



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
June 10, 2019
7:00 PM

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF MINUTES

- A. 4034 N. Ridge Ave. - 5/13/19
- B. 1007 E. Mayfair Rd. - 5/13/19
- C. 1518 W. Thomas St. - 5/13/19
- D. 216 S. Evergreen Ave. - 5/13/19
- E. 124 N. Regency Dr. West - 5/13/19
- F. 4036 N. Harvard Ave. - 5/13/19

IV. REPORTS

V. OLD BUSINESS

VI. NEW BUSINESS

- A. 433 S. Belmont Ave. - ZBA#19-012
- B. 323 S. Walnut Ave. - ZBA#19-013
- C. 515 N. Arlington Heights Rd. - ZBA#19-014
- D. 38 N. Belmont Ave. - ZBA#19-015
- E. 102 N. Belmont Ave. - ZBA#19-016
- F. 102 S. Derbyshire Ln. - ZBA#19-017
- G. 1213 W. Euclid Ave. - ZBA#19-018

VII. OTHER BUSINESS

VIII. ADJOURNMENT

Persons with disabilities requiring auxiliary aids or services, such as an

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



**Zoning Board of Appeals
6/10/2019**

Item: 4034 N. Ridge Ave. - 5/13/19

Department: Planning & Community Development

ATTACHMENTS:

Description	Type
4034 N. Ridge Ave. - Minutes 5/13/19	Minutes
4034 N. Ridge Ave. - Findings 5/13/19	Minutes

ZONING BOARD

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

OF APPEALS

RE: 4034 NORTH RIDGE AVENUE - ZBA #19-006

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 May, 2019 at the hour of
7:00 p.m.

MEMBERS PRESENT:

DAVID DIVITO, Chairman
THOMAS DRAKE
JOSEPH SELBKA
BENJAMIN JAFFE
PETER SIAVELIS

ALSO PRESENT:

DEREK MACH, Development Planner

CHAIRMAN DIVITO: I'd like to call to order the Zoning Board of Appeals meeting for May 13th, 2019. Derek, would you be so kind and do roll call?

MR. MACH: Chairman Divito?

CHAIRMAN DIVITO: Here.

MR. MACH: Mr. Drake?

COMMISSIONER DRAKE: Here.

MR. MACH: Mr. Geisel?

(No response.)

MR. MACH: Mr. Jaffe?

COMMISSIONER JAFFE: Here.

MR. MACH: Mr. Schwingbeck?

(No response.)

MR. MACH: Mr. Selbka?

COMMISSIONER SELBKA: Here.

MR. MACH: Mr. Siavelis?

COMMISSIONER SIAVELIS: Here.

CHAIRMAN DIVITO: All right, at this time, please join us for the pledge of allegiance.

(Pledge of allegiance recited.)

CHAIRMAN DIVITO: Thank you. Next order of business is the approval of minutes from last month's meeting. Has everyone had an opportunity to review? Are there any errors or omissions bound to be called out?

(No response.)

CHAIRMAN DIVITO: None being heard, is there a motion?

COMMISSIONER JAFFE: So moved.

COMMISSIONER SELBKA: Seconded.

CHAIRMAN DIVITO: All right, all in favor?

(Chorus of ayes.)

CHAIRMAN DIVITO: All opposed?

(No response.)

CHAIRMAN DIVITO: All right, so I'll try and read this out, so that way we understand how this is going to play out this evening. We do have six items of new business on the agenda for tonight, so I ask that each of the petitioners be as concise as possible and stick to the points. If you are talking from the audience, please understand that the Zoning Board has a very narrow focus when it comes to viewing these petitions. So, please speak to the issues at hand.

Let's see. There are four elements necessary to establish order for the Board to be able to grant this variance. First, that the proposed use will not alter the essential character of the locality and will be compatible with the existing uses and zoning of nearby property. Second, that the plight of the owner is due to unique circumstances which may include the length of time the subject property has been vacant as zoned. Third point, that the proposed variation is in harmony with the spirit and intent of this chapter. Fourth and final, that the variance requested is the minimum variance necessary to allow reasonable use of the property. A variance shall be permitted only if the evidence, in the judgment of the Board of Appeals, sustains each of these four points

enumerated.

With all that said, Mr. Drake, would you like to call out the first one?

COMMISSIONER DRAKE: Sure. The first one up is 4034 North Ridge Avenue.

MR. BEERHEIDE: Good evening.

COMMISSIONER DRAKE: Hello, how are you?

MR. BEERHEIDE: Good, thanks. How are you?

COMMISSIONER DRAKE: Good, thanks. You're all signed in?

MR. BEERHEIDE: We are, yes. Do you guys want the sign-in sheet?

CHAIRMAN DIVITO: Actually it should just stay on the podium. So, for the record, name and address?

MR. BEERHEIDE: My name is Tom Beerheide, and I live at 4034 North Ridge Avenue.

MRS. BEERHEIDE: I'm Kelly Beerheide, and I live at the same address.
(Witnesses sworn.)

CHAIRMAN DIVITO: Thank you.

COMMISSIONER DRAKE: Go ahead and tell us about your petition.

MR. BEERHEIDE: Sure. So, tonight we are requesting a variance from Chapter 28, Section 10.2-11.1(b), to increase our driveway width from the 22 feet to 27 feet and one inch. We have twofold, our hardship is twofold. One is we moved into our house in 2008, and we have a paver, a walkway that goes along our garage to our backyard, and we have a fenced backyard with a gate so that obviously that walkway goes through that gate. That walkway was installed in the early 2000's and is crumbling and falling apart. So, we would like to replace that walkway with concrete. At the same time, we would like to extend our driveway so we have one aesthetically seam-lined look to join the walkway with the extension of the driveway.

In addition, as I had mentioned it's twofold, we have three children. We have one child who is going to be driving in the fall. So, we would like to increase that to accommodate his car, and then obviously we have two drivers coming up through the years as well. So, we would like to also have room to park their cars on the driveway also.

So, the reason we want to do that extension is by keeping the cars from blocking the sidewalk which then creates a safety concern in the community. The other key point is Ridge Avenue connects to Lake Cook Road, so it's a major thoroughfare in Terramere where we live with lots of cars driving down the street. So, if we can keep our cars off the street, again it helps to reduce any safety concerns with neighbors walking through the neighborhood; if they decide to cross in front or by these cars, we can keep them off the street and parked in our driveway and not block anything on the street or on the sidewalk.

COMMISSIONER DRAKE: Have you had a chance to talk to your neighbors about the project? What have they responded back with if you have?

MR. BEERHEIDE: Yes, we have spoken with our neighbors in the immediate vicinity of our home. Everybody was okay with our variance request. However, we have one neighbor who is immediately north of us who had a couple of concerns.

One concern was the drainage of the water. So, currently, where this extension is going to take place, there is a downspout from his house and a downspout from our house that drains into this area and then flows out towards the sidewalk and the street. So, he's concerned that this could disrupt or cause a drainage issue. However, we have talked with both the Village, and they have approved this project with no concerns, and we've also talked with our contractor who also stated there will be no concerns with any drainage or water issues.

We're actually going to address our downspout through the project. We're going to have our downspout extended 15 feet underneath the extension towards the sidewalk. So, instead of having it come down into where the other downspout meets currently, we're actually going to turn that and have it extended out towards the sidewalk to address that problem.

The other concern the neighbor had was the aesthetics of the driveway. So, my wife Kelly and I take great pride in our house and keeping the property value high. We've done a number of projects through the years including we have installed James Hardie siding on our house, Anderson windows, GAF shingles. We even have California redwood underneath our front porch.

So, we work very hard to keep our property value high in the neighborhood, and so with this project, we're going to be installing this with obviously concrete that's going to tie into our driveway that we just did two years ago. So, it's going to be a nice aesthetic look to our existing driveway and very streamlined, and this is not unlike other, many of the homes in Terramere that have this extension done within the neighborhood. They only have two-car garages, yet they have extended their driveway to allow for the three cars.

So, in fact last fall, this Board approved two extensions within Terramere, 502 Kingsley and 4010 North Harbor. They were both driveway extensions as well that were approved.

CHAIRMAN DIVITO: Just to be clear for this petition and future ones, that each independent petition is judged on their own merits and don't actually use historic ones to --

COMMISSIONER DRAKE: I just have one more question, and then the other members of the Board, if they have any questions can. What's going to happen with the basketball hoop?

MR. BEERHEIDE: We're going to sell it. My son doesn't play anymore. He's a golfer.

COMMISSIONER DRAKE: Put a good deal on it?

MR. BEERHEIDE: If you're interested, we could certainly work with you absolutely.

COMMISSIONER DRAKE: I already got rid of one, same deal. Added space on the driveway.

MR. BEERHEIDE: Yes.

COMMISSIONER DRAKE: Those are the only questions I have. Are there other questions from the Board?

COMMISSIONER SIAVELIS: I just have one quick question and just to clarify. The bump-out there, your proposed bump-out on the driveway there to the north,

you're going to stop that short of the sidewalk, correct? You're not continuing that?

MR. BEERHEIDE: Yes, it's going to have a nice taper angled right into the corner there where the existing driveway is.

COMMISSIONER SIAVELIS: So, you're not carrying it to the street, to curb?

MR. BEERHEIDE: No, we can't. No, no, so it's just going to be, just, you know, angled up and where a car could fit in that space, right.

COMMISSIONER SIAVELIS: Yes, good.

COMMISSIONER JAFFE: I just have a quick point of clarification. On page one, it says a 5.1-foot variation, but deeper into the document, it actually is only calling for a 4.5-foot variation. I just didn't know if --

MR. MACH: The 5.1 is the variance, yes.

COMMISSIONER JAFFE: Okay, thank you.

CHAIRMAN DIVITO: Is there a downspout in the back of the house near the, would that be the gate to go into the backyard?

MR. BEERHEIDE: Yes. It drains into that, between the two homes as well.

CHAIRMAN DIVITO: The swale?

MR. BEERHEIDE: Yes. The swale, yes.

COMMISSIONER DRAKE: Do you have any water issues in the neighborhood?

MR. BEERHEIDE: We do not. We haven't had flooding in our basement since we moved in in 2008. Knock on wood.

COMMISSIONER DRAKE: If there's no other questions from the Board, is there anyone from the audience? Thank you very much.

MR. BEERHEIDE: Thank you.

COMMISSIONER DRAKE: Sir? Are you signed in?

MR. BALDASSARRA: Yes, I am.

COMMISSIONER DRAKE: Okay, could you state your name and address?

MR. BALDASSARRA: My name is Carl Baldassarra, 4036 North Terramere Avenue.

COMMISSIONER DRAKE: Okay, could you raise your right hand?
(Witness sworn.)

MR. BALDASSARRA: I want to be good neighbors with my neighbors here in Terramere. I'm not speaking in opposition. I'm here to learn how this works because when I asked to do this a few years ago, the Village Staff said no, that I couldn't have a single piece of concrete more than so many feet wide. I had to change materials which we have brick pavers, and it couldn't be more than 22 feet. I have a similar situation with the walkway adjacent to my driveway that serves the backyard.

So, I'm wondering, is this the process? Because I just dealt with the Staff last time, and I was told no, no, and no. So, is this the process to increase width for, and I was also told they didn't want three cars parked side by side because it didn't look good. So, is this okay now?

CHAIRMAN DIVITO: So, Derek, do you want to speak to that?

MR. MACH: Sure. If you're proposing something that's not meeting code, you would need to seek a variance and this would be the Board that would hear your

petition. If you have any, you know, questions, I can give you my contact number.

MR. BALDASSARRA: This was a number of years ago.

MR. MACH: Sure.

MR. BALDASSARRA: So, I just happened to see this and I thought, hmm, that could work for others as well. So, this is the process?

MR. MACH: Correct.

MR. BALDASSARRA: Okay, do you have to have a hardship?

MR. MACH: Yes.

CHAIRMAN DIVITO: That's the primary.

MR. BALDASSARRA: Okay, thank you very much.

COMMISSIONER DRAKE: Thank you. Anyone else wishing to be heard?

MR. GIANNIS: Hi, I'm Pete Giannis. I'm the neighbor that was referred to earlier at 4110.

COMMISSIONER DRAKE: Sir, could you raise your right hand?

MR. GIANNIS: Oh, I'm sorry.

(Witness sworn.)

COMMISSIONER DRAKE: Okay, proceed.

MR. GIANNIS: Okay, I actually have some pictures.

COMMISSIONER DRAKE: Okay, why don't you give those out?

CHAIRMAN DIVITO: Yes, these will be, they'll stay with the Village.

MR. GIANNIS: Oh, yes, that's fine.

COMMISSIONER DRAKE: Is this the same picture? Or is this a series of pictures?

MR. GIANNIS: They're all the same, yes.

I did bring up the flooding issues. I want to, this picture was taken on April 29th and there was 1.58 inches of rain which is a decent amount of rain but it's not certainly extraordinary. I don't know if you can tell the, between the two houses is sort of a ravine, because the houses, the water in the neighborhood flows from east to west. No, west to east, west to east.

Nonetheless, so this was, so it's a ravine, and I don't know if you can also tell from this, the sidewalk drops down. I can't give you an exact number but it drops down. So, what's going to have to happen is that whole area is going to have to be, the level is going to be, you know, re-graded to even make it more so have that slope. So, it will push more water toward our house.

Now, they did mention how right at the corner of the sidewalk, it does, their pipe goes underneath the ground there and it comes out right over there. Okay, so it ends right at, you know, the property line which is fine, you know, because that's what that ravine has been for, is to have the water flow down. So, I believe the water will exit more down here. But that still doesn't change the fact that you're got more water, it just moves it.

So, the flooding --

COMMISSIONER SIAVELIS: Where is your downspout at?

MR. GIANNIS: Our downspout is on the corner, but it's more in, closer to the house.

COMMISSIONER SIAVELIS: So, is it aligned with the window and shutters

there in the picture you provided to us?

MR. GIANNIS: Just in of it.

COMMISSIONER SIAVELIS: When you say in, what does in mean?

MR. GIANNIS: In here. Right, it's not in the front of the house, it's on the side of the house.

COMMISSIONER SIAVELIS: It's on the side of the house.

MR. GIANNIS: Yes.

COMMISSIONER SIAVELIS: So, it's essentially away from the corner, west of the corner?

MR. GIANNIS: Yes. Yes, and there's a concrete that comes out from the house about so far.

COMMISSIONER SIAVELIS: The downspout does?

MR. GIANNIS: Well, there's a concrete, it's a splash thing.

COMMISSIONER SIAVELIS: You don't have your water discharge like into a drainer or to a lined thing?

MR. GIANNIS: No, no, no, no, no. It just comes into the ground, as it does over here, too. So, the water gathers here. As I said, this is an inch-and-a-half of rain. So, what I don't want to have is, we don't have a real flooding problem in our basement, but I don't want to add to any risk of flooding with this variation. Do you see? So, the water does gather there as you can see. So, this is an inch-and-a-half of rain.

COMMISSIONER SIAVELIS: Is there a drain there? Is that what you're saying, like two feet off the sidewalk?

MR. GIANNIS: It's a manhole cover. It's a storm sewer but it's solid.

COMMISSIONER SIAVELIS: Storm sewer. It's not open --

MR. GIANNIS: No, it's an access port.

COMMISSIONER SIAVELIS: Got you.

MR. GIANNIS: In fact, below that, coming between the two houses is quite a large storm sewer pipe. There's an easement there between the two houses. So, the storm sewer runs up between a few houses and, it's looking this way, come to the right a little bit. But it's rather large, because when they were just checking it the other day or just, you know, within the past year, they were out there with some scopes and was looking down, it's pretty big. So, anyway that's an easement there, and I think that's why they have it as a ravine.

We've been in the house for 30 years and it's, you know, it's been like that. So, nonetheless, so this is, you know, the fact whether it's a hardship, I'm not sure if there's an immediate need or a hardship because the five drivers scenario is not going to be for five or six years, you know. Even at that point, with the kids at school and, you know, the colleges don't typically allow, you know, they discourage younger freshmen/sophomores in college not to have cars. We probably won't see a five-car scenario for many years, if ever, you know. So, I think, you know, I'd hate to have a water issue based on speculation of a five-car scenario that may or may not ever occur.

CHAIRMAN DIVITO: Right now, the water issue is only standing water in the grass. There's no water in the basement, correct?

MR. GIANNIS: That's correct. That's all --

CHAIRMAN DIVITO: So, if they are addressing the rainwater and the

runoff as it is planned with the underground pushing off to the front again and angling the driveway appropriately, in theory there should not be additional runoff going towards there to the swale.

MR. GIANNIS: Correct.

COMMISSIONER DRAKE: So, are you against what they're doing? Or are you just expressing a concern which is understandable? You know, from the picture, there's, you know, a bunch of water there in the ravine.

MR. GIANNIS: Well, to that extent, I guess I'm against it because we don't want to have a situation where we could have even more water issues. I think in their petition, they put the driveway extension, well, I'm not convinced that it's going, whenever you add more solid surface, it's just going to make it that much more likely to have a lot of standing water right there. Plus the aesthetics, I mean having a 27-foot wide piece of concrete with, you know, cars right there is not, I don't feel, I don't think it's appealing.

COMMISSIONER SELBKA: But they're not asking, the variance is not asking to vary from the impermeable surface allowed.

MR. GIANNIS: No, they're just adding more impermeable surface.

COMMISSIONER SELBKA: Right, exactly.

MR. GIANNIS: Where they already have grass now. We have more, you know, a wider driveway with that much more water.

COMMISSIONER DRAKE: Okay, thank you for your comments, appreciate it.

MR. GIANNIS: Okay.

COMMISSIONER DRAKE: Anyone else?

MR. BEERHEIDE: Could I just make a clarifying comment?

COMMISSIONER DRAKE: You want to come back up? Sure.

MR. BEERHEIDE: So, just a couple on this picture. This is new sidewalk that the Village poured last fall. We did not have this pooling before the Village came out and poured the new sidewalk. So, when they came out, they did their work, the trucks came over that area, and it's now lowered this area and that's why you see the water pooling there.

Then I also, you had asked the question about his downspout, would you like to --

COMMISSIONER SIAVELIS: I saw it on our screen, we checked that ourselves.

MR. BEERHEIDE: Okay, because I have a picture of that to how that drains into that area.

COMMISSIONER SIAVELIS: So, where is your drain going to be located that you talked about? You're submerging the line, and where are you going to put your drain in?

MR. BEERHEIDE: So, this is our downspout. It's going to come out 15 feet this way.

COMMISSIONER SIAVELIS: How far from the western edge of the sidewalk are you going to be?

MR. BEERHEIDE: From here? I don't know exactly.

COMMISSIONER SIAVELIS: Approximately?

MR. BEERHEIDE: 10 feet.

MRS. BEERHEIDE: Can you repeat the question?

COMMISSIONER SIAVELIS: How far from the western edge of the sidewalk will your drain be?

MR. BEERHEIDE: Probably 10 to 15 feet. It's going to end right about here.

COMMISSIONER SIAVELIS: Okay, 10 to 15 feet.

MRS. BEERHEIDE: Maybe 10, yes.

MR. BEERHEIDE: From the sidewalk to there, yes.

COMMISSIONER SIAVELIS: Can you bring it closer? Can you bring it closer to the sidewalk?

MR. BEERHEIDE: Sure.

MRS. BEERHEIDE: Yes.

COMMISSIONER SIAVELIS: So that if there's pooling, it will be farther from your neighbor's house?

MR. BEERHEIDE: Absolutely. Absolutely.

COMMISSIONER DRAKE: Okay, if there's no one else, we'll close it down for Board discussion. Anybody want to start?

COMMISSIONER SIAVELIS: So, I'll just hit it real quickly, I understand the neighbor's concerns. Those concerns seem reasonable to me, especially the change in elevation and pitch, okay, and I get that, and we didn't have that much rain to cause that pooling. But I do understand the Petitioner's comments about wanting a wider driveway. I think that's totally reasonable, especially when you have multiple drivers and multiple cars, so you don't have to play Tetris with your cars, moving them in and out and getting them around.

I do take the Petitioner at his word. If they're going to move the drain closer to the sidewalk, I'm in support of that, and I think we should adjust the variance to reflect that, essentially getting that drain, the outlet and that drain as closer to the sidewalk as the Village will allow to move water farther from the Petitioner's house and the neighbor's house and closer to the sidewalk.

COMMISSIONER DRAKE: Derek, can we leave that decision about what that distance is, can we leave that up to the permit process?

MR. MACH: Yes. If the Zoning Board is supportive of the variance requested, as part of the permit process, they're going to have to satisfy Department of Engineering's requirements.

CHAIRMAN DIVITO: Which will include re-grading, right, like when they do the driveway extension, they'll have to grade to continue the --

MR. MACH: They'll review the pitch of the driveway, yes.

COMMISSIONER DRAKE: But Engineering had no objection to this petition based on the --

MR. MACH: They had no objection.

COMMISSIONER DRAKE: Any other comments from the Board? The only comment I'll add is none of the departments had any objections. I mean they all signed off as this was a reasonable petition, and I would agree with that. I do understand the neighbor's concern, so those are all valid comments.

COMMISSIONER SIAVELIS: So, Tom, would you support it with the added language?

COMMISSIONER DRAKE: Yes. **So, I would move that we approve the petition with the requirement that the Petitioner work with the Engineering Department through the permit process and extend the drainage closer to the street. Engineering can determine what that figure is, to minimize the impact on the neighborhood.**

COMMISSIONER SIAVELIS: Second.

CHAIRMAN DIVITO: Derek?

MR. MACH: Mr. Drake.

COMMISSIONER DRAKE: Yes.

MR. MACH: Mr. Jaffe.

COMMISSIONER JAFFE: Yes.

MR. MACH: Mr. Selbka.

COMMISSIONER SELBKA: Yes.

MR. MACH: Mr. Siavelis.

COMMISSIONER SIAVELIS: Yes.

MR. MACH: Chairman Divito.

CHAIRMAN DIVITO: Yes. The motion has passed. You'll need to work with the permitting department, and you do not need to stay for the rest of the meeting.

MR. BEERHEIDE: Thank you.

CHAIRMAN DIVITO: So, Mr. Jaffe, I believe you're next.

(Whereupon, the public hearing on the above-mentioned petition was adjourned at 7:22 p.m.)

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS
May 13, 2019

PETITIONER: Beerheide Residence

ADDRESS OF PROPERTY: 4034 N. Ridge Ave.

VARIATION: 10.2-11.1b

A 5.1-foot variance to allow a driveway that is 27.1-feet in width where code allows a maximum width of 22-feet.

The petitioner testified as to hardship, uniqueness of circumstances, and the character of the locality. The petitioner explained that they are seeking a variance to increase their driveway width from 22 feet to 27.1 feet. The petitioner testified that they moved into their house in 2008. The petitioner explained that they will soon have multiple drivers therefore they need additional parking. The petitioner further explained that Ridge Avenue is a well-traveled thoroughfare and that they would prefer to keep their vehicles off 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. Drake and seconded by Mr. Siavelis. 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.

David Divito, Chairman
Zoning Board of Appeals
Village of Arlington Heights



**Zoning Board of Appeals
6/10/2019**

Item: 1007 E. Mayfair Rd. - 5/13/19

Department: Planning & Community Development

ATTACHMENTS:

Description	Type
1007 E. Mayfair Rd. - Minutes 5/13/19	Minutes
1007 E. Mayfair Rd. - Findings 5/13/19	Minutes

ZONING BOARD

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

RE: 1007 EAST MAYFAIR ROAD - ZBA #19-007

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 May, 2019 at the hour of
7:22 p.m.

MEMBERS PRESENT:

DAVID DIVITO, Chairman
THOMAS DRAKE
JOSEPH SELBKA
BENJAMIN JAFFE
PETER SIAVELIS

ALSO PRESENT:

DEREK MACH, Development Planner

COMMISSIONER JAFFE: Our next petition is 1007 East Mayfair. Hi.

MS. BLACKBURN: How are you again?

COMMISSIONER JAFFE: State your name and address for the record please.

MS. BLACKBURN: My name is Erin Blackburn and my address is 1007 East Mayfair Road in Arlington Heights.

(Witness sworn.)

MS. BLACKBURN: All right. So, I have, it's fairly simple, it's for a fence. I'm seeking a variance for Chapter 28, Section 6.13(a). So, I probably have the most unique lot in Arlington Heights, I have an L-shaped lot. Another thing I'll tell you is this is the house I grew up in, so I have lived there for now 33 years. We've owned the house for the last 10 years. So, I now have two small kids who are 18 months old and seven years old.

So, currently, so if you take a look up there, we have the second house in from the cul de sac from Northwest Highway, and there was an outlot that was purchased in the 1950's by the original owner. So, that has been a backyard since that house has been built, and it's always been the backyard since I, you know, lived in the house since I was little and still continues to be. There is a swing set and we paid for some raised bed gardens. It's currently enclosed with bushes and chicken wire, which isn't very appealing.

So, what we're doing is trying to seek a variance to get a cedar fence put in. So, currently, the variance allows three feet high picket. This, obviously for the safety of my children and I have also dogs, it doesn't work. Northwest Highway is a very well-traveled sidewalk. There have been a few instances, for safety-wise, of some of the local homeless population have, you know, who struggle with mental illness have been belligerent and yelling things. So, it doesn't feel very safe for us to be using it as a backyard when my kids want to play out there.

So, currently, you know, there's chicken wire there and it's all completely enclosed and it's been this way. We just want to make it look nicer and for our privacy and safety. So, we're going to put in a nice cedar, four-foot high, with one foot of batten, so five feet total and that's it. The variance is just for the 10 feet section along Northwest Highway. Everything else is already approved and is going to be the cedar as well.

COMMISSIONER JAFFE: Have you been able to discuss your plans with any of the neighbors?

MS. BLACKBURN: Yes. So, I talked with, there's only one neighbor on one side and then the apartment building. Yes, and they're fine with it because it's always been a backyard. So, there's been no problems. The neighbor that's lived there, she's the original owner, so I've known her since I was a little girl. So, yes.

COMMISSIONER JAFFE: Okay, thank you. Any questions from the Board for the Petitioner?

MS. BLACKBURN: It's pretty simple, right?

COMMISSIONER JAFFE: Thank you for being concise.

MS. BLACKBURN: It's short and sweet. Yes, no, just making it easy. I have two little kids so I've got to go home. So, thank you.

COMMISSIONER JAFFE: Are there any members of the audience who wish to speak to this petition? None being heard, we'll close it down for Board discussion. Any comments?

COMMISSIONER SIAVELIS: Straightforward, logical.

CHAIRMAN DIVITO: Busy street, protecting the backyard, yes.

COMMISSIONER JAFFE: Agreed. Is there a motion to approve?

COMMISSIONER DRAKE: **Move approval.**

COMMISSIONER SELBKA: Second.

CHAIRMAN DIVITO: Derek?

MR. MACH: Mr. Drake.

COMMISSIONER DRAKE: Yes.

MR. MACH: Mr. Jaffe.

COMMISSIONER JAFFE: Yes.

MR. MACH: Mr. Selbka.

COMMISSIONER SELBKA: Yes.

MR. MACH: Mr. Siavelis.

COMMISSIONER SIAVELIS: Yes.

MR. MACH: Chairman Divito.

CHAIRMAN DIVITO: Yes. Motion has passed.

COMMISSIONER JAFFE: Congratulations.

MS. BLACKBURN: Thank you. All right, I have two little guys so I'm going to head home. Thank you.

(Whereupon, the public hearing on the above-mentioned petition was adjourned at 7:25 p.m.)

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS
May 13, 2019

PETITIONER: Blackburn Residence
ADDRESS OF PROPERTY: 1007 E. Mayfair Rd.
VARIATION: 6.12-3a (Location of Fences – Front Yards)

A variation to allow a 5-foot tall solid fence located 0-feet from the property line where code allows a maximum 3-foot tall fence that must be open in design.

The petitioner testified as to hardship, uniqueness of circumstances, and the character of the locality. The petitioner explained that they are proposing a five foot tall fence along Northwest Highway. The petitioner testified that the lot is unique in shape. The petitioner explained that the lot is 'L' shaped and that they have frontage on both Mayfair and Northwest Highway. The petitioner explained that the frontage along Northwest Highway is the front per the zoning code but functions as a rear yard.

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

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

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

David Divito, Chairman
Zoning Board of Appeals
Village of Arlington Heights



**Zoning Board of Appeals
6/10/2019**

Item: 1518 W. Thomas St. - 5/13/19

Department: Planning & Community Development

ATTACHMENTS:

Description	Type
1518 W. Thomas St. - Minutes 5/13/19	Minutes
1518 W. Thomas St. - Findings 5/13/19	Minutes

ZONING BOARD

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

OF APPEALS

RE: 1518 WEST THOMAS STREET - ZBA #19-008

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 May, 2019 at the hour of
7:25 p.m.

MEMBERS PRESENT:

DAVID DIVITO, Chairman
THOMAS DRAKE
JOSEPH SELBKA
BENJAMIN JAFFE
PETER SIAVELIS

ALSO PRESENT:

DEREK MACH, Development Planner

CHAIRMAN DIVITO: All right, this next one is 1518 West Thomas.

MR. BEHLIS: Good evening, gentlemen.

CHAIRMAN DIVITO: Good evening. Name and address for the record?

MR. BEHLIS: Sure. My name is Andy Behlis, and I reside at 1518 West Thomas Street.

MRS. BEHLIS: And I'm Voula Behlis, 1518 West Thomas Street.

CHAIRMAN DIVITO: I'll swear you both in at the same time.

(Witnesses sworn.)

CHAIRMAN DIVITO: Thank you.

MR. BEHLIS: So, today we're seeking a 15-foot variation from Chapter 28, Section 5.1-0.2(a). It's a 15-foot, the required is 50, we're asking for 35. We're also seeking a variation of 200 square feet from Chapter 28, Section 5.1-0.4(b)-2. That's the impervious front yard in which the maximum is 25, and we're asking for 27.

So, we're building a brand new construction at 1518 West Thomas, 4,100 square feet, and we're seeking to build a terrace in the front. One of the reasons is we feel that we have a, we need more living space outdoor. We live right across the street from Virginia Terrace Park, and our family seems to be drawn to the front of the house more than we are in the rear of the house.

There was a question in regards to the impervious from Engineering, that we change our stained concrete to brick pavers to allow for that variance. The Engineering Department had no issues with the variance of 15 feet, but they had a question in regards to the impervious front yard maximum.

CHAIRMAN DIVITO: All right. How long have you owned the property?

MR. BEHLIS: So, we've been at that location for two-and-a-half years. We bought the property for the sole purpose of tearing it down and building it. We're hoping to break ground sometime in the fall of 2019.

CHAIRMAN DIVITO: How many people live in the property or will live?

MR. BEHLIS: So, we have four people, two adults and two kids.

COMMISSIONER SIAVELIS: So, did you read the notes from the Engineering Department about the suggestion, if the terrace could be reduced in size to not need the variance for the impervious ratio?

MR. BEHLIS: Yes, I did. So, instead of having like the stained concrete that I proposed, we're going to do like a Unilock system which will create a little bit more drainage for that. So, instead of doing stained concrete, I'll do the Unilock system.

COMMISSIONER SIAVELIS: Did you present that to the Engineering Department, that revision?

MR. BEHLIS: I did not. I didn't know that I had to, but we could certainly do that.

COMMISSIONER SIAVELIS: Derek, are you aware of whether that would resolve the Engineering Department's concerns in regard to that 200-foot variance of impervious surface?

MR. MACH: I'm not aware. I'd have to consult with the department.

Pervious pavers would be an improvement.

COMMISSIONER DRAKE: The way I read it is they would be willing, they would be okay with that if he put in those pavers.

COMMISSIONER SIAVELIS: Engineering?

COMMISSIONER DRAKE: On the 200 feet, Engineering would be in favor of that. If we decide to approve the variation, they would prefer that we do it and ask for the permeable pavers. That's how I read it.

COMMISSIONER JAFFE: Yes, in the event the impervious surface coverage variance is granted, it is recommended that the Petitioner be required to construct the terrace in permeable pavers. That's on page --

COMMISSIONER SIAVELIS: That's the last sentence in the paragraph, right?

COMMISSIONER JAFFE: Correct.

COMMISSIONER DRAKE: And I'm hearing him say that he would commit to that. Maybe I misunderstood what you said?

MR. BEHLIS: That's correct. That's right, Mr. Drake.

COMMISSIONER DRAKE: You would commit to it?

MR. BEHLIS: Yes.

COMMISSIONER DRAKE: Okay.

CHAIRMAN DIVITO: Now, the unique aspect of the home that actually caught my eye, I mean, and which is relevant for today is that front porch, the terrace that we're calling. Do you have a good measurement as far as how far it extends from the house?

MR. BEHLIS: So, it's exactly 15 feet from where the actual house is now. So, the new construction will be built exactly at 50 feet. However, the encroachment is going to take place from the terrace going south 15 feet. So, the actual foundation of the home will start at 50 feet.

COMMISSIONER SIAVELIS: And that terrace is going to come forward 15 feet from that point towards the street, right?

MR. BEHLIS: Correct, correct.

CHAIRMAN DIVITO: I believe there were some notes from the Design Commission about that and about the scaling and the sizing of it. They asked for revisions to it. Did you work through any other versions of that?

MR. BEHLIS: Mr. Divito, they approved, the Design Commission approved.

CHAIRMAN DIVITO: The second time around, right?

MR. BEHLIS: Correct, yes, they approved it.

CHAIRMAN DIVITO: The first time they asked for consideration based off of the size of the terrace.

MR. BEHLIS: Yes. We went the second time and they gave us the okay.

CHAIRMAN DIVITO: Did you make any changes to it?

MR. BEHLIS: I have not.

MRS. BEHLIS: No.

COMMISSIONER SIAVELIS: So, you made no changes to the terrace, the layout and design of the terrace between the first meeting with the Design Commission and the second meeting with the Design Commission?

MR. BEHLIS: Correct.

CHAIRMAN DIVITO: So, and where I'm pulling that off of, for everyone else to follow along here, is in the packet that we have. It was under Staff raised following concerns. It was the second heading large terrace, and the 10-foot in depth maximum is what they asked for it to be retracted to. So, I'm seeing this as a large porch.

COMMISSIONER SIAVELIS: I'm sorry, what page in the packet are you referring to, Chairman?

CHAIRMAN DIVITO: This is --

COMMISSIONER SIAVELIS: In the scan of the PDF, can you just --

CHAIRMAN DIVITO: Page two, it's numbered page two.

COMMISSIONER SIAVELIS: So, the PDF is 18 pages in our packet. What page are you looking at?

CHAIRMAN DIVITO: Hold on.

COMMISSIONER JAFFE: So, if you go past the initial stuff, there is a Design Commission --

COMMISSIONER SIAVELIS: Yes, that's the part I'm just confirming.

CHAIRMAN DIVITO: It's like the eighth or ninth page in.

COMMISSIONER SIAVELIS: Got you.

CHAIRMAN DIVITO: The heading of the page is Item I, Single Family Tear-Down Re-review.

MR. BEHLIS: If I may, Mr. Chairman? The only issue that the Design Commission had that we changed was the front entrance. That's the only thing that we've changed from the first meeting to the second meeting for the Design Commission.

COMMISSIONER SELBKA: It's page eight in the PDF.

MR. BEHLIS: And this terrace, you know, to the --

CHAIRMAN DIVITO: Right, but the point of the Design Commission was that, and I'll read verbatim, "The design includes a large 1,000 square-foot raised terrace across the front of the home that is out of scale with the neighborhood." That was their concern, and they asked for contraction.

MR. BEHLIS: Mr. Chairman, we didn't do any revision. But we feel that this terrace does not obstruct any views to the east or west. As a matter of fact, to the west elevation, we have a two-car detached garage that's been there probably since the 1950's. But certainly, you know, this elevation and the size is not going to obstruct east or west.

MRS. BEHLIS: And our neighbor from the east came to the Design Commission meeting and --

MR. BEHLIS: Yes, we talked to our neighbors. They had no issue.

CHAIRMAN DIVITO: I guess that's the biggest point, right? You have two neighbors that would be impacted.

MRS. BEHLIS: Yes.

CHAIRMAN DIVITO: One to the east, one to the west. The west is the, to your point, in this older photo, it looks like a detached garage. So, you have had an opportunity to speak to both of them?

MR. BEHLIS: Oh, yes. We're great friends with them, great neighbors. You know, I showed them my plans, I showed them my thoughts and my ideas. They

had no issues with it whatsoever.

This would be a great asset, I believe, to us and to the Village of Arlington Heights in the future. Like I said, the park sits right across the street and it's just a great asset, you know.

CHAIRMAN DIVITO: I mean you're absolutely right. The design does look very unique, and the Design Commission did mention how we need more unique homes in the area.

MR. BEHLIS: We might want to add that we do have a two-car detached garage.

COMMISSIONER SIAVELIS: In the back?

MR. BEHLIS: In the back, correct. We feel that, you know, looking in Arlington Heights, there's a lot of two or three-car garages in the front of the homes. We just feel that, we just changed it up a little bit.

COMMISSIONER JAFFE: And the second variance request, I mean I would support Engineering's request that there be a requirement regarding the permeable or the Unilock pavers. On the first variance, it's hard to say.

COMMISSIONER SIAVELIS: Is there anybody in the audience?

CHAIRMAN DIVITO: Yes, if there's no other questions, we can see if there's anyone from the audience that wishes to --

MR. BEHLIS: Should we sit?

CHAIRMAN DIVITO: Yes, please. Thank you. At this point, we'll open it up to the audience if anybody actually wants to come up and address this petition.

All right, none being heard, I guess we'll close it down for Board discussion.

COMMISSIONER SIAVELIS: So, should we start?

CHAIRMAN DIVITO: Yes. So, I've been looking at it this afternoon. The only thing that caught my eye was that the first round and second round to the Design Commission was that there were requests made to maybe pull back the terrace a little bit. It sounds like those considerations weren't made, but at the same time the Design Commission passed it.

COMMISSIONER SIAVELIS: Right, so they acquiesced.

CHAIRMAN DIVITO: So, the two neighbors that would be impacted the most, across the street is the park, so I think it is a very unique design. It's a very long walk so it would be something that would be interesting to at least be seen. The considerations for the pavers, that would help with the Engineering discussion.

COMMISSIONER SIAVELIS: Right, Petitioner shows flexibility with moving to permeable instead of impermeable.

CHAIRMAN DIVITO: Yes, so, as far as the two variations --

COMMISSIONER SIAVELIS: With that caveat in mind, supporting them?

