



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
May 14, 2018
7:00 PM

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF MINUTES

- A. 239 W. Maude Ave. - 4/9/18
- B. 633 S. Evergreen Ave. - 4/9/18
- C. 119 S. Kaspar Ave. - 4/9/18
- D. 304 E. Grove St. - 4/9/18

IV. REPORTS

V. OLD BUSINESS

VI. NEW BUSINESS

- A. 926 S. Cleveland Ave. - ZBA#18-012
- B. 432 S. Banbury Rd. - ZBA#18-013
- C. 319 E. Orchard St. - ZBA#18-014
- D. 1638 S. Arlington Heights Rd. - ZBA#18-015

VII. OTHER BUSINESS

VIII. ADJOURNMENT

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



Item: 239 W. Maude Ave. - 4/9/18

Department: Planning & Community Development

ATTACHMENTS:

Description	Type
239 W. Maude Ave. - Minutes 4/9/18	Minutes
239 w. Maude Ave. - Findings 4/9/18	Minutes

ZONING BOARD

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

OF APPEALS

RE: 239 WEST MAUDE AVENUE - ZBA #18-007

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 Beuchner Room,
Arlington Heights, Illinois on the 9th day of April, 2018 at the hour of
7:00 p.m.

MEMBERS PRESENT:

DAVID DIVITO, Chairman
TOM DRAKE
TOM SCHWINGBECK
JOSEPH GEISEL
JOSEPH SELBKA
PETER SIAVELIS

ALSO PRESENT:

DEREK MACH, Development Planner

CHAIRMAN DIVITO: All right. I'd like to call to order the Zoning Board of Appeals meeting for April 9th of 2018. Derek, would you call roll?

MR. MACH: Chairman Divito.

CHAIRMAN DIVITO: Here.

MR. MACH: Mr. Drake.

MR. DRAKE: Here.

MR. MACH: Mr. Geisel.

MR. GEISEL: Here.

MR. MACH: Mr. Jaffe.

(No response.)

MR. MACH: Mr. Schwingbeck.

MR. SCHWINGBECK: Here.

MR. MACH: Mr. Selbka.

MR. SELBKA: Here.

MR. MACH: Mr. Siavelis.

MR. SIAVELIS: Here.

CHAIRMAN DIVITO: All right. If you would all please stand and rise to do the pledge of allegiance with us.

(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? Is there any errors or omissions that need to be cited? None being heard, is there any motion?

MR. DRAKE: Motion to approve.

MR. SIAVELIS: Second.

CHAIRMAN DIVITO: All right, all in favor?

(Chorus of ayes.)

CHAIRMAN DIVITO: All opposed?

(No response.)

CHAIRMAN DIVITO: All right, on to new business. Tonight, we are going to go in order. There's only four pieces or four petitions that are going to be presenting tonight. You've all been working with Derek and Staff to fill everything in, so I appreciate all the hard work in doing all that. Tonight, for the presentation purpose, I ask that you speak on the three elements in order to establish the need of the variance. First is discuss how, if denied, how you would not be able to achieve a reasonable return. Second is just talk about the unique situation of the petition itself. Finally, third, just talk about how, if approved, it wouldn't alter the neighborhood and the characteristics of the neighborhood.

So, that being heard, we will start off with 239 West Maude. Good evening.

MR. GINNODO: How are you?

CHAIRMAN DIVITO: All right, yourself?

MR. GINNODO: Pretty good, thank you.

CHAIRMAN DIVITO: Excellent. Name and address for the record please.

MR. GINNODO: Keith Ginnodo, Kingsley Ginnodo Architects, 33 North Hickory, Arlington Heights.

CHAIRMAN DIVITO: All right.

(Witness sworn.)

CHAIRMAN DIVITO: Thank you. Proceed.

MR. GINNODO: We have a, we're petitioning for two variations; one is at the front porch and the other is in the master bedroom area. The master bedroom is basically asking to extend a non-conforming condition, too close to the side yard on the west side of the property, but we are just extending the existing wall that's there and hoping that that will be concealed from pretty much everybody's view, especially from the street. It has such little impact on the neighborhood, we feel like it's a good thing.

The hardship is that, well, let me describe what the project is, first of all, because that kind of plays in both of these. This is Pat and Joe Lewis, the owners of the project. Instead of moving, they want to stay. This is, they've been in the house for a long time and they have made other improvements, and the goal here is to stay for a long time. So, the improvements that they are after right now have to do with improving the bathroom and just getting in and out of the house and having enough space to get around without bumping into each other or other obstacles in the space.

So, the master bedroom has grown in its location into the southwest corner just to give a reasonable sized room. It's not extravagantly large. I don't offhand know what the dimensions are but it's big enough for a master bed, dresser, and that kind of stuff. They have a master closet, and then the bathroom is being expanded to kind of give them the space that they need in there.

That particular thing will be more or less unnoticeable to anybody who is not driving a drone because it's stuck back in the corner of the house and it's extending something that's already currently existing as a non-conforming condition. As far as the character of the neighborhood, again because it's not really seen, it really won't have any impact on the character of the neighborhood.

The front porch that we're doing right now is wider than the four by eight that's stipulated by the code. Up and down the street there, if you're on the south side, I don't know if you guys have been out there, but there is a house that's adjacent to them on the east that is facing the other direction. So, its side yard is pointing up towards Maude and it's got a setback of 15 feet. Then after that house, there's three ranches, then the parking lot in the park, and then three more buildings farther down and more houses.

What happens along that street is that there's kind of a lot of traffic actually because there's a lot of coming and going between the park and the neighbors, and between people from all areas of the neighborhoods of Arlington Heights coming to play baseball. So, they're kind of like constantly seeing the cars go back and forth, and they are hoping to get a little relief by putting their porch out in front. The other aspect about the porch in front is that we're changing the slope of the sidewalk so that we can kind of ramp up simply to a flat level and have just one step to go into the house. So, that will kind of make it easy like the garage, you know, get out of your car, step up once into the house, and that just eliminates a lot of trip hazards and that kind of thing.

So, going back to this notion of everybody driving past the house, if you look down the street, people have different strategies for solving this kind of privacy issue. Some have, you know, there's one house that doesn't even have a front door that opens out to the street and they have to walk down a sidewalk into the site. So, that's

how they did it. Another one has bushes that are like five or six feet tall in front of the door. So, everybody is trying to kind of shield themselves a little bit from the front.

That's kind of what we're hoping to do here. We've got a picture window that brings a lot of light into the living room, but it's also kind of out there. We're hoping the columns and the extra level of architecture in front will give them the privacy that they're looking for.

Lastly, with a porch of this size, they'd be able to kind of, you know, have a bench out in the front and actually have a little bit of space to kind of hang out. When they want to watch the cars going by, they can go out there and sit on the porch to do it and not get in the way of the door coming in. So, architecturally, the porch helps. You can see there, we're doing a bunch of brick infill, new windows and that sort of thing to just try to bring the whole house into conformity with one kind of expression. Not, you know, not too far away like across the street, down the block, whatever, the houses are starting to get upgraded in that area and it's really part of their effort to kind of get value back into their house by doing these improvements.

CHAIRMAN DIVITO: Very good. Any questions from the Board members? None being heard, I will close it down for the audience. Is there anyone in the audience that wishes to speak on behalf of this petition?

None being heard, we'll close it down for Board discussion. Anyone want to take the lead?

MR. GEISEL: I think the improvements as requested are reasonable. The extension for the existing non-conforming, really not an issue. Putting the front porch on, if they did make it within code, I think it would terminate in the middle of their windows which wouldn't be terribly useful. So, I think giving some relief to the front of the house would actually be an improvement.

CHAIRMAN DIVITO: Yes, I agree with all those. The porch is not totally egregious there, and the non-conforming is not an issue.

MR. SCHWINGBECK: Yes, I think the porch looks great and it's a tasteful addition. You can't see it from the street. I'd be in favor of it.

MR. SIAVELIS: Agreed.

CHAIRMAN DIVITO: Okay, is there a motion?

MR. GEISEL: Motion to approve.

MR. SELBKA: I'll second.

CHAIRMAN DIVITO: Derek?

MR. MACH: Mr. Drake.

MR. DRAKE: Yes.

MR. MACH: Mr. Geisel.

MR. GEISEL: Yes.

MR. MACH: Mr. Schwingbeck.

MR. SCHWINGBECK: Yes.

MR. MACH: Mr. Selbka.

MR. SELBKA: Yes.

MR. MACH: Mr. Siavelis.

MR. SIAVELIS: Yes.

MR. MACH: Chairman Divito.

CHAIRMAN DIVITO: Yes. Congrats, you're approved.

MR. GINNODO: All right, thank you.

MR. LEWIS: Thank you.

MRS. LEWIS: Thank you.

CHAIRMAN DIVITO: Thank you.

(Whereupon, the above-mentioned petition was adjourned at 7:10 p.m.)

DRAFT

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS April 9, 2018

PETITIONER: Lewis Residence
ADDRESS OF PROPERTY: 239 W. Maude Ave.
VARIATION: 5.1-3.6 (Required Minimum Yards)

A 7' variation to allow a covered front porch with a front yard setback of 23' where 30' is required, and an additional 1' for the eave; and a 1.3' variation to allow an addition with a side yard setback of 6.2' where 7.5' is required, and an additional 1' for the eave.

The petitioner testified as to hardship, uniqueness of circumstances, and the character of the locality. The petitioner explained that they are petitioning for two variations. The petitioner explained that one of the variations is for the front porch that is encroaching into the required front yard setback and the second variation is for an addition for a master bedroom that is encroaching into the required side yard setback. The petitioner explained that they are proposing to extend the non-conforming footprint and that the addition is an extension of the existing wall. The petitioner testified that the porch would provide a buffer from the street and create another living space.

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. Giesel and seconded by Mr. Selbka. Thereafter, the Board voted 6-0 to approve the variance request.

Now, therefore, after hearing all the evidence and after due deliberation, the Zoning Board of Appeals, voted 6-0 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



Item: 633 S. Evergreen Ave. - 4/9/18

Department: Planning & Community Development

ATTACHMENTS:

Description	Type
633 S. Evergreen Ave. - Minutes 4/9/18	Minutes
633 S. Evergreen Ave. - Findings 4/9/18	Exhibits

ZONING BOARD

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

OF APPEALS

RE: 633 SOUTH EVERGREEN AVENUE - ZBA #18-008

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 Beuchner Room,
Arlington Heights, Illinois on the 9th day of April, 2018 at the hour of
7:29 p.m.

MEMBERS PRESENT:

DAVID DIVITO, Chairman
TOM DRAKE
TOM SCHWINGBECK
JOSEPH GEISEL
JOSEPH SELBKA
PETER SIAVELIS

ALSO PRESENT:

DEREK MACH, Development Planner

CHAIRMAN DIVITO: All right. Now, we did skip over 633 South Evergreen. You stepped in a little after I called you the first time. Have you signed in yet?

MR. ALBERTS: No. Do I do that here?

CHAIRMAN DIVITO: Yes, right at the podium. There should be a sign-in sheet.

MR. ALBERTS: There's nothing here.

CHAIRMAN DIVITO: Derek?

MR. MACH: Oh, he must have taken it. Bob must have taken it. I'll tackle him at the door.

CHAIRMAN DIVITO: Sorry. Go ahead.

(Pause.)

MR. ALBERTS: I'm signed in.

CHAIRMAN DIVITO: All right, excellent. Name and address for the record?

MR. ALBERTS: I'm sorry?

CHAIRMAN DIVITO: Name and address for the record.

MR. ALBERTS: My name is Ken Alberts, and I'm at 21604 West Hampshire Place in Mundelein.

CHAIRMAN DIVITO: Okay, raise your right hand.

(Witness sworn.)

CHAIRMAN DIVITO: Thank you. So, I think you may have missed the beginning section, so we're going to just ask that you talk about the three hardships that are, I assume why you're here tonight for the variance.

MR. ALBERTS: Okay.

CHAIRMAN DIVITO: Do you need me to repeat any of the hardships?

MR. ALBERTS: Yes.

CHAIRMAN DIVITO: So, one, if denied, how you, the owner, will not be able to sustain a reasonable yield on the property in question. Second, talk about the unique characteristics of the petition. Third, talk about how if approved it will not alter the characteristics of the neighborhood.

MR. ALBERTS: Okay, thank you. The first thing, the first hardship is that, you know, the house was built in 1950. The zoning laws at that time were different than what they are today. So, the south wall happens to be closer to the side lot line than what the zoning laws allow for today.

What we're hoping to do is put a new house on top of the existing foundation. So, what we would like to do is put a wall back on the top of foundation on the south wall where one exists today. So, I don't think that that really hampers the character of the neighborhood or causes any neighboring conflict to put a wall back where one once stood in an effort to save the foundation.

We're looking to keep the house on a smaller scale as it exists today so that it, you know, becomes part of the thread of continuity in the neighborhood. If we're unable to erect the house in the existing, or a new one in the existing top of foundation, that means we have to rip that portion of the foundation wall out and pour new foundation. Our hopes is to add like a knee wall on the top of the existing foundation so

as to give the basement a little bit more height than seven feet, so that then the basement becomes a little bit more usable as well.

So, the other issue is that we're over in the amount of impervious that we can cover. But we also have a garage that is a detached garage, and setting that in the backyard with the amount of driveway that we need to get to it increases the amount of impervious. What we're trying to do is add a horn onto the site plan so that it gives the owner an opportunity to back out of the garage and turn the car and then approach the street frontways instead of sideways. So, that would be certainly a request that we would like to go over in the impervious coverage by about nine percent.

Did I answer your questions?

CHAIRMAN DIVITO: How much of the impervious land is going to be because of the horn?

MR. ALBERTS: The horn is about 100 square feet by itself.

CHAIRMAN DIVITO: You're looking for --

MR. GEISEL: So, the garage does not exist now?

MR. ALBERTS: The garage doesn't exist now.

MR. GEISEL: So, that's a factor as well as the extension of the driveway to the garage plus the turnaround area.

MR. ALBERTS: Right, and the distance between the back of the new addition and the new garage would be about 25 feet. We all know that when you pull into Target to go shopping, or Mariano's, you've got about 20-22 feet to pull out. So, to maneuver a car in that distance and then have a complete turnaround 180 would be a little difficult. I think as far as the neighborhood is concerned, I think it would be better for the owner not to have to negotiate pulling down the driveway backwards. So, we're asking for that square footage not only as a convenience to the owner but as a safety to the neighborhood.

MR. SIAVELIS: Or the people driving by more specifically.

MR. ALBERTS: I'm sorry?

MR. SIAVELIS: Or the people driving by more specifically.

MR. ALBERTS: Yes.

MR. DRAKE: Are there any drainage issues right now with the property? The Petitioner or any of the neighbors, do they have issues with water?

MR. ALBERTS: Not that I know of. We're not, we're really trying not to touch the grade. We're just really the house up on a knee wall to give it some room in the basement. So, it's not like I'm picking up the grade so that we can, you know, so that it offers, because the houses are close together as you're well aware of, we really don't want to shed any water onto the adjacent properties.

MR. GEISEL: I believe the driveway has existing, it's already there between the adjacent owner so that portion of it isn't going to change?

MR. ALBERTS: That's not going to change. We're using it as it is along with the front walk. It is as is, it just changed a little bit at the front door for the steps.

MR. SIAVELIS: So, I just want to make sure I understand something. I think the Chairman asked you what extent of the variation for basically the driveway is attributable to the horn. I think you said 100, about 100 square feet, is that correct?

MR. ALBERTS: About 100 square feet.

MR. SIAVELIS: But you're going from a single car approach basically on the side of the house?

MR. ALBERTS: Yes.

MR. SIAVELIS: To a wider approach, right? So, theoretically, you're going to be able to get two cars in there?

MR. ALBERTS: That's correct. Yes, that would be a two-car garage, so the driveway needs to widen out.

MR. SIAVELIS: Right.

MR. ALBERTS: Then in order for the owner to properly approach the street, I'd love to put that horn in there so that they can turn around rather than backing down and try to negotiate --

MR. SIAVELIS: Right, come out nose first.

MR. ALBERTS: Yes.

MR. SIAVELIS: So, let me just make sure I put this in proper context then. If you were not allowed the horn, you still need a variance for that driveway because you're going to be over anyway?

MR. ALBERTS: Correct.

MR. SIAVELIS: So, the horn basically is only 100 square feet approximately of the 330 I think it is that you need?

MR. ALBERTS: Correct.

MR. SIAVELIS: 324, sorry.

MR. ALBERTS: Correct. I think that that's also a factor of having a detached garage in the back, it increases the length of the driveway. I certainly could move that garage closer to the house, but then it's 25 feet from the house to the garage and we're really looking for some room to be able to negotiate and turn and get to the street safely.

MR. SIAVELIS: Comprehend, I understand that. I'm just curious to know what the ratios were of that, you know, essentially. I think that's a reasonable request, right, and I would want to be able to pull nose out coming out to the street as opposed to backing that entire run, too, because that's a pretty good run to back up.

CHAIRMAN DIVITO: Yes.

MR. SIAVELIS: Adjacent to your house in January and February when it's icy out, too. I mean that would be a little tricky.

MR. ALBERTS: I'm not saying anything about the owner. I think they probably would negotiate, but not everybody can really negotiate backing up a car very well.

MR. SIAVELIS: Right. I knew that, I understand.

MR. GEISEL: Safer approaching the sidewalk and then the street to your right.

CHAIRMAN DIVITO: Now -- go ahead.

MR. SIAVELIS: No, go on.

CHAIRMAN DIVITO: I was just going to say there's Engineering comments that were addressed and updated on April 3rd, so I just wanted to call that out. So, Engineering has reversed their objection, but there are a slew of bullets here from Staff on the memo dated March 21st from Deb Pierce. Derek, do you know if those have been

addressed?

MR. MACH: I would defer to the Petitioner. I e-mailed to you the Staff comments, one from Department of Engineering and one from Department of Building with these comments.

MR. ALBERTS: The zoning worksheet and plans do not match?

MR. MACH: Yes, they just had, right, regarding the one, two and three.

MR. ALBERTS: Okay.

MR. MACH: Right, the zoning worksheets.

MR. SIAVELIS: Did you receive a copy of this?

MR. ALBERTS: I did.

MR. SIAVELIS: Have you addressed these comments?

MR. ALBERTS: But I did not revise the narratives.

MR. SIAVELIS: So, you didn't address points one through three there in the interoffice memo?

MR. ALBERTS: No, I did not.

MR. SIAVELIS: Do you plan on doing so?

MR. ALBERTS: Absolutely.

CHAIRMAN DIVITO: Just for clarification, there are five points that were brought up.

MR. SIAVELIS: Oh, I'm sorry, I forgot.

CHAIRMAN DIVITO: It's on the second page.

MR. SIAVELIS: I focused in on page one. So, do you plan on addressing each of the five?

MR. ALBERTS: Yes. But I may have misunderstood because I thought this was an interoffice memo.

MR. SIAVELIS: Yes, and that's why I asked you if you received it.

MR. ALBERTS: Yes, I did.

MR. SIAVELIS: Derek, procedurally?

MR. ALBERTS: I mean some of these can be addressed as part of building permit if they move forward and if the ZBA is supportive of the variances.

MR. GEISEL: We could condition then any, if it was approval, upon conformance to the --

MR. MACH: Yes.

MR. ALBERTS: Number five I think, I'm sorry, I don't mean to interrupt, but number five I think I addressed, there is no change in the grade.

MR. SIAVELIS: Yes, you did address that, right.

CHAIRMAN DIVITO: I just wanted to point them out because usually they have no comments. So, the fact that we had and so many of us sitting here, I wanted to just make sure that we kind of reviewed them real quick. So, none of them are sticking out horribly for me tonight.

MR. GEISEL: I think they can all be addressed, they just need --

MR. SIAVELIS: It seems like potentially a paperwork issue they need to address that.

MR. ALBERTS: Okay.

MR. SIAVELIS: But like Mr. Geisel was saying, I think we can consider a

condition as to resolution or upon resolution of these points.

MR. SELBKA: I just had one quick question.

MR. ALBERTS: Sure.

MR. SELBKA: Is there a reason why the garage had to point out towards the alley at the back? Is that alley, because it's saying here in the survey there's an alley.

AUDIENCE MEMBER: There's no alley there.

MR. ALBERTS: There's no alley there.

MR. SELBKA: Okay.

MR. ALBERTS: Yes, that's a good question because someone would think that you should just like, you know, face the garage towards the alley. But there really is no alley there.

MR. SELBKA: Okay. Yes, I didn't notice it, just the survey said alley.

MR. ALBERTS: Yes.

MR. SIAVELIS: And the survey is dated October 2017.

MR. SELBKA: Yes.

MR. MACH: It's an unimproved right of way.

MR. SELBKA: Oh, it's an unimproved right of way, okay.

CHAIRMAN DIVITO: Any other questions from the Board? None being heard, we'll see if there's anybody that wants to speak up from the audience.

MR. ALBERTS: Thank you.

CHAIRMAN DIVITO: So, if you do want to speak, please come up. We'll follow a very similar procedure. So, please sign in.

MR. SWANBERG: Sure.

CHAIRMAN DIVITO: When you're ready, name and address for the record.

MR. SWANBERG: 618 South, well, name first. Troy Swanberg, 618 South Evergreen.

CHAIRMAN DIVITO: All right, and then right hand.

(Witness sworn.)

CHAIRMAN DIVITO: Thank you.

MR. SWANBERG: Yes, I'm just trying to get some clarity. I'm a neighbor of the area, and another neighbor was briefed on the construction. They were briefed that the south wall was going to be extending into the additional, into the southern easement and they would line up with the window wells. So, that is not what I'm reading. That is not what I understand from the text that was sent to us. So, I just want to make sure for clarity's sake that they're keeping the existing foundation wall from a north-south perspective.

MR. GEISEL: That's what he testified. They would reconstruct on the existing foundation.

MR. SWANBERG: Okay, so then the second question is, is there any way we can, the elevation, if they're not doing any re-grading, elevating the house by two-foot is going to leave kind of an awkward gap. I guess the existing house has, the side comes down to like, you know, eight inches from --

MR. GEISEL: That's more of a design element, that's not a zoning.

MR. SWANBERG: But can we see it? I mean as far as --

MR. GEISEL: There is an elevation drawing right there for you.

MR. SIAVELIS: You can see it and you can complain to us, but we can't do anything about it.

MR. SWANBERG: I understand. You can only handle what the variance is for.

MR. SIAVELIS: What's in front of us right now.

MR. SWANBERG: I understand that.

MR. GEISEL: But that's the proposed elevation right there.

MR. MACH: So, the siding is coming down to the existing, to the top of the existing foundation.

MR. SWANBERG: Okay.

MR. GEISEL: Which quite frankly is a condition of many homes in Arlington Heights. We have to walk up a few steps to get into.

MR. SWANBERG: Yes, and it's not, I don't have a huge issue with that. I just, when we got our notice, all we got a notice about is with the south wall position. Then the wife of the, the wife who is the owner spoke with one of the neighbors and gave an indication of what was being changed which was not what I read in the variance request. So, that's why I wanted to come and make sure that it was what was written in the variance request.

MR. GEISEL: Because that issue is not a, there is no variance being granted for that.

MR. SWANBERG: The knee wall, right. I more just wanted to see what we were looking at and I wanted to get clarity that we were staying on the existing foundation wall on that south side because the owner on the south side is in intensive care, or he was in intensive care about a week ago, and so we just wanted to make sure that his concerns were represented. What we were told was not what was written, so that's really where we're at. So, that's all I have.

CHAIRMAN DIVITO: Understood, thank you. Anyone else from the audience that wishes to speak on this petition?

MR. SPIWAK: No, that was the same question I had. I actually live right next door.

MR. GEISEL: If you're going to address the Board, you're going to need to sign in.

MR. SPIWAK: Sorry.

CHAIRMAN DIVITO: Formalities, that's all.

MR. SPIWAK: It's probably a moot point, I think you guys answered it. But I'm at 625 South Evergreen, so I'm right next to the construction.

CHAIRMAN DIVITO: And your name for the record?

MR. SPIWAK: Steve Spiwak.

CHAIRMAN DIVITO: All right, and raise your right hand.

(Witness sworn.)

CHAIRMAN DIVITO: Thank you.

MR. SPIWAK: So, yes, I just wanted to make sure that, because it's really small there now between the guy that's right next door to them. We want to make sure it wasn't shrinking anything more and that was the only concern. So, it sounds like it's not going to be shrunk.

CHAIRMAN DIVITO: Okay, right.

MR. SPIWAK: Yes, okay. That's all I have.

CHAIRMAN DIVITO: Thank you.

MS. MCANN: I'm going to --

CHAIRMAN DIVITO: Might as well.

MS. MCANN: Well, because it was my husband that was talking, too. So, I'm Mary McAnn, and I'll raise my hand.

(Witness sworn.)

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

MS. MCANN: 623 South Evergreen.

CHAIRMAN DIVITO: Thank you.

MS. MCANN: So, my concern is the same as the other two gentlemen. When you say you're going back to the original foundation, so right now you've got, five feet, Steve?

MR. SPIWAK: No, they only have like three-foot over there. But we were told that --

MS. MCANN: No, no, I'm saying we went out with a tape measure, it was like five feet or something. If you're saying the existing foundation, I just want to clarify what that is because you've got the existing foundation, then you've got the window wells. What my husband was told is that there was a water problem in the basement. So, to fix that water problem, that the foundation was going to be moved to cover the window wells which is bringing them closer to 639. Therefore, with the easement, we're looking at like three feet and it looks like they're going up.

We're concerned quite honestly of it's starting to look like row houses, because our neighbors a few years back at 621, they went up. We've got seven feet between our houses and we had a problem because they were putting their bathroom window directly across from our bedroom window. We had to come and say let's meet. So, they had to change their plans, and we're seven feet apart and it's really close. This is starting at five feet.

So, what my husband was told, that's why we're here, it doesn't match what the notice that we all got in our mailbox is. So, we're concerned. When you say the original foundation, does that mean that the original foundation actually covers the window well or is it actually the foundation there plus the window well?

CHAIRMAN DIVITO: They're going to build off of the foundation wall. That's the way I understood it.

MS. MCANN: So, is that including the window well or is that, because that makes a difference, because that's about another foot, foot and a half. So, you're looking at, if they go up two feet, if they go two stories, we've got with the eave to the roof thing, we've got like three feet between the houses.

AUDIENCE MEMBER: So, Mary, they say that they're only --

CHAIRMAN DIVITO: If you're going to speak, come back there, we're going to need to bring you back up.

AUDIENCE MEMBER: Sorry.

CHAIRMAN DIVITO: Because we're actually recording, so that way it would be easier.

MS. MCANN: Oh, sorry.

MR. SIAVELIS: Perhaps we'll let the architect clarify it to expedite and make the process more efficient.

CHAIRMAN DIVITO: That would be a good idea.

MS. MCANN: Yes.

CHAIRMAN DIVITO: Yes.

MR. ALBERTS: We're going straight up on the existing foundation wall.

CHAIRMAN DIVITO: Can you come up if you're --

MR. ALBERTS: All right. We'll be going straight up on the existing foundation wall because that's where the structure needs to rest. We can't go up on where there is an existing window well. The window well that we did put in, first, when we put the addition on where that house will expand to the back, we placed the window well there, and Engineering said, you know, that would be yet another variance request. Well, I could put another window well anywhere I want provided that I don't have to, you know, argue with the owner about where she wants all of the outdoor decks and, you know, all the other things. So, I can move the window well, that's a new window well going on a new foundation wall that is at the setback of the current zoning requirements for setbacks.

So, as far as the existing foundation is concerned, we're going straight up on top.

