PETRILLO: Next petition is the Holthouse Residence on Cambridge. Do you need me to repeat any of the conditions that were raised by me?

MR. HOLTHOUSE: No, sir.

CHAIRMAN PETRILLO: Did you sign in?

MR. HOLTHOUSE: Yes, sir.

(Witness sworn.)

CHAIRMAN PETRILLO: Thank you. You can proceed.

MR. HOLTHOUSE: I'm asking for a variance, a fence variance on the corner of Cambridge and Wilke. Basically, it's asking to leave the existing fence where it is. I want to build a new fence, it's rotten, it's coming down. Of course Wilke is a pretty busy street as well. I've got two kids, one is two, one is six weeks old. The neighbor kitty corner to the north has an inground pool. There is no other barrier besides my rotting fence back there. In other to do any kind of repairs to it, the whole thing has to come down.

I'm only asking to put up the new fence where the old fence is right now. Along North Wilke, it's copasetic all the way down. If I follow the variance, it's going to bring it in an extra 12 feet, so it's a little off. We've got to move my kids' playground, a full wooden set, I don't think that thing is going to come back 12 feet without me breaking something. All the trees are within my property line as well. So, if I move the fence back, they will be misconformed as well, so I don't know if those trees would have to come out.

The hardship to me is safety for my kids. What other things do I need to touch on? Sorry.

CHAIRMAN PETRILLO: Uniqueness of the neighborhood, you've already described in getting a reasonable return on your investment.

MR. HOLTHOUSE: Yes, sir.

CHAIRMAN PETRILLO: This is for me, already currently an existing nonconforming issue, but we'll address the Board members' comments. Is there any questions for this witness?

MR. GEISEL: Just to be clear, you're putting it up exactly, in the exact same spot that it is now?

MR. HOLTHOUSE: Yes, sir.

CHAIRMAN PETRILLO: Is there anyone in the audience that wishes to speak to this petition? None being heard, we'll close this for Board members' comments. Is there any question or comments by the board? None being heard, is there a motion?

MR. SELBKA: Motion to approve.

CHAIRMAN PETRILLO: We have a motion to approve, do we have a second?

MR. GEISEL: Second.

CHAIRMAN PETRILLO: Derek, would you call the roll?

MR. MACH: Mr. Drake.

MR. DRAKE: Yes.

MR. MACH: Mr. Divito.

MR. DIVITO: Yes.

MR. MACH: Mr. Geisel.

MR. GEISEL: Yes.

MR. MACH: Mr. Selbka.

MR. SELBKA: Yes.

MR. MACH: Chairman Petrillo.

CHAIRMAN PETRILLO: Yes.

MR. HOLTHOUSE: Thank you, guys.

CHAIRMAN PETRILLO: That was quick. Thank you.

(Whereupon, the above-mentioned petition was adjourned at 8:42 p.m.)

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS June 13, 2016

PETITIONER: Holthouse Residence
ADDRESS OF PROPERTY: 1624 W. Cambridge St.
VARIATION: 6.13-3c1, 6.13-3 (Exterior Side Yards)

A 12' setback variance to allow a 6' tall semi-open fence in the exterior side yard that is along the west property line with no street side landscaping where a 12' setback is required; And a 3' height variance to allow a 6' tall fence in the exterior side yard along the perimeter of the lot where a 3' high fence is allowed.

The petitioner explained that they are seeking a variance to replace an existing fence at the corner of Cambridge Street and Wilke Road. The petitioner testified that the existing non-conforming fence has deteriorated and needs to be replaced. The petitioner testified that the fence will be in the same location as the existing fence and in line with the neighboring fences along Wilke Road. The petitioner also testified that landscaping would have to be removed if the fence was setback in order to comply with code.

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

Thereafter, a motion was made by Mr. Selbka and seconded by Mr. Geisel. Thereafter, the Board voted 5-0 to approve the variance request.

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

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

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

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



Item: 604 N. Carlyle Ln. - 6/13/16

Department: Planning & Community Development

ATTACHMENTS:

Description	Type
Minutes 6/13/16 - Nelson	Minutes
Findings 6/13/16 - Nelson	Minutes

ZONING BOARD

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

OF APPEALS

RE: NELSON RESIDENCE - 604 NORTH CARLYLE LANE

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Zoning Board of Appeals taken at the Arlington Heights
Village Hall, 33 South Arlington Heights Road, 1st Floor Buechner Room,
Arlington Heights, Illinois on the 13th day of June, 2016, at the hour of 8:42 p.m.

MEMBERS PRESENT:

TONY PETRILLO, Chairman
TOM DRAKE
DAVID DIVITO
JOSEPH GEISEL
JOSEPH SELBKA

ALSO PRESENT:

DEREK MACH, Village Planner

MR. DIVITO: I need to recuse myself for this one.

CHAIRMAN PETRILLO: Okay, Commissioner Divito has to recuse himself from this next one. I just want to let this Petitioner know that it does require a vote of all four members to pass regardless of the size of the Board which is currently six. So, if you would like to proceed, please step forward. With this in mind, if you would like to carry this to the next meeting, we'd be more than happy to do that, too.

MR. NELSON: I'll move forward.

CHAIRMAN PETRILLO: You're the gambler, okay. All right, sir, have you already signed in?

MR. NELSON: I'm signed in, yes.

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

MR. NELSON: Mark Nelson, 604 North Carlyle Lane.

(Witness sworn.)

CHAIRMAN PETRILLO: Thank you, sir. Do you need me to repeat anything for you on the conditions that you need to meet?

MR. NELSON: No.

CHAIRMAN PETRILLO: Okay, thank you. You may proceed.

MR. NELSON: So, this is a variance to put a shed in basically the backyard or within the backyard fence of my house. The ordinance states that the shed, this is a 10 by 12 shed, needs to be behind the house. We did put an addition on the house a few years back which is graded and put a new fence 10 years ago as well. The fence was basically on the same spot the old one was, but there is a spot on the side of the house where the shed could be located. That's where my original permit got denied.

So, the hardship is, in the spot that I'm at, there is a 15-foot easement for utilities and like a cable, all those kinds of things that come because I have the kind of main box back there from the neighborhood that it comes out of. So, I can't build a shed kind of on any part of the back side of the fence, so on the west side of the fence. So, then when I take that 15-foot easement and bring in out, it would require me to, on the south side of the house I'd have to cut down trees and move a play set to put a shed anywhere kind of over there that's behind the house.

On the north side of that, I would again, even with 15 feet, I'd probably have to cut down a tree as well as by putting the shed there, it would kind of eat up some yard as well as it would kind of put it right directly kind of between my neighbor and I in kind of the spot where, you know, it would kind of block some of his view. I do have a letter from him that I can copy though that I can give you that he is in support of the variance as well.

MR. GEISEL: Is that Mr. Vasserman then?

MR. NELSON: Yes.

MR. GEISEL: Yes, I think we have that one.

CHAIRMAN PETRILLO: Oh, it's the same one? We have a copy of that.

MR. NELSON: Oh, you do have a copy of that? Okay. So, yes, he's in support, Mr. Vasserman. So, if you see --

CHAIRMAN PETRILLO: So, virtually you're going to have your shed

plunked in the middle of your yard, whereas you have a space here that is virtually unused, your neighbors won't see it.

MR. NELSON: Correct.

CHAIRMAN PETRILLO: The only one who might be inconvenienced a little bit is by you and it's going to open to the rear of the yard?

MR. NELSON: Correct, it's going to open to the rear of the yard.

CHAIRMAN PETRILLO: Is there any question or comments for this Petitioner? Is there anybody in the audience that wishes to speak to this petition? None being heard, is there a motion?

MR. SELBKA: Motion to approve.

CHAIRMAN PETRILLO: We have a motion to approve. Second?

MR. DRAKE: Second.

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

MR. MACH: Mr. Divito. I'm sorry. Mr. Drake?

MR. DRAKE: Yes.

MR. MACH: Mr. Geisel.

MR. GEISEL: Yes.

MR. MACH: Mr. Selbka.

MR. SELBKA: Yes.

MR. MACH: Chairman Petrillo.

CHAIRMAN PETRILLO: Yes. The motion passes, good luck.

(Whereupon, the above-mentioned petition was adjourned at 8:46 p.m.)

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS June 13, 2016

PETITIONER: Nelson Residence
ADDRESS OF PROPERTY: 604 N. Carlyle Ln.
VARIATION: 6.5-2

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

The petitioner explained that they are proposing a shed in the side yard where sheds are only allowed in the rear yard. The petitioner testified that there is a 15-foot utility easement along the rear property line. The petitioner also testified that they would have to remove trees or move a play set if the shed was located on the south side or on the north side of the house. The petitioner shared a letter from the neighbor in support of the variance.

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

Thereafter, a motion was made by Mr. Selbka and seconded by Mr. Geisel. Thereafter, the Board voted 4-0 to approve the variance request. Mr. Divito recused himself.

Now, therefore, after hearing all the evidence and after due deliberation, the Zoning Board of Appeals, voted 4-0 to grant the variance as requested.

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

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

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



Item: 4 N. Reuter Dr. - 6/13/16

Department: Planning & Community Development

ATTACHMENTS:

Description	Type
Minutes 6/13/16 - Applegate	Minutes
Findings 6/13/16 - Applegate	Minutes

ZONING BOARD

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

OF APPEALS

RE: APPEGATE RESIDENCE - 4 NORTH REUTER DRIVE

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Zoning Board of Appeals taken at the Arlington Heights
Village Hall, 33 South Arlington Heights Road, 1st Floor Buechner Room,
Arlington Heights, Illinois on the 13th day of June, 2016, at the hour of 8:46 p.m.

MEMBERS PRESENT:

TONY PETRILLO, Chairman
TOM DRAKE
DAVID DIVITO
JOSEPH GEISEL
JOSEPH SELBKA

ALSO PRESENT:

DEREK MACH, Village Planner

CHAIRMAN PETRILLO: The Applegate Residence on Reuter. You both have signed in then?

MR. APPEGATE: Yes. We have some pictures of the property. Google Maps is a little bit out of date.

CHAIRMAN PETRILLO: Okay. Would you please state your, ma'am, please state your name and address for the record?

MRS. APPEGATE: Nicole Applegate, 4 North Reuter Drive.

CHAIRMAN PETRILLO: Sir?

MR. APPEGATE: Robert Applegate, same address, 4 North Reuter Drive.

CHAIRMAN PETRILLO: Can I swear you in?

(Witnesses sworn.)

CHAIRMAN PETRILLO: Okay, thank you. Do you need me to repeat any of the elements that we're asking you to touch upon?

MR. APPEGATE: No, I don't think so. So, we'd like a variance to replace our current fence as well as extend it up the side yard along Campbell side of our yard. I think current code states that the side yard, you guys are all well aware of the corner lots, right? I've heard it a couple of times. The side of our house, what we consider the side of our house on Campbell is technically the front, but the front is on the Reuter side.

So, we'd like to bring the fence up along the side of the house similar to several of our other neighbors and we'd like to make it a privacy fence, six-foot tall on the Campbell side and coming up to the side of the house as well, and then five-foot along the property line at the back.

CHAIRMAN PETRILLO: I noticed that on your, so it exists in this current location with the exception of going forward towards Reuter, correct?

MR. APPEGATE: Correct, and it's only --

CHAIRMAN PETRILLO: On that same line I assume?

MR. APPEGATE: Right, and it's only five-foot.

CHAIRMAN PETRILLO: Okay, and by the drawing here, and I'm not sure if this was intentional or not, it looks like you may have carved off the southeast into an angle as opposed to squaring it off? This section here?

MR. APPEGATE: Yes, it should actually, it should be going from the side here up to here.

CHAIRMAN PETRILLO: Okay. Oh, I'm sorry, I thought you were going forward further.

MR. APPEGATE: No.

CHAIRMAN PETRILLO: I'm sorry, I thought you were going all the way forward. You're coming up to, okay. Okay.

MR. GEISEL: I think it's correct. CHAIRMAN PETRILLO: Yes, I see that. So, how far up is it going then? Did I miss it?

MR. DIVITO: Right, one more.

CHAIRMAN PETRILLO: Oh, there it is, I'm sorry. Okay, thank you. Sorry about that.

MR. APPEGATE: So, in terms of what we'd like to get out of this, in terms of return on our investment, our backyard is really open to Campbell. Campbell is a high traffic street as you're well aware. We're constantly getting, even though it's supposedly a

25 mile-per-hour speed limit, we're constantly getting significantly higher than that and very loud vehicles. So, from a privacy perspective, we'd like to be able to enjoy our backyard.

We're also a young couple. We plan to have a family in the near future. From a safety perspective, we'd like to feel more comfortable allowing our kids to run around the backyard. We believe this would provide significant peace of mind.

CHAIRMAN PETRILLO: Oh, I mean I'm sorry if I missed it, the reason to go forward more towards Reuter, what was the reason for that?

MR. APPEGATE: To utilize more of our yard. The side yard is for the most part unused and we'd like to expand on our backyard and get more use out of it.

CHAIRMAN PETRILLO: So, that will be moved up against that one window near the rear of the house, more privacy, you have a shed.

MR. APPEGATE: Correct.

CHAIRMAN PETRILLO: Okay. Are there any questions from any member of the Board? None being heard, is there anyone in the audience who wishes to speak to this petition? None being heard, and I apologize, I requested a motion on the last petition without opening it up to Board member comments so I will do that now for this petition.

If there are no comments, is there a motion? I don't see an issue with this and I think the effect is to get a little bit more privacy in the rear of the house. The height is not an issue for me, especially along Campbell. I see frequent trucks driving there, so that additional foot gives a little bit more privacy in my opinion.

MR. DIVITO: It's also consistent with the neighbor across the street to come up into the house a little bit. So, with that, I'll motion to approve.

CHAIRMAN PETRILLO: Is there a second?

MR. DRAKE: Second.

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

MR. MACH: Mr. Geisel.

MR. GEISEL: Yes.

MR. MACH: Mr. Selbka.

MR. SELBKA: Yes.

MR. MACH: Mr. Divito.

MR. DIVITO: Yes.

MR. MACH: Mr. Drake.

MR. DRAKE: Yes.

MR. MACH: Chairman Petrillo.

CHAIRMAN PETRILLO: Yes.

MR. APPEGATE: Thank you.

CHAIRMAN PETRILLO: Good weather coming, start digging.

MR. APPEGATE: Yes.

MRS. APPEGATE: Thank you.

(Whereupon, the above-mentioned petition was adjourned at 8:52 p.m.)

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS June 13, 2016

PETITIONER: Applegate Residence
ADDRESS OF PROPERTY: 4 N. Reuter Dr.
VARIATION: 6.13-3

A 3' height variance to allow a 6- tall fence in the front yard where 3' is the maximum height; A variation to allow a solid fence in the front yard where only an open fence is permitted.

The petitioner testified that they are seeking a variance to replace their current fence as well as extend the fence along Campbell Street. The petitioner explained that the variance is for fence height in the front yard and for a solid fence. The petitioner explained that their front entrance is on the Reuter Drive frontage or the exterior side yard and that per the zoning code, the front is the Campbell Street frontage. The petitioner explained that they would like to locate a portion of the six foot high fence in the front yard. The petitioner testified that Campbell Street is a heavily traveled corridor and that their front door fronts on the exterior side (Reuter Drive).

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

Thereafter, a motion was made by Mr. Divito and seconded by Mr. Drake. Thereafter, the Board voted 5-0 to approve the variance request.

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

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

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

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



Item: 131 N. Waterman Ave. - 6/13/16

Department: Planning & Community Development

ATTACHMENTS:

Description	Type
Minutes 6/13/16 - Cella	Minutes
Findings 6/13/16 - Cella	Minutes

ZONING BOARD

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

OF APPEALS

RE: CELLA RESIDENCE - 131 NORTH WATERMAN AVENUE

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Zoning Board of Appeals taken at the Arlington Heights
Village Hall, 33 South Arlington Heights Road, 1st Floor Buechner Room,
Arlington Heights, Illinois on the 13th day of June, 2016, at the hour of 8:52 p.m.

MEMBERS PRESENT:

TONY PETRILLO, Chairman
TOM DRAKE
DAVID DIVITO
JOSEPH GEISEL
JOSEPH SELBKA

ALSO PRESENT:

DEREK MACH, Village Planner

CHAIRMAN PETRILLO: Cella Residence.

MR. CELLA: Hi.

CHAIRMAN PETRILLO: How are you?

MR. CELLA: Good.

CHAIRMAN PETRILLO: Everybody signed in that's going to testify? I'll swear everyone in once then.

(Witnesses sworn.)

CHAIRMAN PETRILLO: We'll start with the ladies first, from your left to the right, would you state your name and address?

MS. RANDALL: I'm Abigail Randall, I'm an architect working for Lou and Denise Cell. My address is 39 East Quincy Street, Riverside, Illinois.

CHAIRMAN PETRILLO: Ma'am?

MRS. CELLA: Denise Cella, 131 North Waterman.

MR. CELLA: Lou Cella, 131 North Waterman. More of the part of Waterman they were talking about earlier.

CHAIRMAN PETRILLO: Who would like to lead? You'll go first? Do you need me to repeat any of the elements that we're asking you to address this evening?

MS. RANDALL: Basically, my clients were looking for more living space between, and a way to connect their garage to their existing home. Mrs. Cella's mother lives with them. They are looking for more space and we felt that this was the most practical way to do it. Also, they live on a corner so it was the most practical way in a sense of addressing both streets.

So, we're looking to simply fill in the space between their garage and their existing family home. They're set back on both sides in order to be respectful and keep the scale and proportion of the existing home.

CHAIRMAN PETRILLO: This connection causes the setback variance issue?

MS. RANDALL: Yes. It was, it's been a conforming detached garage --

CHAIRMAN PETRILLO: And there's a lot of homes in the area that have done this along Miner that I've noticed. I ride my bike by there all the time, drive by there all the time.

Are there any questions from any member of the Board for these Petitioners? None being heard, is there anyone in the audience who wishes to speak to this petition?

None being heard, this to me is a very simple, straightforward issue. I think it's a very welcome addition and a need for additional space for Mrs. Cella's mother. I think it's very reasonable.

MR. GEISEL: I would agree. Just filling it in actually makes sense.

CHAIRMAN PETRILLO: Is there a motion?

MR. DRAKE: I move approval of Petitioner's request.

CHAIRMAN PETRILLO: Is there a second?

MR. DIVITO: I'll second.

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

MR. MACH: Mr. Geisel.

MR. GEISEL: Yes.

MR. MACH: Mr. Selbka.