CHAIRMAN DIVITO: Right, I think I can get behind it.

COMMISSIONER JAFFE: Agreed.

CHAIRMAN DIVITO: So, is there a motion?

COMMISSIONER JAFFE: Do we have to motion to approve it with that?

CHAIRMAN DIVITO: With the caveat.

COMMISSIONER JAFFE: So, **motion to approve with the caveat on the**

second variance that there be a requirement for permeable pavers.

COMMISSIONER SIAVELIS: Second.

CHAIRMAN DIVITO: All right, Derek?

MR. MACH: Mr. Drake.

COMMISSIONER DRAKE: Yes.

MR. MACH: Mr. Jaffe.

COMMISSIONER JAFFE: Yes.

MR. MACH: Mr. Selbka.

COMMISSIONER SELBKA: Yes.

MR. MACH: Mr. Siavelis.

COMMISSIONER SIAVELIS: Yes.

MR. MACH: Chairman Divito.

CHAIRMAN DIVITO: Yes.

MR. BEHLIS: Thank you, gentlemen.

MRS. BEHLIS: Thank you.

COMMISSIONER DRAKE: Good luck.

CHAIRMAN DIVITO: Have a good evening. All right, Mr. Selbka.

(Whereupon, the public hearing on the above-mentioned petition was adjourned at 8:00 p.m.)

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS May 13, 2019

PETITIONER: Behlis Residence
ADDRESS OF PROPERTY: 1518 W. Thomas St.
VARIATION: 5.1-0.2a, 5.1-0.4b-2

A 15-foot variance to allow a new home with a front terrace that is set back 35-feet from the front yard property line where a minimum setback of 50-feet is required; A 200 square foot variance to allow 2,700 square feet of impervious surface coverage in the front yard where a maximum of 2,500 square feet is allowed with a condition that the terrace floor be constructed with permeable pavers.

The petitioner testified as to hardship, uniqueness of circumstances, and the character of the locality. The petitioner explained that they are seeking a 15-foot variation from Chapter 28, Section 5.1-0.2 for a front yard encroachment for a raised terrace. The petitioner also explained that they seeking a variation from Chapter 28, Section 5.1-0.4 for impervious surface coverage. The petitioner testified that they are building a new house at 1518 West Thomas, and that they are proposing an open air raised terrace in the front of the home in order to allow for more outdoor living space. The petitioner explained that the subject property is across from Virginia Terrace Park.

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. Jaffe and seconded by Mr. Siavelis with a condition that the terrace floor be constructed with permeable pavers. Thereafter, the Board voted 5-0 to approve the variance request, with a condition that permeable pavers must be used.

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.

David Divito, Chairman
Zoning Board of Appeals
Village of Arlington Heights



**Zoning Board of Appeals
6/10/2019**

Item: 216 S. Evergreen Ave. 5/13/19

Department: Planning & Community Development

ATTACHMENTS:

Description	Type
216 S. Evergreen Ave. - Minutes 5/13/19	Minutes
216 S. Evergreen Ave. - Findings 5/13/19	Minutes

ZONING BOARD

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

OF APPEALS

RE: 216 SOUTH EVERGREEN AVENUE - ZBA #19-009

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 May, 2019 at the hour of
8:00 p.m.

MEMBERS PRESENT:

DAVID DIVITO, Chairman
THOMAS DRAKE
JOSEPH SELBKA
BENJAMIN JAFFE
PETER SIAVELIS

ALSO PRESENT:

DEREK MACH, Development Planner

COMMISSIONER SELBKA: Okay, this is the Demucci petition.

MR. DIVIZIO: I'm Tony Divizio, 2409 Kenmore Court, Schaumburg.

COMMISSIONER SELBKA: Have you signed in?

MR. DIVIZIO: Yes, I have. I am the builder for Mr. Demucci.

COMMISSIONER SELBKA: Will you raise your right hand?

(Witness sworn.)

COMMISSIONER SELBKA: Okay, can you address the petition please?

MR. DIVIZIO: Yes. I am seeking two variances, one for a front yard setback and one for maximum impervious surface.

COMMISSIONER SELBKA: Okay, and can you please give us, address the three factors for each variance?

MR. DIVIZIO: The first factor on the setback is, this is actually going to be a renovation and addition. So, the existing house was established in 1928, and that's the front wall of the house and that is already existing. Instead of tearing it down and going through the whole cost of that, my client chose to put an addition on and keep it at the same property.

Our second would be the impervious surface. What is happening in the area, this is a pretty unique block, it has townhouses, row homes, apartments, a lot of multi-family. The person that did the house next door, they're basically doing the same type of thing, but they really pulled their garage all the way up right on top of the house, probably about 20 feet, and left about 30 feet of area in their backyard that I would say is kind of unusable now. It is a green space but you really can't use it for kids or anything because it's behind their garage. We would prefer to keep the garage way in the back of the property with a five-foot setback off the rear property line.

When I was designing this project, I saw that we were encroaching on the impervious surface. I gave Karl Emma a call and I said would you guys accept permeable pavers for this impervious surface? Because I don't want the garage placed right on top of the house, I would prefer to have it in the back. But since it's a long, single driveway from the front of the house all the way back at like 90 feet, it really eats up all the impervious area. So, that would be our hardship.

I did talk to one neighbor to the south, that's the gentleman that's doing the construction. I was not able to get a hold of the people next door. I did send out my letters but I never caught her when they were at home.

COMMISSIONER SIAVELIS: Did they try to reach out to you?

MR. DIVIZIO: No one has contacted me at all.

COMMISSIONER SIAVELIS: By phone or by e-mail?

MR. DIVIZIO: By phone, e-mail. I have a sign out there, I have my e-mail out there, my number is on there.

COMMISSIONER SELBKA: Did you see the Engineering Department's caveat to your --

MR. DIVIZIO: Yes, I met with Pagones. I actually had a meeting with Pagones.

COMMISSIONER SELBKA: And you have no problem with their request?

MR. DIVIZIO: The request of having it be permeable pavers?

COMMISSIONER SELBKA: No, it's the CA-7 in the void space.

MR. DIVIZIO: Oh, yes. That is actually the approved detail that Karl Emma gave us, gave me from what is acceptable. That's why I turned in, I don't know what you guys have, do you have that detail?

CHAIRMAN DIVITO: Yes, but it shows the --

MR. DIVIZIO: That's basically 12 inches of CA-6. That's your approved commercial detail for pavers in town here. Permeable pavers.

COMMISSIONER SELBKA: And just sort of as a procedural note, there was originally three variances, but one was withdrawn, the 147 square-foot variation?

MR. DIVIZIO: That was withdrawn because you guys have a rule that anything before 1958, is it, Derek?

MR. MACH: For detached garages.

MR. DIVIZIO: Yes.

MR. MACH: On the same side of the street, when a majority of the block includes detached garages, the garage is not counted towards floor area ratio which is the case for 216 South Evergreen.

COMMISSIONER SELBKA: All right, so that one will be withdrawn. Does anyone, do you have anything else?

MR. DIVIZIO: I don't, unless you have any questions.

COMMISSIONER SELBKA: Is there anyone from the audience who wants to speak on this variance proposal? Okay, I guess we can shut it down for our Board discussion at this point.

COMMISSIONER JAFFE: Petitioner has acknowledged the requirement from the Engineering Department and I'm happy to see that there are efforts being made to retain the initial structure of what is, you know, a historic home. I think I'm comfortable with both of these variances.

COMMISSIONER SIAVELIS: Yes, me as well for the same reasons.

COMMISSIONER SELBKA: And it is a nonconforming home already.

COMMISSIONER JAFFE: Right.

COMMISSIONER SELBKA: So, any change would require some type of variance.

COMMISSIONER SIAVELIS: Short of knocking it down and starting again.

COMMISSIONER SELBKA: Right, exactly. Exactly.

COMMISSIONER SIAVELIS: Which we probably don't necessarily like to see.

COMMISSIONER SELBKA: Right.

CHAIRMAN DIVITO: That specific corner has come up across this Board probably four or five times in the last couple of years.

COMMISSIONER SIAVELIS: Yes.

CHAIRMAN DIVITO: It's good to see all the improvements that are happening there.

COMMISSIONER SELBKA: So, I would be in favor with the caveat of the Engineering Department which the builder has already agreed to for the permeable pavers.

COMMISSIONER SIAVELIS: Second. Yes, I would be in favor if you were going to move. I don't mean to jump the gun there.

COMMISSIONER SELBKA: Now, am I entitled to move, because you're chairing for all of these even though I --

CHAIRMAN DIVITO: Yes.

COMMISSIONER SELBKA: Okay, all right. So, I **move to approve**.

COMMISSIONER SIAVELIS: Second.

MR. MACH: Mr. Drake.

COMMISSIONER DRAKE: Yes.

MR. MACH: Mr. Jaffe.

COMMISSIONER JAFFE: Yes.

MR. MACH: Mr. Selbka.

COMMISSIONER SELBKA: Yes.

MR. MACH: Mr. Siavelis.

COMMISSIONER SIAVELIS: Yes.

MR. MACH: Chairman Divito.

CHAIRMAN DIVITO: Yes. Motion has passed. Thank you.

MR. DIVIZIO: Okay, thank you so much. Appreciate it.

CHAIRMAN DIVITO: All right, Mr. Siavelis.

(Whereupon, the public hearing on the above-mentioned petition was adjourned at 8:06 p.m.)

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS
May 13, 2019

PETITIONER: Dimucci Residence
ADDRESS OF PROPERTY: 216 S. Evergreen Ave.
VARIATION: 5.1-6.3, 5.1-6.4

A 5.2-foot variance to allow an addition with a front yard setback of 19.7-feet from the east property line instead of the minimum 24.8-feet and an additional 1.0-feet for the eave; A 699 square foot variance to allow 4,253 square feet of impervious surface coverage where 3,554 square feet of impervious surface coverage is allowed.

The petitioner testified as to hardship, uniqueness of circumstances, and the character of the locality. The petitioner explained that they are proposing a second floor addition for the existing single family home as well as an expansion of the footprint in the rear of the home and in the side yard. The petitioner explained that the addition is above an existing non-conforming footprint. The petitioner testified that the proposed garage is detached and located at the rear of the site. The petitioner explained that due to the location of the garage there is an increase of impervious surface coverage. The petitioner testified that they are constructing a portion of the driveway out of permeable pavers.

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. Siavelis. 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.

David Divito, Chairman
Zoning Board of Appeals
Village of Arlington Heights



**Zoning Board of Appeals
6/10/2019**

Item: 124 N. Regency Dr. West - 5/13/19

Department: Planning & Community Development

ATTACHMENTS:

Description	Type
124 N. Regency Dr. West - Minutes 5/13/19	Minutes
124 N. Regency Dr. West - Findings 5/13/19	Minutes

ZONING BOARD

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

OF APPEALS

RE: 124 NORTH REGENCY DRIVE WEST - ZBA #19-010

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 May, 2019 at the hour of
8:06 p.m.

MEMBERS PRESENT:

DAVID DIVITO, Chairman
THOMAS DRAKE
JOSEPH SELBKA
BENJAMIN JAFFE
PETER SIAVELIS

ALSO PRESENT:

DEREK MACH, Development Planner

COMMISSIONER SIAVELIS: So, up next is 124 North Regency Drive West. Introduce yourselves and then the Chairman will swear you in.

MR. KHUDYK: Yes, my name is Lyudmyla Khudyk. Address, 124 North Regency Drive West. Sorry about my English. I take my daughter and maybe she help translate.

MRS. KHUDYK: Lyudmyla Khudyk, I'm the wife. Address, 124 North Regency Drive West, Arlington Heights.

MS. KHUDYK: I'm Sophia Khudyk, I'm their daughter, same address.

COMMISSIONER SIAVELIS: Okay, so again, the Chairman is going to swear you in, and then you've got to speak up so that the reporter can hear you properly.

MS. KHUDYK: Okay.

CHAIRMAN DIVITO: All right, so all three at the same time.

(Witnesses sworn.)

CHAIRMAN DIVITO: Thank you.

MR. KHUDYK: This is a long project for us. A couple of years ago, we started working on this. Sorry about this, we had too many problems. Some financial, some we had problem with the Building Department because we must change drawing, approve drawing, we must change something, it's a long time.

This appeal is a problem, the problem with the new requirements, new code that says from building to border must be seven-foot. This is six years ago, this is different, it was okay; but now it's changed, it must be seven-foot. The house stands like 5.5. So, we need to change, we need to, we need the addition for kitchen and dining from front yard and backyard. The problem exactly is this wall and roofing, like attic wall because this is, if you take something like seven-foot, you must move like a foot-and-a-half from straight existing wall. This is not good visual, architectural is no good, and the problem is construction because a foot-and-a-half is something like this.

So, the reason for this appeal, we like to move straight existing wall, that's it, because addition from front and backyard, this is far from border.

MRS. KHUDYK: No change.

MR. KHUDYK: No change, yes.

COMMISSIONER SIAVELIS: So, correct me if I'm wrong, you previously sought a variance from the Village and you were awarded a variance back in 2015, correct?

MRS. KHUDYK: Yes.

MR. KHUDYK: Yes.

COMMISSIONER SIAVELIS: Okay, and the papers you filed at present for this variance now are the same papers and you're seeking the same variance as you did back in 2015, correct?

MR. KHUDYK: Yes, yes.

MRS. KHUDYK: It only expired.

MR. KHUDYK: The date, yes.

COMMISSIONER SIAVELIS: Well, I understand that. I noticed that in the papers, Derek, that that is what, you know, the Village believes as well, correct?

MR. MACH: Correct, yes.

COMMISSIONER SIAVELIS: Okay, have you talked to your neighbors

about the variance that you're seeking again?

MR. KHUDYK: Yes.

COMMISSIONER SIAVELIS: Did you get any feedback from your neighbors? Any comments from your neighbors?

MRS. KHUDYK: No.

MR. KHUDYK: She had, our neighbor don't know what we do exactly, you know. We talked to her, we don't change from 2015, it's the same thing, because we make now, we build foundation, we make some pavers, driveway, something, we do this. We don't finish project which we started in 2015. We don't change nothing about it extra.

COMMISSIONER SIAVELIS: You're completing the same plan that you submitted.

MR. KHUDYK: Same plan, yes, yes, yes.

COMMISSIONER SIAVELIS: The neighbor you talked to, did that neighbor voice any opposition?

MRS. KHUDYK: They asked before when we put the sign, they asked what we will be doing. But I sent everyone in the mail and you will know what we do because it's more information on the mail. I said if you have any questions, you can ask it and we will answer to you. But they say no, it's okay, we don't have any questions for this.

COMMISSIONER SIAVELIS: All right. I think at this point, we'll see if there's any members of the audience who want to comment on it. I can see people behind but I can't, they're the next petitioners, right? All right, you can take your seat. Let's just close it down for Board discussion.

MS. KHUDYK: Okay, thank you.

COMMISSIONER SIAVELIS: If we have any questions, we'll let you know.

COMMISSIONER JAFFE: Given that circumstances with the planning have not changed in the last four years, just timing schedule with the Petitioner, I don't have any concerns about granting either of the two variances.

COMMISSIONER SIAVELIS: Right, and they talked about financial reasons for not completing the project before. So, that in my eyes constitutes a hardship on their variance.

CHAIRMAN DIVITO: Clarification on the note though. A previous submittal for the same variance was received. Was it approved?

MR. MACH: Yes.

COMMISSIONER SIAVELIS: Yes. With the approval that was received in 2015. It's on the cover page.

CHAIRMAN DIVITO: I was looking at the Engineering.

MR. MACH: And the driveway has been installed, so it's just the one variance for the addition is my understanding.

COMMISSIONER SIAVELIS: Right, that's what the paper showed.

COMMISSIONER DRAKE: It's a nice improvement I think to the property. There's no objections from any neighbors. You know, they can pick up where they left off in 2015.

COMMISSIONER SIAVELIS: Under the heading of better late than never.

COMMISSIONER DRAKE: Exactly. Timing is everything.

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

COMMISSIONER DRAKE: I move approval of the petition.

COMMISSIONER JAFFE: Seconded.

CHAIRMAN DIVITO: Derek?

MR. MACH: Mr. Drake.

COMMISSIONER DRAKE: Yes.

MR. MACH: Mr. Jaffe.

COMMISSIONER JAFFE: Yes.

MR. MACH: Mr. Selbka.

COMMISSIONER SELBKA: Yes.

MR. MACH: Mr. Siavelis.

COMMISSIONER SIAVELIS: Yes.

MR. MACH: Chairman Divito.

CHAIRMAN DIVITO: Yes.

MS. KHUDYK: Thank you.

MR. KHUDYK: Thank you very much.

(Whereupon, the public hearing on the above-mentioned petition was adjourned at 8:10 p.m.)

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS
May 13, 2019

PETITIONER: Khudyk Residence
ADDRESS OF PROPERTY: 124 N. Regency Dr. West
VARIATION: 5.1-3.2 (Required Minimum Yards)

A 1.6-foot variance to allow a second-story addition with a side yard setback of 5.9-feet from the south property line instead of the minimum 7.5-feet and an additional 2.0-feet for the eave.

The petitioner testified as to hardship, uniqueness of circumstances, and the character of the locality. The petitioner explained that they are proposing a second floor addition to their existing home. The petitioner explained that the existing footprint of the home is non-conforming therefore in order to build the addition above the existing wall, a variation is necessary. The petitioner testified that the Zoning Board of Appeals approved the variance request in 2015 but that the variance expired since construction did not commence.

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

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

David Divito, Chairman
Zoning Board of Appeals
Village of Arlington Heights



**Zoning Board of Appeals
6/10/2019**

Item: 4036 N. Harvard Ave. - 5/13/19

Department: Planning & Community Development

ATTACHMENTS:

Description	Type
4036 N. Harvard Ave. - Minutes 5/13/19	Minutes
4036 N. Harvard Ave. - Findings 5/13/19	Minutes

ZONING BOARD

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

OF APPEALS

RE: 4036 NORTH HARVARD AVENUE - ZBA #19-011

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 May, 2019 at the hour of
8:10 p.m.

MEMBERS PRESENT:

DAVID DIVITO, Chairman
THOMAS DRAKE
JOSEPH SELBKA
BENJAMIN JAFFE
PETER SIAVELIS

ALSO PRESENT:

DEREK MACH, Development Planner

CHAIRMAN DIVITO: All right, and then I'm going to ask 4036 North Harvard to take us home. All right, have you had a chance to sign in already?

MRS. WOODIN: Yes.

CHAIRMAN DIVITO: All right, so name and address for the record?

MRS. WOODIN: Kim Woodin, 4036 North Harvard Avenue, Arlington Heights.

MR. WOODIN: Greg Woodin, same address.

(Witnesses sworn.)

CHAIRMAN DIVITO: Thank you. Go ahead.

MRS. WOODIN: Okay, so we have a, we just moved in to our current residence, 4036, in September of 2018. We previously lived across the street literally on 4111 North Harvard Avenue. We moved for more square footage. We lived there for about 11 years, moved across the street for more square footage. We have grandkids, et cetera, and we love the neighborhood. We continue to do things to our old house and to this house to better improve it.

We are asking for two variances: one for impermeable surface, and the second one for Section 10.2-11.1(b) for the 22 feet of maximum driveway. Right now, our driveway is 20 feet wide. It is asphalt that is very cracked, old, not taken care of. The sidewalk leading up to the house is concrete but is uneven and broken and cracked, as well as we have nine city blocks are broken and cracked and uneven and causing hazards right now. So, we are looking to put concrete, to replace the driveway with concrete, replace the front walk with concrete, replace the nine city blocks with concrete, and at that same time would like to extend for a third car to be parked in the driveway versus in the street or overlapping the sidewalks.

COMMISSIONER SIAVELIS: Haven't we heard that recently?

MRS. WOODIN: Yes, the earlier, the first one, I'm like this is exactly what we're going to say later except for we have a different variance than they do for the impermeable surface.

COMMISSIONER DRAKE: Kids become teens eventually and drive.

MRS. WOODIN: Yes.

MR. WOODIN: They're on the other side of the lake.

MRS. WOODIN: Yes, we are. Yes, so our kids are both the same ages as their kids, they'll be driving in a couple of years.

We also have, we're from Iowa, so all of our family live in Iowa and they come to visit. Someone is probably here once a month and having cars in the driveway on the street all the time. So, again we're trying just to, I don't like cars on the street, I don't like it when our neighbors have cars on the street. I think it causes hazards. I'd prefer to have them in the driveway and out of the way.

So, the variance for the impermeable surface, the calculation of the 721.95 square feet, that includes the addition that we're trying to do, but that's not the amount that we're adding. So, that 721 would be how much impermeable surface we'd have after the addition of the 224, that would be the extension. Does that make sense, what I just said, how I explained that? So, we're actually adding 224 in total. We're already over 500 because we have a pool in the back that we did not put in and that I

would quite honestly prefer not to have if I could do a three-car garage. But we know a third car garage would be even worse, so we're looking to just do the third car spot to get the cars off the street.

We are also, I asked our neighbors directly next to us that would be on the side of the driveway that we'd extend, if they've ever had any flooding issues. There's no evidence when we purchased this home of flooding in our basement, knowing that we're already over by 500 square feet, they said they had not had any. We had no evidence of it. So, if we're able to do this, we would also be draining from the house today where it's, on the front left drain, front eaves, we'd be digging under also and going as close to the sidewalk city block as we could with the drain.

COMMISSIONER JAFFE: Did you review Engineering's notes that, although they weren't in favor of the variance for impervious surface coverage, they would ask that if we grant the variance, that you would be required to construct the driveway in permeable pavers?

MRS. WOODIN: I did.

COMMISSIONER JAFFE: Would you be open to doing that?

MRS. WOODIN: We would be open to it at the last resort because, so I grew up with a dad who did concrete for 40 years and knows that if you drive a car on pavers, they're going to break, they're going to need constant repair. We have the permeable pavers in the back of the house right now also, and already we've had to re-sand, and I just know they're a constant upkeep.

The other point I wanted to make with the calculation of the impermeable surface is the pavers in the back make up, the backyard, make up about 900 to 1,000 square feet of the impermeable surface calculation, and they are pavers. They are permeable pavers today. So, of the variance, part of that amount we're already over is permeable, I know water drains 50 percent slower than ground, but that is I know not taking into consideration the calculation either.

COMMISSIONER SIAVELIS: You were going to say something? I was going to ask for clarification, you should go ahead because you may clarify my question anyway.

MR. MACH: Did you mention you're seeking a variance for a future addition?

MRS. WOODIN: No. Just, no, it will be an additional car spot will be part of what we'll do all together.

MR. MACH: Okay, I thought you mentioned --

MR. WOODIN: I think you misunderstood her when she said a third car garage. We are going to do that on our old house, but we know with the impervious surface area, we can't do that in this one.

COMMISSIONER SIAVELIS: Okay, so my clarification or question is your impervious surface coverage right now according to the papers is 5,970, right? That's what you have right now?

MRS. WOODIN: Yes.

COMMISSIONER SIAVELIS: Allowed by code is 5,248, and I'm cutting off everything to round up the decimal point.

MRS. WOODIN: Okay, yes.

COMMISSIONER SIAVELIS: All right, and did I hear you correctly, is 900 square feet of that 5,970 square feet amount due to your backyard?

MRS. WOODIN: Correct, and that's only the permeable paver portion of it.

COMMISSIONER SIAVELIS: Right.

MRS. WOODIN: And then there's a pool which obviously is not permeable.

COMMISSIONER SIAVELIS: Hopefully.

COMMISSIONER SELBKA: There's also the Jacuzzi.

MR. WOODIN: Correct.

COMMISSIONER SELBKA: There is a patio which is concrete as well as the paver patio, right?

MRS. WOODIN: Correct.

COMMISSIONER SELBKA: And then a brick area, and there's actually two concrete patios. Then there's an area up front that's concrete as well, is that correct?

MRS. WOODIN: Yes, up front.

COMMISSIONER SELBKA: Like, or excuse me, the porch.

MR. WOODIN: That's our porch. That's our porch, yes.

COMMISSIONER SELBKA: Porch, yes, that's it. Wow.

COMMISSIONER SIAVELIS: You've got a lot going on there.

MRS. WOODIN: I know, yes.

COMMISSIONER SELBKA: Somebody loved to pour concrete before you bought this house.

MRS. WOODIN: Yes. Yes. I would like to shift it into a third car garage spot if I could.

MR. WOODIN: That's next year's project.

COMMISSIONER JAFFE: So, I understand your comment about having it be a last resort. My driveway and front walk are permeable pavers. But given the circumstances, that would be, that if this variance is granted for the permeable ratio, that you do follow the recommendation that you install permeable pavers. That's my opinion. Obviously, there's four other Board members, but that's how I see it.

MRS. WOODIN: Okay.

CHAIRMAN DIVITO: Have you looked at other options where driveway is mostly concrete framed in pavers, the sidewalk going to the back is not concrete, it's pavers, so that way you can provide some relief to your neighbors?

MRS. WOODIN: I mean, anything with pavers we could consider, even the front walk potentially just so that, because then you're not driving a car on it and it would be less likely to shift.

MR. WOODIN: Aesthetically for the front, we were trying to keep it all looking the same so it wasn't, there weren't variations of pavers and concrete, too.

MRS. WOODIN: But if it would be better to have the back sidewalk and the front sidewalk in pavers and do the driveway in concrete, since the car would be sitting on it, I think that --

COMMISSIONER SIAVELIS: When you said the back sidewalk, are you talking about the side --

MR. WOODIN: The side.

MRS. WOODIN: There's a side, I'm sorry, sidewalk set off to the back.

COMMISSIONER SIAVELIS: Right, you had it in yellow on the pages, right?

MR. WOODIN: Yes.

MRS. WOODIN: Because we are going to replace that concrete as well. It's aggregate rock right now and it's falling apart.

COMMISSIONER SIAVELIS: Right. So, Derek, with the possibility that the driveway in its entirety remains concrete, and the front walkway and the side walkway, so from the driveway to the backyard, those two sidewalks essentially or those two walkways are done in pavers, what does that do to the calculation? Do you understand the condition, the scenario?

MR. MACH: Yes.

COMMISSIONER SIAVELIS: So, keeping the driveway as entirely concrete?

MR. MACH: Right. So, the expansion you're saying would all be in the permeable pavers, the driveway expansion?

COMMISSIONER SIAVELIS: No, sir. Let me state the scenario again, right, just to make sure we're all, because I may have said it in a confusing manner. So, the entirety of the driveway where you could theoretically drive a vehicle would be concrete. Then the front walkway would be permeable pavers, and then the side walkway from the edge of the driveway towards the backyard, okay, by that corner of the house would be permeable pavers.

MR. MACH: Okay.

COMMISSIONER SIAVELIS: To the Petitioners, you understand the scenario that I contemplate?

MRS. WOODIN: I do.

COMMISSIONER SIAVELIS: And I'm asking for the calculation on that to see if we can get to a common ground that you can compromise on, okay, given Mr. Jaffe's comments.

COMMISSIONER JAFFE: And based on where you're going, I would be more open if we can again follow this route and get it to a more acceptable level.

COMMISSIONER SIAVELIS: Right, because then it would, the scenario, while Derek is running the calculation, I'll explain why, presenting that scenario, because I understand the Petitioners' comments about wanting a concrete driveway and the benefits of that. There's no doubt about that. I think any of us who have large driveways, who ever dealt with small driveways before and tried to gin them up with pavers recognizes that, the merits of that. That said, you've got a lot of surfaces, hard surfaces on your lot, some not your design, some the previous owner's, but that's, you take the property as you bought it, right?

MRS. WOODIN: Right.

COMMISSIONER SIAVELIS: So, we're looking for a compromise position, and if you could live with that, the scenario that I have presented as a compromise, I think that would be appealing to the Board and you'd still get the functional result you're concerned about with driving a vehicle not over permeable pavers.

COMMISSIONER DRAKE: You've clearly lived in that neighborhood a long time, living across the street. You know the neighbors and you want to have good

relations. There's no one else in here tonight to make any comments. Has anybody expressed any concern about what you're doing?

MR. WOODIN: No.

COMMISSIONER DRAKE: Have you talked to them?

MR. WOODIN: I mean the neighbor right, that it would affect the most, he came over and talked to us. We just told him exactly what we're going to do and he said it won't affect me.

MRS. WOODIN: He's the one I asked if there had been flooding issues, just because we are already so far over. I was like, well, what issue is this causing? Then we've got two neighbors that actually said they would write a letter in our defense or help us if they wanted to, but no one expressed any concerns.

COMMISSIONER SELBKA: What is the condition of that back concrete patio here? In here, is there any chance of you ever replacing that or sort of changing that out?

MRS. WOODIN: This is where the pool equipment is on, and I don't think we can move that or do anything about that. But it's in good condition. Then this one is covered in new pavers, so it's --

COMMISSIONER SELBKA: So, this is not concrete, this is pavers?

MR. WOODIN: Yes.

MRS. WOODIN: I believe there's concrete underneath the pavers, so they've paved over it.

COMMISSIONER SIAVELIS: Why on earth, why would they?

MRS. WOODIN: It's a concrete jungle. We don't want to cause problems either with any flooding, we just would, yes, and we're willing to do the drain thing, too, if that helps.

MR. WOODIN: Yes, because with the front the way we're looking at it, because right now everything, the sidewalk near our thing slopes this way, it's all going to start sloping this way and down where we're replacing the sidewalk. On the nine blocks, there's puddles that sit there, so that will be fixed, too, in this whole process.

COMMISSIONER SELBKA: You're actually going to expand the apron as well, is that what the drawing depicts?

MRS. WOODIN: Two feet on the bottom to go to the next one, 22.

COMMISSIONER SELBKA: And are you re-cutting the curb or are you just --

MRS. WOODIN: No, the curb is already down or it's already flat.

COMMISSIONER SELBKA: There's a tree off to the left where that expansion would be. I'm assuming that's going to go?

MRS. WOODIN: It's okay.

COMMISSIONER SELBKA: It's going to go?

MRS. WOODIN: It doesn't impact it, it's far enough away.

COMMISSIONER SIAVELIS: Okay, so Derek ran some numbers and showed me a quick sheet. But let's make sure we get that into the record just to make sure we're on the same page and if that's a scenario, a compromise scenario the Petitioners want to move to and we can potentially vote on.

So, Derek, if they keep the entire driveway as concrete, the front

walkway is permeable pavers, the side walkway along the side of the house, okay, which is the south side of the house, okay, largely on the south side of the house because your house, your lot is angled, right, what would that do to the calculation of impervious surface coverage? In other words, would that compromise scenario necessitate a variation from the maximum coverage limit of 5,248? If yes, what is the extent of that variation?

MR. MACH: Well, it would necessitate the variation if they did permeable or concrete, it would still count towards the overall impervious surface.

COMMISSIONER SIAVELIS: Okay, so the permeable pavers still count towards the calculation.

MR. MACH: Yes.

COMMISSIONER SIAVELIS: Okay, with that in mind, if they switched the front sidewalk and the side sidewalk to permeable pavers, for each of those, what is the approximate, and obviously this is approximate, right, square footage for each of those two?

MR. MACH: Approximately 270 square feet for both the front walk and the south walk on the side of the house.

COMMISSIONER SIAVELIS: So, that's what, 150 for the front walk, 150 square feet for the front walk and 120 for the south sidewalk?

MR. MACH: Yes.

COMMISSIONER SIAVELIS: That's okay. So, basically, if you look at the calculation, right, what they're asking for --

COMMISSIONER SELBKA: It would be 450-foot approximately variation?

COMMISSIONER SIAVELIS: Tradeoff. Yes, but like Derek was saying, it's still, in the scenario, the compromise scenario, this is still calculated in impervious surface coverage calculation, but they're essentially walking this back out from the drainage situation that Engineering Department considered, right? So, when you look at this in the totality, right, that's 800, 900, that's 1,050 square feet that we're talking about, and they're going to essentially move, make an adjustment on this compromise close to 30 percent. So, I was trying to understand numerically what that meant for the compromise proposal versus the original proposal.

COMMISSIONER SELBKA: So, it would be, the variance difference would be approximately 70 percent concrete, 30 percent pavers.

COMMISSIONER SIAVELIS: Permeable pavers, yes.

COMMISSIONER SELBKA: Permeable pavers, yes.

COMMISSIONER SIAVELIS: But I think if I heard Derek correctly, the permeable pavers are still calculated in the impervious surface coverage calculation.

COMMISSIONER SELBKA: Right.

COMMISSIONER SIAVELIS: So, they'll still be at 5,970 based upon how that is calculated as compared to 5,248 that's allowed by code, although it's going to be permeable so it will address the Engineering concern for 270, approximately 270 square feet.

MRS. WOODIN: So, that should be more than what we're adding on for the third car spot because I calculated that as 224. So, we'd be taking out more concrete than we're adding, because we're replacing with permeable. Still all impermeable, I

understand the calculation, but --

MR. WOODIN: Yes, but where we stand, it's actually, it's a very close comparison to where we're at now.

COMMISSIONER SIAVELIS: Yes, that's where, exactly, that's where I was trying to get to.

COMMISSIONER DRAKE: Are you in agreement with what he's proposing? Because it sounds a little bit to me, no offense, like taking a leaky roof and making it a little less leaky. I mean, that sounds, no offense, like I said, but are you in favor of what he's proposing?

MRS. WOODIN: I mean because we hadn't had any flooding issues, I guess I haven't seen an issue yet, and we've just had all of that rain and didn't see an issue, so that's where I'm, and then if I put the drain to the street where it's right now coming right down to my house, I honestly do feel okay. I don't love the pavers but I'll do it for the driveway.

COMMISSIONER JAFFE: I guess I'm almost in the same way that Mr. Siavelis was trying to look at it proportionally, right now the variance you're requesting exceeds what code would be by 13.7 percent. So, how I'm thinking about this is I'm taking that number and, again it's not like three or four percent, you're asking for nearly 14 percent, and I'm trying to weigh that against the hardship, and that hardship can be addressed if there is the acquiescence of installing permeable pavers. But if that's not what you want to do, then I'm having a hard time thinking about granting a variance, again when I think of this as basically 14 percent over what the Village has stated you should have.

COMMISSIONER SIAVELIS: In view of the Engineering Department's comments, right, so that's what, not trying to put words in Mr. Jaffe's mouth here, but we see what the Engineering Department said, you know, in capital letters. Not in favor, right, but then --

MRS. WOODIN: Can I just ask, sorry, a question? Are you saying you would rather us put the pavers on the third car extension of the driveway versus the sidewalks even though the square footage is about the same?

COMMISSIONER JAFFE: I was looking more for the driveway in its entirety to be permeable pavers. But, I was going down the direction that Mr. Siavelis was thinking about, but I was hoping that that would be cutting into it a little bit more which I then take Mr. Drake's comment that we're trying to plug leaks but we're still going to need a bucket, if that metaphor works.

COMMISSIONER DRAKE: I've been in your shoes. We did exactly what you're doing when our kids started to drive. If it was me, and I'm not putting words in your mouth, I'd want to cost all this out before I committed to anything. It seems like you're crunching numbers, and maybe you know from your dad's experience, you know enough about the business, what these variations might wind up coming out of your pocket. But maybe that's not an issue, I don't know.

MRS. WOODIN: Well, I know concrete is more expensive than the pavers to put in, to install. The upkeep is what's more on the pavers, but to install, concrete is more expensive. So, we've already priced it all to be concrete.

COMMISSIONER DRAKE: Okay, you know what your options are.

MRS. WOODIN: So, I feel like we can substitute with pavers and still be within our budget.

COMMISSIONER DRAKE: Then I'm kind of with Mr. Jaffe. I'd like to see the entire project be pavers. I think that solves a potential water issue as well as everything being consistent.

CHAIRMAN DIVITO: So, I think the Engineering Department wants the entire project to be done in pavers as well, if we are going to grant it whatsoever. I think the Board, I think we've had a couple of ideas thrown out there where some might be able to get behind partial pavers, some might be more in favor to stick with the suggestion from the Engineering Department.

MRS. WOODIN: So, I guess I would say I'm not, if we were not, if we would have to do the whole driveway in pavers, we would not do that. I am that against pavers. I would probably just not do the extension then and just replace what's there with concrete, because it does need to be replaced with something.

COMMISSIONER SIAVELIS: So, my compromise is a compromise essentially where it does represent a scenario where they're going to be able to replace their asphalt driveway which from the pictures does look worn and in need of repair, right, and try to address the Engineering Department's concerns while recognizing that we have no testimony in the record indicating that there's water issues in the owners' property.

Maybe I'll just ask that question. Do you have water issues in your basement?

MRS. WOODIN: No, that's what I stated earlier. Our inspector found no issues of water when we moved in. We haven't had any water with all the rain in the past two weeks, and we asked the neighbor right next to us, you know, if they'd had any issues, and they said no.

COMMISSIONER SIAVELIS: That would be the neighbor adjacent on your south side?

MRS. WOODIN: Correct, yes.

MR. WOODIN: Yes. We didn't have any in our old house either.

MRS. WOODIN: But I think because of our concrete --

COMMISSIONER DRAKE: I have a point of order question. Do they need to get all five votes on the motion?

MR. MACH: Four of five.

COMMISSIONER DRAKE: Four, okay.

COMMISSIONER SIAVELIS: Okay, so what, Tom, why don't you explain the consequence? Hypothetically speaking, if we go with the compromise scenario or the proposal, the variance you're seeking right now and you don't get four out of five votes, then?

COMMISSIONER DRAKE: Then you can come back in a year and re-propose something in terms of the variance. You need to get those four votes in order to get, whatever that motion winds up being, if it's something that you're agreeable to. We're short a person here tonight, one of our Commissioners is out, so it changes the voting dynamics.

COMMISSIONER SELBKA: I understand the desire for a concrete driveway, but I look at this lot, it looks like a fallout shelter. It really is way above where,

already where the impervious surface should be for a typical house, even though, I mean a typical lot, even though there's no water issues. But still it's just really way above.

COMMISSIONER SIAVELIS: What surface, Joe, are you referring to?

COMMISSIONER SELBKA: Just the impervious surface for the lot generally, that it's like everything is paved on this lot as far as I can tell.

COMMISSIONER SIAVELIS: Well, I mean let's move forward. I guess we

--

CHAIRMAN DIVITO: We have the option here to ask the Petitioner if they would want to continue the meeting for, I mean so we're a seven-person Board, if there are less than six, you could ask for a continuance for another date where we have a chance of getting our sixth member back to I guess increase your odds.