MS. MCANN: Straight.

MR. ALBERTS: Straight up, and it's not two-story. It's a one-story home.

MS. MCANN: Okay, it's just the picture is two stories. We're just, you know, we're concerned because we were faced with this about 10 years ago.

MR. ALBERTS: Absolutely.

MS. MCANN: And it's seven feet and it's close. So, we're like if this is going up, then it starts looking like the 100 block of South Evergreen where it's row houses. So, we're concerned.

MR. ALBERTS: I appreciate and understand your concern.

MS. MCANN: Yes.

MR. ALBERTS: However, it's not a two-story house. It's still a ranch, and the owner is, first of all, she wanted to save the house so we did everything that we could.

MS. MCANN: No, no, I know. We're all friends with the previous owner and all that, and we all know change is going to be made which is fine. We're all fine with it. We just, when we got the notice and then there was just some discrepancy and we were all concerned.

MR. GEISEL: I believe that's been addressed. Has your issue been addressed?

MS. MCANN: Yes. As long as we're not going closer to Tom's house, we're good.

MR. ALBERTS: We're not.

MS. MCANN: Okay, we're good.

MR. ALBERTS: Thank you for your concern.

MS. MCANN: No, thank you. You know, we're all for it.

CHAIRMAN DIVITO: All right, I think there's only one member from the audience left, so last chance?

AUDIENCE MEMBER: I really have no comment.

CHAIRMAN DIVITO: All right. So, I think we're done with the audience participation if we want to close it down for Board discussion. It's good that we saved this one for last.

MR. GEISEL: I think it's fairly straightforward given the fact that they're going up on the existing foundation. The window well issue has been addressed that Engineering had a concern relative to. So, I would be in favor of the petition.

MR. SIAVELIS: Joe, are you going to support or move contingent upon resolution of those five points?

MR. GEISEL: Certainly, yes.

MR. SIAVELIS: Because you're the one who raised them. Is it your view if we still have that in play?

MR. GEISEL: Since I didn't make an actual motion, I was just discussing in general, but I'd be happy to if anybody else has any other comments?

CHAIRMAN DIVITO: I agree. Going straight up is always a little bit easier. It seems to be a reasonable request.

MR. GEISEL: Okay, I would make a motion to approve subject to each of the items that have been put forth in the memo from the Building Department to be addressed to their satisfaction.

CHAIRMAN DIVITO: Is there a second?

MR. DRAKE: Second.

CHAIRMAN DIVITO: Derek?

MR. MACH: Mr. Drake.

MR. DRAKE: Yes.

MR. MACH: Mr. Geisel.

MR. GEISEL: Yes.

MR. MACH: Mr. Schwingbeck.

MR. SCHWINGBECK: Yes.

MR. MACH: Mr. Selbka.

MR. SELBKA: Yes.

MR. MACH: Mr. Siavelis.

MR. SIAVELIS: Yes.

MR. MACH: Chairman Divito.

CHAIRMAN DIVITO: Yes. All done.

MR. ALBERTS: Thank you.

CHAIRMAN DIVITO: Thank you. That's the last piece of new business for tonight. Is there a motion to adjourn?

MR. GEISEL: Motion to adjourn.

CHAIRMAN DIVITO: Second?

MR. SCHWINGBECK: Can I just throw something out on the table real quick? I mean I had a general conversation with Derek this week, and I know we've talked about this before. I think we need to have a little bit more detail from Engineering when they're opposed to something.

MR. SIAVELIS: And, yes, the basis?

MR. SCHWINGBECK: Yes.

MR. SIAVELIS: Specific basis.

MR. SCHWINGBECK: Yes, because we're sitting here, you know, making zoning decisions, and if they're all in favor of the proposal, then we can make some pretty intelligent decisions. But if Engineering comes out, and I've mentioned this before, and they are dead set against a proposal and they put it in capital letters and say we are not in favor of this, I just think we need a little bit more detail from Engineering and Building so that we can make a good decision.

MR. SIAVELIS: An informed decision.

MR. SCHWINGBECK: Yes.

MR. DRAKE: I would add to that, not only what they're not in favor of but what they would be in favor of.

MR. SCHWINGBECK: Right.

MR. DRAKE: You know, here is what it would take from our point of view to satisfy so we have a little more guidance. We don't have to agree with any of that, but I think as lay people it's hard to know when we see that one or two sentences we're against it, it doesn't help me.

MR. SCHWINGBECK: Right.

MR. DRAKE: Just give us an alternative plan B.

MR. SIAVELIS: That's a good point.

MR. SCHWINGBECK: Yes, because this property we discussed tonight with the utility lines, if ComEd ever has to go in there and work on that telephone pole with those power lines, they're going to go in through the neighbor's yard where there's plenty of wide open space. But that one they were dead set against it and we really didn't know why. Even the ComEd letter that we got didn't tell us anything. So, I'd like, I agree, I think we need to know why they're so dead set against it and what would they like to see to give us some guidance.

MR. MACH: Okay, yes.

CHAIRMAN DIVITO: Fair point. If nothing else, that leaves maybe a quick conversation with any of the Board members or if they want to call me directly, and then I can --

MR. SIAVELIS: I don't think we can do it in an ad hoc basis like that.

MR. MACH: There's a process.

MR. SIAVELIS: We can't do that. I think we need to have their position put it in writing including the potential alternatives and resolutions.

MR. SELBKA: So that the parties can address it.

MR. GEISEL: Right, and I don't mean this the wrong way, we also can't have the Engineering Department dictate whether or not, this is the real point, having a point of relief for citizens to come in for a variance.

MR. SCHWINGBECK: I agree.

MR. GEISEL: So, that by default shouldn't be simply determined by Engineering.

MR. SIAVELIS: Yes, but Joe, I don't read their comment as dictating or coming down from above. I think they're giving their perspective.

MR. GEISEL: Agreed, and I don't disagree with that at all. Sometimes they're vague, and if that additional clarity is added, that's to everybody's benefit.

MR. SIAVELIS: Right.

MR. GEISEL: Just pointing out the --

MR. MACH: All right. Your comments will be shared with Engineering and the things that were discussed. Thank you.

MR. SCHWINGBECK: Motion to adjourn.

CHAIRMAN DIVITO: All right, second?

MR. DRAKE: Second.

CHAIRMAN DIVITO: All right, all in favor?

(Chorus of ayes.)

CHAIRMAN DIVITO: All opposed?

(No response.)

CHAIRMAN DIVITO: We're adjourned.

(Whereupon, the above-mentioned petition was adjourned at 7:56 p.m.)

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS April 9, 2018

PETITIONER: Sklierenko/Amirpour Residence

ADDRESS OF PROPERTY: 633 S. Evergreen Ave.

VARIATION: 5.1-3.6, 5.1-3.8

A 2.1' variation to allow a home with a side yard setback of 2.9' where 5' is required, and an additional 1' for the eave; A 324 square foot variation to allow a 3,749 square feet of impervious surface coverage where 3,425 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 to construct a new house on top of the existing foundation and they are proposing to expand the footprint in the rear of the new home. The petitioner testified that the proposed home is a one story house. The petitioner testified that the wall along the south elevation will be placed where the home is currently located which is nonconforming. The petitioner also testified that they are exceeding the allowable impervious surface coverage. The petitioner explained that they are proposing a detached garage which is increasing the length of the driveway which results in a need for a variation for impervious surface coverage. The petitioner explained that if the garage was moved closer to the house it would impact the 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. Giesel and seconded by Mr. Drake. Thereafter, the Board voted 6-0 to approve the variance request.

Now, therefore, after hearing all the evidence and after due deliberation, the Zoning Board of Appeals, voted 6-0 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



Item: 119 S. Kaspar Ave. - 4/9/18

Department: Planning & Community Development

ATTACHMENTS:

Description	Type
119 S. Kaspar Ave. - Minutes 4/9/18	Minutes
119 S. Kaspar Ave. - Findings 4/9/18	Minutes

ZONING BOARD

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

OF APPEALS

RE: 119 SOUTH KASPAR AVENUE - ZBA #18-009

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 Beuchner Room,
Arlington Heights, Illinois on the 9th day of April, 2018 at the hour of
7:10 p.m.

MEMBERS PRESENT:

DAVID DIVITO, Chairman
TOM DRAKE
TOM SCHWINGBECK
JOSEPH GEISEL
JOSEPH SELBKA
PETER SIABELIS

ALSO PRESENT:

DEREK MACH, Development Planner

CHAIRMAN DIVITO: Moving right along, we are at, let's see, 853 South Dwyer? Did I do that wrong?

MR. SELBKA: Yes, 633 South Evergreen.

CHAIRMAN DIVITO: Hold on. Oh, 633 South Evergreen, yes. Nobody claiming this one?

MR. SIAVELIS: Why don't you --

CHAIRMAN DIVITO: What's that?

MR. SIAVELIS: Announce the home.

CHAIRMAN DIVITO: Yes, 633 Evergreen. This is the, gosh, what's the last name on this one?

MR. GEISEL: Kolenko?

CHAIRMAN DIVITO: Yes. No?

MR. SIAVELIS: Let's put it to the end at this time.

CHAIRMAN DIVITO: Okay, we'll see if they show up at the end. So, I wasn't expecting them not to show up. Next one is 119 South Kaspar. Did I get that one right? I am going to step out of the room for this one. I'm going to recuse myself on the vote, so you guys are in good hands.

(Whereupon Chairman Divito recused himself and Mr. Selbka took over for him for this particular petition.)

MRS. STAKER: Okay. Hello. I can go?

MR. GEISEL: State your name and address please.

MRS. STAKER: Yes. My name is Alicia Staker, I reside at 119 South Kaspar. I'm here with my husband Mark Staker who also resides at 119 South Kaspar.

MR. GEISEL: Are you both signed in?

MRS. STAKER: I am signed in.

MR. GEISEL: You're signed in. Please raise your hand.

(Witness sworn.)

MR. GEISEL: Okay, please present your petition.

MRS. STAKER: Okay. So, as I mentioned, my husband and I are here to gain approval against Petition 18-009. Thank you for the opportunity and for what you do to maintain and improve our community.

As I mentioned, we're at 119 South Kaspar and we're looking to place a new air conditioning unit in our side yard, so remove the air conditioning unit from the backyard, move it to the side yard. The unit will be located 6.1 feet from the side yard property line with a minimum setback of 7.5 feet being required. Therefore, we are requesting a variance.

The unit will sit across from our south facing the neighbor's garage, and directly across from their two air conditioning units. So, our south side neighbor, it will sit directly across from their two air conditioning units.

The reason we are seeking your approval is, first of all, from a hardship perspective, we need to unfortunately replace our HVAC due to age and wear. We are simultaneously planning a new patio for the family and neighborhood to enjoy which really can't be installed with the current AC size and unit location. Our south-facing neighbors, Kirk and Kate Englundson, submitted a letter that was part of the exhibits in full support of this move. We're a close-knit neighborhood and with no fences and really

enjoy the others' company. So, again we've got full support of the, I guess the most impacted from a neighbor perspective.

Then as far as from an overcome this perspective, we fully plan to complete, we've been working on it, a total refresh of our exterior landscaping. We'll absolutely screen, because I will be very on top of making sure that happens, the new AC unit from the street, but noting it will sit towards the back corner of the side yard. So, we believe these three things support the requirements for the zoning petition to be granted.

MR. GEISEL: Thank you.

MRS. STAKER: Are there any questions?

MR. GEISEL: Questions from anybody?

MR. SCHWINGBECK: I've got a quick one.

MRS. STAKER: Sure.

MR. SCHWINGBECK: And I apologize. Kirk and Kate Englundson?

MRS. STAKER: Yes?

MR. SCHWINGBECK: Were they directly to the south? Where are they at?

MRS. STAKER: Yes, they are to the south of us.

MR. SCHWINGBECK: So, they're at 123 Kaspar?

AUDIENCE MEMBER: Yes.

MRS. STAKER: I'm not sure of their house number.

MR. SIAVELIS: But they are the adjacent neighbor closest to the --

MR. SCHWINGBECK: Right to that side?

MRS. STAKER: Adjacent neighbor closest to us on that side, yes.

MR. SIAVELIS: That's the neighbor that submitted the correspondence?

MRS. STAKER: Correct.

MR. SIAVELIS: In favor of.

MR. GEISEL: Right.

MR. SIAVELIS: And both Engineering, I noticed, and Design, no comments and no objection.

MR. GEISEL: Any other questions? All right, thank you.

MRS. STAKER: You're welcome.

MR. GEISEL: You may have a seat for a moment. Does anybody in the audience have any comments, questions? Thank you. Board?

MR. SCHWINGBECK: It seems pretty straightforward. There was only that one comment that talked about, why I asked where they were at, but they both had petitions to the Village. Both, so, during those plans, Derek, I'm assuming they're going to recess that air conditioning placement depending on what 123 Kaspar does?

MR. MACH: Yes.

MR. SCHWINGBECK: Okay.

MR. SIAVELIS: Other than, Tom, you're in support of the petition though?

MR. SCHWINGBECK: Yes. Yes.

MR. SIAVELIS: As am I.

MR. GEISEL: Anyone else? Motion? Comments?

MR. SIAVELIS: I'll move. I'm sorry.

MR. DRAKE: I like the fact that they're doing the landscaping, I think that's

great. They've satisfied all the requirements and the neighbors are on board.

MR. GEISEL: Right.

MR. DRAKE: I'm for it.

MR. SIAVELIS: I'll move.

MR. SCHWINGBECK: Second.

MR. GEISEL: Derek?

MR. MACH: Mr. Drake.

MR. DRAKE: Yes.

MR. MACH: Mr. Geisel.

MR. GEISEL: Yes.

MR. MACH: Mr. Schwingbeck.

MR. SCHWINGBECK: Yes.

MR. MACH: Mr. Selbka.

MR. SELBKA: Yes.

MR. MACH: Mr. Siavelis.

MR. SIAVELIS: Yes.

MR. SCHWINGBECK: You're approved. You're free to go. Good luck on
your project.

MRS. STAKER: Thanks.

MR. GEISEL: Can you call David?

(Whereupon, the above-mentioned petition was adjourned at
7:16 p.m.)

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS April 9, 2018

PETITIONER: Staker Residence
ADDRESS OF PROPERTY: 119 S. Kaspar Ave.
VARIATION: 6.6-5.1

A variation to allow a central air conditioning compressor unit in the required side yard, with a setback of 6.1' where 7.5' is required.

The petitioner testified as to hardship, uniqueness of circumstances, and the character of the locality. The petitioner explained that they are proposing to place a new air conditioning unit in the side yard which is encroaching into the required setback. The petitioner explained that the air conditioning unit will be located 6.1 feet from the side property line where a minimum of 7.5 feet is required. The petitioner further explained that the unit will sit across from the neighbor's garage, and directly across from the neighbor's two air conditioning units. The petitioner testified that they need to replace their HVAC due to age and that they are simultaneously planning a new patio. The petitioner commented that the neighbor has provided a letter of support.

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. Schwingbeck. Mr. Divito recused. 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



Item: 304 E. Grove St. - 4/9/18

Department: Planning & Community Development

ATTACHMENTS:

Description	Type
304 E. Grove St. - Minutes 4/9/18	Minutes
304 E. Grove St. - Findings 4/9/18	Minutes

ZONING BOARD

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

OF APPEALS

RE: 304 EAST GROVE STREET - ZBA #18-010

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 Beuchner Room,
Arlington Heights, Illinois on the 9th day of April, 2018 at the hour of
7:16 p.m.

MEMBERS PRESENT:

DAVID DIVITO, Chairman
TOM DRAKE
TOM SCHWINGBECK
JOSEPH GEISEL
JOSEPH SELBKA
PETER SIABELIS

ALSO PRESENT:

DEREK MACH, Development Planner

CHAIRMAN DIVITO: All right. So, next one is 304 East Grove. All right, Bob. Name and address for the record please.

MR. FLUBACKER: Robert Flubacker, I'm with Robert Flubacker Architects. We're at 1835 Rohlwing Road in Rolling Meadows.

(Witness sworn.)

CHAIRMAN DIVITO: Thank you. Whenever you are ready.

MR. FLUBACKER: I'm sorry.

CHAIRMAN DIVITO: No worries.

MR. FLUBACKER: So, we've been working on the design of a remodeling, a house makeover edition project at the subject address, and a couple of things became obvious. One is that the existing addition to the house--so there's the original main house and then there was an addition, there was a one-car garage to the side and a family room behind--is in suspect construction. There's a lot of movement and a lot of settlement. We're suspicious of the foundations and stuff that it's built on.

So, part of what we are proposing here is to tear down the existing garage, rebuild it pretty much in its exact same position to maintain the existing width of the one-car garage because we can't get a two-car garage on the property. Then the addition or building behind it we're actually pulling in to the setback line to make the rest of the project in compliance. So, the proposed project actually reduces the amount of encroachment within the setback that currently exists.

Obviously, the width of the garage is key, a young family, storage and, you know, all of the various sundry items that go in a garage. We are making the garage a couple of feet longer so that it complies with the minimum length of a garage in Arlington. But that's really the only change to the footprint of the garage.

We're also asking for a variation in the width of the front porch. In conversation with Derek, I understand that there is a zoning code change that's working its way through now that actually will make the request I'm asking for no longer necessary. But we're asking for a couple of extra feet of width for the front porch; not encroachment out but actually width. The current four by eight allowed encroachment for a portico or front porch --

MR. MACH: That variation was not included. The code amendment was supported by the Board last Monday and will go to ordinance next Monday.

MR. FLUBACKER: Okay.

MR. SIAVELIS: So, that obviates the need to move on that variance?

MR. MACH: Yes.

MR. FLUBACKER: So, never mind. So, with that, I'll be happy to answer any questions that you have.

MR. GEISEL: So, you have an existing structure that's non-conforming. I think Engineering is not in favor of this but you've got, if you don't do anything, it's still there.

MR. FLUBACKER: Right, right. Our option to doing this is, you know, trying to deal with the condition of the existing garage wall which, I'm sure once we start digging, that's going to be kind of ugly. I've seen a lot of this kind of addition done in Arlington and a lot of times they're just trench foundations, who knows what they're poured on.

MR. GEISEL: Understood. So, I just wanted to clarify that, so thank you.

MR. FLUBACKER: Yes, all right. We're doing everything we can to kind of help out. We have, additionally, there's some electric lines that go along the lot line that are parallel to the house. So, we've stepped the second floor addition back even farther than the setback line to get to at least what we can perceive Commonwealth Edison clearance requirements are to the structure which I believe is eight feet. So, we're, you know, there are some complications to working on the site there. But as far as drainage, as far as any utilities that are underground over there, there is no change to any of that situation.

MR. SIAVELIS: So, Robert, those power lines running laterally across the backyard, are you saying parallel to the side?

MR. FLUBACKER: They're parallel to the side lot line.

MR. SIAVELIS: The east side?

MR. FLUBACKER: Yes. Yes.

CHAIRMAN DIVITO: I think you mentioned that the existing non-conformance is actually going to be reduced?

MR. FLUBACKER: Yes.

CHAIRMAN DIVITO: You're actually bringing it --

MR. FLUBACKER: Yes, currently, in your packet, did you receive existing floor plans as well?

MR. GEISEL: There is one site plan that does depict existing and new, and it shows where you've got reductions in both corners, front and back.

MR. FLUBACKER: Yes. Currently, there is a garage with a family room behind and both of those are out to that easement line. In the proposed design, it's just the garage that's out to the easement line. The family room is going to step back.

CHAIRMAN DIVITO: Okay.

MR. SIAVELIS: The shading is just a little bit, the site plan drawings are real small in the version they sent to us.

MR. FLUBACKER: Here, this might help. Here is the --

MR. SIAVELIS: I assumed that --

MR. FLUBACKER: There is an existing floor plan that shows the setback line. So, it's this garage and that family room behind that are encroaching over the setback today.

MR. SIAVELIS: So, then you're going to move that family room back inside the setback line?

MR. FLUBACKER: Yes. The garage, we added a couple of feet to the length of the garage, again to comply with the code requirement for depth. But then, everything behind the garage will go back to the setback.

MR. SELBKA: Then, so this is the proposed garage, correct, Derek? This is the --

MR. FLUBACKER: That's the existing.

MR. GEISEL: Here is the new.

MR. FLUBACKER: That's the proposed.

MR. GEISEL: Here's the elevation.

MR. FLUBACKER: So, this is a little farther back.

MR. SELBKA: Yes. No, it does, it does.

MR. SIAVELIS: So, what Bob is saying is he's going to do the great room, the new great room, step it in with the laundry room so it will be inside the side yard setback.

MR. SELBKA: Right. Right.

MR. SIAVELIS: But he's got to kind of, he's got to deal with this garage structure, so that's what necessitates this variance.

MR. FLUBACKER: Yes. There's cracking in the slab and separation from the house. It's all stuff that kind of makes us suspect it's a slab-on grade that they built up a wood floor on top of.

MR. SIAVELIS: This is an irregular-shaped lot, right? The backyard at least isn't regular?

MR. FLUBACKER: I think the only odd thing is the back lot, like maybe in an angle. Yes, that's the back.

MR. SELBKA: Right. I mean the only concern I've got is do you have any concern that, you know, Commonwealth Edison can come in like rip up or dig underneath for this utility easement?

MR. FLUBACKER: Well, we have nothing in the easement.

MR. SELBKA: There's nothing there right now is what you're saying.

MR. FLUBACKER: Well, there won't be also. We're not going into the easement, we're going up to the easement. So, we're basically rebuilding at the same point we're at right now.

MR. SELBKA: Okay.

MR. FLUBACKER: The easement, we don't know who the easement is to. You know, there's no documentation who the easement was ever granted to. It doesn't say it's a utility easement, it doesn't say it's a drainage easement. The easement just says it's a four-foot easement. Four-foot is a very odd number for an easement.

MR. SELBKA: Yes. Yes. So, it's not like a ComEd easement where there are lines underneath?

MR. FLUBACKER: No. There's overhead power lines there.

MR. SELBKA: Oh, it's overhead.

MR. FLUBACKER: Yes.

MR. SELBKA: Okay, yes.

MR. SIAVELIS: Because remember that the neighbors to the Petitioner's east are subject to two backyards.

MR. SELBKA: Right.

MR. SIAVELIS: There is no house right there on that common property line or adjacent to that property line's backyard.

MR. FLUBACKER: Right. The properties to the east all face on --

MR. SIAVELIS: Belmont.

MR. FLUBACKER: Belmont, yes.

MR. SIAVELIS: Yes, I mean, this lot, I know this property well, it's right there basically. You've got a tough architectural, you know, lift here, right, because the back lot line is sloped and you've got the fences there. So, I think given what you're dealing with here, this is reasonable. I mean it's not like he's trying to put a massive two-

car garage there, they're trying to work within this challenge.

MR. GEISEL: Agreed, and you actually have more structure adjacent to it now than you would going forward.

MR. SIAVELIS: And that structure is fences, people's backyard fences.

MR. GEISEL: No, what I meant in terms of the non-conforming, existing non-conforming.

MR. SIAVELIS: Oh, yes, right.

MR. GEISEL: There's more structure that's actually adjacent.

MR. FLUBACKER: In the hardship part, you know, in this context argument, all the properties to the east, we're adjacent to the rear setback line rather than a side setback.

MR. SIAVELIS: Yes, that's my point.

MR. FLUBACKER: So, the nearest structure is a long distance away that would be affected.

MR. SIAVELIS: Right.

MR. GEISEL: Yes, agreed.

CHAIRMAN DIVITO: All right. Any other questions from the Board for the Petitioner? None being heard, we'll close it down to the audience.

MR. FLUBACKER: Thank you.

CHAIRMAN DIVITO: Thank you. Does anyone wish to speak on behalf of this petition? None being heard, we'll close it down to Board discussion.

MR. SIAVELIS: I can start.

CHAIRMAN DIVITO: Sure.

MR. SIAVELIS: So, like I think Joe and I were both commenting, this is a tricky project given the lot configuration, and I think this is entirely reasonable. The other significant point here is that the extent of non-conforming structure is being reduced as opposed to increased or even held constant. So, I think that weighs heavily on the Petitioner's favor. Even in light of this ComEd issue, right, I don't see that being as dispositive or significant. So, I'm in support of it.

MR. SELBKA: Yes. I mean my only concern was that they were expanding the garage over that easement. It doesn't look like that is the case any more than it already has. So, I don't even know what that easement is, too, it's not a typical utility easement.

CHAIRMAN DIVITO: It sounds like they're going to address some of the construction issues that may have been done in the past. So, if anything, we're going to get improvement of the property overall. So, I'm actually okay with the request that I'm seeing right now.

MR. GEISEL: Agreed.

CHAIRMAN DIVITO: Hearing nothing else, is there a movement?

MR. SIAVELIS: I'll move.

CHAIRMAN DIVITO: Okay, second?

MR. DRAKE: Second.

CHAIRMAN DIVITO: All right. Derek?

MR. MACH: Mr. Drake.

MR. DRAKE: Yes.

MR. MACH: Mr. Geisel.

MR. GEISEL: Yes.

MR. MACH: Mr. Schwingbeck.

MR. SCHWINGBECK: Yes.

MR. MACH: Mr. Selbka.

MR. SELBKA: Yes.

MR. MACH: Mr. Siavelis.

MR. SIAVELIS: Yes.

MR. MACH: Chairman Divito.

CHAIRMAN DIVITO: Yes. It's approved. Thank you.

MR. FLUBACKER: Thank you.

(Whereupon, the above-mentioned petition was adjourned at 7:29 p.m.)

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS April 9, 2018

PETITIONER: Davis/Oversmith Residence

ADDRESS OF PROPERTY: 304 E. Grove St.

VARIATION: 5.1-3.6, 5.4

A 3.1' variance to allow an addition with a side yard setback of 4.3' from the east property line instead of the minimum 7.4'.

The petitioner testified as to hardship, uniqueness of circumstances, and the character of the locality. The petitioner explained that they are proposing to tear down the existing attached garage that is non-conforming. The petitioner explained that they are proposing to reconstruct the garage with a second story addition. The petitioner testified that the existing foundation is in poor condition.

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 6-0 to approve the variance request.

Now, therefore, after hearing all the evidence and after due deliberation, the Zoning Board of Appeals, voted 6-0 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



Item: 926 S. Cleveland Ave. - ZBA#18-012

Department: Planning & Community Development

REQUEST

A 0.4 foot variation from Chapter 28, Section 5.1-3.6 (Required Minimum Yards) to allow a second story addition with a side-yard setback of 5.1 feet where 5.5 feet is required 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: May 14, 2018
Date Prepared: May 7, 2018
Project Title: Chowaniec Residence
Address: 926 S. Cleveland Ave.