MR. SELBKA: Yes.

MR. MACH: Mr. Divito.

MR. DIVITO: Yes.

MR. MACH: Mr. Drake.

MR. DRAKE: Yes.

MR. MACH: Chairman Petrillo.

CHAIRMAN PETRILLO: Yes.

MS. RANDALL: Thank you.

CHAIRMAN PETRILLO: Have at it. I'm going to ride my bike by once you complete the project, okay?

MRS. CELLA: Thanks.

MR. CELLA: Thank you.

CHAIRMAN PETRILLO: Have a nice evening.

(Whereupon, the above-mentioned petition was adjourned at 8:58 p.m.)

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS June 13, 2016

PETITIONER: Cella Residence
ADDRESS OF PROPERTY: 131 N. Waterman Ave.
VARIATION: 5.1-3.6 (Required Minimum Yards), 5.4 (Table of Required Minimum Yards)

A 11.3' variance to allow an addition with a rear yard setback of 18.7' from the east property line instead of the minimum 30' and an additional 1.5' for the eave.

The petitioner testified that they would like to expand the living space between their existing garage and the existing home by connecting the two with an addition. The petitioner explained that attaching the garage to the existing home creates a non-conforming situation and therefore the need for a setback variance.

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

Thereafter, a motion was made by Mr. Drake and seconded by Mr. Divito. Thereafter, the Board voted 5-0 to approve the variance request.

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

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

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

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



Item: 1119 N. Beverly Ln. - 6/13/16

Department: Planning & Community Development

ATTACHMENTS:

Description	Type
Minutes 6/13/16 - LaSalvia	Minutes
Findings 6/13/16 - LaSalvia	Minutes

ZONING BOARD

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

OF APPEALS

RE: LaSALVIA RESIDENCE - 1119 NORTH BEVERLY LANE

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Zoning Board of Appeals taken at the Arlington Heights
Village Hall, 33 South Arlington Heights Road, 1st Floor Buechner Room,
Arlington Heights, Illinois on the 13th day of June, 2016, at the hour of 8:58 p.m.

MEMBERS PRESENT:

TONY PETRILLO, Chairman
TOM DRAKE
DAVID DIVITO
JOSEPH GEISEL
JOSEPH SELBKA

ALSO PRESENT:

DEREK MACH, Village Planner

CHAIRMAN PETRILLO: We have the LaSalvia petition, LaSalvia. Would you step forward? LaSalvia here this evening? Oh, there we are.

MR. LaSALVIA: Sorry.

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

MR. LaSALVIA: Frank LaSalvia, 1119 North Beverly.
(Witness sworn.)

CHAIRMAN PETRILLO: Do you need me to repeat any of the elements we ask you to touch on?

MR. LaSALVIA: No.

CHAIRMAN PETRILLO: Go ahead, sir.

MR. LaSALVIA: I am looking for approval for a variance that I actually had approved before but had passed the timeline that I needed to proceed with the permit of the building of what we were planning on doing with the original addition to the house.

CHAIRMAN PETRILLO: Could you just walk us through those real quick?

MR. LaSALVIA: Sure. It was for a front yard setback. We were, I guess the hardship that was originally stated is currently when you walk into our house, you walk into basically the wall of the stairs. So, we are looking to move the front entry out roughly I think about six to eight feet so that you can come in to an entry rather than a closet. Then we are putting a front porch then on the front to help the aesthetic of the house and have a front porch to the house. So, that's the setback, requiring us to move the setback, I think it was around nine feet or so.

I know on the new one it says that the setback was going to be different, but it's not. The footprint of what we were originally going to do and what we are doing now is the same. So, I think it's eight-and-a-half-foot variance from the front yard.

CHAIRMAN PETRILLO: Derek, is that stated correctly? I just want to make it a matter of record, if we are going to vote in approval, that we have those distances correct.

MR. MACH: They are. The proposed plan is, as far as the front yard encroachment, is the same as what was previously approved. I think there is a radius in the front of the property and I suspect that where the measurement was taken is the difference between previously the 8.5 and the 10.2.

CHAIRMAN PETRILLO: I forgot to ask you today when I talked to you on the phone, I meant to ask, I thought of this question after, I was going to ask for a copy of the minutes from the meeting. But have you verified from the minutes of the meeting this was indeed the, okay, thank you.

MR. LaSALVIA: I have the original print at the time, if you want to look at it for what it was. Same from before.

CHAIRMAN PETRILLO: Is there any questions for the Petitioner from any member of the Board?

MR. DRAKE: I was confused about one thing. In your actual petition, where you talk about the hardships, there are some handwritten words here that say "and additions" in two spots I think. But on the paper work from Staff, it doesn't say anything about an addition. It talks about just the porch.

MR. LaSALVIA: Correct.

MR. DRAKE: So, I want to be clear on what exactly we're approving or being asked to approve. Is it just the porch or is it the porch and additions? Because it doesn't really jive with --

MR. LaSALVIA: Sure, and I guess I can address that. In the new plan, we are bumping out the dining area a couple of feet which we were not doing before. But the variance is the same because we're only taking that out of the porch area, so it doesn't affect us moving out any farther. The footprint is the same as it was before. We're just bumping out the area where we currently have the dining room. We're taking that a couple of extra feet to get some more space for the dining area.

MR. DRAKE: Okay, thank you.

CHAIRMAN PETRILLO: I think there's no other question or comments. Anybody from the audience who wishes to speak to this petition? None being heard, Joe, do you want to comment on this?

MR. SELBKA: Not especially.

CHAIRMAN PETRILLO: Okay. Anybody else? Tom?

MR. DRAKE: No, thanks.

CHAIRMAN PETRILLO: Okay, I see no reason to undo what was done at the October 3rd, 2013 meeting. I think I probably sat on the Board at that time. So, if there's a motion?

MR. SELBKA: Motion to approve.

MR. DRAKE: Second.

CHAIRMAN PETRILLO: Go ahead.

MR. MACH: Mr. Divito.

MR. DIVITO: Yes.

MR. MACH: Mr. Drake.

MR. DRAKE: Yes.

MR. MACH: Mr. Geisel.

MR. GEISEL: Yes.

MR. MACH: Mr. Selbka.

MR. SELBKA: Yes.

MR. MACH: Chairman Petrillo.

CHAIRMAN PETRILLO: Yes.

MR. LaSALVIA: Thank you.

(Whereupon, the above-mentioned petition was adjourned at 9:02 p.m.)

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS June 13, 2016

PETITIONER: LaSalvia Residence
ADDRESS OF PROPERTY: 1119 N. Beverly Ln.
VARIATION: 5.1-3.6 (Required Minimum Yards) & 5.4 (Table of Required Minimum Yards)

A 10.2' variance to allow a 22.1' wide covered front porch with a front yard setback of 19.6' from the northwest property line instead of the minimum 29.8' and an additional 1.0' for the eave.

The petitioner testified that they are seeking a variance for a new front porch that is encroaching into the required front yard setback. The petitioner explained that the variance was previously approved in 2015; however, the variance expired since it has been over one year. The petitioner also explained that previously a variance was granted for an addition in the rear but that at this time they are not going to move forward with the rear addition.

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

Thereafter, a motion was made by Mr. Selbka and seconded by Mr. Drake. Thereafter, the Board voted 5-0 to approve the variance request.

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

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

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

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



Item: 19 N. Prindle Ave. - 6/13/16

Department: Planning & Community Development

ATTACHMENTS:

Description	Type
Minutes 6/13/16 - Klister	Minutes
Findings 6/13/16 - Klister	Minutes

ZONING BOARD

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

OF APPEALS

RE: KLISTER RESIDENCE - 19 NORTH PRINDLE LANE

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Zoning Board of Appeals taken at the Arlington Heights
Village Hall, 33 South Arlington Heights Road, 1st Floor Buechner Room,
Arlington Heights, Illinois on the 13th day of June, 2016, at the hour of 9:02 p.m.

MEMBERS PRESENT:

TONY PETRILLO, Chairman
TOM DRAKE
DAVID DIVITO
JOSEPH GEISEL
JOSEPH SELBKA

ALSO PRESENT:

DEREK MACH, Village Planner

CHAIRMAN PETRILLO: Klister, is that the proper pronunciation?

MRS. KLISTER: Yes. I'm Deanna Klister, 19 North Prindle Avenue.

MR. KLISTER: Matt Klister, 19 North Prindle Avenue.

CHAIRMAN PETRILLO: Thank you.

(Witness sworn.)

CHAIRMAN PETRILLO: Do you need me to repeat any of the elements?

MRS. KLISTER: No. We were here about nine years ago because we were redoing our driveway at the time, so we wanted to extend it past the 22 feet. We were turned down because, the reason was we didn't have an imminent need for it. Our oldest child was about seven at the time.

Well, guess what? That seven-year-old is now 16, and now he's driving, he has a car. Within like three months, my second son will be having his permit, so another driver's license within a year. Then my youngest son will have it within two years.

So, now I'm here to try to extend that out so we don't have to be shuffling the cars back and forth. My boys also want to put a basketball net in and you were saying about your children being rambunctious. Anything that gets my children out of the house away from their computers is a win-win for me. So, I'm trying to get them out of the house more.

We don't like to block the sidewalk, so we don't like to park there. We don't like to park in the street because Prindle is a very busy street. It's the one that goes all the way through so it's very busy. Sometimes I like to let the neighbors park in my driveway also during the winter times when there are snowstorms, because a lot of them have a one-car garage.

MR. KLISTER: One-car driveways.

MRS. KLISTER: And one-car driveways. So, they kind of ask if they can park at mine. We do have an extra nine feet from a vacated easement, so we feel there's plenty of room. It won't really make a difference. That's about it.

MR. KLISTER: We've actually gotten a lot of support from our neighbors. We just didn't know there was --

MRS. KLISTER: Yes, I didn't know that. I would have had a lot of letters. We have walked around the neighborhood before and we have, you know, seen it. So, that's about it.

CHAIRMAN PETRILLO: There were no notations by the Engineering Department on the impervious surface calculations, so I'm assuming, Derek, they meet those requirements?

MR. MACH: They do.

CHAIRMAN PETRILLO: Is this going to be extended through the parkway as well?

MR. KLISTER: No.

MRS. KLISTER: No.

CHAIRMAN PETRILLO: So, the parkway is going to remain and the two --

MRS. KLISTER: Correct.

CHAIRMAN PETRILLO: And that easement --

MRS. KLISTER: We'll have that angled towards the --

MR. KLISTER: Right. So, the driveway will be the same width of the

sidewalk as well.

CHAIRMAN PETRILLO: I live with a short driveway and it irritates me when my kids park across there, but I have that same situation. I have a two-car garage and my son who, you know, has been out of the house now and is living in an apartment that's too small for a lot of stuff, so I'm down to a no-car garage.

MRS. KLISTER: Right.

CHAIRMAN PETRILLO: My daughter also moved back from school. So, I see your future.

MRS. KLISTER: Yes, can you see the future?

MR. KLISTER: They never leave.

CHAIRMAN PETRILLO: I could use, I say that to my wife all the time, I'm thinking about going to the other but you don't have the room to go on the one side and she didn't want it in front of the house.

MRS. KLISTER: Right.

CHAIRMAN PETRILLO: That's my opinion. Is there any questions from any other member of the Board for this Petitioner? None being heard, anyone in the audience? Any back there? None being heard, I think it's a very simple task and, boy, I really empathize with these folks in what they're trying to do. Get a beater though, cheaper --

MRS. KLISTER: Yes, we definitely think, it's a 13-year-old car.

CHAIRMAN PETRILLO: Is there a motion?

MR. DIVITO: Motion to approve.

CHAIRMAN PETRILLO: We have a motion.

MR. GEISEL: Second.

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

MR. MACH: Mr. Divito.

MR. DIVITO: Yes.

MR. MACH: Mr. Drake.

MR. DRAKE: Yes.

MR. MACH: Mr. Geisel.

MR. GEISEL: Yes.

MR. MACH: Mr. Selbka.

MR. SELBKA: Yes.

MR. MACH: Chairman Petrillo.

CHAIRMAN PETRILLO: Yes. Good luck, guys.

MRS. KLISTER: Thank you. Have a nice evening.

MR. KLISTER: Thank you.

(Whereupon, the above-mentioned petition was adjourned at 9:09 p.m.)

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS June 13, 2016

PETITIONER: Klister Residence
ADDRESS OF PROPERTY: 19 N. Prindle Ln.
VARIATION: 11.2-11.1b

A 6.0' variance to allow a 28.0' wide driveway where the maximum width is 22'.

The petitioner explained that nine years ago a variation was denied for a driveway expansion since there was no imminent need. The petitioner explained that their child was seven years old at that time and now they have a 16 year old driver with a car. The petitioner also testified that they will have a fourth driver in the home within a year. The petitioner testified that since Prindle Lane is a busy corridor they typically do not park on the street.

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

Thereafter, a motion was made by Mr. Selbka and seconded by Mr. Geisel. Thereafter, the Board voted 5-0 to approve the variance request.

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

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

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

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



Item: 1418 N. Salem Blvd. - 6/13/16

Department: Planning & Community Development

ATTACHMENTS:

Description	Type
Minutes 6/13/16 - Purk	Minutes
Findings 6/13/16 - Purk	Minutes

ZONING BOARD

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

OF APPEALS

RE: PURK RESIDENCE - 1418 NORTH SALEM BOULEVARD

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Zoning Board of Appeals taken at the Arlington Heights
Village Hall, 33 South Arlington Heights Road, 1st Floor Buechner Room,
Arlington Heights, Illinois on the 13th day of June, 2016, at the hour of 9:09 p.m.

MEMBERS PRESENT:

TONY PETRILLO, Chairman
TOM DRAKE
DAVID DIVITO
JOSEPH GEISEL
JOSEPH SELBKA

ALSO PRESENT:

DEREK MACH, Village Planner

MR. PURK: Hi.

CHAIRMAN PETRILLO: How are you this evening?

MR. PURK: Great. We're the last ones.

CHAIRMAN PETRILLO: This is the best and the last.

MR. PURK: The best and the last, that's what we're hoping.

CHAIRMAN PETRILLO: Okay, could you state your, have you both signed in?

MRS. PURK: Yes.

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

MR. PURK: Gary Purk, 1418 North Salem Boulevard.

MRS. PURK: Mary Purk, 1418 North Salem Boulevard.

(Witnesses sworn.)

MR. PURK: So, we're Gary and Mary Purk, the owners of 1418 North Salem, Arlington Heights. We're here to petition the Zoning Board of Appeals to allow us to update and expand the square footage of our new home. We'd like to expand the square footage to 450 square feet. The expansion is within the existing footprint of the home.

As background, by code in an R-1 zone area, you're allowed a certain floor area ratio. Because this lot which is 10,300 square feet is nonconforming to an R-1 zone, we are allowed less square footage than the standard of at least 15,000 square feet lot in the R-1 zone. So, if it was a 15,000 square-foot lot, the expansion would not bump up against the maximum allowable square footage.

Our lot from the front is very similar to most of the lots on the block on Salem there. In addition to the home being a nonconforming lot, the home also sat for four years unoccupied and took nearly a year to sell. So, it's a home that needs substantial upgrading.

The hardship in our view is that there was no interest in the home because of the condition of the home and the need to invest heavily in updating the home to what is expected in the neighborhood. We're willing to take this risk to update the home in the neighborhood and live in this house after the remodel is complete.

So, in summary, we would like to update and expand the home 450,000 square over a portion of the garage. The footprint of the house does not change. We're not expanding, you know, the first floor anyway. The house has been unoccupied for four years, and because of the age of the house and the need for it to be upgraded, it took nearly a year to sell.

There was a pool in the backyard that no longer exists, so the impervious space has been decreased. We plan on living in the house and we spoke with all the surrounding neighbors. All of them have no issues with the changes, and actually several of the neighbors have gone out of their way to tell us they are looking forward to having the home updated and add to the look and feel of the neighborhood.

So, we're hopeful we are allowed to make this update to our new home.

CHAIRMAN PETRILLO: You're not tearing down, you're redoing the facade and everything and just going over the garage. Is it 450 or --

MR. MACH: It's currently nonconforming. It's 658 square-foot.

CHAIRMAN PETRILLO: Yes, 658 square feet. You said 450?

MR. MACH: Well, it's currently exceeding.

MR. PURK: Yes, so it's currently --

CHAIRMAN PETRILLO: By 60 feet, but it is 450 over?

MR. MACH: Correct.

MR. PURK: So, currently it's about 200 feet over what's allowed. So, we're adding about 450 to make it --

CHAIRMAN PETRILLO: 650.

MR. PURK: Yes, just to --

MRS. PURK: It has a three-car garage, so that's kind of where some of that square footage bumps us up.

CHAIRMAN PETRILLO: The need for the additional space?

MRS. PURK: For a suitable master suite.

CHAIRMAN PETRILLO: How many people will, are or will reside in the home?

MR. PURK: We have four kids.

CHAIRMAN PETRILLO: And the ages?

MR. PURK: The ages are 24, 22, 20 and 15.

MRS. PURK: So, at some times there will be four, but right now there's three. There's two in college and then in high school.

CHAIRMAN PETRILLO: Thank you. Any other questions from any member of the Board? None being heard, anybody in the audience who wants to speak to this petition?

Sir, would you state your name and address for the record?

MR. WALBERG: Sure. Robert Walberg, 1211 West Thomas, Arlington Heights.

(Witness sworn.)

MR. WALBERG: Just a neighbor of the Purks currently. They live directly across the street from me on Thomas right now, and they're going to be moving in around the corner and my backyard will now face their, you know, their new backyard. I just wanted to basically speak up to the fact that they moved to the neighborhood, was it three or four years ago? In that time, they took a house that had sat there for 40 years and was in foreclosure, and they spent four years investing in that home and beautifying that home and making it a much nicer place.

The proposed plans here are very consistent with properties throughout Sherwood whether it's on Watling or Clarendon or Yale or Princeton, or whatever. We've seen a lot of beautification in the neighborhood in recent years. And given that it's going to be to my backyard and it's, the house is kind of an eyesore right now. I think the proposal should be approved.

CHAIRMAN PETRILLO: Thank you very much. I'm sorry, any questions for this witness? Are there any additional questions for the Petitioner? None being heard, I think this is a beautiful project and they are not increasing the footprint of the home. It seems pretty simple, straightforward. They've decreased the impervious surface already and I think it makes it work more now than it was prior to the design change. Any motions?

MR. SELBKA: Motion to approve.