COMMISSIONER SIAVELIS: Right, because the voting dynamics change then, right? We're down a member, right.

CHAIRMAN DIVITO: We are down a member. So, we're a seven-person Board but we only have six active members. So, there is an opportunity to potentially have two additional people here at the testimony, so you would be able to come back and petition. I'm sure you can work with Derek so you can be first, so that way you don't have to sit through the entire Board meeting again. Or we can go with the data that we have today and we can come to a ruling depending on the result. If it's for, no problem. If there's against, then you'd have to wait for a year.

MRS. WOODIN: I know we can't wait a full year, but we also don't have drivers starting before the next year. So, regardless, I know we need to get the driveway done and we'd have to wait another month to have another meeting?

MR. MACH: Yes.

MRS. WOODIN: The next month. So, I'd be tempted just to get your vote I think.

COMMISSIONER SIAVELIS: Your vote on the petition as filed or the compromise scenario we talked about?

MRS. WOODIN: Which compromise? The sidewalks or the full driveway?

CHAIRMAN DIVITO: I think there's three scenarios now.

COMMISSIONER SIAVELIS: Okay, that's right.

CHAIRMAN DIVITO: If we close it down to Board discussion, I think the Board can weigh out these three scenarios. One, the petition as it stands originally. Two, the compromise that Mr. Siavelis laid out. Then third is the Engineering compromise that shows all pavers. So, I think those would be the three that we would discuss, right?

COMMISSIONER SIAVELIS: Great. Are any of those three, let's just be as efficient as possible, are any of those three nonstarters with you folks?

MRS. WOODIN: The full paver driveway.

COMMISSIONER SIAVELIS: That's what I figured.

MRS. WOODIN: So, I think we can probably take that one off here.

COMMISSIONER SIAVELIS: Okay, all right. So, we'll close it down. Do you have anything else to say to add to the record? Because I know we've talked about a number of different things here. Do you have anything to say as to those two options we're going to evaluate, or scenarios we're going to evaluate amongst the Board right now?

MRS. WOODIN: No.

CHAIRMAN DIVITO: One last question, sorry. Going back to the dates, how long did you live across the street?

MRS. WOODIN: Just over 11 years.

CHAIRMAN DIVITO: Perfect, thank you.

COMMISSIONER DRAKE: Could you go through the, not the petition but the second option just one more time real quick? Just the numbers and the concept?

COMMISSIONER SIAVELIS: The numbers? Yes, yes.

COMMISSIONER DRAKE: Please.

COMMISSIONER SIAVELIS: Derek, can I see that page? Derek, correct me if I'm wrong on this, because it's been a little bit, ever since we've talked about, this option, I just want to make sure I'm saying it right, too, because it kind of, there's a little bit of variability there.

So, the option here that we're talking about is the driveway in its entirety in concrete, okay, component one. Component two, the front walkway in permeable pavers; the front walkway comprises of approximately 150 square feet by Derek's calculation, 150. Then the south side walkway in paver, permeable paver, and that according to Derek's calculation is approximately 120 square feet.

COMMISSIONER DRAKE: Okay.

MRS. WOODIN: We could also take off the additional two feet on the apron if that helps at all. I mean I know that's not a huge amount.

COMMISSIONER SIAVELIS: Derek, what do you think that is approximately, on the apron, that L-shaped finger?

MRS. WOODIN: Yes, whatever the length is.

MR. MACH: This area?

MRS. WOODIN: Yes.

MR. MACH: Approximately 20 square feet.

MRS. WOODIN: I know that's not much.

COMMISSIONER DRAKE: With young drivers going through this, my kids are in their 30's now and you get snow and you get ice and you get, it can be tricky to maneuver those extensions.

MRS. WOODIN: Yes, the contractor recommended that because of that. I'm just trying to help.

COMMISSIONER SIAVELIS: So, tell us, do you retain that finger right down there, that finger of concrete, that ribbon of concrete down there near the street, between the sidewalk and the street we're removing, right? Because we're going to have to move, I assume we're going to vote on a proposal or an option, we've got to know one way or the other.

MRS. WOODIN: To me, if you would allow for the concrete extension on the driveway, a third car, I would be fine with removing the apron two feet.

COMMISSIONER SIAVELIS: So, going back to Mr. Drake's comments then, it would essentially be permeable front walk, permeable sidewalk, and removal of that thin finger of concrete between the sidewalk and the street.

MR. MACH: It should be noted that that would not change the variance request since it's not on the private side. However, I understand it's reducing 20 square

feet of the variance.

CHAIRMAN DIVITO: So, the apron doesn't impact the calculation at all?

MR. MACH: It doesn't.

MRS. WOODIN: Well, then I take that back. I'm just kidding.

COMMISSIONER DRAKE: You want to move back to your old house?

MRS. WOODIN: Yes, maybe.

COMMISSIONER SIAVELIS: I mean I hope you realize we're trying to work with you here, right.

MRS. WOODIN: I know, and we do, we're not trying to cause a flooding issue by any means, yes. But I also, as you can tell, I grew up with a concrete guy.

COMMISSIONER SIAVELIS: So, we're going to keep that finger of concrete then between the sidewalk and the street, okay.

CHAIRMAN DIVITO: Out of all the surface areas, I think that's the least impacted. So, all right, so let's close it down to Board discussion. Give us an opportunity to work through this one.

COMMISSIONER SIAVELIS: Okay, I'll start, just to try and move this along. I think this is a tricky situation, right? I went to the compromise position, the compromise scenario, because I think it is a bit much given what's in the back and pretty far over the limit. So, that's what motivated me to consider or present a compromise if the Petitioners accept it. So, I would support that, and then obviously of course I would support just doing the regular driveway without the bump-out and concrete. They pulled the third option off the table then, so we're not voting on that.

My views may have changed or would be different if we had a neighbor say, hey, we've got water, especially the south side neighbor, adjacent neighbor, if there's water in the basement or water pooling. These Petitioners have been in the neighborhood for quite sometime, I don't have any reason to doubt their testimony and views on that. So, I'm looking to try and appease as best we can the Engineering Department's concerns as well as giving the Petitioners some additional space on a 22-foot wide driveway.

CHAIRMAN DIVITO: So, just to chime in here, like a different scenario than what we faced last time we saw a concrete jungle with the in-ground pool and everything last time, right? Because that person was building everything themselves. They already had a lot of impervious surfaces and they were trying to add in much more. This was also just recently acquired and already has all of this surface area covered, so the scenario is completely different in my opinion about this ask versus what we've seen in the past.

I'm right there with you as far as trying to work with a compromise because I understand the need as I have a teenage driver who just started this year. So, getting that extra spot helps. Working through a tough scenario here, I think we talked a little bit about the downspout redirection, you know, maybe even working with the Engineering Department to put some sort of piping in there to further alleviate any water, but they already testified that there was no existing drainage issues, so I can get behind a compromise. I don't think I can get behind a full concrete.

COMMISSIONER SIAVELIS: Right, so that full concrete, front walk, sidewalk, driveway with the extended space, is there additional opposition on the Board today.

COMMISSIONER SELBKA: I couldn't vote for that. Full concrete, no.

COMMISSIONER SIAVELIS: Okay, so with that in mind, right, given our numbers, in consideration of the, I mean point of order I guess on this. Do we need to vote on both variances sought, the original as well as the compromise? Because the Petitioners haven't rescinded the original.

MR. MACH: It would be a condition to the variance request.

COMMISSIONER SIAVELIS: Okay, with a vote on the compromise and not the original?

MR. MACH: Right, that the front walk and sidewalk be permeable pavers.

COMMISSIONER DRAKE: Can we table both of the requests and then propose a new compromise with those numbers and then vote on that? Or do we have to vote on what was proposed? I'm not clear on how we do this.

MR. MACH: Well, there's been no motion.

COMMISSIONER DRAKE: Yes, yes.

CHAIRMAN DIVITO: The numbers will be the numbers because pavers or concrete, it's still going to factor into the same calculation..

MR. MACH: Right. It's still --

CHAIRMAN DIVITO: It would just be --

MR. MACH: Right, even though it's permeable pavers, it's still --

COMMISSIONER DRAKE: It doesn't matter what the material was.

CHAIRMAN DIVITO: Which is why I think it will be in a motion and it will be with the considerations it sounds like, it sounds like full concrete is out as far as this Board. So, it would be a motion with the consideration of the two walks being pavers.

MR. MACH: Or 270 square feet.

COMMISSIONER SIAVELIS: Right. I'd structure that motion to specify the front walk being permeable paver with approximately, dimensions having approximately 150 square feet, and then the south sidewalk having permeable pavers with the dimension of approximately 120 square feet, and then the driveway in concrete as proposed. That would be the compromise that I would be willing to support and put to a vote, while recognizing that the Petitioners understand that a 'no' vote even on the compromise precludes them for a year. Correct?

MRS. WOODIN: Correct.

MR. WOODIN: Correct.

MR. MACH: I would recommend that the Zoning Board condition it on the square footage of permeable pavers to allow flexibility on where they'd want to locate the permeable pavers.

CHAIRMAN DIVITO: Oh, so you're saying if they want to take a framed approach to the driveway itself and --

MR. MACH: Right.

COMMISSIONER DRAKE: As long as they're within the numbers in total.

MR. MACH: Right, yes.

CHAIRMAN DIVITO: So, we're saying approximately 270 square feet of permeable pavers versus the entire project being done in concrete.

COMMISSIONER SIAVELIS: Approximately 270 square feet of permeable pavers to be allotted at the Petitioners' discretion subject to permitting and review, right,

by the Engineering Department, right? Aren't they going to have another shot at this, right, when they come back through?

MR. MACH: They will as part of permitting, yes.

CHAIRMAN DIVITO: With drainage --

COMMISSIONER SIAVELIS: So, that will address the potential drainage.

CHAIRMAN DIVITO: Right.

COMMISSIONER DRAKE: So, are you agreeable to that? Because it's a little bit different than what we're talking about. If you take the numbers in total, 270 at your discretion, you'll work with Engineering, that would work?

MRS. WOODIN: Yes.

COMMISSIONER SIAVELIS: Tom, by my read, that gives the Petitioners more flexibility.

COMMISSIONER DRAKE: Sure.

COMMISSIONER SIAVELIS: Right, because we're not saying --

COMMISSIONER DRAKE: We're not dictating it.

MRS. WOODIN: Where it goes.

COMMISSIONER SIAVELIS: Where you're going to get to 270, you've just got to get to 270 approximately. So, out of fairness, because I don't think it's appropriate for us to say just approximately, because then that could put the Engineering Department in a bit of a hole. So, I would say 270 plus or minus 10 percent, right? That's where I would go.

COMMISSIONER JAFFE: Why can't we just say no less than? Because if you're going to have plus or minus, now we're going lower again. So, in the spirit of compromise, we need it to be a compromise but we also need to be firm in some of these numbers. So, if 270 is the number, then I would ask that through the review and permitting process it is no less than 270 feet. I'm just trying to put some boundaries around something that feels like it's very fluid.

COMMISSIONER SIAVELIS: Yes, I understand what you're saying. So, right, if the goal is to get to a working compromise position with the usage of permeable pavers, no less than 270 gets us to that spot. That usage or utilization or allotment of 270 is at the Petitioners' discretion while working to get their permits.

MRS. WOODIN: And we feel good about the 270 covering both sidewalks? Like what if we're short a sidewalk? That would be my only concern is --

COMMISSIONER SIAVELIS: Well, if you're short, or wait, if you're no less than --

MRS. WOODIN: Then we'll be okay.

COMMISSIONER SIAVELIS: If you're short, you're just going to add 15 more permeable --

MRS. WOODIN: More sidewalk, yes.

COMMISSIONER SIAVELIS: So, you're okay.

MRS. WOODIN: Okay, okay. Yes, no, you're right. Thank you.

COMMISSIONER DRAKE: I'm agreeable to that. Were you stating that as a motion or just thinking out loud?

COMMISSIONER SIAVELIS: No, I'm trying to say it again so it's --

COMMISSIONER DRAKE: Okay, okay.

CHAIRMAN DIVITO: I am going to make him make the motion --

COMMISSIONER SELBKA: I'm agreeable to it.

COMMISSIONER SIAVELIS: So, now is the call for the motion.

CHAIRMAN DIVITO: I believe so. So, is there a motion?

COMMISSIONER SIAVELIS: Yes. So, I'll move as follows. It's a compromise motion position as compared to what the Petitioner sought from the original submissions and based upon discussions with the Board and Petitioner. **The compromise includes the following components: the driveway in its entirety to be concrete including the apron area between the sidewalk and the curb; and then as to the front walk, permeable pavers; as to the south sidewalk, permeable pavers; where the totality of the permeable pavers shall be no less than 270 square feet; and recognizing that the Petitioners shall allot that 270 square feet amount and designate that in light of further discussions with the Village correlating or corresponding to the permitting process.** That's the motion.

CHAIRMAN DIVITO: That is the motion. Is there a second?

COMMISSIONER DRAKE: Second.

CHAIRMAN DIVITO: Derek?

MR. MACH: Mr. Drake.

COMMISSIONER DRAKE: Yes.

MR. MACH: Mr. Jaffe.

COMMISSIONER JAFFE: Yes.

MR. MACH: Mr. Selbka.

COMMISSIONER SELBKA: Yes.

MR. MACH: Mr. Siavelis.

COMMISSIONER SIAVELIS: Yes.

MR. MACH: Chairman Divito.

CHAIRMAN DIVITO: Yes. You're approved.

MR. WOODIN: Thank you.

MRS. WOODIN: Thank you very much. Appreciate the extra time on that one, sorry.

COMMISSIONER DRAKE: Good luck.

CHAIRMAN DIVITO: That was the final piece of business for this evening. Is there a motion to adjourn?

COMMISSIONER SELBKA: Motion to adjourn.

COMMISSIONER JAFFE: Seconded.

COMMISSIONER DRAKE: Second.

CHAIRMAN DIVITO: All in favor?

(Chorus of ayes.)

CHAIRMAN DIVITO: Opposed?

(No response.)

CHAIRMAN DIVITO: We're adjourned.

(Whereupon, the public hearing on the above-mentioned petition was adjourned at 8:35 p.m.)

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS May 13, 2019

PETITIONER: Woodin Residence
ADDRESS OF PROPERTY: 4036 N. Harvard Ave.
VARIATION: 5.1-34.b, 10.2-11.1b

A 721.95 square-foot variance to allow impervious surface coverage of 5,970 square-feet where a maximum coverage of 5,428.5 square-feet is allowed by code; A 6-foot variance to allow a driveway that is 28-feet in width where code allows a maximum width of 22-feet.

The petitioner testified as to hardship, uniqueness of circumstances, and the character of the locality. The petitioner explained that the existing driveway is in poor condition and that they are seeking a variance to expand the driveway to 28 feet in width. The petitioner testified that they are proposing to add 224 square feet as part of the expansion. The petitioner testified that they currently do not have any drainage issues. The Zoning Board of Appeals expressed concerns with the increase of impervious surface and they discussed the idea of using permeable pavers.

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. Siavelis and seconded by Mr. Drake. Thereafter, the Board voted 5-0 to approve the variance request, with a condition that 275 square-feet must be permeable pavers.

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.

David Divito, Chairman
Zoning Board of Appeals
Village of Arlington Heights



**Zoning Board of Appeals
6/10/2019**

Item: 433 S. Belmont Ave. - ZBA#19-012

Department: Planning & Community Development

REQUEST

A 2.2 foot variation from Chapter 28, Section 5.1-3.2 (Required Minimum Yards) to allow a second story addition with a side yard setback of 2.8 feet instead of the required 5.0 feet, and an additional 0.7 feet for the eave.

ATTACHMENTS:

Description

Supporting Documents

Type

Exhibits

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: June 10, 2019
Date Prepared: June 3, 2019
Project Title: Murray Residence
Address: 433 S. Belmont Ave.

Background Information

Petition Number: ZBA #19-012
Petitioner: James Cochran / JRC Design Build
Address: 1275 E. Davis St.
Arlington Heights IL 60005

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

Requested Action/Background Information

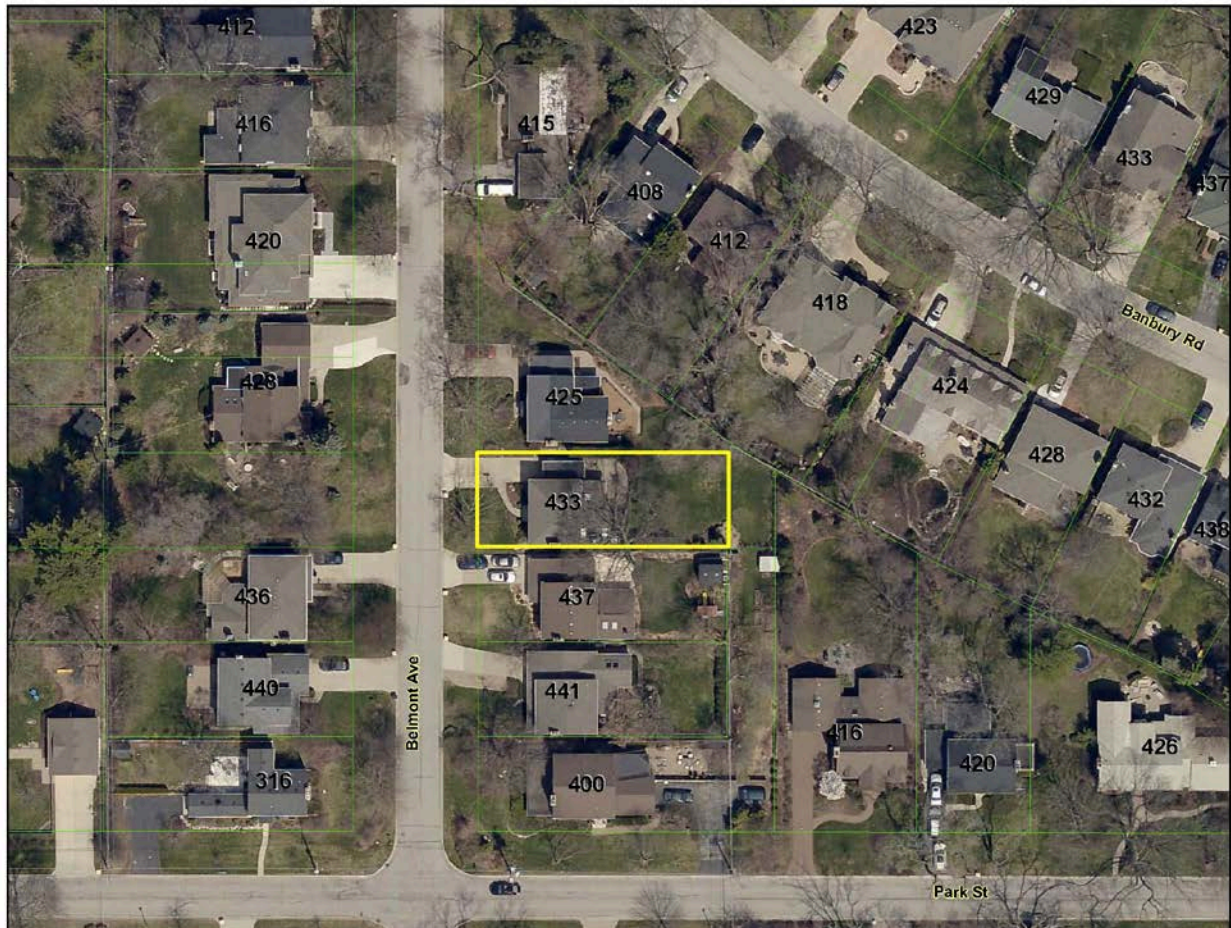
The subject property is zoned R-3, Single-Family Dwelling District. The property has a total land area of 6,581 square feet and the proposed residence will have approximately 2,566 square feet with the addition. The owners are proposing to construct a second story addition over the footprint of the existing attached garage and expand the footprint towards the rear for a new mudroom and second floor master bath. The existing home is set back 2.8 feet from the north property line, where a setback of 5 feet is required. Therefore, the petitioner requests the following variation:

- A 2.2 foot variation from Chapter 28, Section 5.1-3.2 (Required Minimum Yards) to allow a second story addition with a side yard setback of 2.8 feet instead of the required 5.0 feet, and an additional 0.7 feet for the eave.

Variation Review Standards

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

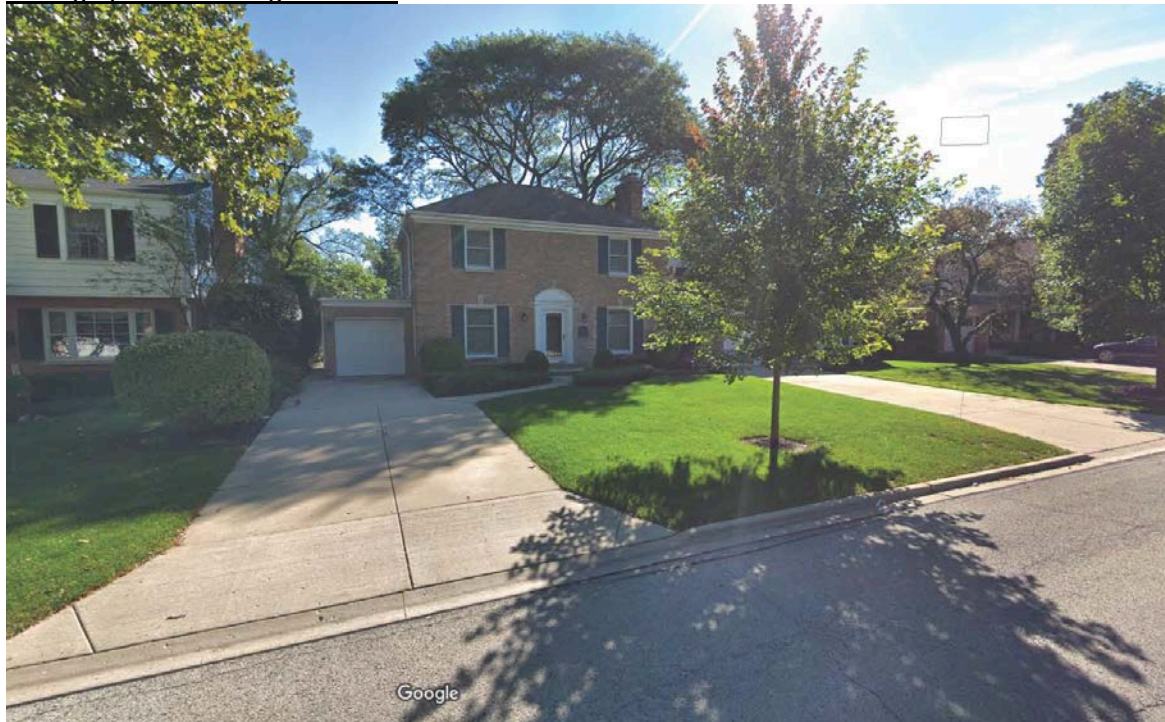
Map of General Vicinity



Items required to be Submitted 15 Days Prior to Public Hearing

Item	Provided	Dated	Remarks
1. Notification Affidavit	✓	5/21/19	
2. List of Property Owners Within 250 feet of Subject Property	✓	5/21/19	
3. Letter that was Mailed	✓	5/21/19	
4. Photographs of Sign on Property	✓	5/21/19	

Photographs of Existing Structure





Village of Arlington Heights Building & Life Safety Department

Interoffice Memorandum

To: Derek Mach, Zoning Board of Appeals Liaison

From: Deb Pierce, Building & Life Safety Department

Project Name: Murray Residence

Project Address: 433 S Belmont Ave

ZBA #: 19-012

Date: May 29, 2019

Derek:

I have reviewed the following request for variance:

- A 2.2 foot variance to allow a second story addition with a side yard setback on the north side of 2.8 feet where 5 feet is required, and an additional 0.7 foot for the eave.

I have no objection to the variance with the following requirements:

1. The north wall of the second floor addition, located 2.8 feet from the side lot line shall have a minimum of 1-hour fire-resistance rated construction with exposure from both the inside and outside of the wall, based on the distance to the lot line of less than 5 feet.
2. The soffit of the north wall of the second floor addition, located 2.1 feet from the side lot line shall have a minimum of 1-hour fire-resistance rated construction with exposure from both the inside and outside of the wall, based on the distance to the lot line of less than 5 feet.
3. Based on the distance to the lot line at the addition on the north side, openings in the master bedroom wall are not permitted.

A copy shall be provided to the homeowner and architect.

ZBA# 19-012
433 S Belmont Ave
Rev. Eng: Nanci Julius, P.E.
cc: Mike Pagones, P.E. Village Engineer

Submitted: May 14, 2019
Completed: May 17, 2019

The proposed ZBA application indicates that the petitioner is seeking:

A 2.2 ft variance to allow a second story addition with a side yard setback of 2.8 ft instead of the required 5.0 ft, and an additional 0.7 ft for the eave.

NOTE: The setback is existing. The proposed plan will also include a small addition behind the existing garage, in the vicinity of an existing patio. The overall footprint of the home will not increase with the addition.

The Engineering Division has NO OBJECTION to the proposed variance.

RECEIVED
MAY 17 2019
PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Murray Residence

Project Address: 433 S. Belmont Avenue

ZBA #: 19-012

ZBA Hearing Date: June 10th, 2019

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

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

From: Derek Mach, Zoning Board of Appeals Liaison

Transmitted On: May 14, 2019

- A 2.2 foot variation from Chapter 28, Section 5.1-3.2 (Required Minimum Yards) to allow a second story addition with a side yard setback of 2.8 feet instead of the required 5.0 feet, and an additional 0.7 feet for the eave.

Attached are the Petitioner's:

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

Comments: A DESIGN COMMISSION APPLICATION IS REQUIRED FOR REVIEW,
BUT THE PROPOSED ADDITION IS VERY NICELY DESIGNED TO FIT
W/ THE EXISTING HOUSE. - STEVE HAUTZINGER, DESIGN PLANNER

Please review, comment, and return to me no later than May 28, 2019.

PETITION

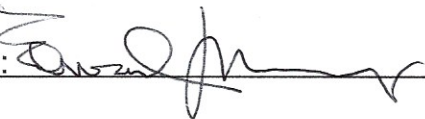
NOW COMES the Petitioners Edward Murray, being the owner of the property commonly known as: 433 S. Belmont Ave., and appeals to the Zoning Board of Appeals of the Village of Arlington Heights for a Variation from Section 5.1-3.6, CHAPTER 28, of the Arlington Heights Municipal Code, In order to: ALLOW A REDUCTION IN THE SIDEYARD (NORTH) SETBACK FROM 5.0' TO 2.88'.

I hereby state that the following hardship would exist if the variation were not granted: Limits expansion of existing home at the first floor and second, which sits within the 5.0' NORTH property line.

I hereby state that the following unique circumstances exist:

- 1) Existing home sits within the 5.0' side yard setback on the North, at 2.83' from lot line.
- 2) Limited square footage of existing home
- 3) Older home with need for Master bedroom/bath/mudroom off garage

I hereby state that the variation, if granted, will not alter the essential character of the locality because: as it is in keeping with the size (sq.ft.) of the neighborhood homes.

Signed: 

Edward Murray

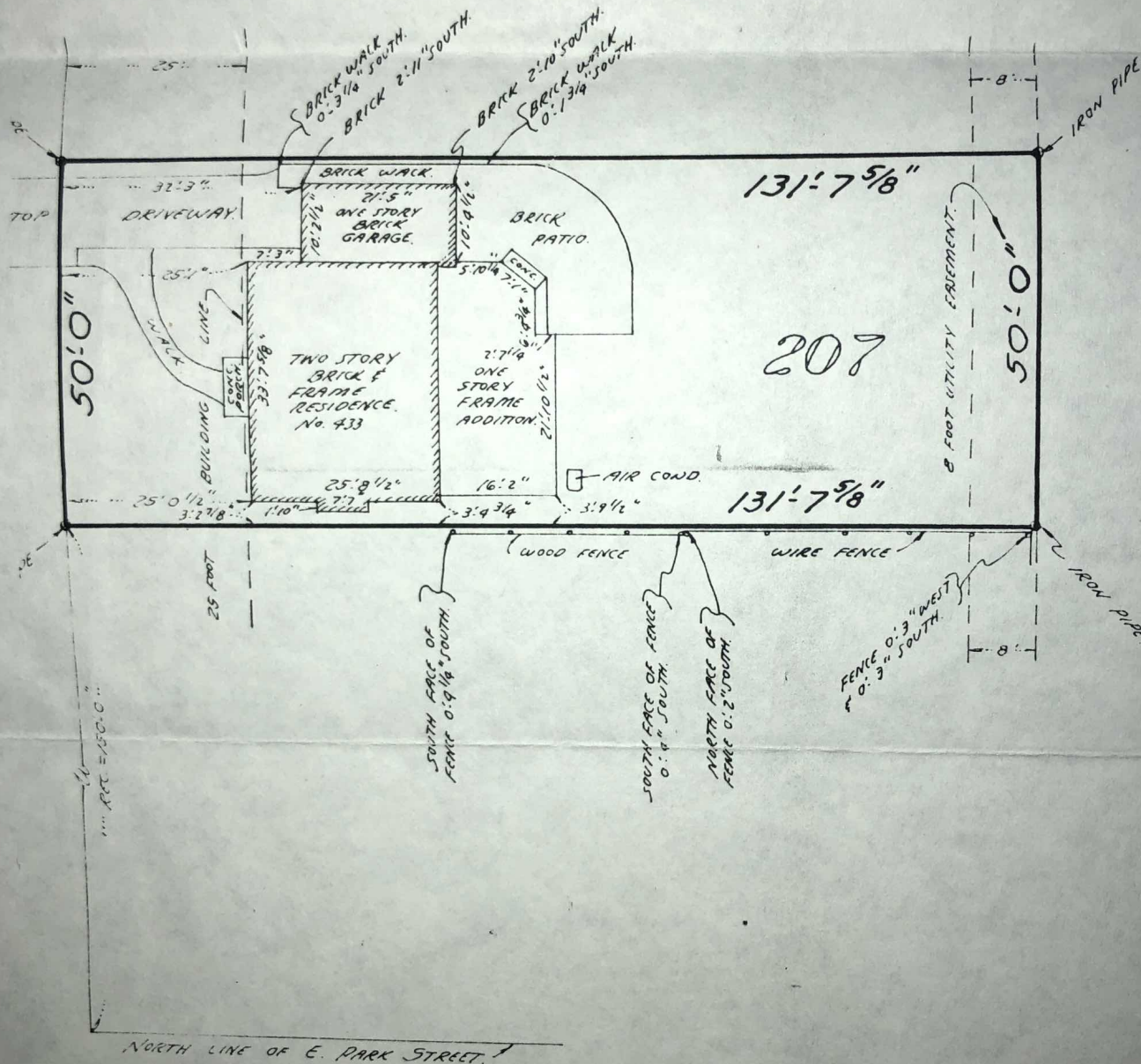
Date: 4/22/2019

PLAT OF SURVEY OF

ANTON J. ADAMS #35-1423

ANTON ADAMS #35-2810

7 in SCARSDALE, being a Subdivision of part of the West 1/2 of the East 1/2 and part of the East 1/2 West 1/2 of Section 32, Township 42 North, Range 11, East of the Third Principal Meridian, in Cook County, is.



32783

1-11-49

PAGE: 57

MURRAY

A description in this plat with your deed, certificate of title; also compare all points by same and at once report any difference shown only where they are so recorded in wise refer to your deed, abstract or

STATE OF ILLINOIS } ss
COUNTY OF COOK }

We, ADAMS AND ADAMS, Illinois Registered Land Surveyors, hereby certify that we have surveyed the property described above and that the plat hereon drawn is a correct representation of said survey. Measurements are all corrected to a standard of 62 degrees Fahrenheit.

MOUNT PROSPECT, ILLINOIS, JANUARY 24TH A.D. 1991

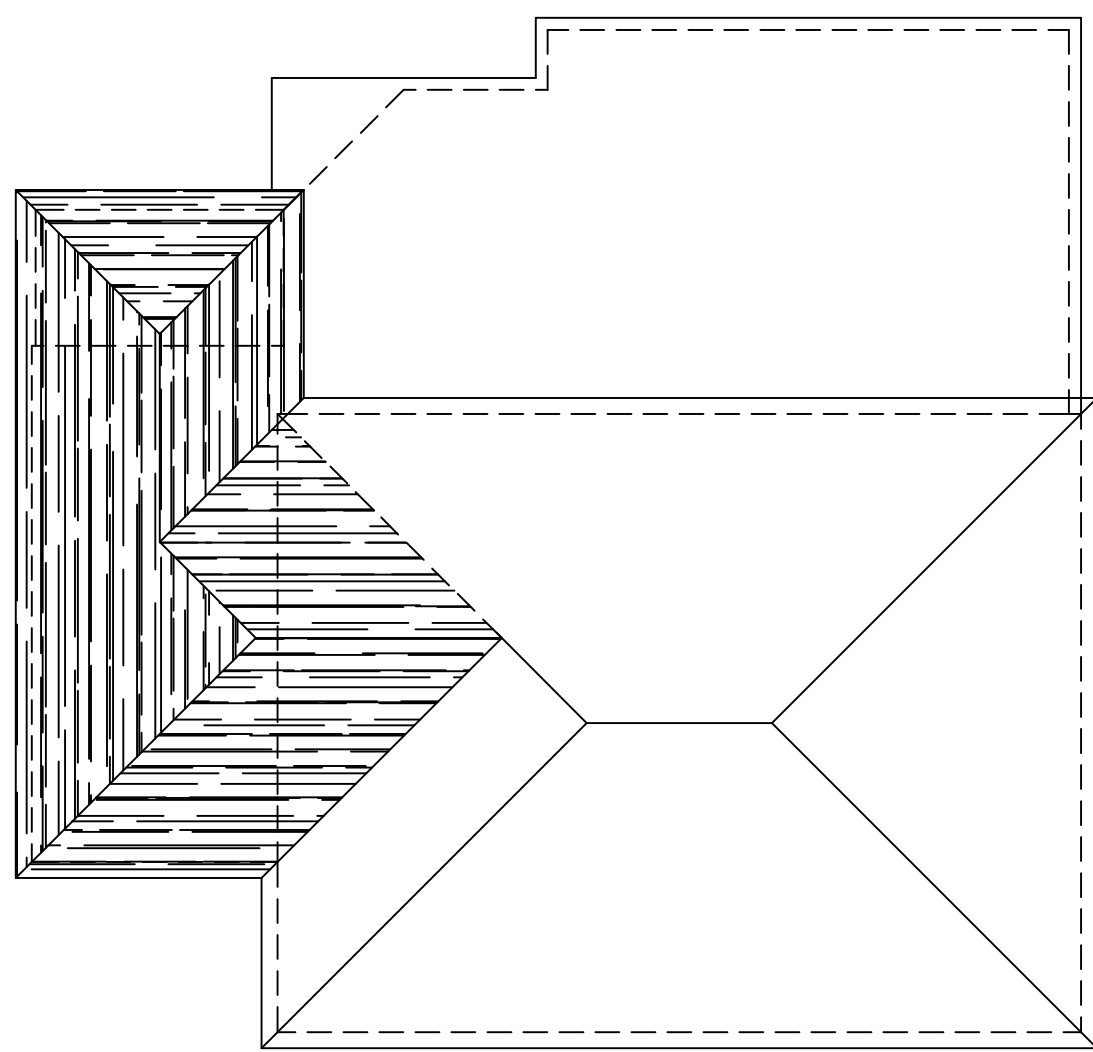
Anton J. Adams
Illinois Registered Land Surveyor



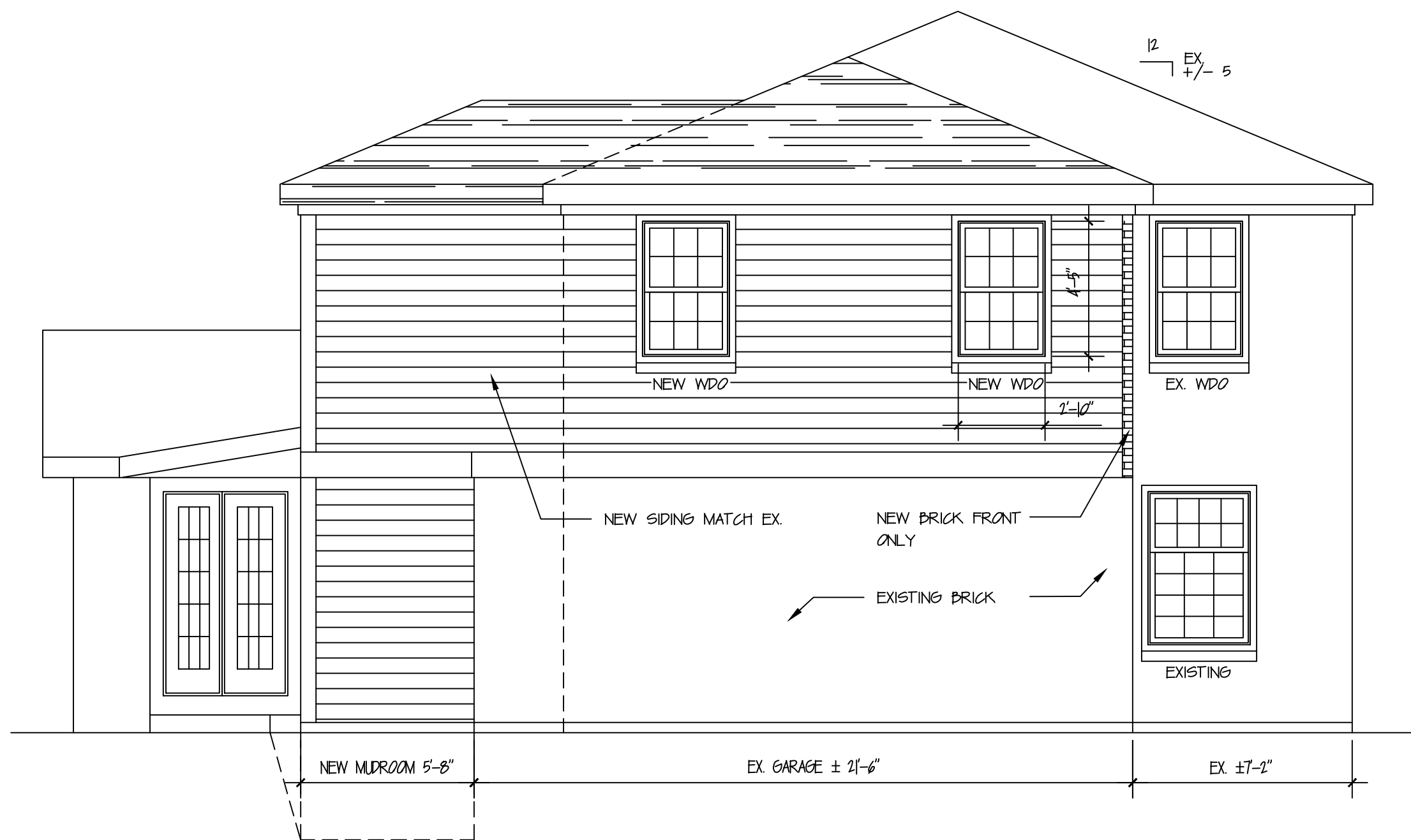
ED MURRAY
433 S. BELMONT
ARLINGTON HEIGHTS, ILLINOIS