Background Information

Petition Number: ZBA #18-012
Petitioner: Beata Kociuba
Address: 100 Higgins Rd.
Park Ridge, IL 60068

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

Requested Action/Background Information

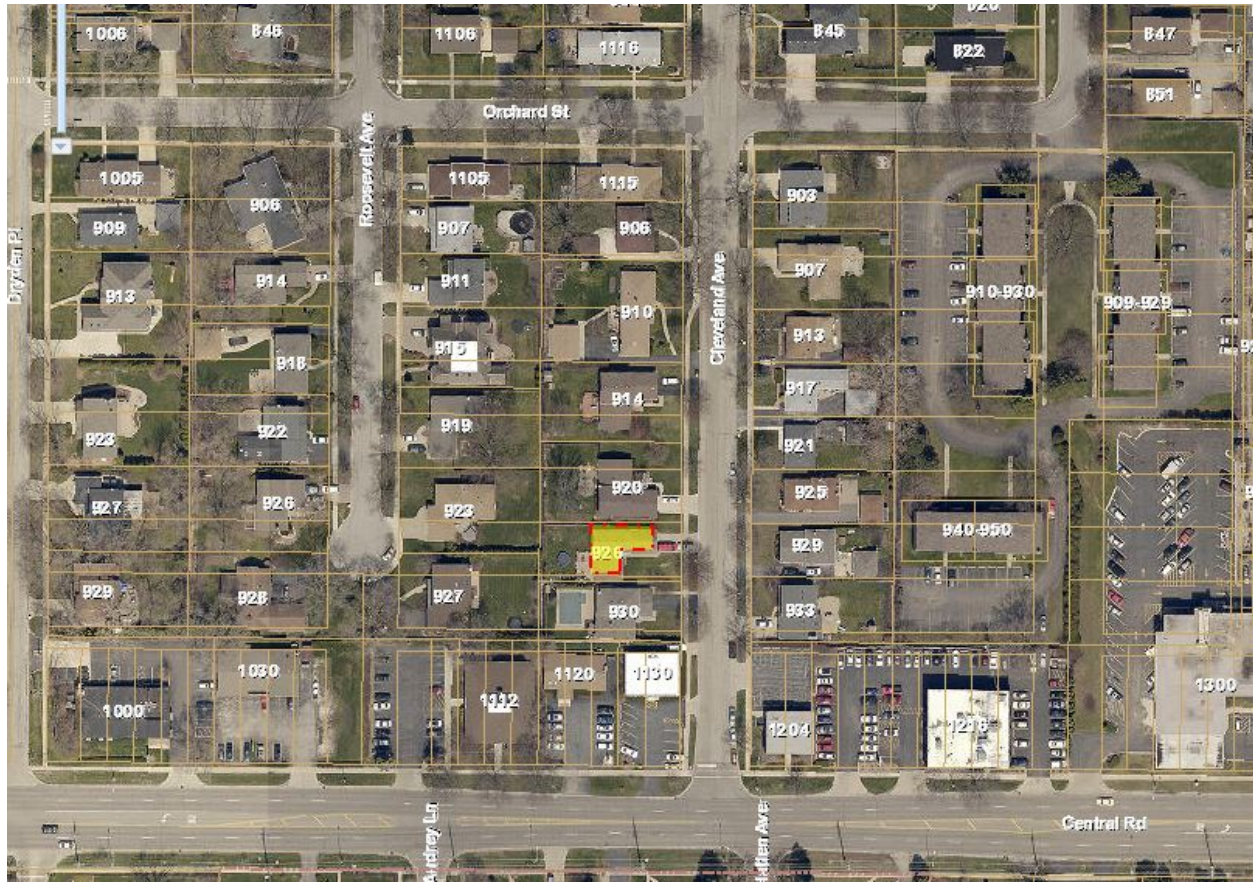
The subject property is zoned R-3, One-Family Dwelling District. The petitioner is proposing a second floor addition over the existing footprint of their home. The existing southern exterior wall of their home is 5.1 feet from the side-yard property line, however as the lot is 55 feet in width, code requires a minimum side yard setback of 5.5 feet. Therefore, the petitioner requests the following variation:

- A 0.4 foot variation from Chapter 28, Section 5.1-3.6 (Required Minimum Yards) to allow a second story addition with a side-yard setback of 5.1 feet where 5.5 feet is required and an additional 1.0 feet for the eave.

Variation Review Standards

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

Map of General Vicinity



Items Required to be Submitted 15 Days Prior to Public Hearing

<u>Item</u>	<u>Provided</u>	<u>Dated</u>	<u>Remarks</u>
1. Notification Affidavit	✓	4/27/18	
2. List of Property Owners Within 250 feet of Subject Property	✓	4/27/18	
3. Letter that was Mailed	✓	4/27/18	
4. Photographs of Sign on Property	✓	4/27/18	

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: Chowaniec Residence

Project Address: 926 S Cleveland Ave

ZBA #: 18-012

Date: May 4, 2018

Derek:

I have reviewed the request for the following variance:

- A 0.4 foot variance to allow a second story addition with a side yard setback of 5.1 feet where 5.5 feet is required, and an additional 1.0 foot for the eave.

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

1. The soffit and fascia of the west wall of the addition shall have 5/8-inch drywall installed under the weather protection material based on the distance to the lot line of less than 5 feet.

RECEIVED
MAY 04 2018
**PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT**

ZBA# 18-012
926 S Cleveland - ZBA
Rev. Eng: Nanci Julius, P.E.
cc: James J. Massarelli, P.E. Director of Engineering

Submitted: April 24, 2018
Completed: April 26, 2018



The proposed ZBA application indicates that the petitioner is seeking:

A 0.4 ft variance to allow a second story addition with a side-yard setback of 5.1 ft where 5.5 ft is required and an additional 1 ft for the eave.

NOTE: The existing home side-yard setback is non-conforming, and the proposed second story addition will not increase the non-conformity.

The Engineering Department has NO OBJECTION to the proposed side-yard setback variance.

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Chowaniec Residence

Project Address: 926 S. Cleveland Ave.

ZBA #: 18-012

ZBA Hearing Date: May 14, 2018

To: Jim Massarelli, Director of Engineering
Steven Touloumis, Director of Building Services

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

From: Derek Mach, Zoning Board of Appeals Liaison

Transmitted On: April 24, 2018

- A 0.4 foot variation from Chapter 28, Section 5.1-3.6 (Required Minimum Yards) to allow a second story addition with a side-yard setback of 5.1 feet where 5.5 feet is required and an additional 1.0 feet for the eave.

Attached are the Petitioner's:

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

Comments: THE PROPOSED ADDITION IS NICELY DESIGNED AND IS FAVORABLE FOR AN ADMINISTRATIVE DESIGN APPROVAL, PENDING THE OUTCOME OF THE ZBA REVIEW.

Please review, comment, and return to me no later than Friday, May 4, 2018.

-STEVE HAUTZINGER, DESIGN PLANNER

PETITION

NOW COMES the Petitioner ANETA AND LESZEK CHOWANIEC

being the owner of the property commonly known as: 926 s. CLEVELAND, ARLINGTON HEIGHTS

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 : REDUCE SOUTH SIDE SETBACK FROM 5.5 FT TO 5.1 FT AND TO ALLOW RAISE 2-ND FLOOR ADDITION WALL DIRECTLY ABOVE EXISTING HOUSE EXTERIOR WALL.

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

WHEN THE SECOND FLOOR ADDITION, SOUTH WALL, WILL NOT ALIGN WITH WALL BELOW IT WILL CREATE STRUCTURAL PROBLEM FOR WALL SUPPORT, AND WILL CREATE 6" SHELF ON WALL WITH POTENTIAL EASY MOISTURE PENETRATION.

I hereby state that the following unique circumstances exist: EXISTING HOUSE WAS BUILT 50 YEARS AGO, AND LOCATED ON LOT WITH TWO NON COMFORMING SETBACKS ON SOUTH AND NORTH SIDES. ON BOTH SIDES EXISITING SEDBACKS ENCROACH BY 6 INCHES INTO REQUIRED BY PRESENT ZONING ORDINANCE SETBACKS .

I hereby state that the variation, if granted will not alter the essential character of the locality because: PROPOSED ADDITION WILL NOT CHANGE THE CHARACTER OF MOSTLY 2- STROY HOUSES IN EIGHBORHOOD. STYLE AND SCALE OF PROPOSED ADDITION IS IN HARMONY WITH OTHER HOMES IN THAT AREA, AND SHOULD ENHANCE ECONOMIC VALUE OF THE NEIGHBORHOOD.

Signed: Aneta Chowaniec Date: 4/10/2018

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APR 12 2018
PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT

DRAWINGS INDEX:

1. *PLAT OF SURVEY*
2. *PROPOSED SITE PLAN*
3. *EXISTING LOWER FLOORS PLAN*
4. *EXISTING UPPER FLOORS PLAN*
5. *PROPOSED SECOND FLOOR ADDITION PLAN*
6. *ELEVATION STUDY MODEL*
7. *EXISTING AND PROPOSED FRONT ELEVATION*
8. *EXISTING AND PROPOSED LEFT ELEVATION*
9. *EXISTING AND PROPOSED RIGHT ELEVATION*
10. *EXISTING AND PROPOSED REAR ELEVATION*
11. *COLOR PHOTOS OF EXISTING PROPERTY*
12. *COLOR PHOTOS OF SURROUNDING PROPERTIES*
13. *COLOR PHOTOS OF PROPERTIES ACROSS THE STREET*
14. *LIST OF MATERIALS*
15. *ZONING WORKSHEETS*
16. *APPLICATION*



SECOND FLOOR ADDITION AT SPLIT LEVEL HOUSE LOCATED AT 926 S. CLEVELAND ARLINGTON HEIGHTS ,IL.

PREPARED BY:

BKArchitect

100 HIGGINS AVE. SUITE 205
PARK RIDGE IL. 60068

CELL 847 877 6255
PHONE 847 823 1801
bkbuilt@gmail.com



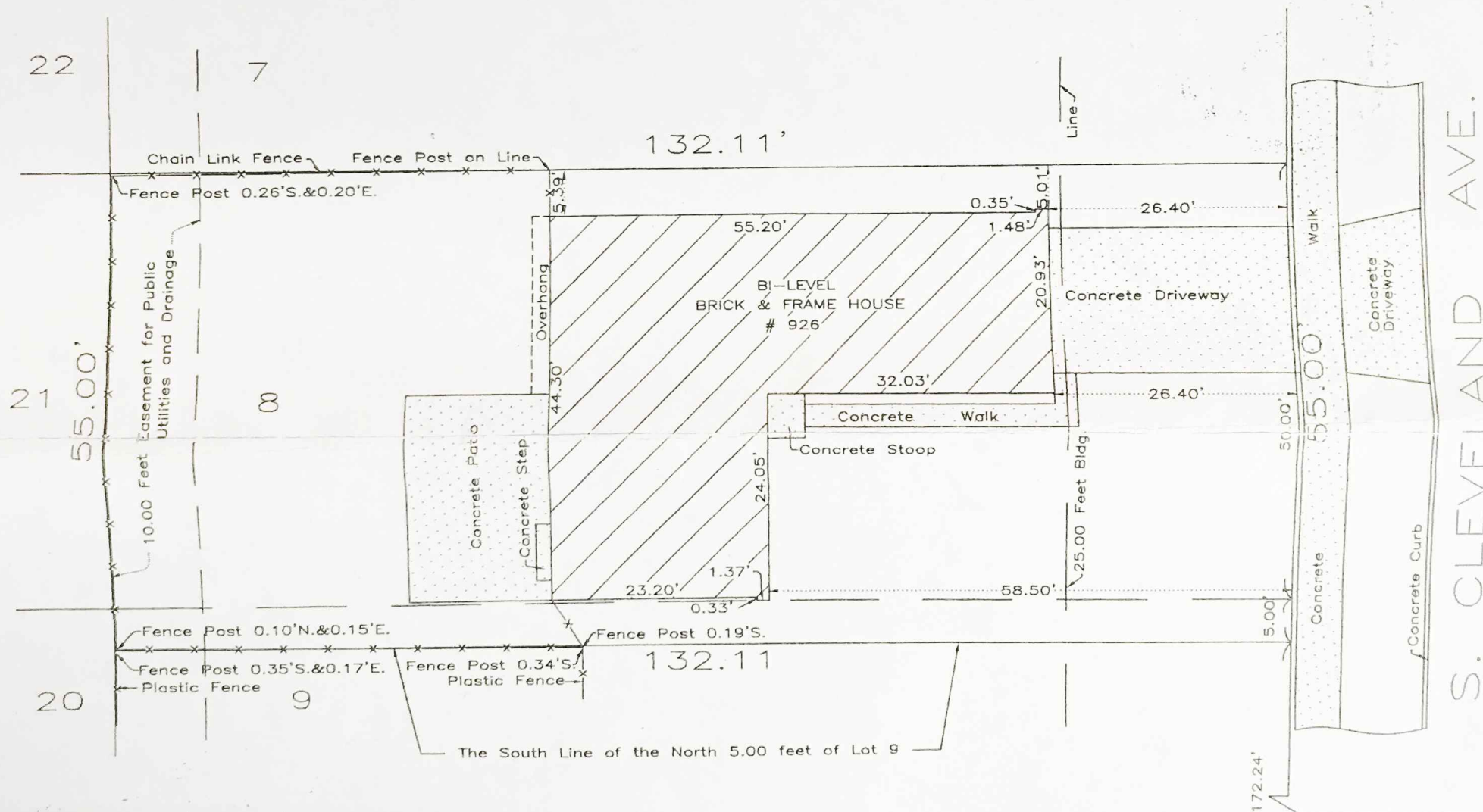
A. P. SURVEYING COMPANY, PC.
PROFESSIONAL LAND SURVEYORS

2815 LAKE AVENUE
WILMETTE, ILLINOIS 60091
TEL: (847) 853-9364
FAX: (847) 853-9391

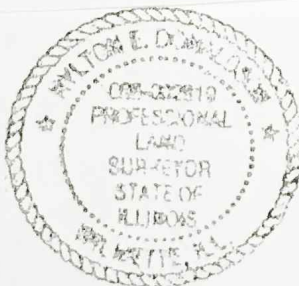
SURVEYOR LOCATION REPORT

LOT 8 AND THE NORTH 5 FEET OF LOT 9 IN BLOCK 23 IN ARLINGTON HEIGHTS PARK MANOR, BEING A SUBDIVISION OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 32 AND THE EAST 1/2 OF THE NORTHEAST 1/4 (LYING SOUTH OF THE CHICAGO AND NORTHWESTERN RAILROAD RIGHT OF WAY) IN SECTION 32, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 29, 1926 AS DOCUMENT 9257733, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 926 SOUTH CLEVELAND AVENUE, ARLINGTON HEIGHTS, ILLINOIS.



Order No. 05-2411
Scale: 1 inch = 16 feet.
Date: June 21, 2005.
Ordered by: WON SUN KIM
ATTORNEY AT LAW



This REPORT is designed for use by a Title Insurance Company with residential loan policies. No corner markers were set and the location data herein is based on limited accuracy measurements. Therefore, no liability will be assumed for any use of the data for construction of new improvements or fences.

I hereby certify to the parties named above that the real estate described herein was inspected under my supervision on the date indicated and that, to the best of my knowledge and belief, this report conforms with the requirements contained in Sections 27 through 29 of 865 IAC 1-12 [sic., 865 IAC 1-12] for a surveyor location report. The accuracy of any flood hazard statement shown on this report is subject to map scale uncertainty and to any other uncertainty in location or elevation on the referenced flood insurance rate map.

Hyatt E. Donahoe
PROF. IL. LAND SURVEYOR

10.00 FEET EASEMENT FOR PUBLIC
UTILITIES AND DRAINAGE

CONCRETE PATIO w/ pergola

2-nd floor addition

2-car garage

25.00 FEET BLDG

CONCRETE WALK

55.00'

CONCRETE DRIVEWAY

scale $\frac{3}{32}" = 1'-0"$

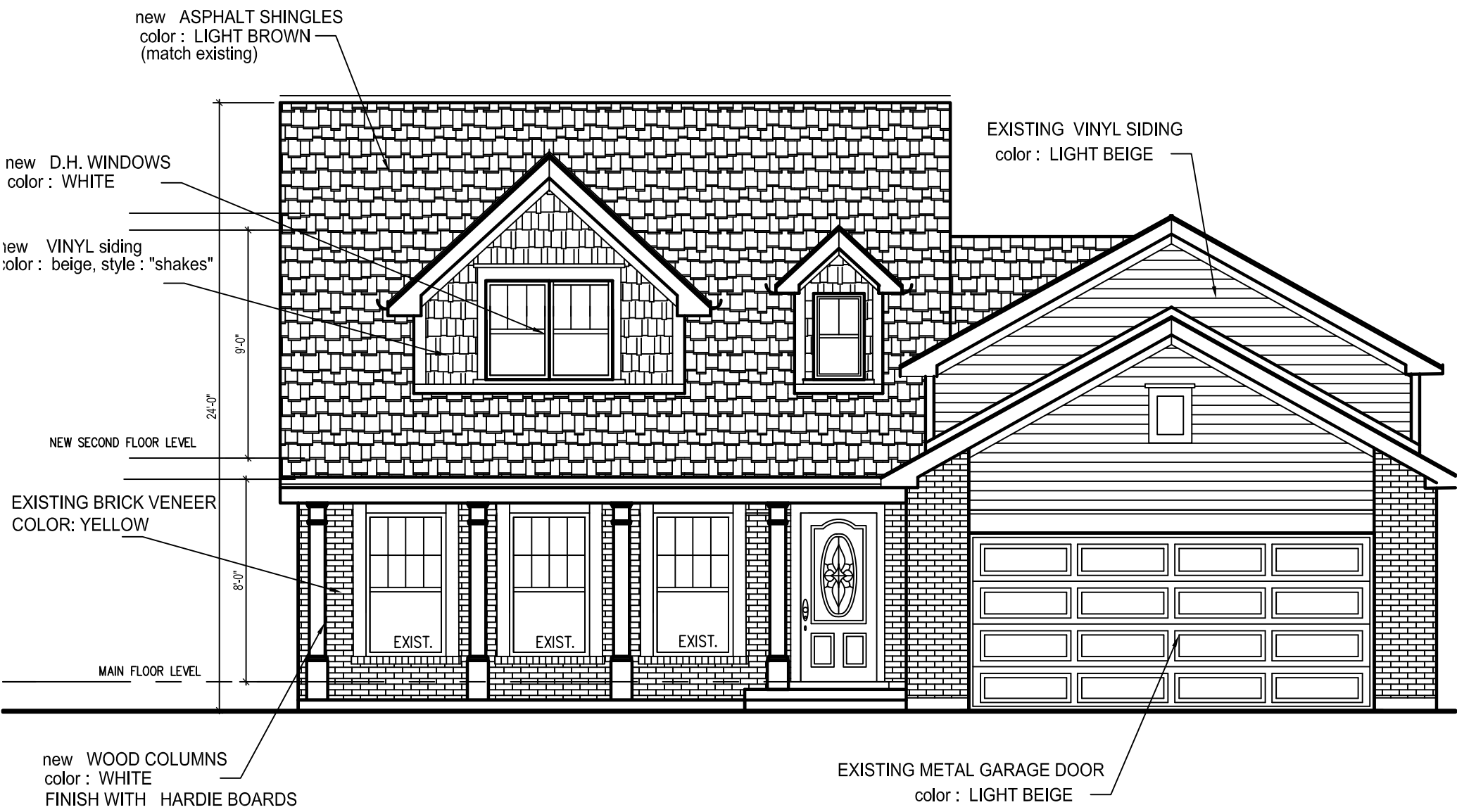
PROPOSED SITE PLAN for #926 S.CLEVELAND AVE.

ELEVATION STUDY MODEL



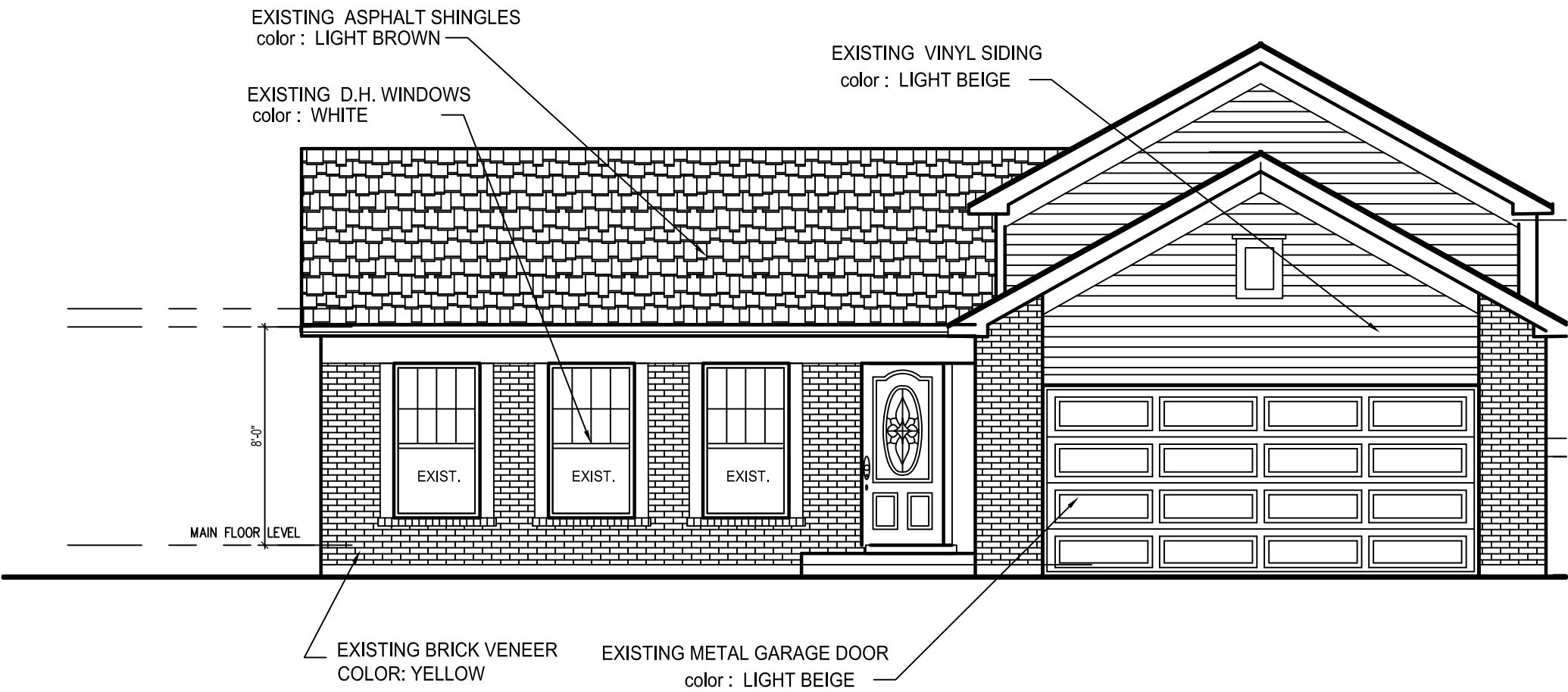
PROPOSED FRONT ELEVATION

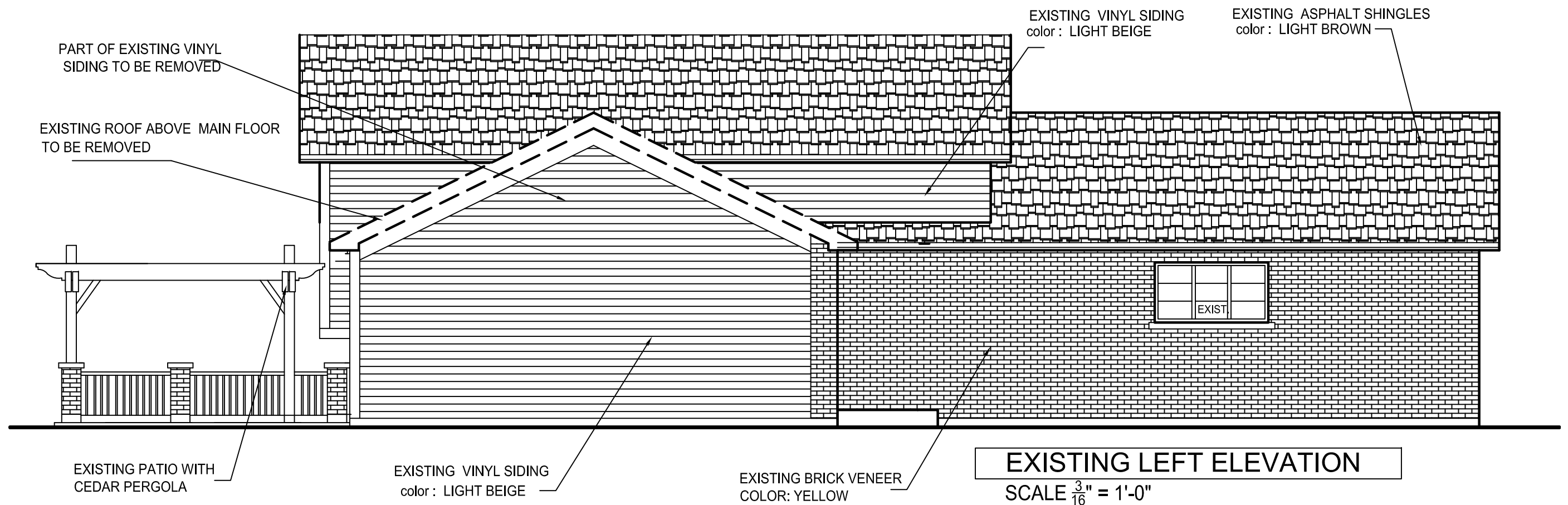
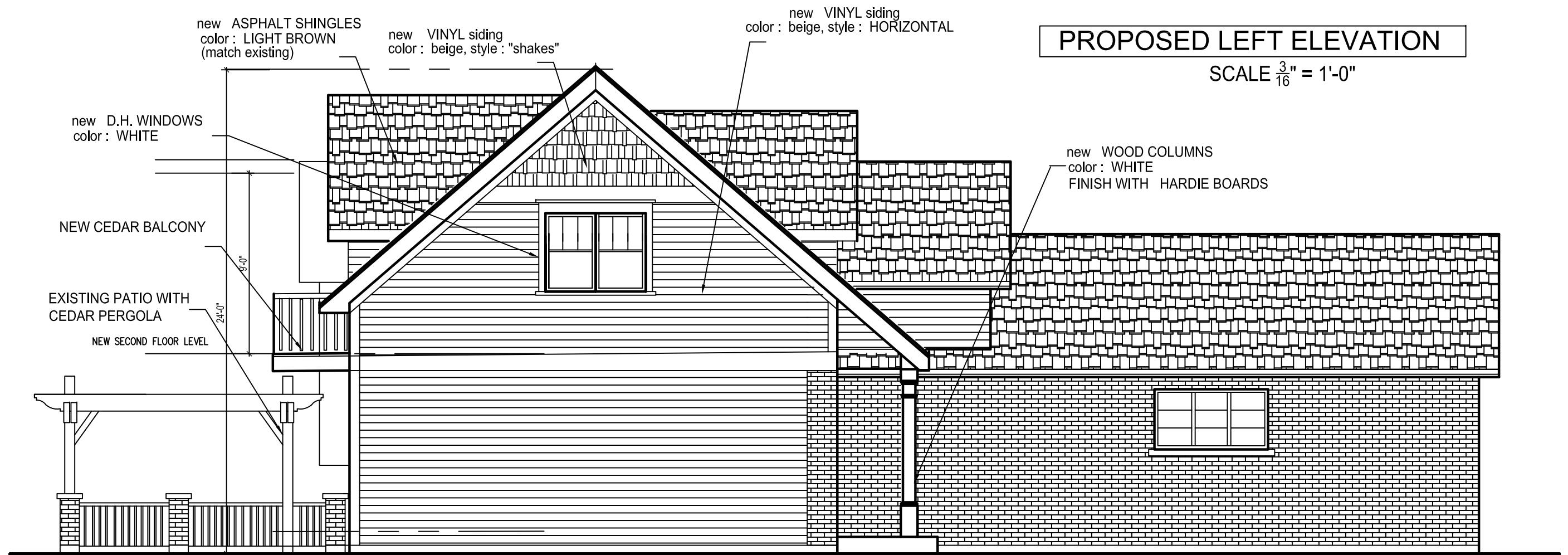
SCALE 3/16" = 1'-0"



EXISTING FRONT ELEVATION

SCALE 3/16" = 1'-0"