CHAIRMAN PETRILLO: Second?
MR. DIVITO: I'll second.
CHAIRMAN PETRILLO: We have a motion and a second. Derek?
MR. MACH: Mr. Divito.
MR. DIVITO: Yes.
MR. MACH: Mr. Drake.
MR. DRAKE: Yes.
MR. MACH: Mr. Geisel.
MR. GEISEL: Yes.
MR. MACH: Mr. Selbka.
MR. SELBKA: Yes.
MR. MACH: Chairman Petrillo.
CHAIRMAN PETRILLO: Yes. Congratulations.
MR. PURK: Terrific. Thank you very much.
CHAIRMAN PETRILLO: Good luck.
MRS. PURK: Thank you very much.
CHAIRMAN PETRILLO: Thank you. Is there any other business, Derek?
MR. MACH: No.
CHAIRMAN PETRILLO: No other business. Joe would love to get out of here and I think he is willing to make a motion to adjourn.
MR. SELBKA: Motion to adjourn.
CHAIRMAN PETRILLO: All right.
MR. DRAKE: I'll second that.
CHAIRMAN PETRILLO: All those in favor say aye.
(Chorus of ayes.)
CHAIRMAN PETRILLO: Opposed, nay?
(No response.)
CHAIRMAN PETRILLO: None being heard, we're adjourned.
(Whereupon, the above-mentioned petition was adjourned at 9:13 p.m.)

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS June 13, 2016

PETITIONER: Purk Residence
ADDRESS OF PROPERTY: 1418 N. Salem Blvd.
VARIATION: 5.3-1.1, 5.1-1.4, 5.1-1.7, 5.3-3.2, 5.3-3.1, 5.3-2

A variation to allow a 10,310 square foot lot to be buildable where 15,000 square feet is required; A 658 square foot variance to allow a floor area ratio of 4,125 square feet instead of the maximum allowed 3,467 square feet.

The petitioner testified that they would like to expand the square footage of their home by 450 square feet. The petitioner explained that there is no expansion to the footprint of the home and that the additional square footage would be located above the attached garage as part of a second story addition. The petitioner explained that the lot is zoned R-1 and that because the lot is 10,300 square feet it is nonconforming to the R-1 zoning district. The petitioner explained that they are allowed less square footage than the standard 15,000 square feet lot in the R-1 zoning district. The petitioner testified that the home was vacant for four years and took nearly a year to sell. The petitioner testified that the home needs substantial upgrading. The petitioner testified that there was no interest in the home because of its condition and that the home needs updating in order to be consistent with the neighborhood. The petitioner also testified that there was a pool in the backyard that no longer exists; therefore, the impervious surface coverage for the lot was decreased.

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

Thereafter, a motion was made by Mr. Selbka and seconded by Mr. Divito. Thereafter, the Board voted 5-0 to approve the variance request.

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

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

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

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



Item: Banks Residence - 319 S. Walnut Ave.

Department: Planning & Community Development

REQUEST

A 5.9 foot variance from Chapter 28, Section 5.1-3.6 (Required Minimum Yards) & Section 5.4 (Table of Required Minimum Yards) to allow a new home with a front yard setback of 24.3 feet from the west property line instead of the minimum 30.2 feet and an additional 1.0 feet for the eave.

ATTACHMENTS:

Description

Staff Report
Department Comments
Supporting Documents & Drawings

Type

Board or Commission Report
Correspondence
Exhibits

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: July 11, 2016
Date Prepared: July 5, 2016
Project Title: Banks Residence
Address: 319 S. Walnut Ave.

Background Information

Petition Number: ZBA #16-024
Petitioner: Ryan Banks
Address: 424 S. Dunton Ave.
Arlington Heights, IL 60005
Existing Zoning: R-3, Single-Family District

Requested Action/Background Information

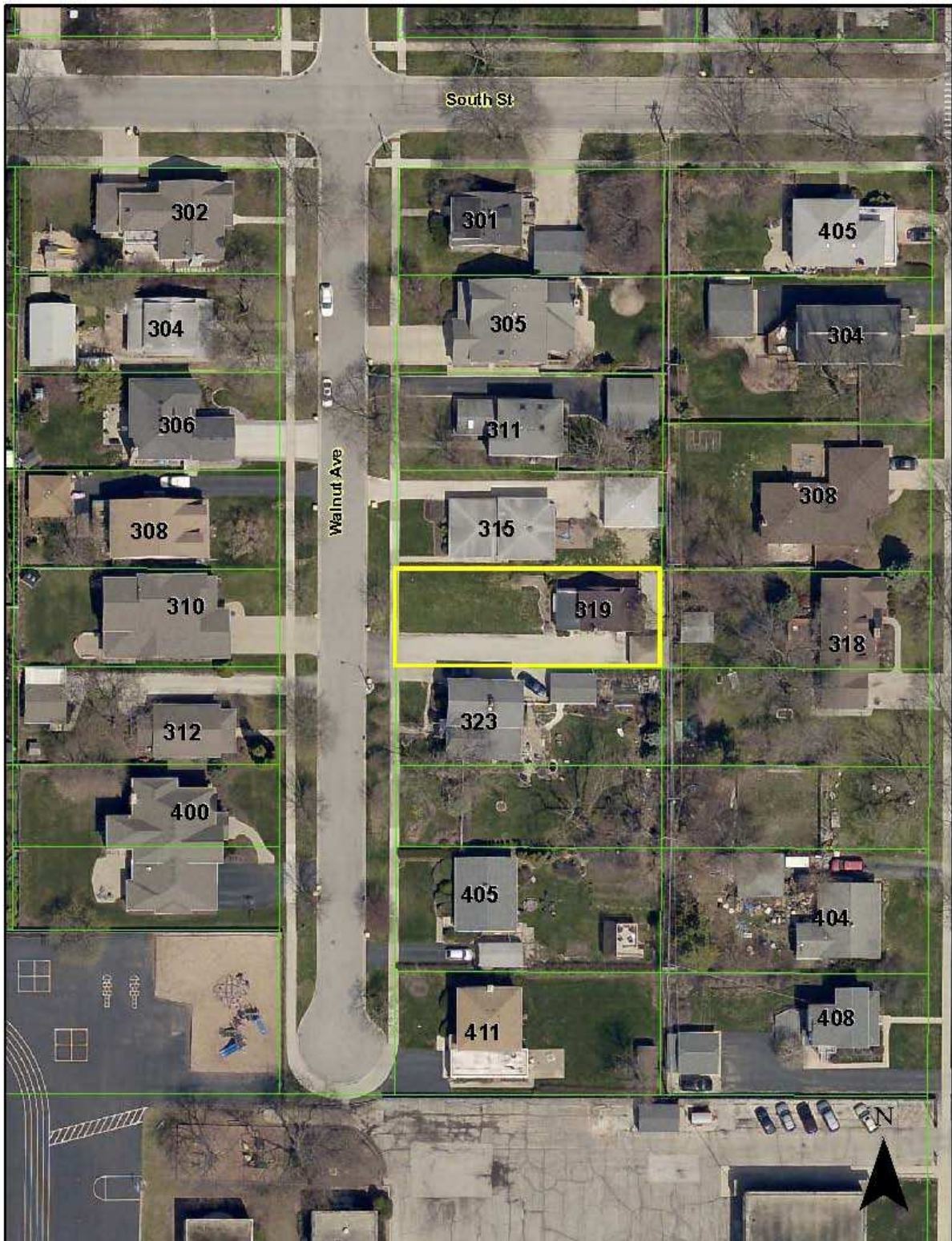
The petitioner is proposing to tear down the existing home and construct a new home. The subject site is zoned R-3, One Family Dwelling District. The property has a total land area of 6,773 square feet and a lot width of 50 feet. The proposed residence will have approximately 2,662 square feet plus a two car detached garage. The home is encroaching into the required front yard setback. Therefore the petitioner requests the following variation:

- **A 5.9 foot variance from Chapter 28, Section 5.1-3.6 (Required Minimum Yards) & Section 5.4 (Table of Required Minimum Yards) to allow a new home with a front yard setback of 24.3 feet from the west property line instead of the minimum 30.2 feet and an additional 1.0 feet for the eave.**

Variation Review Standards

In its consideration of the standards of practical difficulties or particular hardships, the Zoning Board of Appeals shall require evidence that (1) the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zone; and (2) the plight of the owner is due to unique circumstances; and (3) the variation, if granted, will not alter the essential character of the locality. A variation shall be permitted only if the evidence, in the judgment of the Board of Appeals, sustains each of the three conditions enumerated.

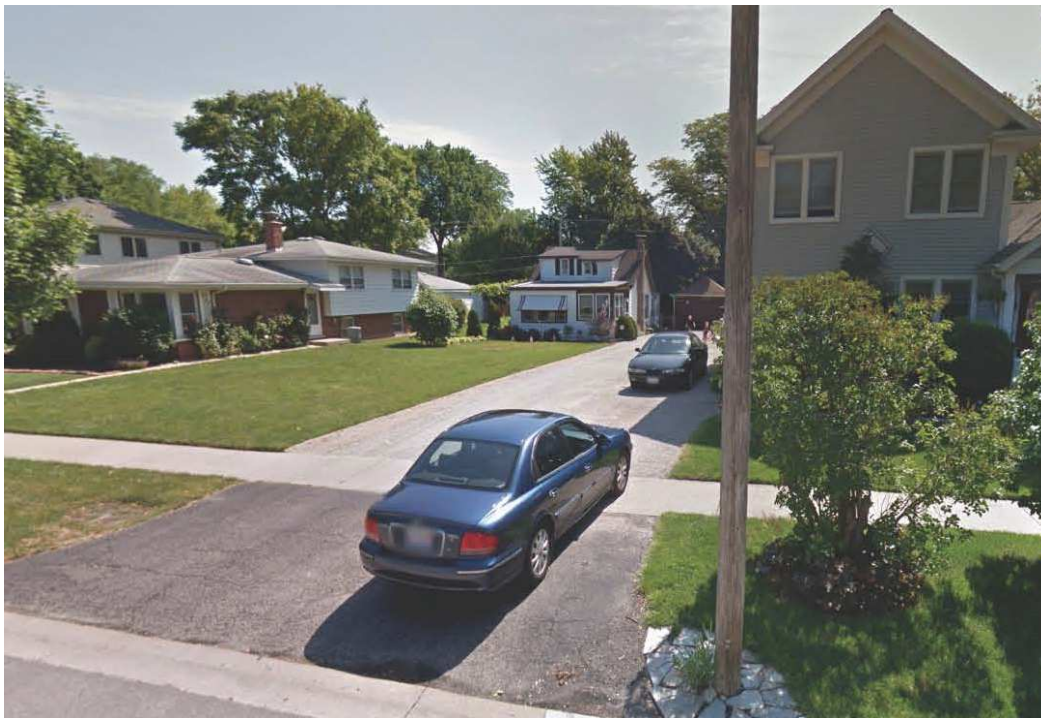
Map of General Vicinity



Items Required to be Submitted 15 Days Prior to Public Hearing

<u>Item</u>	<u>Provided</u>	<u>Dated</u>	<u>Remarks</u>
1. Notification Affidavit	✓	6/22/16	
2. List of Property Owners Within 250 feet of Subject Property	✓	6/22/16	
3. Letter that was Mailed	✓	6/22/16	
4. Photographs of Sign on Property	✓	6/22/16	

Photograph of Existing Structure



ZBA# 16-024

319 S. Walnut-ZBA

Rev. Eng: Nanci Julius, P.E.

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

Submitted: June 23, 2016

Completed: June 24, 2016

The proposed ZBA application indicates that the petitioner is seeking:

A 5.9 ft variance to allow a new home with a front yard setback of 24.3 ft from the west property line instead of the minimum 30.2 ft and an additional 1 ft for the eave.

The Engineering Department has NO OBJECTION to the proposed variation.

June 23, 2016

To: Derek Mach, Zoning Board of Appeals Liaison

From: Deb Pierce, Plan Reviewer, Building Services

RE: ZBA #: 16-024 - Banks Residence

Building Department Comment(s):

No objection to the variance.

RECEIVED
JUN 27 2016
PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Banks Residence

Project Address: 319 S. Walnut Ave.

ZBA #: 16-024

ZBA Hearing Date: July 11, 2016

To: Jim Massarelli, Director of Engineering
Charley Craig, Building Services

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

From: Derek Mach, Zoning Board of Appeals Liaison

Transmitted On: June 22, 2016

- A 5.9 foot variance from Chapter 28, Section 5.1-3.6 (Required Minimum Yards) & Section 5.4 (Table of Required Minimum Yards) to allow a new home with a front yard setback of 24.3 feet from the west property line instead of the minimum 30.2 feet and an additional 1.0 feet for the eave.

Attached are the Petitioner's:

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

Comments: _____

THE HOUSE IS NICELY DESIGNED AND FITS THE

Please review, comment, and return to me no later than Friday, July 1, 2016.

CHARACTER OF THE NEIGHBORHOOD. NO OBJECTION.

-STEVE HAUTZINGER, DESIGN PLANNER

PETITION

NOW COMES the Petitioner RYAN BANKS

being the owner of the property commonly know as: RYAN BANKS

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

5.1-3.6, Chapter 28, of the Arlington Heights Municipal Code, in order to: _____

TO EXCLUDE THE EXISTING FRONT YARD SETBACK OF 79'-2" FROM THE BLOCK
AVERAGE CALCULATIONS.

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

ACCESS TO THE GARAGE WOULD BE LIMITED

I hereby state that the following unique circumstances exist: _____

THE EXISTING HOUSE IS SETBACK 79'-2" FROM THE FRONT LOTLINE. THE ONLY
HOUSE ON THE BLOCK WHICH IS SET BACK THIS FAR.

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

THE EXISTING HOUSE IS NOT IN KEEPING WITH THE CHARACTER OF THE STREET.
BY ALLOWING THE HOUSE TO BE SETBACK CLOSER TO THE ACTUAL AVERAGE
FRONT SETBACK OF THE BLOCK WOULD IMPROVE THE STREET ELEVATION.

Signed: _____

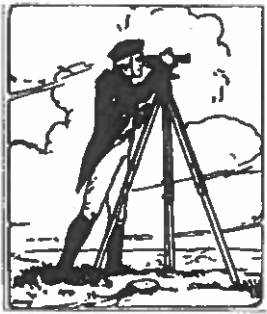
Petitioner

Date: 5/24/2016

RECEIVED

JUN 13 2016

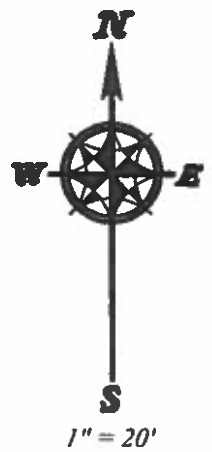
PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT



MURRY AND MOODY, LTD.

Land Surveyors

Illinois Professional Land Surveying Firm Corporation License No. 184-002845
933 S. Plum Grove Road, Suite 101
Palatine, Illinois 60067
www.murrysurvey.com info@murrysurvey.com Phone: (847)358-5960

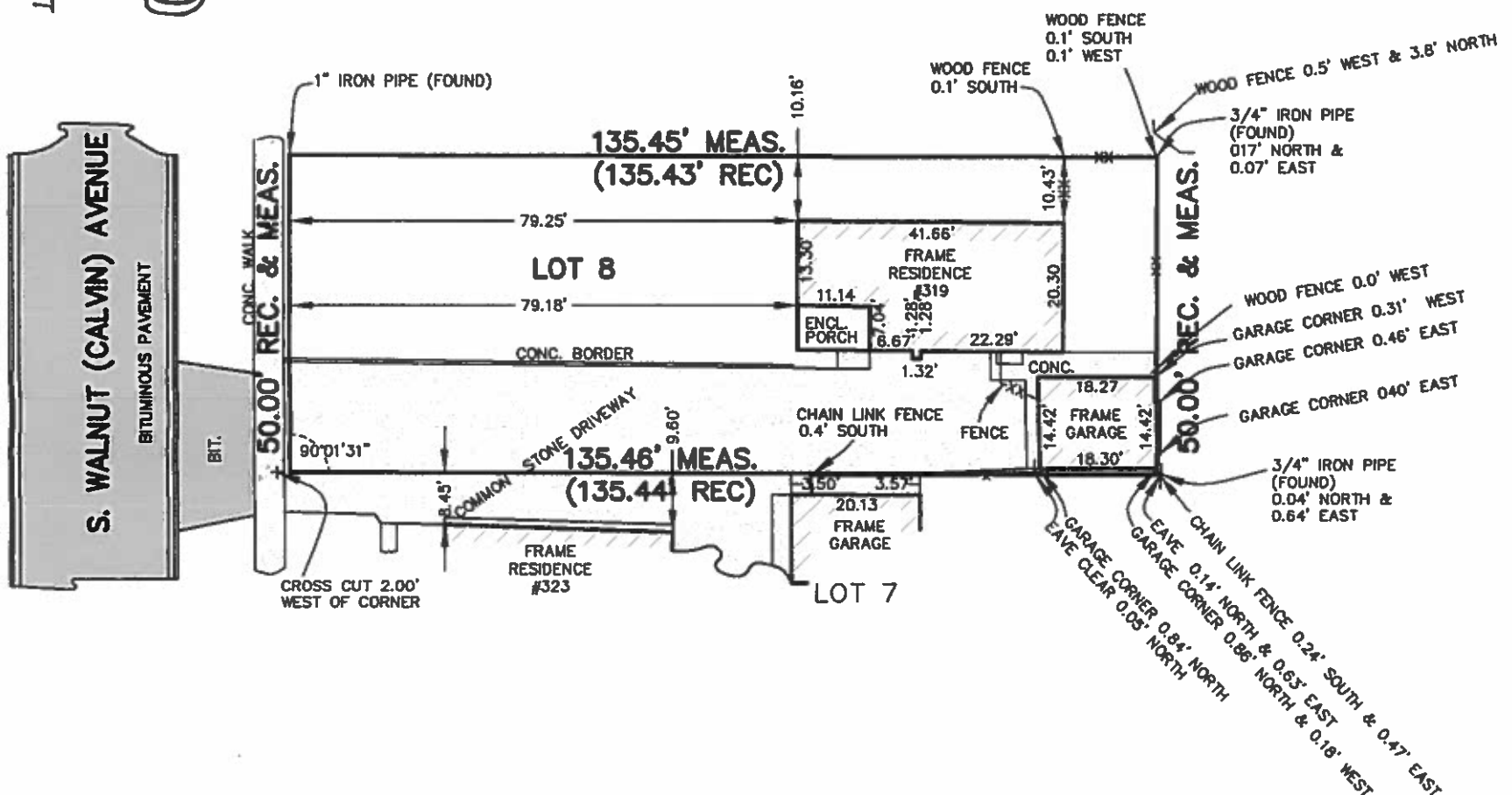


PLAT OF SURVEY OF

LOT 8 IN CALVIN MITCHELL'S SUBDIVISION LOT LOTS 1 AND 2 OF CAROLINE FIENE'S
SUBDIVISION OF THE SOUTH 50 ACRES OF THE EAST HALF OF THE NORTHEAST QUARTER
OF SECTION 31, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN,
IN COOK COUNTY, ILLINOIS.