© 2019 CW Design Group, Inc

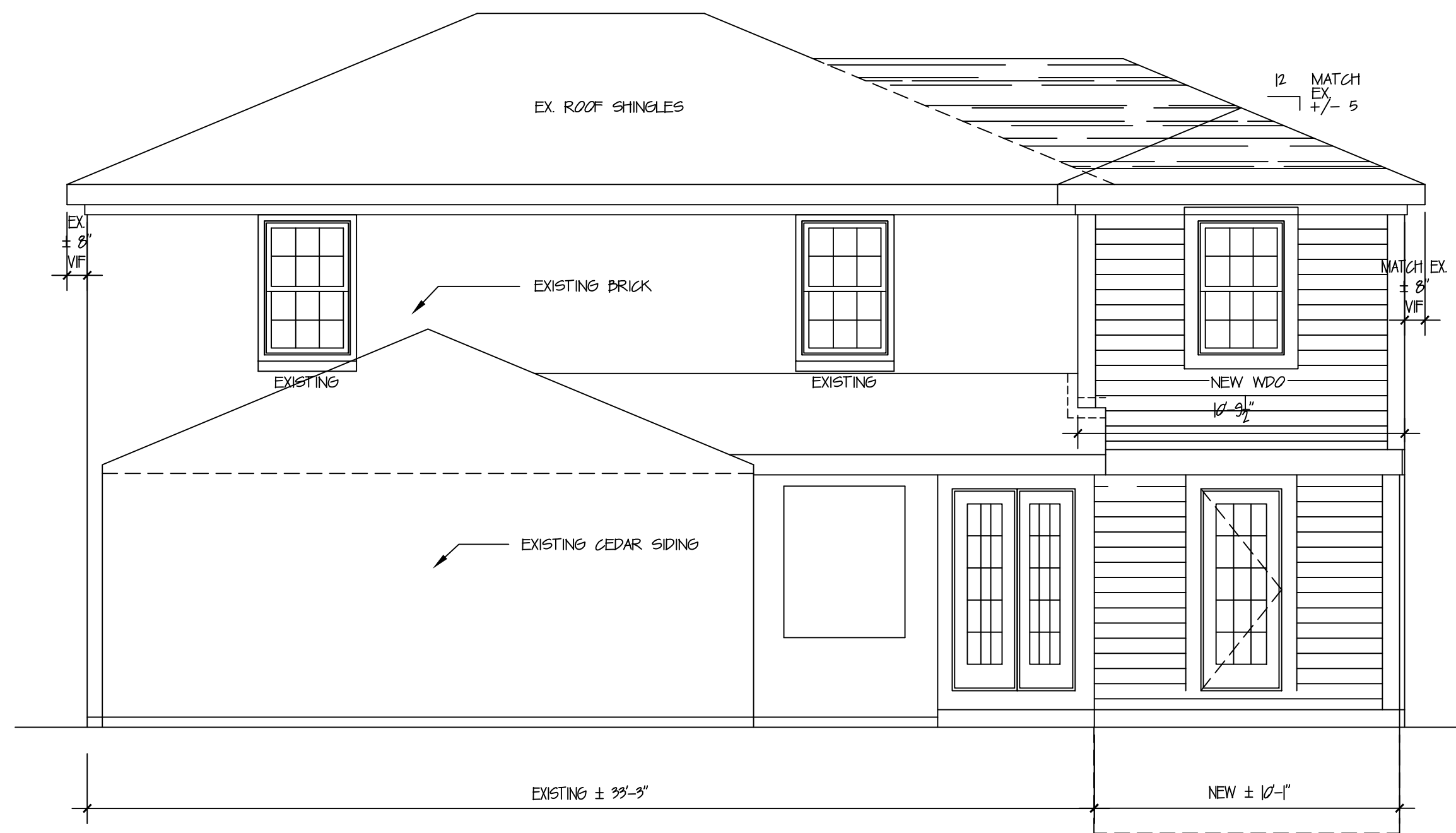
EXISTING
PLANS ELEV
A1



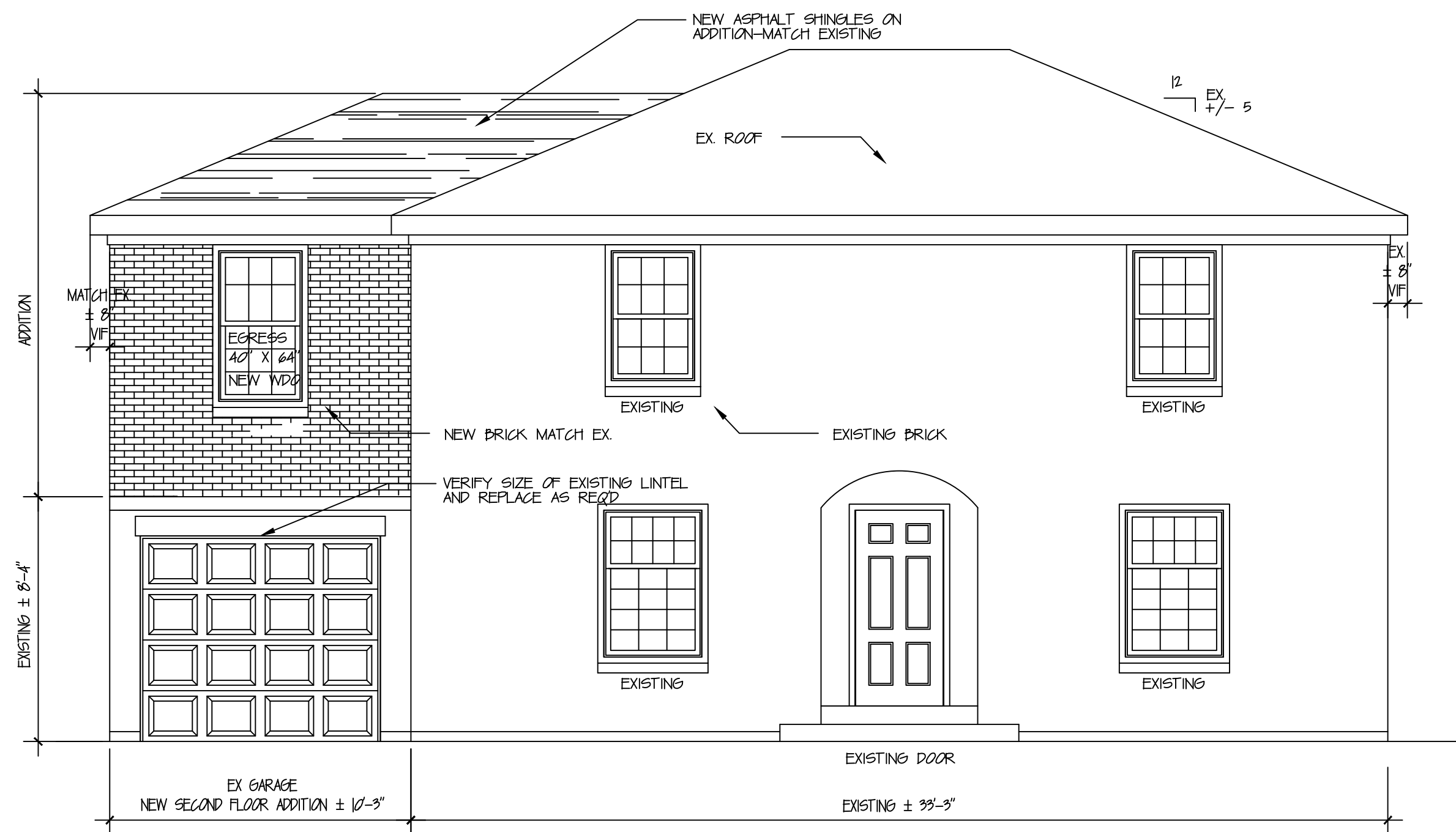
4
A3
ROOF PLAN
1/8" = 1'-0"
NORTH



2
A3
PROPOSED LEFT (NORTH) ELEVATION
1/4" = 1'-0"



3
A3
PROPOSED REAR (EAST) ELEVATION
1/4" = 1'-0"



1
A3
PROPOSED FRONT (WEST) ELEVATION
1/4" = 1'-0"

JRC
DESIGN BUILD, INC
GENERAL CONTRACTOR
1275 E. Davis
Arlington Heights, IL 60005
T: 847.255.2322
email: jimjrcdb@gmail.com



CW Design
carole wisniewski
ARCHITECT
847-489-1703
e mail: cwdesign@gmail.com
922 Monroe Avenue
Wauconda, Illinois 60084
T: 847.489.1703
email: cwdesign@gmail.com
DESIGN REG #184.007566-001

SECOND FLOOR BEDROOM/BATH
ADDITION & KITCHEN REMODELING
FOR:
ED MURRAY
433 S. BELMONT
ARLINGTON HEIGHTS, ILLINOIS

NO.	DATE	DESCRIPTION
1	04.19.19	DESIGN COMM
2	04.20.19	ZBA
3		
4		
5		
6		

© 2019 CW Design Group, Inc

PROJECT NUMBER
19007.00

EXTERIOR
ELEVATIONS
A3



**Zoning Board of Appeals
6/10/2019**

Item: 323 S. Walnut Ave. - ZBA#19-013

Department: Planning & Community Development

REQUEST

A variation from Chapter 28, Section 6.5-2 to allow a detached garage in the side yard where detached garages are only permitted in the rear yard.

ATTACHMENTS:

Description

Supporting Documents
Resident Email - Objection

Type

Exhibits
Correspondence

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: June 10, 2019
Date Prepared: June 3, 2019
Project Title: Garoppolo Residence
Address: 323 S. Walnut Ave.

Background Information

Petition Number: ZBA #19-013
Petitioner: Anthony J. Garoppolo
Address: 323 S. Walnut Ave.
Arlington Heights IL 60005

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

Requested Action/Background Information

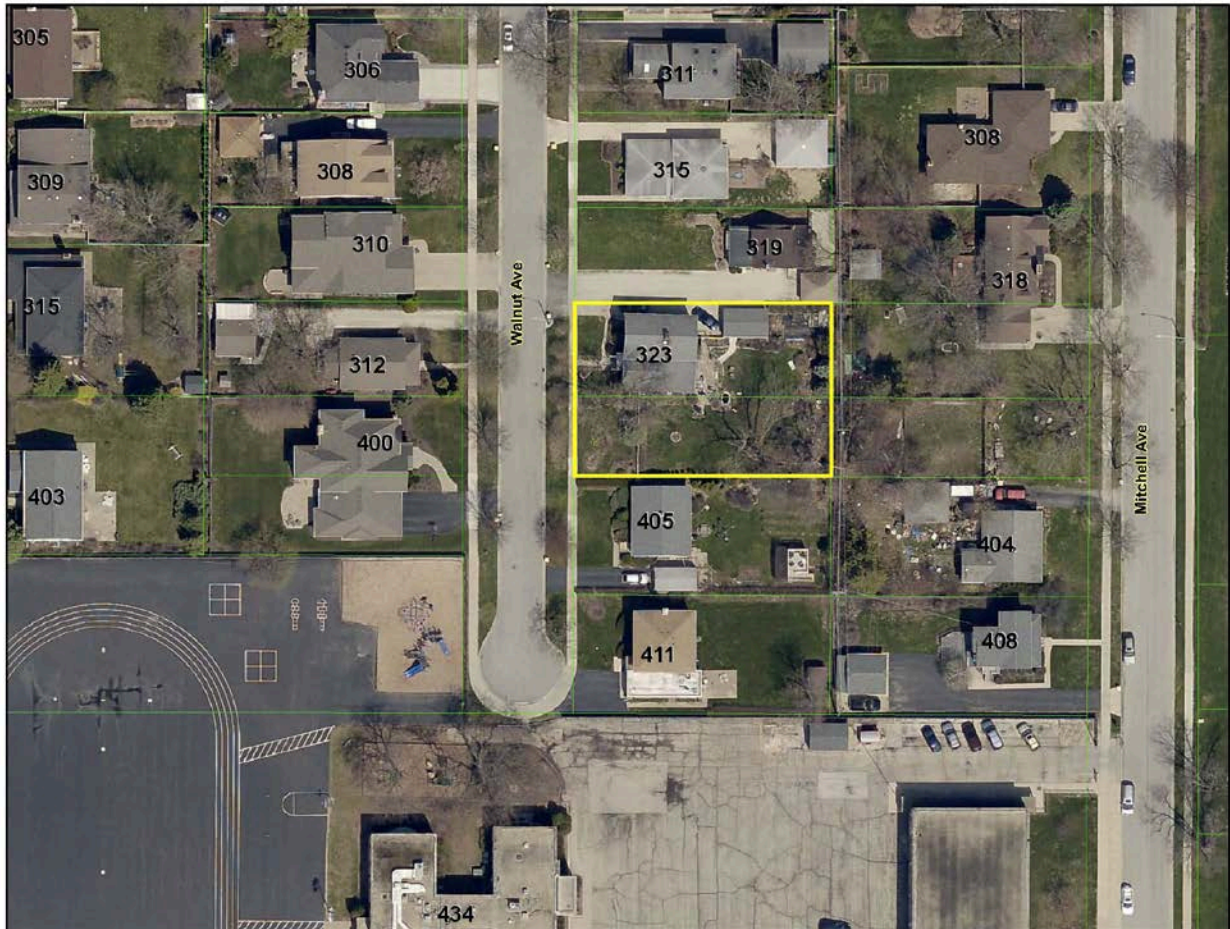
The petitioner proposes to construct a detached garage in the side yard where detached garages are only permitted in the rear yard. The proposed garage is 484 square feet and the lot is approximately 12,460 square feet. The property is zoned R-3, One Family Dwelling District. The petitioner requests the following variation:

- A variation from Chapter 28, Section 6.5-2 to allow a detached garage in the side yard where detached garages are only permitted in the rear yard.

Variation Review Standards

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

Map of General Vicinity



Items required to be Submitted 15 Days Prior to Public Hearing

<u>Item</u>	<u>Provided</u>	<u>Dated</u>	<u>Remarks</u>
1. Notification Affidavit	✓	5/24/19	
2. List of Property Owners Within 250 feet of Subject Property	✓	5/24/19	
3. Letter that was Mailed	✓	5/24/19	
4. Photographs of Sign on Property	✓	5/24/19	

Photographs of Existing Structure





Village of Arlington Heights Building & Life Safety Department

Interoffice Memorandum

To: Derek Mach, Zoning Board of Appeals Liaison

From: Deb Pierce, Building & Life Safety Department

Project Name: Garoppolo Residence

Project Address: 323 S Walnut Ave

ZBA #: 19-013

Date: May 29, 2019

Derek:

I have reviewed the following request for variance:

- A variance to allow a detached garage in the side yard where detached garages are only permitted in the rear yard.

I have no objection to the variance.

ZBA# 19-013
323 S Walnut Ave
Rev. Eng: Nanci Julius, P.E.
cc: Mike Pagones, P.E. Village Engineer

Submitted: May 14, 2019
Completed: May 17, 2019

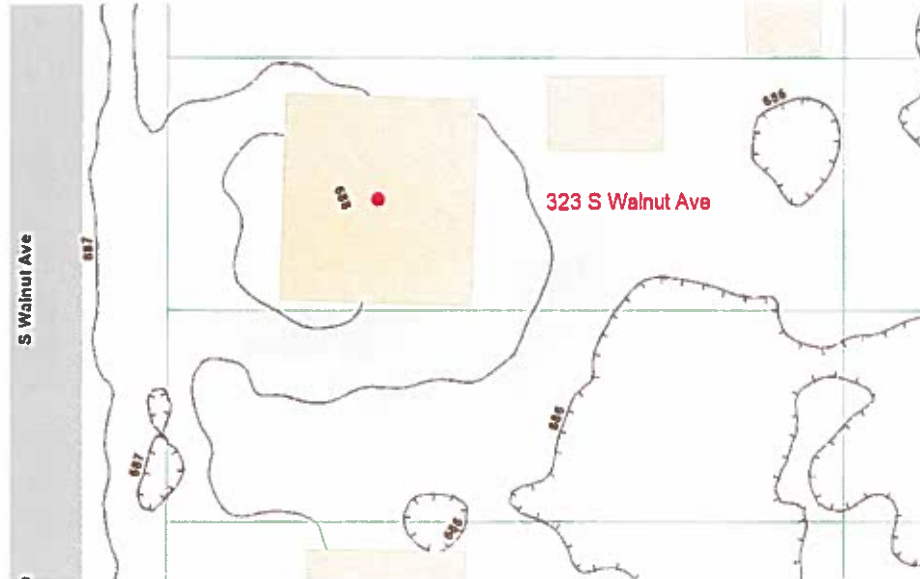
RECEIVED
MAY 17 2019
PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT

The proposed ZBA application indicates that the petitioner is seeking:

A variation to allow a detached garage in the side yard where detached garages are only permitted in the rear yard.

NOTE: The Village is aware of the drainage concerns on the subject property, and that drainage would be an issue if the petitioner were required to rebuild the garage in the rear yard.

The Engineering Division has NO OBJECTION to the proposed variance. Regarding the existing storm sewer located south of the existing home, if there is currently not a public utility easement for this storm sewer, a plat of easement shall be provided. This can be addressed at permit.



PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Garoppolo Residence

Project Address: 323 S. Walnut Avenue

ZBA #: 19-013

ZBA Hearing Date: June 10th, 2019

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

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

From: Derek Mach, Zoning Board of Appeals Liaison

Transmitted On: May 14, 2019

- A variation from Chapter 28, Section 6.5-2 to allow a detached garage in the side yard where detached garages are only permitted in the rear yard.

Attached are the Petitioner's:

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

Comments: IT IS RECOMMENDED THAT THE EXTERIOR MATERIALS
AND COLORS BE SELECTED TO MATCH THE EXISTING
HOUSE. - STEVE HAUZINGER, DESIGN PLANNER

Please review, comment, and return to me no later than May 28, 2019.

PETITION

RECEIVED

MAY 03 2019

PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT

PETITION

NOW COMES the Petitioner

ANTHONY AND DENISE GARAPPOLO

being the owner of the property commonly know as:

323 S. WALNUT AVE A.H.

and appeals to the Zoning Board of Appeals of the Village of
Arlington Heights for a Variation from Section 6.5-2
Chapter 28, of the Arlington Heights Municipal Code, in order
to: BUILD A TWO CAR DETACHED GARAGE
IN THE SIDE YARD OF OUR LOT.

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

explain): WE ARE ONLY ASKING FOR THE DETACHED GARAGE
TO BE IN OUR SIDE YARD BECAUSE OF WATER RETENTION
IN THE BACK HALF OF OUR YARD, A LARGE TREE IN THE BACK HALF AND

I hereby state that the plight of the owner is due to unique A 6' SEWER NEXT
circumstances, which may include the length of time the subject TO OUR HOUSE.
property has been vacant as zoned (please

explain): WOULD HAVE BUILT A TWO CAR ATTACHED
GARAGE BUT BECAUSE OF A 6' SEWER NEXT TO OUR
HOUSE WE CAN'T, AND BECAUSE OF FLOODING IN THE BACK
HALF OF OUR YARD AND A LARGE TREE WE WANT TO PUT IT IN OUR

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

WE ARE BUILDING THE GARAGE IN A SIMILAR STYLE (GABLE ROOF) AND
SIMILAR SIDING TO OUR HOUSE AND IN LINE WITH STRUCTURES ON THE BLOCK

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

WE ARE ONLY ASKING TO BUILD THE GARAGE TO
VILLAGE CODE, ~~THE~~ MORE THAN THE REQUIRED FOOTAGE FROM
OUR LOT LINE (6') AND THE SAME DISTANCE FROM
THE FRONT YARD AS OUR NEIGHBORS HOUSE.

Signed:

Date:

Petitioner

Anthony J. Garofalo

5/3/19

Denise F. Garofalo

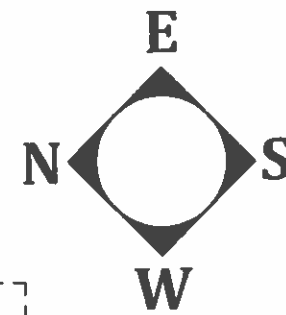
5/3/19

Ronald W. Stanley
Illinois Registered Land Surveyor No. 2728

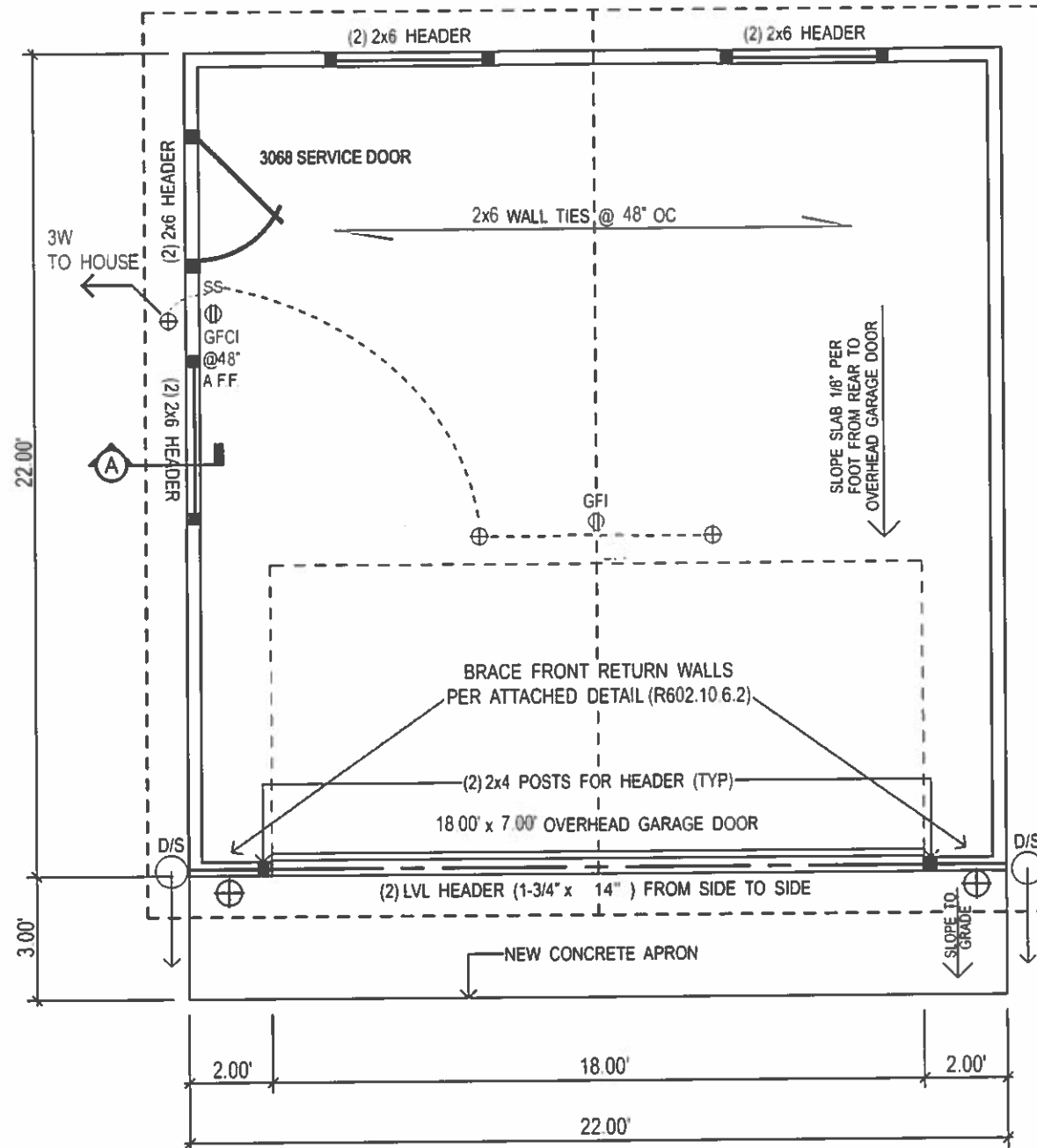
2
Scale 1"=20'



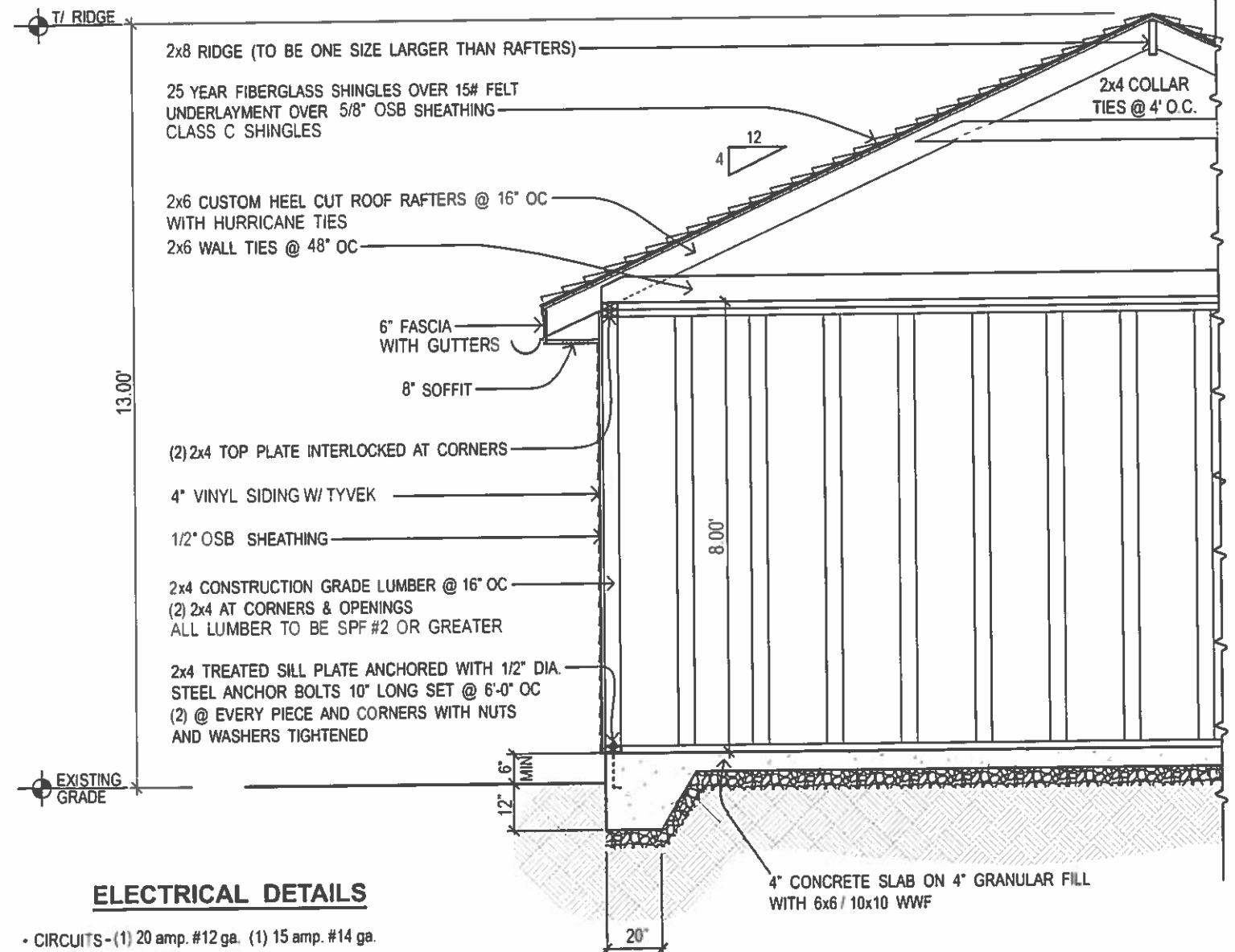
RECEIVED
MAY 03 2019
PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT



ALL LUMBER
TO BE SPF #2



FLOOR PLAN



ELECTRICAL DETAILS

- CIRCUITS - (1) 20 amp. #12 ga. (1) 15 amp. #14 ga.
- CONDUIT - 1/2\" RIGID STEEL
- BURIAL DEPTH - 18 INCHES
- WIRING - SEPARATE CIRCUITS TO SERVICE PANEL

BUILDING SECTION

NOTE: DRAWINGS ARE NOT TO SCALE

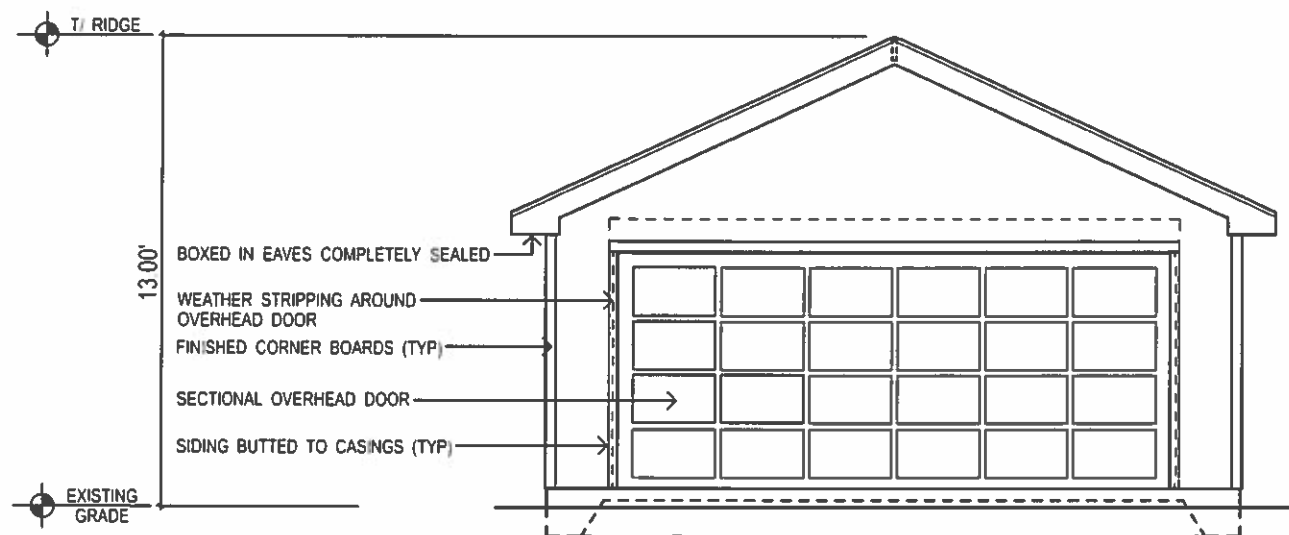


DETACHED GARAGE - GABLE ROOF
323 S. WALUT AVE. VILLAGE of ARLINGTON HEIGHTS - T. GAROPPOLO

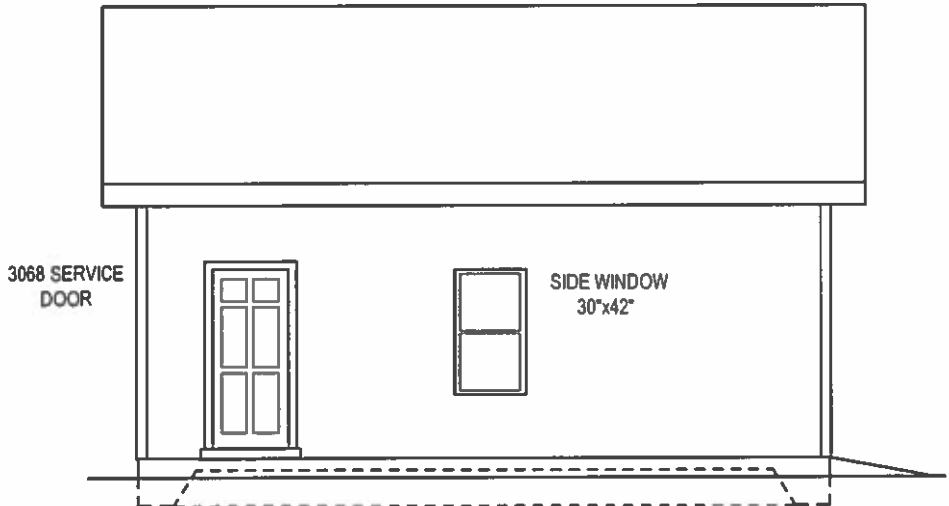
CONTRACTOR:
ABSOLUTE GARAGE BUILDERS
3050 W. IRVING PARK ROAD
CHICAGO, IL. 60618
PHONE: (773) 583-8800
(847) 769-8877

SHEET NAME:
**FLOOR PLAN &
BUILDING SECTION**
SHEET NUMBER:
1 OF 2

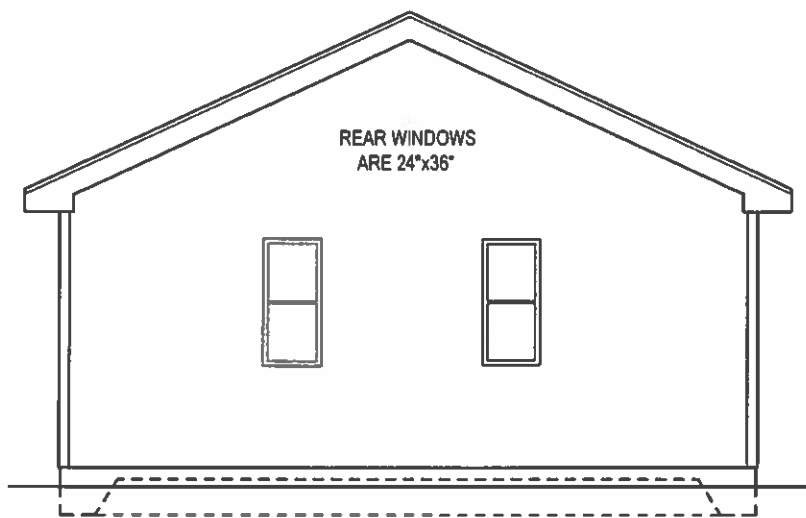
SPECIFIC WINDOW AND DOOR STYLES SHOWN
ON PLANS ARE REPRESENTATIVE ONLY



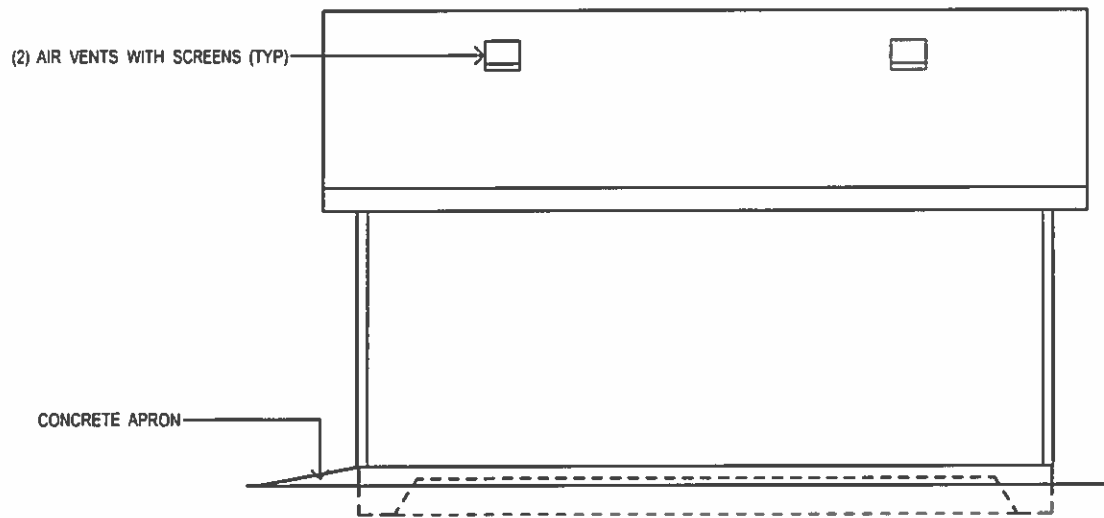
WEST ELEVATION



NORTH ELEVATION



EAST ELEVATION



SOUTH ELEVATION

NOTE: DRAWINGS ARE NOT TO SCALE



DETACHED GARAGE - GABLE ROOF
323 S. WALUT AVE. VILLAGE of ARLINGTON HEIGHTS - T. GAROPPOLO

CONTRACTOR:
ABSOLUTE GARAGE BUILDERS
3050 W. IRVING PARK ROAD
CHICAGO, IL. 60618
PHONE: (773) 583-8800
(847) 769-8877

SHEET NAME:
ELEVATIONS
SHEET NUMBER:
2 OF 2

Mach, Derek

From: Matt Scallon [REDACTED]
Sent: Saturday, June 01, 2019 8:37 AM
To: Mach, Derek
Cc: Teresa Scallon
Subject: To: VAH Zoning Appeals Board: Opposition to 323 S Walnut Variance Request for Two Car Garage in Side Yard

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

per Derek M. Mach, Landscape Planner for the Village of Arlington Heights my wife Teri and I are contacting you in response to our neighbors request for a variance at their 323 S Walnut Ave Arlington Heights property. The variance, if granted, would allow them to put a detached two-car garage in the immediate side yard between our homes. My wife Teri and I are adamantly opposed to the variance for the following reasons:

- a) The two car garage would be aesthetically displeasing from our two (and only) bedrooms whose two north facing 8 FT wide each, picture window panels would face directly into the south wall of their proposed garage. In addition, the structure would block substantial sunlight we now enjoy coming through these windows (a total of 48 square feet of sunlight exposure).
- b) If the garage were to catch fire it would move quickly to our home as garage fires spread quickly. Gasoline would be in their garage and with their backyard fires they often have would increase the risk of a garage fire.
- c) The south side of their proposed garage (our bedroom windows side) would, in all likelihood, become an unsightly “out of sight/out of mind” outdoor storage area for their largest size garbage and recycling bins, and any other items they cared to place there that they would not substantially see but we would.
- d) We do not want related garage activity in the side yard so close to us.

e) The proposed structure would change the character of our block bringing in more visible buildings at street view.