PROPOSED RIGHT ELEVATION

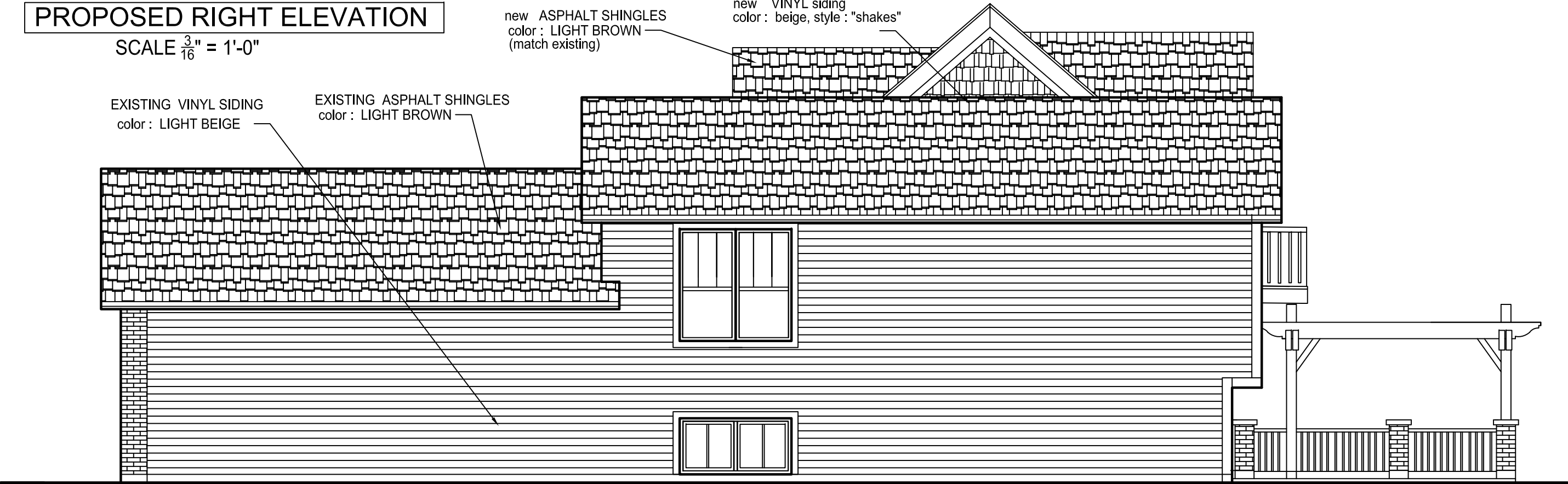
SCALE $\frac{3}{16}" = 1'-0"$

EXISTING VINYL SIDING
color : LIGHT BEIGE

EXISTING ASPHALT SHINGLES
color : LIGHT BROWN

new ASPHALT SHINGLES
color : LIGHT BROWN
(match existing)

new VINYL siding
color : beige, style : "shakes"



EXISTING ASPHALT SHINGLES
color : LIGHT BROWN

EXISTING VINYL SIDING
color : LIGHT BEIGE

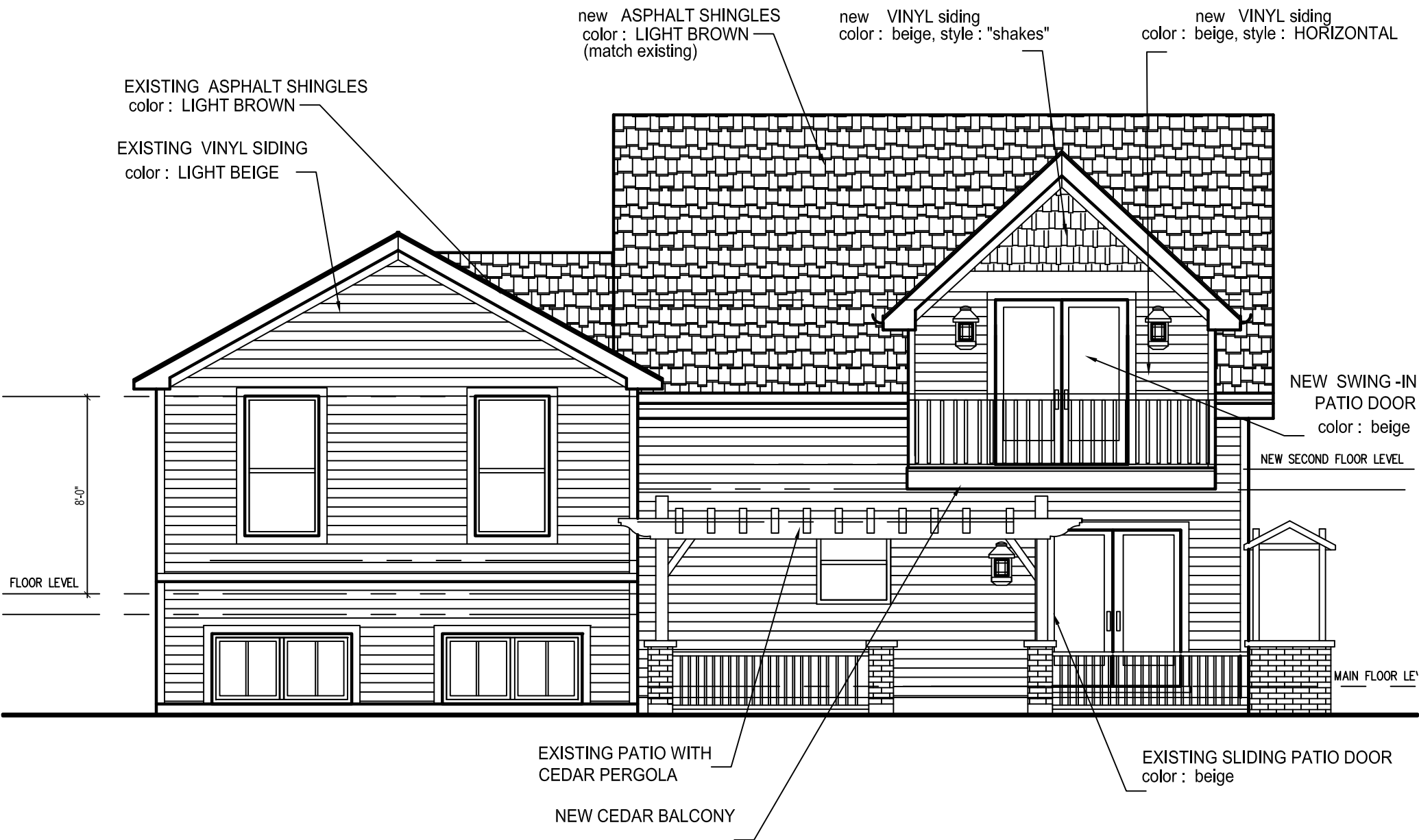
EXISTING RIGHT ELEVATION

SCALE $\frac{3}{16}" = 1'-0"$



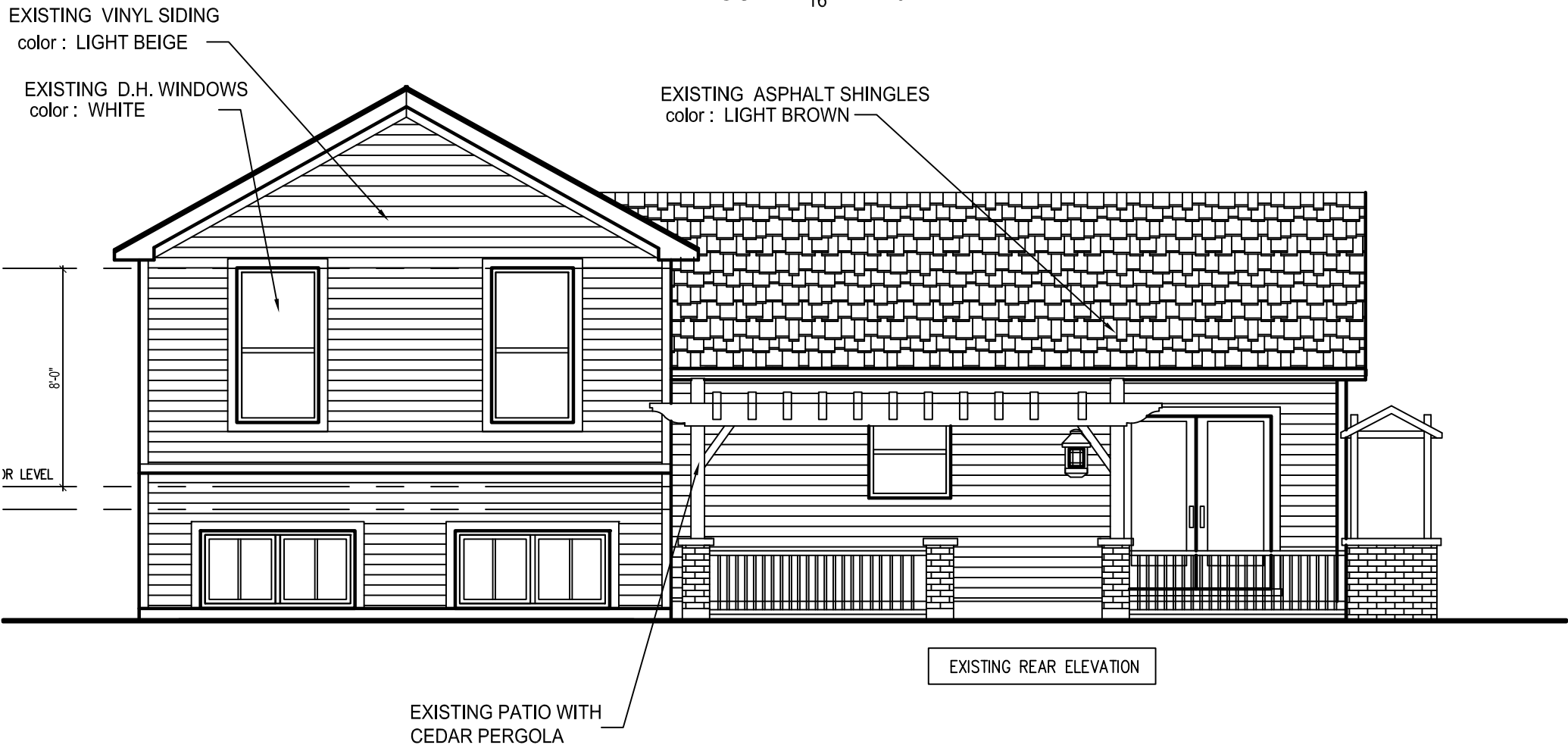
PROPOSED REAR ELEVATION

SCALE $\frac{3}{16}" = 1'-0"$



EXISTING REAR ELEVATION

SCALE $\frac{3}{16}" = 1'-0"$





EXISTING FRONT ELEVATION



EXISTING REAR ELEVATION



EXISTING REAR ELEVATION



EXISTING RIGHT ELEVATION

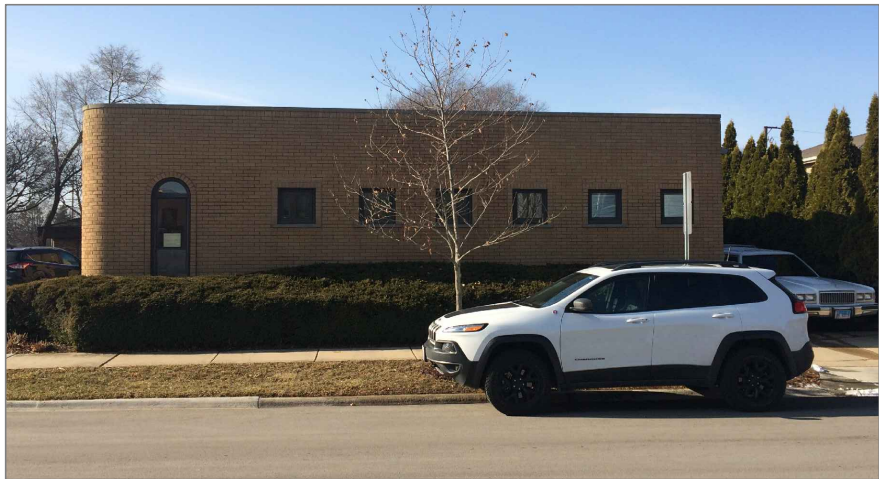


EXISTING RIGHT ELEVATION



EXISTING LEFT ELEVATION

EXISTING ELEVATIONS



LEFT NEIGHBOR



LEFT NEIGHBOR



926 S CLEVELAND AVE. ALINNGTON HEIGHTS



RIGHT NEIGHBOR



RIGHT NEIGHBOR



RIGHT NEIGHBOR



OPPOSITE STREET NEIGHBOR



OPPOSITE STREET NEIGHBOR



OPPOSITE STREET NEIGHBOR

MATERIAL LIST for 2nd floor addition at 926 S. CLEVELAND ARLINGTON HEIGHTS, IL.



NEW ASPHALT
SHINGLES

MATCH EXISTING LIGHT BROWN ASPHALT SHINGLES



MATCH EXISTING VINYL SIDING
("SHAKE" STYLE IN SAME COLOR)

NEW
SIDING



EXISTING YELLOW
BRICK

* NEW WINDOWS - VINYL, COLOR: WHITE



Item: 432 S. Banbury Rd. - ZBA#18-013

Department: Planning & Community Development

REQUEST

A 1.8 foot variance from Chapter 28, Section 5.1-3.6 (Required Minimum Yards) & Section 5.4 (Table of Required Minimum Yards) to allow a second story addition with a side yard setback of 3.4 feet from the east property line instead of the minimum 5.2 feet.

ATTACHMENTS:

Description

Supporting Documents

Type

Exhibits

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: May 14, 2018
Date Prepared: May 7, 2018
Project Title: Hasan Residence
Address: 432 S. Banbury Rd.

Background Information

Petition Number: ZBA #18-013
Petitioner: Keith Ginnodo / Kingsley/Ginnodo Architects
Address: 33 N. Hickory Ave.
Arlington Heights, IL 60004

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

Requested Action/Background Information

The subject property is zoned R-3, One-Family Dwelling District. The petitioner is proposing a second floor addition over the existing footprint of their home. The existing east exterior wall of their home is 3.4 feet from the side-yard property line, however as the lot is 52 feet in width, code requires a minimum side yard setback of 5.2 feet. Therefore, the petitioner requests the following variation:

- **A 1.8 foot variance from Chapter 28, Section 5.1-3.6 (Required Minimum Yards) & Section 5.4 (Table of Required Minimum Yards) to allow a second story addition with a side yard setback of 3.4 feet from the east property line instead of the minimum 5.2 feet.**

Variation Review Standards

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

Map of General Vicinity



Items Required to be Submitted 15 Days Prior to Public Hearing

<u>Item</u>	<u>Provided</u>	<u>Dated</u>	<u>Remarks</u>
1. Notification Affidavit	✓	4/27/18	
2. List of Property Owners Within 250 feet of Subject Property	✓	4/27/18	
3. Letter that was Mailed	✓	4/27/18	
4. Photographs of Sign on Property	✓	4/27/18	

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: Hasan Residence

Project Address: 432 S Banbury Rd

ZBA #: 18-013

Date: May 4, 2018

Derek:

I have reviewed the request for the following variance:

- A 1.8 foot variance to allow a second story addition with a side yard setback of 3.4 feet from the east property line instead of the minimum 5.2 feet.

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

1. The east wall of the second story addition shall have a minimum fire-resistance rating of 1-hour, with exposure from both the inside and outside, based on the distance to the lot line of less than 5 feet.
2. The soffit and fascia of the east wall of the second story addition shall have 5/8-inch drywall installed under the weather protection material based on the distance to the lot line of less than 5 feet.
3. Window openings in the east wall of the second story addition shall not exceed 25% of the wall area based on the distance to the lot line of less than 5 feet.

RECEIVED

MAY 04 2018

**PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT**

ZBA# 18-013
432 S Banbury Rd- ZBA
Rev. Eng: Nanci Julius, P.E.
cc: James J. Massarelli, P.E. Director of Engineering

Submitted: April 24, 2018
Completed: April 26, 2018



The proposed ZBA application indicates that the petitioner is seeking:

A 1.8 ft variance to allow a second story addition with a side yard setback of 3.4 ft from the east property line instead of the minimum 5.2 ft.

NOTE: The existing home side-yard setback is non-conforming, and the proposed second story addition will not increase the non-conformity.

The Engineering Department has NO OBJECTION to the proposed side-yard setback variance.

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: 432 S. Banbury Road

Project Address: 432 S. Banbury Road

ZBA #: 18-013

ZBA Hearing Date: May 14, 2018

To: Jim Massarelli, Director of Engineering
Steve Touloumis, Director of Building Services

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

From: Derek Mach, Zoning Board of Appeals Liaison

Transmitted On: April 24, 2018

- A 1.8 foot variance from Chapter 28, Section 5.1-3.6 (Required Minimum Yards) & Section 5.4 (Table of Required Minimum Yards) to allow a second story addition with a side yard setback of 3.4 feet from the east property line instead of the minimum 5.2 feet.

Attached are the Petitioner's:

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

Comments: A DESIGN COMMISSION APPLICATION IS REQUIRED.

CONSIDER HIPPING THE SIDES OF THE MAIN ROOF TO MINIMIZE THE IMPACT OF THE ADDITION. IT IS RECOMMENDED THAT THE

Please review, comment, and return to me no later than Friday, May 4, 2018.

BAY WINDOW ABOVE THE GARAGE BE CHANGED TO MATCH THE EXISTING WINDOWS FOR A MORE COHESIVE APPEARANCE.

-STEVE HAUTZINGER, DESIGN PLANNER

April 12, 2018

PETITION

432 S. Banbury Road, Arlington Heights, Illinois 60005

NOW COMES the Petitioner Tricia and Firas Hasan being the owner of the property commonly known as: 432 S. Banbury Road, Arlington Heights, Illinois 60005 and appeals to the Zoning Board of Appeals of the Village of Arlington Heights for a Variance from the Arlington Heights Municipal Code, Chapter 28 Zoning Regulations, Section 5.1-3.6 (Required Minimum Yards) in order to build a second floor addition that encroaches into the required side yard by 1'-10".

I hereby state that the following hardship would exist if the variation were not granted: The proposed second floor addition will line up with the existing non-conforming first floor wall. If the new second floor wall were to move 24" to the west to be in conformance, additional structural work would be required as well as wall/roof details. The result would create an awkward exterior and interior arrangement that would be more costly and difficult to build.

I hereby state that the following unique circumstances exist: The existing first floor wall is in non-conformance with the existing zoning codes.

I hereby state that the variation, if granted, will not alter the essential character of the locality. The new second floor addition seamlessly blends into the existing home, enhancing the overall appearance.

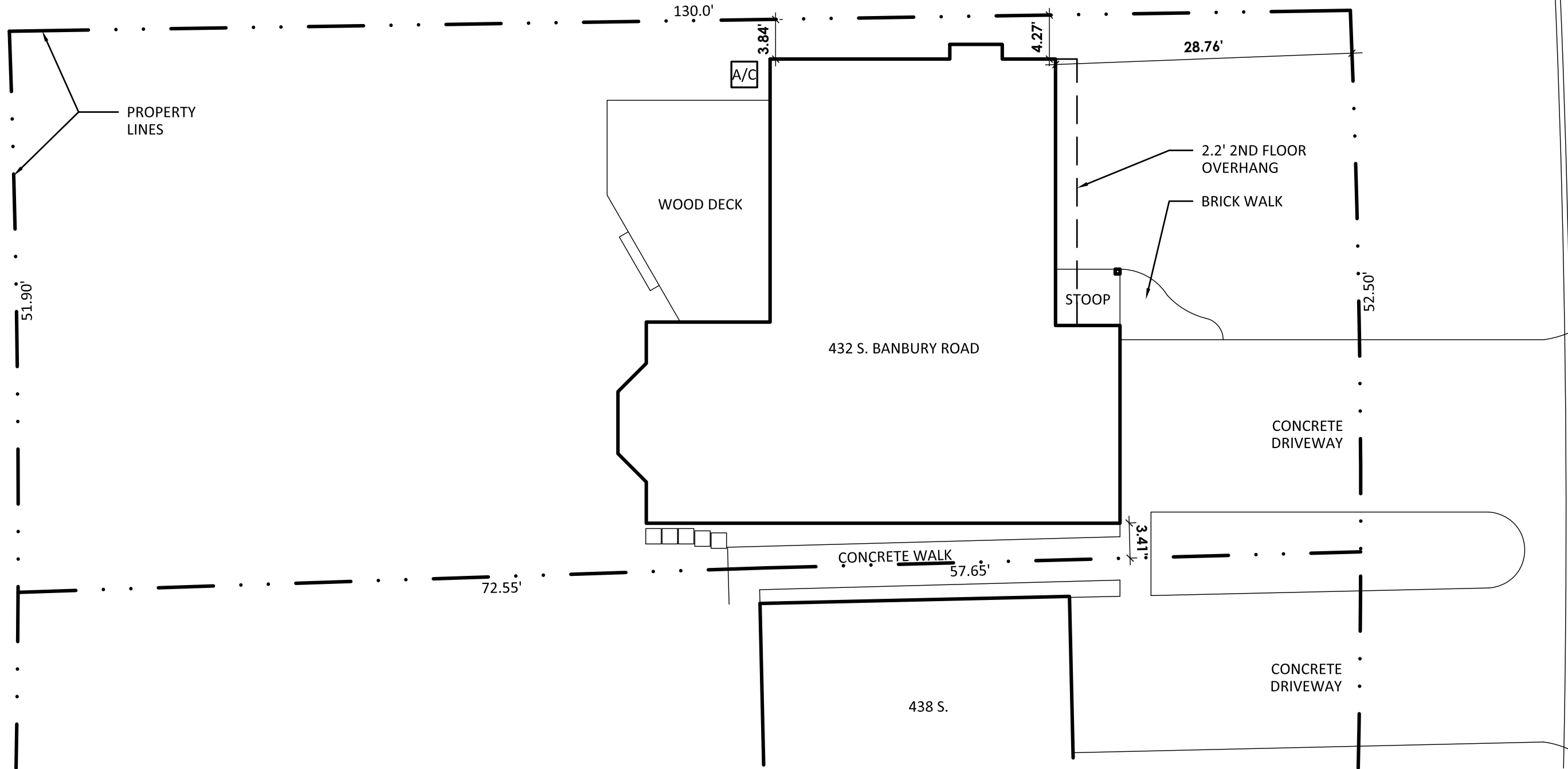
Signed: (petitioner)



date:

4/12/18

RECEIVED
APR 13 2018
PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT



DRAWING INDEX

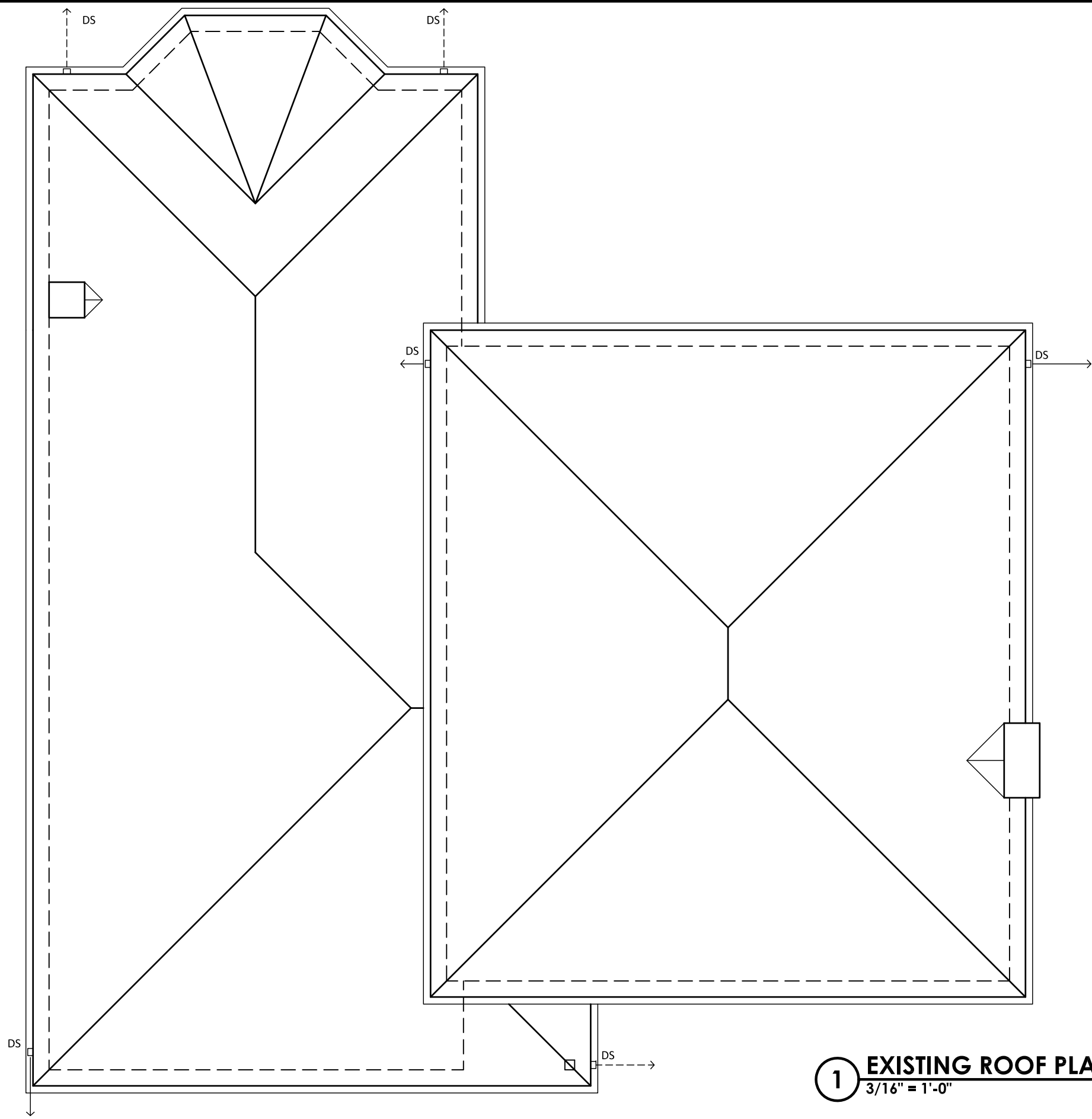
EX0	EXISTING SITE PLAN
EX1	EXISTING BASEMENT PLAN
EX2	EXISTING FIRST FLOOR PLAN
EX3	EXISTING SECOND FLOOR PLAN
EX4	EXISTING ROOF PLAN
EX5	EXISTING NORTH ELEVATION
EX6	EXISTING EAST ELEVATION
EX7	EXISTING SOUTH ELEVATION
EX8	EXISTING WEST ELEVATION