AREA = 6773 S.F. / 0.1555 ACRES

RECEIVED
JUN 13 2016
PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT



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 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.

Order Number: 15-1119
Survey Made For: STEVEN G. EVANS

STATE OF ILLINOIS } S.S. COUNTY OF COOK }

I, Barbara C. Murry, 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 and that this professional service conforms to the current Illinois minimum standards for a boundary survey.

Date of completion of field work: May 28, 2015

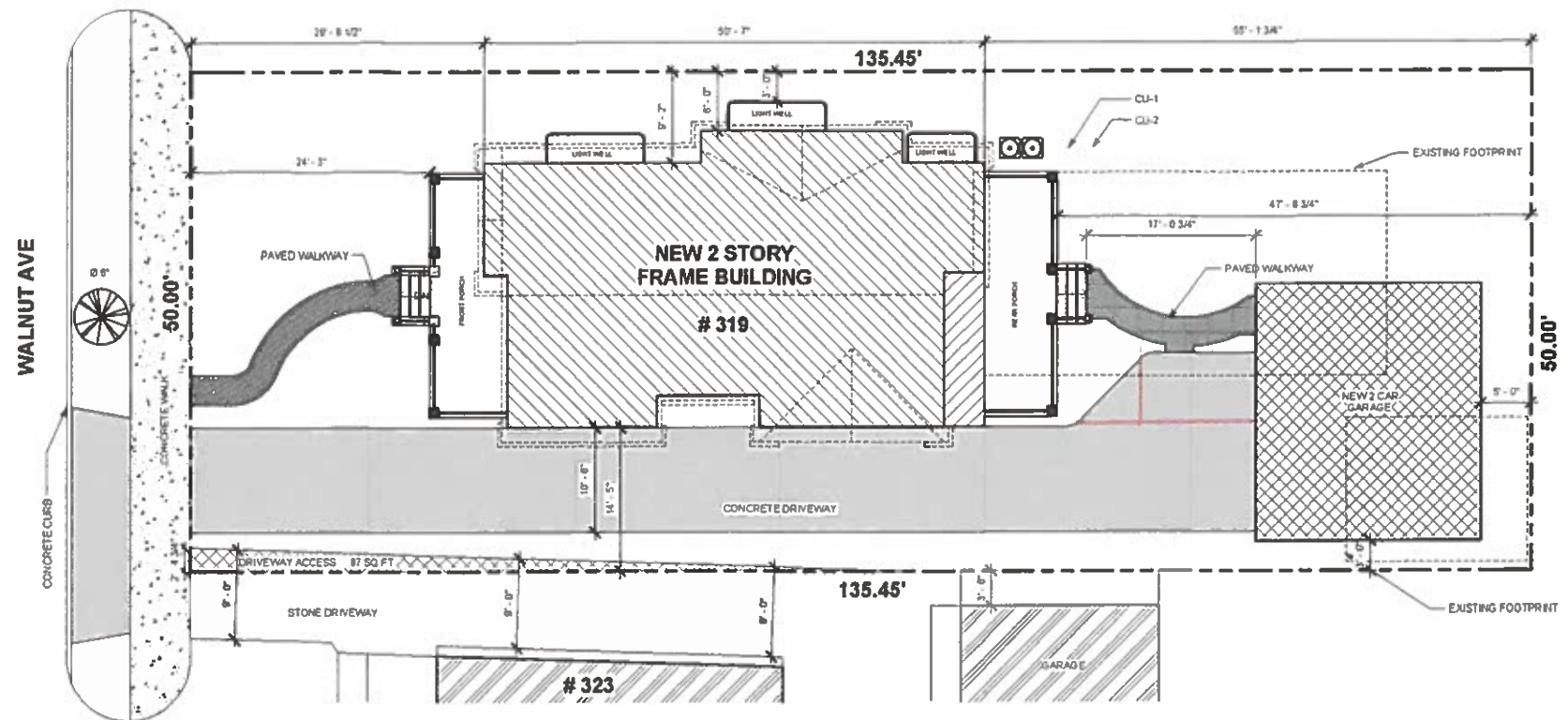
Palatine, Illinois: June 4, 2015



Illinois Professional Land Surveyor - Barbara C. Murry 035-003529
License Renewal date: November 30, 2016

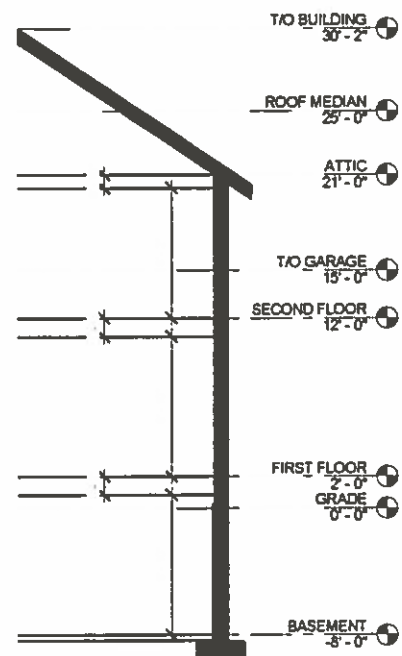
Project Number: 15-1119
Field Book: 290L26-27
Drawing File: 15111900.DWG

An architectural line drawing of a two-story house. The house features a gabled roof with a small circular window in the gable. The front facade has a central entrance with a small porch supported by columns. To the right of the entrance is a large window. The house has a side porch with a railing. The drawing is in black and white with some shading to indicate depth.



JUN 13 2016

PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT

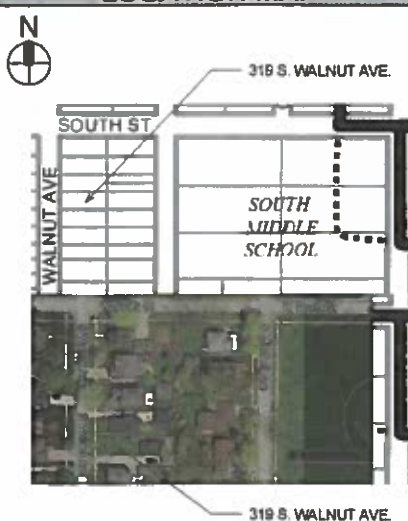


3 SCHEMATIC SECTION
NOT TO SCALE

5 SITE PLAN - PROPOSED
1/8" = 1'-0"

BASEMENT	1332 SF
FIRST FLOOR	1332 SF
SECOND FLOOR	1270 SF
GARAGE	582 SF
FRONT PORCH	166 SF
REAR PORCH	191 SF
Grand total: 6	4871 SF

LOCATION MAP



SURVEY INFORMATION

NOTE: SURVEY INFORMATION TAKEN FROM PLAT OF
SURVEY PREPARED BY:

MURRY AND MOODY, LTD. LAND SURVEYORS
933 S. PLUM GROVE ROAD, SUITE 101
PALATINE, IL 60067
TEL. (847) 358-5960

PROJECT CERTIFICATION

I HEREBY CERTIFY THAT THESE DRAWINGS WERE PREPARED UNDER MY PERSONAL SUPERVISION AND TO THE BEST OF MY KNOWLEDGE COMPLY WITH THE LOCAL CODES OF ARLINGTON HEIGHTS ILLINOIS. ARCHITECT IS NOT RESPONSIBLE FOR MEANS AND METHODS OF CONSTRUCTION.

ILLINOIS LICENSE NUMBER: 001.020008
LIC. EXP.: NOV. 2016
PRASHANTH MAHAJALI P.C.
ILLINOIS DESIGN FIRM REG. NUMBER: 184.005230

ENERGY CERTIFICATION

I CERTIFY THAT I AM A REGISTERED ENERGY PROFESSIONAL (REP). I ALSO CERTIFY THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF THAT THE ATTACHED PLANS FOR
319 S. WALNUT AVE. ARLINGTON HEIGHTS, IL 60005
COMPLIES WITH THE REQUIREMENTS OF THE ENERGY CONSERVATION MUNICIPAL CODE OF ARLINGTON HEIGHTS.

SIGNED:  DATE: 03/29/2016
(ARCH.)

PROJECT SCOPE

NEW 2 STORY SINGLE FAMILY FRAME BUILDING
WITH FRONT PORCH AND REAR DECK WITH
BASEMENT. NEW 2 CAR DETACHED FRAME
GARAGE. AS PER PLANS.

PROJECT DATA

ZONING CLASS	R-3			
LOT AREA	50'-0"	X	135'-5"	6177.5 SQ FT
ALLOWABLE F.A.R	0.45			3047.8 SQ FT
OCCUPANCY TYPE	A1 RESIDENTIAL 1 & 2 FAMILY, PRIVATE GARAGES			

ZONING ORDINANCE INFORMATION

CATEGORY	REQUIRED	ACTUAL
FRONT YARD SETBACK	ONE FEET FROM 20' OR LOT DEPTH AND OF LOT FRONTAGE	FT. 0' - 0"
SIDE YARD SETBACK	10% OF LOT WIDTH	FT. 0' - 0"
REAR YARD SETBACK	MINIMUM OF 10'	FT. 0' - 0"
REAR YARD OPEN SPACE	-	SQ. FT. 0.0
FLOOR AREA		
BASEMENT	1332 (ENCLOSURE SHALL BEIN EXCLUDED FROM TOTAL)	SQ. FT.
FIRST FLOOR	1332	SQ. FT.
SECOND FLOOR	1270	SQ. FT.
TOTAL	2902	SQ. FT.

ADOPTED CODES

- 2009 ICC CODES
- NATIONAL ELECTRICAL CODE 2005 (NEC)
- STATE OF ILLINOIS ENERGY CONSERVATION CODE 2015 IECC AND ASHRAE 90.1
- INTERNATIONAL FIRE CODE 2000
- INTERNATIONAL MECHANICAL CODE 2009
- STATE OF ILLINOIS PLUMBING CODE 2014
- INTERNATIONAL RESIDENTIAL CODE 2009

INDEX OF DRAWINGS

GENERAL

T100	TITLE SHEET
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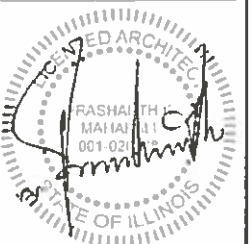
ARCHITECTURAL

A300	FLOOR PLANS
A400	ELEVATIONS
A601	SURROUNDING PROPERTIES
A602	MATERIAL SCHEDULE
A900	GARAGE
R 100	CONTEXT ELEVATION

PLUMBING

MECHANICAL

ELECTRICAL



PMPC ARCHITECTS

527 S. WILLS ST., CHICAGO, IL 60607
P: (312) 267-6591
F: (312) 264-0100
E: info@prysearch.com
W: www.prysearch.com

REVISIONS

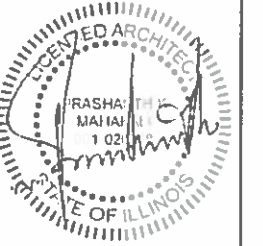
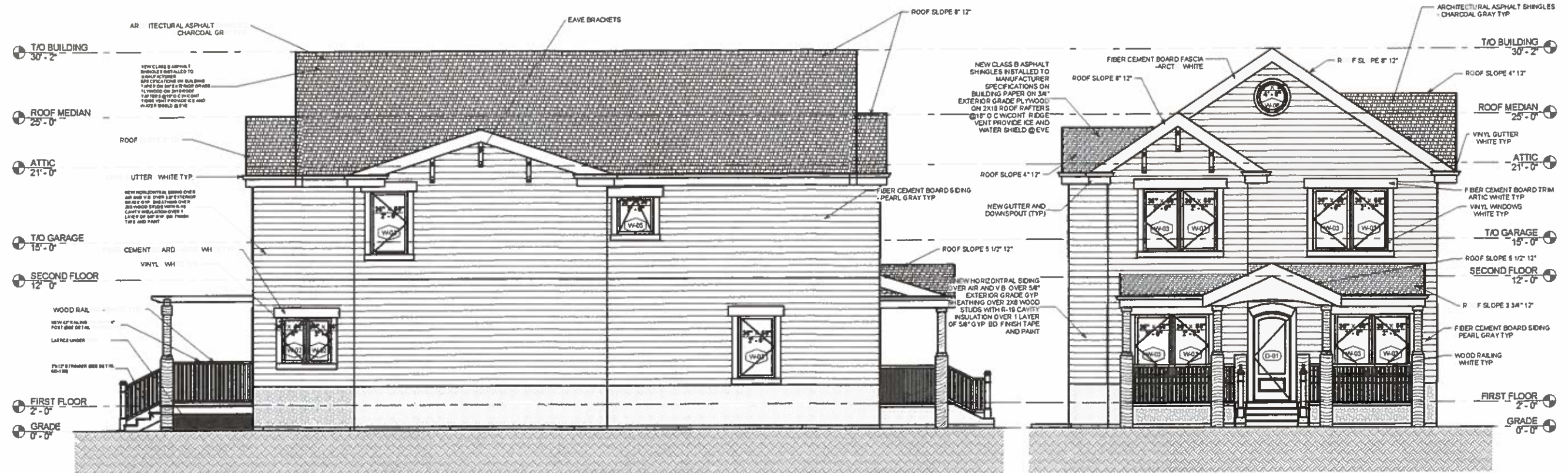
[illegible]

319 S. WALNUT
AVE, ARLINGTON
HEIGHTS, IL
60005

PERMIT #: _____

TITLE SHEET

T100



327 S. WELLS ST., CHICAGO, IL 60607
P: (312) 357-0391
P: (312) 354-0100
E: info@pmppc.com
W: www.pmpcarch.com

REVISIONS

NO.	DATE	DESCRIPTION

DRAWN BY: TEAM
CHECKED BY: PMPC
DATE ISSUED: 01/01/2018

319 S. WALNUT AVE, ARLINGTON HEIGHTS, IL 60005

PERMIT #:

ELEVATIONS

A400

1 SOUTH ELEVATION
1/4" = 1'-0"

4 EAST ELEVATION
1/4" = 1'-0"

WINDOWSCHEDULE BY TYPE									
Type Mark	Description	Width	Height	SW Height	Count	Daylight Area	Vent Area	Pane	Remarks
W-01	CASEMENT	3'-0"	5'-0"	2'-6"	8	15.00	7.50		
W-02	CASEMENT	2'-0"	3'-8"	3'-4"	10	7.33	7.33		
W-03	CASEMENT	3'-0"	5'-0"	2'-0"	17	15.00	15.00		
W-04	CASEMENT	1'-6"	5'-0"	2'-0"	2	7.50	7.50		
W-04A	CASEMENT	1'-6"	5'-0"	4'-8 1/4"	1	7.50	7.50		
W-04B	CASEMENT	1'-6"	5'-0"	6'-4 3/4"	1	7.50	7.50		
W-04C	CASEMENT	1'-6"	5'-0"	8'-1 1/4"	1	7.50	7.50		
W-05	CASEMENT	3'-0"	3'-0"	3'-6"	1	6.33	6.20		
W-06	FIXED ROUND	2'-6"	2'-6"	4'-0"	2				

Grand total: 43

DOOR SCHEDULE BY TYPE									
Type Mark	Description	Location	Width	Height	Count	Thickness	Fire Rating	Finish	Hardware Set
D-01	SINGLE FLUSH	ENTRY	3'-1 1/2"	7'-2"	1	0'-1 3/4"	B	PT	STANDARD
D-02	DOUBLE FLUSH	REAR ENTRY	6'-0"	7'-0"	1	0'-1 3/4"	B	PT	STANDARD
D-03	SINGLE FLUSH	BALCONY	3'-0"	7'-0"	1	0'-1 3/4"		PT	STANDARD
D-04	DOUBLE FLUSH	STUDY	4'-6"	7'-0"	2	0'-1 3/4"		PT	STANDARD
D-05	SINGLE FLUSH	BEDROOM	2'-10"	7'-0"	4	0'-1 3/4"		PT	STANDARD
D-06	DOUBLE FLUSH	CLOSET	4'-0"	7'-0"	4	0'-1 3/4"		PT	STANDARD
D-07	SINGLE FLUSH	BATHROOM	2'-6"	7'-0"	3	0'-1 3/4"		PT	STANDARD
D-08	SINGLE FLUSH	BATHROOM	2'-8 3/4"	7'-0"	2	0'-1 3/4"		PT	STANDARD
D-09	SINGLE FLUSH	BATHROOM	2'-6"	7'-0"	1	0'-1 3/4"		PT	STANDARD
D-10	DOUBLE FLUSH	CLOSET	3'-6"	7'-0"	1	0'-1 3/4"		PT	STANDARD
D-11	DOUBLE FLUSH	PANTRY	2'-4"	7'-0"	2	0'-1 3/4"		PT	STANDARD
D-12	SINGLE FLUSH	STORAGE	3'-0"	7'-0"	2	0'-1 3/4"		PT	STANDARD
D-13	DOUBLE FLUSH	MECHANICAL	5'-0"	7'-0"	1	0'-1 3/4"	B	PT	STANDARD
D-14	DOUBLE FLUSH	CLOSET	3'-0"	7'-0"	1	0'-1 3/4"		PT	STANDARD
D-15	DOUBLE FLUSH	LAUNDRY	4'-6"	7'-0"	1	0'-1 3/4"		PT	STANDARD
D-16	SINGLE FLUSH	CLOSET	2'-6"	7'-0"	2	0'-1 3/4"		PT	STANDARD
D-17	OVERHEAD	GARAGE	16'-0"	8'-0"	1	0'-2"	B	PT	STANDARD