The variance is in place for a reason and it is our understanding, per enforceable code, that a new detached garage must be built behind the house, so it is not sandwiched between two already existing structures.

Thank you very much for taking our point of view into consideration. We will be attending the meeting Monday, June 10 at 7pm where we will again voice our opposition.

Thank you very much,

Matt and Teri Scallon

A solid black rectangular box used to redact a signature or name.



**Zoning Board of Appeals
6/10/2019**

Item: 515 N. Arlington Heights Rd. - ZBA#19-014

Department: Planning & Community Development

REQUEST

A 5.1 foot variation from Chapter 28, Section 5.1-3.2 (Required Minimum Yards) to allow a deck with a side yard setback of 1.5 feet instead of the required 6.6 feet.

ATTACHMENTS:

Description

Supporting Documents

Type

Exhibits

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: June 10, 2019
Date Prepared: June 3, 2019
Project Title: Stock Residence
Address: 515 N. Arlington Heights Rd.

Background Information

Petition Number: ZBA #19-014
Petitioner: Lucas Stock
Address: 515 N. Arlington Heights Rd.
Arlington Heights IL 60004

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

Requested Action/Background Information

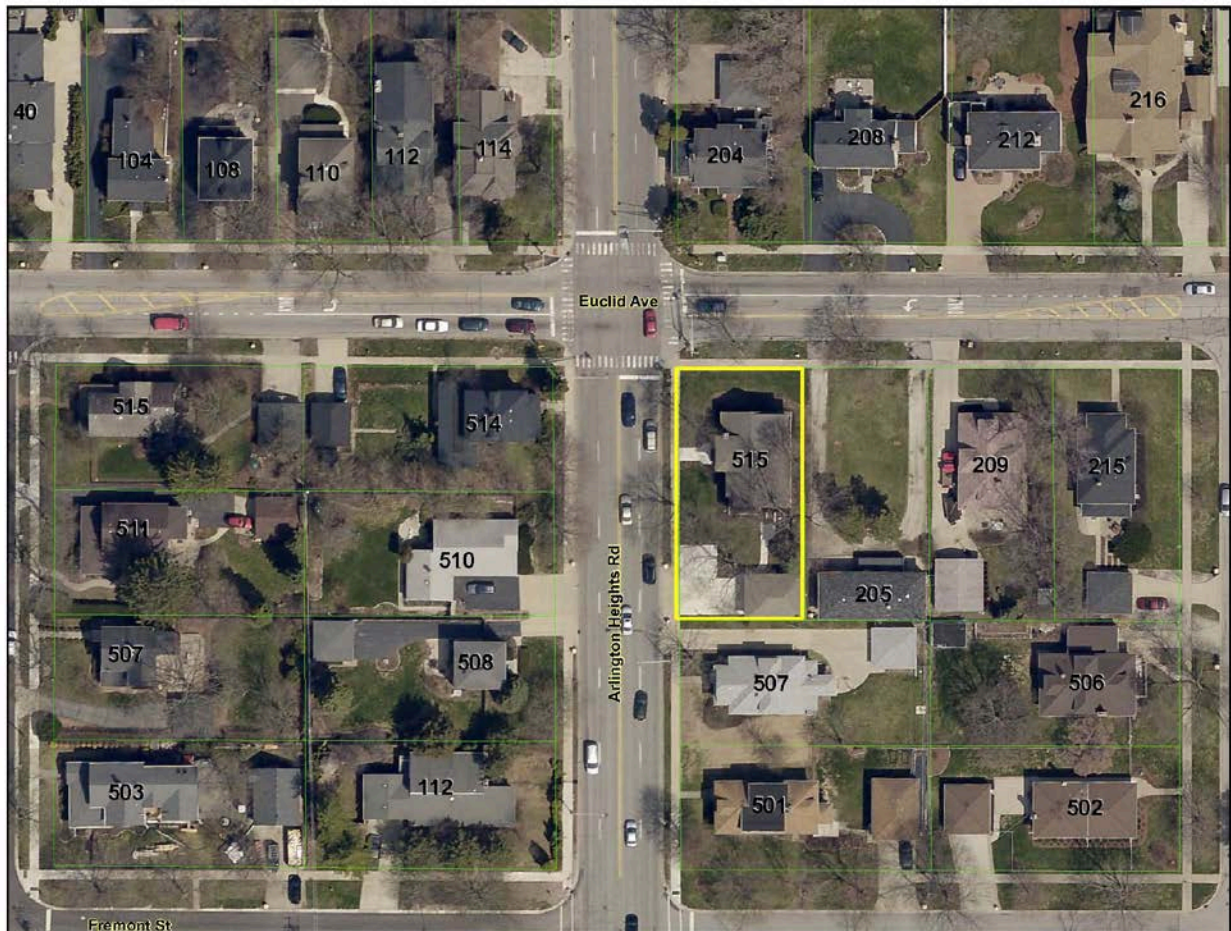
The petitioner is proposing to replace the existing deck and expand the structure along the side of the house. The subject property is zoned R-3, One Family Dwelling District. The property has a total land area of 8,778 square feet. The proposed deck on the side of the house encroaches 5.1 feet into the required side yard setback. Therefore, the petitioner requests the following variation:

- A 5.1 foot variation from Chapter 28, Section 5.1-3.2 (Required Minimum Yards) to allow a deck with a side yard setback of 1.5 feet instead of the required 6.6 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 proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property; and (2) the plight of the owner is due to unique circumstances, which may include the length of time the subject property has been vacant as zoned; and (3) the proposed variation is in harmony with the spirit and intent of this Chapter; and (4) the variance requested is the minimum variance necessary to allow reasonable use of the property. A variation shall be permitted only if the evidence, in the judgment of the Board of Appeals, sustains each of the four conditions enumerated.

Map of General Vicinity



Items required to be Submitted 15 Days Prior to Public Hearing

Item	Provided	Dated	Remarks
1. Notification Affidavit	✓	5/21/19	
2. List of Property Owners Within 250 feet of Subject Property	✓	5/21/19	
3. Letter that was Mailed	✓	5/21/19	
4. Photographs of Sign on Property	✓	5/21/19	

Photographs of Existing Structure





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

Interoffice Memorandum

To: Derek Mach, Zoning Board of Appeals Liaison

From: Deb Pierce, Building & Life Safety Department

Project Name: Stock Residence

Project Address: 515 N Arlington Heights Rd

ZBA #: 19-014

Date: May 29, 2019

Derek:

I have reviewed the following request for variance:

- A 5.1 foot variance to allow a deck with a side yard setback of 1.5 feet instead of the required 6.6 feet.

I have no objection to the variance.

ZBA# 19-014
515 N Arlington Heights Rd
Rev. Eng: Nanci Julius, P.E.
cc: Mike Pagones, P.E. Village Engineer

Submitted: May 14, 2019
Completed: May 16, 2019

The proposed ZBA application indicates that the petitioner is seeking:

A 5.1 ft variation to allow a deck with a side yard setback of 1.5 ft instead of the required 6.6 ft.

The Engineering Division has NO COMMENT to the proposed variance, however; the deck would be placed over what appears to be a grease trap for the residence. If the grease trap is still in service, access to this structure would need to be provided. This can be addressed at permit.

RECEIVED
MAY 17 2019
PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Stock Residence

Project Address: 515 N. Arlington Heights Road

ZBA #: 19-014

ZBA Hearing Date: June 10th, 2019

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

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

From: Derek Mach, Zoning Board of Appeals Liaison

Transmitted On: May 14, 2019

- A 5.1 foot variation from Chapter 28, Section 5.1-3.2 (Required Minimum Yards) to allow a deck with a side yard setback of 1.5 feet instead of the required 6.6 feet.

Attached are the Petitioner's:

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

Comments: NO COMMENTS

- STEVE HAUZINGER, DESIGN PLANNER

Please review, comment, and return to me no later than May 28, 2019.

PETITION

NOW COMES the Petitioner Lucas Stock being the owner of the property commonly known as 515 N Arlington Heights Rd., Arlington Heights, IL 60004 and appeals to the Zoning Board of Appeals of the Village of Arlington Heights for a Variation from Section 5.1-0.2 Chapter 28, of the Arlington Heights Municipal Code, in order to extend a side porch to within 1' of the property line beyond which is outlined in Chapter 28 Section 5.1-0.2.

I hereby state that the proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property if the variation(s) were granted: the porch is an extension of an existing structure in place.

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

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

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

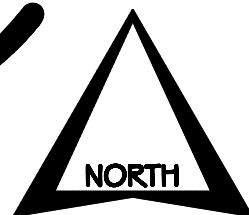
Signed:  _____

Date: 4/30/2019 _____

Petitioner

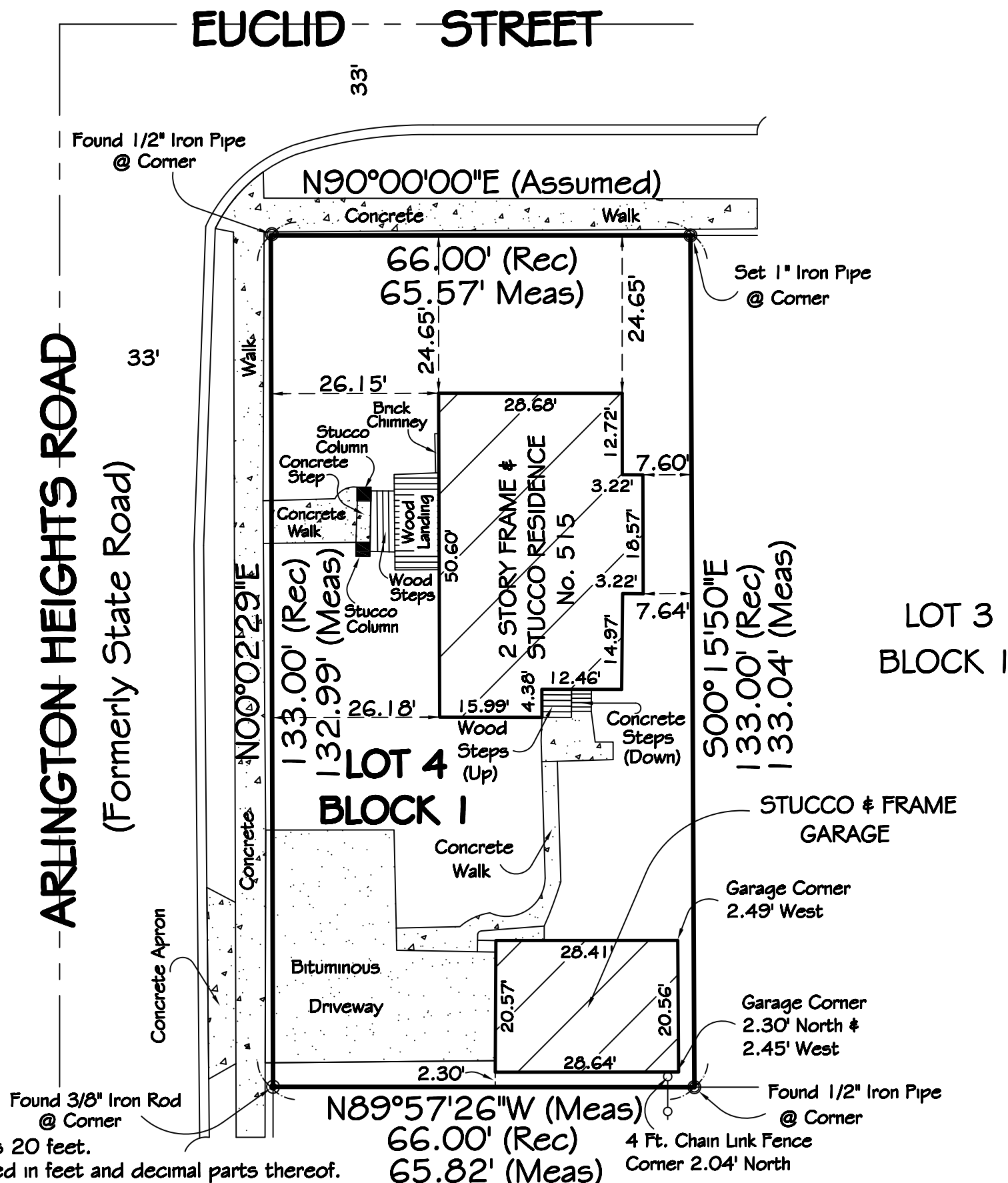


PLAT OF SURVEY



By
JOHN D. REBIG & ASSOCIATES
Land and Construction Surveys
35 W 388 Miller Road
Dundee, Illinois 60118 (847) 428-3456
Of

Lot 4 in Block 1 in SHERMAN E. PATE'S ADDITION TO ARLINGTON HEIGHTS, being a subdivision of part of the West 1306 feet of the North 331 feet of the East 1/2 of the Southwest Quarter of Section 29, Township 42 North, Range 11 East of the Third Principal Meridian, according to the Plat thereof Recorded January 3, 1916 as Document Number 5779876, in Cook County, Illinois.



Scale: 1 inch equals 20 feet.
Distances are marked in feet and decimal parts thereof.

Ordered by: **NICK & MELINA BUTTITA**
Checked by: J.D.R. Surveyed by: G.J.S.

Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence or any other facts which an accurate and current title search may disclose, unless the title commitment number and effective date are shown hereon.

Building lines, if any, shown hereon are building lines shown on the recorded subdivision plat. Consult local authorities for building lines established by local ordinances.

Please check legal description with Deed; also compare all points before building and report ANY DISCREPANCY IMMEDIATELY.

ORDER NO **09-3774.1.4**

LOT 5
BLOCK 1

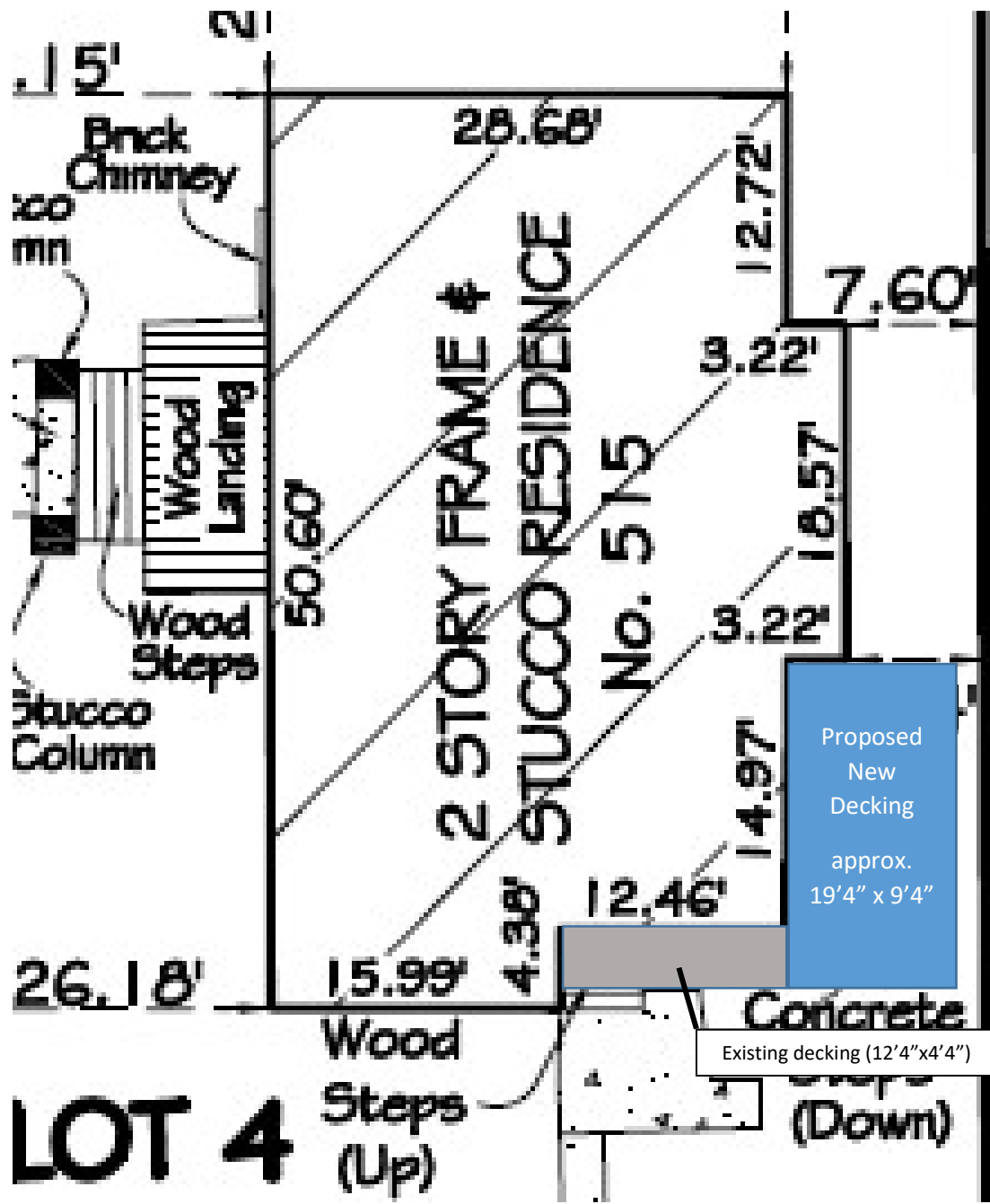
STATE OF ILLINOIS }
COUNTY OF KANE } S.S. November 20, 2009.

This Professional Service conforms to the current Illinois Minimum Standards of Practice applicable to Boundary Surveys.

This is to certify that I have surveyed the above described property according to the Official Record, and the above plat correctly represents said survey.

by _____

Illinois Professional Land Surveyor No. 2429
(License Expires November 30, 2010)





PLAT OF SURVEY

By

JOHN D. REBIK & ASSOCIATES

Land and Construction Surveys

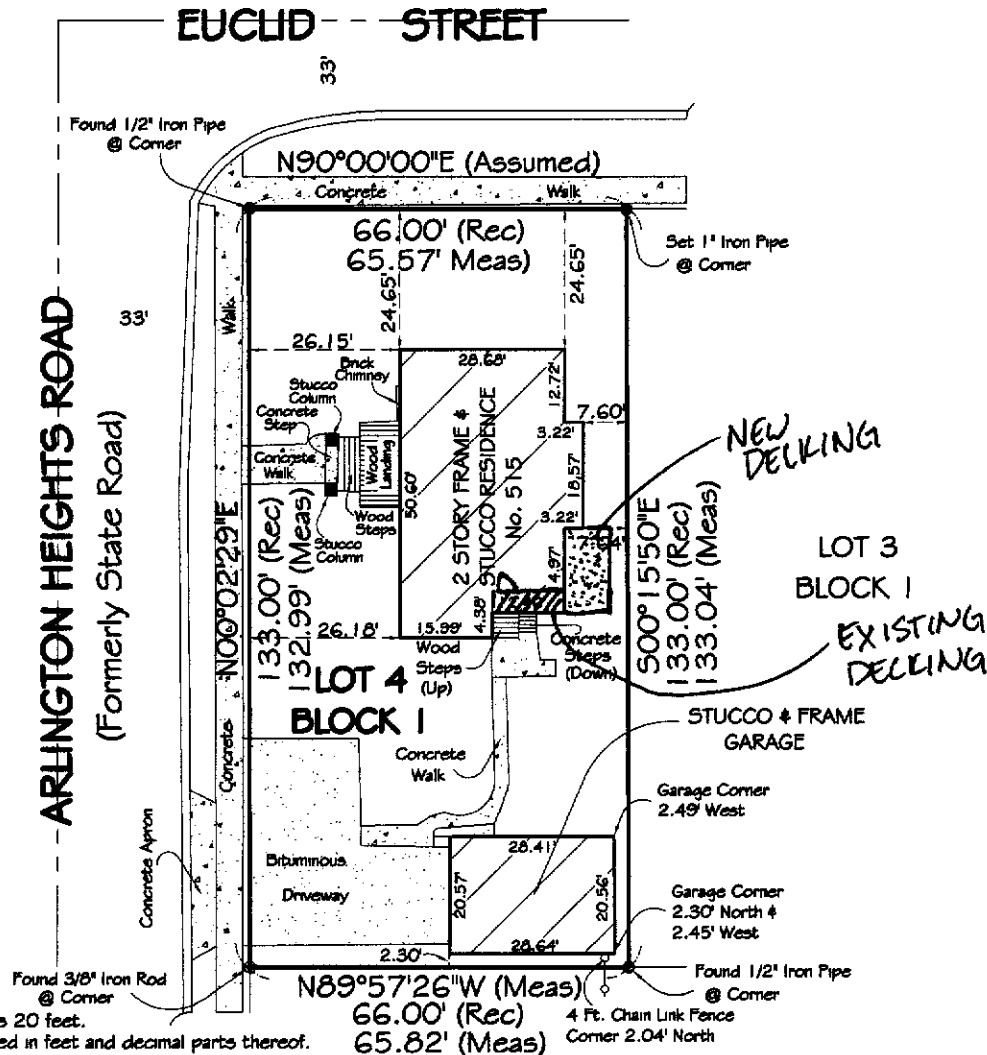
35 W 388 Miller Road

Dundee, Illinois 60118 (847) 428-3456

OF



Lot 4 in Block 1 in SHERMAN E. PATE'S ADDITION TO ARLINGTON HEIGHTS, being a subdivision of part of the West 1306 feet of the North 331 feet of the East 1/2 of the Southwest Quarter of Section 29, Township 42 North, Range 11 East of the Third Principal Meridian, according to the Plat thereof Recorded January 3, 1916 as Document Number 5779876, in Cook County, Illinois.



Scale: 1 inch equals 20 feet.

Distances are marked in feet and decimal parts thereof.

Ordered by: **NICK & MELINA BUTTITA**

Checked by: **J.D.R.** Surveyed by: **G.J.S.**

Surveyor has made no investigation or independent search for easements of record, encumbrances, restrictive covenants, ownership title evidence or any other facts which an accurate and current title search may disclose, unless the title commitment number and effective date are shown hereon.

Building lines, if any, shown hereon are building lines shown on the recorded subdivision plat. Consult local authorities for building lines established by local ordinances.

Please check legal description with Deed; also compare all points before building and report ANY DISCREPANCY IMMEDIATELY.

ORDER NO **09-3774.1.4**

STATE OF ILLINOIS }
COUNTY OF KANE } S.S. November 20, 2009.

This Professional Service conforms to the current Illinois Minimum Standards of Practice applicable to Boundary Surveys.

This is to certify that I have surveyed the above described property according to the Official Record, and the above plat correctly represents said survey.

by

Illinois Professional Land Surveyor No. 2429
(License Expires November 30, 2010)



Zoning Board of Appeals 6/10/2019

Item: 38 N. Belmont Ave. - ZBA#19-015

Department: Planning & Community Development

REQUEST

1. A 2.0 foot variation from Chapter 28, Section 5.1-4.2 (Required Minimum Yards) to allow a second story addition with a side yard setback of 18.0 feet instead of the required 20.0 feet, and an additional 2.0 feet for the eave.
2. A 3.5 foot variation from Chapter 28, Section 5.1-4.2 (Required Minimum Yards) to allow a deck with a side yard setback of 16.5 feet instead of the required 20.0 feet.

ATTACHMENTS:

Description

Supporting Documents

Type

Exhibits

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: June 10, 2019
Date Prepared: June 3, 2019
Project Title: Perry Residence
Address: 38 N. Belmont Ave.

Background Information

Petition Number: ZBA #19-015
Petitioner: Paul A. Rogner / ParCraft Ltd.
Address: 825 E. Rand Rd. Suite 230
Arlington Heights, IL 60004

Existing Zoning: R-4 – Residential Two Family District

Requested Action/Background Information

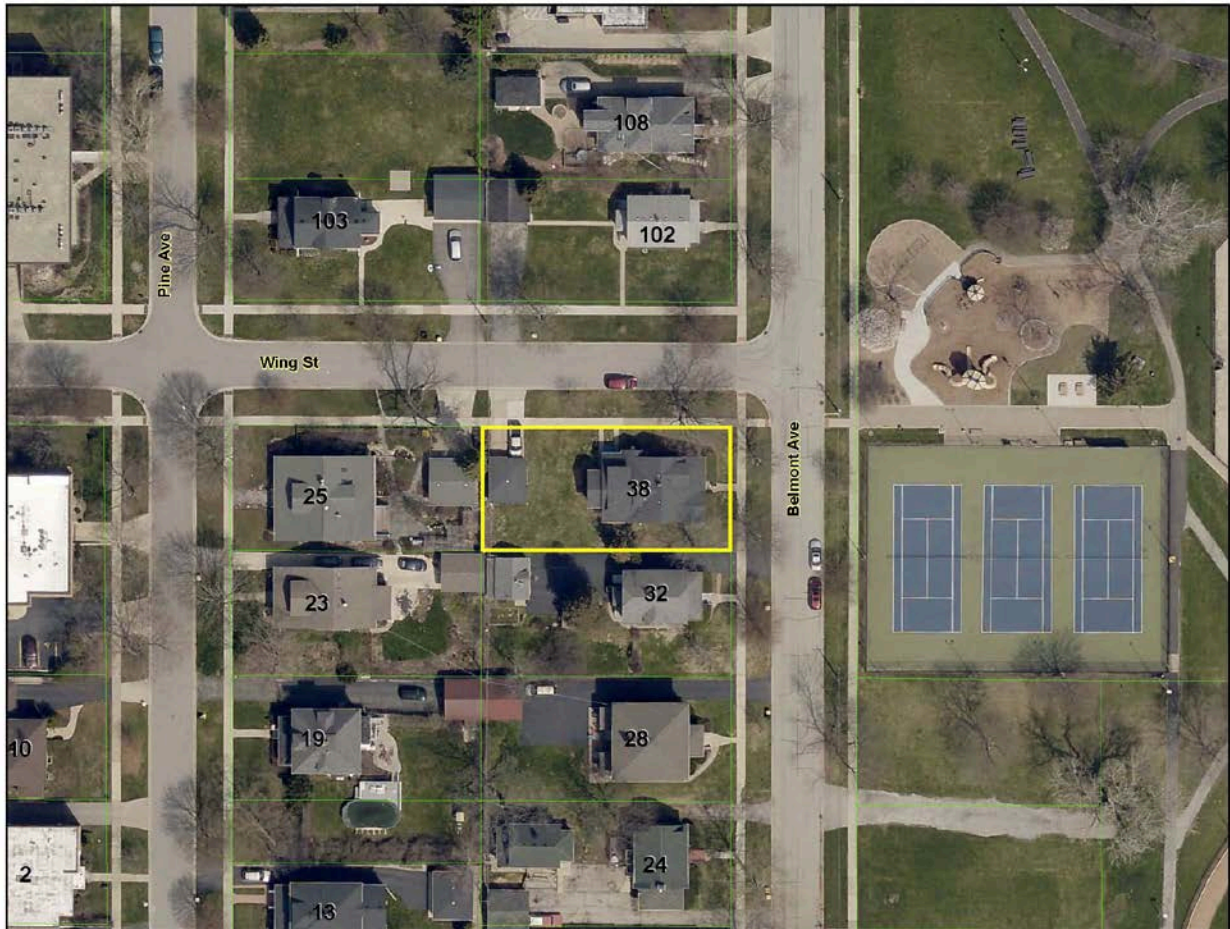
The petitioner is proposing a complete renovation and expansion of an existing two-story house, including an expanded second floor addition and a new two-car detached garage. The subject site is zoned R-4, Two Family Dwelling District. The property has a total land area of 8,712 square feet and the proposed residence with addition will be approximately 3,008 square feet. The proposed deck on the rear of the house encroaches 3.5 feet into the required exterior side setback, and the proposed second floor addition encroaches 2 feet into the required exterior side setback, plus an additional two feet for the roof eave. Therefore, the petitioner requests the following variations:

- A 2.0 foot variation from Chapter 28, Section 5.1-4.2 (Required Minimum Yards) to allow a second story addition with a side yard setback of 18.0 feet instead of the required 20.0 feet, and an additional 2.0 feet for the eave.
- A 3.5 foot variation from Chapter 28, Section 5.1-4.2 (Required Minimum Yards) to allow a deck with a side yard setback of 16.5 feet instead of the required 20.0 feet.

Variation Review Standards

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

Map of General Vicinity



Items required to be Submitted 15 Days Prior to Public Hearing

<u>Item</u>	<u>Provided</u>	<u>Dated</u>	<u>Remarks</u>
1. Notification Affidavit	✓	5/17/19	
2. List of Property Owners Within 250 feet of Subject Property	✓	5/20/19	
3. Letter that was Mailed	✓	5/20/19	
4. Photographs of Sign on Property	✓	5/17/19	

Photographs of Existing Structure





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

Interoffice Memorandum

To: Derek Mach, Zoning Board of Appeals Liaison

From: Deb Pierce, Building & Life Safety Department

Project Name: Perry Residence

Project Address: 38 N Belmont Ave

ZBA #: 19-015

Date: May 29, 2019

Derek:

I have reviewed the following requests for variance:

- A 2.0 foot variance to allow a second story addition with a side yard setback of 18 feet where 20 feet is required, and an additional 2.0 foot for the eave.
- A 3.5 foot variance to allow a deck with a side yard setback of 16.5 feet where 20 feet is required.

I have no objection to the variances.

ZBA# 19-015
38 N Belmont Ave
Rev. Eng: Nanci Julius, P.E.
cc: Mike Pagones, P.E. Village Engineer

Submitted: May 14, 2019
Completed: May 15, 2019

The proposed ZBA application indicates that the petitioner is seeking:

A 2.0 ft variance to allow a second story addition with a side yard setback of 18.0 ft instead of the required 20.0 ft, and an additional 2.0 ft for the eave, and'

A 3.5 ft variance to allow a deck with a side yard setback of 16.5 ft instead of the required 20.0 ft.

NOTE: The existing home is non-conforming, the deck is proposed to extend the existing side yard setback and will slightly increase the non-conformity.

The Engineering Division has NO OBJECTION to the proposed variances.

RECEIVED
MAY 17 2019
PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Perry Residence

Project Address: 38 N. Belmont Avenue

ZBA #: 19-015

ZBA Hearing Date: June 10th, 2019

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

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

From: Derek Mach, Zoning Board of Appeals Liaison

Transmitted On: May 14, 2019

- A 2.0 foot variation from Chapter 28, Section 5.1-4.2 (Required Minimum Yards) to allow a second story addition with a side yard setback of 18.0 feet instead of the required 20.0 feet, and an additional 2.0 feet for the eave.
- A 3.5 foot variation from Chapter 28, Section 5.1-3.2 (Required Minimum Yards) to allow a deck with a side yard setback of 16.5 feet instead of the required 20.0 feet.

Attached are the Petitioner's:

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

Comments: THIS PROJECT RECEIVED DESIGN COMMISSION
APPROVAL ON 4-23-19. SEE ATTACHED MEETING MINUTES.
- STEVE HAUZINGER, DESIGN PLANNER

Please review, comment, and return to me no later than May 28, 2019.

APPROVED

MINUTES OF
THE VILLAGE OF ARLINGTON HEIGHTS
DESIGN COMMISSION MEETING
HELD AT THE ARLINGTON HEIGHTS MUNICIPAL BUILDING
33 S. ARLINGTON HEIGHTS RD.
APRIL 23, 2019

Chair Fitzgerald called the meeting to order at 6:30 p.m.

Members Present: John Fitzgerald, Chair
Kirsten Kingsley
Scott Seyer
Ted Eckhardt
Jonathan Kubow

Members Absent: None

Also Present: Joe Perry, Owner of 38 N. Belmont Ave.
Paul Rogner, ParCraft Ltd. For 38 N. Belmont Ave.
Jim Wells, Urban Street for *The Boulevard*
Doug Wirth & Joe Maschel, BSB Design for *The Boulevard*
Steve Hautzinger, Staff Liaison

REVIEW OF MEETING MINUTES FROM APRIL 9, 2019

A MOTION WAS MADE BY COMMISSIONER ECKHARDT, SECONDED BY COMMISSIONER SEYER, TO APPROVE THE MEETING MINUTES OF APRIL 9, 2019. ALL WERE IN FAVOR. MOTION CARRIED.

SINGLE-FAMILY ADDITION REVIEW

DC#19-029 – 38 N. Belmont Ave.

Paul Rogner, representing *ParCraft Ltd*, and Joe Perry, the homeowner, were present on behalf of the project.

Mr. Hautzinger presented Staff comments. The petitioner is proposing a complete renovation and expansion of an existing two-story house, including an expanded second floor addition and a new two-car detached garage. The proposed deck on the rear of the house encroaches 3.5 feet into the required exterior side setback, and the proposed second floor addition encroaches 2 feet into the required exterior side setback, plus an additional two feet for the roof eave. The design will either need to be revised to comply with code, or variations requested from the Zoning Board of Appeals. The project does comply with all other R-4 zoning requirements.

The existing home was included in a Community Preservation Report which was prepared by the School of the Art Institute of Chicago in 2004. The report was prepared in an effort to raise community awareness and promote the preservation of the historic character of certain neighborhoods in Arlington Heights, such as the subject "Rec Park" neighborhood. Homes in the report are rated in order of importance as "Exceptional", "Notable", or "Contributing". The subject house is rated as "Notable".

Given the historical significance of the existing house and neighborhood, it is great to see that the house is being preserved and thoughtfully expanded, while maintaining its historical charm and character. Overall, the proposed remodel is very nicely designed with very nice materials and colors. There is just one concern with the proposed design which is that the proposed two-story stairwell addition on the front of the house has a modern aesthetic that looks out of place with the bungalow style home and should be evaluated by the Design Commission. Plans were not provided for the detached garage, but it is recommended that it be a requirement to match the style, character, and materials of the house.

Mr. Rogner said the design of the stairwell on the front of the home was an attempt to do something a little different, somewhat of a 'glass box' with a u-shaped stair within it, and the shed roof was chosen because it was consistent with the two shed roofs on the back of the home, and it works with the staircase that goes down and approaches the front of the home, turning and continuing down to the first-floor. Mr. Rogner presented an alternate design of the stairwell elevation that shows the roof lowered about 1-1/2-feet and the overall scale of the windows decreased.

Chair Fitzgerald asked if there was any public comment on the project and there was no response from the audience.

Commissioner Kubow said it was a great design. He liked the original design over the alternate design, and agreed with Staff's requirement that the new detached garage match the style, character, and materials of the home. He pointed out the different styles of architecture in the neighborhood, and he felt this home did not have to look like a Bungalow. He said that the proposed design took from what is happening around it and was very well done. He applauded the petitioner for not tearing down the home and building something new. Commissioner Kubow was in favor of the design as submitted.

Commissioner Seyer agreed with Commissioner Kubow's comments and felt the design was a nice modern interpretation of a Bungalow; he liked it for its aesthetics. He also reiterated Staff's requirement that the new detached garage should match the style, character, and materials of the home. He was indifferent to the alternate stairwell design that felt larger, even though the roofline was lowered. For this reason, he preferred the original design. He felt that the alternate design was a little tight at the roofline and could benefit from adding some breathing space around the corner where it appears to be pinching with the slope of the roof. He also was not against the idea of a larger, more modern type of window in that area. Commissioner Seyer liked the proposed design and he applauded the petitioner's efforts to keep the existing home and make it better.

Commissioner Kingsley agreed that it was nice to see the existing home remain and be improved, and also agreed with the comments about the new garage. She preferred the alternate design because it looked a little more modern, which she felt should be set off, and she acknowledged Commissioner Seyer's comment that the alternate design seems a little tight where the window head meets the roof. She also felt that the top 3 windows on the front elevation of the original design seem to be competing with the windows in the dormer, and she liked that the windows were lowered and are not competing in the alternate design. Commissioner Kingsley also commented about sun and heat on the front windows and the importance of finding the right window treatments.

Commissioner Eckhardt agreed with the concerns about sun and heat on the front windows, and pointed out that the original design had muntin space between the windows that could accommodate window coverings. He preferred the original design over the alternate because it was more in keeping with the rest of the home, and he suggested the homeowner invest in electric mecho shades for the front windows. Commissioner Eckhart had no other comments and said the home was well designed.

Chair Fitzgerald liked the original design that was submitted and had no concerns with the tower of windows or the stairwell element on the front of the home. However, after seeing the alternate design presented tonight, he liked it better than the original design, although he was okay with either option. He liked the comment made by Commissioner Kingsley that the top 3 windows on the front elevation do not compete with the dormer windows on the alternate design, which he felt looked cleaner and almost like the rest of the home had always been that way and a modern element was added to the front without trying to match it too well. Chair Fitzgerald also asked why the panels were brought up to the top of the railing on the right side elevation in front of the side door, and he suggested adding taller shrubs there to help soften the area. Mr. Rogner explained that the half wall currently exists, and they were trying to give privacy to the side entrance. Chair Fitzgerald also commented that he liked the deck and 2 stairways on the back of the home, but suggested eliminating one of the stairways to allow for more space in the small yard.

Commissioner Kingsley asked for clarification that the corners would be mitered and there would be no corner boards, as shown in the drawings and renderings, and Mr. Rogner agreed.