1 EXISTING SITE PLAN
3/32" = 1'-0"

TRICIA AND FIRAS HASAN
432 SOUTH BANBURY ROAD, ARLINGTON HEIGHTS, IL 60005



1 1/2 1/4



1 EXISTING ROOF PLAN
3/16" = 1'-0"



TRICIA AND FIRAS HASAN
432 SOUTH BANBURY ROAD, ARLINGTON HEIGHTS, IL 60005

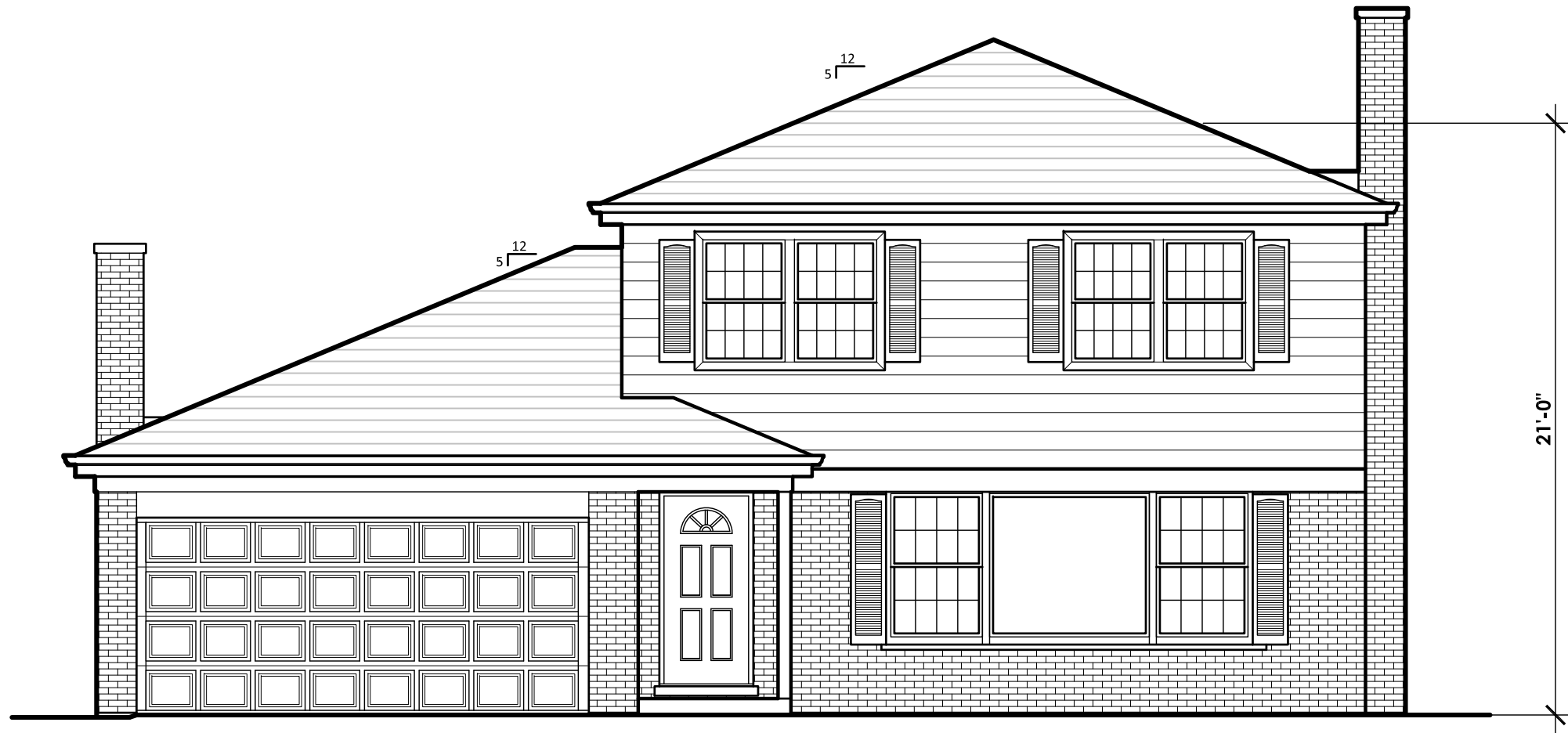


KINGSLEY + GINNODO ARCHITECTS
33 N HICKORY AV. ARLINGTON HTS. IL 60004

2.7.18

EX4

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1 EXISTING NORTH ELEVATION
3/16" = 1'-0"

TRICIA AND FIRAS HASAN
432 SOUTH BANBURY ROAD, ARLINGTON HEIGHTS, IL 60005

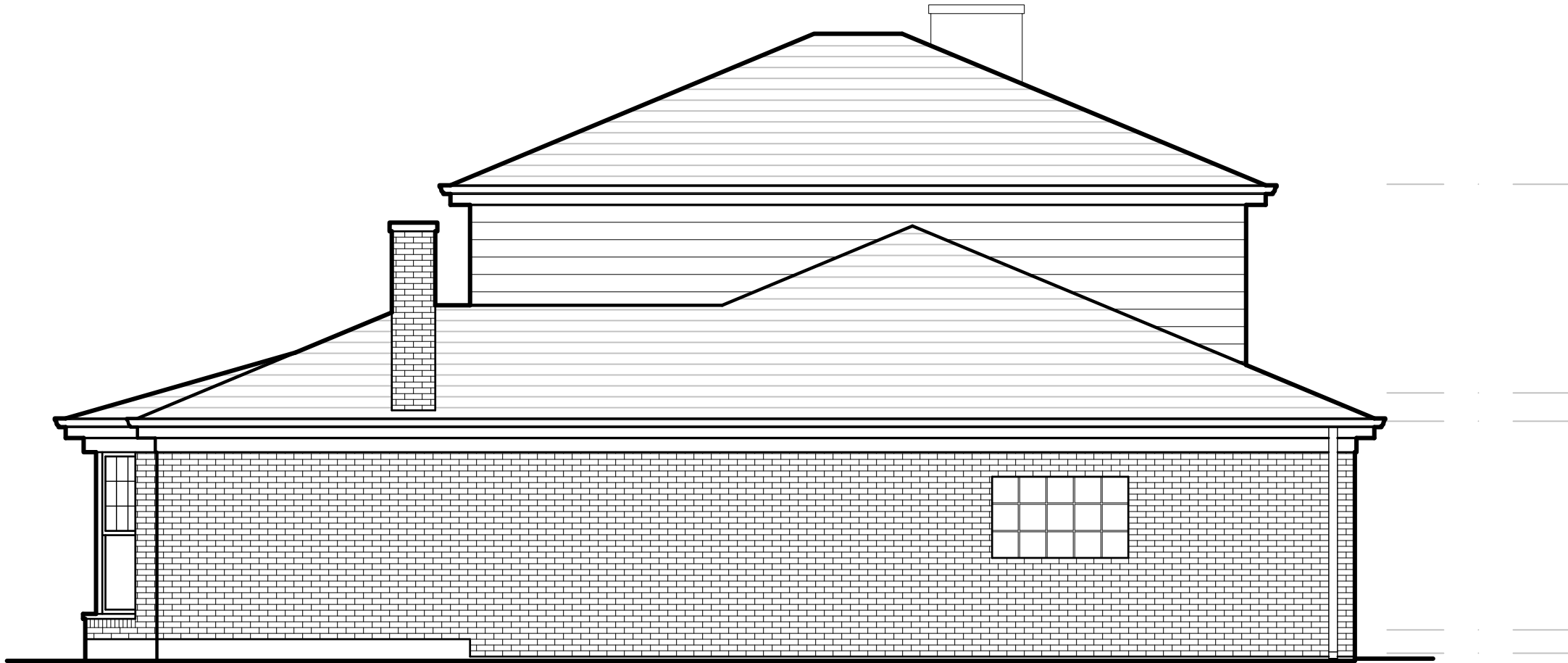


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33 N HICKORY AV. ARLINGTON HTS. IL 60004

2.7.18

EX5

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1 EXISTING EAST ELEVATION
3/16" = 1'-0"

TRICIA AND FIRAS HASAN
432 SOUTH BANBURY ROAD, ARLINGTON HEIGHTS, IL 60005



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333 N HICKORY AV. ARLINGTON HTS. IL 60004

EX6

2.7.18

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1 EXISTING SOUTH ELEVATION
3/16" = 1'-0"

TRICIA AND FIRAS HASAN
432 SOUTH BANBURY ROAD, ARLINGTON HEIGHTS, IL 60005

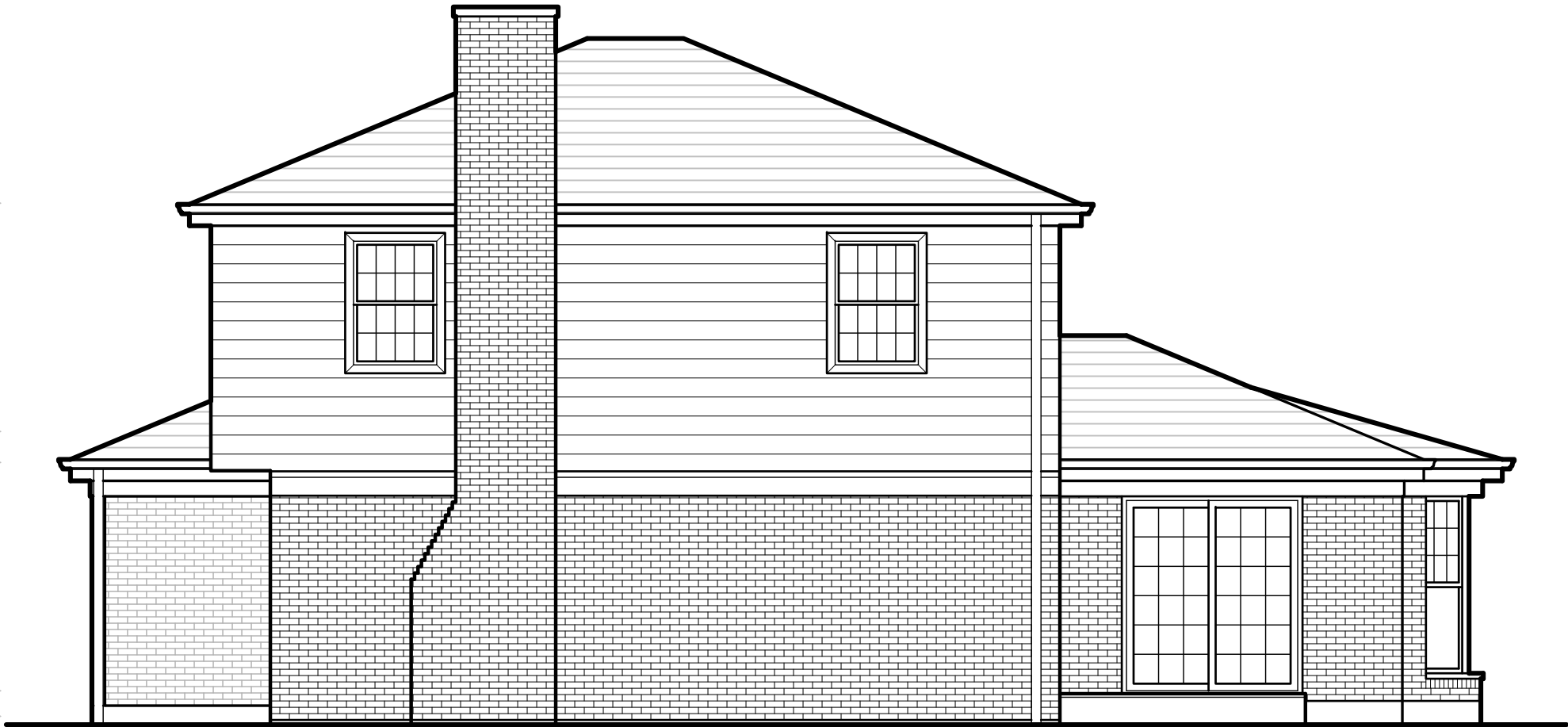


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333 N HICKORY AV. ARLINGTON HTS. IL 60004

EX7

2.7.18

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1 EXISTING WEST ELEVATION
3/16" = 1'-0"

TRICIA AND FIRAS HASAN
432 SOUTH BANBURY ROAD, ARLINGTON HEIGHTS, IL 60005



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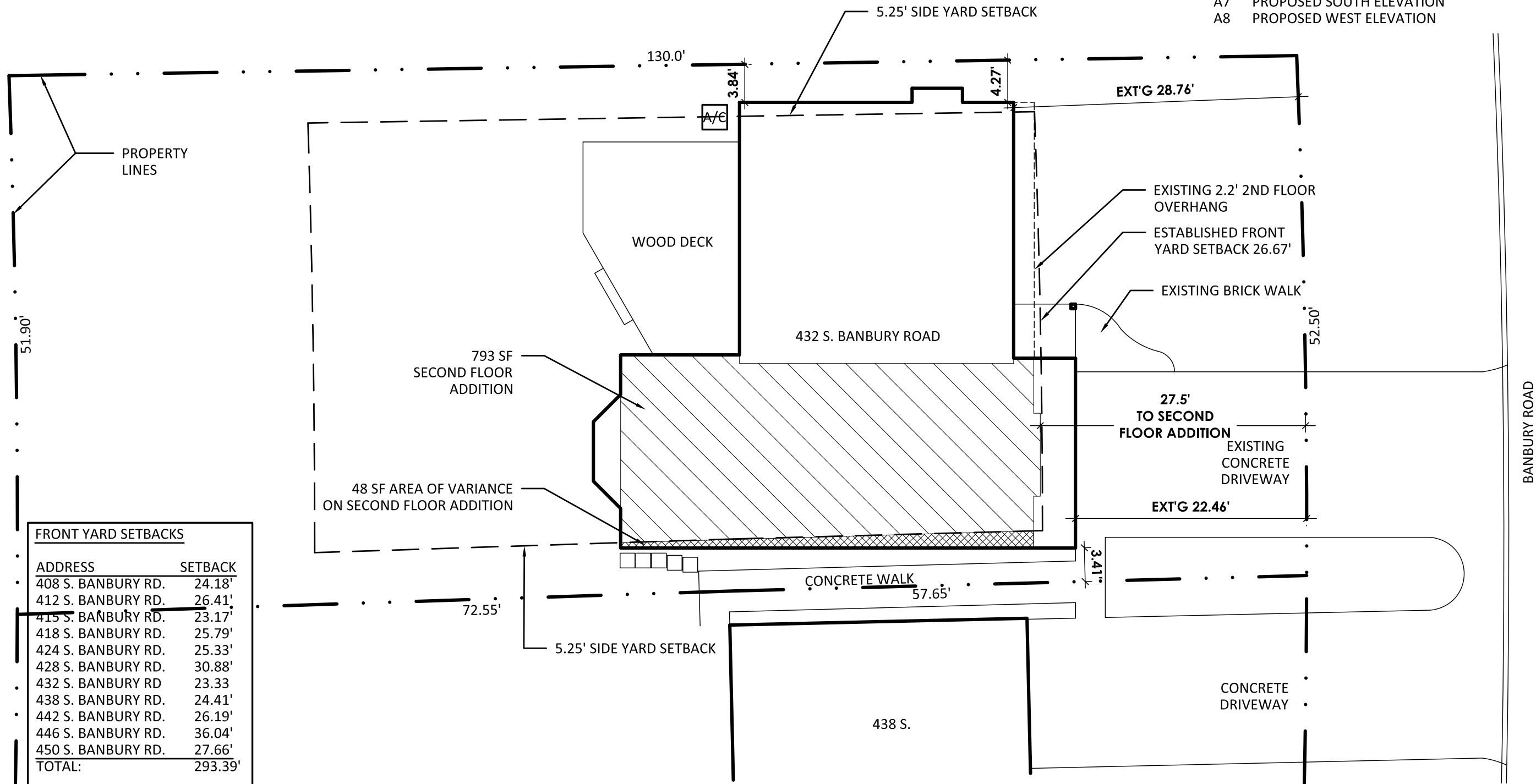
EX8

2.7.18

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DRAWING INDEX

- A0 PROPOSED SITE PLAN
- A1 PROPOSED BASEMENT PLAN
- A2 PROPOSED FIRST FLOOR PLAN
- A3 PROPOSED SECOND FLOOR PLAN
- A4 PROPOSED ROOF PLAN
- A5 PROPOSED NORTH ELEVATION
- A6 PROPOSED EAST ELEVATION
- A7 PROPOSED SOUTH ELEVATION
- A8 PROPOSED WEST ELEVATION



FRONT YARD SETBACKS	
ADDRESS	SETBACK
408 S. BANBURY RD.	24.18'
412 S. BANBURY RD.	26.41'
415 S. BANBURY RD.	23.17'
418 S. BANBURY RD.	25.79'
424 S. BANBURY RD.	25.33'
428 S. BANBURY RD.	30.88'
432 S. BANBURY RD.	23.33'
438 S. BANBURY RD.	24.41'
442 S. BANBURY RD.	26.19'
446 S. BANBURY RD.	36.04'
450 S. BANBURY RD.	27.66'
TOTAL:	293.39'
293.39' / 11 HOUSES = 26.67'	
ESTABLISHED FRONT YARD SET BACK = 26.67'	

1 SITE PLAN
3/32" = 1'-0"

TRICIA AND FIRAS HASAN
432 SOUTH BANBURY ROAD, ARLINGTON HEIGHTS, IL 60005

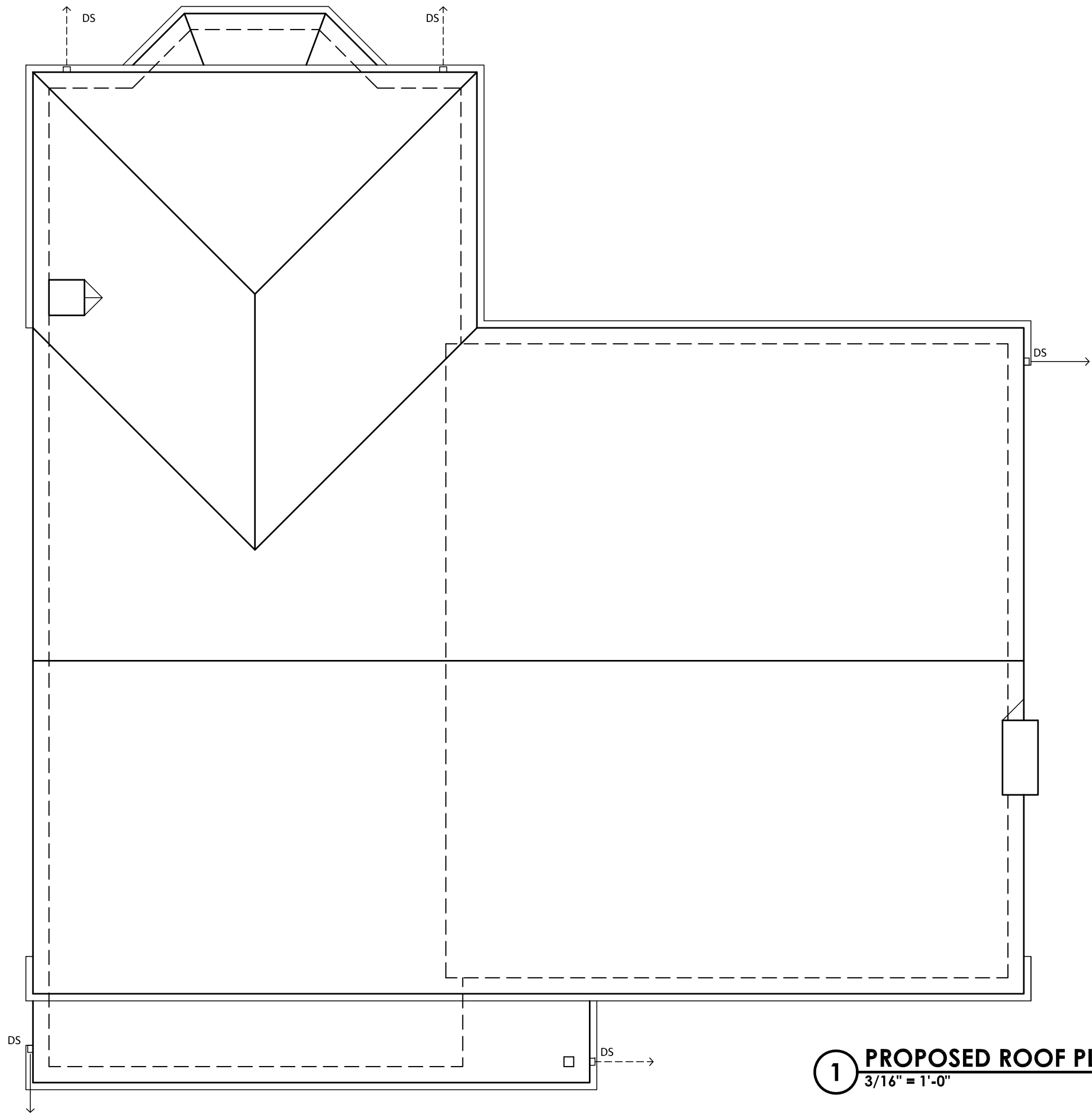
KINGSLEY + GINNODO ARCHITECTS
33 N HICKORY AV. ARLINGTON HTS. IL 60004

A0

4.24.18
4.11.18

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1 1/2 1/4

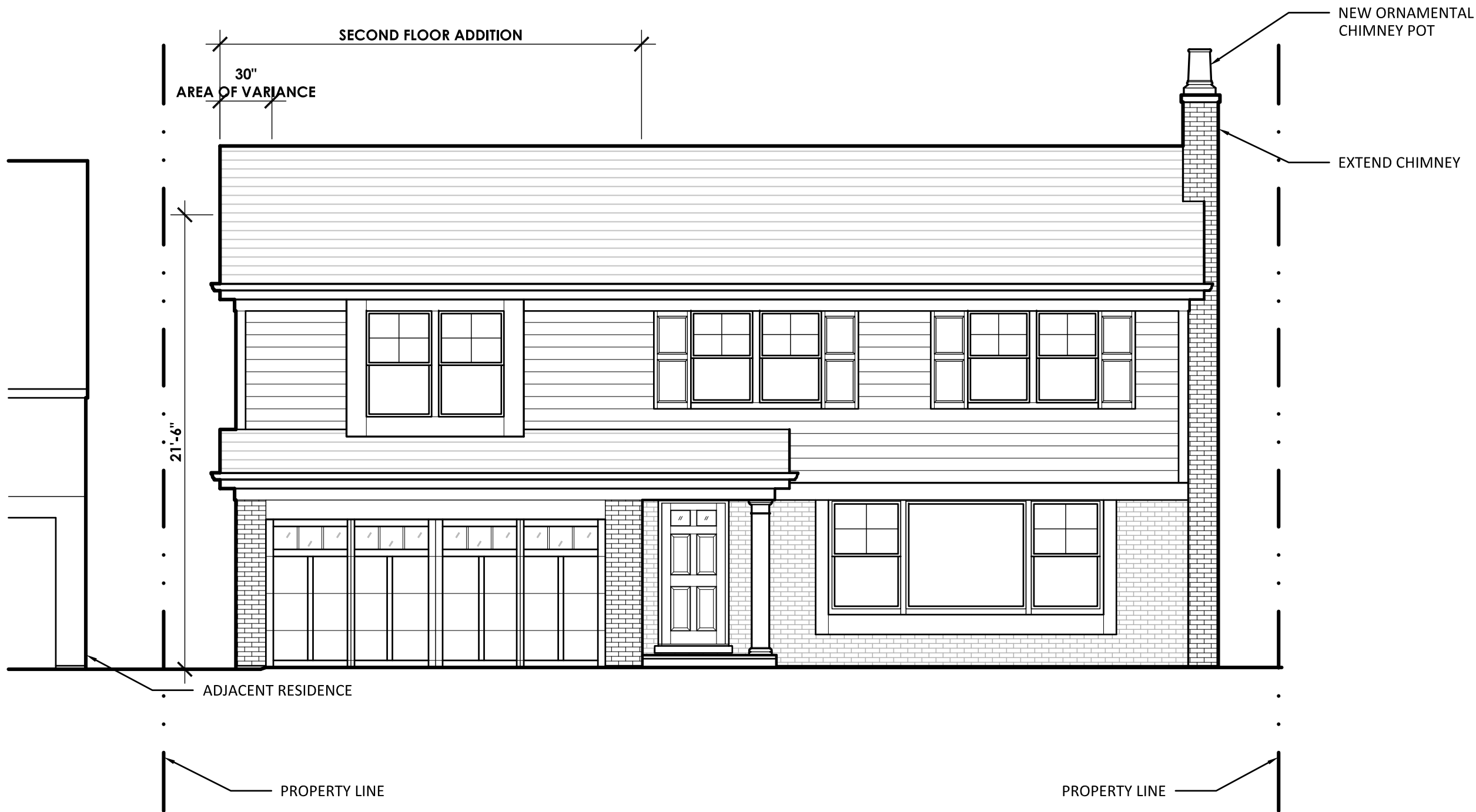


1 PROPOSED ROOF PLAN
3/16" = 1'-0"



TRICIA AND FIRAS HASAN
432 SOUTH BANBURY ROAD, ARLINGTON HEIGHTS, IL 60005





1 **PROPOSED NORTH ELEVATION**
3/16" = 1'-0"

TRICIA AND FIRAS HASAN
432 SOUTH BANBURY ROAD, ARLINGTON HEIGHTS, IL 60005



KINGSLEY + GINNODO ARCHITECTS
333 N HICKORY AV. ARLINGTON HTS. IL 60004

A5

3.29.18

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1 PROPOSED EAST ELEVATION
3/16" = 1'-0"

TRICIA AND FIRAS HASAN
432 SOUTH BANBURY ROAD, ARLINGTON HEIGHTS, IL 60005



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A6

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NEW ORNAMENTAL
CHIMNEY POT

EXTEND CHIMNEY

SECOND FLOOR ADDITION

14"
AREA OF VARIANCE

12
15

PROPERTY LINE

ADJACENT RESIDENCE

PROPERTY LINE

1 PROPOSED SOUTH ELEVATION
3/16" = 1'-0"

TRICIA AND FIRAS HASAN
432 SOUTH BANBURY ROAD, ARLINGTON HEIGHTS, IL 60005



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333 N HICKORY AV. ARLINGTON HTS. IL 60004

A7

3.29.18

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1 PROPOSED WEST ELEVATION
3/16" = 1'-0"

TRICIA AND FIRAS HASAN
432 SOUTH BANBURY ROAD, ARLINGTON HEIGHTS, IL 60005



KINGSLEY + GINNODO ARCHITECTS
333 N HICKORY AV. ARLINGTON HTS. IL 60004

A8

4.11.18

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Item: 319 E. Orchard St. - ZBA#18-014

Department: Planning & Community Development

REQUEST

1. A 2.0 foot variation from Chapter 28, Section 5.1-0.06 (Required Minimum Yards) to allow an addition with a front yard setback of 45.5 feet where 47.5 feet is required, and an additional 1.0 foot for the eave.
2. A 4.9 foot variation from Chapter 28, Section 5.1-0.06 (Required Minimum Yards) to allow an addition with a side yard setback of 4.8 feet where 9.7 feet is required, and an additional 1.0 foot for the eave.
3. A 1.0 foot variation from Chapter 28, Section 5.1-0.06 (Required Minimum Yards) to allow an addition with a side yard setback of 8.7 feet where 9.7 feet is required, and an additional 1.0 foot for the eave.
4. A 6.5 foot variation from Chapter 28, Section 5.1-0.06 (Minimum Required Yards) to allow a combined side yard setback of 13.5 feet where 20.0 feet is required, and an additional 2.0 feet for the eaves.

ATTACHMENTS:

Description	Type
Supporting Documents	Exhibits

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: May 14, 2018
Date Prepared: May 7, 2018
Project Title: 319 E. Orchard St.
Address: 319 E. Orchard St.