Grand total: 30

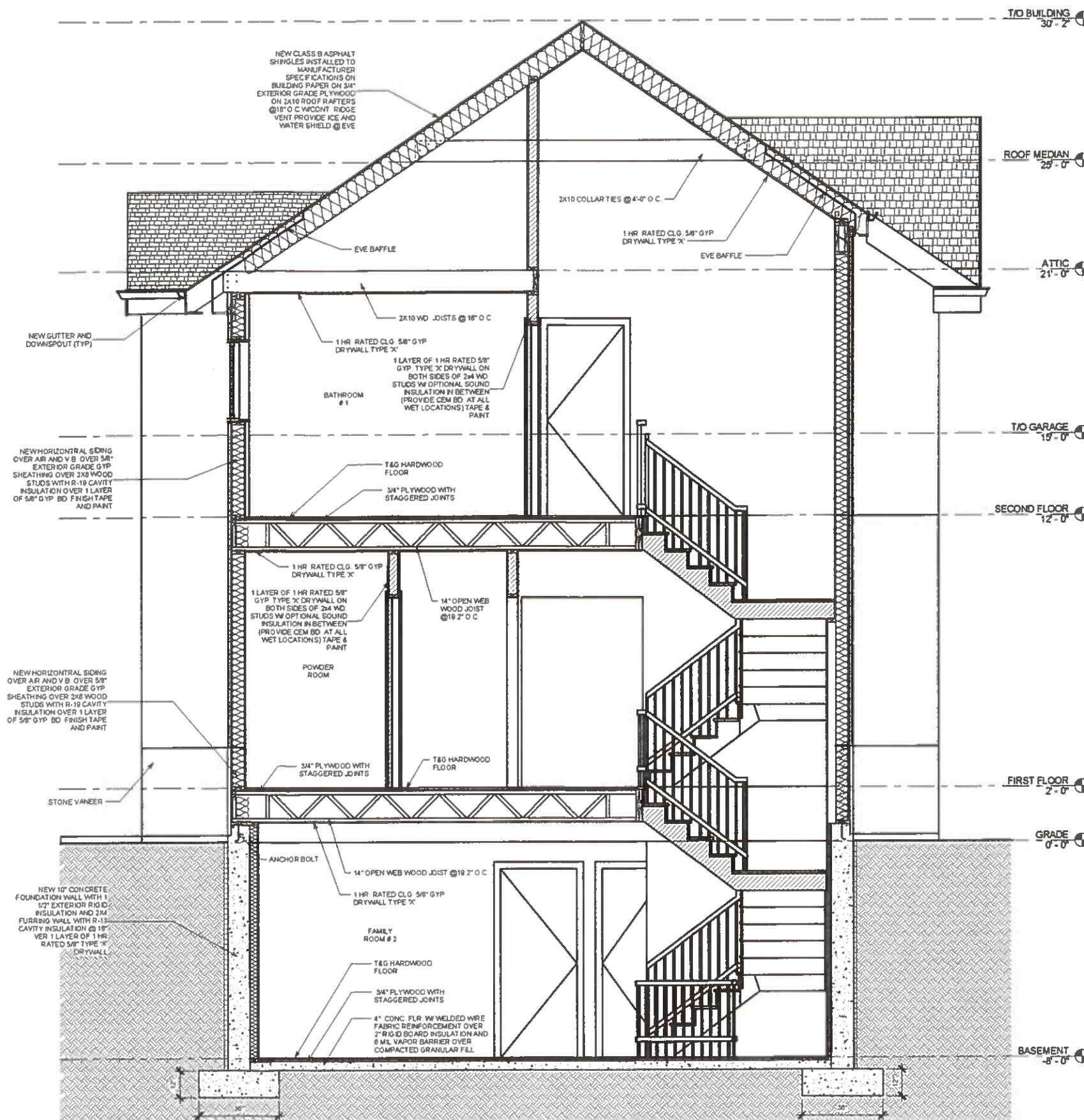
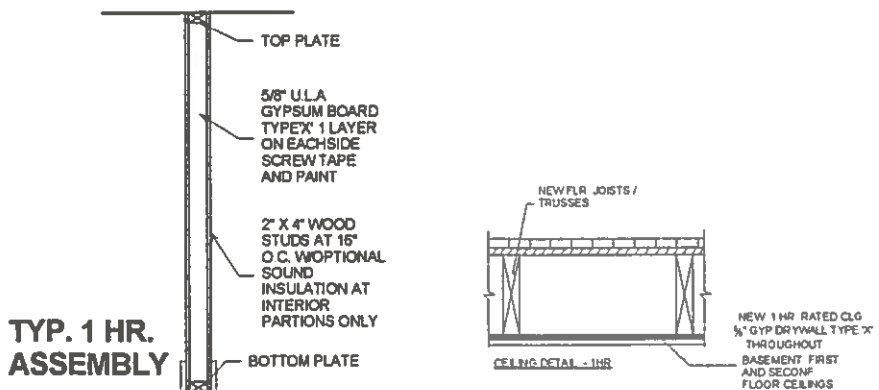
LEGEND	NOTES
SC SOLID CORE WOOD DOOR	1 ALL EGRESS DOORS TO HAVE LEVER TYPE HARDWARE SHALL BE READILY OPENABLE FROM THE SIDE FROM EGRESS IS TO BE MADE WITHOUT THE USE OF A KEY.
PH PRE HUNG DOOR AND FRAME	2 ALL EXIT DOORS SHALL BE A MINIMUM OF 3'-0" X 6'-8"
HC HOLLOW CORE WOOD DOOR	3 ALL GLAZED DOORS TO HAVE TEMPERED GLASS
WD WOOD	4 ALL MECHANICAL AND ELECTRICAL ROOMS ARE TO HAVE KNURED KNOBS
HM HOLLOW METAL STEEL DOOR OR STEEL FRAME	5 ALL DOORS TO OPERATE AT A MAX. 5 LBS PUSH/PULL FORCE (8 LBS FOR EXTERIOR DOORS)
AL ALUMINUM	

CONFIRM ALL DOOR AND WINDOW SELECTIONS WITH VENDOR PRIOR TO ORDER
VERIFY ALL WINDOW AND DOOR SIZES ON SITE BEFORE ORDERING
AL REPLACEMENT WINDOWS TO HAVE MIN. RATING OF .034 AND CONFORM TO ENERGY CONSERVATION CODE OF THE VILLAGE OF ARLINGTON HEIGHTS

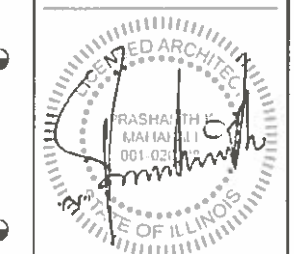
ALL WINDOWS SET FOR LIGHT AND VENT CALCULATIONS IN THIS SCHEDULE
ARE SET IN WALLS WHICH ARE A MINIMUM OF 3'-0" FROM THE LOTLINE (UNLESS PRE-EXISTING)
2 DOOR REGRADING AS SHOWN ON THE FLOOR PLAN AS PER 1013 180 220 ARE SOL RE DOORS IN 1 HR WALLS
3 ALL B WALL & CEILING ARE 1 HR RATED (AT LEAST)
4 EACH UNIT EQUIPPED WITH APPROVED CARBON MONOXIDE DETECTOR

WALL LEGEND

TYPE MARK	TYP. LOCATION	FIRE RATING	UL NO.	DESCRIPTION
A	EXTERIOR WALL			NEW HORIZONTAL SIDING OVER AIR AND V.B. OVER 5/8" EXTERIOR GRADE GYP SHEATHING OVER 2x8 WOOD STUDS WITH R-19 CAVITY INSULATION OVER 1 LAYER OF 5/8" GYP. BD. FINISH TAPE AND PAINT
B	INTERIOR WALL	1 HR	UL 305	1 LAYER OF 1 HR RATED 5/8" GYP. TYPE 'X' DRYWALL ON BOTH SIDES OF 2x4 WD STUDS W/ OPTIONAL SOUND INSULATION IN BETWEEN (PROVIDE CEM. BD. AT ALL WET LOCATIONS) TAPE & PAINT
C	INTERIOR WALL	1 HR	305	1 LAYER OF 1 HR RATED 5/8" GYP. TYPE 'X' DRYWALL ON BOTH SIDES OF 2x6 WD STUDS W/ OPTIONAL SOUND INSULATION IN BETWEEN (PROVIDE CEM. BD. AT ALL WET LOCATIONS) TAPE & PAINT
D	INTERIOR SHEAR WALL	HR		1 LAYER OF 3/8" CDX PLY SHEATHING OR 0.68 T&G SHEAR WALL SHEATHING AT BOTH SIDES OF 2x4 WOOD STUDS UTILIZE 8d NAILS @ 8" O.C. W/ OPTIONAL SOUND INSULATION IN BETWEEN (PROVIDE CEM. BD. AT ALL WET LOCATIONS) TAPE & PAINT
E	FOUNDATION WALL	HR		NEW 10" CONCRETE FOUNDATION WALL WITH 1 1/2" EXTERIOR RIGID INSULATION AND 2x4 FLOORING WALL WITH R-13 CAVITY INSULATION @ 16" O.C. OVER 1 LAYER OF 1 HR RATED 5/8" TYPE 'X' DRYWALL



4 CROSS SECTION
1/2" = 1'-0"



PMPC ARCHITECTS

627 S. WELLS ST., CHICAGO, IL 60607

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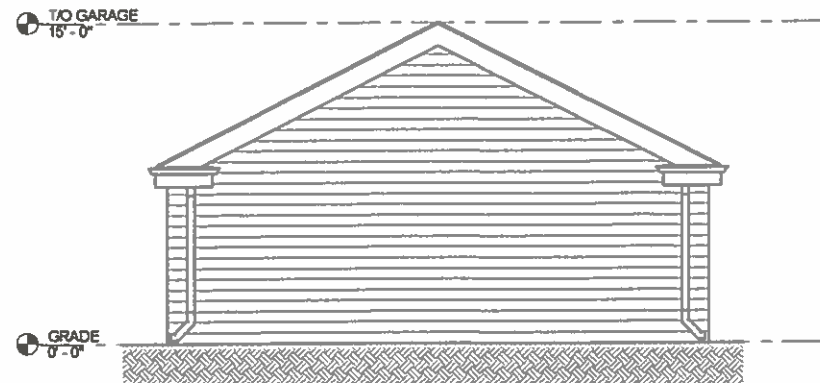
REVISIONS		
NO.	DATE	DESCRIPTION

319 S. WALNUT AVE, ARLINGTON HEIGHTS, IL 60005

PERMIT #:

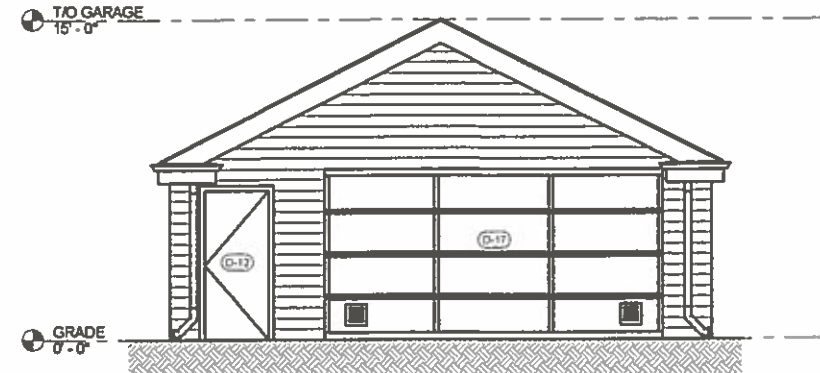
SCHEDULES & SECTIONS

A600



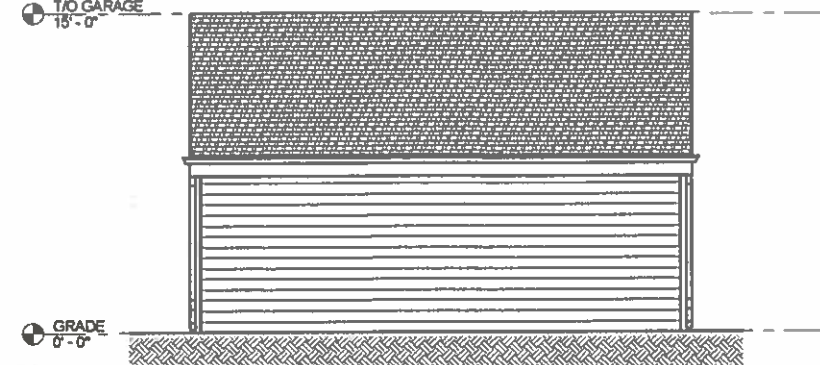
4 EAST ELEVATION

1/4" = 1'-0"



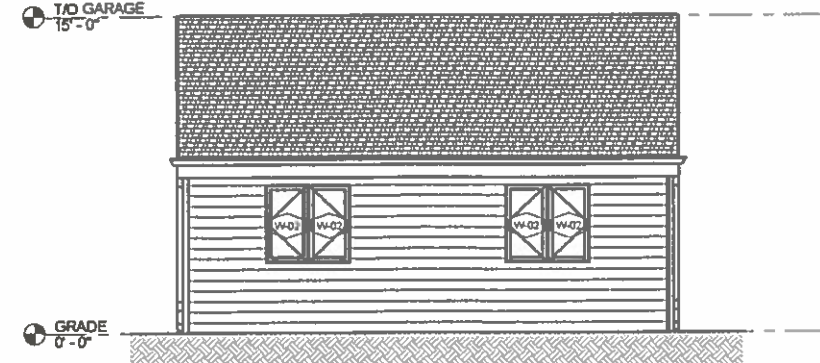
3 GARAGE - WEST ELEVATION

1/4" = 1'-0"



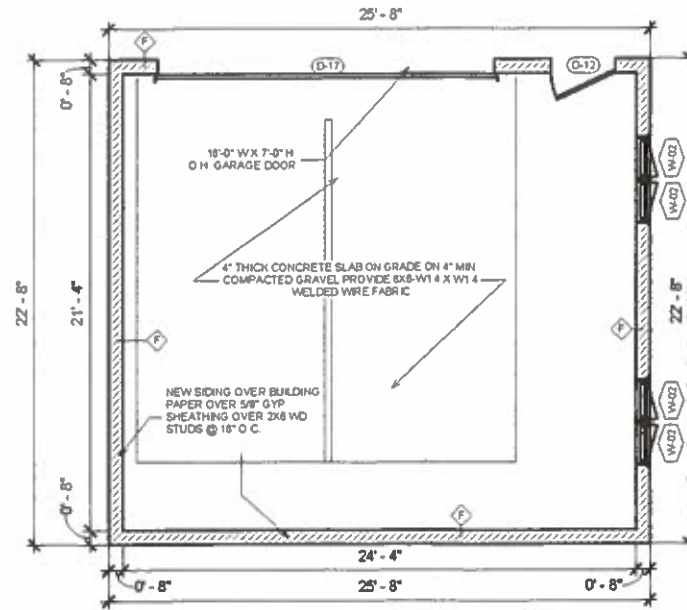
1 GARAGE - SOUTH ELEVATION

1/4" = 1'-0"



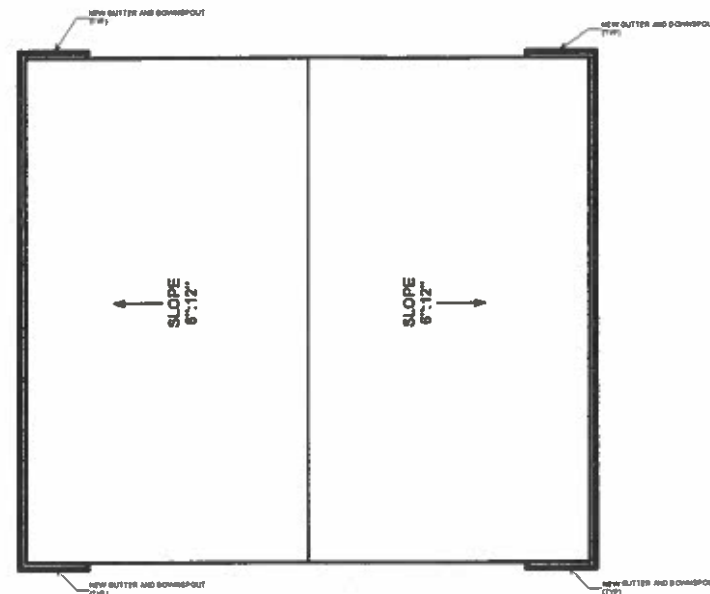
2 GARAGE - NORTH ELEVATION

1/4" = 1'-0"



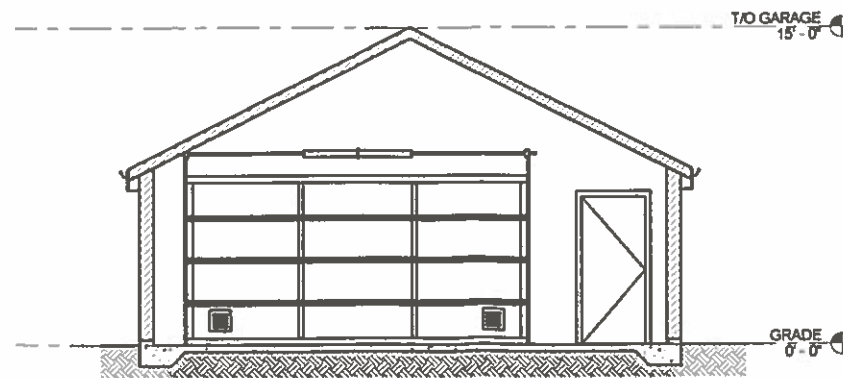
5 GARAGE - FLOOR PLAN

1/4" = 1'-0"



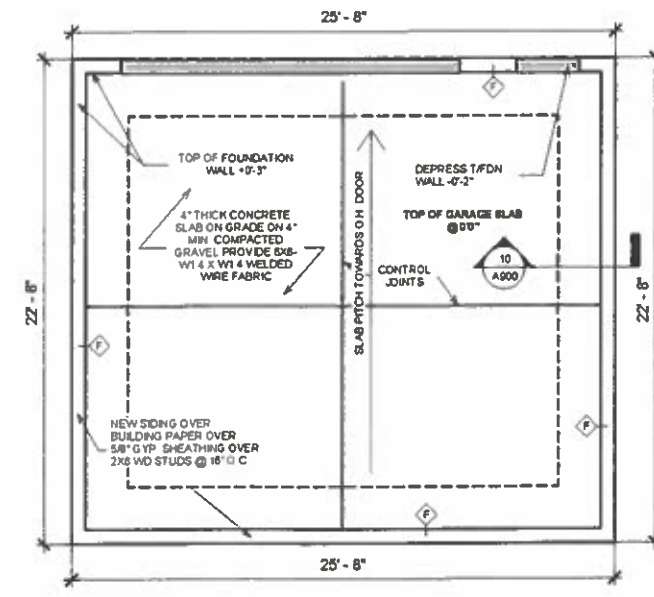
7 GARAGE - ROOF PLAN

1/4" = 1'-0"