A MOTION WAS MADE BY COMMISSIONER ECKHARDT, SECONDED BY COMMISSIONER KUBOW, TO APPROVE THE PROPOSED ARCHITECTURAL DESIGN FOR THE ADDITION TO THE EXISTING SINGLE-FAMILY HOME LOCATED AT 38 N. BELMONT AVENUE. THIS APPROVAL IS SUBJECT TO COMPLIANCE WITH THE ARCHITECTURAL PLANS DATED 3/15/19 AND RECEIVED 3/25/19, DESIGN COMMISSION RECOMMENDATIONS, COMPLIANCE WITH ALL APPLICABLE FEDERAL, STATE, AND VILLAGE CODES, REGULATIONS, AND POLICIES, THE ISSUANCE OF ALL REQUIRED PERMITS, AND THE FOLLOWING:

1. A REQUIREMENT THAT THE DESIGN OF THE NEW DETACHED GARAGE MATCH THE STYLE, CHARACTER, AND MATERIALS OF THE HOME, TO BE REVIEWED BY STAFF.
2. A RECOMMENDATION TO CHOOSE EITHER OPTION FOR THE TWO-STORY STAIRWELL ADDITION ON THE FRONT OF THE HOME.
3. A RECOMMENDATION TO CONSIDER ELIMINATING ONE OF THE TWO STAIRWAYS ON THE DECK ON THE BACK OF THE HOME.
4. THIS REVIEW DEALS WITH ARCHITECTURAL DESIGN ONLY AND SHOULD NOT BE CONSTRUED TO BE AN APPROVAL OF, OR TO HAVE ANY OTHER IMPACT ON, NOR REPRESENT ANY TACIT APPROVAL OR SUPPORT FOR THE PROPOSED LAND USE OR ANY OTHER ZONING AND/OR LAND USE ISSUES OR DECISIONS THAT STEM FROM ZONING, BUILDING, SIGNAGE OR ANY OTHER REVIEWS. IN ADDITION TO THE NORMAL TECHNICAL REVIEW, PERMIT DRAWINGS WILL BE REVIEWED FOR CONSISTENCY WITH THE DESIGN COMMISSION AND ANY OTHER COMMISSION OR BOARD APPROVAL CONDITIONS. IT IS THE PETITIONER'S RESPONSIBILITY TO INCORPORATE ALL REQUIREMENTS LISTED ON THE CERTIFICATE OF APPROPRIATENESS INTO THE PERMIT DRAWINGS, AND TO ENSURE THAT BUILDING PERMIT PLANS AND SIGN PERMIT PLANS COMPLY WITH ALL ZONING CODE, BUILDING CODE AND SIGN CODE REQUIREMENTS.

KINGSLEY, AYE; ECKHARDT, AYE; SEYER, AYE; KUBOW, AYE; FITZGERALD, AYE.
ALL WERE IN FAVOR. MOTION CARRIED.

PETITION

NOW COMES the Petitioner Joseph Perry being the owner of the property commonly known as 38 N. Belmont Ave., Arlington Heights, IL and appeals to the Zoning Board of Appeals of the Village of Arlington Heights for a Variation from Section 5.1-4.2 , Chapter 28, of the Arlington Heights Municipal Code, in order to: adjust the minimum exterior side yard setback required by 3'-6" from 20'-0" to 16'-6".

I hereby state that the following hardship would exist if the variation were not granted: We would not be able to build adequately sized bedrooms on the second floor. We are pursuing this remodel so as to create an upgraded 4 bedroom home. This is about the size of homes in this area and which are currently being built in the neighborhood. The bedrooms are modestly sized and are close to the minimum square footages required by local code. Without the variance we would not be able to create the bedrooms needed for our use.

I hereby state that the following unique circumstances exist: The zoning for this home is R-4 and the zoning regulations were essentially created largely for multi-family homes. The properties around and including this residence are actually single family homes. The home as it was built originally is now currently in violation of the setback requirement.

We hereby state that the variation, if granted, will not alter the essential character of the locality because: We have essentially designed the second floor as an extension of the already existing first floor exterior setback. This home has had this existing setback for almost 100 years. We are not asking for any more than that which already exists for this home. The design was created to blend in with the craftsman aesthetic we are reviving on this home. The design has been approved by the design commission through a design commission hearing in April.

Signed:  _____ Date: 5/1/19



PLAT OF SURVEY

THE NORTH HALF OF LOT 2 AND THE NORTH HALF OF LOT 3 IN BLOCK 5 IN GEORGE W. DUNTON'S ADDITION TO ARLINGTON HEIGHTS NO. 2 IN THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Legend:

- Set 1/2" Iron Pipe
- Found Iron Pipe
- X-Found Cross
- UTILITY POLE
- © CLEANOUT

Surveyor Notes:

- Field Work Completed on 7-2-18
- Prepared for Joe Perry.
- Site Address: 38 N. Belmont Avenue, Arlington Heights, IL 60004
- Pin No.: 03-29-345-009
- The easements shown hereon are provided from the use of the recorded subdivision plat. No search of the records for easements or encumbrances was made as part of this survey.
- Compare deed description and site conditions with the data given on this plat and report any discrepancies to the surveyor at once.
- Auto Cad Files will not be released under this contract.
- No boundary corners were set at time of field survey of the subject property by client agreement.
- This plat was prepared without the aid of a title commitment. Refer to a current title commitment for any building lines or easements not shown on this plat.
- The utilities as shown on this drawing were developed from the information available. This is not implied nor intended to be the complete inventory of utilities in this area. It is the clients responsibility to verify the location of all utilities (whether shown or not) and protect said utilities from any damage.
- All building dimensions and ties are to the current siding material and not to the foundation.

State of Illinois)
County of Lake)

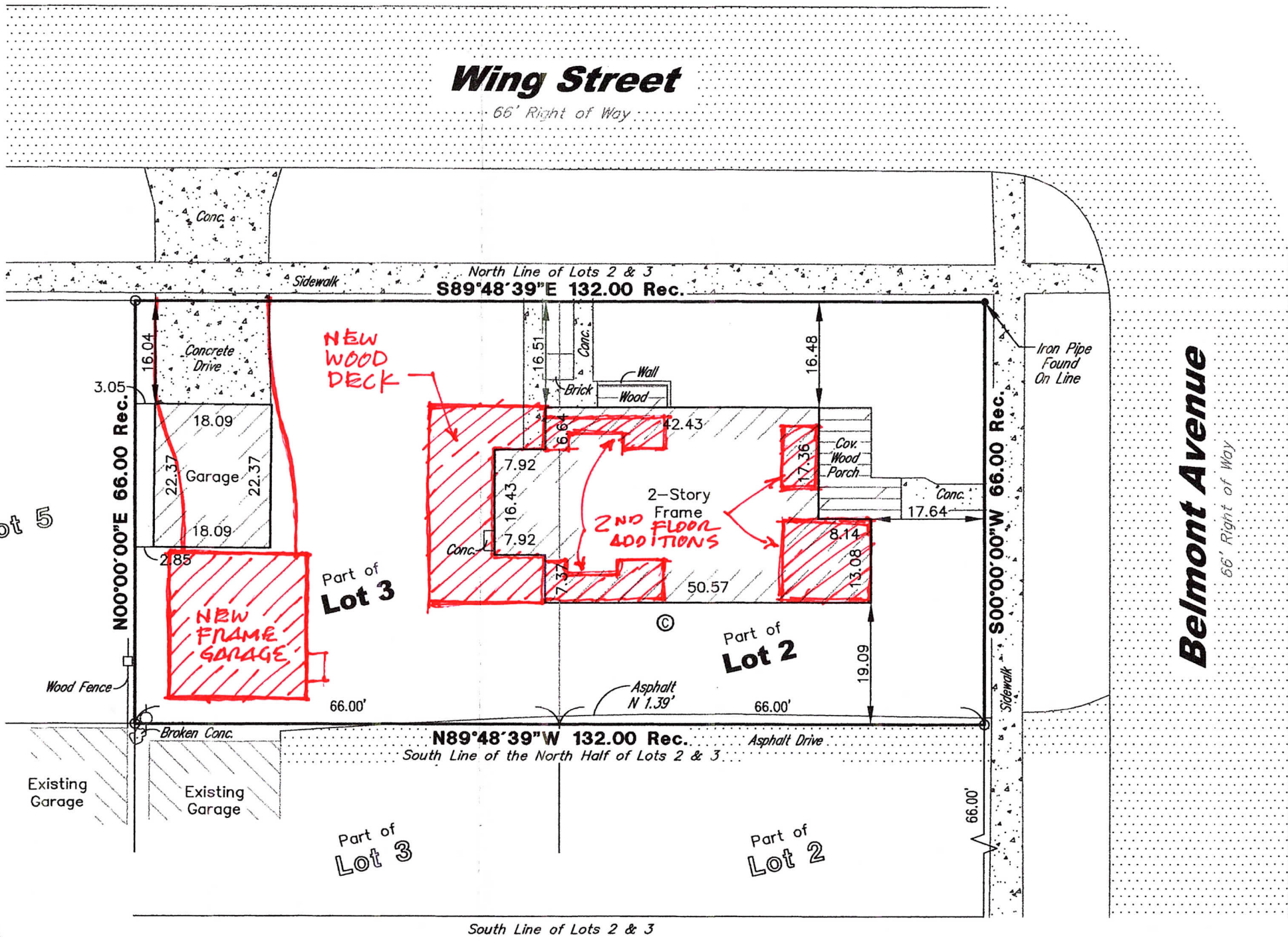
We, Land Surveying Services, Inc. do hereby state that we have surveyed the above described property and that this is the Plat that represents the conditions found on the time of said survey.

Given under my hand and seal this 6th day of July, A.D. 2018 in Lake Zurich, Illinois.

Gloria Jean Koter, an Agent for Land Surveying Services, Inc.

Illinois Professional Land Surveyor Number 3373
License Expiration Date 11-30-18

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

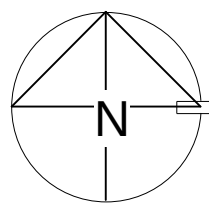
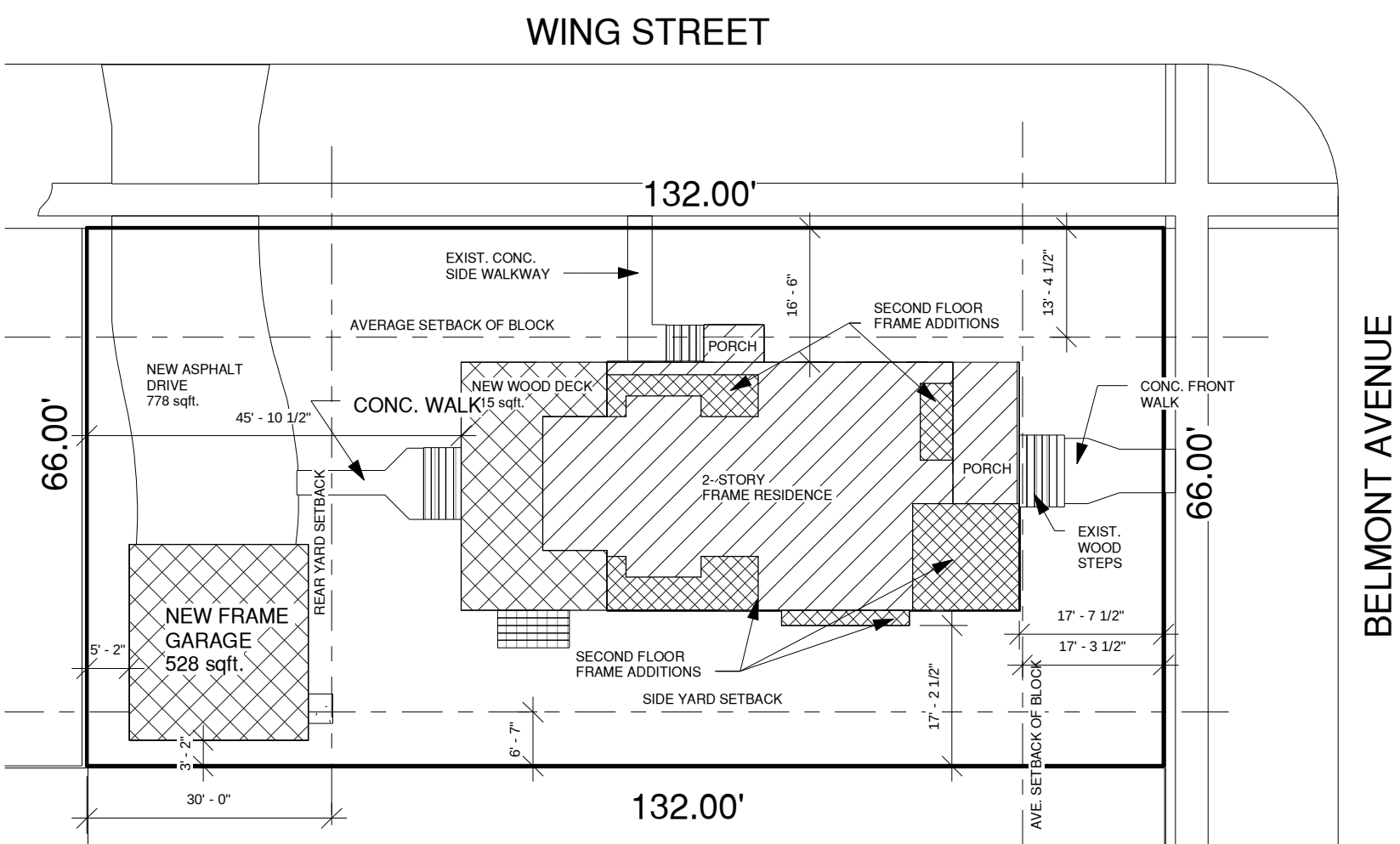


Drawn By:	EB	Checked By:	GJK
Drawing Revisions			
REVISION		Date	Drawn
			Checked

Field Work Completed:		7-2-18
Scale:	1" = 20'	Date: 7-5-18
Site Address:		
38 N. Belmont Avenue		
Arlington Heights, Illinois		

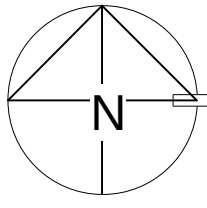
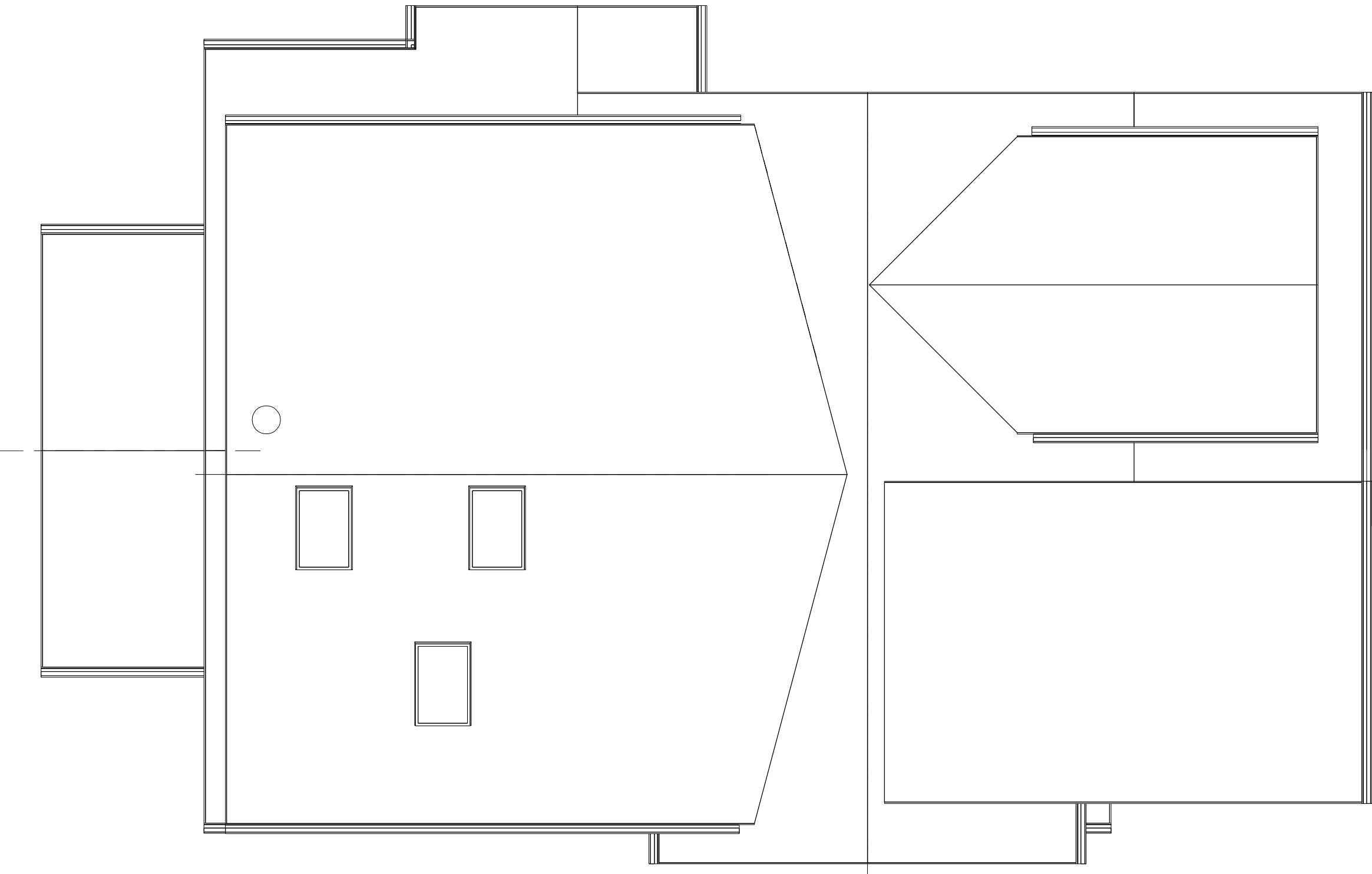
Land Surveying Services, Inc.
1182 Heather Drive
Lake Zurich, Illinois 60047
Ph. (847)847-1079 Fax. (847)847-1279
Professional Design Firm License No. 184-003632

Job Number	LS180633
Sheet Name	PLAT OF SURVEY
Sheet Number	SURVEY



SITE PLAN

SCALE: 1" = 20'-0"



ROOF PLAN

SCALE: 3/16" 1'-0"



ARCHITECTS

BUILDERS

REMODELERS

825 East Rand Road, Suite 230
Arlington Heights, IL 60004
Phone: (847) 394-4131
Fax: (847) 394-4132
www.parcraft.com

Illinois Design Firm Registration:
184.007356

RESIDENTIAL
REMODEL &
ADDITION FOR:

JOE PERRY

38 N. BELMONT AVE.
ARLINGTON HEIGHTS, IL

ISSUE	DATE
PRELIMINARY	8/13/18
DESIGN DEV.	2/14/19
DESIGN COMM.	3/15/19
BID SET	
PERMIT SET	

DRAWN BY: ES

CHECKED BY: PAR

SIGNATURE.:
DATE:
EXPIRES.: 11/30/20

JOB NO.: PERRY

SHEET:

A1

OF:



ARCHITECTS

BUILDERS

REMODELERS

825 East Rand Road, Suite 230
Arlington Heights, IL 60004
Phone: (847) 394-4131
Fax: (847) 394-4132
www.parcraft.com

Illinois Design Firm Registration:
184.007356

**RESIDENTIAL
REMODEL &
ADDITION FOR:**

JOE PERRY

38 N. BELMONT AVE.
ARLINGTON HEIGHTS, IL

ISSUE	DATE
PRELIMINARY	8/13/18
DESIGN DEV.	2/14/19
DESIGN COMM.	3/15/19
BID SET	
PERMIT SET	

DRAWN BY: ES
CHECKED BY: PAR

SIGNATURE: _____
DATE: _____
EXPIRES: 11/30/20

JOB NO.: PERRY

SHEET:

D1

OF:



EAST ELEVATION - existing

SCALE: 3/16" = 1'-0"



NORTH ELEVATION - existing

SCALE: 3/16" = 1'-0"



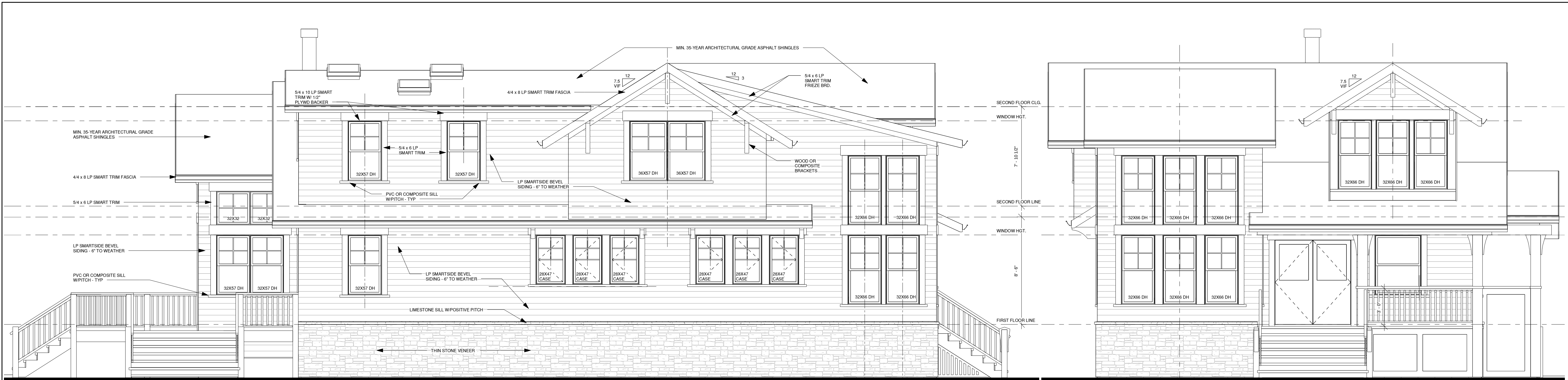
SOUTH ELEVATION - existing

SCALE: 3/16" = 1'-0"



WEST ELEVATION - existing

SCALE: 3/16" = 1'-0"



LEFT SIDE ELEVATION - south

SCALE: 1/4" 1'-0"

FRONT ELEVATION - east

SCALE: 1/4" 1'-0"

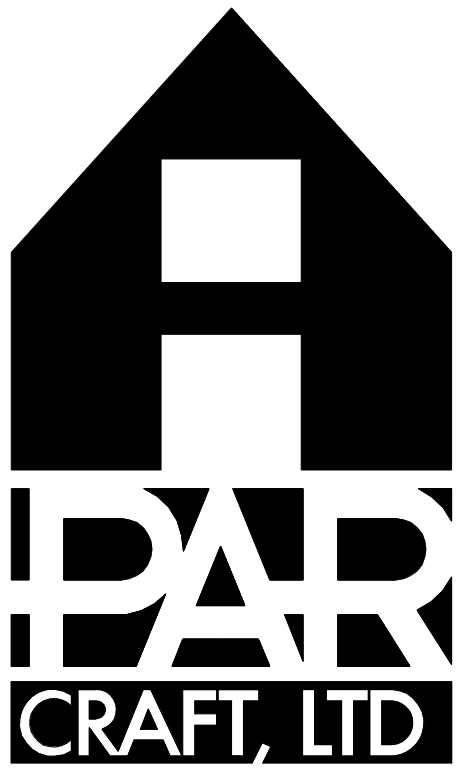


RIGHT SIDE ELEVATION - north

SCALE: 1/4" 1'-0"

REAR ELEVATION - west

SCALE: 1/4" 1'-0"



ARCHITECTS

BUILDERS

REMODELERS

825 East Rand Road, Suite 230
Arlington Heights, IL 60004
Phone: (847) 394-4131
Fax: (847) 394-4132

www.parcraft.com

Illinois Design Firm Registration:
184.007356

**RESIDENTIAL
REMODEL &
ADDITION FOR:**

JOE PERRY

38 N. BELMONT AVE.
ARLINGTON HEIGHTS, IL

ISSUE	DATE
PRELIMINARY	8/13/18
DESIGN DEV.	2/14/19
DESIGN COMM.	3/15/19
BID SET	
PERMIT SET	

DRAWN BY: ES

CHECKED BY: PAR

SIGNATURE:
DATE:
EXPIRES: 11/30/20

JOB NO.: PERRY

SHEET:

A2

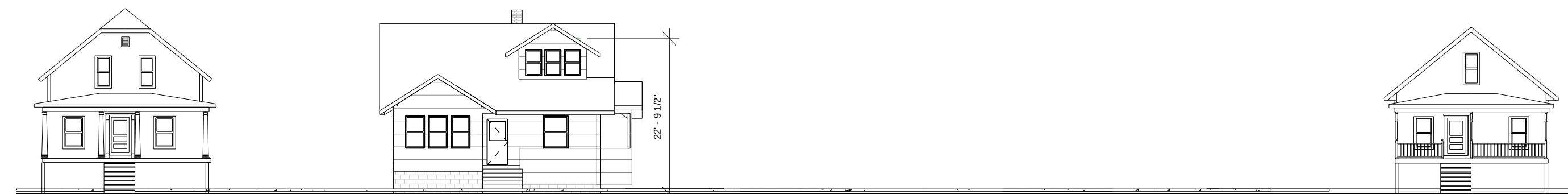
OF:



SOUTHEAST PERSPECTIVE VIEW



NORTHEAST PERSPECTIVE VIEW



CONTEXT ELEVATION - existing

SCALE:1/16" 1'-0"



CONTEXT ELEVATION - proposed

SCALE:1/16" 1'-0"



CONTEXT ELEVATION - proposed

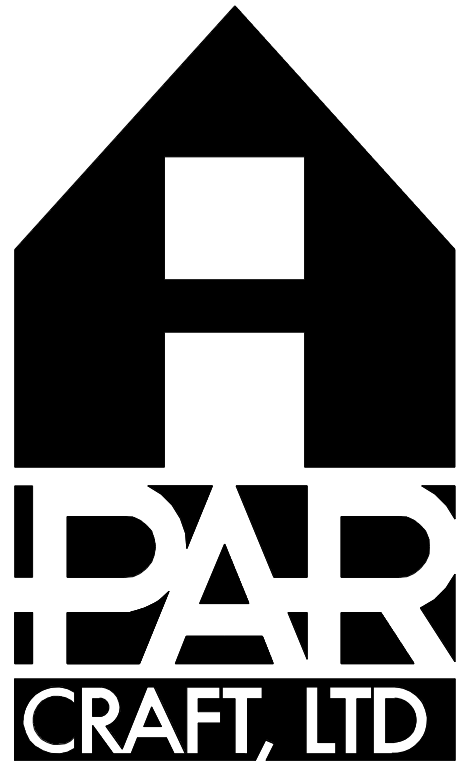
SCALE:1/8" 1'-0"



NORTHWEST PERSPECTIVE VIEW



SOUTHWEST PERSPECTIVE VIEW



ARCHITECTS

BUILDERS

REMODELERS

825 East Rand Road, Suite 230
Arlington Heights, IL 60004
Phone: (847) 394-4131
Fax: (847) 394-4132
www.parcraft.com

Illinois Design Firm Registration:
184.007356

**RESIDENTIAL
REMODEL &
ADDITION FOR:**

JOE PERRY

38 N. BELMONT AVE.
ARLINGTON HEIGHTS, IL

ISSUE	DATE
PRELIMINARY	8/13/18
DESIGN DEV.	2/14/19
DESIGN COMM.	3/15/19
BID SET	
PERMIT SET	

DRAWN BY: ES
CHECKED BY: PAR

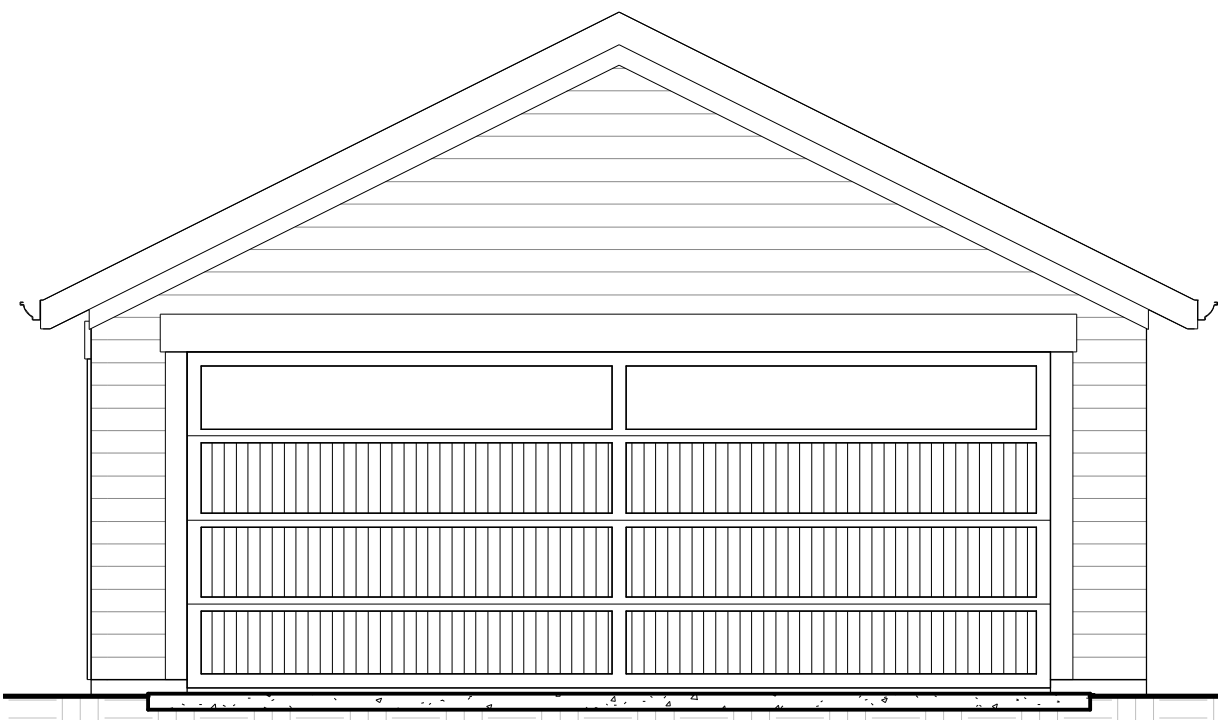
SIGNATURE:_____
DATE:_____
EXPIRES: 11/30/20

JOB NO.: PERRY

SHEET:

A3

OF:



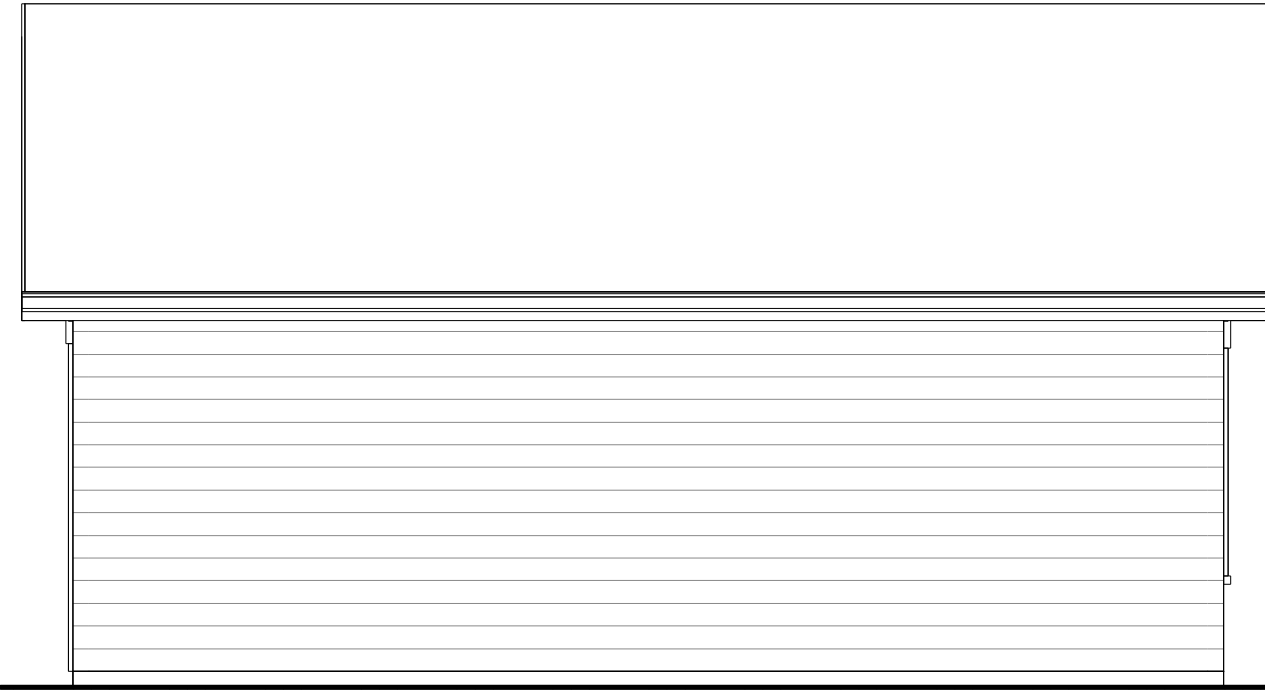
NORTH ELEVATION

SCALE: 1/4" = 1'-0"



EAST ELEVATION

SCALE: 1/4" = 1'-0"



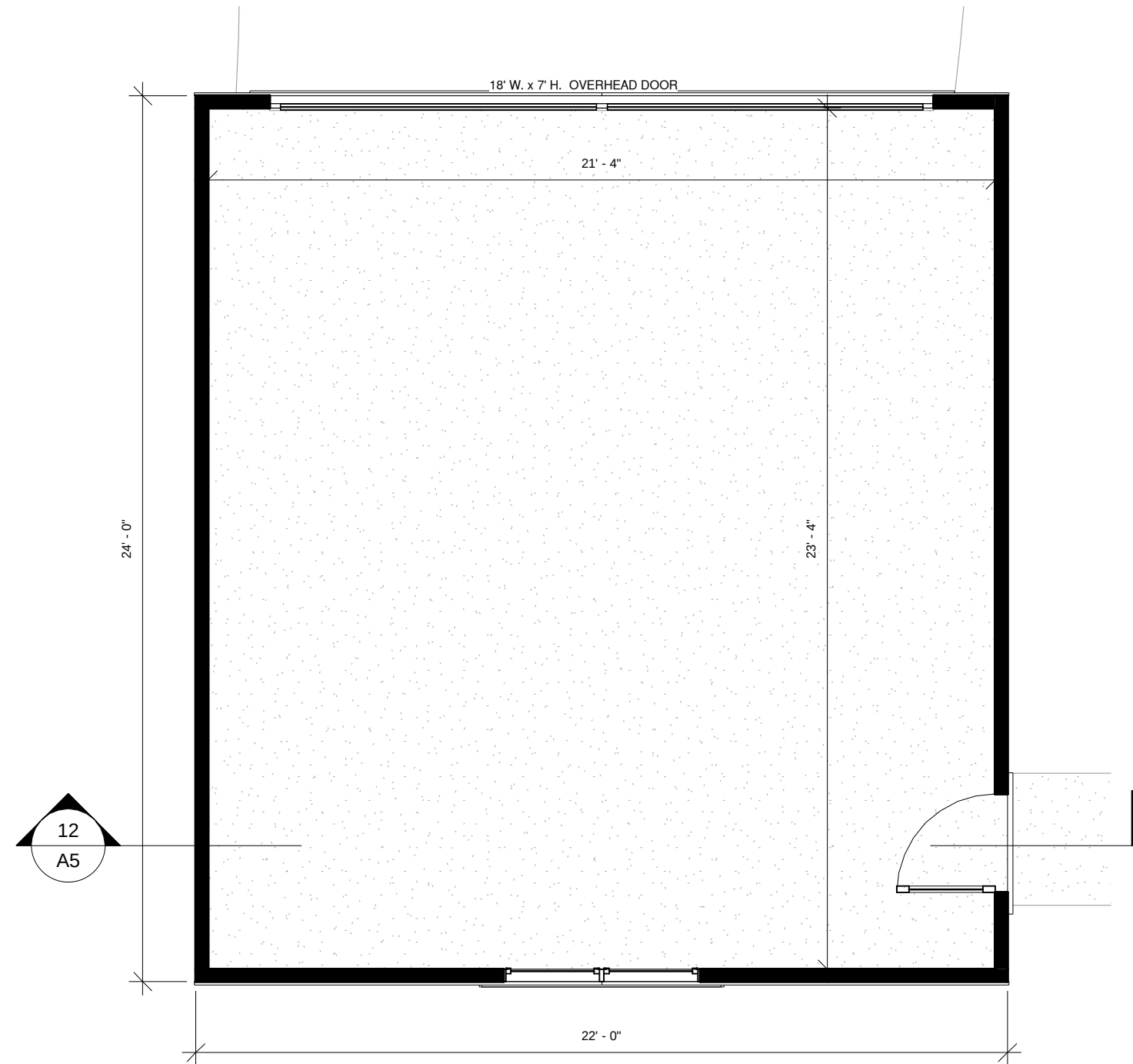
WEST ELEVATION

SCALE: 1/4" = 1'-0"



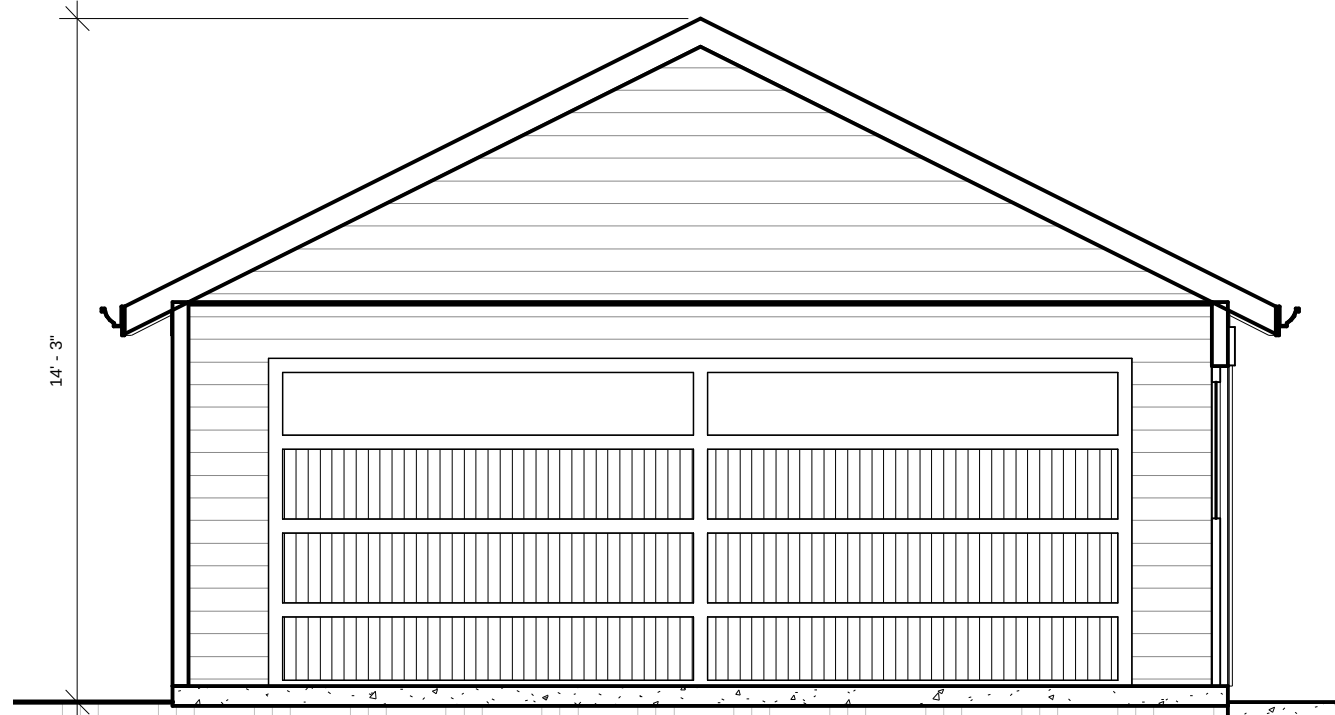
SOUTH ELEVATION

SCALE: 1/4" = 1'-0"



GARAGE FLOOR PLAN

SCALE: 1/4" = 1'-0"



BUILDING SECTION

SCALE: 1/4" = 1'-0"



ARCHITECTS

BUILDERS

REMODELERS

825 East Rand Road, Suite 230
Arlington Heights, IL 60004
Phone: (847) 394-4131
Fax: (847) 394-4132
www.parcraft.com
Illinois Design Firm Registration:
184.007356

RESIDENTIAL
REMODEL &
ADDITION FOR:

JOE PERRY

38 N. BELMONT AVE.
ARLINGTON HEIGHTS, IL

ISSUE	DATE
PRELIMINARY	8/13/18
DESIGN DEV.	2/14/19
BID SET	
PERMIT SET	

DRAWN BY: ES
CHECKED BY: PAR

SIGNATURE: _____
DATE: _____
EXPIRES: 11/30/20

JOB NO.: PERRY

SHEET:

A5

OF:



**Zoning Board of Appeals
6/10/2019**

Item: 102 N. Belmont Ave. - ZBA#19-016

Department: Planning & Community Development

REQUEST

A 1.8 foot variation from Chapter 28, Section 5.1-3.2 (Required Minimum Yards) to allow a new home with a front yard setback of 20.0 feet instead of the required 21.8 feet, and an additional 1.0 feet for the eave.