Background Information

Petition Number: ZBA #18-014
Petitioner: Kevin Brooks
Address: 17020 W. Tiger Tail Ct.
Gurnee, IL 60031

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

Requested Action/Background Information

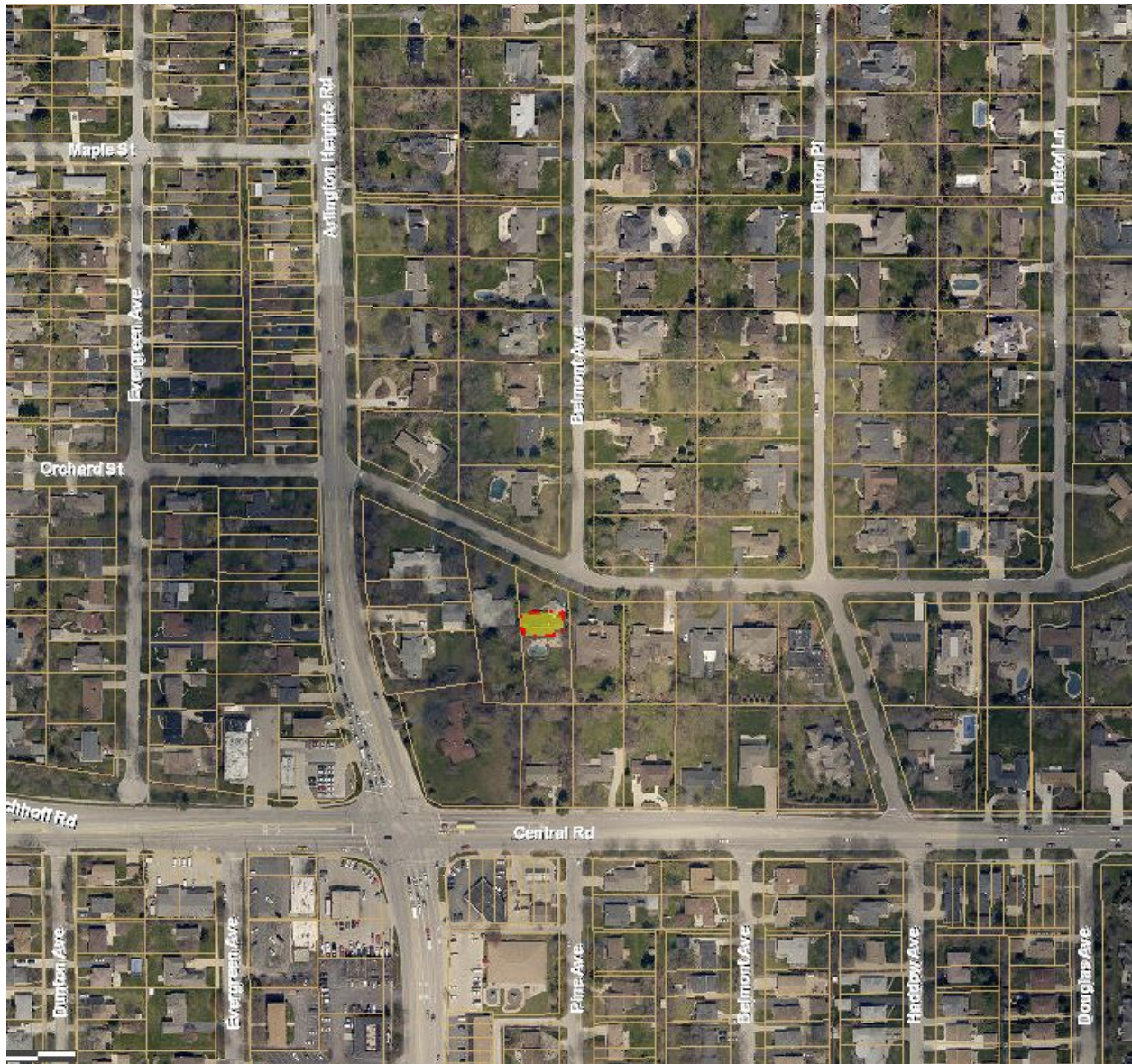
The subject property is zoned R-E, One-Family Dwelling District. The petitioner is proposing a second story addition to their existing one-story home, as well as a new attached garage to replace an existing attached garage. However, due to the position of the existing home on the lot, the front corner of the home has a front yard setback of 45.5 feet where 47.46 feet is the average front setback from the street. Additionally, the second story of the home will have a side yard setback of 4.76 feet where 9.7 feet is required, and the replacement garage will have a side yard setback of 8.75 feet where 9.7 feet is required. Therefore, the petitioner requests the following variations:

- A 2.0 foot variation from Chapter 28, Section 5.1-0.06 (Required Minimum Yards) to allow an addition with a front yard setback of 45.5 feet where 47.5 feet is required, and an additional 1.0 foot for the eave.
- A 4.9 foot variation from Chapter 28, Section 5.1-0.06 (Required Minimum Yards) to allow an addition with a side yard setback of 4.8 feet where 9.7 feet is required, and an additional 1.0 foot for the eave.
- A 1.0 foot variation from Chapter 28, Section 5.1-0.06 (Required Minimum Yards) to allow an addition with a side yard setback of 8.7 feet where 9.7 feet is required, and an additional 1.0 foot for the eave.
- A 6.5 foot variation from Chapter 28, Section 5.1-0.06 (Minimum Required Yards) to allow a combined side yard setback of 13.5 feet where 20.0 feet is required, and an additional 2.0 feet for the eaves.

Variation Review Standards

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

Map of General Vicinity



Items Required to be Submitted 15 Days Prior to Public Hearing

<u>Item</u>	<u>Provided</u>	<u>Dated</u>	<u>Remarks</u>
1. Notification Affidavit	✓	4/27/18	
2. List of Property Owners Within 250 feet of Subject Property	✓	4/27/18	
3. Letter that was Mailed	✓	4/27/18	
4. Photographs of Sign on Property	✓	4/27/18	

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: Brooks Residence

Project Address: 319 E Orchard St.

ZBA #: 18-014

Date: May 4, 2018

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MAY 04 2018
PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT

Derek:

I have reviewed the request for the following variance:

- A 1.96 foot variance to allow an addition with a front yard setback of 45.5 where 47.46 feet is required, and an additional 1.0 foot for the eave.
- A 4.94 foot variance to allow an addition with a side yard setback of 4.76 feet where 9.7 feet is required, and an additional 1.0 foot for the eave.
- A 0.95 foot variance to allow an addition with a side yard setback of 8.75 feet where 9.7 feet is required, and an additional 1.0 for the eave.
- A 6.49 foot variance to allow a combined side yard setback of 13.51 feet where 20 feet is required, and an additional 2.0 feet for the eave.

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

1. The west wall of the addition shall have a minimum fire-resistance rating of 1-hour, with exposure from both the inside and outside, based on the distance to the lot line of less than 5 feet.
2. The soffit and fascia of the west wall of the addition shall have 5/8-inch drywall installed under the weather protection material based on the distance to the lot line of less than 5 feet.
3. Window openings in the west wall of the addition shall not exceed 25% of the wall area based on the distance to the lot line of less than 5 feet.
4. Plans submitted for permit are required to be produced by an Illinois licensed architect and shall be signed and sealed.

ZBA# 18-014
319 E Orchard St- ZBA
Rev. Eng: Nanci Julius, P.E.
cc: James J. Massarelli, P.E. Director of Engineering

Submitted: April 24, 2018
Completed: April 26, 2018



The proposed ZBA application indicates that the petitioner is seeking:

A 1.96 ft variance to allow an addition with a front yard setback of 45.5 ft where 47.46 ft are required;
A 4.94 ft variance to allow an addition with a side yard setback of 4.76 ft where 9.7 ft is required, and an additional 1 ft for the eave;
A 0.95 ft variance to allow an addition with a side yard setback of 8.75 ft where 9.7 ft is required, and an additional 1 ft for the eave; and;
A 6.49 ft variance to allow a combined side yard setback of 13.51 ft where 20 ft is required, and an additional 2 ft for the eaves.

NOTE: The existing home side-yard setbacks are non-conforming, and the proposed second story addition and new attached garage will not greatly alter the existing non-conformity.

The Engineering Department has NO OBJECTION to the proposed side yard setback variations.

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: 319 E. Orchard St.

Project Address: 319 E. Orchard St.

ZBA #: 18-014

ZBA Hearing Date: May 14, 2018

To: Jim Massarelli, Director of Engineering
Steven Touloumis, Director of Building Services

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

From: Derek Mach, Zoning Board of Appeals Liaison

Transmitted On: April 24, 2018

- A 1.96 foot variation from Chapter 28, Section 5.1-0.06 (Required Minimum Yards) to allow an addition with a front yard setback of 45.5 feet where 47.46 feet is required, and an additional 1.0 foot for the eave.
- A 4.94 foot variation from Chapter 28, Section 5.1-0.06 (Required Minimum Yards) to allow an addition with a side yard setback of 4.76 feet where 9.7 feet is required, and an additional 1.0 foot for the eave.
- A 0.95 foot variation from Chapter 28, Section 5.1-0.06 (Required Minimum Yards) to allow an addition with a side yard setback of 8.75 feet where 9.7 feet is required, and an additional 1.0 foot for the eave.
- A 6.49 foot variation from Chapter 28, Section 5.1-0.06 (Minimum Required Yards) to allow a combined side yard setback of 13.51 feet where 20 feet is required, and an additional 2.0 feet for the eaves.

Attached are the Petitioner's:

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

Comments: A DESIGN COMMISSION APPLICATION IS REQUIRED.

THE PROPOSED EXTERIOR MATERIALS AND COLORS WILL NEED TO BE EVALUATED AGAINST THE CONTEXT OF THE NEIGHBORHOOD.

Please review, comment, and return to me no later than Friday, May 4, 2018.

-STEVE HAUTZINGER, DESIGN PLANNER

RECEIVED
APR 17 2018
PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT

PETITION

NOW COMES the petitioner, Kevin Brooks being the legal owner of the property commonly known as:

319 E Orchard St. Arlington Heights, Illinois

And appeals to the Zoning Board of Appeals of the Village of Arlington Heights for a Variation from Section 5.1-0.06, Chapter 28, of the Arlington Heights Municipal Code, in order to:

Construct a 2nd floor addition over existing 1st floor

Construct a new attached garage in replacement of existing garage

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

East side & front set back - Cannot meet Village requirements for min. garage width

West side set back - Existing residence is constructed within the side yard setback

Combined side yard setbacks - due to existing West side setback at 4'-9 1/2", the new garage (replacing existing) on the east side could not be more than 15'-6" wide

I hereby state that the following unique circumstances exist:

The 2nd floor addition is working within the existing footprint of the first floor - West side setback

There is not enough existing space between the residence and the East property line to construct a garage with a minimum 21'-4" interior dimension per village requirements

The lot is irregular shape - the front property line, and the front setback line, is on a large angle to the existing residence, forcing a small corner of the garage beyond the average front setback of the street.

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

The second floor addition is working within the existing footprint

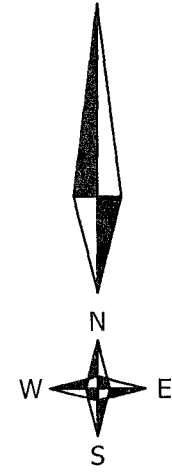
There are precedents within the neighborhood of setback variations to accommodate additions / remodels on existing residences

The overall project will add value and improve the appearance of the residence, therefore adding value to the neighborhood

Signed: 

Date: 4/16/18

Petitioner



PLAT OF SURVEY

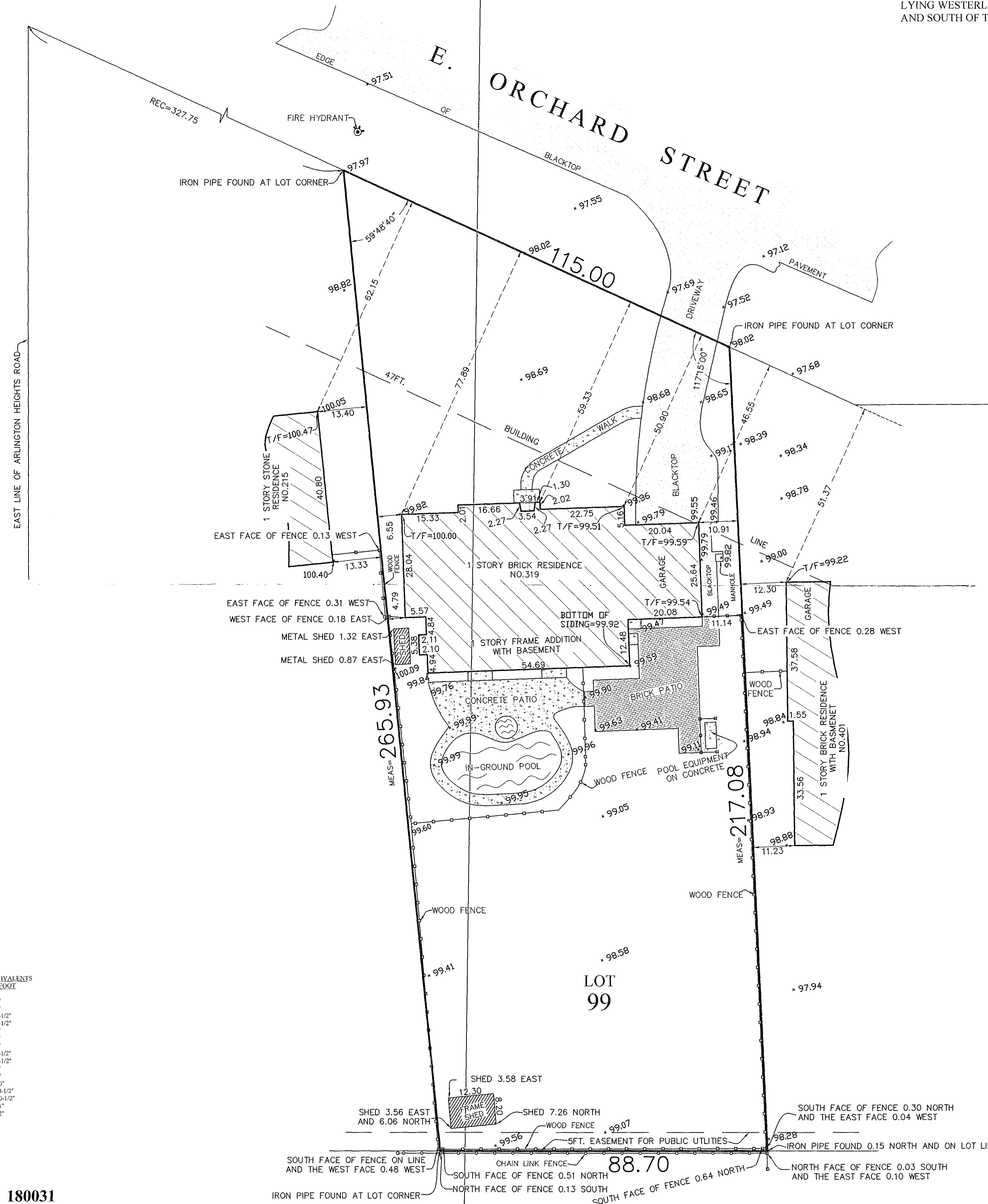
BY
JOHN M. HENRIKSEN

415 E. GOLF ROAD - SUITE 103 ARLINGTON HEIGHTS, ILLINOIS 60005
TEL. 224-875-7633 FAX. 224-875-7634
WWW.HENRIKSENSURVEY.COM

OF

LOT 99 IN THE RESUBDIVISION OF LOTS 95 TO 122 BOTH INCLUSIVE IN SCARSDALE ESTATES, BEING A SUBDIVISION OF THE EAST 1/2 OF THE SOUTHWEST 1/4 AND THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 32, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPTING THE NORTH 685.4 FEET THEREOF; ALSO EXCEPTING THE EAST 40 ACRES OF THAT PART OF THE WEST 1/2 OF SAID SOUTHEAST 1/4 LYING SOUTH OF THE NORTH 685.4 FEET THEREOF; AND ALSO EXCEPTING THAT PART OF THE EAST 1/2 OF SAID SOUTHWEST 1/4 LYING WESTERLY OF THE CENTER LINE OF ARLINGTON HEIGHTS ROAD (CALLED STATE ROAD) AND SOUTH OF THE NORTH 685.4 FEET THEREOF) IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 319 E. ORCHARD STREET
ARLINGTON HEIGHTS, ILLINOIS.



FRACTIONAL INCH EQUIVALENTS OF HUNDREDTHS OF A FOOT	
0.01=1/8"	0.25=3"
0.02=1/4"	0.34=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"	

ORDER NUMBER: **180031**

SCALE: 1 INCH = 20 FEET

ORDERED BY: **KEVIN BROOKS**

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.

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

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.

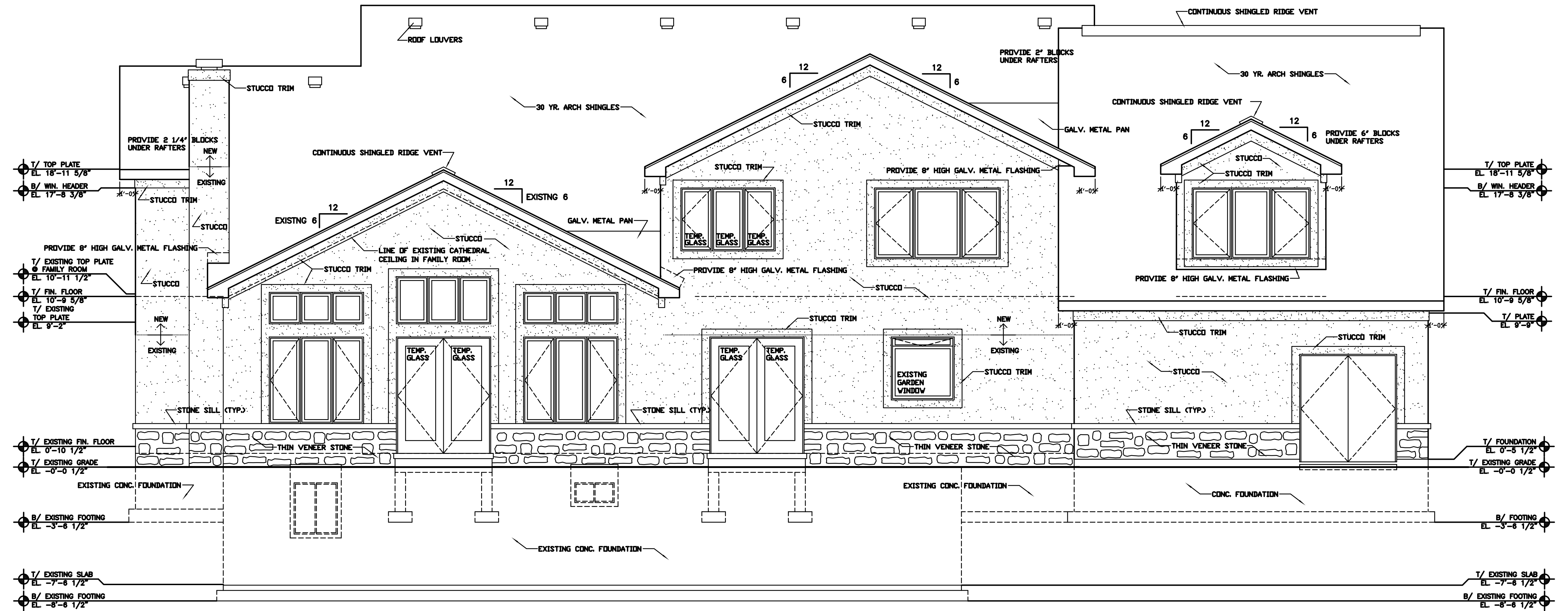
ARLINGTON HEIGHTS, ILLINOIS FEBRUARY 27, 2018.

John M. Henriksen
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2668
LICENSE EXPIRES NOVEMBER 30, 2018.





A1.7



2 PROPOSED REAR ELEVATION
1/4" = 1'-0"



1 EXISTING REAR ELEVATION
1/4" = 1'-0"

Kevin T. Sullivan
810 Cheyenne Circle
Watertown, WI 53094

BROOKS RESIDENCE ADDITION
319 E. Orchard St.
Arlington Heights, IL 60004

ELEVATIONS

NO.	DATE	REVISION

DRAWN BY:
KRB

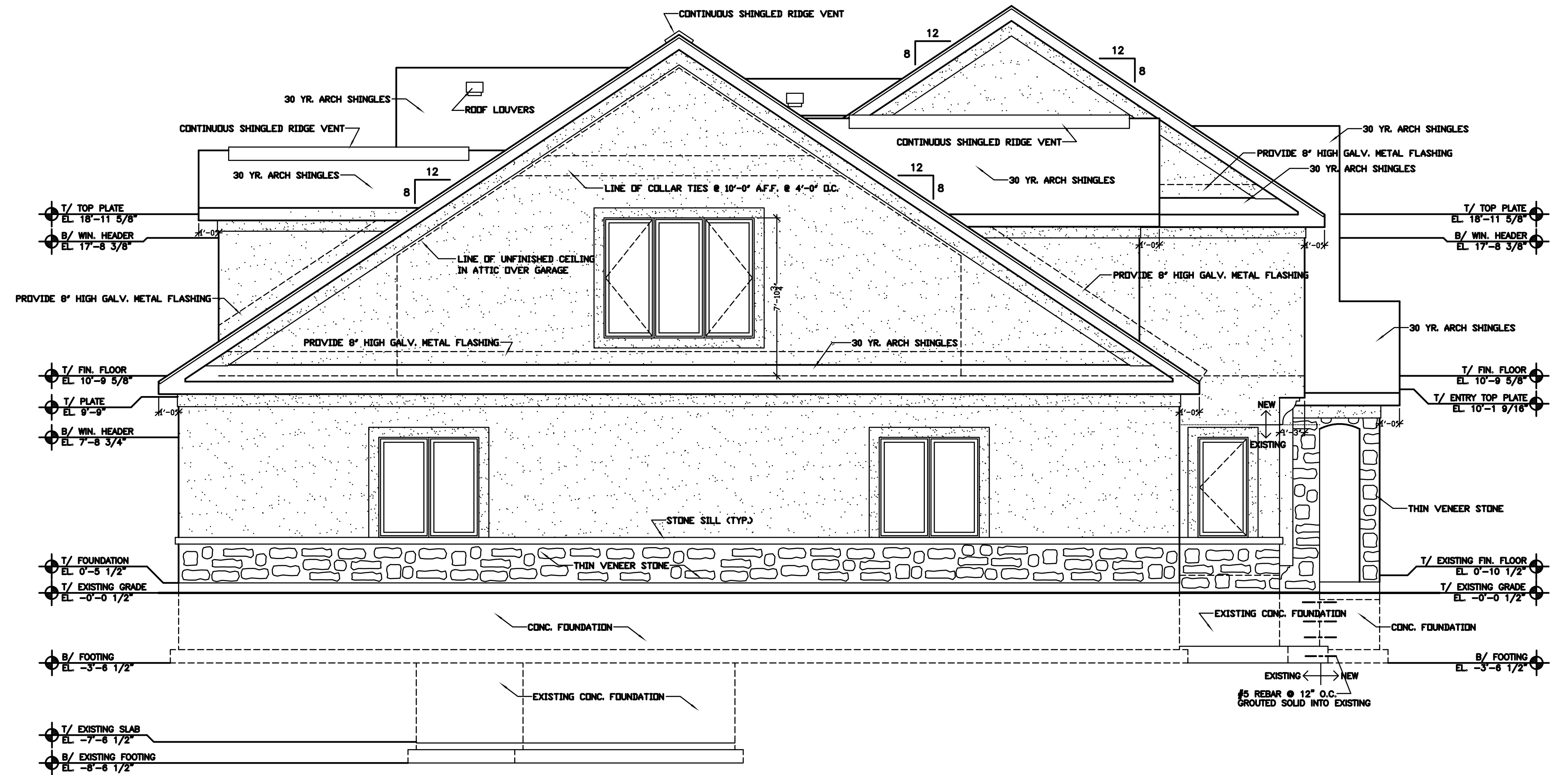
CHECKED BY:
KTS

DATE:
3/12/18

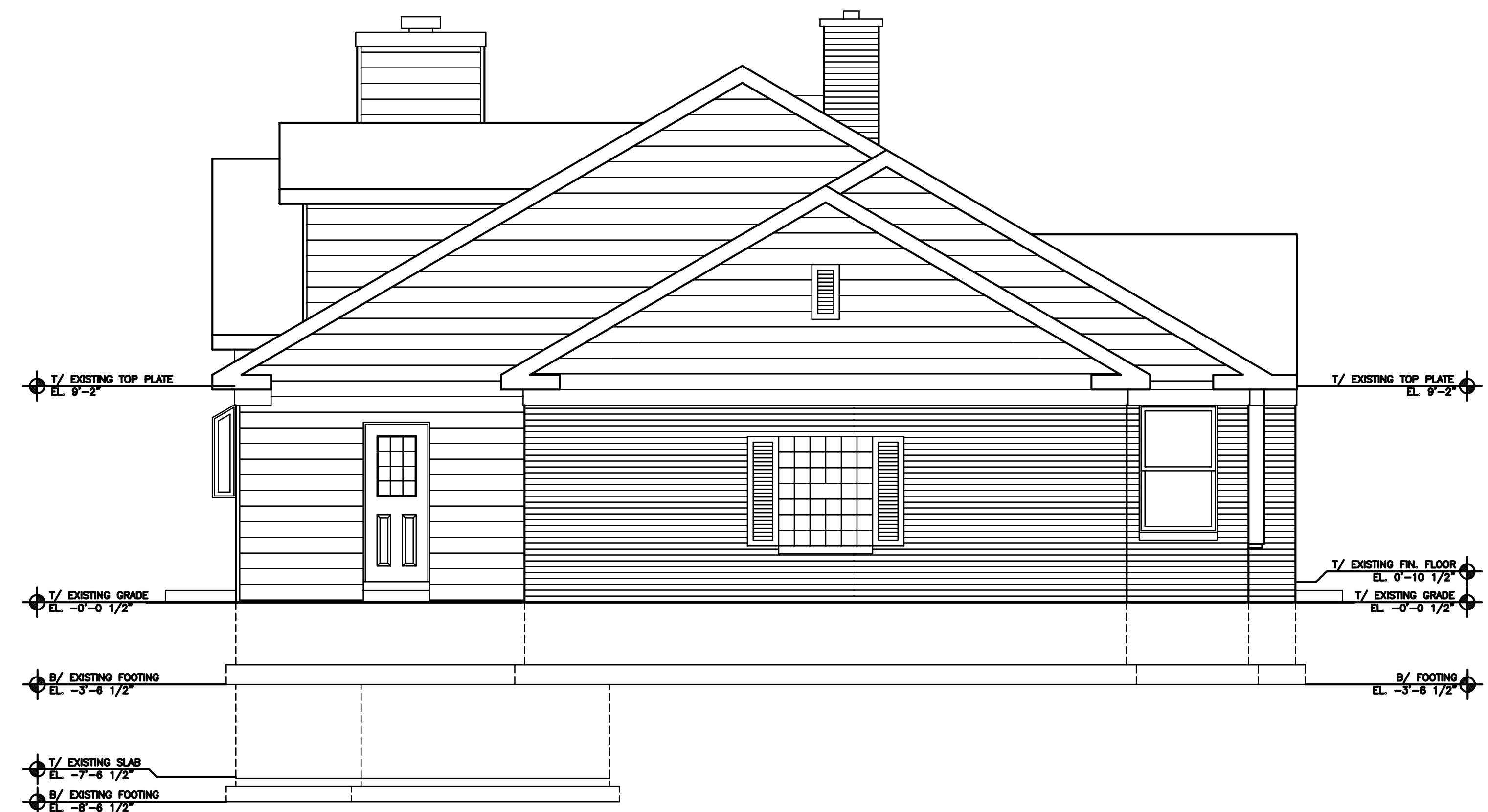
JOB NO:
18002

SHEET NO.