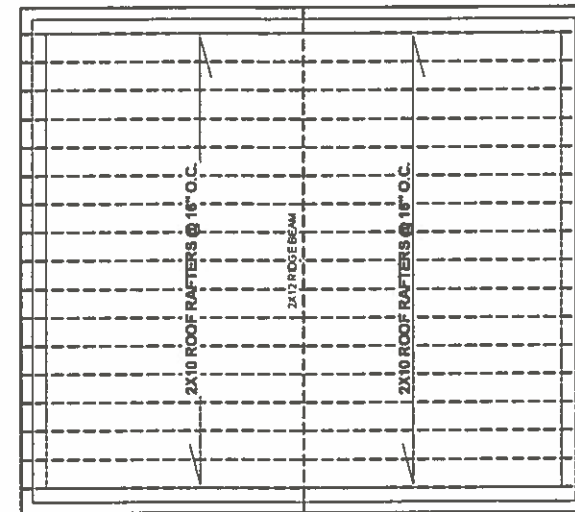
10 GARAGE - SECTION

1/4" = 1'-0"



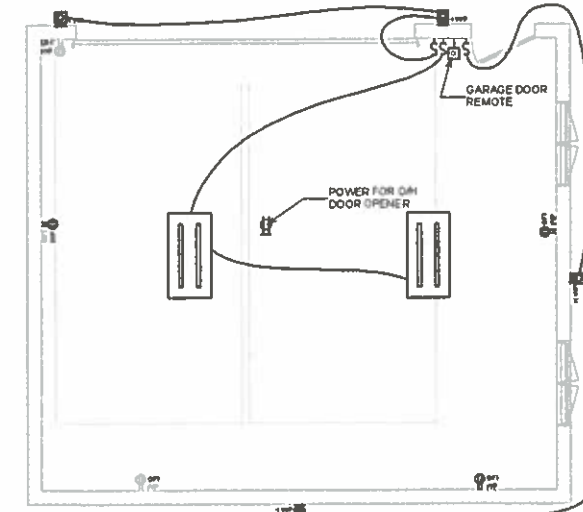
6 GARAGE - FOUNDATION PLAN

1/4" = 1'-0"



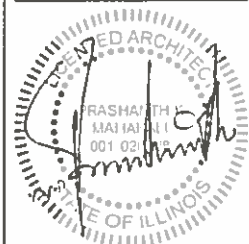
8 GARAGE - FRAMING

1/4" = 1'-0"



9 GARAGE - ELECTRICAL

1/4" = 1'-0"



PMPC ARCHITECTS

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F: (312) 384-0100

E: info@pmppc.com

WC: www.pmpcarch.com

REVISIONS

NO. DATE DESCRIPTION

1 03/30/18

2 03/30/18

3 03/30/18

4 03/30/18

5 03/30/18

6 03/30/18

7 03/30/18

8 03/30/18

9 03/30/18

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27 03/30/18

28 03/30/18

29 03/30/18

30 03/30/18

31 03/30/18

32 03/30/18

33 03/30/18

319 S. WALNUT
AVE, ARLINGTON
HEIGHTS, IL
60005

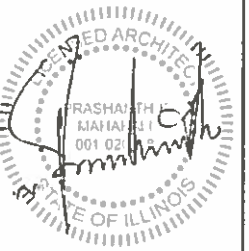
PERMIT #:

GARAGE

A900



① **ELEVATION STUDY**
3/16" = 1'-0"



227 N. WILLS ST., CHICAGO, IL 60607
P: (312) 267-0891
P: (312) 264-0100
E: info@pmpparch.com
WC: www.pmparch.com

REVISIONS

NO.	DATE	DESCRIPTION

DRAWN BY: Author
CHECKED BY: Checker
DATE SUBMITTED: 04/27/16

319 S. WALNUT AVE, ARLINGTON HEIGHTS, IL 60005

PERMIT #: _____

CONTEXT ELEVATION

R100



PROPERTY TO LEFT 3
305 S. WALNUT AVE.



PROPERTY TO LEFT 2
311 S. WALNUT AVE.



PROPERTY TO LEFT 1
315 S. WALNUT AVE.



SUBJECT PROPERTY
319 S. WALNUT AVE.
ARLINGTON HEIGHTS, IL. 60005



PROPERTY TO RIGHT 1
323 S. WALNUT AVE.



PROPERTY TO RIGHT 2
405 S. WALNUT AVE.



PROPERTY TO RIGHT 3
411 S. WALNUT AVE.

S. WALNUT AVE.



PROPERTY ACROSS 1
308 S. WALNUT AVE.



PROPERTY ACROSS 2
310 S. WALNUT AVE.



PROPERTY ACROSS 3
312 S. WALNUT AVE.

319 S. WALNUT AVE, ARLINGTON HEIGHTS, IL 60005

SURROUNDING PROPERTIES

527 S. WELLS ST, SUITE 402, CHICAGO, IL 60607
P: (312) 207-0501
P: (312) 284-8100
E: info@pmarch.com
W: www.pmpcarch.com



MATERIAL SCHEDULE

319 S. WALNUT AVE.

ITEM	MATERIAL	MANUFACTURER	COLOR
SIDING	FIBER CEMENT BOARD	HARDIE BOARD	PEARL GRAY
TRIM/ SOFFIT/ FASCIA	FIBER CEMENT BOARD	HARDIE BOARD	ARCTIC WHITE
ROOFING	ARCHITECTURAL ASPHALT SHINGLES	CERTAIN TEED	CHARCOAL GRAY
WINDOWS	VINYL	PELLA	WHITE VINYL, WHITE TRIM
RAILING	WOOD	CUSTOM	WHITE
STONE WALL	STONE	ELDORADO STONE	VARIES
GARAGE DOOR	STEEL	OVERHEAD DOOR	WHITE
GUTTER	VINYL	AMERIMAX	WHITE



Item: 1017 N. Beverly Ln. Residence

Department: Planning & Community Development

REQUEST

1. A 13.3 foot variance from Chapter 28, Section 5.1-3.6 (Required Minimum Yards) & Section 5.4 (Table of Required Minimum Yards) to allow a new home with an exterior side yard setback of 10.0 feet from the north property line instead of the minimum 23.3 feet and an additional 1.0 feet for the eave.
2. A variance from Chapter 28, section 5.1-3.4 (Minimum Lot Size) to allow a 50-ft. wide, 6,958 sq. ft. lot to be buildable, where 70 feet wide, 8,750 sq. ft. is required.

ATTACHMENTS:

Description

Staff Report
Department Comments
Supporting Documents & Drawings

Type

Board or Commission Report
Correspondence
Exhibits

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: July 11, 2016
Date Prepared: July 5, 2016
Project Title: Stonefield Custom Homes
Address: 1017 N. Beverly Lane

Background Information

Petition Number: ZBA #16-025
Petitioner: Gary Wronkiewicz
Address: 1000 S. Brockway Street
Palatine, IL 60067
Existing Zoning: R-3, Single-Family District

Requested Action/Background Information

The petitioner is proposing to construct a new two story home. The subject site is zoned R-3, One Family Dwelling District. The property has a total land area of 6,958 square feet and a lot width of 50 feet. The proposed residence will have approximately 3,125 square feet plus a two car attached garage. The proposed new home is encroaching into the required exterior side yard setback.

In addition, the lot area and lot width is substandard. Sections 5.1-3.4 and 5.1-3.5 of the Zoning Code set forth minimum lot size and width requirements for the R-3 District which is 70 feet in width and 8,750 square feet in area. As part of 5.1-3.4, the Director of Building is authorized to issue permits for structures on lots that are less than the minimum area and width requirements if the majority of the frontage on which the property is located is developed with lots that are below the minimum district requirements; provided that no permit shall be issued for any parcel containing less than 6,250 SF and a lot width of 50 feet. The petitioner's property is 50.0 feet wide and 6,958 SF; however, there is no majority of substandard developed lots for lot area on the same frontage as the subject site. Therefore, petitioner requests the following variations:

- **A 13.3 foot variance from Chapter 28, Section 5.1-3.6 (Required Minimum Yards) & Section 5.4 (Table of Required Minimum Yards) to allow a new home with an exterior side yard setback of 10.0 feet from the north property line instead of the minimum 23.3 feet and an additional 1.0 feet for the eave.**
- **A variance from Chapter 28, section 5.1-3.4 (Minimum Lot Size) to allow a 50-ft. wide, 6,958 sq. ft. lot to be buildable, where 70 feet wide, 8,750 sq. ft. 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 property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zone; and (2) the plight of the owner is due to unique circumstances; and (3) the variation, if granted, will not alter the essential character of the locality. A variation shall be permitted only if the evidence, in the judgment of the Board of Appeals, sustains each of the three conditions enumerated.

Map of General Vicinity



Items Required to be Submitted 15 Days Prior to Public Hearing

<u>Item</u>	<u>Provided</u>	<u>Dated</u>	<u>Remarks</u>
1. Notification Affidavit	✓	6/22/16	
2. List of Property Owners Within 250 feet of Subject Property	✓	6/22/16	
3. Letter that was Mailed	✓	6/22/16	
4. Photographs of Sign on Property	✓	6/22/16	

Photograph of Existing Structure



ZBA# 16-025

1017 N Beverly Ln- ZBA

Rev. Eng: Nanci Julius, P.E.

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

Submitted: June 23, 2016

Completed: June 24, 2016

The proposed ZBA application indicates that the petitioner is seeking:

A 13.3 ft variance to allow a new home with an exterior side yard setback of 10 ft from the north property line instead of the minimum 23.3 ft and an additional 1 ft for the eave.

The Engineering Department has NO OBJECTION to the proposed variation.

June 23, 2016

To: Derek Mach, Zoning Board of Appeals Liaison

From: Deb Pierce, Plan Reviewer, Building Services

RE: ZBA #: 16-025 - 1017 N Beverly Lane

Building Department Comment(s):

No objection to the variance.

RECEIVED
JUN 27 2016
PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: 1017 N. Beverly Ln.

Project Address: 1017 N. Beverly Ln.

ZBA #: 16-025

ZBA Hearing Date: July 11, 2016

To: Jim Massarelli, Director of Engineering
Charley Craig, Building Services

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

From: Derek Mach, Zoning Board of Appeals Liaison

Transmitted On: June 22, 2016

- A 13.3 foot variance from Chapter 28, Section 5.1-3.6 (Required Minimum Yards) & Section 5.4 (Table of Required Minimum Yards) to allow a new home with an exterior side yard setback of 10.0 feet from the north property line instead of the minimum 23.3 feet and an additional 1.0 feet for the eave.

Attached are the Petitioner's:

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

Comments: _____

DESIGN

THE PROPOSED^{DESIGN} APPEARS TO BE SCHEMATIC. THE FLOOR PLANS

Please review, comment, and return to me no later than Friday, July 1, 2016.

ARE NOT COORDINATED WITH THE EXTERIOR ELEVATIONS.
THE FINAL DESIGN WILL REQUIRE DESIGN COMMISSION REVIEW.
THE GARAGE FACING THE CORNER IS UNDESIRABLE. RECOMMEND
FLIPPING THE HOUSE SO THE ENTRY PORCH IS FACING
THE CORNER. - S. HAUZINGER, DESIGN PLANNER

PETITION

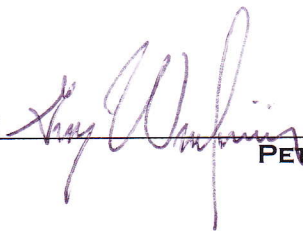
NOW COMES the Petitioner **Gary Wronkiewicz of Stonefield Custom Homes, LLC** being the contract purchaser of the property commonly known as 1017 N Beverly Ln, Arlington Heights, Illinois, and appeals to the Zoning Board of Appeals of the Village of Arlington Heights for a Variation from Section 5.1-3.6, Chapter 28, of the Arlington Heights Municipal Code, in order to request reduction of the corner North exterior side yard width from the Average of yards along Oakton Street to 10'-0".

I hereby state that the following hardship would exist if the variation were not granted: Petitioner would only be able to develop a new home that is only 20 feet wide and would not be compatible with other neighborhood homes.

I hereby state that the following unique circumstances exist: Existing lot area platted prior to 1959 is below the minimum required lot area of 9,900 square feet for a corner lot.

I hereby state that the variation, if granted, will not alter the essential character of the locality because: The proposed home will be developed similar in size to other developed homes next door and in the neighborhood.

Signed: _____



PETITIONER

Date: _____

6-14-16

MidLakesSurvey.Com
382 Lake Street
Antioch, IL 60002

MID LAKES SURVEY COMPANY

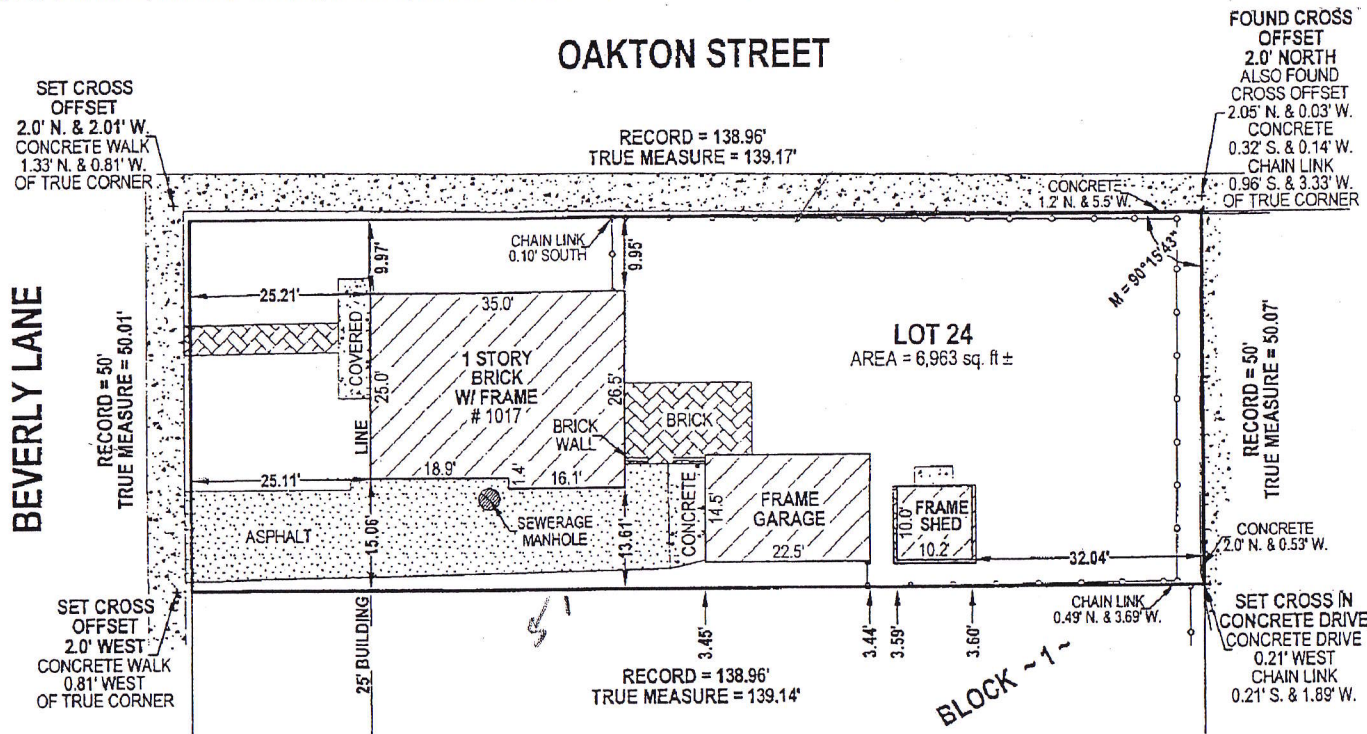
Illinois Professional Design Firm 184.006153

PLAT OF SURVEY

Phone: 847-973-1873
Fax: 847-973-9783
midlakes.survey@yahoo.com

LOT 24 IN BLOCK 1 IN CHARLES W. JAMES SUBDIVISION OF LOTS 1 TO 5, 7 AND 8 IN BLOCK 1 AND LOTS 1 TO 8 IN BLOCK 2 IN ARLINGTON FARMS BEING A SUBDIVISION OF THE EAST 60 ACRES OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 29, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

OAKTON STREET



STATE OF ILLINOIS)
S.S.

COUNTY OF LAKE)

On behalf of MID LAKES SURVEY COMPANY, I hereby certify that the above described property was surveyed under my supervision and that the annexed plat is a correct representation of said survey. This professional service conforms to the current Illinois minimum standards for a boundary survey.

Dated APRIL 26, 2016

MID LAKES SURVEY COMPANY

By Nathaniel N. Messer, PLS
Illinois Professional Land Surveyor. My license expires 11/30/2016

All Distances shown in feet and decimal parts thereof. No distances are to be determined by scaling.

All fences are located to centerlines, unless otherwise noted. Field work completed on 04/20/2014

COPYRIGHT 2016 - MID LAKES SURVEY COMPANY

Job no. 455581

P.J.N. 03 - 29 - 202 - 001

Scale 1" = 20'

Address 1017 BEVERLY LANE

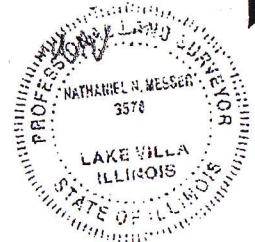
Township WHEELING

Platted By DLM

ARLINGTON HEIGHTS, IL 60004

Ordered By MIRIAM COOPER, ATTY.