ATTACHMENTS:

Description

Supporting Documents

Type

Exhibits

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: June 10, 2019
Date Prepared: June 3, 2019
Project Title: Petricca Residence
Address: 102 N. Belmont Ave.

Background Information

Petition Number: ZBA #19-016
Petitioner: Paul Petricca
Address: 204 N. Haddow Ave.
Arlington Heights, IL 60004

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

Requested Action/Background Information

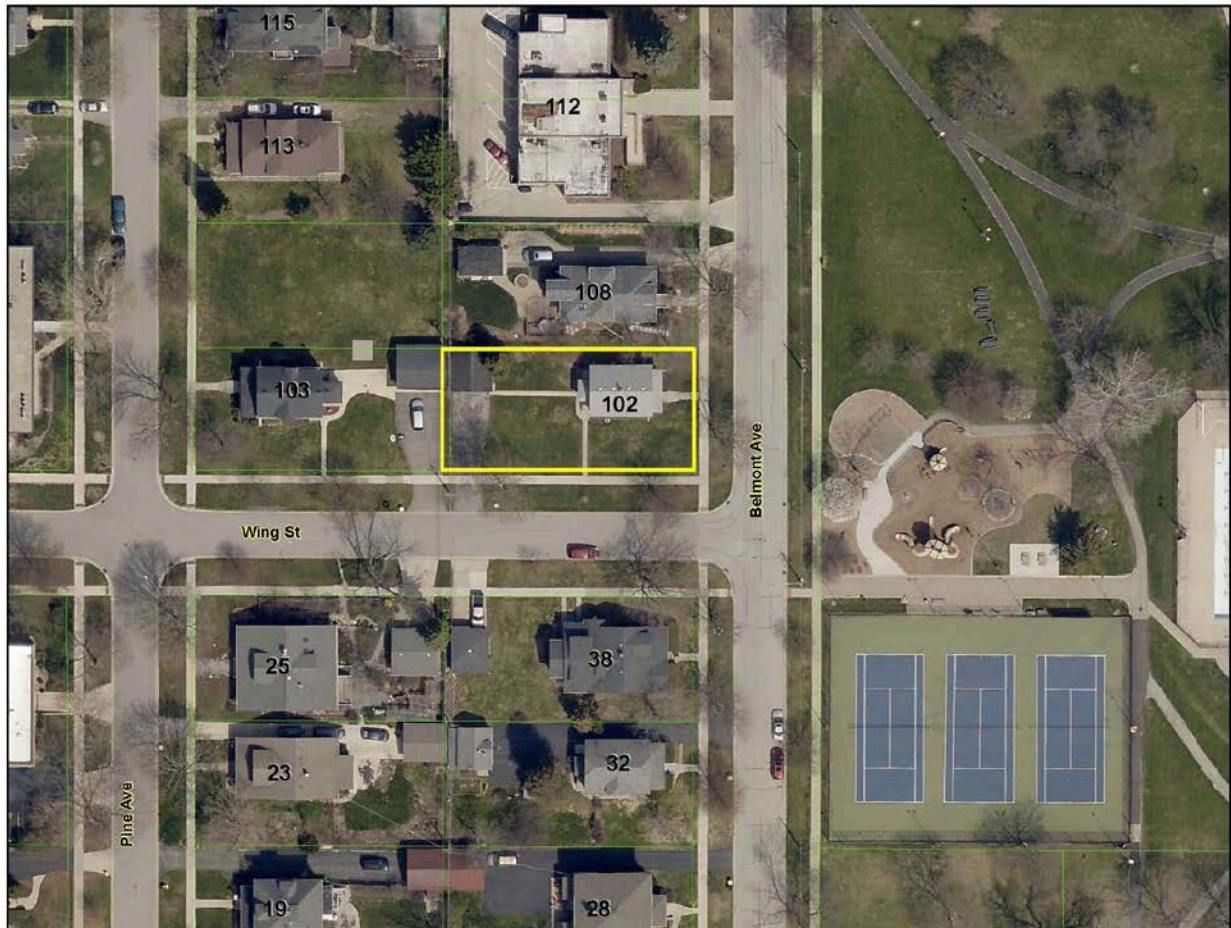
The petitioner is proposing to demolish an existing one-and-a-half story residence to allow construction of a new two-story residence. The existing detached two-car garage will remain. The subject site is zoned R-3, One Family Dwelling District. The property has a total land area of 8,712 square feet and the proposed residence will have approximately 2,912 square feet. This project requires approval from the Zoning Board of Appeals to allow a 20.0 foot front yard setback, where 21.8 feet minimum is required. Therefore, the petitioner requests the following variation:

- A 1.8 foot variation from Chapter 28, Section 5.1-3.2 (Required Minimum Yards) to allow a new home with a front yard setback of 20.0 feet instead of the required 21.8 feet, and an additional 1.0 feet for the eave.

Variation Review Standards

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

Map of General Vicinity



Items required to be Submitted 15 Days Prior to Public Hearing

<u>Item</u>	<u>Provided</u>	<u>Dated</u>	<u>Remarks</u>
1. Notification Affidavit	✓	5/21/19	
2. List of Property Owners Within 250 feet of Subject Property	✓	5/21/19	
3. Letter that was Mailed	✓	5/21/19	
4. Photographs of Sign on Property	✓	5/21/19	

Photographs of Existing Structure





Village of Arlington Heights Building & Life Safety Department

Interoffice Memorandum

To: Derek Mach, Zoning Board of Appeals Liaison

From: Deb Pierce, Building & Life Safety Department

Project Name: Petricca Residence

Project Address: 102 N Belmont Ave

ZBA #: 19-016

Date: May 29, 2019

Derek:

I have reviewed the following request for variance:

- A 1.8 foot variance to allow a new home with a front yard setback of 20.0 feet instead of the required 21.8 feet, and an additional 1.0 foot for the eave.

I have no objection to the variance.

ZBA# 19-016
102 N Belmont Ave
Rev. Eng: Nanci Julius, P.E.
cc: Mike Pagones, P.E. Village Engineer

Submitted: May 14, 2019
Completed: May 15, 2019

The proposed ZBA application indicates that the petitioner is seeking:

A 1.8 ft variation to allow a new home with a front yard setback of 20.0 ft instead of the required 21.8 ft, and an additional 1.0 ft for the eave.

NOTE: The existing home is non-conforming, the new SFR will slightly increase the non-conformity.

The Engineering Division has NO OBJECTION to the proposed variance.

RECEIVED

MAY 17 2019

**PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT**

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Petricca Residence

Project Address: 102 N. Belmont Avenue

ZBA #: 19-016

ZBA Hearing Date: June 10th, 2019

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

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

From: Derek Mach, Zoning Board of Appeals Liaison

Transmitted On: May 14, 2019

- A 1.8 foot variation from Chapter 28, Section 5.1-3.2 (Required Minimum Yards) to allow a new home with a front yard setback of 20.0 feet instead of the required 21.8 feet, and an additional 1.0 feet for the eave.

Attached are the Petitioner's:

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

Comments: THIS PROJECT RECEIVED DESIGN COMMISSION APPROVAL
ON 4-9-19. PER ATTACHED MEETING MINUTES
- STEVE HAUZINGER, DESIGN PLANNER

Please review, comment, and return to me no later than May 28, 2019.

APPROVED

**MINUTES OF
THE VILLAGE OF ARLINGTON HEIGHTS
DESIGN COMMISSION MEETING
HELD AT THE ARLINGTON HEIGHTS MUNICIPAL BUILDING
33 S. ARLINGTON HEIGHTS RD.
APRIL 9, 2019**

Chair Fitzgerald called the meeting to order at 6:30 p.m.

Members Present: John Fitzgerald, Chair
Kirsten Kingsley
Scott Seyer

Members Absent: Ted Eckhardt
Jonathan Kubow

Also Present: Patrick Schreck, Owner of 102 N. Belmont Ave.
John Bush, Owner of 1833 N. Chestnut Ave.
Carole Wisniewski, JRC Design Build for 1833 N. Chestnut Ave.
Vince & Cathleen Deligio, Mastercraft Builders for 507 S. Walnut Ave.
Kyle McLean, Owner of 507 S. Walnut Ave.
Steve Hautzinger, Staff Liaison

REVIEW OF MEETING MINUTES FROM MARCH 12, 2019

A MOTION WAS MADE BY COMMISSIONER SEYER, SECONDED BY COMMISSIONER KINGSLEY, TO APPROVE THE MEETING MINUTES OF MARCH 12, 2019. ALL WERE IN FAVOR. MOTION CARRIED.

Commissioner Fitzgerald said that a positive vote from all 3 commissioners here tonight is necessary for approval of a project, otherwise options can be reviewed.

SINGLE-FAMILY TEARDOWN REVIEWDC#19-025(H) – 102 N. Belmont Ave.

Patrick Schreck, the homeowner, was present on behalf of the project.

Mr. Hautzinger presented Staff comments. The petitioner is proposing to demolish an existing one-and-a-half story residence to allow construction of a new two-story residence. The existing detached two-car garage will remain. This project requires approval from the Zoning Board of Appeals to allow a 19'-11 ½" front setback, where 21'-10" minimum is required. The project does comply with all other R-3 zoning requirements.

The existing home (proposed to be demolished) was included in a Community Preservation Report which was prepared by the School of the Art Institute of Chicago in 2004. The report was prepared in an effort to raise community awareness and promote the preservation of the historic character of certain neighborhoods in Arlington Heights, such as the subject "Rec Park" neighborhood. Homes in the report are rated in order of importance as "Exceptional", "Notable", or "Contributing". The subject house is rated as "Contributing".

Staff feels that the proposed new house is an ideal design to fit in the context of this existing historic neighborhood. The one-and-a-half story massing, raised first floor, and traditional detailing on all sides of the house give the design a wonderful authentic appearance. Staff recommends approval of the design of the proposed new home.

The petitioner had no comments at this time.

Chair Fitzgerald asked if there was any public comment on the project and there was no response from the audience.

Commissioner Kingsley said the proposed design was very nice and she agreed with Staff that it is a perfect solution for this site. She also appreciated that there are no side yard setbacks. Because the existing home is rated 'Contributing' in the Community Preservation Report, she suggested the petitioner take pictures of the home to give to the Arlington Heights Historical Society for record keeping purposes. Commissioner Kingsley loved the classic historic step of the stucco over the base, the trim around the windows, and the front porch; there are so many things that are great about the proposed design. She suggested adding a little square window at the front porch to the left of the entrance, and felt the columns at the front porch should not be fluted. She said the windows were great and she liked that the muntins go all around the home. She asked if the muntins would be true muntins or simulated divided, and the petitioner said they would be simulated divided, which Commissioner Kingsley liked. Commissioner Kingsley also suggested adding another window in the mudroom facing south, in between the bench and the exterior wall; reducing the divisions in the French door on the rear elevation so the rectangle is tall versus wide and more appropriate to the windows in the home; consider a larger window in the back door so half the door is glass; and reduce the size of the louver in the gable, although the height is okay as shown.

Commissioner Seyer agreed that the proposed design fits in well with the context and is a great design, and he loved the walk-up elevation to the front entry. He asked for clarification of the base masonry material for the columns that support the rear portico, and the petitioner said the material has not been finalized. Commissioner Seyer suggested the petitioner give some thought to what that material should be. He also agreed with Commissioner Kingsley's comment about the louver in the gable being too large, although it appears smaller in the elevations than in the renderings. Commissioner Seyer also asked about the location of the natural wood trim shown on the sample board, and Mr. Hautzinger clarified that the natural wood shown on the sample board represents the trim material being used, but it will be painted white. Commissioner Seyer was okay with the trim being painted white, and had no further comments.

Chair Fitzgerald agreed with all the comments made and felt it was a very nicely designed home.

A MOTION WAS MADE BY COMMISSIONER KINGSLEY, SECONDED BY COMMISSIONER SEYER, TO APPROVE THE PROPOSED ARCHITECTURAL DESIGN FOR THE NEW SINGLE-FAMILY HOME TO BE LOCATED AT 102 N. BELMONT AVENUE, AS SUBMITTED. THIS APPROVAL IS SUBJECT TO COMPLIANCE WITH THE ARCHITECTURAL PLANS DATED 2/27/19 AND RECEIVED 3/04/19, DESIGN COMMISSION RECOMMENDATIONS, COMPLIANCE WITH ALL APPLICABLE FEDERAL, STATE, AND VILLAGE CODES, REGULATIONS, AND POLICIES, THE ISSUANCE OF ALL REQUIRED PERMITS, AND THE FOLLOWING:

1. THIS REVIEW DEALS WITH ARCHITECTURAL DESIGN ONLY AND SHOULD NOT BE CONSTRUED TO BE AN APPROVAL OF, OR TO HAVE ANY OTHER IMPACT ON, NOR REPRESENT ANY TACIT APPROVAL OR SUPPORT FOR THE PROPOSED LAND USE OR ANY OTHER ZONING AND/OR LAND USE ISSUES OR DECISIONS THAT STEM FROM ZONING, BUILDING, SIGNAGE OR ANY OTHER REVIEWS. IN ADDITION TO THE NORMAL TECHNICAL REVIEW, PERMIT DRAWINGS WILL BE REVIEWED FOR CONSISTENCY WITH THE DESIGN COMMISSION AND ANY OTHER COMMISSION OR BOARD APPROVAL CONDITIONS. IT IS THE PETITIONER'S RESPONSIBILITY TO INCORPORATE ALL REQUIREMENTS LISTED ON THE CERTIFICATE OF APPROPRIATENESS INTO THE PERMIT DRAWINGS, AND TO ENSURE THAT BUILDING PERMIT PLANS AND SIGN PERMIT PLANS COMPLY WITH ALL ZONING CODE, BUILDING CODE AND SIGN CODE REQUIREMENTS.

KINGSLEY, AYE; SEYER, AYE; FITZGERALD, AYE.
ALL WERE IN FAVOR. MOTION CARRIED.

PETITION

NOW COMES the Petitioner Paul Petricca

being the owner of the property commonly known as: 102 N Belmont
and appeals to the Zoning Board of Appeals of the Village of Arlington Heights for a Variation from Section
5.1-1.6 Chapter 28, of the Arlington Heights Municipal Code, in order to:

Allow a 22" front yard encroachment of a new home on an existing lot (tear down & replacement)
brought about by averaging the location of the existing home with the one other home on the block.

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

The new home proposed on the site is replacing an existing home of essentially the same historical style and appearance. The new home has purposefully been designed to be significantly smaller than the current zoning would allow keeping it well within the current building envelope, as well as in context with the existing home next door and Recreation Park across the street.

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

Corner lot restrictions, and there is only one other home entering into the calculation regarding the front yard setback.

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

Currently the main front walls (behind the open porch of the subject property) of the two existing homes on the block are essentially aligned. The new replacement house has been designed in the same style as the existing with an open front porch. However the new front porch is deeper than the existing allowing it to be usable. As such the main front walls of the homes are not aligned, but more in alignment if the variance is granted. In other words if the variance is NOT allowed this project will be less harmonious with the spirit and intent of the zoning code.

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

An existing two car detached garage at the NW corner of the property is being kept as is. If the variance is not allowed 22" of the open/patio space between the garage the new home will be lost. Also, if and when and a new garage is built in the future, the open/patio space will be further stressed by meeting the zoning and building area requirements mandated for that project.

Signed: _____


Paul Petricca - Petitioner

Date: _____





PLAT OF SURVEY

BY

JOHN M. HENRIKSEN

576 E. NORTHWEST HIGHWAY DES PLAINES, ILLINOIS 60016

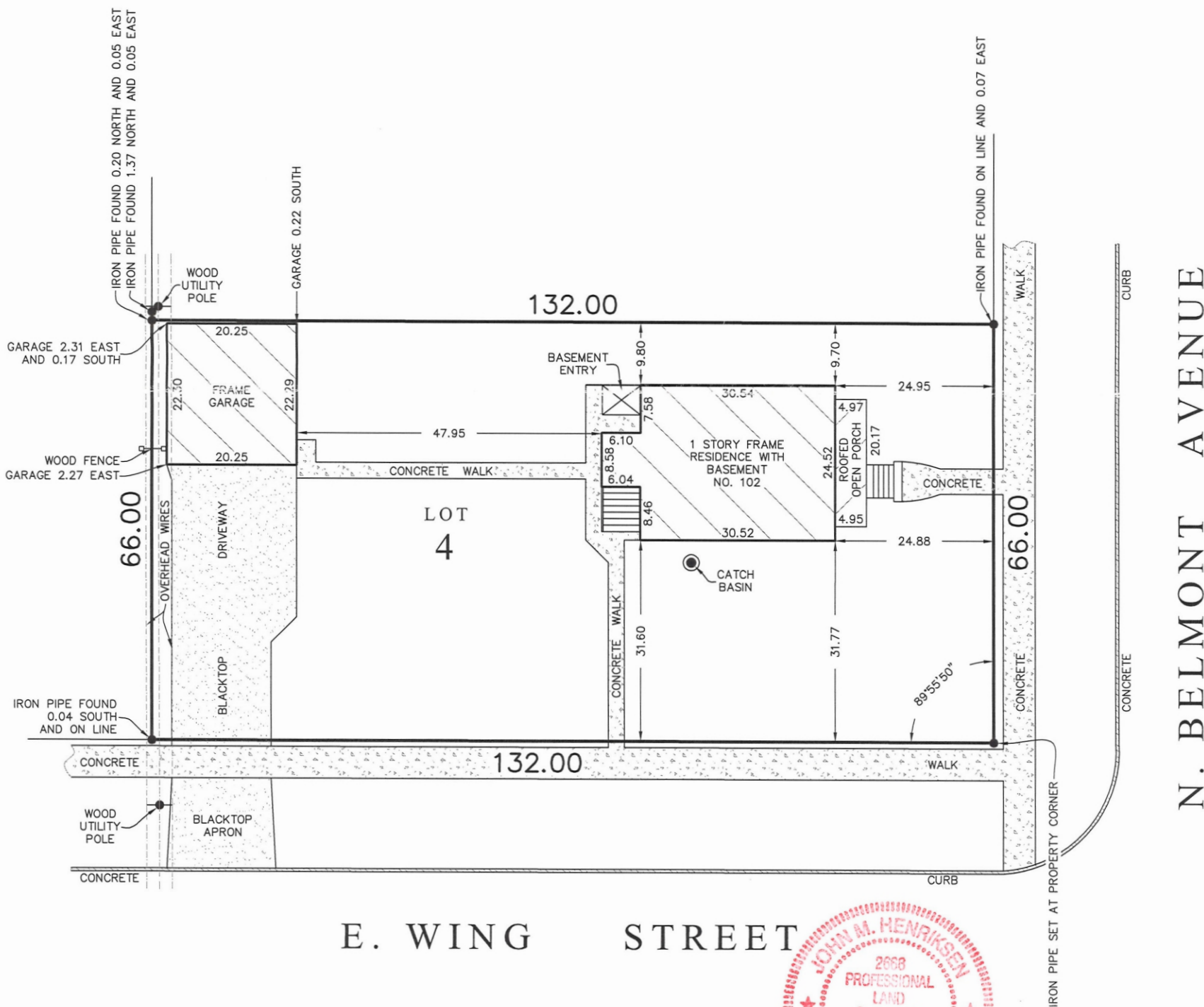
TEL. 847-795-0301 FAX. 847-795-0302

WWW.HENRIKSENSURVEY.COM

OF

LOT 4 IN BLOCK 6 IN GEORGE W. DUNTON'S ADDITION TO ARLINGTON HEIGHTS
NUMBER 2, IN THE EAST 1/2 OF THE SOUTHWEST 1/4 NORTH OF RAILROAD (EXCEPT
NORTH 20 ACRES) OF SECTION 29, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE
THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED
DECEMBER 12, 1908 AS DOCUMENT NUMBER 4301386, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 102 N. BELMONT AVENUE
ARLINGTON HEIGHTS, IL



E. WING STREET

N. BELMONT AVENUE

ORDER NUMBER: **100178**

SCALE: 1 INCH = 20 FEET

ORDERED BY: **NEIL J. KAISER, LTD.**

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

PLEASE CHECK LEGAL DESCRIPTION WITH DEED.

COMPARE ALL POINTS BEFORE BUILDING AND REPORT
ANY DISCREPANCY IMMEDIATELY.

DIMENSIONS ARE NOT TO BE ASSUMED FROM SCALING.

FRACTIONAL INCH EQUIVALENTS
OF HUNDREDTHS OF A FOOT

0.01=1/8"	0.25=3"
0.02=1/4"	0.33=4"
0.03=3/8"	0.37=4-1/2"
0.04=1/2"	0.38=4-1/2"
0.05=5/8"	0.42=5"
0.06=3/4"	0.50=6"
0.07=7/8"	0.58=7"
0.08=1"	0.62=7-1/2"
0.09=1-1/8"	0.63=7-1/2"
0.10=1-1/4"	0.67=8"
0.11=1-3/8"	0.75=9"
0.12=1-1/2"	0.83=10"
0.13=1-1/2"	0.87=10-1/2"
0.14=1-5/8"	0.88=10-1/2"
0.15=1-3/4"	0.92=11"
0.16=1-7/8"	1.00=12"
0.17=2"	

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

STATE OF ILLINOIS}
COUNTY OF COOK}

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

DES PLAINES, ILLINOIS DECEMBER 17, 2010.

John M. Hensen
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2668
LICENSE EXPIRES NOVEMBER 30, 2012.

New Home for
Patrick & Elaine Schreck
102 N Belmont Ave
Arlington Heights, IL 60004



Back (West) Elevation



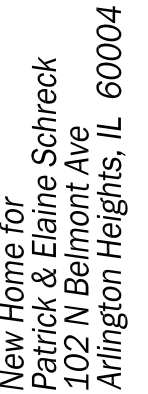
Front (East) Elevation

New Single Family Home for Patrick & Elaine Schreck
102 N Belmont Avenue
Arlington Heights, IL 60004

ITEM	DATE	ISSUED FOR
	10.12.18	INITIAL SITE REVIEW
	2.11.19	VAH SITE REVIEW
	2.27.19	DESIGN COMM

DRAWN BY: ASC	CHECKED BY:
PROJECT DATE: 7.15.18	PROJECT NUMBER: 012.18

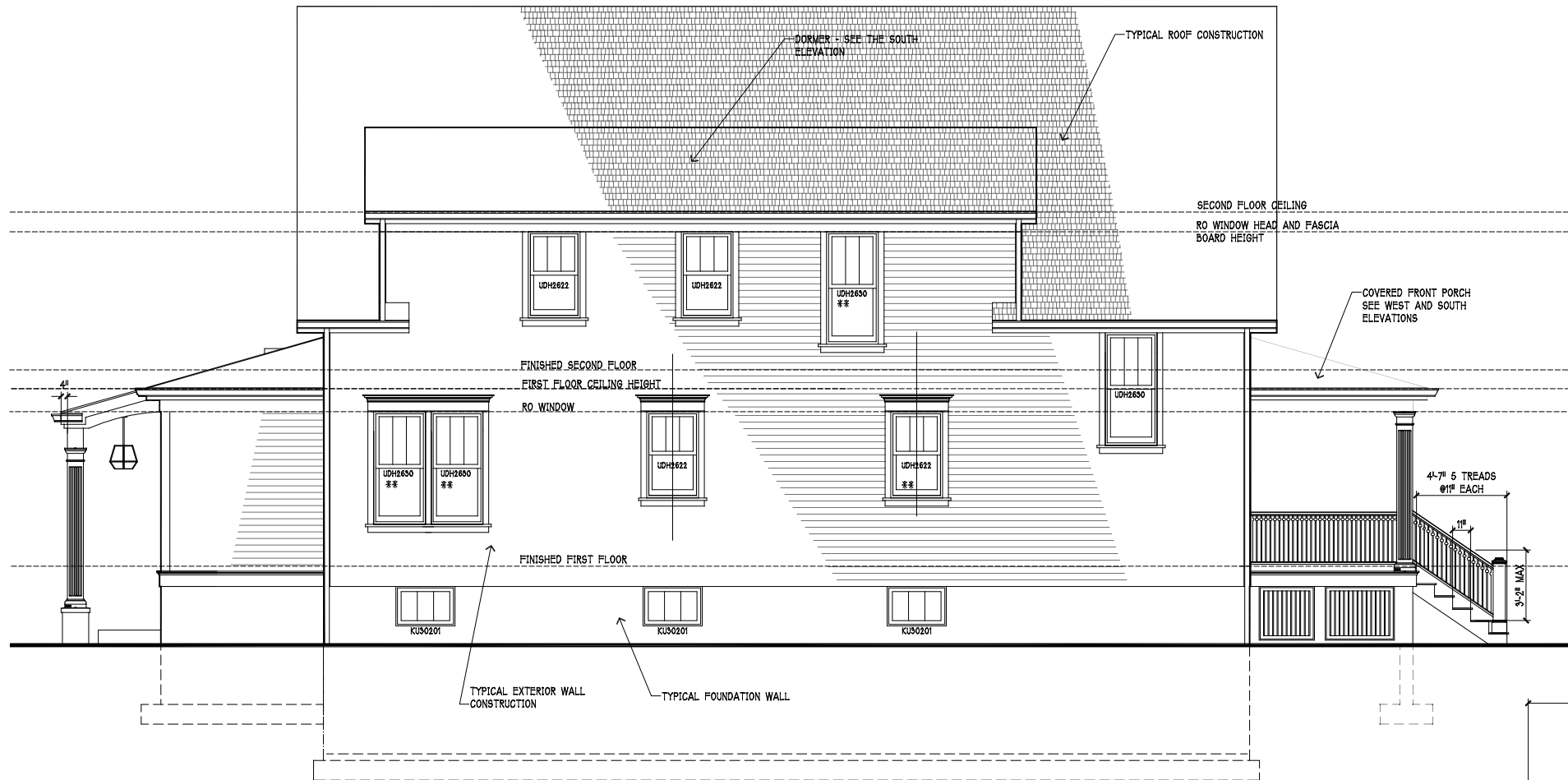
DESIGN FIRM LICENSE
ILLINOIS 184.002152
NORTH CAROLINA 52469
COPYRIGHT ~ 2019
DRIVEARCHITECTURE, LTD
DRIVEARCHITECTURE.COM



DRAWN BY: ASC	CHECKED BY:
PROJECT DATE: 7.15.18	PROJECT NUMBER: 012.18

104



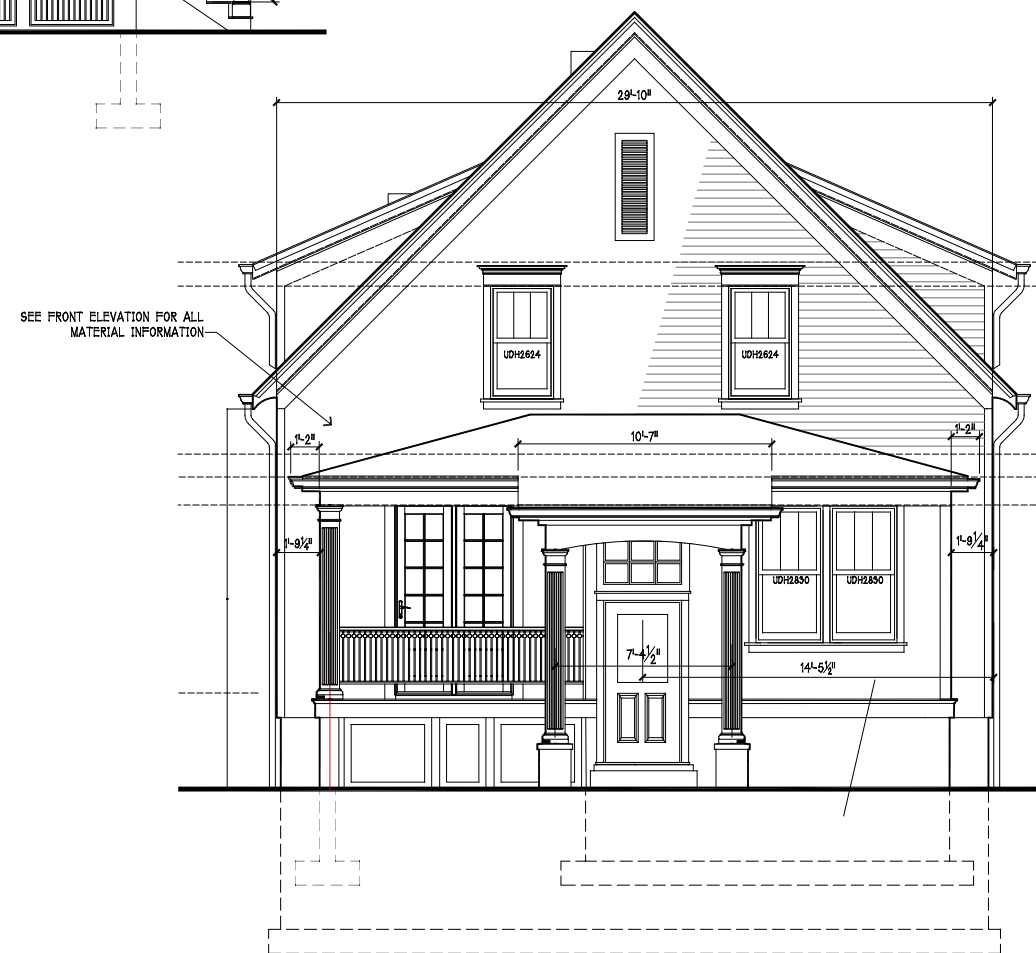


South Elevation

SCALE: 1/4" = 1'-0"

** INDICATES WINDOWS IN COMPLIANCE WITH EGRESS REQUIREMENT

1
A401



West Elevation

SCALE: 1/4" = 1'-0"

2
A401

New Home for
Patrick & Elaine Schreck
102 N Belmont Ave
Arlington Heights, IL 60004

ITEM	DATE	ISSUED FOR
	10.12.18	INITIAL SITE REVIEW
	1/7/19	ELEVATION REVIEW
	2.11.19	VAH SITE REVIEW
	2.27.19	DESIGN COMM

DRAWN BY:
ASC

CHECKED BY:

PROJECT DATE:
7.15.18

PROJECT NUMBER:
012.18

DESIGN FIRM LICENSE
ILLINOIS 184.002152
NORTH CAROLINA 52468
COPYRIGHT - 2019
DRIVEARCHITECTURE, LTD
DRIVEARCHITECTURE.COM

28 N Belmont



32 N Belmont



38 N Belmont



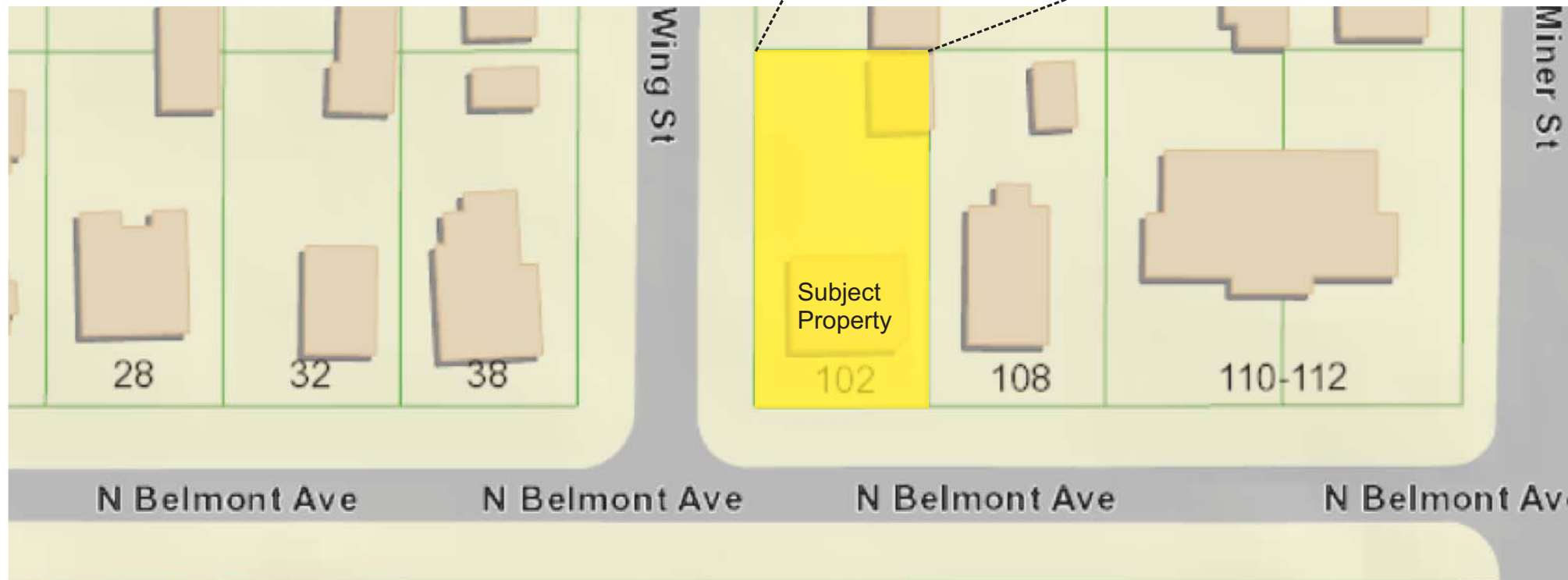
102 N Belmont



108 N Belmont



100-112 N Belmont



Recreation Park

Schreck/Petricca Residence
102 N Belmont Ave
Arlington Heights, IL 60004

ITEM	DATE	ISSUED FOR
	10.12.18	INITIAL SITE REVIEW
	1/7/19	ELEVATION REVIEW
	2.11.19	VAH SITE REVIEW

DRAWN BY: ASC	CHECKED BY:
PROJECT DATE: 7.15.18	PROJECT NUMBER: 012.18

DESIGN FIRM LICENSE
ILLINOIS 184.002152
NORTH CAROLINA 52469
COPYRIGHT - 2019
DRIVEARCHITECTURE, LTD
DRIVEARCHITECTURE.COM



**Zoning Board of Appeals
6/10/2019**

Item: 102 S. Derbyshire Ln. - ZBA#19-017

Department: Planning & Community Development

REQUEST

A variation from Chapter 28, Section 6.13-3a (Location of Fences – Front Yards) to allow a 6-foot tall solid fence located 0 feet from the property line where code allows a maximum 3-foot tall fence that must be open in design.

ATTACHMENTS:

Description

Supporting Documents

Type

Exhibits

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: June 10, 2019
Date Prepared: June 3, 2019
Project Title: McDonough Residence
Address: 102 S. Derybshire Ln.