A1.8



2 PROPOSED SIDE ELEVATION
1/4" = 1'-0"



1 EXISTING SIDE ELEVATION
1/4" = 1'-0"

Kevin T. Sullivan
810 Cheyenne Circle
Watertown, WI 53094

BROOKS RESIDENCE ADDITION
319 E. Orchard St.
Arlington Heights, IL 60004

ELEVATIONS

NO.	DATE	REVISION

DRAWN BY:
KRB

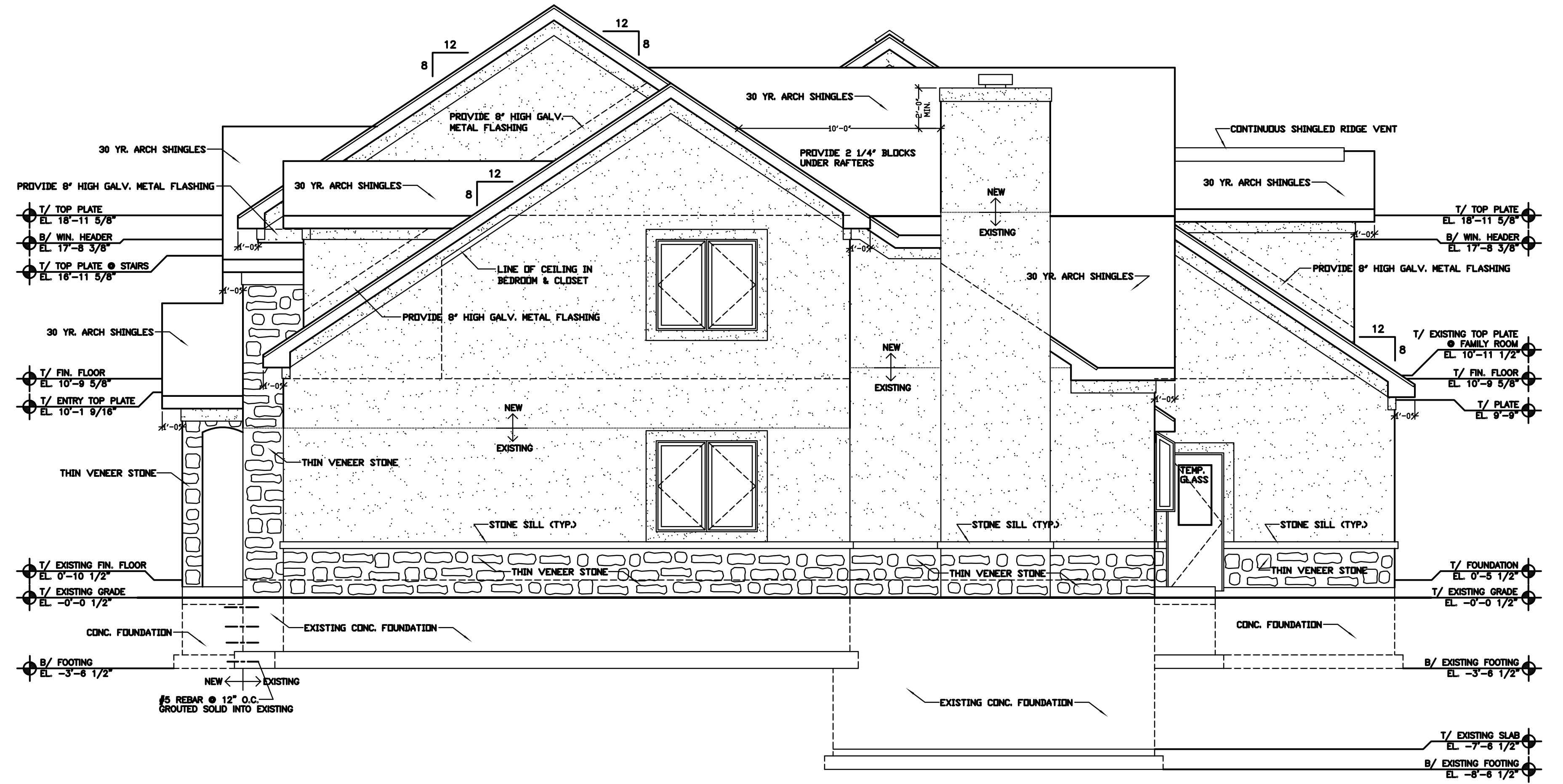
CHECKED BY:
KTS

DATE:
3/12/18

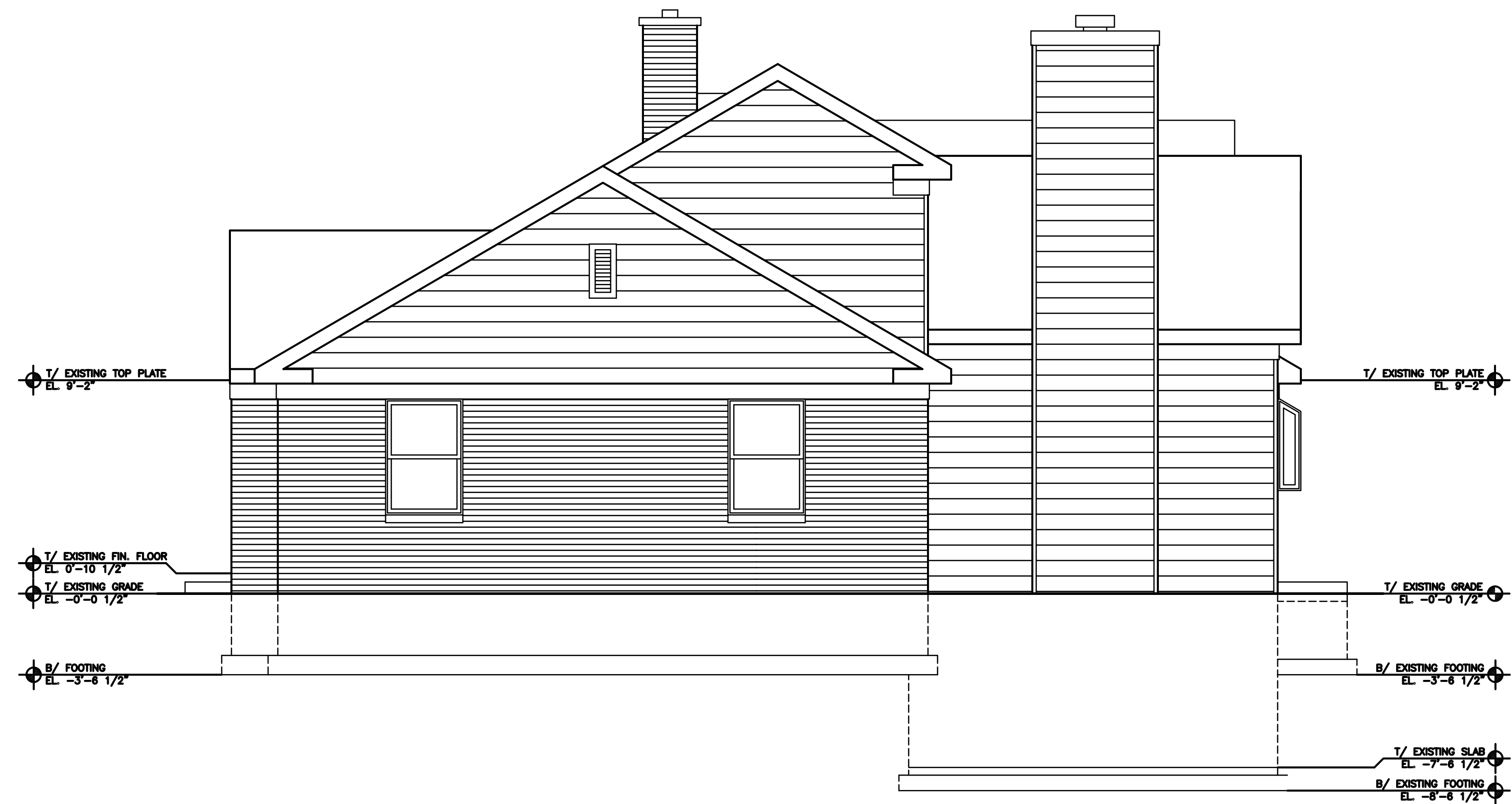
JOB NO:
18002

SHEET NO.

A1.9



2 PROPOSED SIDE ELEVATION
1/4" = 1'-0"



1 EXISTING SIDE ELEVATION
1/4" = 1'-0"

Kevin T. Sullivan
810 Cheyenne Circle
Watertown, WI 53094

BROOKS RESIDENCE ADDITION
319 E. Orchard St.
Arlington Heights, IL 60004

ELEVATIONS

NO.	DATE	REVISION

DRAWN BY:
KRB

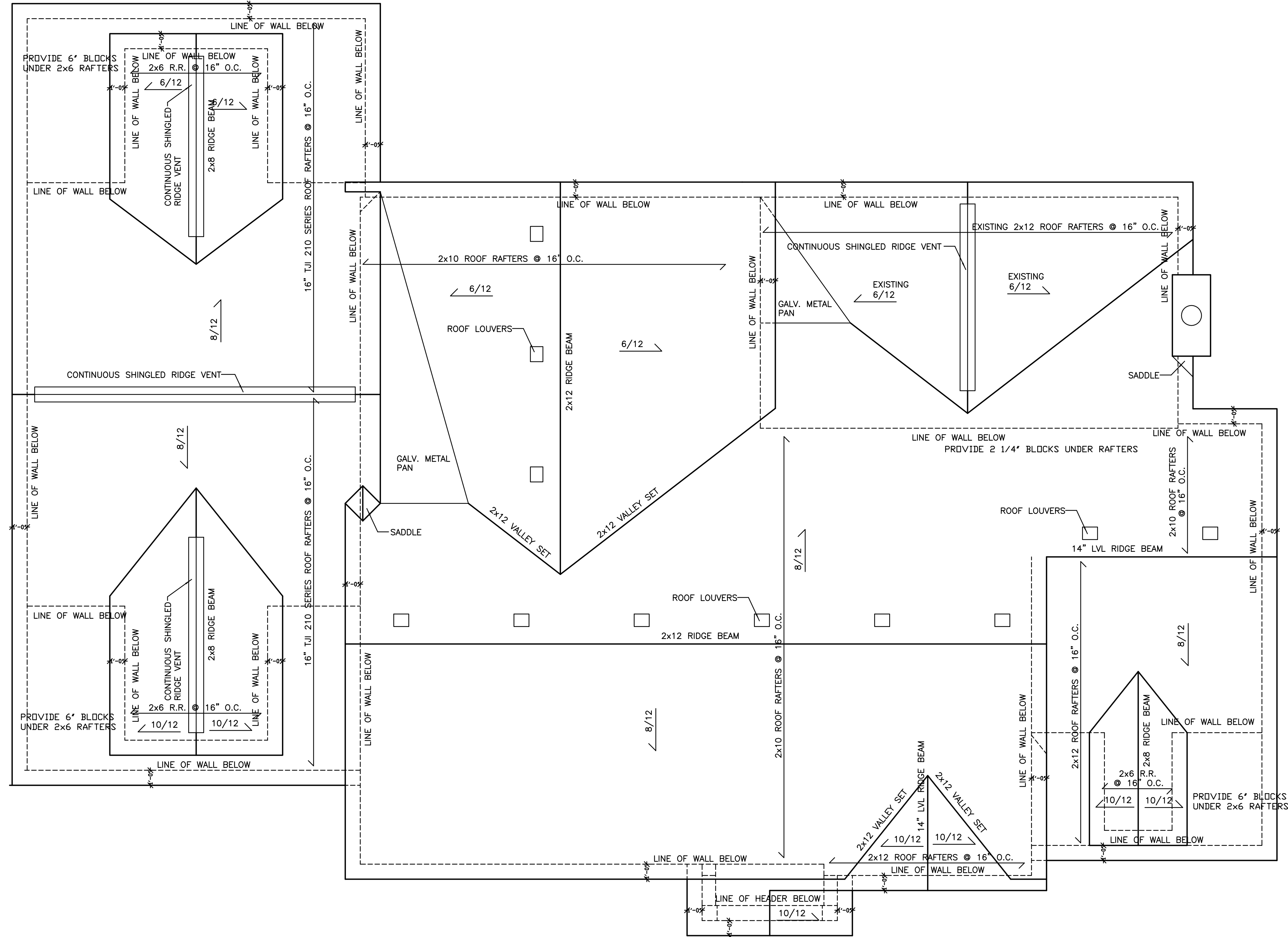
CHECKED BY:
KTS

DATE:
3/12/18

JOB NO:
18002

SHEET NO.

A1.10



1
A1.6

PROPOSED ROOF PLAN
1/4" = 1'-0"

NO.	DATE	REVISION

DRAWN BY:
KRB

CHECKED BY:
KTS

DATE:
3/12/18

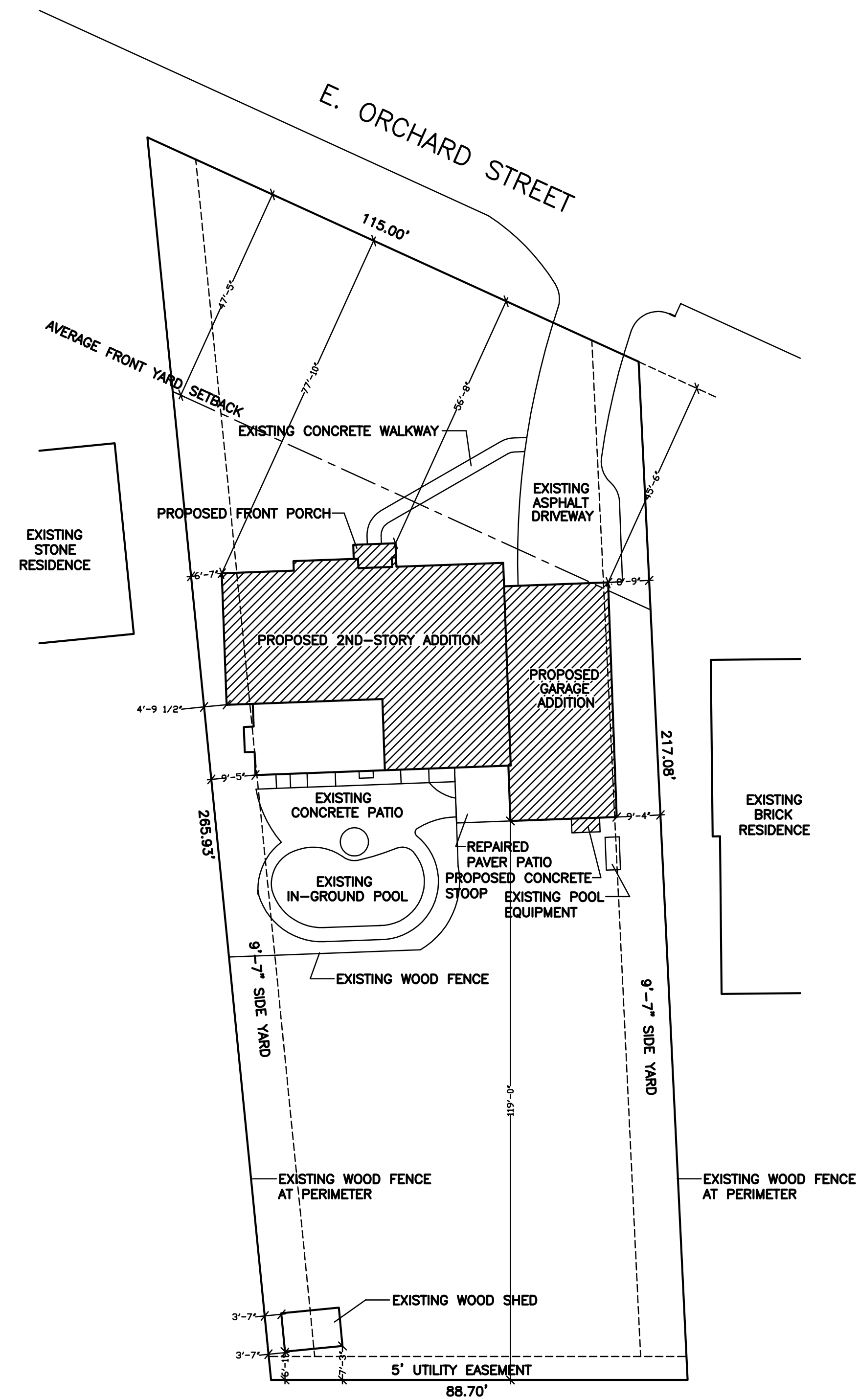
JOB NO:
18002

SHEET NO.

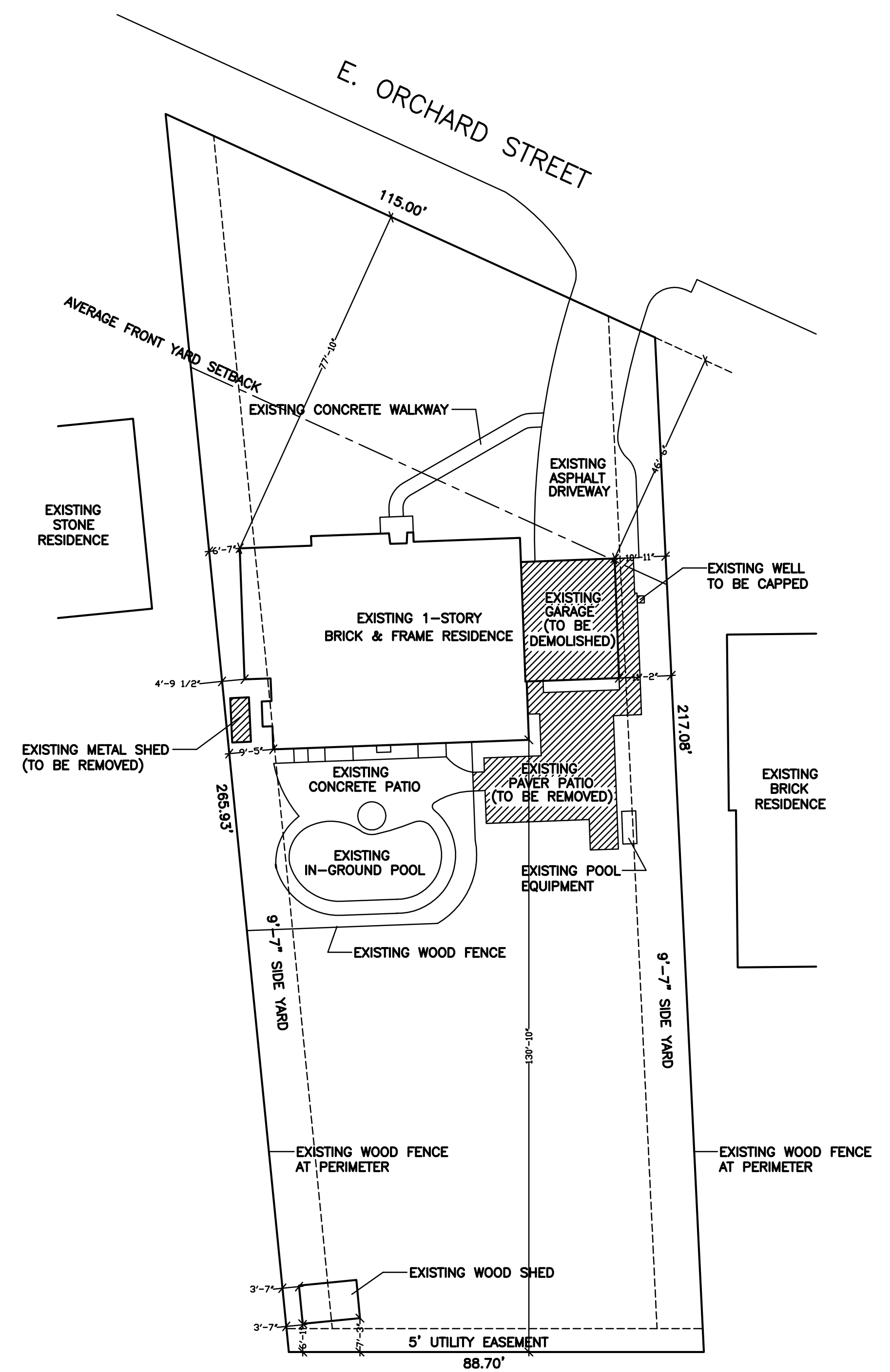
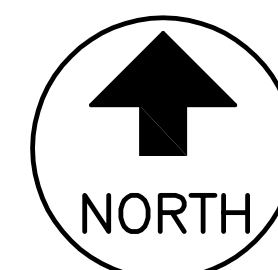
A1.6

BROOKS RESIDENCE ADDITION
319 E. Orchard St.
Arlington Heights, IL 60004

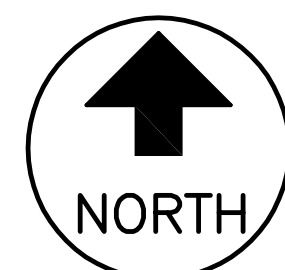
Kevin T. Sullivan
810 Cheyenne Circle
Watertown, WI 53094



2
A1.1
PROPOSED SITE PLAN
1" = 20'-0"



1
A1.1
EXISTING SITE PLAN
1" = 20'-0"



Kevin T. Sullivan
810 Cheyenne Circle
Watertown, WI 53094

BROOKS RESIDENCE ADDITION
319 E. Orchard St.
Arlington Heights, IL 60004

EXISTING SITE PLAN
PROPOSED SITE PLAN

NO.	DATE	REVISION

DRAWN BY:
KRB

CHECKED BY:
KTS

DATE:
3/12/18

JOB NO:
18002

SHEET NO.
A1.1



Item: 1638 S. Arlington Heights Rd. - ZBA#18-015

Department: Planning & Community Development

REQUEST

1. A variation from Chapter 28, Section 5.1-1.4, Minimum Lot Size, to allow a reduction to the minimum lot size from 20,000 to 16,444 square feet.
2. A variation from Chapter 28, Section 11.4-2, Parking Requirements, to allow a reduction to the minimum parking requirements from 46 spaces to 22 parking spaces.

ATTACHMENTS:

Description

Supporting Documents

Type

Exhibits

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: May 14, 2018
Date Prepared: May 7, 2018
Project Title: Glory House Ministries
Address: 1638 S. Arlington Heights Road

Background Information

Petition Number: ZBA #18-015
Petitioner: Mark Baumhart / Arthur J. Rogers
Address: 1559 Elmhurst Road
Arlington Heights, IL 60007

Existing Zoning: R-1 – Single-Family Residential District

Background Information

The subject site is currently zoned R-1, One Family Dwelling District. The site is approximately 0.38 acres (16,444 square feet) in size and has an existing two-story structure that has a building footprint of approximately 3,075 square feet. Previously, the building was used as an office building; however, the building is currently vacant. The proposed action, if approved, would allow Glory House Ministries to utilize the existing building as a church.

According to the Permitted Use Table in the Village's Zoning Ordinance a church and places of worship are listed as a permitted use in the underlying zoning classification. Therefore, if no variations had been identified, Glory House Ministries would not have to go through any zoning approval process. However, since a parking variation is required and the site is 16,444 square feet where a minimum of 20,000 is required, the Zoning Board of Appeals does have the authority to review the request from the petitioner. Although the R-1 zoning allows for churches and places of worship, the proposed use is not consistent with the Village's Comprehensive Plan, which designates the subject site as 'Offices Only'.

Surrounding Properties

Direction	Current Zoning	Land Use	Comprehensive Plan
North	R-3, One Family Dwelling District	Single Family Homes	Single Family Detached
West	R-3, One Family Dwelling District	Single Family Homes	Single Family Detached
South	R-1, One Family Dwelling District	Church	Offices Only
East	I, Institutional District	Autumn Leaves Senior Housing Facility	Institutional

Parking Related Issues

Glory House Ministries plans to make modifications to the interior. The interior would include approximately 1,250 square feet for the church which includes 72 fixed seats. The multi-purpose room is approximately 1,250 square feet and includes tables and chairs. In addition, there is 2,100 square feet of office/storage space. This results in a total parking requirement of 46 spaces.

Pursuant to Chapter 28, Section 11.2-6 in the Village's Zoning Ordinance, the total parking demand is based on the collective parking requirement for each of the different uses within the facility. This parking methodology has been consistently applied to other similar projects. The parking ratios set forth in Chapter 28, Section 11.4, the Zoning

Ordinance requires one parking stall for every five seats for fixed seating. For the multi-purpose room, the requirement is 30% of one space for every 15 square feet and the ratio for the office/storage space is 1 space for every 300 square feet.

According to Chapter 28, Section 6.12-2 a traffic study is not required since the site is less than 20,000 square feet. Chapter 28, Section 12.1-b4, allows the Zoning Board of Appeals to waive the parking requirements when the character or use of the building is such as to make unnecessary the full provision of parking facilities, or where such regulations would impose an unreasonable hardship upon the use of the lot, as merely granting an advantage or convenience.

Parking Summary

	Total # of Seats	Square Footage	Required Parking
Fixed Fellowship Hall	72	1,250	14
Administrative/office		2,100	7
Multi-Purpose Rooms		1,250	25
Storage/Mechanical/Miscellaneous		1,550	
Total		6,150	46
Total Provided (with the addition of 1 accessible parking space for a total of 2 accessible spaces)			22
Surplus (Deficit)			(24)

Site Related Issues

Pursuant to Chapter 28, Section 6.15-1.2a, "All paved service areas abutting a residential district or street or off-street parking areas containing more than four parking spaces, shall be effectively screened on each side adjoining or fronting on any property situated in a residence district or any institutional premises or adjoining any public way by a well-maintained wall, fence, densely planted compact hedge designed to provide year round opacity or berm and hedge. Such screening shall be three-feet high on the frontage of a public way, except that in the interests of safety, so the line of sight will not be obstructed, the minimum height shall be lowered at street intersections and driveways to not less than 18-inches as determined by the Director of Planning and Community Development or designee. Such screening shall be 6-feet high if adjoining a residential district or any institutional premises." Currently the existing fence along the north and west property line adjacent to the residential district is in poor condition. In addition, the petitioner or property owner is required to provide landscape islands and four inch caliper shade trees at the ends of all parking rows. Pursuant to Chapter 28, Section 1.2b "Landscaped islands equal in area to at least one parking space, protected by durable materials, and containing at least one live shade tree at a minimum of four inches in diameter shall be located at the end of every twenty parking spaces or beneath every light pole, whichever results in the greater amount of planted islands. These islands shall be located at each end of all rows of car stalls." If the Zoning Board of Appeals is supportive of the variation request, it is recommended that the approval be subject to the following conditions:

- 1) The three foot high code required screen be provided along South Arlington Heights Road.
- 2) The code required six foot high screen be provided adjacent to the residential district along the north and west property line.
- 3) That the required parking islands along with the required shade trees be installed along the west property line in the northwest and southwest corner.
- 4) That the petitioner provide two accessible parking spaces in order to comply with Illinois Accessibility Code. Currently the site has one accessible parking space.

In addition to the parking variation, pursuant to Chapter 28, section 5.1-1.4, churches or places of worship must be on a lot that is a minimum of 20,000 square feet in size. The existing lot is 16,444 square feet. Therefore, the petitioner requests the following variations:

- A variation from Chapter 28, Section 5.1-1.4, Minimum Lot Size, to allow a reduction to the minimum lot size from 20,000 to 16,444 square feet.
- A variation from Chapter 28, Section 11.4-2, Parking Requirements, to allow a reduction to the minimum parking requirements from 46 spaces to 22 parking spaces.