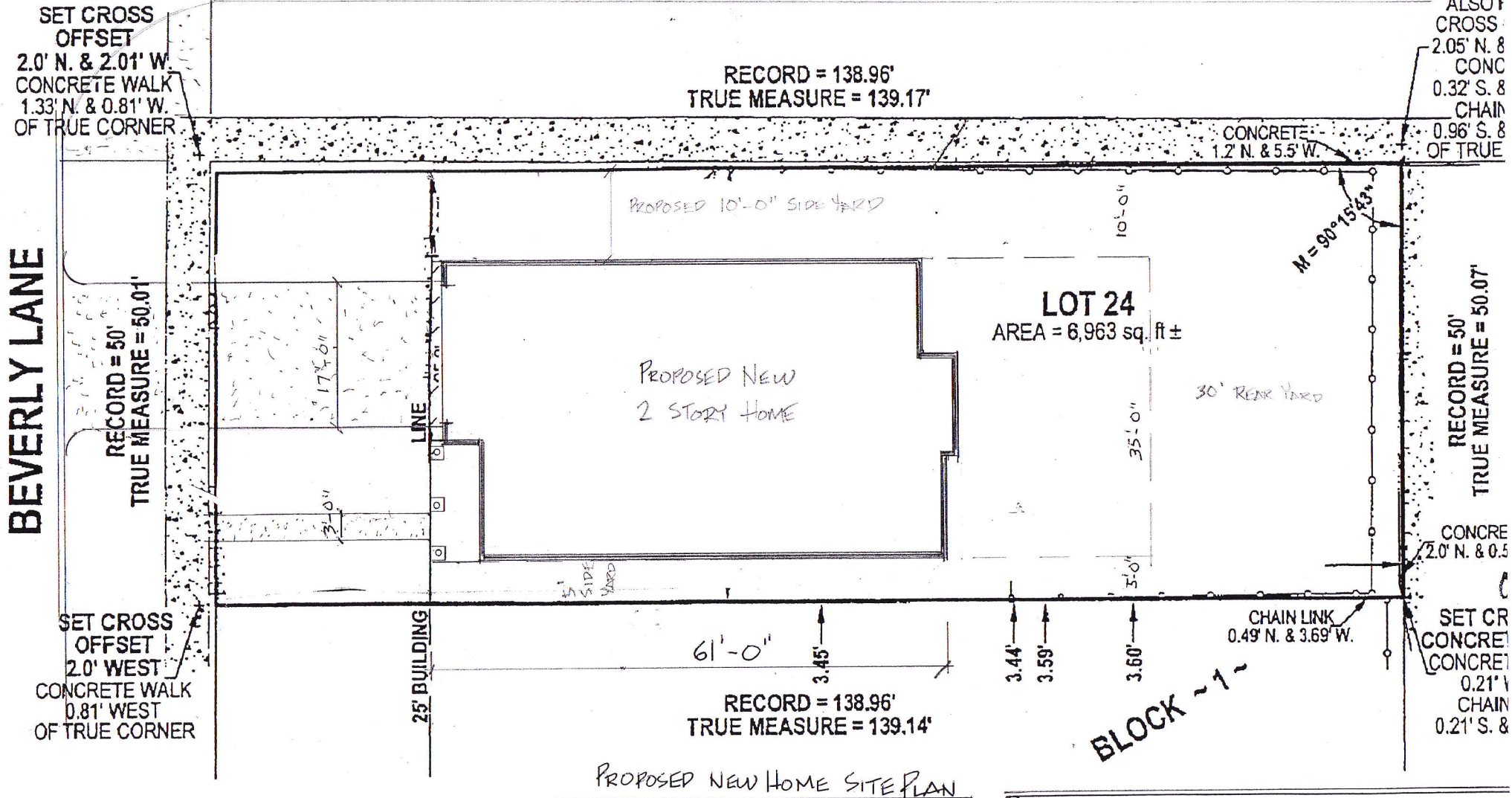
Checked By NNM



CERTIFIED COPIES EMBOSSED WITH RAISED SEAL

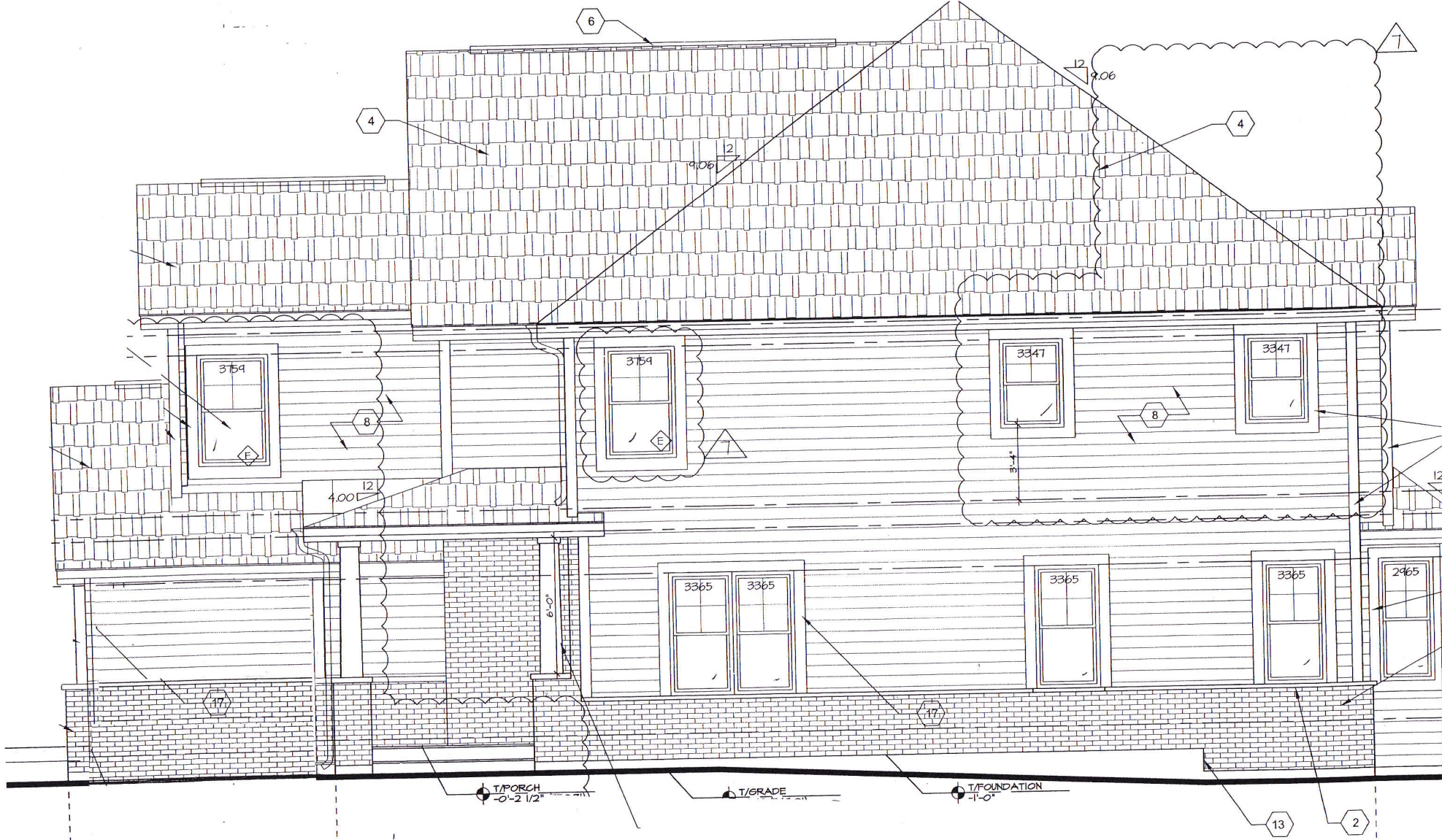
FLAT OF SURVEY
LOT 24 IN BLOCK 1 IN CHARLES W. JAMES SUBDIVISION OF LOTS 1 TO 5, 7 AND 8 IN BLOCK 1 AND LOTS 1 TO 8 IN BLOCK 2 IN ARLINGTON FARMS BEING A SUBDIVISION OF THE EAST 60 ACRES OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 29, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

OAKTON STREET



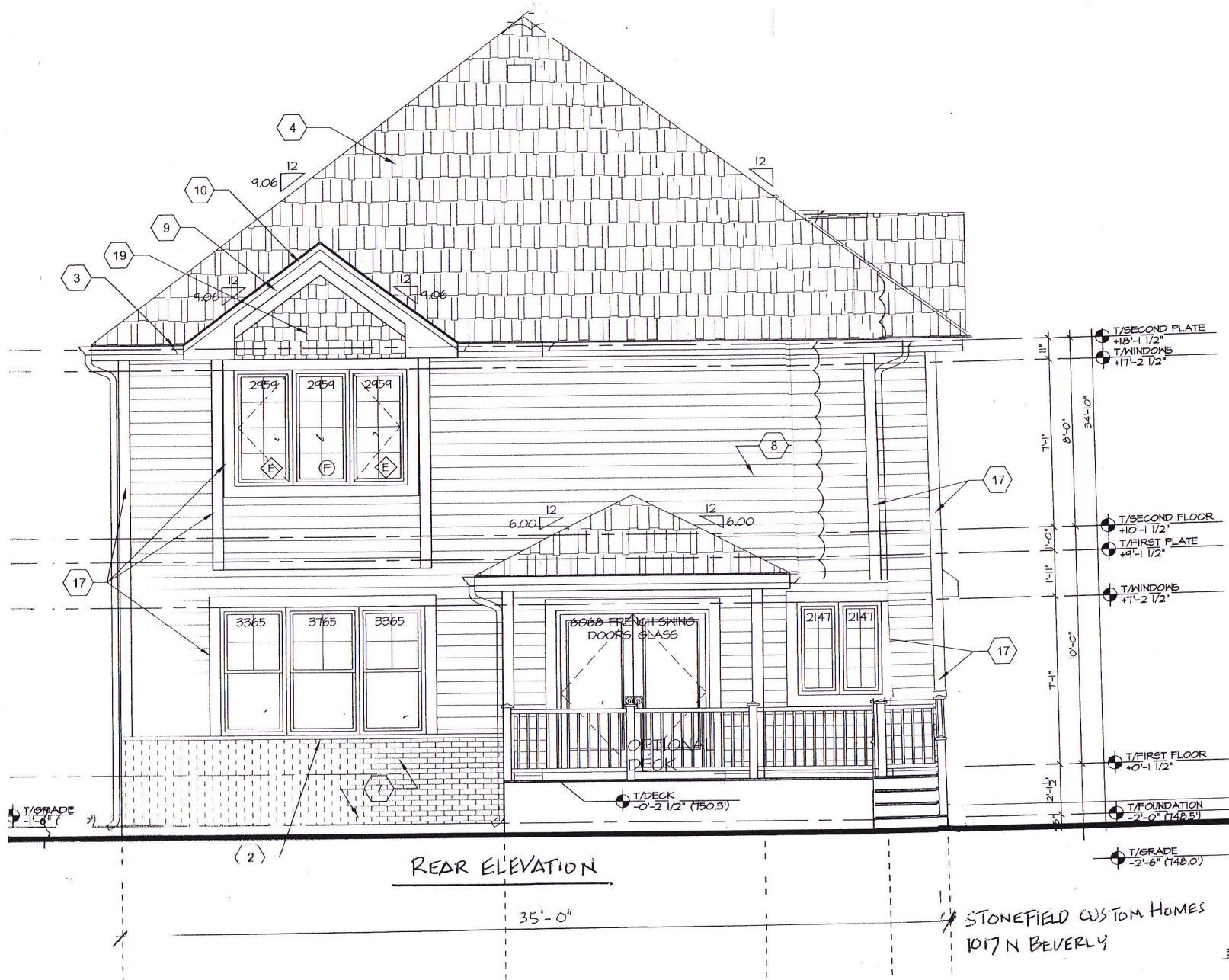
PROPOSED NEW HOME SITE PLAN

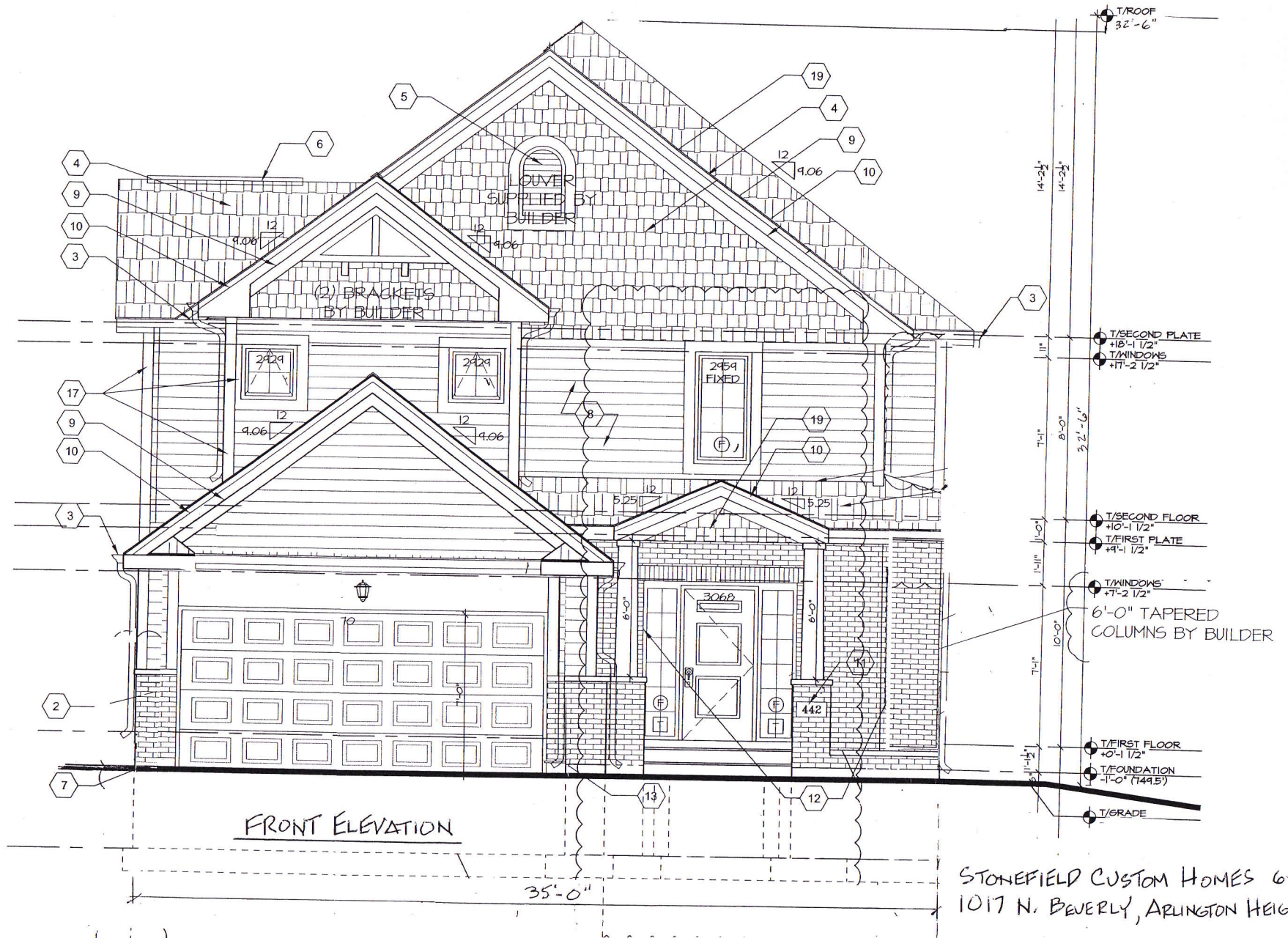
STONEFIELD CUSTOM HOMES 6-10-16
1017 N. BEVERLY LANE, ARLINGTON HTS



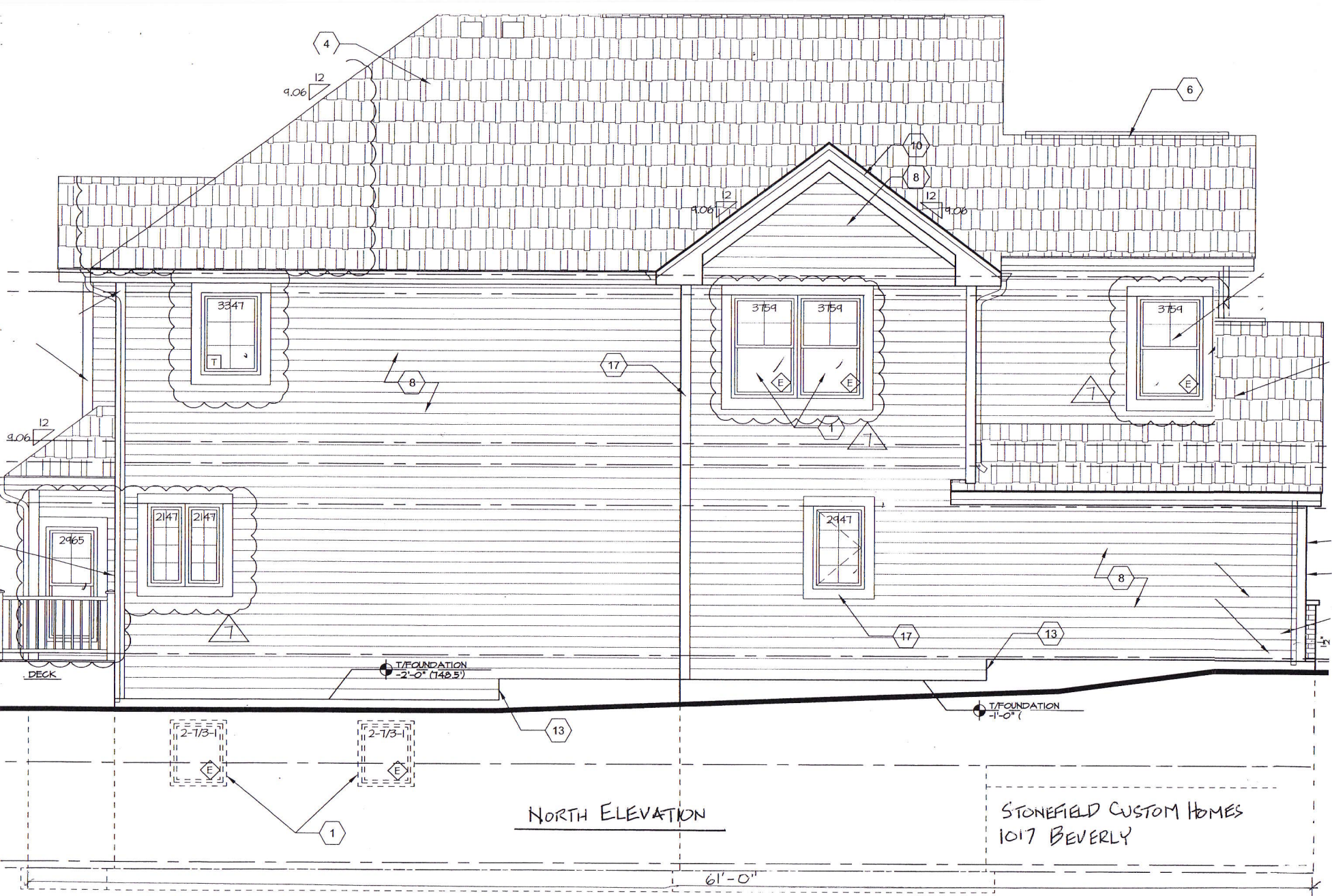
SOUTH ELEVATION

STONEFIELD CUSTOM HOMES
1017 N BEVERLY





STONEFIELD CUSTOM HOMES 6-10-16
1017 N. BEVERLY, ARLINGTON HEIGHTS





Item: Vittore Residence - 124 S. Walnut Ave.

Department: Planning & Community Development

REQUEST

A 8.4 foot variance from Chapter 28, Section 5.1-3.6 (Required Minimum Yards) & Section 5.4 (Table of Required Minimum Yards) to allow an open air front porch with a front yard setback of 16.2 feet from the east property line instead of the minimum 24.6 feet.

ATTACHMENTS:

Description

Staff Report
Department Comments
Supporting Documents & Drawings

Type

Board or Commission Report
Correspondence
Exhibits

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: July 11, 2016
Date Prepared: July 5, 2016
Project Title: Vittore Residence
Address: 124 S. Walnut Ave.

Background Information

Petition Number: ZBA #16-026
Petitioner: Nick Vittore
Address: 124 S. Walnut Ave.
Arlington Heights, IL 60005
Existing Zoning: R-3, Single-Family District

Requested Action/Background Information

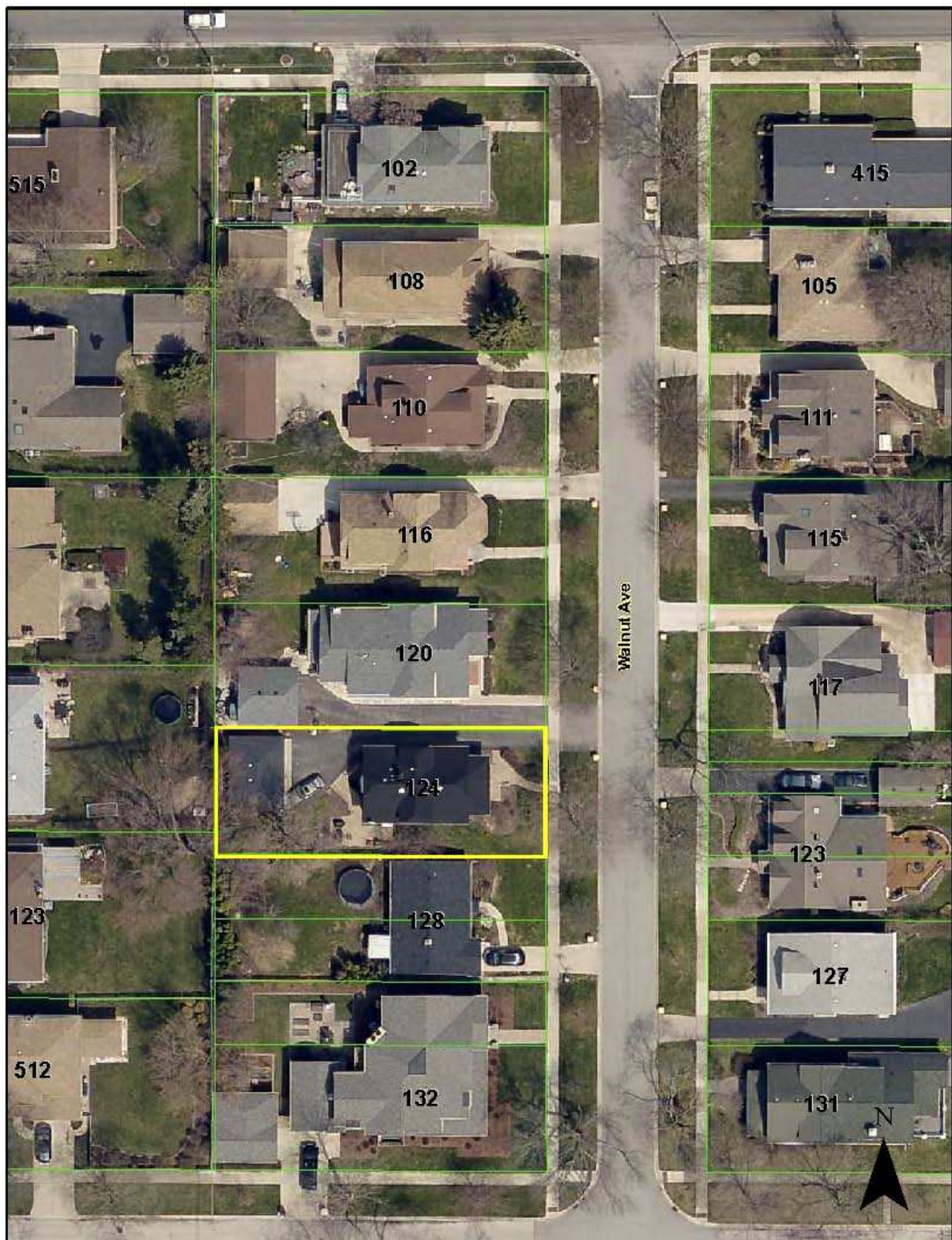
The petitioner is proposing to reconstruct the existing open air porch. The proposed porch will be setback 16.2 feet where the required front yard setback is 24.5 feet. Therefore, the petitioner requests the following variation:

- **A 8.4 foot variance from Chapter 28, Section 5.1-3.6 (Required Minimum Yards) & Section 5.4 (Table of Required Minimum Yards) to allow an open air front porch with a front yard setback of 16.2 feet from the east property line instead of the minimum 24.6 feet.**

Variation Review Standards

In its consideration of the standards of practical difficulties or particular hardships, the Zoning Board of Appeals shall require evidence that (1) the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zone; and (2) the plight of the owner is due to unique circumstances; and (3) the variation, if granted, will not alter the essential character of the locality. A variation shall be permitted only if the evidence, in the judgment of the Board of Appeals, sustains each of the three conditions enumerated.

Map of General Vicinity



Items Required to be Submitted 15 Days Prior to Public Hearing

<u>Item</u>	<u>Provided</u>	<u>Dated</u>	<u>Remarks</u>
1. Notification Affidavit	✓	6/23/16	
2. List of Property Owners Within 250 feet of Subject Property	✓	6/23/16	
3. Letter that was Mailed	✓	6/23/16	
4. Photographs of Sign on Property	✓	6/23/16	

Photograph of Existing Structure



ZBA# 16-026
124 S Walnut Ave- ZBA
Rev. Eng: Nanci Julius, P.E.
cc: James J. Massarelli, P.E. Director of Engineering *JA*

Submitted: June 23, 2016
Completed: June 24, 2016

The proposed ZBA application indicates that the petitioner is seeking:

A 8.4 ft variance to allow an open front porch with a front yard setback of 16.2 ft from the east property line instead of the minimum 24.6 ft.

NOTE: The home has an existing porch that is non-compliant, and the homeowner is looking to replace the porch in it's current location.

The Engineering Department has NO OBJECTION to the proposed variation.

June 29, 2016

To: Derek Mach, Zoning Board of Appeals Liaison

From: Deb Pierce, Plan Reviewer, Building Services

RE: ZBA #: 16-026 - Vittore Residence

Building Department Comment(s):

No objection to the variance.

RECEIVED
JUN 30 2016
PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Vittore Residence

Project Address: 124 S. Walnut Ave.

ZBA #: 16-026

ZBA Hearing Date: July 11, 2016

To: Jim Massarelli, Director of Engineering
Charley Craig, Building Services

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

From: Derek Mach, Zoning Board of Appeals Liaison

Transmitted On: June 22, 2016

- A 8.4 foot variance from Chapter 28, Section 5.1-3.6 (Required Minimum Yards) & Section 5.4 (Table of Required Minimum Yards) to allow an open air front porch with a front yard setback of 16.2 feet from the east property line instead of the minimum 24.6 feet.

Attached are the Petitioner's:

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

Comments: THE PROPOSED PORCH MUST HAVE A FINISHED QUALITY.

RECOMMEND TO ALIGN W/ CORNERS OF HOUSE TO AVOID RAILING

Please review, comment, and return to me no later than Friday, July 1, 2016.

WINDOW CONFLICT. PORCH TO BE PAINTED TO MATCH HOUSE.
PROVIDE DECORATIVE SKIRT UNDER PORCH, AND LANDSCAPE
AROUND PORCH. SEE ATTACHED "CONCEPTUAL PORCH DESIGN"
DATED 7-1-16

-STEVE HAUTZINGER, DESIGN PLANNER
Planning & Community Development



CONCEPTUAL PORCH DESIGN

124 S. WALNUT 7.1.16

Petition for a Variance of the Village of Arlington Heights Municipal Code Chapter 28.

Petition

Now Comes the petitioner Nick Vittore being the owner of the property commonly known as: 124 S. Walnut Avenue, Arlington Heights, IL 60005 and appeals to the Zoning Board of Appeals of the Village of Arlington Heights for a variance from Chapter 28, Section 5.1-3.6 (Required Minimum Yards) to allow a front porch that is encroaching into the required front yard setback.

I hereby state that the following hardship would exist if the variance were not granted:

The current porch will not be in compliance and I will not be able to replace the existing porch with a new porch of the same size.

I hereby state the following unique circumstances exist: the current porch is larger than what is allowed to exist without a variance. The new porch will be nearly the same exact size as the current porch.

I hereby state that the variation if granted, will not alter the essential character of the locality because: the condition currently exists and it will not change the look of the street or surrounding properties but improve the look by removing the brick pavers and replacing those with a wood porch more in tune with the wood frame construction of the house and surrounding porches.

Signed: Nick Vittore

Date: 6/16/16

RECEIVED
JUN 17 2016
PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT



KABAL SURVEYING COMPANY

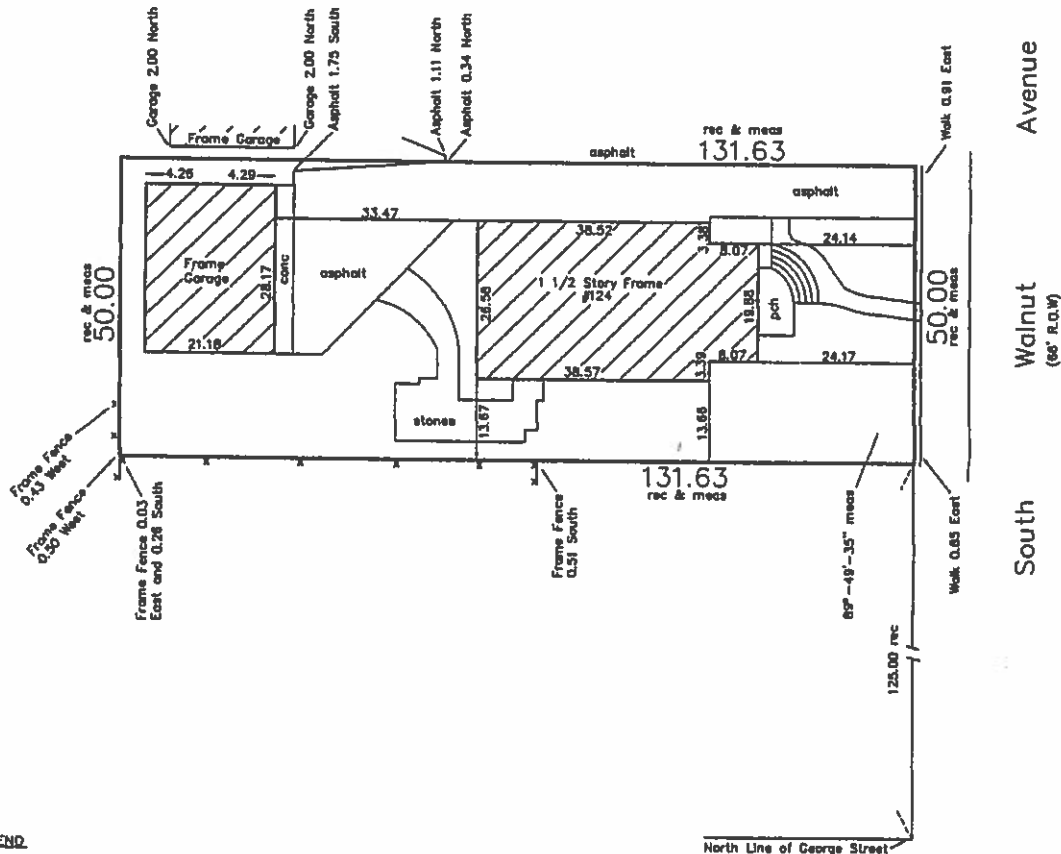
Land Surveying Services

Plat of Survey

Lot 57 and 58 in Sunny View Subdivision, being a Subdivision of that part of the East half of the Northeast quarter of Section 31, Township 42 North, Range 11, East of the Third Principal Meridian, described as follows: Beginning at the Northwest corner of the East half of the Northeast quarter of Section 31; Running thence East 514.6 feet; Thence South 958.67 feet of the North line of South Street; Thence West 515.89 feet to the West line of said East 112 of the Northeast 114 of Section 31; Thence North along said West line of the East half of the Northeast quarter of Section 31 to the place of beginning, in Cook County, Illinois.

2411 Hawthorne Avenue
Westchester, Illinois 60154
(708) 662-2852
Fax (708) 662-7314
email: kabal-surveying@comcast.net
website: KabalSurveyingCompany.com
Registration No. 184-003061

Address: 124 South Walnut, Arlington Heights



LEGEND

cnc = concrete, pc = point of curve
R.O.W. = right-of-way
rec = record, N = North
meas = measured
pch = porch, rad = radius
prc = point of reverse curve

Area of property is approximately 6,582 square feet

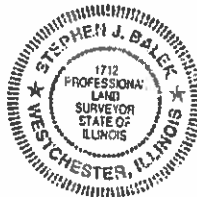
☒ "X" in box indicates that hereon drawn plat was ordered as a non-monumented survey

Please check Legal Description with Deed and report any discrepancy immediately.

Surveyed August 21, 2013

Building Located August 21, 2013

Scale: 1 Inch =	20	ft.
Order No.	130818	
Ordered By:	Fry, Attorney at Law	



ORIGINAL SEAL IN RED

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

STATE OF ILLINOIS }
COUNTY OF COOK }

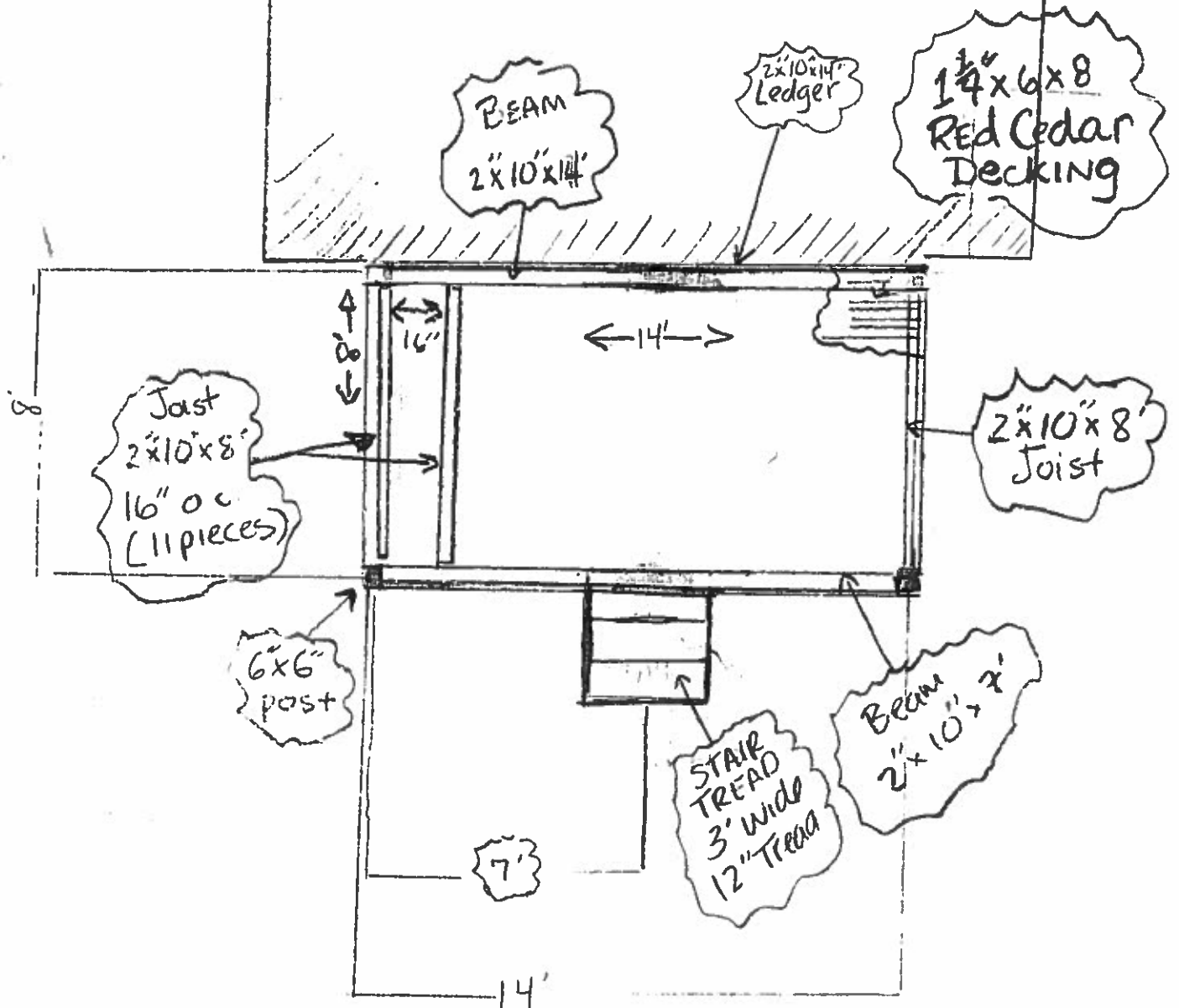
I, STEPHEN J. BALEX, an Illinois Professional Land Surveyor, hereby certify that I have surveyed the property described above and the plat hereon drawn is a correct representation of said survey.

Dimensions are in feet and decimal parts thereof and are corrected to a temperature of 62 degrees Fahrenheit.

Stephen J. Balex
Illinois Professional Land Surveyor No. 035-001712
My license expires on 12/31/2016

RECEIVED
JUN 17 2016
PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT

124 S. Walnut
Existing House



$\frac{1}{4}" = 1'$