Background Information

Petition Number: ZBA #19-017
Petitioner: Colin McDonough
Address: 102 S. Derbyshire Ln.
Arlington Heights, IL 60004

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

Requested Action/Background Information

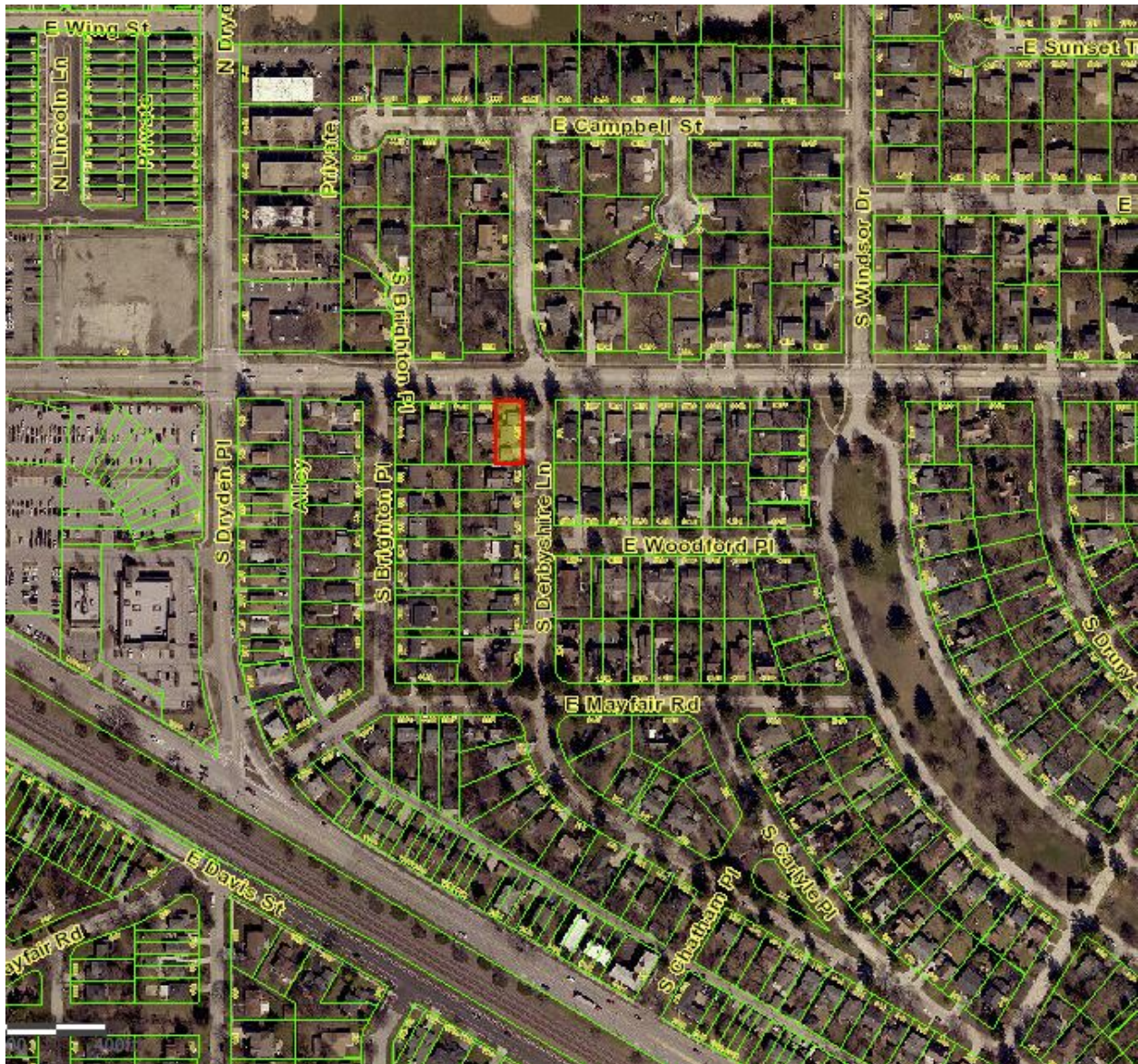
The subject property is zoned R-3, One-Family Dwelling District. The petitioner is proposing to construct a 6-foot tall solid fence around the perimeter of the front yard. Due to the configuration of the existing home on the lot, per code, the area proposed to be fenced is the front yard. In front yards, fences are permitted to be a maximum height of 3 feet tall, and must be open in design. If the Zoning Board of Appeals is supportive of a fence variance, it is recommended that the fence be a maximum of 5 feet tall and an open decorative metal fence. The petitioner is requesting the following variation:

- A variation from Chapter 28, Section 6.13-3a (Location of Fences – Front Yards) to allow a 6-foot tall solid fence located 0 feet from the property line where code allows a maximum 3-foot tall fence that must be open in design.

Variation Review Standards

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

Map of General Vicinity



Items required to be Submitted 15 Days Prior to Public Hearing

<u>Item</u>	<u>Provided</u>	<u>Dated</u>	<u>Remarks</u>
1. Notification Affidavit	✓	5/24/19	
2. List of Property Owners Within 250 feet of Subject Property	✓	5/24/19	
3. Letter that was Mailed	✓	5/24/19	
4. Photographs of Sign on Property	✓	5/24/19	

Photographs of Existing Structure





Village of Arlington Heights Building & Life Safety Department

Interoffice Memorandum

To: Derek Mach, Zoning Board of Appeals Liaison

From: Deb Pierce, Building & Life Safety Department

Project Name: McDonough Residence

Project Address: 102 S Derbyshire Ln

ZBA #: 19-017

Date: May 29, 2019

Derek:

I have reviewed the request for the following variance:

- A variation to allow a 6 foot tall solid fence located 0 feet from the property line where code allows a maximum 3 foot tall fence that must be open in design.

The homeowner is responsible for repairing the fence if and when the utility companies need access to the yard.

I have no objection to the variance.

ZBA# 19-017
102 S Derbyshire Ln
Rev. Eng: Nanci Julius, P.E.
cc: Mike Pagones, P.E. Village Engineer

Submitted: May 14, 2019
Completed: May 16, 2019

The proposed ZBA application indicates that the petitioner is seeking:

A variation to allow a 6 ft tall solid fence 0 ft from the property line where code allows a maximum 3 ft tall fence that must be open in design.

NOTE: The site plan does not show the setback of the proposed fence from the sidewalk along Kensington Rd or the back of curb along S Derbyshire Ln, however; according to the Village's GIS database, the fence would be setback far enough to not affect site distance at the corner.

The Engineering Division has NO OBJECTION to the proposed variance, however; the fence shall be located on the property and not encroach on Village right-of-way. This can be addressed at permit.

RECEIVED

MAY 17 2019

**PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT**

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: McDonough Residence

Project Address: 102 S. Derbyshire Ln.

ZBA #: 19-017

ZBA Hearing Date: June 10th, 2019

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

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

From: Derek Mach, Zoning Board of Appeals Liaison

Transmitted On: May 14, 2019

- A variation from Chapter 28, Section 6.13-3a (Location of Fences – Front Yards) to allow a 6-foot tall solid fence located 0 feet from the property line where code allows a maximum 3-foot tall fence that must be open in design.

Attached are the Petitioner's:

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

RECEIVED

JUN 04 2019

**PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT**

Comments: THE PROPOSED FENCE IN THE FRONT YARD WILL BE VISUALLY
OBTRUSIVE, AND OUT OF CONTEXT IN THIS LOCATION. IF THE ZBA
SUPPORTS THIS VARIATION, CONSIDER A 5' TALL OPEN METAL
FENCE FOR A LESS OBTRUSIVE APPEARANCE.

-S. HAUZINGER, DESIGN PLANNER

Petition

NOW COMES the Petitioner Colin McDonough being the owner of the property commonly known as: 102 S Derbyshire Ln, Arlington Heights, IL 60004 and appeals to the Zoning Board of Appeals of the Village of Arlington Heights for a Variation from section 6.13-3a Chapter 28, of the Arlington Heights Municipal Code, in order to:

- Construct a solid fence with a height of 6 feet along the property line to replace privacy trees that ran along the north side of the front yard along Kensington Rd, that fell down this winter from ice storms.

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

- Traffic next to the backyard, presents a safety concern for our son to play
 - o Our son can climb a 3 foot fence and would be in immediate danger.
 - o A 3 foot fence would make it easy for someone to reach in and grab our son.
- Headlight and noise pollution from passing automobiles is a constant disturbance, which a tall solid fence would reduce.
- Littering has been an ongoing problem and is an undue burden on the property owner to keep the backyard free of trash
- Pedestrians allow dogs to urinate and defecate in the yard, thereby, damaging the grass and flowers in the yard

I hereby state that the following unique circumstances exist:

- The property lies along side of Kensington Rd, an arterial road, having significant amounts of traffic, both vehicular and pedestrian

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

- There are several other homes on Kensington with 6 foot fences already.
- Since the previous trees fell, the fence will give us a chance to improve our privacy/safety while improving the esthetics of the home and street.

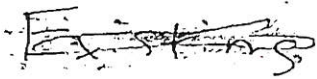
I hereby state that the variance requested is the minimum variance necessary to allow reasonable use of the property (please explain):

We bought the house envisioning this space as a play area for our 2 year old son. A 3 foot fence would allow drivers on Kensington to see into the yard and our son to see the cars. A 6 foot fence would separate the two spaces and provide privacy and safety for our family. All we want is a space for our son to play that cant be seen from the busy road, A 6 foot fence does this, but a 3 foot fence does not.

Signed:  _____

Petitioner

Date: 4/30/19





6 foot tall
Painted white
wood with metal post
facing inward

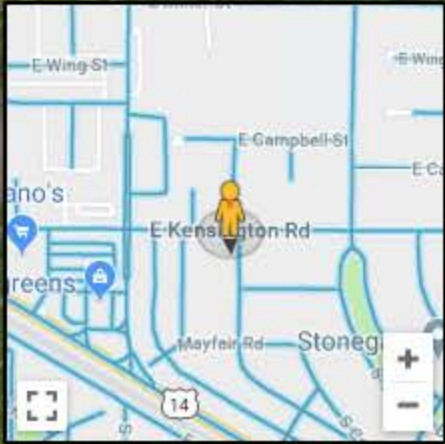


←

1112 E Kensington Rd
Arlington Heights, Illinois

Google

Street View - Oct 2018



Google



**Zoning Board of Appeals
6/10/2019**

Item: 1213 W. Euclid Ave. - ZBA#19-018

Department: Planning & Community Development

REQUEST

A 300 square foot variance from Chapter 28, Section 6.5-7 (Accessory Structures) to allow an accessory structure with a size of 600 square feet instead of the maximum of 300 square feet.

ATTACHMENTS:

Description

Supporting Documents

Type

Exhibits

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: June 10, 2019
Date Prepared: June 3, 2019
Project Title: Thompson Residence
Address: 1213 W. Euclid Ave.

Background Information

Petition Number: ZBA #19-018
Petitioner: Timothy Thompson
Address: 1213 W. Euclid Ave.
Arlington Heights, IL 60005

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

Requested Action/Background Information

The petitioner proposes to construct a 600 square foot shed where the maximum allowed is 300 square feet. The lot is approximately 21,280 square feet and the property is zoned R-3, One Family Dwelling District. The petitioner requests the following variation:

- A 300 square foot variance from Chapter 28, Section 6.5-7 (Accessory Structures) to allow an accessory structure (shed) with a size of 600 square feet instead of the maximum of 300 square feet.

Variation Review Standards

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

Map of General Vicinity



Items required to be Submitted 15 Days Prior to Public Hearing

<u>Item</u>	<u>Provided</u>	<u>Dated</u>	<u>Remarks</u>
1. Notification Affidavit	✓	5/20/19	
2. List of Property Owners Within 250 feet of Subject Property	✓	5/20/19	
3. Letter that was Mailed	✓	5/20/19	
4. Photographs of Sign on Property	✓	5/22/19	

Photographs of Existing Structure



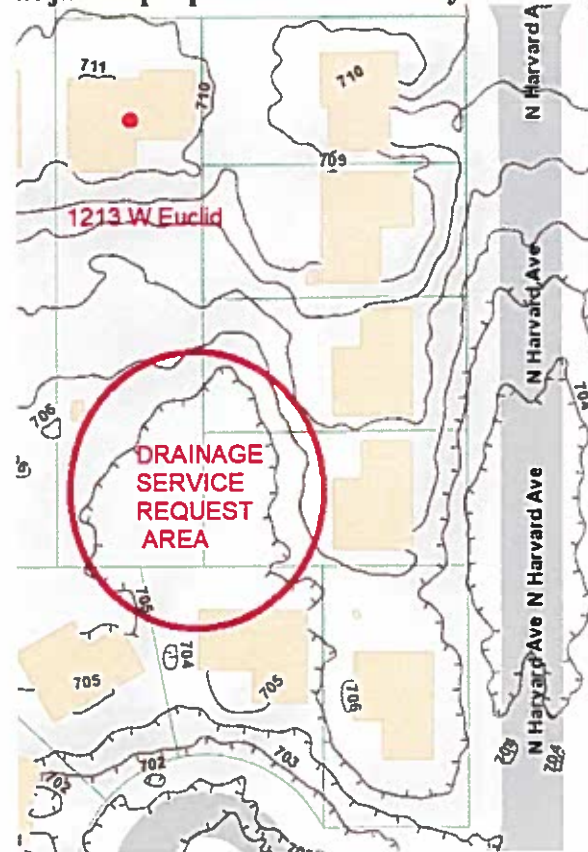
ZBA# 19-018
1213 W Euclid Ave
Rev. Eng: Nanci Julius, P.E.
cc: Mike Pagones, P.E. Village Engineer

Submitted: May 14, 2019
Completed: May 16, 2019

The proposed ZBA application indicates that the petitioner is seeking:

A 300 sq ft variance (Accessory Structures) to allow an accessory structure (shed) with a size of 600 sq ft instead of the maximum 300 sq ft.

The Engineering Division has NO OBJECTION to the proposed variance, however; there is a recent drainage service request from a neighboring property regarding the rear yard of 1213 W Euclid. Should the variance be granted, at time of permit the petitioner shall be required to submit sufficient information on the site plan to verify that the accessory structure will not negatively impact the adjacent properties on Mulberry Ct and Harvard Ave.



RECEIVED

MAY 17 2019

PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT

VAH SERVICE REQUEST

Engineering Department

REQUEST # 11312 |

DUE DATE: 6/26/2018 12:07:33 PM

STATUS: Closed

ADDRESS:	1304 W Mulberry Ln
DATE ENTERED:	6/12/2018 12:07:33 PM
DATE OBSERVED:	
CREATED BY:	DLOCHER
METHOD:	EMAIL
REFERRED TO:	JZAHAROPOULOS
SIDWELL:	14

CALLER DETAILS

First Name	Last Name	Caller Address	Home Phone	Other Phone
JERRY	TURNER	1304 W Mulberry Ln	847/804-4846	

Details:	E-mail attached. Mr. Turner's backyard, along with the backyards at 502 N Harvard and 1213 W Euclid flood and his sump pump constantly runs until the water is gone. What are their options for this problem?
Actions/Comments:	By ZAHAROPOULOS, JIM : 6/27/2018 9:39:55 AM I met with the homeowner on 6-26-2018 to go over some potential solutions for the rear yard flooding. There is a good amount of pitch from the rear to the front yard. I suggested the homeowner cut a larger swale through the side yard to get the rear yard to drain towards the street. A rear yard drain that discharges to the front yard would also help alleviate flooding. Either option would require a permit from the Building Department.
Results:	



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

Interoffice Memorandum

To: Derek Mach, Zoning Board of Appeals Liaison

From: Deb Pierce, Building & Life Safety Department

Project Name: Thompson Residence

Project Address: 1213 W Euclid Ave

ZBA #: 19-018

Date: May 29, 2019

Derek:

I have reviewed the request for a 300 foot variance to allow an accessory structure (Shed) with a size of 600 square feet instead of the maximum of 300 square feet.

I do not have any objections to the variance with the following requirements:

1. The west wall soffit shall be protected with 5/8-inch exterior grade drywall under the normal weather protection material based on the distance to the lot line of less than 5 feet for the eave.

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Thompson Residence

Project Address: 1213 W. Euclid Avenue

ZBA #: 19-018

ZBA Hearing Date: June 10th, 2019

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

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

From: Derek Mach, Zoning Board of Appeals Liaison

Transmitted On: May 14, 2019

- A 300 square foot variance from Chapter 28, Section 6.5-7 (Accessory Structures) to allow an accessory structure (Shed) with a size of 600 square feet instead of the maximum of 300 square feet.

Attached are the Petitioner's:

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

Comments: No COMMENTS.

- STEVE HAUTZINGER, DESIGN PLANNER

Please review, comment, and return to me no later than May 28, 2019.

PETITION

PETITION

NOW COMES the Petitioner TIMOTHY N. THOMPSON

being the owner of the property commonly know as: 1213 W. EUCLID AVENUE, ARLINGTON HEIGHTS, IL 60005

and appeals to the Zoning Board of Appeals of the Village of Arlington Heights for a Variation from Section 6.5-7

Chapter 28, of the Arlington Heights Municipal Code, in order to: BUILD A DETACHED GARAGE WITH FLOOR AREA OF 600 SQ FEET WITH NO CONNECTING DRIVEWAY TO REPLACE A 8 FOOT X 10 FOOT SHED

I hereby state that the proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property if the variation(s) were granted (please explain): THE DETACHED ACCESSORY STRUCTURE IS FOR PERSONAL USE ONLY AND WILL COMPLY WITH EVERY OTHER REQUIREMENT OF SECTION 6.5 OF CHAPTER 28

I hereby state that the plight of the owner is due to unique circumstances, which may include the length of time the subject property has been vacant as zoned (please explain): THE LIMITATIONS OF LOT WIDTH AND EXISTING TREES AND MATURE LANDSCAPING PREVENT THE WIDENING OF THE EXISTING GRADE AS WELL AS THE EXTENSION OF A DRIVEWAY TO OUR BACKYARD TO CONNECT TO THE DETACHED ACCESSORY STRUCTURE.

I hereby state that the proposed variation is in harmony with the spirit and intent of this Chapter (please explain): THE PROPOSED STRUCTURE IS DESIGNED TO MEET ALL OTHER CODE REQUIREMENTS AND NOT INFRINGE ON ANY NEIGHBORS. AN EXCEPTION IS ONLY REQUESTED AS NOT TO DISRUPT THE EXISTING LANDSCAPING AND BECAUSE EXISTING GARAGE EXPANSION IS NOT POSSIBLE.

I hereby state that the variance requested is the minimum variance necessary to allow reasonable use of the property (please explain): THE PROPOSED STRUCTURE IS DESIGNED TO MEET ALL OTHER CODE REQUIREMENTS AND AN EXCEPTION IS ONLY REQUESTED AS NOT TO DISRUPT THE EXISTING LANDSCAPING AND BECAUSE AN EXISTING GARAGE EXPANSION IS NOT POSSIBLE AND LIMITS THE EXTERNAL STORAGE FOR THE PROPERTY.

Signed: _____


Petitioner

Date: 05-09-19



PLAT OF SURVEY

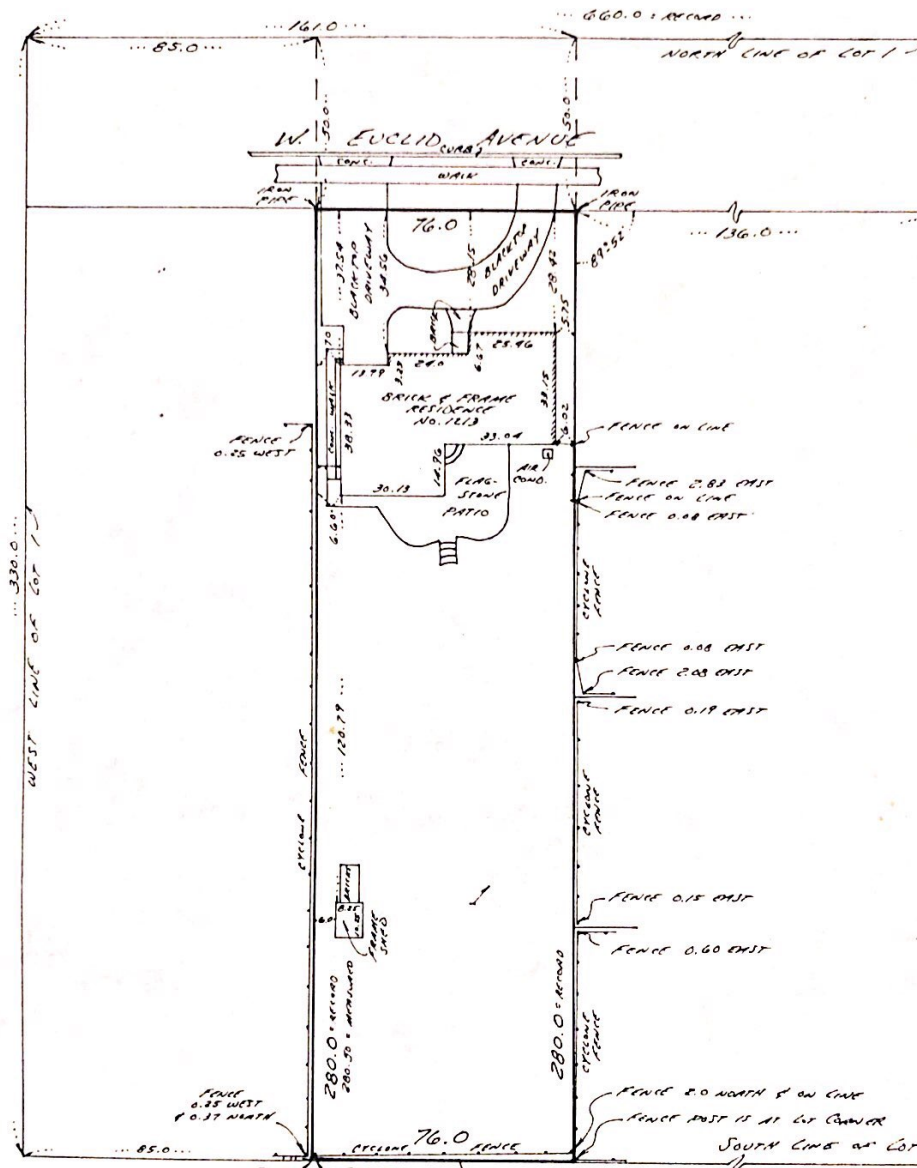
of



SCALE: 1 inch = 30 FEET

301 N. Wille Street
Mt. Prospect, IL 60056

The West 161 feet (except the West 85 feet thereof) of that part of Lot 1, lying South of the South line of Euclid Street, in Block 2 in Hoelz Addition to Arlington Heights, being that part of the East $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of Section 30, Township 42 North, Range 11 East of the Third Principal Meridian, bounded on the North by Quarter Section line running East and West in the center of Euclid Avenue and on the South by the center line of Campbell Avenue, all in the Corporation of Arlington Heights, Cook County, Illinois.



ORDER NUMBER: 47008

FIELD BOOK: 42-11-106

PAGE: 145

ORDERED BY: HANS & HANS

Compare legal description on this plat with deed or title policy. Compare all points before building by same and report any differences at once. Building lines and easements, if any, are shown as they appear on the recorded plat of subdivision, otherwise refer to deed, title policy or Zoning ordinances. Distances or angles shown may not be assumed by scaling.



STATE OF ILLINOIS)
COUNTY OF COOK)

I, ANTON ADAMS, Illinois Professional Land Surveyor, that I have surveyed the property described above and that the plat is a correct representation thereof. This professional service is current Illinois minimum standards for a boundary survey.

MOUNT PROSPECT, ILLINOIS, OCTOBER 12 A.D. 1926



PLAT OF SURVEY

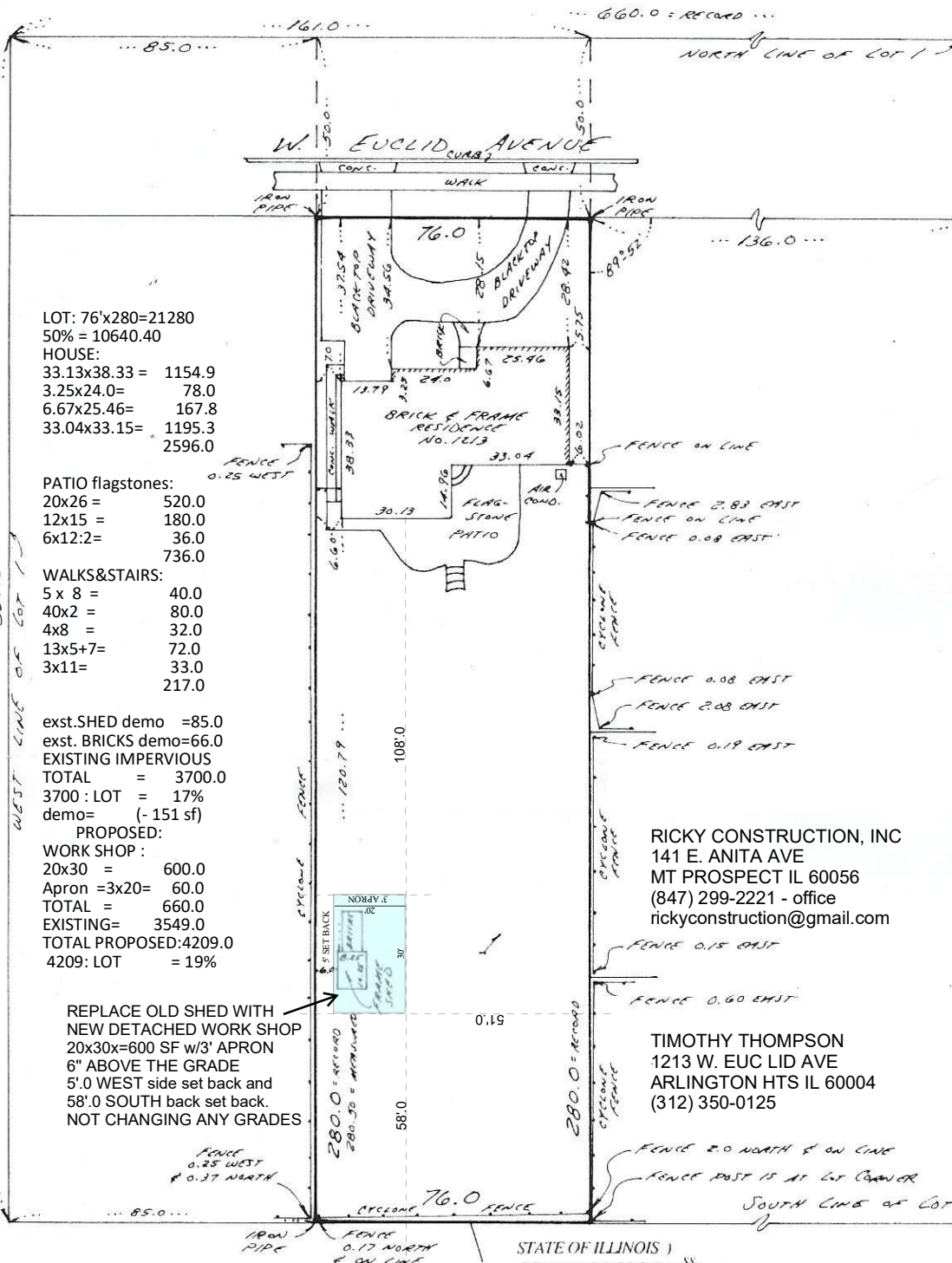


ANTON ADAMS
Illinois Professional Land Surveyor

SCALE: 1 inch = 30 FEET

301 N. Wille Street
Mt. Prospect, IL 60056

The West 161 feet (except the West 85 feet thereof) of that part of Lot 1, lying South of the South line of Euclid Street, in Block 2 in Hoelz Addition to Arlington Heights, being that part of the East 1/2 of the Southwest 1/4 of Section 30, Township 42 North, Range 11 East of the Third Principal Meridian, bounded on the North by Quarter Section line running East and West in the center of Euclid Avenue and on the South by the center line of Campbell Avenue, all in the Corporation of Arlington Heights, Cook County, Illinois.



ORDER NUMBER: 47008

FIELD BOOK: 42-11-106

PAGE: 145

ORDERED BY: HAAS & HAAS

Compare legal description on this plat with deed or title policy. Compare all points before building by same and report any differences at once. Building lines and easements, if any, are shown as they appear on the recorded plat of subdivision, otherwise refer to deed, title policy or Zoning ordinances. Distances or angles shown may not be assumed by scaling.

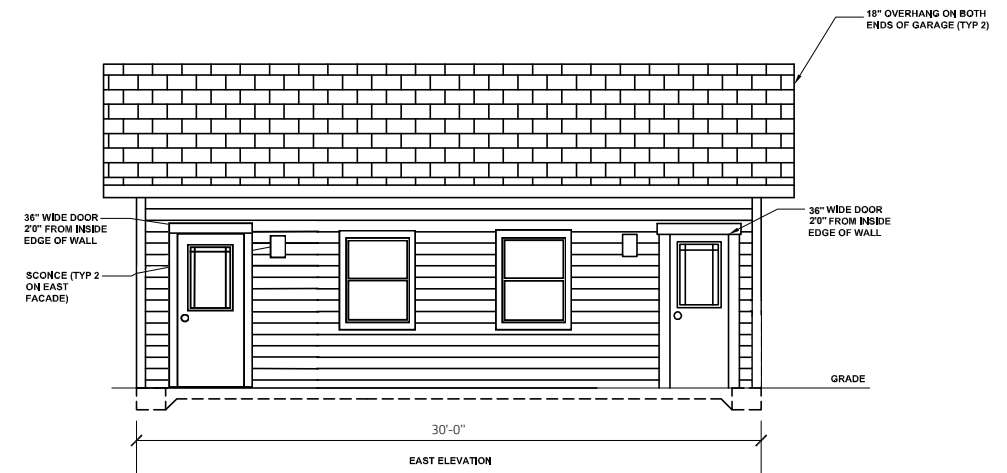
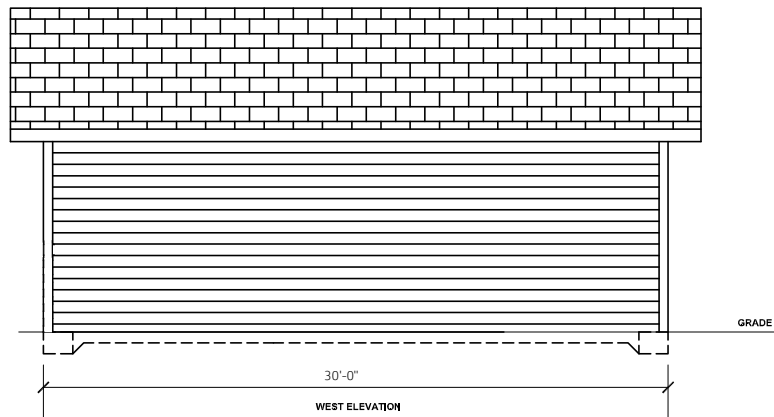
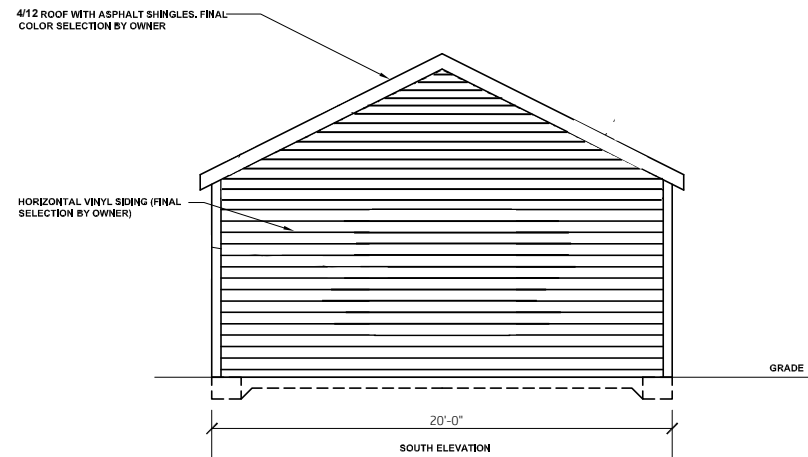
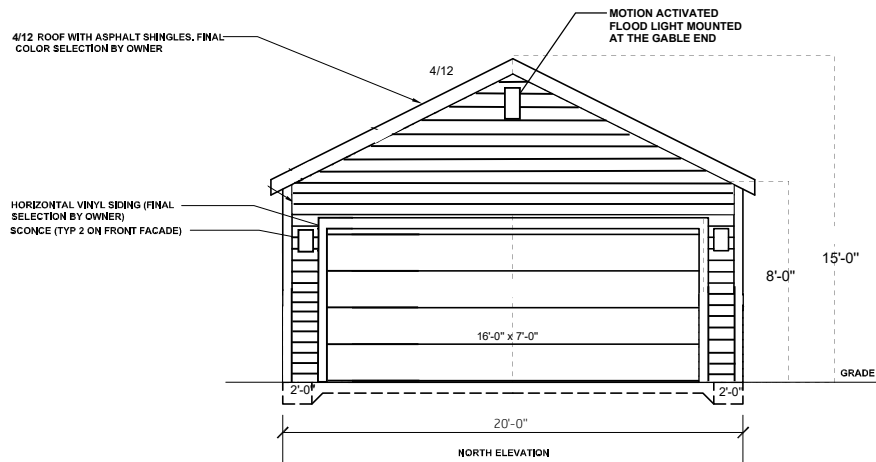


STATE OF ILLINOIS)
COUNTY OF COOK) SS.

I, ANTON ADAMS, Illinois Professional Land Surveyor, that I have surveyed the property described above and that the plat is a correct representation thereof. This professional service is current Illinois minimum standards for a boundary survey.

MOUNT PROSPECT, ILLINOIS, OCTOBER 12 A.D. 2011

Ant. Adams



1 ELEVATIONS

SCALE: 1/4"=1'-0"

RICKY CONSTRUCTION, INC.
141 E. ANITA AVE.
MT PROSPECT IL 60056
(847) 299-2221 - office
rickyconstruction@gmail.com

WORK SHOP 20X30 - 1213 W. EUCLID AVE ARLINGTON HTS IL 60004

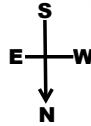
No. _____ Date: MAY 12, 2019

Ref. Sheet _____ Issue: TIMOTHY THOMPSON (312) 350-0125

Ref. Description: VARIATION

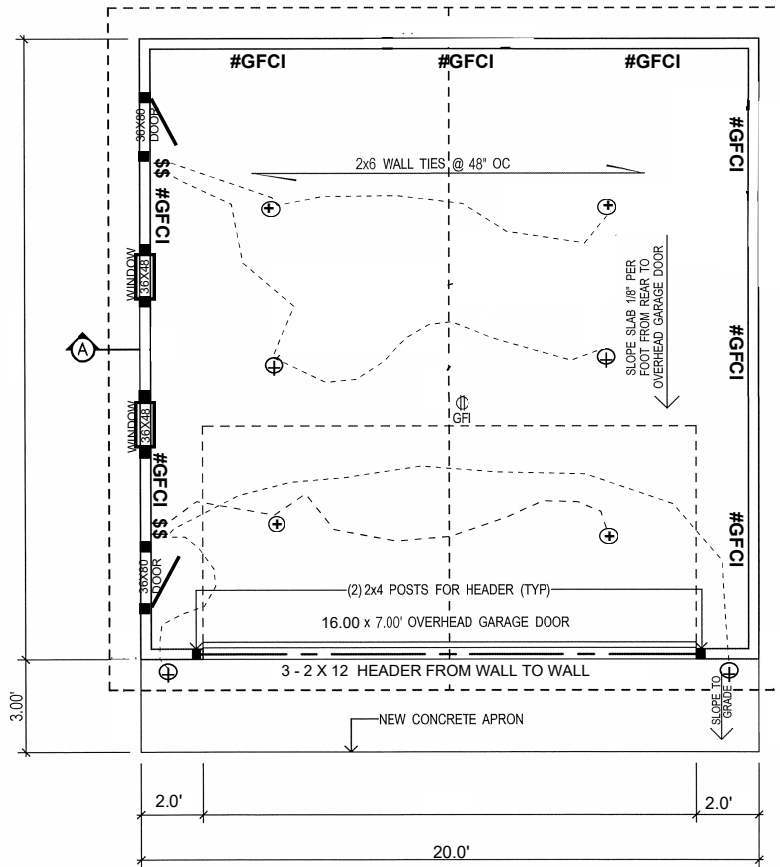
Supplemental Drawing
Number

001

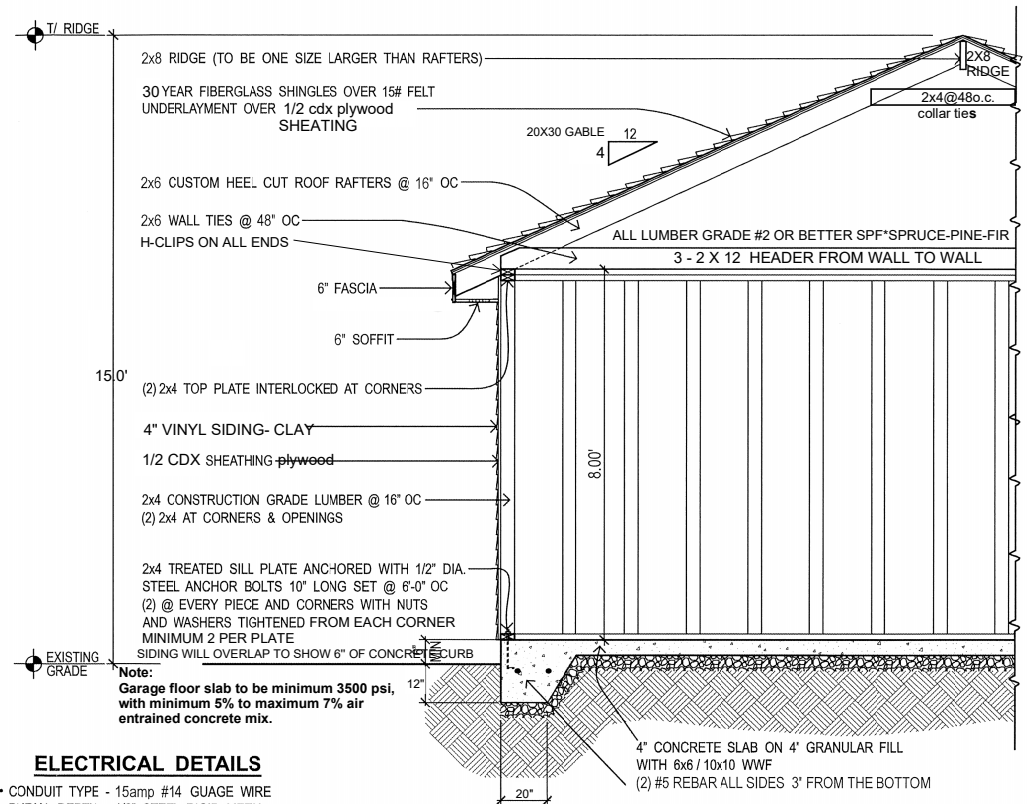


**PLANS TO FOLLOW ARLINGTON HEIGHTS
BUILDING CODES:**

- 2006 INC
- 2005 NEC
- REFERENCE STANDARDS &
LOCAL AMENDMENTS.



FLOOR PLAN



ELECTRICAL DETAILS

- CONDUIT TYPE - 15amp #14 GAUGE WIRE
- BURIAL DEPTH - 1/2" STEEL RIGID METAL CONDUIT, 12" DEEP
- WIRING - SEPARATE CIRCUIT TO SERVICE PANEL
- * RECESS ELECTRIC WIRING

BUILDING SECTION

NOTE: DRAWINGS ARE NOT TO SCALE

TIMOTHY THOMPSON (312) 350-0125
WORK SHOP 20X30 - 1213 W. EUCLID AVE ARLINGTON HTS IL 60004

CONTRACTOR:

SHEET NAME:

**FLOOR PLAN &
BUILDING SECTION**

SHEET NUMBER:

1 OF 2