Variation Review Standards

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

Map of General Vicinity



Items Required to be Submitted 15 Days Prior to Public Hearing

<u>Item</u>	<u>Provided</u>	<u>Dated</u>	<u>Remarks</u>
1. Notification Affidavit	✓	4/26/18	
2. List of Property Owners Within 250 feet of Subject Property	✓	4/26/18	
3. Letter that was Mailed	✓	4/26/18	
4. Photographs of Sign on Property	✓	4/26/18	

Photographs of Existing Structure



Mach, Derek

From: Lay, Donald
Sent: Tuesday, May 01, 2018 7:19 AM
To: Mach, Derek
Cc: Pierce, Deb; Touloumis, Steven
Subject: RE: 1638 S. Arlington Heights Road

Derek

This has many potential concerns among the following:

1. Change of use and occupancy from office to assembly. Assembly is one of the most restrictive/high risk occupancies and the code has special requirements for assembly occupancies.
2. I am certain that you've informed the petitioner that even if they receive the requested relief they would still be required to go through the building permit process and be subject to the building codes.

I would suggest you send your message to Deb Pierce (I copied her on this) to get her input/concerns.

If you have any questions let me know.

Don

From: Mach, Derek
Sent: Monday, April 30, 2018 3:11 PM
To: Lay, Donald <dlay@vah.com>
Subject: 1638 S. Arlington Heights Road

Hi Don,

The petitioner for 1638 S. Arlington Heights Road is seeking a parking variance on May 14, 2018 from the Zoning Board of Appeals. The property is zoned R-1 and there is an existing office building at the site. The petitioner is proposing to use the existing building for a church. The petitioner is requesting the following variances:

- A variation from Chapter 28, Section 5.1-1.4, Minimum Lot Size, to allow a reduction to the minimum lot size from 20,000 to 16,500 square feet.
- A variation from Chapter 28, Section 11.4-2, Parking Requirements, to allow a reduction to the minimum parking requirements from 46 spaces to 23 parking spaces.

Can you provide any preliminary comments regarding the proposed use.

Please let me know if you have any questions.



**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: Glory House Ministries

Project Address: 1638 S Arlington Heights Rd

ZBA #: 18-015

Date: April 25, 2018

Derek:

I have reviewed the request for the following variances:

- A variance to allow a reduction to the minimum lot size from 20,000 to 16,500 square feet.
- A variance to allow a reduction to the minimum parking requirements from 46 spaces to 23 parking spaces.

I do not have any objections to the requests, with the following requirement:

A Building Permit and architectural plans shall be submitted for the interior changes.

RECEIVED

APR 25 2018

**PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT**

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Glory House Ministries

Project Address: 1638 S. Arlington Heights Road

ZBA #: 18-015

RECEIVED
APR 20 2018
VILLAGE OF ARLINGTON HTS
ENGINEERING DEPT.

ZBA Hearing Date: May 14, 2018

To: Jim Massarelli, Director of Engineering
Steve Toulounis, Director of Building Services

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

From: Derek Mach, Zoning Board of Appeals Liaison

Transmitted On: April 18, 2018

- A variation from Chapter 28, Section 5.1-1.4, Minimum Lot Size, to allow a reduction to the minimum lot size from 20,000 to 16,500 square feet.
- A variation from Chapter 28, Section 11.4-2, Parking Requirements, to allow a reduction to the minimum parking requirements from 46 spaces to 23 parking spaces.

Attached are the Petitioner's:

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

Comments: No COMMENTS

Please review, comment, and return to me no later than Wednesday, April 25, 2018.

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Glory House Ministries

Project Address: 1638 S. Arlington Heights Road

ZBA #: 18-015

ZBA Hearing Date: May 14, 2018

To: Jim Massarelli, Director of Engineering
Steve Touloumis, Director of Building Services

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

From: Derek Mach, Zoning Board of Appeals Liaison

Transmitted On: April 18, 2018

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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 **Wednesday, April 25, 2018.**

PETITION

NOW COMES the Petitioner Glory House Ministries International Contract Purchaser with Tri-Lenox Inc. being the owner of the property commonly known as 1638 S. Arlington Heights Road, and appeals to the Zoning Board of Appeals of the Village of Arlington Heights for a Variation from Section 12, Chapter 28 of the Arlington Heights Municipal Code, in order to: receive a parking lot variance.

I hereby state that the following hardship would exist if the variation were not granted: we would not be able to service our parishioners at this location and acquire this property for our long-term use.

I hereby state that the following unique circumstances exist:

Based on the initial review for parking requirements the need for a parking variance was unnecessary based on our meeting with Michael Mertes. Shortly after we met, Michael informed us that per code for an Assembly Room, additional parking was required. Please review the following summary.

Area	Parking Requirement Per Code	Calculation for Glory House Ministries
Church Room (room of worship itself)	1 space per 5 seats	72 seating = 14.4 Car Parking
700 SF Office Area	1 space per 300 SF	3 car parking needed
Other Assembly Room	30% of Capacity, 1 person per 5 SF for standing or a person per 7 SF. 1,000 SF / 5 People = 200 people x 30% = 60 Car Parking	Same # of cars for the Church Room as the only people in the Assembly Room will be in the Church Room. The definition of parking needs for Assembly Room requires additional parking; however this is not applicable to this use. Since the same people attending Church would possibly use the Assembly Room, the Petitioner is seeking this variance.

Our Church has service twice on week. Sunday Service is from 11-1 PM and Wednesday Service is from 7-8:30 PM. Note that Wednesday service is informal and can be considered Bible Study typically with 15 +/- parishioners. We will not create any extra-ordinary traffic on Arlington Heights Road, although we do not have the traffic count for Arlington Heights Road, our use of the property is extremely minimal and we are hopeful you will agree that 20 cars +/- accessing this property primarily twice a week on off-hours will not impact the traffic at all.

Since 2011 our Church has been located at 16 E. Piper Lane, Prospect Heights. We occupied 5,000 SF in a multi-tenant building. We were anticipating relocating to 1638 S. Arlington Heights Road ideally by May 1st and as a consequence of the delay to acquire the property, our lease expires and we are now holding Services at a temporary location at the Ramada Hotel in Wheeling IL using their meeting room facilities.

Attached is a layout we submitted to Michal Mertes. We will demolish some walls to create open areas to create the Church and Assembly Areas. We will stipulate that we will not use the Assembly Areas for any uses that are unrelated to the Church Services, etc. and that would create the necessity for additional parking.

I hereby state that the variation, if granted, will not alter the essential character of the locality because: It will not alter the character of the locality as we are not seeking to modify the property and we are not proposing an objectionable use and the main use of this property will be primarily twice a week on Wednesday night and Sunday between 11-1.

Signed: 

Date: 4-13-18

Tri-Lenox Inc. Owner

Signed: 

Date: 04/13/2018

Glory House Ministries – Contract Purchaser & Petitioner

PETITION

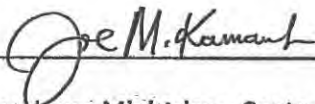
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I hereby state that the following hardship would exist if the variation were not granted: we would not be able to fully service our parishioners and grow our ministry.

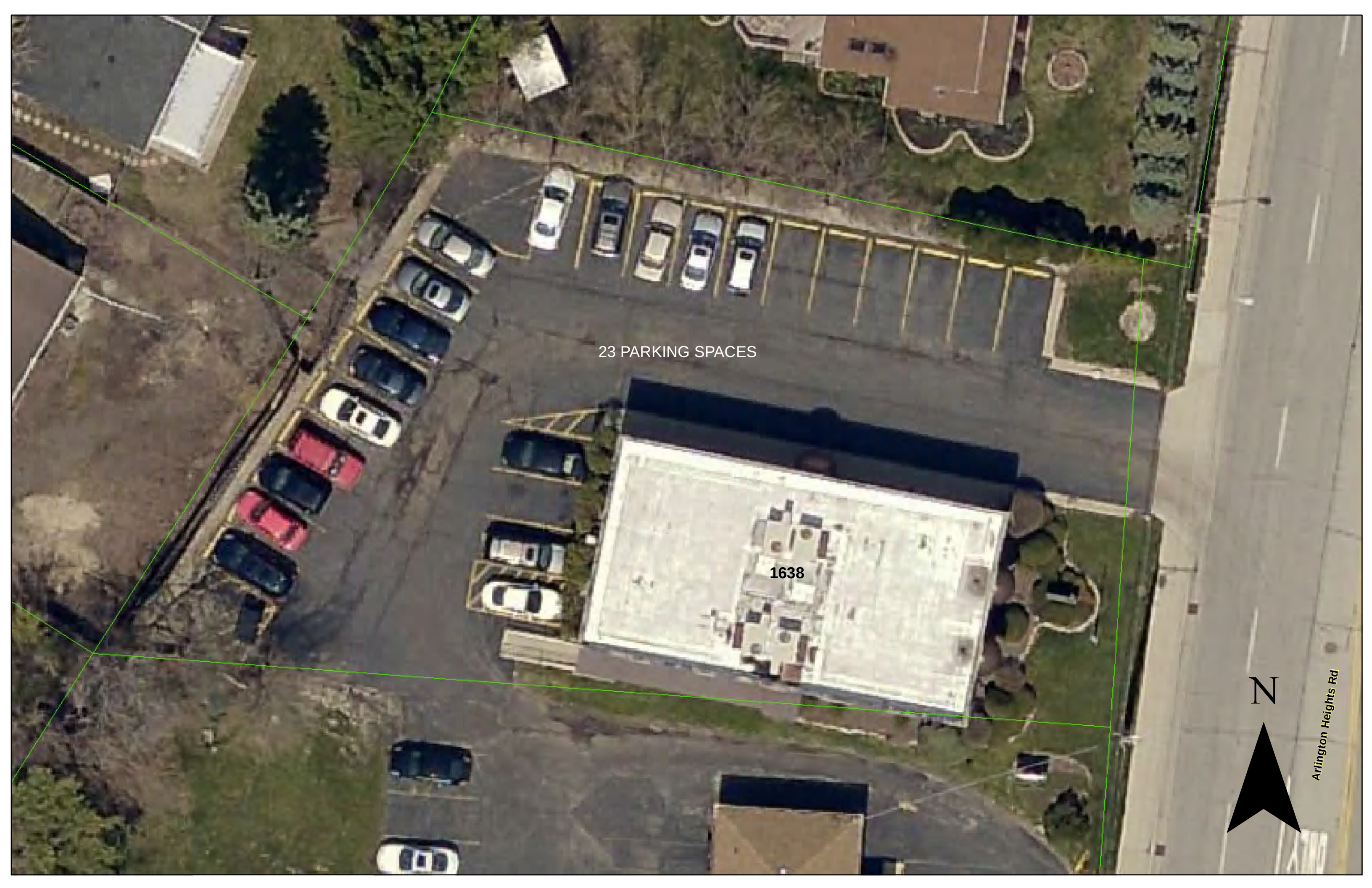
I hereby state that the following unique circumstances exist: our parishioners will only occupy certain sections of the building at one time and our total parking needs are 17-20 cars and majority of the time and days, our parking needs are 3-7 cars. I hereby state that the variation, if granted, will not alter the essential character of the locality because: it will not alter the character of the locality as we are not requesting more parking spaces, but to be able to the parking area in which we already have.

Signed:  Date: 4-13-18

Tri-Lenox Inc. Owner

Signed:  Date: 04/13/2018

Glory House Ministries – Contract Purchaser & Petitioner

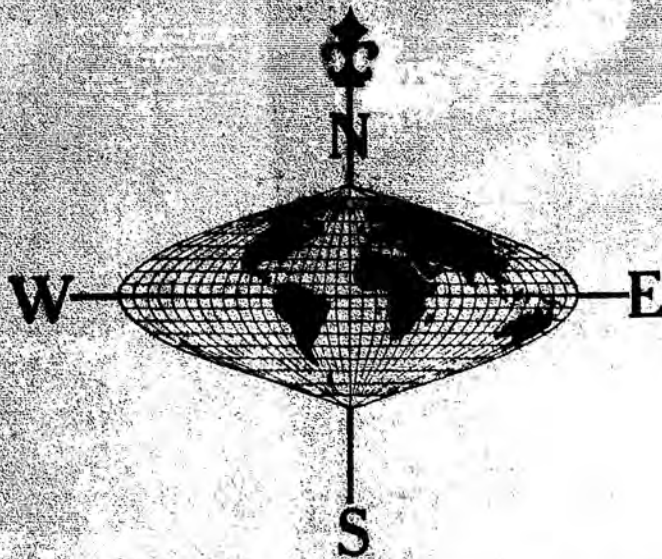


23 PARKING SPACES

1638

N

Arlington Heights Rd



PLAT OF SURVEY

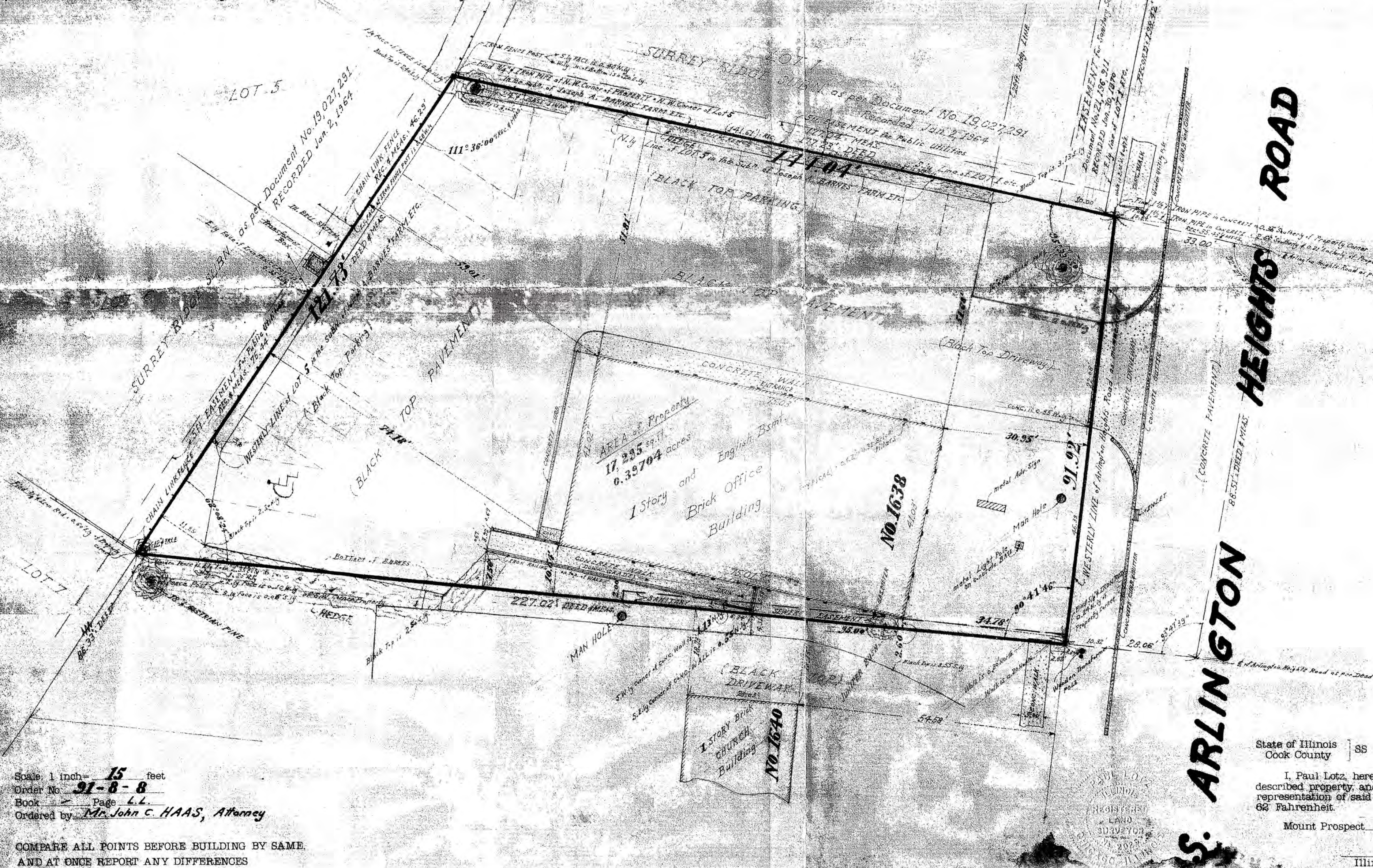
PAUL LOTZ

1728 Magnolia Lane
Mount Prospect, Illinois
Phone: 439-2837

Land Surveyor

of

That part of Lot 5 in the Subdivision of Joseph A. Barnes' Farm in Section 9, 15 and 16, Township 41 North, Range 11, East of the 3rd P.M., in Cook County, Illinois, described as follows: Beginning at the Northwest Corner of said Lot 5, thence Southeasterly along the North line of said Lot 5, 177.23 feet to the center line of Arlington Heights Road, thence Southwesterly along the center line of said Arlington Heights Road, 88.51 feet, thence Westerly 227.02 feet to a point on the West line of said Lot 5, which is 121.73 feet, measured along said West line from the place of beginning, thence Northeasterly along said West line, 121.73 ft. to the place of beginning (except that part thereof falling within Arlington Heights Road), in Cook County, Illinois.



Scale 1 inch = 15 feet
Order No. 91-8-8
Book L.L.
Page 44
Ordered by Mr. John C. HAAS, Attorney

COMPARE ALL POINTS BEFORE BUILDING BY SAME.
AND AT ONCE REPORT ANY DIFFERENCES

State of Illinois } ss
Cook County

I, Paul Lotz, hereby certify that I have surveyed the above described property, and that the plat hereon drawn is a correct representation of said survey. All measurements are correct at 62° Fahrenheit.

Mount Prospect SEPTEMBER 23, A.D. 1991

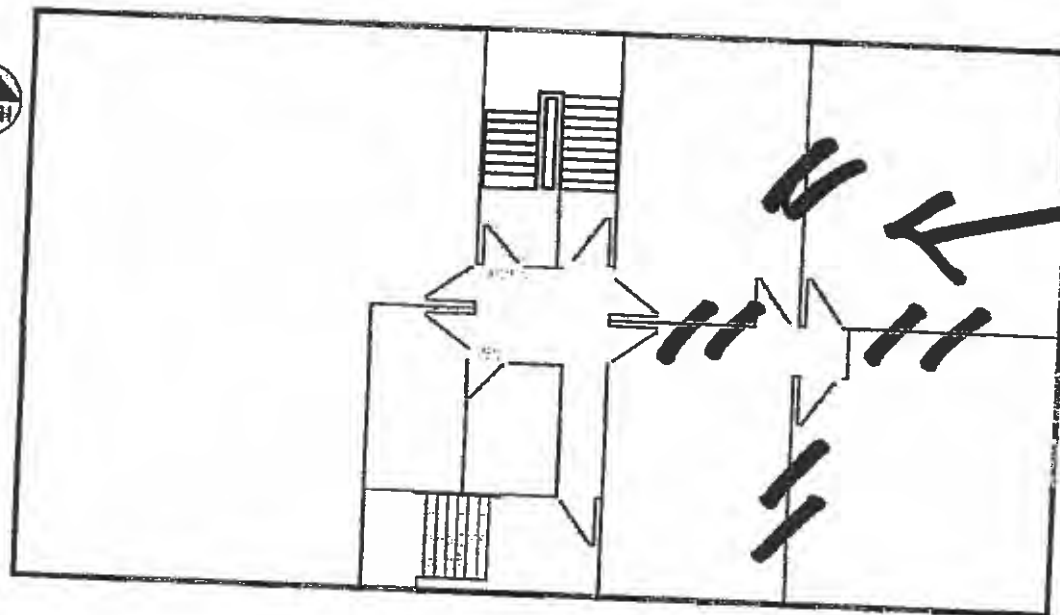
Paul Lotz

Illinois Registered Land Surveyor No. 2026



2ND FLOOR PLAN:

NIS



Demo

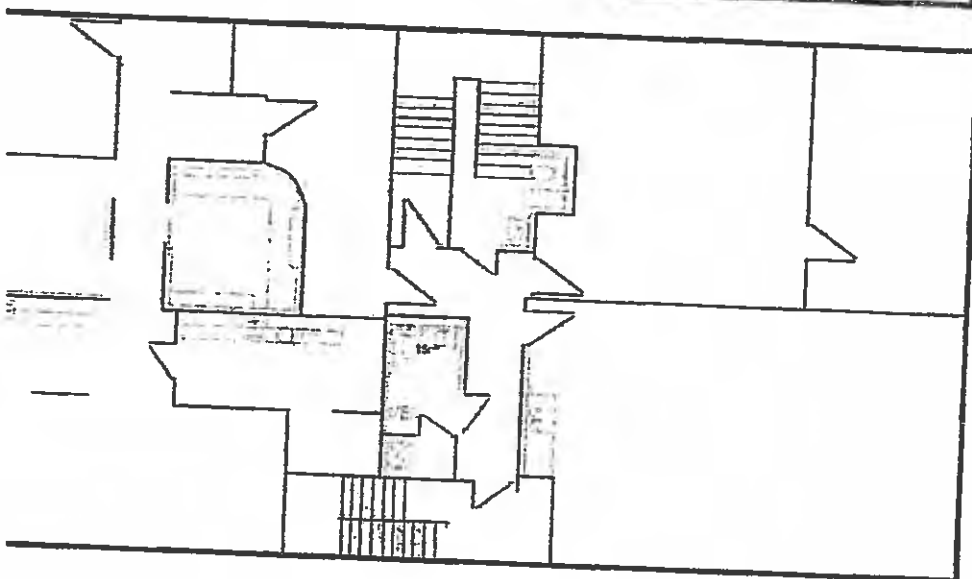
1638 S ARLINGTON
ARLINGTON, IL 600

Demo
Plan



1ST FLOOR PLAN:

NIS

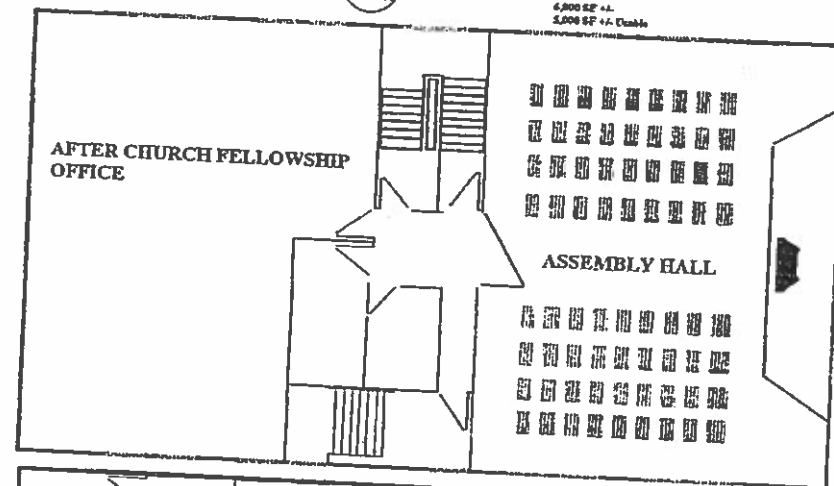


2ND FLOOR PLAN:

ADT
7
NTS



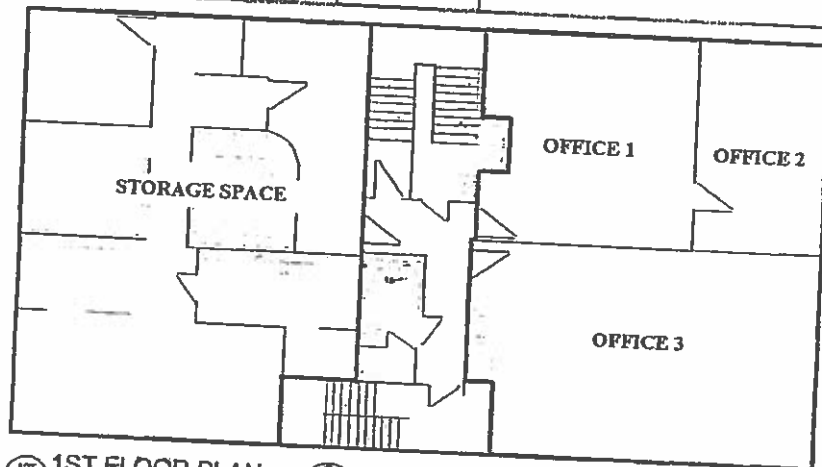
1438 S. Arlington Heights Rd.
Arlington Heights, IL 60005
6,800 SF +/-
5,000 SF +/- Usable



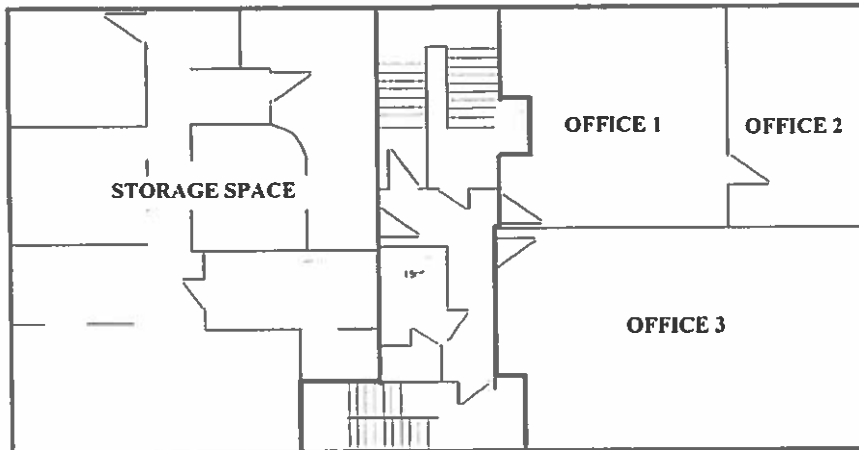
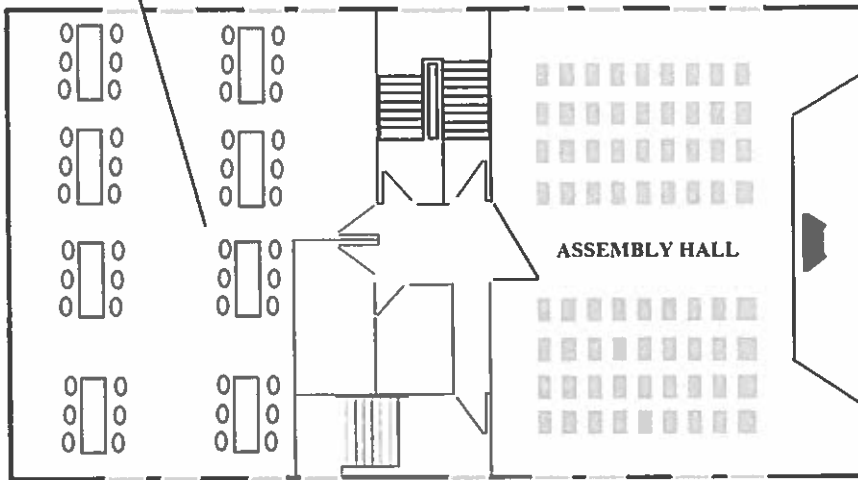
PARKING REQUIREMENTS	SIZE (SF) +/-
ASSEMBLY HALL	1,000
AFTER CHURCH FELLOWSHIP OFFICE	1,500
OFFICE 1,2,3	700
STORAGE	1,800
PARKING SPACES ASSIGNED	
TOTAL BUILDING PARKING SPACES	
REMAINING AVAILABLE PARKING SPACES	

1ST FLOOR PLAN:

ADT
1
NTS



AFTER CHURCH FELLOWSHIP
OFFICE



NOT TO SCALE

RECEIVED

APR 18 2018

PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT