



Village of Arlington Heights
Plan Commission
Board Room
Arlington Heights Village Hall
33 S. Arlington Heights Road
Arlington Heights, IL 60005
March 22, 2017
7:30 PM

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF MINUTES

- A. New Hope Academy - 3/8/17

IV. PUBLIC HEARINGS

- A. 504 S. Mitchell Subdivision - PC#14-016
Final Plat of Subdivision
- B. 2214 E. Palatine Rd. Subdivision - PC#17-002
Preliminary Plat of Subdivision, Rezoning from R-1 to R-2
- C. Chapter 28 Text Amendments - PC#17-005

V. OTHER BUSINESS

VI. 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: New Hope Academy - 3/8/17

Department: Planning & Community Development

ATTACHMENTS:

Description

New Hope Academy - 3/8/17

Type

Minutes

PLAN

REPORT OF THE PROCEEDINGS OF A PUBLIC HEARING
 BEFORE THE VILLAGE OF ARLINGTON HEIGHTS
 PLAN COMMISSION

COMMISSION

RE: NEW HOPE ACADEMY - 3250 N. ARLINGTON HEIGHTS ROAD - PC#17-001
 LAND USE VARIATION FOR PRIVATE SCHOOL

REPORT OF PROCEEDINGS had before the Village of
 Arlington Heights Plan Commission Meeting taken at the Arlington Heights Village Hall,
 33 South Arlington Heights Road, 3rd Floor Board Room, Arlington Heights, Illinois
 on the 8th day of March, 2017 at the hour of 7:30 p.m.

MEMBERS PRESENT:

JOE LORENZINI, Chairman
 LYNN JENSEN
 MARY JO WARSKOW
 TERRY ENNES
 BRUCE GREEN
 GEORGE DROST
 JOHN SIGALOS
 JAY CHERWIN

ALSO PRESENT:

SAM HUBBARD, Development Planner

CHAIRMAN LORENZINI: I'd like to call to order this meeting of the Plan Commission. Would you please all rise and say the pledge of allegiance with us?

(Pledge of allegiance.)

CHAIRMAN LORENZINI: Thank you. Sam, roll call please.

MR. HUBBARD: Commissioner Cherwin.

COMMISSIONER CHERWIN: Here.

MR. HUBBARD: Commissioner Dawson.

(No response.)

MR. HUBBARD: Commissioner Drost.

COMMISSIONER DROST: Here.

MR. HUBBARD: Commissioner Ennes.

COMMISSIONER ENNES: Here.

MR. HUBBARD: Commissioner Green.

COMMISSIONER GREEN: Here.

MR. HUBBARD: Commissioner Jensen.

COMMISSIONER JENSEN: Here.

MR. HUBBARD: Commissioner Sigalos.

COMMISSIONER SIGALOS: Here.

MR. HUBBARD: Commissioner Warskow.

COMMISSIONER WARSKOW: Here.

MR. HUBBARD: Chairman Lorenzini.

CHAIRMAN LORENZINI: Here. Next item on the agenda is approval of meeting minutes for the Arlington Heights Police Station from February 22nd, 2017. Any comments or motions?

COMMISSIONER ENNES: I need to abstain, I was not at the meeting.

COMMISSIONER DROST: Nor was I.

COMMISSIONER GREEN: I'll make a motion for approval.

COMMISSIONER WARSKOW: I second.

CHAIRMAN LORENZINI: All in favor?

(Chorus of ayes.)

CHAIRMAN LORENZINI: Opposed?

(No response.)

CHAIRMAN LORENZINI: Thank you. Next item on the agenda is Public Hearing New Hope Academy, PC#17-001. Is the Petitioner here?

MS. LARRANCE: Yes.

CHAIRMAN LORENZINI: Would you please come forward? Anybody else going to testify, we'll swear everybody in at once, or just you?

MS. LARRANCE: It will just be me.

CHAIRMAN LORENZINI: Just come forward, raise your right hand. If you can stand at the end of the podium please?

(Witness sworn.)

CHAIRMAN LORENZINI: Could you please state your name and spell it for the court reporter?

MS. LARRANCE: Brandy Larrance, B-r-a-n-d-y L-a-r-r-a-n-c-e.

CHAIRMAN LORENZINI: Sam, have all the public notices been given?

MR. HUBBARD: They have.

CHAIRMAN LORENZINI: Has the Petitioner read all the conditions in the Staff report and do you agree with them?

MS. LARRANCE: Yes.

CHAIRMAN LORENZINI: Okay, thank you. Just so everybody knows, if you haven't been here before, what we're going to do, the Petitioner will give us some presentation on the project. Sam will give us the Staff report on the project. Each of the Commissioners will take a turn to ask questions, and then we'll open it up to the public if anybody has any comments or questions. We'll close that portion, come back to the Commissioners for final questions and a motion or a recommendation.

With that, would you please give us your report on the project?

MS. LARRANCE: Sure. So, like I said, my name is Brandy Larrance and I'm the executive director at New Hope Academy. New Hope Academy is currently located in Niles. We're a private therapeutic day school. We work with kids that have disabilities and special education students.

So, as you can see, I believe you have a copy in front of you of this PowerPoint. Our students, our mission is to help them become effective learners, gain personal insight, and acquire coping strategies. While students are with us, they earn school credit and work to achieve their intellectual, social and emotional potential. That's our mission for our school.

All of our students have some commonalities. They are average or above average in intelligence. They do tend to withdraw socially and emotionally. They have difficulty reading social cues and with social skills. They do slip through the cracks until their problems become severe. They have difficulty with executive function skills and that's organization skills and planning. They tend to have a talent in art and music. They do tend to struggle with gross and fine motor skills, and oftentimes they appear sad, lonely, hopeless or depressed. So, that's the profile of the kids that we work with.

Currently, we have 27 staff and we are at 66 students. So, this is kind of a projection of what we hope to be in our new facility hopefully in Arlington Heights.

The primary disabilities of the students that we service, so they have been identified with these disabilities through their public schools, are students with emotional disabilities, autism, Asperger's, other health impairment which would include things like ADD or ADHD, and then specific learning disabilities.

Did I skip something? I'm sorry. So, this is the floor plan. As you can see, it's been blacked out a little bit and it's not very detailed. But you can see the classrooms, the offices, the common area, where the art studio would be and rec area in the back.

The site plan. Just to recap the location and usage, so our square footage is 16,409 usable square feet. We will anticipate having 12 classrooms, an art studio for our students that are obviously very gifted in the arts as well, a gym and fitness room, a cafeteria, three quiet rooms, two bathrooms which are multi-stall bathrooms, a kitchen, 16 offices, two conference rooms for meetings, staff lounge, four storage closets, and two single bathrooms in the front for visitors.

Our hours of operation will remain the same as what we are now. So, we run Monday through Thursday, beginning in August, and typically we run through the end of May, although depending on when we start it can go into June. Monday through Thursday, we're in session, the students are in session from 8:15 to 2:30. Staff are in session from 8:00 to 3:45, that's their contractual hours. On Fridays, students come at 9:00, their day ends at the same time at 2:30. The staff start at 8:00 and their day ends at 3:00 on Fridays. We are not in session

Saturdays or Sundays.

For the extended school year which is summer school, it starts a couple of days after the typical school year ends, end of May-beginning of June and runs through July. We are in session Monday through Friday, same start time. Monday through Thursday at 8:15 but we end at 1:00, the students end at 1:00. On Friday, the students start at 9:00 and end at 1:00. Staff contractual hours are 8:00 a.m. to 2:00 p.m., Monday through Friday. We are not in session mid July through August.

So, we have a loading procedure for arrival and dismissal. So, looking at our new facility, transportation are to enter via the southern access drive along the south side of the building, circulate clockwise. They queue at intersections of the east-west and north-side drive. Unload vehicles will stay the same as what we do now, so the vehicles are queued up and we have four or five staff out there that assist in unloading the vehicles one at a time. So, students are greeted when their cab comes, staff escort them out of the cab just to make sure they get in the door, and then that cab pulls away and the next cab pulls up. Then they exit the northern access drive.

One of the things that we looked at was avoiding the traffic conflicts. So, currently, and what I anticipate is the total drop-off/pickup time lasts usually about 10 minutes. I can anticipate with a few more cabs maybe it would be 15. Only the reserve New Hope parking would be blocked so there wouldn't be any issue of other businesses not being able to get in and out during that arrival/dismissal time.

Staff are there before students arrive and they leave after the students so they wouldn't be blocked in either. Like I said before, staff assist in loading and unloading. It moves very quickly. We've been doing that for about 15 years so we're really good at it, and we keep traffic from obstructing the office tenant working given the reserved spots.

So, currently, we have 30 existing student vehicles. Those are buses or cabs that the school district contracts with and sends the students to us. That is in the morning. In the afternoon, there's about 28 because we have some students that don't take that transportation home. Then projected, given we're hoping to grow, would be 35 in the morning and 33 in the afternoon. Again, that's a projection. Thank you.

CHAIRMAN LORENZINI: Thank you. Sam, the Staff report please?

MR. HUBBARD: Yes.

CHAIRMAN LORENZINI: You can have a seat.

MR. HUBBARD: Thank you, Chairman Lorenzini. So, the subject property is located at 3250 North Arlington Heights Road, 200 number suite. The existing zoning of the property is M-1 which is a Research, Development and Light Manufacturing District. In the M-1 District, a private school which we classified New Hope as is not listed as a permitted or a special use, so it requires a land use variation. So, that's the reason that the Petitioner is before you this evening.

Here is the site plan showing the site and the facility. You'll notice the subject unit is highlighted in red towards the southwest corner of the site. The Applicant is not proposing any changes to the exterior of the building or to the site. So, therefore, no additional variations are needed.

The overall site is about five, just a little under five-and-a-half acres in size. The building is about 73,000 square feet in floor area. There is a total of 272 parking spots on the site. Based on all of the existing tenants plus New Hope Academy, and also factoring in the vacant spaces to be filled with future office tenants, the overall parking requirement per code is

265. So, that equates to a seven-space parking surplus and we don't anticipate there being a parking problem with the proposed use. It conforms to all parking requirements.

Again, here is the floor plan that you've seen. It's about a little under 18,000 square feet, with 12 classrooms, multiple offices, a kitchen and cafeteria, although I will mention that students do bring their own lunch so there is no nutritional food service and cafeteria service. They are all prepared and brought there. The kitchen I believe is used for some life training, skill training classes, and that's some minor cooking projects.

There is also a fitness facility and gymnasium towards the rear of the site indicated in red on the floor plan. One of the things that came up during Plat & Sub was recreation, student recreation on the site. I believe the Petitioner has indicated that they're confident the onsite fitness room and gymnasium will be able to fulfill most of their recreational needs. They do have two vans and they can be used to transport kids to offsite, like student recreation places as needed. But they don't anticipate having to use the site for any exterior recreation purposes.

So, again here is an aerial of the site. You'll notice the southwest portion of the building is the wing where New Hope would locate. There is a yellow area indicated on the aerial you'll see, and that is the primary entrance for the New Hope unit. It is an entrance only for that unit and that's where staff and children would enter and exit the building. So, they won't to share a common entrance with the other tenants in the building.

As you've heard, if you'll look at the aerial here, this is the northern access drive onto Arlington Heights Road. It's a right-in/right-out access only. This here is the southern access drive, it's a full access point onto Arlington Heights Road providing both northbound and southbound access.

So, the drop-off procedure would be buses or cabs will come and circulate through the site in this direction, come around the building clockwise, and then they would begin to stack in this area right here. So, these 20 spaces would be reserved for New Hope staff as well as some spaces on this side so the cars, the cabs and the buses that are stacking here will not conflict with other tenants in the building. The staff arrives before the buses and cabs arrive and then leave afterwards so there shouldn't be a conflict with these stacking vehicles blocking some of the parking spaces. I believe that the landlord has agreed that these spaces, 20 spaces will be dedicated to New Hope Academy.

The drop-off procedure is as you've heard. The pickup procedure takes approximately 10 to 15 minutes. Since it's going to happen relatively quickly at peak, we're anticipating 35 vehicles really should not create a big problem. There's close to 200 feet of stacking space I believe, so Staff is not anticipating this to be a major problem.

I do want to kind of highlight the main access point. This is the southern access drive onto Arlington Heights Road. The Petitioner did submit a traffic analysis and they did analyze the congestion to public streets. This was again the major intersection and anticipated at, you know, 95 percent of the time during peak traffic there would be no more than two cars stacked trying to leave the site, or two cars stacked getting into the site. So, this shows adequate room in the dedicated left turn lane for two cars, and then you can see one car here and an adequate room behind it for another car to stack without blocking the access aisles and hampering circulation throughout the rest of the site.

The traffic study did document that the level of service exiting at this intersection in the afternoon peak would go from, I believe it was a C to a D, and that equates to a 15-second additional delay for a total delay of around 35 seconds. So, really not too substantial

here. The overall analysis found that no intersection here operated at a level of service less than E which is pretty good for a major arterial like Arlington Heights Road.

Additionally, there is a third access point here, and this leads south down to University Drive with an eventual connection on the east to Arlington Heights Road. So, that provides a third means of ingress and egress to the site. So, if it's found that some of the intersections on Arlington Heights Road are congested, the cabs and buses can utilize this other exit for light intersection onto North Arlington Heights Road. I think there were, it was found that there were adequate gaps in between traffic to allow those left-hand turns in and out of the southern egress drive to allow traffic to continue to flow.

So, relative to the approval criteria, the Petitioner did submit and Staff did concur that the necessary criteria for approval have been met. Relative to the reasonable return, Staff would note that the building is approximately 65 percent vacant. It's been that way for a number of years. It's been difficult for management to attract tenants here. Over my tenure with the Village, we have talked with two potential tenants that were looking to locate here, both of them would have required a land use variation. So, I think it's been difficult for the building to be filled.

Additionally, there are some unique characteristics about the site such as the three-pronged wing design of the building. That's going to help insulate the proposed tenant from some of the other tenants in the building and minimize any conflicts in that sense. We don't feel that the proposed land use variation would alter the essential character of the locality. Peak traffic times do not coincide with the traditional 9:00 a.m. to 5:00 p.m. workday so there shouldn't be any conflict there. Again, no students are allowed to drive to this school, they're all transported via cabs and buses so there is not going to be much parking generation there.

Relative to the Comprehensive Plan, it is designated in the Comprehensive Plan as being appropriate for research and development, manufacturing and warehousing. Staff did feel that the proposed use was generally consistent with this classification although not directly compatible. But given the characteristics of the use, we felt it was appropriate at this location and did require an amendment to the Comprehensive Plan.

So, we are recommending approval of the application subject to four conditions, one of the conditions being that during the review process we looked at some of the landscaping on the site and found that over the decades that the building has been around, some of the landscaping is no longer there and has died off. So, we had asked the Applicant to update some of the landscaping. They provided a plan showing how they were going to do that. We took a look at the plan, asked for some revisions, and then we received the plan back late last week. We're still evaluating that and believe it's going to meet all the landscape requirements but we just added this condition to ensure that that plan is correct and that the missing landscaping will be installed prior to occupancy we hope.

Public Works looked at the proposed land use variation. They found that the building was served by a decades-old water heater and that they thought was obsolete, as well as a single detector check valve that should be replaced with a current RPZ. So, we're asking the property owner to update this equipment as part of the land use variation process.

Finally, when the Police Department was looking at this land use variation, they thought they may need a dedicated school resource officer for New Hope Academy. I will mention that at their current location in Niles they don't have one. A school resource officer will help with things like school lockdown procedures in the case of an emergency, a crisis management plan, will be out there every month to do a lockdown drill, sit

down with the teachers and staff and try to figure out, you know, what went right, what went wrong. That SRO will be the primary responding officer to any calls for service by the Police Department. So, they just weren't sure, given the uncertainties with this school, whether or not they may need an SRO, so this condition was added to have them evaluated after one year, and if the level of service needed is insignificant, then I don't think the Village would be looking for an SRO here. If so, we would ask New Hope to cooperate and bring an SRO in.

Final condition is just kind of our standard condition here. That concludes my presentation and I'm happy to answer any questions.

CHAIRMAN LORENZINI: Thank you, Sam. Is there a motion to include the Staff report into the public record?

COMMISSIONER DROST: I'll make that motion.

CHAIRMAN LORENZINI: Second?

COMMISSIONER ENNES: I'll second.

CHAIRMAN LORENZINI: All in favor?

(Chorus of ayes.)

CHAIRMAN LORENZINI: Let's go to the questions from the Commissioners. Commissioner Cherwin, would you like to start?

COMMISSIONER CHERWIN: Sure. Sam, you mentioned in one of your previous slides that you had a couple of other tenants that were prospective tenants that would also need land variations. Could you just describe quickly what you're referring to, like what would have been the variations needed?

MR. HUBBARD: I think there was one other similar school that came before Plat & Sub maybe about a year ago which also required a land use variation. We did have preliminary conversations with kind of a social service provider that would do a little bit of light manufacturing, but due to their programming and specific use they would have required a land use variation.

COMMISSIONER CHERWIN: Yes, I know at Plat & Sub when we talked, you put out there about the 65 percent vacancy, and on top of that I think you guys had talked about sort of the struggles that the building has. So, you know, I've been supportive of this. I think it's a good use for it. My main concerns at the committee level would have been, you know, I think looking at the comments in terms of fitting the building for the school use and the life safety and all that, making sure it's, you know, appropriate for school, for the code and the particular school use. But going through those comments, am I correct in assuming that all those comments have been addressed and that the Petitioner is willing to satisfy with the departments?

MR. HUBBARD: Yes, the Petitioner is aware of the comments from the Building Department and they don't believe that they're going to be problematic to address during build-out.

COMMISSIONER CHERWIN: Okay, and then in terms of, you know, isolating this use given that it is significantly different from the other tenants in the building in terms of the internal demising walls, et cetera, does Staff feel comfortable that this use will be secure, first of all, because it is a school site? You talked a little bit about the SRO, et cetera, but having not just that outer entrance secure with the inner entrances to make sure that that's secure I guess for the kids potentially leaving and entering the property. So, is Staff comfortable with the steps that are being taken?

MR. HUBBARD: Yes. The Police Department did not recommend any additional security measures added to the building. The particular wing that this is located in is

again isolated from the other tenants in the building. So, there is only one common corridor that leads to the back of this unit, and that corridor, you know, you really can't access many other of the tenants through that corridor. You can get to other parts of the building but there's no other tenants that have direct access from that corridor. So, I don't expect it to be too hard to track.

COMMISSIONER CHERWIN: Could you go back to your aerial when you showed the stacking on Arlington Heights Road? That was my last, that was really my biggest concern was, you know, I think my biggest concern would be here potential conflict with, you know, your left in from the northbound Arlington Heights Road really since this is a constant site of traffic. You're going to have cars inbound and outbound at the same time. So, this would be my primary concern is you have left outbound with left inbound, potentially a conflict there during the drop-off cycle. So, it sounds like that could potentially be an issue.

You know, you did mention the third access point which is that southerly drive out to University. It does sound like the Petitioner is looking to, you know, observe and make sure that if there are any problems with your egress/ingress on Arlington Heights Road, that you would utilize University. Since the committee, I've driven by there a few times and taken a look at it, so yes, you are kind of going through that industrial area. It's probably not the most ideal, but that may end up being, you know, for northbound outbound traffic, may be the safest way to do that if we see some conflicts. So, I would just say obviously keep an eye on that, you guys. That was probably my biggest concern from a site layout.

Then, you know, I guess the other thing would be that I don't know that we talked about it with Hiffman when we were going through this project, but I guess what is the Staff's perspective on once we put a school in here the ability to market the rest of this building and to keep its tenancy, was there any discussion of that? Is putting this use in here, does that deteriorate the marketability of the rest of the office building? Is that a discussion that was had?

MR. HUBBARD: I don't know if we Staff, you know, had that discussion, I don't know if we feel that way. I think certainly the landlord wouldn't want to put in a tenant that would, you know, destroy the marketability of the rest of their building. There is enough parking to accommodate additional users there so that wasn't a major concern of ours.

COMMISSIONER CHERWIN: Okay. Yes, I'm supportive of it. I appreciate the Petitioner making the adjustments and cooperating with the departments. So, good luck. No further questions.

CHAIRMAN LORENZINI: Commissioner Sigalos?

COMMISSIONER SIGALOS: Yes. You're leasing this space, correct? Is that long term?

CHAIRMAN LORENZINI: Would you come back up to the podium if you're going to answer questions?

COMMISSIONER SIGALOS: How long a term is your lease?

MS. LARRANCE: 12 years.

COMMISSIONER SIGALOS: 12 years, okay. I share a similar concern with Commissioner Cherwin here as far as the marketability of the rest of the building being it's 65 percent vacant and it's been vacant for a long time with how other tenants or prospective tenants feel about the school. I think the layout being in three wings and you're kind of isolated in one wing I think lends itself to that. So, it's a good use for that space.

Just a couple of other questions I wanted to get clarified because I was also at the Plat & Sub meeting. The kitchen, you're really not going to be doing any cooking if I remember correctly, is that correct?

MS. LARRANCE: If we do do any cooking in the kitchen, we currently have a kitchen now and we do life skills cooking, so we might do some baking, making sandwiches, small meals, things like that. But it's not a mass production of food in the kitchen. So, it's more teaching, we use it as a teaching room for students to learn those skills.

COMMISSIONER SIGALOS: I was concerned with what would be required from a code standpoint for a kitchen facility as far as ventilation and grease traps and things of that nature that you may be required to have.

MS. LARRANCE: Any codes that we need or are required, we will follow those codes.

COMMISSIONER SIGALOS: I just bring it to your attention then, depending on the degree of cooking in the kitchen. I know I saw where these, with the school districts that you serve, they provide either taxi or bus service to your school for students. Do they also compensate you for your students from their school districts or does that come from the state? Or how are you compensated?

MS. LARRANCE: So, we are paid through a mandated categorical item that is set by the federal government. So, just like the Orphanage Act or DCFS, that's how we're funded. So, every year, New Hope has to submit an audit to the Illinois Purchase Care Review Board. The Illinois Purchase Care Review Board reviews our number of students, days of attendance, and looks at our audit, and then from there sets a per diem rate. This is how it's done across the board for every therapeutic day school in Illinois. Once that rate is set, the districts are made aware of that and they pay per month on a monthly invoice. Then they are reimbursed.

Right now, a little over 97 percent of what they pay do overcap, so the districts do receive that money back through that mandated categorical.

COMMISSIONER SIGALOS: So, again, each district is paying you then?

MS. LARRANCE: Correct, per student on a monthly basis.

COMMISSIONER SIGALOS: I bring this up because the financial straits of the state of Illinois is, so --

MS. LARRANCE: I don't know what you're talking. No.

COMMISSIONER SIGALOS: That's all I have. I have no other questions.

MS. LARRANCE: Sure, sure. I understand that and I can imagine, this is like I said a mandated categorical, so it's different than the state budget which is what we hear often is the biggest struggle. This has been fully funded, this categorical item has been fully funded since the 70's.

COMMISSIONER SIGALOS: Thank you.

CHAIRMAN LORENZINI: Commissioner Drost?

COMMISSIONER DROST: Yes. From the standpoint of your constituency, in the materials, it was identified that they would be coming from School District 214. Is your Howard Street facility going to continue to operate? Or is that going to be a replacement, the facility here is going to be a replacement?

MS. LARRANCE: It will be a replacement.

COMMISSIONER DROST: So, basically, will any of those students be left behind or will there be another facility that they can basically use in the Niles area?

MS. LARRANCE: Sure. So, once a student is placed at a therapeutic day school, as indicated in their ID, they stay in that placement. So, all the students that are enrolled with us ending in our ESY or extended school year in July would continue with us into the fall in our new space. That's, legally the school districts have to keep them in their current placement.

So, to answer your question, I'm hopeful all of the districts will continue to use us as its therapeutic day school, and the students that we have enrolled will move with us to Arlington Heights from Niles. There are other schools that they possibly could attend, but once they're placed with us, that's where they would remain.

COMMISSIONER DROST: Yes, the point that I was getting at is serving our community which, you know, would be District 214. There is also the ages of 6th grade which would be junior high and there's a different school district for that. Would you be working with School District 25, School District 15?

MS. LARRANCE: Yes. We have students currently from 214 and 30 other school districts in the state of Illinois, so it's not just 214. Then we also provide access to a lot of the feeder junior high schools that go into the high school. Our junior high program is smaller than our high school program. Currently, we have 10 junior high students and 57, 56 high school students. So, it's much larger in the high school. But typically, our students that are placed with us from junior highs, wherever that happens to be, continue into our high school most of the time.

COMMISSIONER DROST: And why are you leaving Niles?

MS. LARRANCE: Our lease is up in October. We've been there for 16 years. I just think it's time for a change for us.

COMMISSIONER DROST: For a change, you hope. To Commissioner Sigalos' point, your funding comes from state or federal sources. In your lease, do you have provisions that deal with that in case there is a funding issue from the sources you have? Or do you have leave to make efforts to get private support in addition to the state support?

MS. LARRANCE: The majority of our students are placed to us through the school districts, but I do have private placed students as well. It's not equal. I definitely have more students from the school districts that attend. Therapeutic day schools have been around and servicing kids with IEPs and special education since the 70's. There is a definite growing need. Last year, the state of Illinois outplaced 9,000 students.

So, I hear what you're asking. Trend-wise and in 40 years, it's been pretty clear that there is a need for the therapeutic programs.

COMMISSIONER DROST: Yes. My evolution at least through our community has been on our Wheeling Township Mental Health Commission, and autism, this goes back decades, but autism is sort of an unidentified issue or health problem. Now it's become a mental health problem, and now it's becoming more identified. What is the statistic, one out of --

MS. LARRANCE: One out of every 18, 15 -- somewhere diagnosed with autism on the spectrum.

COMMISSIONER DROST: Yes. So, I mean that is basically my point.

MS. LARRANCE: Absolutely.

COMMISSIONER DROST: As with Commissioner Cherwin, I'm in favor of this because I think, you know, the mental health of your community is very important. If there is a resource that is nearby to serve constituents conveniently, it's a wonderful thing. If it can be supported by our tax dollars and that you're a competent manager, it all, you know, sort of fits together. I'll be waiting to hear what Commissioner Ennes has because I think he's a neighbor. So, that's all I have.

MS. LARRANCE: Thank you.

CHAIRMAN LORENZINI: Commissioner Jensen?

COMMISSIONER JENSEN: I was at Plat & Sub and I think we've covered all the issues that I had a concern about. I'd rather hear what some of the other Commissioners

or somebody from the audience all have.

CHAIRMAN LORENZINI: Commissioner Warskow?

COMMISSIONER WARSKOW: I am very supportive of this project and I have no questions at this time.

CHAIRMAN LORENZINI: Commissioner Ennes?

COMMISSIONER ENNES: I am a neighbor and a tenant of the building in the other wing. But we've discussed the vacancy, the vacancy, as I'm aware of, was due to a large tenant leaving and it's difficult to replace a large tenant. I think my knowledge and experience is the building is very well run and maintained. Whereas many other properties may have tried to put any tenants in here to stem the losses that they have experienced obviously over the years, I think they've been very wise in looking for tenants that makes use of the building.

I do have a couple of questions for the Petitioner. In regard to the, so all the students and teachers would come in the south entrance. Are there, on the north end, are there emergency exits for students in case there is a fire or something, for them to get into the main lobby and through there?

MS. LARRANCE: Yes.

COMMISSIONER ENNES: But those would be secured at other times?

MS. LARRANCE: Yes.

COMMISSIONER ENNES: There is a recreation/gym area at that south end?

MS. LARRANCE: Correct.

COMMISSIONER ENNES: The ceilings are kind of low for a gym. When you call it recreation area, what type of activity will take place in there?

MS. LARRANCE: Definitely no basketball. More speed ball, maybe a little floor hockey, you know, something that's not going to require the tall ceiling.

COMMISSIONER ENNES: So, you indicated that typically the students aren't really physically inclined?

MS. LARRANCE: I'd say that oftentimes they don't have the smaller gross motor skills that would allow them to be the superstar on a team or feel competent in physical activities. So, part of it is really working with them to have that confidence in themselves on those skill sets. You had spoken about the gym and the fitness center which will include some exercise equipment, and that really helps the students as well with the physical fitness piece of things.

COMMISSIONER ENNES: The activity that will take place in there, will it be noisy? How will it be buffered from the main foyer?

MS. LARRANCE: Sure. So, will it be noisy? There's usually, there never is more than 10 kids at a time in a classroom, that's the law. So, currently, we have students in the fitness room and they're not noisy, I don't hear them ever and we're not in a space like this. So, I mean it's not like big cheering going on or anything like that, it's pretty subdued.

COMMISSIONER ENNES: The activity isn't activity that makes a lot of noise?

MS. LARRANCE: Correct, correct.

COMMISSIONER ENNES: I think it's a very good use for the building, for your use in that area and it would warrant the variance. So, I'm supportive.

CHAIRMAN LORENZINI: Commissioner Green?

COMMISSIONER GREEN: I, too, was in the Plat & Sub and I think that, architecturally, the way the building is broken into three wings makes this a very good fit for what

you're doing. So, I'm in full support.

CHAIRMAN LORENZINI: Okay, a couple of questions. So, do the students go outside at all during the day? Or are they pretty much confined within?

MS. LARRANCE: They stay in the building, for arrival and dismissal purposes.

CHAIRMAN LORENZINI: So, the cases that come to you are from different school districts. Those school districts pay their bill to you or pay for their education. They also include transportation?

MS. LARRANCE: Correct. The districts contract with the transportation companies, we do not. So, they're --

CHAIRMAN LORENZINI: Where are the students picked up at? Another school or from their home?

MS. LARRANCE: Special ed law says that students need to go door to door. So, they're picked up at their front door, dropped off at our building, and then at the end of the day returned to the front of their house.

CHAIRMAN LORENZINI: Now, if a lot of these kids are in Niles now and they have to come way out here, there's going to be more transportation costs. Would the school districts pay for that or would they want to go somewhere else?

MS. LARRANCE: So, although our school is located in Niles, our students do not live in Niles.

CHAIRMAN LORENZINI: Okay, and you could, anybody who, like somebody who is in District 214 right here in Arlington Heights, obviously they'd probably want to go to your new location because it's a lot closer. But I assume there's already similar schools operating in the area?

MS. LARRANCE: So, Forest View Academy, but you know, I want to say, too, that all the therapeutic day schools are very different. So, we service, as you saw, that profile of students. Not every student would fit our profile, they would be better served in another school. So, part of it is finding the right fit for the student as well.

CHAIRMAN LORENZINI: Who determines, does the school district make the determination if they're eligible for this program or not?

MS. LARRANCE: Through an IEP meeting, the team would determine if the student is eligible for therapeutic day school. Once the file is sent to us and it's reviewed, New Hope Academy would then do an intake or an interview with the student and then offer that placement if the student was appropriate after the district has said yes, please go ahead and offer that.

CHAIRMAN LORENZINI: Then the few private placements that you have, I assume they don't generally qualify for the program, but the parents or somebody wants them to come to your school?

MS. LARRANCE: They fit the same profile but there's a variety of reasons that maybe their parent has opted not to go through the district and has decided to pay on their own.

CHAIRMAN LORENZINI: All right, that's all the questions I have. So, we'll go to the public comment portion of the meeting. Anybody in the audience or in attendance here have any questions or comments?

Seeing none, we'll close the public comment portion and go back to the Commissioners for final questions and deliberation or possible recommendation.

COMMISSIONER DROST: Yes, I'll make a motion.

A motion to recommend to the Village Board of Trustees approval of PC#17-001, a Land Use Variation to allow a private school within the M-1 District.

This approval shall be subject to the following conditions:

- 1. The revised landscape plan as submitted by the property owner is subject to Village review and approval to ensure that all applicable landscape requirements have been met. The landscaping as specified in the approved plan must be installed prior to occupancy of the New Hope Academy on the subject property.**
- 2. The subject property owner shall replace the water meter and single detector check valve as outlined in the memorandum from the Public Works Department dated February 2, 2017.**
- 3. The Petitioner shall work with the Police Department to provide a School Resource Officer (SRO) for New Hope Academy, or will make other provisions as deemed necessary by the Police Department if, after one year or at any point in the future, it is determined by the Police Department that a dedicated SRO is necessary at New Hope Academy.**
- 4. The Applicant shall comply with all applicable federal, state, and Village codes, regulations and policies.**

CHAIRMAN LORENZINI: Is there a second?

COMMISSIONER SIGALOS: I'll second.

CHAIRMAN LORENZINI: Roll call vote please, Sam?

MR. HUBBARD: Commissioner Cherwin.

COMMISSIONER CHERWIN: Yes.

MR. HUBBARD: Commissioner Drost.

COMMISSIONER DROST: Aye.

MR. HUBBARD: Commissioner Ennes.

COMMISSIONER ENNES: Yes.

MR. HUBBARD: Commissioner Green.

COMMISSIONER GREEN: Yes.

MR. HUBBARD: Commissioner Jensen.

COMMISSIONER JENSEN: Yes.

MR. HUBBARD: Commissioner Sigalos.

COMMISSIONER SIGALOS: Yes.

MR. HUBBARD: Commissioner Warskow.

COMMISSIONER WARSKOW: Yes.

MR. HUBBARD: Chairman Lorenzini.

CHAIRMAN LORENZINI: Yes. Congratulations, you received a unanimous recommendation. So, this is only a recommendation. The Board of Trustees have the final say-so. Is there a date this is going to the Board of Trustees, Sam?

MR. HUBBARD: Yes, we're tentatively targeting March 20th at the Village Board. So, you'll be asked to go to that hearing, but I'll communicate with you tomorrow and over

the next week to confirm that.

CHAIRMAN LORENZINI: Okay, congratulations and good luck. Hope to see you next fall at the start of school.

MS. LARRANCE: Thank you.

CHAIRMAN LORENZINI: thank you. Any other business, Sam?

MR. HUBBARD: So, before you, you'll see the annual statement of economic interest that we're asking that you complete no later than March 31st. So, please keep that in mind.

Next month, we have two possible Plat & Subdivision projects that are trying to get their ducks in a row at the last minute, so they've been coming to us. Also, I believe Deputy Director Enright has finalized his amendments to the Zoning Code, so those may appear before us next meeting as well. That's all I have.

CHAIRMAN LORENZINI: All right, any other comments or concerns?

COMMISSIONER JENSEN: Just a question. So, have we only done this on paper or did we do this electronically? It seems like we do something --

MR. HUBBARD: Electronically.

COMMISSIONER JENSEN: Yes, we do something --

COMMISSIONER DROST: Yes.

COMMISSIONER GREEN: That's electronic.

CHAIRMAN LORENZINI: Any other questions, comments? Motion to adjourn?

COMMISSIONER WARSKOW: I'll make such motion.

COMMISSIONER CHERWIN: I'll second.

CHAIRMAN LORENZINI: All in favor, aye?

(Chorus of ayes.)

CHAIRMAN LORENZINI: Opposed?

(No response.)

CHAIRMAN LORENZINI: We're adjourned. Thank you all.

(Whereupon, at 8:15 p.m., the meeting was adjourned.)

STATE OF ILLINOIS)
) SS.
COUNTY OF COOK)

I, ROBERT LUTZOW, depose and say that I

am a digital court reporter doing business in the State of Illinois; that I reported

verbatim the foregoing proceedings and that the foregoing is a true and correct transcript to the best of my knowledge and ability.

ROBERT LUTZOW

SUBSCRIBED AND SWORN TO
BEFORE ME THIS _____ DAY OF
_____, A.D. 2017.

NOTARY PUBLIC



Item: 504 S. Mitchell Subdivision - PC#14-016

Department: Planning & Community Development

Background

— The Village Board approved the Preliminary Plat of Subdivision for the Bruscato Subdivision (which has since been renamed the Walnut Park Subdivision) on April 18, 2015. The petitioner has prepared the necessary documents for Final Plat of Subdivision approval and is now seeking final approval from the Plan Commission.

Recommendation

— Staff recommends that the Plan Commission recommend approval of the Final Plat of Subdivision for PC 14-016, subject to the following conditions:

1. A maintenance fee for the stormwater detention area totaling \$33,700 is required. The fee shall be paid on a per lot basis at the time of issuance of a building permit for each home within the subdivision in the amount of \$11,700 per home/lot.
2. The Village will not accept ownership and maintenance of the stormwater detention area until such time as the maintenance fee is paid in full and the detention area is established and acceptable to the Village.
3. The Petitioner shall comply with all Federal, State, and local policies, regulations and codes.

ATTACHMENTS:

Description

Staff Memo
Final Plat of Subdivision

Type

Memorandum
Exhibits



Memorandum

To: Chairman Lorenzini and Members of the Plan Commission
CC: Randy Recklaus, Village Manager
All Department Heads
From: Sam Hubbard, Development Planner
Date: 3/17/2017
Re: PC #14-016: 504 S. Mitchell Subdivision (Walnut Park Subdivision)

The Village Board approved the Preliminary Plat of Subdivision for the Bruscato Subdivision (which has since been renamed the Walnut Park Subdivision) on April 18, 2015, subject to the following conditions:

1. The Petitioner shall receive final plat of subdivision approval.
2. The Petitioner shall receive Village Board approval of a three-foot vacation of a portion of Walnut Avenue right-of-way along the west side of the proposed subdivision.
3. The petitioner shall dedicate three feet along the east property line for the Mitchell Avenue right-of-way.
4. A maintenance fee for water detention shall be required for each new residential home which shall be paid during the building permit process for each home. Said fee amount shall be determined as part of final plat of subdivision.
5. School, park, and library contributions shall be required prior to the issuance of a permit for the new Lots 2 and 3.
6. The Petitioner shall comply with all Federal, State, and local policies, regulations and codes.

Submission of the Final Plat of Subdivision and final engineering has been received and reviewed and is ready for approval. Therefore, condition number one above has been satisfied and is no longer applicable.

The petitioner has prepared a Plat of Vacation for the 3' portion of Walnut Avenue and has shown the dedication of 3' of land along Mitchell Avenue within the proposed Final Plat of Subdivision. Therefore, conditions two and three will be satisfied upon approval of the Final Plat of Subdivision.

In accordance with condition number four, the developer has been asked to provide a onetime upfront fee for detention maintenance, which totals to \$33,700 and translates to \$11,233.33 per residential lot. Staff recommends clarifying this condition to read:

March 17, 2017

- A maintenance fee for the stormwater detention area totaling \$33,700 is required. The fee shall be paid on a per lot basis at the time of issuance of a building permit for each home within the subdivision in the amount of \$11,700 per home/lot.

An additional condition should be added to read:

- The Village will not accept ownership and maintenance of the stormwater detention area until such time as the maintenance fee is paid in full and the detention area is established and acceptable to the Village.

Condition number five can be removed as it is present within the Preliminary Plat of Subdivision approval ordinance and therefore duplicative to include within the Final Plat of Subdivision approval. Condition six is still applicable and should remain.

Recommendation: Staff recommends that the Plan Commission recommend approval of the Final Plat of Subdivision for PC 14-016, subject to the following conditions:

1. A maintenance fee for the stormwater detention area totaling \$33,700 is required. The fee shall be paid on a per lot basis at the time of issuance of a building permit for each home within the subdivision in the amount of \$11,700 per home/lot.
2. The Village will not accept ownership and maintenance of the stormwater detention area until such time as the maintenance fee is paid in full and the detention area is established and acceptable to the Village.
3. The Petitioner shall comply with all Federal, State, and local policies, regulations and codes.

If you should require any additional information, please let me know.

MAIL PLAT TO:

HAEGER ENGINEERING LLC
CONSULTING ENGINEERS AND LAND SURVEYORS
100 EAST STATE PARKWAY
SCHAUMBURG, IL 60173

LEGEND

- Concrete Monument
Subdivision or Block Corners,
Set or Found as Noted
Underlying Subdivision Lot No.
New Subdivision Lot No.
- Underlying Lot Lines
New Lot Lines
Boundary Line
Area Dedicated for Public Street

LOT 4

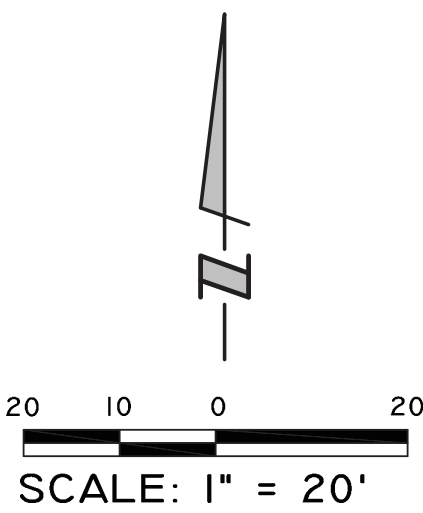
LOT 1

FINAL PLAT OF SUBDIVISION

WALNUT PARK SUBDIVISION

BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER OF SECTION 31,
TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN
COOK COUNTY, ILLINOIS.

Revised: February 28, 2017



PLAT PREPARED FOR:

JMC DEVELOPMENT, LLC
33 W. HIGGINS ROAD, SUITE 830
SOUTH BARRINGTON, IL 60010

SUBMITTED BY

VILLAGE OF ARLINGTON HEIGHTS
DEPARTMENT OF PLANNING
33 S. ARLINGTON HEIGHTS ROAD
ARLINGTON HEIGHTS, IL 60005

SEND NEW TAX BILL TO:

JMC DEVELOPMENT, LLC
33 W. HIGGINS ROAD, SUITE 830
SOUTH BARRINGTON, IL 60010

OWNER'S CERTIFICATE AND SCHOOL DISTRICT STATEMENT

STATE OF ILLINOIS }
COUNTY OF COOK } SS

WE THE UNDERSIGNED, JMC DEVELOPMENT LLC, AN ILLINOIS LIMITED LIABILITY COMPANY, OWNERS OF THE REAL ESTATE SHOWN AND DESCRIBED HEREIN, DO HEREBY LAY OFF, PLAT AND SUBDIVIDE SAID REAL ESTATE IN ACCORDANCE WITH THE WITHIN PLAT. THIS IS TO FURTHER CERTIFY THAT TO THE BEST OF THE OWNER'S KNOWLEDGE THE LAND HEREIN DESCRIBED FALLS WITHIN ELEMENTARY SCHOOL DISTRICT NO. 25, TOWNSHIP HIGH SCHOOL DISTRICT NO. 214 AND HARPER COMMUNITY COLLEGE DISTRICT 512.

SIGNED AT _____, ILLINOIS, THIS _____ DAY OF _____, A.D. 2017.

BY: _____

TITLE: _____

STATE OF ILLINOIS }
COUNTY OF COOK } SS

I, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE SAID COUNTY IN THE STATE AFORESAID DOES HEREBY CERTIFY THAT PERSONALLY KNOWN TO ME OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE SAME PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGE THAT HE SIGNED AND DELIVERED SAID INSTRUMENT AS HIS OWN FREE AND VOLUNTARY ACT AND AS THE FREE AND VOLUNTARY ACT OF SAID CORPORATION FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS _____ DAY OF _____, 2017.

PRINT NAME _____

NOTARY PUBLIC

COMMISSION EXPIRES _____ (SEAL)

PUBLIC UTILITY EASEMENT PROVISIONS

AN EASEMENT FOR SERVING THE SUBDIVISION AND OTHER PROPERTY WITH ELECTRICAL AND COMMUNICATIONS SERVICES, GAS, CABLE TELEVISION, STORM WATER DRAINAGE AND SANITARY SEWERS IS HEREBY RESERVED FOR AND GRANTED TO

COMMONWEALTH EDISON COMPANY
AND
AMERITECH

NORTHERN ILLINOIS GAS COMPANY (NICOR)
AND

ANY CABLE COMMUNICATIONS FIRM OR COMPANY GRANTED
A CABLE COMMUNICATIONS FRANCHISE BY THE VILLAGE OF ARLINGTON HEIGHTS

AND
THE VILLAGE OF ARLINGTON HEIGHTS, GRANTEEES

THEIR RESPECTIVE SUCCESSORS AND ASSIGNS, JOINTLY AND SEVERALLY, FOR THE PLACEMENT, INSTALLATION, USE, OPERATION, MAINTENANCE, REPAIR, RELOCATION, REPLACEMENT AND REMOVAL OF WATERMANS, STORM SEWERS, SANITARY SEWERS, DRAINAGE DITCHES AND SWALES, RETENTION PONDS, GAS MAINS, ELECTRICAL LINES, TELEPHONE LINES, FACILITIES USED IN CONNECTION WITH UNDERGROUND TRANSMISSION AND DISTRIBUTION OF ELECTRICITY AND SIGNALS AND SIGNALS, INCLUDING BUT NOT LIMITED TO TELEVISION, DATA AND RADIO SIGNALS, TOGETHER WITH ALL BRACES, GUYS, ANCHORS, MANHOLES, VALVES AND ALL OTHER EQUIPMENT AND APPURTENANCES NECESSARY IN CONNECTION UPON AND UNDER THE SUBDIVISION IN, UNDER, ACROSS, ALONG AND UPON THE SURFACE OF THE PROPERTY SHOWN WITHIN THE DOTTED LINES ON THE PLAT AND MARKED EASEMENT, AND THE PROPERTY DESIGNATED ON THE PLAT FOR STREETS AND ALLEYS, WHETHER PUBLIC OR PRIVATE, TOGETHER WITH THE RIGHT TO INSTALL REQUIRED SERVICE CONNECTIONS OVER OR UNDER THE SURFACE OF EACH LOT AND COMMON AREA OR AREAS TO SERVE IMPROVEMENTS THEREON OR ON ADJACENT LOTS, COMMON AREA OR AREAS, THE RIGHT TO CUT, TRIM, OR REMOVE TREES, BUSHES AND ROOTS AS MAY BE REASONABLY REQUIRED INCIDENT TO THE RIGHTS HEREIN GIVEN, AND THE RIGHT TO ENTER UPON THE SUBDIVIDED PROPERTY FOR ALL SUCH PURPOSES, OBSTRUCTIONS SHALL NOT BE PLACED OVER THE GRANTEEES FACILITIES OR IN, UPON OR OVER THE PROPERTY WITHIN THE DOTTED LINES MARKED EASEMENT WITHOUT THE PRIOR WRITTEN CONSENT OF GRANTEEES, EXCEPT GARDEN, SHRUBS AND LANDSCAPING MAY BE PLACED OVER ANY SUB SURFACE FACILITIES THAT DO NOT UNREASONABLY INTERFERE WITH THE SAFETY, USEFULNESS OF UNREASONABLY RESTRICT TO, OR PREVENT THE PROMPT MAINTENANCE OR REPAIR OF ANY SUCH SUB SURFACE FACILITIES, AFTER INSTALLATION OF ANY SUCH FACILITIES, THE GRADE OF THE SUBDIVIDED PROPERTY SHALL NOT BE ALTERED IN A MANNER SO AS TO INTERFERE WITH THE PROPER OPERATION AND MAINTENANCE THEREOF.

SPACE RESERVED FOR COUNTY CLERK'S STAMP

SPACE RESERVED FOR COUNTY RECORDER'S STAMP

THE TERM ACOMMON AREA OR AREAS IS DEFINED AS A LOT, PARCEL OR AREA OF REAL PROPERTY, THE BENEFICIAL USE AND ENJOYMENT OF WHICH IS RESERVED IN WHOLE AS AN APPURTENANCE TO THE SEPARATELY OWNED LOTS, PARCELS OR AREAS WITHIN THE PLANNED DEVELOPMENT, EVEN THOUGH SUCH MAY BE OTHERWISE DESIGNATED ON THE PLAT BY TERMS SUCH AS AOUT LOTS, OPEN SPACE, OPEN AREA, COMMON GROUND, PARKING AND COMMON AREA. THE TERM COMMON AREA OR AREAS INCLUDES REAL PROPERTY SURFACED WITH INTERIOR DRIVEWAYS AND WALKWAYS, BUT EXCLUDES REAL PROPERTY PHYSICALLY OCCUPIED BY A BUILDING, SERVICE BUSINESS DISTRICT OR STRUCTURES SUCH AS A POOL OR RETENTION POND, OR MECHANICAL EQUIPMENT.

RELOCATION OF FACILITIES WILL BE DONE BY GRANTEEES AT COST OF GRANTOR/LOT OWNER, UPON WRITTEN REQUEST.

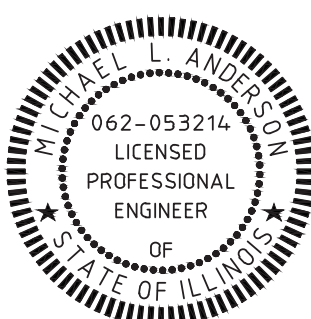
THE GRANTING OF THE FOREGOING EASEMENT CONFERS NO OBLIGATION ON THE VILLAGE OF ARLINGTON HEIGHTS TO MAINTAIN, REPAIR, REPLACE, RELOCATE OR REMOVE ANY OF THE FOREGOING UTILITIES. THE EASEMENT PROVISION IS SUBJECT TO THE TERMS AND CONDITIONS OF THE DECLARATION OF COVENANTS AND RESTRICTIONS RECORDED HEREWITH AS DOCUMENT NUMBER.

AREA SUMMARY

Lot 1	9,253 S.F.	0.2124 Ac.
Lot 2	8,432 S.F.	0.1936 Ac.
Lot 3	8,480 S.F.	0.1947 Ac.
Outlot 4	9,268 S.F.	0.2127 Ac.
Right-of-Way	401 S.F.	0.0092 Ac.
Total	35,834 S.F.	0.8226 Ac.

SURVEYOR NOTES:

- The field work for this survey was completed on July 6, 2015.
- The Horizontal coordinates and basis of bearing shown hereon are assumed.
- The Vertical Datum referenced hereon is based on NAVD 88 (Geoid 12A) as referenced from Kara Company's RTK Network.



EXPIRES 11-30-17

STATE OF ILLINOIS }
COUNTY OF COOK } SS

I, _____, VILLAGE COLLECTOR OF THE VILLAGE OF ARLINGTON HEIGHTS, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID CURRENT OR FORFEITED SPECIAL ASSESSMENTS, OR ANY DEFERRED INSTALLMENTS THEREOF THAT HAVE BEEN APPOINTED AGAINST THE TRACT OF LAND INCLUDED IN THE PLAT.

I FURTHER CERTIFY THAT I HAVE RECEIVED ALL STATUTORY FEES IN CONNECTION WITH THE PLAT.

DATED THIS _____ DAY OF _____, 20____.

VILLAGE COLLECTOR

STORM WATER DRAINAGE CERTIFICATE

STATE OF ILLINOIS }
COUNTY OF COOK } SS

TO THE BEST OF OUR KNOWLEDGE AND BELIEF, THE DRAINAGE OF SURFACE WATERS WILL NOT BE CHANGED BY THE CONSTRUCTION OF THIS SUBDIVISION OR THAT IF THE SURFACE WATER DRAINAGE WILL BE CHANGED, REASONABLE PROVISION HAS BEEN MADE FOR THE COLLECTION AND DIVERSION OF SURFACE WATERS INTO PUBLIC AREAS OR DRAINS AND THAT SUCH SURFACE WATERS WILL BE PLANNED FOR IN ACCORDANCE WITH GENERALLY ACCEPTED ENGINEERING PROCEDURES SO AS TO REDUCE THE LIKELIHOOD OF DAMAGE TO THE ADJOINING PROPERTY BECAUSE OF THE CONSTRUCTION OF THIS SUBDIVISION.

BY: _____
ILLINOIS PROFESSIONAL ENGINEER
NO. 062-053214

BY: _____
OWNER

DATE: _____

DATE: _____

VILLAGE CERTIFICATE

STATE OF ILLINOIS }
COUNTY OF COOK } SS

UNDER THE AUTHORITY PROVIDED BY 65 ILCS 5/11-12, AS AMENDED BY THE STATE LEGISLATURE OF THE STATE OF ILLINOIS AND ORDINANCE ADOPTED BY THE VILLAGE BOARD OF THE VILLAGE OF ARLINGTON HEIGHTS, ILLINOIS, THIS PLAT WAS GIVEN APPROVAL BY THE VILLAGE OF ARLINGTON HEIGHTS AND MUST BE RECORDED WITHIN SIX MONTHS OF THE DATE OF APPROVAL BY THE VILLAGE BOARD, OTHERWISE IT IS NULL AND VOID.

APPROVED BY THE PLAN COMMISSION AT A MEETING HELD _____

_____, A.D., 20____.

BY: _____
CHAIRPERSON

ATTEST: _____
SECRETARY

APPROVED BY THE VILLAGE BOARD OF TRUSTEES AT A MEETING HELD _____

_____, A.D., 20____.

BY: _____
PRESIDENT

ATTEST: _____
VILLAGE CLERK

APPROVED BY THE DIRECTOR OF ENGINEERING ON _____

_____, A.D., 20____.

BY: _____
DIRECTOR OF ENGINEERING

STATE OF ILLINOIS }
COUNTY OF COOK } SS

I, JEFFREY W. GLUNT, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED AND SUBDIVIDED THE FOLLOWING DESCRIBED PROPERTY:

THE EAST 265.10 FEET OF LOT 7 IN CAROLINE FIENE'S SUBDIVISION OF THE SOUTH 50 ACRES OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 31, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

DIMENSIONS ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF AND ARE CORRECTED TO A TEMPERATURE OF 68 DEGREES FAHRENHEIT.

I DO HEREBY FURTHER CERTIFY THAT UPON COMPLETION OF CONSTRUCTION, IRON PIPES AT ALL INTERIOR LOT CORNERS AND POINTS OF CHANGE IN ALIGNMENT WILL BE SET, AS REQUIRED BY THE PLAT ACT (765 ILCS 205/0.01 ET SEQ.). I FURTHER CERTIFY THAT ALL EXTERIOR CORNERS OF THE SUBDIVISION HAVE BEEN MONUMENTED PRIOR TO RECORDED OF THE SUBDIVISION PLAT, AND THAT CONCRETE MONUMENTS HAVE BEEN SET AS REQUIRED. THIS IS TO FURTHER CERTIFY THAT THE LAND INCLUDED IN THE ANNEXED PLAT IS WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF ARLINGTON HEIGHTS, COOK COUNTY, ILLINOIS, WHICH HAS AN OFFICIAL COMPREHENSIVE PLAN AND IS EXERCISING THE SPECIAL POWERS AUTHORIZED BY THE STATE OF ILLINOIS ACCORDING TO 65 ILCS 5/11-12-6 AS HERETOFORE AND HEREAFTER AMENDED.

THIS IS TO FURTHER CERTIFY THAT BASED ON INFORMATION PROVIDED ON THE FLOOD INSURANCE RATE MAP COMMUNITY - PANEL NO. 17031 C0203J DATED AUGUST 19, 2008 PRODUCED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR COOK COUNTY, ILLINOIS, THE PROPERTY SHOWN AND DESCRIBED HEREON IS LOCATED WITHIN ZONE X, WHICH IS DEFINED BY FEMA AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN".

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS OF PRACTICE APPLICABLE TO BOUNDARY SURVEYS.

SCHAUMBURG, ILLINOIS _____ JANUARY 28, 2017

BY: _____
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3695



EXPIRES 11-30-17

HAEGER ENGINEERING
consulting engineers • land surveyors

100 East State Parkway, Schaumburg, IL 60173
Tel: 847.394.6600 Fax: 847.394.6608
Illinois Professional Design Firm License No. 184-003152
www.haegerengineering.com



Item: 2214 E. Palatine Rd. Subdivision - PC#17-002

Department: Planning & Community Development

Requested Action

1. Preliminary Plat of Subdivision to subdivide one single-family lot into two single-family lots.
2. Rezoning from R-1, One-Family Dwelling District to R-2, One-Family Dwelling District

Variations Required

None identified.

Recommendation

The Staff Development Committee has reviewed the proposed Preliminary Plat of Subdivision request and request to rezone the property from R-1 to R-2, and recommends a continuance to allow the petitioner additional time to prepare the required engineering plans and revise the Plat of Subdivision accordingly.

ATTACHMENTS:

Description	Type
Staff Report	Board or Commission Report
Legal Notice	Correspondence
Aerial	Exhibits
Plat & Sub Minutes	Minutes
Plat of Survey	Exhibits
Preliminary Plat of Subdivision	Exhibits
Department Comments - Round 1	Correspondence
Petitioner Response to Department Comments - Round 1	Correspondence
Department Comments - Round 2	Correspondence
Petitioner Response to Department Comments - Round 2	Correspondence



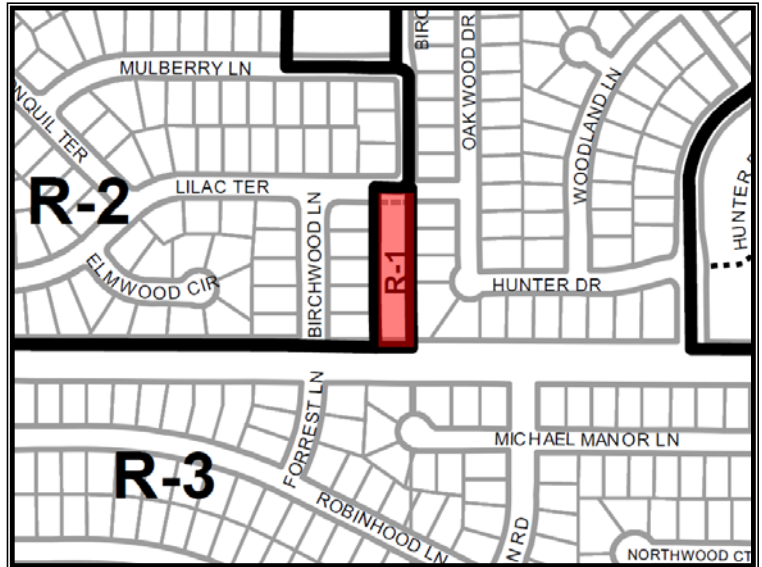
VILLAGE OF ARLINGTON HEIGHTS
**STAFF DEVELOPMENT
 COMMITTEE REPORT**

File Number: PC# 17-002
Project Title: 2214 E Palatine Subdivision
Address: 2214 E. Palatine Rd.
PIN: 03-16-303-004

To: Plan Commission
Prepared By: Sam Hubbard, Dev. Planner
Meeting Date: March 22, 2017
Date prepared: March 17, 2017

Petitioner: Elroy and Corinne Hograve
Address: 2214 E. Palatine Rd.
Arlington Heights, IL 60004

Existing Zoning: R-1, One Family Dwelling District



SURROUNDING LAND USES:

Direction	Existing Zoning	Existing Use	Comprehensive Plan
North	R-2, One Family Dwelling District	Single-Family Residence	Single Family Detached Estate 2
South	R-3, One Family Dwelling District	Single-Family Residence	Single Family Detached
East	R-3, One Family Dwelling District	Single-Family Residence	Single Family Detached
West	R-2, One Family Dwelling District	Single-Family Residence	Single Family Detached Estate 2

Requested Action:

- 1) Preliminary Plat of Subdivision to subdivide one single-family lot into two single-family lots.
- 2) Rezoning from R-1, One-Family Dwelling District to R-2, One-Family Dwelling District

Variations Required:

None identified.

Project Summary

The subject property is 0.86 (37,556 square feet) acres in area with a frontage of 100 feet along Palatine Road and 100 feet along Lilac Terrace and the lot being 375.60 feet deep. There is an existing one-story single family home with a detached garage on the southern end of the site, with a driveway that provides access to Palatine Road. A current Plat of Survey shows that the existing home has a building footprint of 1,734 square feet and the existing garage has a footprint of 661 square feet. The subject property is currently zoned R-1, One-Family Dwelling District. The properties to the north and west are zoned R-2, One-Family Dwelling District, and the properties to the south and east are zoned R-3, One-Family Dwelling District.

The proposed action, if approved, would allow the Petitioner to divide the parcel into two single family lots. Lot 1 would be located on the south half of the subject property and would have frontage along Palatine Road and Lot 2 would be located on the north half of the subject property and would have frontage along Lilac Terrace. Both lots are proposed to be 100 feet x 187.80 feet (18,700 square feet). As required by the Village's Subdivision Ordinance, a plat of subdivision must be reviewed by the Plan Commission and approved by the Village Board.

Zoning and Comprehensive Plan

As noted above, the subject property is currently zoned R-1 and exists as an isolated pocket of R-1 zoning within a cluster of R-2 and R-3 zoning districts. The Comprehensive Plan has the subject property classified as "Single Family Detached Estate 2", which is appropriate for the R-2 zoning district. Therefore, the applicant has proposed the rezoning of the subject property from R-1 to R-2, which will conform to the Comprehensive Plan designation for the subject property and will be compatible with the adjacent R-2 zoning district to the north and west.

As part of the preliminary review process, Staff evaluated the relationship of the new lots to the Zoning and Subdivision regulations (see Table 1).

Table 1: Subdivision Analysis

Zoning Requirements	Minimum Lot Size (SF)	Minimum Lot Width (FT)	Front Yard setback	Side yard setback	Rear yard setback	Exterior side yard setback
Minimum Requirements						
Typical R-2 Lot	Interior	Interior	25 FT (or block average, which in this case is 34 feet as the existing home is the only home with frontage on Palatine Road)	10% of lot width (combined interior setback shall be at least 20 FT)	30 FT	Average or 10% of lot width
	10,000	90 (if lot area is between 15,000 & 20,000 SF)				
Proposed Lot 1	18,780	100	34 FT (existing home)	14 FT and 30 FT (existing home)	114 FT (existing home)	NA
Proposed Lot 2	18,780	100	25 FT or block average (currently vacant)	10 FT (20 FT Total) (Currently vacant)	30 FT (Currently vacant)	NA

As shown in the chart above, the proposed lots are consistent with the Village's Zoning Ordinance since they exceed the minimum lot standards that are outlined in the underlying R-2 district. The surrounding properties are zoned R-2 (west and north) and R-3 (east and south), with minimum lot size requirement of 10,000 square feet and 8,750 square feet respectively. Staff has analyzed the proposed lot sizes relative to the existing lots within the vicinity, and although the proposed lots would be the largest in the vicinity, they conform to the R-2 minimum required lot size standards and are more compatible than the existing 37,556 square foot lot size.

The proposed subdivision complies with all applicable bulk standards that are outlined in the Village's Zoning Ordinance, with the exception of an existing shed in the rear of the proposed Lot 1. According to Code, an accessory structure must be no less than 5' setback from a rear property line, and the location of proposed rear lot line will mean that the existing accessory structure will be setback only 4.8' from the rear property line. Staff has informed the petitioner of this potential non-conformity, and the petitioner has stated that the shed does not sit on any foundation and can be easily moved or removed. A condition of approval should be added to address this situation.

Building, Site, and Landscape

At this time, the petitioner is only proposing to subdivide the property and has not proposed any alteration to the existing grade or the demolition of the existing home on the southern end of the property. However, staff is aware that the petitioner has a contract to sell the northern lot (Lot 2) to an entity that would like to construct a single-family home on that property. A Design Commission application will be required prior to issuance of a building permit for any home on the proposed Lot 2. Furthermore, if and when a buyer is located for the southern lot, a Design Commission application will also be required to rebuild any structure on the southern lot (Lot 1).

While the requirement for tree preservation is only applicable to subdivisions of three or more lots, the petitioner is encouraged to retain as many existing trees on-site as possible. There are several mature evergreen trees along the eastern property line and the petitioner shall only remove those trees if they are located within the subject property boundary. The petitioner is encouraged to save these trees if possible.

Onsite detention is not required for a small two lot single-family subdivision and therefore a fee-in-lieu of onsite detention is required. A condition of approval will be added to require this fee, however, the petitioner must verify that the Palatine Road ROW has been dedicated along the southern frontage of the subject property, which will allow the Engineering Department to finalize their calculations for the fee-in-lieu of detention. In addition, there are several unresolved issues with the required infrastructure and these have been detailed below in the Infrastructure and Plat of Subdivision section.

Traffic & Parking

According to the Village's Subdivision Control Regulations and Zoning Ordinance, a traffic study is required for residential developments that have at least 100 dwelling units or more. Since the Petitioner is only proposing a two-lot development a formal traffic study by a certified Traffic Engineer is not required.

Infrastructure and Plat of Subdivision

When a new subdivision has been proposed, the developer is required to update the existing infrastructure in order to serve lots within the proposed subdivision. The specific infrastructure upgrades needed to accommodate a new subdivision can vary widely from new roads and sidewalks, to extensions of water mains and new sanitary sewer mains, or new detention facilities. For subdivisions in locations where all existing code required infrastructure is present, the subdivider may not have any public infrastructure obligations.

Relative to the present proposal, there is an existing 8" public sanitary sewer main that runs north to south on the subject property along the east side of the site. Connections to the Village's sanitary sewer system can be made from this line, and per the request of the Village, a 15' Public Utility Easement for this existing line has been proposed as part of this subdivision process.

Relative to water service, the existing home at 2214 E. Palatine Road has a service line that runs north from the home and connects to the water main along Lilac Terrace. All subdivisions are required to extend public improvements to service each subdivided lot as part of the subdivision process, and when the existing lot is divided into two, the southern lot (Lot 1), their water service line will no longer have direct access to the water main along Lilac Terrace and the existing line will be located under a separate lot (Lot 2) prior to connecting to the water main. Therefore, it is required that the water main be extended to serve the southern lot (Lot 1). The petitioner is aware that this is a requirement by the Village but has not yet prepared an engineering plan that shows how this public water main will be extended. This has implications on the Preliminary Plat document as all public water mains on private property must be located within a public utility easement, and the location of the future water main has not yet been designed, and therefore the easement for this main is not yet included on the preliminary plat.

Furthermore, the proposed subdivision will trigger the construction of a sidewalk along the southern side of Lilac Terrace abutting the proposed Lot 2. Similarly, engineering plans showing the construction of this sidewalk are required as part of the subdivision process, and engineering plans have not yet been received. This sidewalk should be designed and shown on the engineering plans, and it is noted that any building permit to construct a home on Lot 2 will trigger the construction of this sidewalk.

It should also be noted that the petitioner has requested to delay the requirement to provide engineering plans showing the construction of the sidewalk and water main, as well as the actual construction of the extended water main and sidewalk, until such time as a new home is proposed for Lot 1. Staff does not support this request. Public improvements are part of the subdivision process and preliminary engineering plans showing their construction shall be required prior to Preliminary Plat of Subdivision approval. The actual construction of said public improvements is not triggered until a permit to develop one of the subdivided lots has been received,

be it a permit for Lot 1 or Lot 2. To allow a new home to be constructed on Lot 2, but then to defer the construction of the water main until such time as Lot 1 is redeveloped, means that Lot 2 will experience a significant disturbance on their property (digging, removal of fences, removal of landscaping, etc.) at some point in the future to accommodate the water main construction. Any permit issued to allow new construction on either Lot 1 or Lot 2 should require the installation of all required public improvements. Staff has recommended a continuance to allow the petitioner additional time to prepare the required engineering plans and revise the plat to show any easements as may be necessary.

Finally, the petitioner has also asked that, even if the water main is extended along the western edge of the subject property, the existing home be allowed to continue to use the existing service line connections to the water main and sanitary sewer main and that a new connection to the new water main and existing sanitary sewer main only be required when the southern lot (Lot 1) is redeveloped. Staff believes that the existing water service line should be properly abandoned during construction of the new main and home on Lot 2, and therefore does not support this request. As stated above, the building permit for any construction of a new home on Lot 2 must also involve the construction of the water main and other public improvements, and the subdivider must provide bonds and deposits to guarantee this work. A continuance will allow the petitioner additional time to determine how much it will cost for the existing home at 2214 E. Palatine Road to connect to the extended water main and existing sanitary sewer.

Recommendation

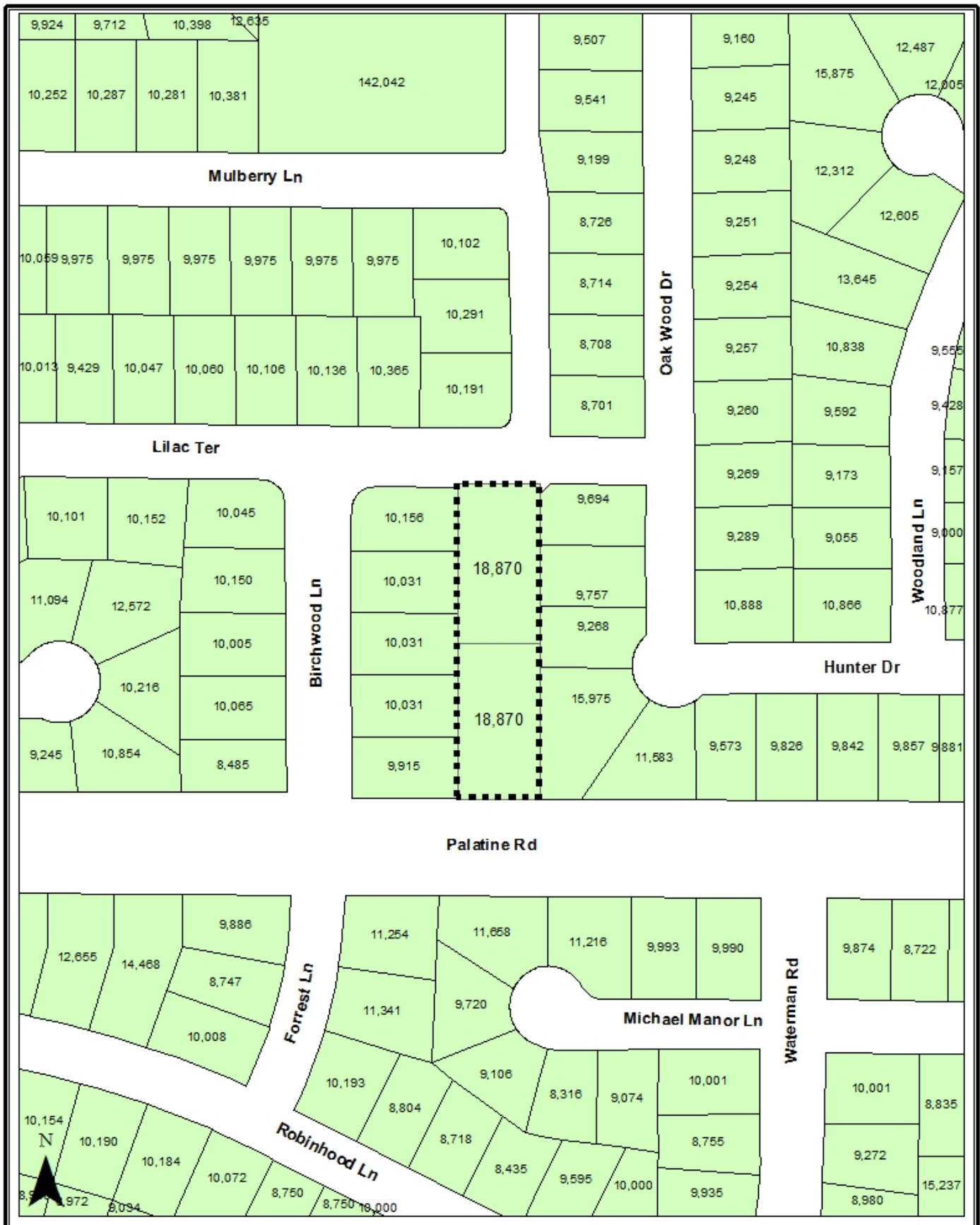
The Staff Development Committee has reviewed the proposed Preliminary Plat of Subdivision request and request to rezone the property from R-1 to R-2, and recommends a continuance to allow the petitioner additional time to prepare the required engineering plans and revise the Plat of Subdivision accordingly.

March 17, 2017

Bill Enright, Deputy Director of Planning and Community Development

C: Randy Recklaus, Village Manager
All Department Heads

Exhibit II - Lot Sizes in Vicinity



NOTICE OF
PUBLIC HEARING
NOTICE IS HEREBY
GIVEN THAT THE PLAN
COMMISSION OF THE
VILLAGE OF ARLINGTON
HEIGHTS WILL CONDUCT
A PUBLIC HEARING ON
FEBRUARY 22, 2017, AT
7:30 P.M. in the Municipal
Building, 33 South Arlington
Heights Road, Arlington
Heights, Illinois to consider
Petition No. 17-002, a Pre-
liminary and Final Plat of
Subdivision to create two
lots on the subject property
and a rezoning of the subject
property from the R-1 One-
Family Dwelling Residential
Zoning District the R-2
One-Family Dwelling Resi-
dential Zoning District, said
property located at 2214
East Palatine Road in Ar-
lington Heights, IL, legally
described as:

THAT PART OF THE EAST
1/4 OF THE SOUTH 1/4 OF
THE SOUTHWEST 1/4 OF
SECTION 16, TOWNSHIP 42
N, RANGE 11 EAST OF
THE THIRD PRINCIPAL
MERIDIAN, BEING THE
EAST 1/4 OF LOT 14 OF
SCHOOL TRUSTEE'S SUB-
DIVISION OF SECTION 16
TOWNSHIP 42 NORTH,
RANGE 11 EAST OF THE
THIRD PRINCIPAL ME-
RIDIAN DESCRIBED AS
FOLLOWS: BEGINNING
AT THE SOUTHEAST COR-
NER OF THE SOUTH-
WEST 1/4 OF SECTION 16
TOWNSHIP 42 N RANGE 11
EAST OF THE THIRD
PRINCIPAL MERIDIAN,
ALSO BEING THE SOUTH-
EAST CORNER OF LOT 14
OF SCHOOL TRUSTEE'S
SUBDIVISION, THENCE
WEST ALONG THE SOUTH
LINE OF THE SOUTH-
WEST 1/4, BEING THE
CENTER LINE OF PALA-
TINE ROAD, FOR A DIS-
TANCE OF 100 FEET,
THENCE NORTH AND
PARALLEL TO THE EAST
LINE OF THE SOUTH-
WEST 1/4 FOR A DISTANCE
OF 435.6 FEET, THENCE
EAST AND PARALLEL TO
THE SOUTH LINE OF THE
SOUTHWEST 1/4 FOR A
DISTANCE OF 100 FEET
TO AN INTERSECTION
WITH THE EAST LINE OF
THE SOUTHWEST 1/4 OF
SAID SECTION 16,
THENCE SOUTH ALONG
THE EAST LINE OF THE
SOUTHWEST 1/4 FOR A
DISTANCE OF 435.6 FEET
TO THE PLACE OF BE-
GINNING; EXCEPT THAT
PART TAKEN FOR ROAD-
WAY PURPOSES; ALL IN
COOK COUNTY, ILLINOIS.
And other variations as de-
termined necessary by the
Plan Commission.
All persons desiring to be
heard shall be given the op-
portunity to be heard.
Should any individual need
auxiliary aid or service,
such as a sign language
interpreter or materials in
alternative formats, please
contact the Health Depart-
ment at 33 South Arlington
Heights Road, Arlington
Heights, Illinois 60005, (847)
368-5760, TDD# (847) 368-
5794.

Joe Lorenzini, Chairman
ARLINGTON HEIGHTS
PLAN COMMISSION
Published in Daily Herald
March 7, 2017 (4466264)

RECEIVED
MAR 10 2017
PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

Daily Herald

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **DAILY HERALD**. That said **DAILY HERALD** is a secular newspaper and has been circulated daily in the Village(s) of Algonquin, Antioch, Arlington Heights, Aurora, Barrington, Barrington Hills, Lake Barrington, North Barrington, South Barrington, Bartlett, Batavia, Buffalo Grove, Burlington, Campton Hills, Carpentersville, Cary, Deer Park, Des Plaines, South Elgin, East Dundee, Elburn, Elgin, Elk Grove Village, Fox Lake, Fox River Grove, Geneva, Gilberts, Grayslake, Green Oaks, Gurnee, Hainesville, Hampshire, Hanover Park, Hawthorn Woods, Hoffman Estates, Huntley, Inverness, Island Lake, Kildeer, Lake Villa, Lake in the Hills, Lake Zurich, Libertyville, Lincolnshire, Lindenhurst, Long Grove, Mt. Prospect, Mundelein, Palatine, Prospect Heights, Rolling Meadows, Round Lake, Round Lake Beach, Round Lake Heights, Round Lake park, Schaumburg, Sleepy Hollow, St. Charles, Streamwood, Tower Lakes, Vernon Hills, Volo, Wauconda, Wheeling, West Dundee, Wildwood, Sugar Grove, North Aurora, Glenview

County(ies) of Cook, Kane, Lake, McHenry

and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

I further certify that the **DAILY HERALD** is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published March 7, 2017 in said **DAILY HERALD**.

IN WITNESS WHEREOF, the undersigned, the said **PADDOCK PUBLICATIONS, Inc.**, has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC.
DAILY HERALD NEWSPAPERS

BY Danula Baltz
Authorized Agent

Control # 4466264



2214 E. Palatine Road
Prepared by: The Village of Arlington Heights
Department of Planning & Community Development
April 2015

REPORT OF THE PROCEEDINGS OF
THE PLAT & SUBDIVISION COMMITTEE
OF THE VILLAGE OF ARLINGTON HEIGHTS PLAN COMMISSION
HELD AT VILLAGE HALL ON:

April 22, 2015

Project Title: 2214 E. Palatine Road Subdivision
Address: 2214 E. Palatine Road
Petitioner: Randy Brush
Address: 729 E. Rand Road
Arlington Heights, IL 60004

Requested Action:

- Preliminary Plat of Subdivision to subdivide one single family parcel into two single family lots.

Variations Required:

- A variation from Chapter 28, Section 6.5-7, Maximum Size of Accessory Structures to allow the existing detached garage on Lot 1 to exceed the maximum allowable 720 square feet to allow the existing garage to be 850 square feet.

Attendees: Randy Brush, Coldwell Banker
Elroy Hogleve, Property Owner
Bruce Green, Plan Commissioner
John Sigalos, Plan Commissioner
Lynn Jensen, Plan Commissioner
Latika Bhide, Development Planner

Project Summary

The subject property is 0.97 (41, 181 square feet) acres in area with a frontage of 100 feet along Palatine Road and 100 feet along Lilac Terrace and is 421 feet deep. There is an existing single family home with a detached garage on the site with a driveway off Palatine Road. A current Plat of Survey has not been provided, but it appears that the existing home has a building footprint of 2,120 square feet and the existing garage has a footprint of 850 square feet. The proposed action, if approved, would allow the Petitioner to divide the parcel into two single family lots. Lot 1 would be located along Palatine Road and Lot 2 would be located along Lilac Terrace. Both lots are proposed to be 100 feet x 191 feet. Both the proposed lots are consistent with the Village's Zoning Ordinance, since they exceed the minimum lot standards that are outlined in the underlying R-1 district. The surrounding properties are zoned R-2 (west and north) and R-3 (east and south), with minimum lot size requirement of 10,000 square feet and 8,750 square feet respectively. Pursuant to the Village's Comprehensive Plan, the subject site is designated Single Family Detached Estate 2. Therefore, the proposed subdivision request is consistent with the Village's Comprehensive Plan. Staff recommends that the property be rezoned to the R-2 district, as it is an isolated R-1 zoned property. According to Code, the maximum allowable size of a detached garage is 720 square feet. The detached garage on Proposed Lot 1 is 850 square feet. As a result, the proposed subdivision is inconsistent with this provision of the Village's Zoning Ordinance. At this time, it is not known if the petitioner intends to retain the existing home or demolish it. If the Petitioner elects to proceed forward, then a variations must be approved.

Meeting Discussion:

R. Brush stated that they are looking to subdivide the property at 2214 E. Palatine Road. The property is approximately 1 acre in area. He stated that they are hoping to subdivide the property in half as the property fronts on Palatine Road on the south and Lilac Terrace on the north.

L. Bhide stated that the property is zoned R-1 and a little under an acre in area and extends from Palatine Road on the south to Lilac Terrace on the north. She stated that this was the only isolated 'R-1' piece of property and staff was recommending that this property be rezoned to R-2 consistent with surrounding property. She stated that it appears that both proposed lots would meet the dimensional standards of the R-1 district. She stated that they do not have a current Plat of Survey, but it appears that the existing garage may be larger than what is allowed by the Ordinance and would need a variation.

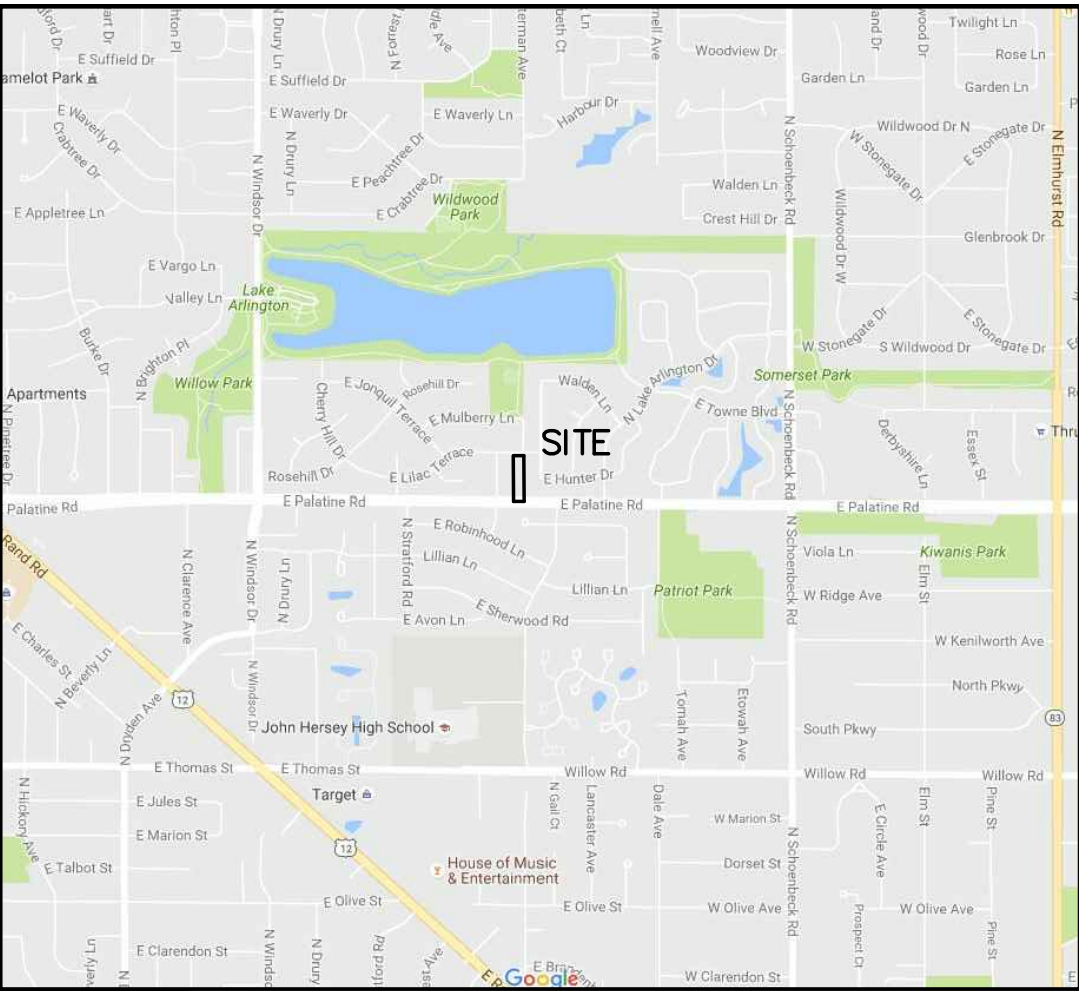
L. Jensen asked about the area requirements for the R-1 and R-2 district. L. Bhide stated that properties in the R-1 district are required to be 15,000 SF and properties in the R-2 district are required to be 10,000 SF. B. Green asked if duplexes were allowed in the R-2 district and if not, which district would allow them. L. Bhide stated that duplexes would be allowed in the R-5 and R-6 districts. B. Green stated that he did not want to see this neighborhood turn multi-family.

E. Hogreve stated that his plan was to sell the house with half acre and the other lot (fronting lilac) separately. He stated that there is an existing water and sewer hook-up for the back lot. L. Jensen asked about the existing garage. E. Hogreve stated that the garage would be sold with the house. He stated that the house was built in the County. B. Green and J. Sigalos did not have any other questions.

RECOMMENDATION

The Plat & Subdivision Committee did have any concerns with this request and stated that the petitioner should move forward.

Bruce Green, Chair
PLAT & SUBDIVISION COMMITTEE
Latika Bhide, Recorder



VICINITY MAP
NO SCALE

PRELIMINARY PLAT OF SUBDIVISION OF HOGREVE SUBDIVISION

PART OF THE SOUTHWEST QUARTER OF SECTION 16,
TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD
PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

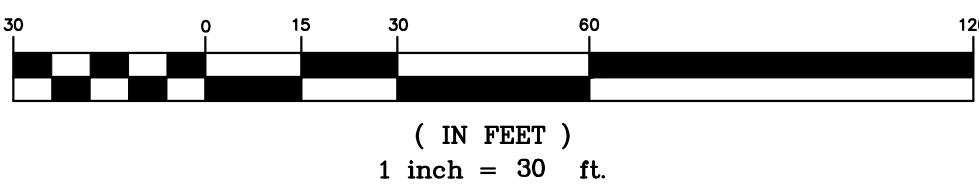
"THIS IS A PRELIMINARY PLAT, OF NO
LEGAL EFFECT AND NOT TO BE RECORDED"

LEGAL DESCRIPTION

THAT PART OF THE EAST 1/4 OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 16,
TOWNSHIP 42 N, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, BEING THE EAST 1/2 OF LOT
14 OF SCHOOL TRUSTEE'S SUBDIVISION OF SECTION 16 TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE
THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF THE
SOUTHWEST 1/4 OF SECTION 16 TOWNSHIP 42 N RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN,
ALSO BEING THE SOUTHEAST CORNER OF LOT 14 OF SCHOOL TRUSTEE'S SUBDIVISION, THENCE WEST
ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4, BEING THE CENTER LINE OF PALATINE ROAD, FOR
A DISTANCE OF 100 FEET, THENCE NORTH AND PARALLEL TO THE EAST LINE OF THE SOUTHWEST
1/4 FOR A DISTANCE OF 435.6 FEET, THENCE EAST AND PARALLEL TO THE SOUTH LINE OF THE
SOUTHWEST 1/4 FOR A DISTANCE OF 100 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE
SOUTHWEST 1/4 OF SAID SECTION 16, THENCE SOUTH ALONG THE EAST LINE OF THE SOUTHWEST
1/4 FOR A DISTANCE OF 435.6 FEET TO THE PLACE OF BEGINNING; EXCEPT THAT PART TAKEN
FOR ROADWAY PURPOSES; ALL IN COOK COUNTY, ILLINOIS.

PIN: 03-16-303-004

GRAPHIC SCALE



AREA SUMMARY

LOT 1	18,778 SQUARE FEET	OR	0.431 ACRES
LOT 2	18,778 SQUARE FEET	OR	0.431 ACRES
GROSS AREA	37,556 SQUARE FEET	OR	0.862 ACRES
(TO HEAVY LINES)			
(BASED ON MEASURED VALUES)			

NOTES

1. THIS SITE IS ZONED R-1 (ONE FAMILY DWELLING DISTRICT)

2. IMPERVIOUS AREA INFORMATION:

EXISTING IMPERVIOUS AREA FOR LOT 1 = 3,827 SQUARE FEET

THE MAXIMUM IMPERVIOUS AREA ALLOWED FOR LOT 2:

FROM CHAPTER 28 ZONING REGULATIONS, SECTION 5.1-1.8
OF THE ARLINGTON HEIGHTS MUNICIPAL CODE:

MAXIMUM IMPERVIOUS SURFACE COVERAGE FOR LOTS GREATER
THAN 6,600 SQUARE FEET IN AREA: TOTAL LOT MAXIMUM OF
50 PERCENT. AS PART OF THAT 50 PERCENT, NO MORE THAN
50 PERCENT OF THE FRONT YARD SHALL BE IMPERVIOUS SURFACE.

3. AT SUCH TIME AS THE OWNER OF LOT 2 SUBMITS PLANS FOR THE
DEVELOPMENT OF SAME, LOT 2 SHALL BE REQUIRED TO ADD IN A
PUBLIC SIDEWALK WHICH WILL CONNECT TO THE SIDEWALK EXISTING
ON THE LOT TO THE WEST.

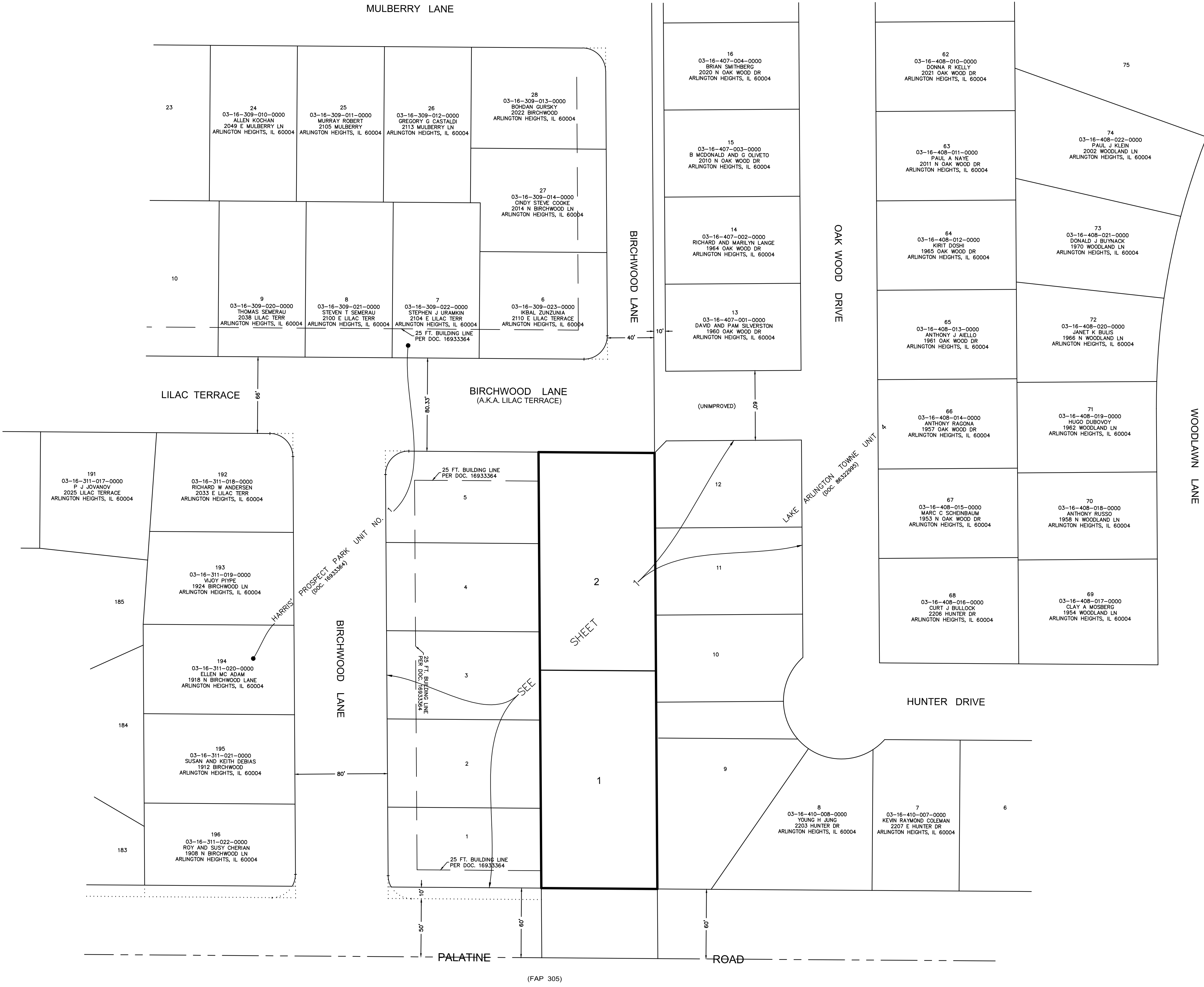
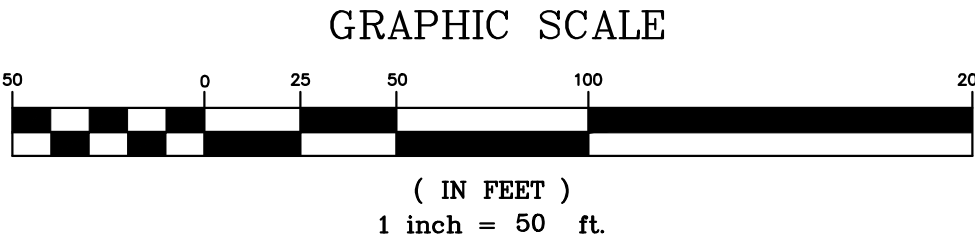
4. THE FOLLOWING TABLE WAS PROVIDED TO THE SURVEYOR:

Hogreve Subdivision Detention Calculation Verification PC# 17-002										
Site Requirements										
Allowed Release Rate (Area x 0.18 cfs/Ac) =				Site Area = 1.000 Acres		Permeable = 0.500 Acres		Impervious = 0.500 Acres		
Weighted "C" Factor =				0.725		0.180 cfs		0.000 Acres		
								0.000 Acres		
								0.000 Acres		
								0.000 Acres		
								0.000 Acres		
A	B	C	D	E	F	G	H	J	K	
Runoff Factor "C"	Storm Duration	Rainfall Intensity "I"	Site Area "A"	Inflow Rate	Release Rate	Storage Rate	Storage Required	Storage Required		
"C"	(min)	(in/hr)	(Ac)	(cfs)	(cfs)	(cfs)	(cu-ft)	(Ac-ft)	(Ac-ft)	
0.725	5	0.08	10.92	1.000	7.92	0.180	7.74	2228	0.061	
0.725	10	0.17	10.02	1.000	7.26	0.180	7.08	4336	0.100	
0.725	15	0.25	8.20	1.000	5.85	0.180	5.77	5188	0.119	
0.725	30	0.50	5.60	1.000	4.06	0.180	3.88	6984	0.160	
0.725	60	1.00	3.56	1.000	2.58	0.180	2.40	8644	0.198	
0.725	90	1.50	2.75	1.000	1.99	0.180	1.81	9764	0.225	
0.725	120	2.00	2.24	1.000	1.62	0.180	1.44	10397	0.239	
0.725	180	3.00	1.62	1.000	1.17	0.180	0.99	10741	0.247	
0.725	240	4.00	1.28	1.000	0.93	0.180	0.75	10771	0.247	
0.725	300	5.00	1.08	1.000	0.78	0.180	0.60	10854	0.249	
0.725	360	6.00	0.95	1.000	0.69	0.180	0.51	10989	0.252	
0.725	420	7.00	0.83	1.000	0.60	0.180	0.42	10938	0.244	
0.725	480	8.00	0.75	1.000	0.54	0.180	0.36	10476	0.240	
0.725	540	9.00	0.68	1.000	0.49	0.180	0.31	10141	0.233	
0.725	600	10.00	0.63	1.000	0.46	0.180	0.28	9903	0.229	
0.725	660	11.00	0.59	1.000	0.43	0.180	0.25	9811	0.225	
0.725	720	12.00	0.56	1.000	0.40	0.180	0.22	9450	0.217	
0.725	780	13.00	0.52	1.000	0.38	0.180	0.20	9220	0.212	
0.725	840	14.00	0.49	1.000	0.36	0.180	0.19	8933	0.203	
0.725	900	15.00	0.46	1.000	0.33	0.180	0.15	8289	0.190	
0.725	960	16.00	0.43	1.000	0.31	0.180	0.13	7599	0.174	
0.725	1020	17.00	0.41	1.000	0.30	0.180	0.12	7176	0.165	
0.725	1080	18.00	0.39	1.000	0.28	0.180	0.10	6658	0.153	
A'D'E				F-G		H-I		J-K		

PRELIMINARY PLAT OF SUBDIVISION
OF
HOGREVE SUBDIVISION

PART OF THE SOUTHWEST QUARTER OF SECTION 16,
TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD
PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

"THIS IS A PRELIMINARY PLAT, OF NO
LEGAL EFFECT AND NOT TO BE RECORDED"



J:\PSDATA\2016 PROJECTS\16.0359\16.0359 PLAT SUB PRE.DWG

INFO NO. 16.0359PRE

SCALE: 1" = 50'

2 OF 2

COMPASS
SURVEYING LTD

ALTA SURVEYS • TOPOGRAPHY • CONSTRUCTION STAKING

2631 GINGER WOODS PARKWAY, STE. 100
AURORA, IL 60502

PHONE: (630) 820-9100 FAX: (630) 820-7030 EMAIL: ADMIN@CLSURVEYING.COM

PROJECT

HOGREVE SUBDIVISION

2214 E. Palatine Road
Arlington Heights, IL 60004

CLIENT/OWNER

Elroy Hogreve

2214 E. Palatine Road
Arlington Heights, IL 60004

DATE: 11-15-16	PC	TK	DRAWN BY	CM	CHECKED BY	DW	BOOK	480	PG	65-66
NO.	REVISIONS				DATE	BY				
1.	PER EMAIL DATED 12/19/16				12/23/16	CM				
2.	PER VILLAGE COMMENTS				02/23/17	CM				
					</					



Village of Arlington Heights Building Services Department

Interoffice Memorandum

To: Sam Hubbard, Development Planner, Planning and Community Development
From: Deb Pierce, Plan Reviewer, Building Services Department
Subject: 2214 E Palatine Rd., Preliminary and Final Plat of Subdivision
PC#: 17-002 – Round 1
Date: January 30, 2017

Sam:

I have reviewed the submitted documents and have no comments at this time.

BUILDING DEPARTMENT

1A

PETITIONER'S APPLICATION - ARLINGTON HEIGHTS PLAN COMMISSION

Petition #: P.C. 17-002Petitioner: Elroy and Corinne Hargrave2214 E. PalatineArlington Heights IL 60004 847.253Owner: SAME 0199Contact Person: Richard LaubensteinAddress: 216 Higgins Rd.Park Ridge, IL 60068Phone #: 847-698-9600Fax #: 847-698-9623Email: rlaubenstein@dimontelaw.comP.I.N.# 0316303004000Location: 2214 E PALATINE

Rezoning: _____ Current: _____ Proposed: _____

Subdivision: _____

of Lots: 1 Current: 1 Proposed: 2

PUD: _____ For: _____

Special Use: _____ For: _____

Land Use Variation: _____ For: _____

Land Use: _____ Current: residentialProposed: residential

Site Gross Area: _____

of Units Total: _____

1BR: _____ 2BR: _____ 3BR: _____ 4BR: _____

(Petitioner: Please do not write below this line.)

FIRE PREVENTIONNO Comments

RECEIVED

JAN 20 2017

PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT

Director

Date

Memorandum

To: Sam Hubbard, Planning and Community Development

From: Cris Papierniak, Assistant Director of Public Works 

Date: February 2, 2017

Subject: 2214 E. Palatine Rd., P.C. #17-02

With regard to the proposed preliminary & final plat of subdivision, I have the following comments:

- 1) Any future buildings would need to be supplied water from within the existing utility easement. A new water main would need to be installed within that easement.
 - a. The existing house at 2214 would need to disconnect the water service from Lilac Terrace and reconnect to the new water main.
 - b. The new water main would need to have a hydrant installed at the end (Palatine)

If you have any questions, please feel free to contact me.

C. file

ENGINEERING DEPARTMENT

3

PETITIONER'S APPLICATION - ARLINGTON HEIGHTS PLAN COMMISSION

Petition #: P.C. 17-002Petitioner: Eloy and Corinne Hargrave2214 E. PalatineArlington Heights IL 60004 847-253-0199Owner: SAMEP.I.N.# 0316303004000Location: 2214 E PALATINE

Rezoning: _____ Current: _____ Proposed: _____

Subdivision: _____

of Lots: 1 Current: 1 Proposed: 2

PUD: _____ For: _____

Special Use: _____ For: _____

Land Use Variation: _____ For: _____

Contact Person: Richard LaubensteinAddress: 216 Higgins Rd.Park Ridge IL 60068Phone #: 847-698-9600Fax #: 847-698-9623E-Mail: rlaubenstein@montelaw.comLand Use: _____ Current: residentialProposed: residential

Site Gross Area: _____

of Units Total: _____

1BR: _____ 2BR: _____ 3BR: _____ 4BR: _____

(Petitioner: Please do not write below this line.)

1. PUBLIC IMPROVEMENTS

REQUIRED: _____ YES NO COMMENTS

a. Underground Utilities

Water _____ X _____

Sanitary Sewer _____

Storm Sewer _____ X _____

b. Surface Improvement

Pavement _____ X _____Curb & Gutter _____ X _____Sidewalks _____ X _____Street Lighting _____ X _____

c. Easements

Utility & Drainage _____ X _____Access _____ X _____

2. PERMITS REQUIRED OTHER THAN VILLAGE:

a. MWRDGC _____

b. IDOT _____

c. ARMY CORP _____

d. IEPA X

e. CCHD _____

3. R.O.W. DEDICATIONS? _____

4. SITE PLAN ACCEPTABLE? _____

5. PRELIMINARY PLAT ACCEPTABLE? _____

6. TRAFFIC STUDY ACCEPTABLE? _____

7. STORM WATER DETENTION REQUIRED? _____

8. CONTRIBUTION ORDINANCE EXISTING? _____

9. FLOOD PLAIN OR FLOODWAY EXISTING? _____

10. WETLAND EXISTING? _____

YES

NO

COMMENTS

X

XXNOT PROVIDED (PROPOSED PLAN)X

X

N/AX

FEE-IN-LIEN

X

X

GENERAL COMMENTS ATTACHED

PLANS PREPARED BY: N/ADATE OF PLANS: N/A

Director

1/31/17
Date

PLAN COMMISSION PC #17-002
Hogreve Resubdivision
2214 E. Palatine Road
Preliminary/Final Plat of Resubdivision
Round 1

11. The petitioner is notified that these comments are being provided to ensure that the project meets the requirements for submittal to the Plan Commission. Approval by the Plan Commission is not an endorsement or approval of these documents to obtain the required building permits, engineering approval, or permits required by other government or permitting agencies for construction. Detailed plan review with associated comments will be provided upon submittal of plans for a building permit. The petitioner shall acknowledge that they accept this understanding.
12. Since a subdivision is being proposed the plans must meet all subdivision requirements. Final engineering plans for all public improvements must be approved prior to the final plat of subdivision approval. An Engineers estimate of construction cost for full site improvements is required to complete the calculation for plan review, inspection, and other fees. An Engineers estimate of construction cost for public improvements is also required to complete the calculation for the required public improvement guarantee deposit. The public improvements for this development would be the public sidewalk along East Lilac Terrace and the water main extension. These estimates should be submitted at least three weeks prior to the final Plan Commission meeting to allow us time to generate the fee letter and for the petitioner to assemble the proper documents.
13. The original signed mylar Final Plat of Subdivision, containing all non-Village signatures, shall be submitted one week before the scheduled date of the final Plan Commission meeting. Village Code Section 29-209 also requires a digital copy of the plat to be provided on disk to the Village. The petitioner shall acknowledge that they accept this understanding.
14. Final approval will require detention calculations showing storage required. The Village's allowable release rate is 0.18 cfs/Ac. Use $C=0.50$ for pervious areas, $C=0.95$ for impervious areas. Use Bulletin 70 rainfall data. Clearly show the overflow route for the site. The payment of a fee in lieu of detention at the rate of \$1.00 per cubic foot of required storage is acceptable for a two-lot subdivision.
15. The water main must be extended to service the lot fronting Palatine Road. An IEPA Water Permit is required for the extension of public water main.

Final Plat of Subdivision:

16. The plat was reviewed against the attached Final Plat of Subdivision Checklist. Please address the following items:
 - a. Item f: Label the East Line of the SW $\frac{1}{4}$ of SEC. 16-42-11 (in Birchwood Lane)
 - b. Item h: Add the following Public Utility and Drainage Easements: 5' wide along the west side of both lots; 5' wide on each lot where they back against each other, totaling 10' wide; 10' wide along south line of Lot 1 along Palatine Road.

- c. Item h: Clearly label the dedication of the Palatine Road area as “Hereby Dedicated for Roadway Purposes” or whatever format acceptable to IDOT.
- d. Item m: Add building setback lines and dimensions.
- e. Item n: Include the wording as provided on the checklist.
- f. Item q: The elementary school district is Consolidated Community School District #23. Add Harper Community College District #512.
- g. Item t: Add block stating “Send Tax Bill To:...”


James J. Massarelli, P.E. Date 1/31/17
Director of Engineering

Attachments:

Final Plat of Subdivision Checklist (3 pages)
Contacts for Plat Signatures (1 page)
Sample Stormwater Detention Calculations (1 page)

Final Plat of Subdivision Checklist Municipal Code Section 29-209(a - t)

- ☒ a. The date of preparation of the final plat and by whom prepared.
- ☒ b. The boundary of the plat, based on accurate traverse, with angles and lineal dimensions.
- ☒ c. All permanent survey monuments, markers and bench marks.
- ☒ d. Exact location, width and name of all streets within and adjoining the plat, and the exact location and widths of all cross walkways.
- ☒ e. True angles and distances to the nearest established street lines or official monuments, not less than three. *Label the East Line of SW 1/4 (in Bircowood Ln)*
- ☐ f. Municipal, township, county and section lines accurately tied to the lines of the subdivision by distances and angles.
- ☒ g. Radii, internal angles, points and curvatures, tangent bearings and lengths of all arcs.
- ☐ h. All easements *on lots* for rights of way *dedicate* established for public use and utilities.
- ☒ i. All lot numbers and lines, with accurate dimensions given in hundredths of feet.
- ☒ j. Accurate outlines and legal descriptions of all areas dedicated or reserved for public use, with the proposed uses indicated thereon; and all areas to be reserved by deed covenant for the common use of all property owners; together with the proposed uses indicated thereon.
- ☒ k. The text of protective covenants, approved by the Plan Commission, relating to the proposed subdivision.
- ☒ l. An endorsement by the County Clerk in the form acceptable to Cook County, that there are no delinquent, forfeited, foreclosed or purchased general taxes, or unpaid current general taxes, against the land proposed to be subdivided.
- ☒ m. A summary of all restrictions applicable to any part of such subdivision concerning building restrictions, use restrictions, building setback lines and similar matters.
- ☐ n. A deed of dedication in the form set forth in Section 29-217(a):
The Final plat shall contain a deed of dedication substantially as follows:

need

"We, the undersigned, (Names), owners of the real estate shown and described herein, do hereby lay off, plat and subdivide said real estate in accordance with the within plat. This subdivision shall be known and designated as (Name), an addition to the Village of Arlington Heights, Cook County. All streets and alleys and public open spaces shown and not heretofore dedicated are hereby dedicated to the public. Front and side yard building setback lines are established as shown on this plat, between which lines and the property lines of the streets, there shall be erected or maintained no building or structure. There are strips of ground, (Number) feet in width, as shown on this plat and marked 'Easement' reserved for the use of public utilities for the installation of water and sewer mains, poles, ducts, lines and wires, subject at all times to the proper authorities and to the easement herein reserved. No permanent or other structures are to be erected or maintained upon

these strips of land, but owners of lots in this subdivision shall take their titles subject to the rights of the public utilities, and to the rights of the owners of other lots in this subdivision.

(Additional dedications and protective covenants, or private restrictions, would be inserted here upon the subdivider's initiative or the recommendation of the Plan Commission or Village Board; important provisions are those specifying the use to be made of the property and, in the case of residential use, the minimum habitable floor area.)

The foregoing covenants (or restrictions), are to run with the land and shall be binding on all parties and all persons claiming under them until January 1, 20____ [25 year period is suggested], at which time said covenants (or restrictions) shall be automatically extended for successive periods of ten years unless indicated otherwise by negative vote of a majority of the then owners of the building sites covered by these covenants (or restrictions), in whole or in part, which said vote will be evidenced by a petition in writing signed by the owners and duly recorded. Invalidity of any one of the foregoing covenants (or restrictions) by judgment or court order shall in no way affect any of the other various covenants (or restrictions), which shall remain in full force and effect.

The right to enforce these provisions by injunction, together with the right to cause the removal, by due process of law, of any structure or part thereof erected or maintained in violation, is hereby dedicated to the public, and reserved to the several owners of the several lots in this subdivision and to their heirs and assigns.

WITNESS our hands and seals this ____ day of _____, 20____.

STATE OF ILLINOIS)
COUNTY OF COOK) SS.

Before me the undersigned Notary Public, in and for the County and State aforesaid, personally appeared (Names), and each separately and severally acknowledged the execution of the foregoing instrument as his or her voluntary act and deed, for the purposes therein expressed.

WITNESS my hand and notarial seal this ____ day of 20 ____.

Notary Public"

- ☒ o. A blank certificate of approval in the form set forth in Section 29-217(b).
The Final plat shall contain a certificate of approval as follows:

"Under the authority provided by 65 ILCS 5/11-12 as amended by the State Legislature of the State of Illinois and Ordinance adopted by the Village Board of the Village of Arlington Heights, Illinois, this plat was given approval by the Village of Arlington Heights AND MUST BE RECORDED WITHIN SIX MONTHS OF THE DATE OF APPROVAL BY THE VILLAGE BOARD, OTHERWISE IT IS NULL AND VOID.

APPROVED by the Plan Commission at a meeting held _____

Chairman

Secretary

APPROVED by the Village Board of Trustees at a meeting held _____

President

Village Clerk

APPROVED by the Village Collector _____

APPROVED by the Director of Engineering _____

- ☒ p. A certification by a registered surveyor in the form set forth in Section 29-217(c). The Final plat shall contain a certificate signed by an Illinois Registered Land Surveyor in substantially the following form:

"I, (Name), hereby certify that I am an Illinois Registered Land Surveyor in compliance with the laws of the State of Illinois, and that this plat correctly represents a survey completed by me on (Date); that all monuments and markers shown thereon actually exist, and that I have accurately shown the materials that they are made of.

(SURVEYOR'S SEAL) Signature
Illinois Land Surveyor
No. _____"

- ☒ q. A notarized statement from the owner indicating the school district in which each tract, parcel, lot or block lies. *ETcm: SD 23*
- ☒ r. A certificate in the form as required by the Illinois Department of Transportation or Cook County Highway Department, respectively, when any new street or new driveway will access one of these Department's streets.
- ☒ s. The parcel index numbers of all lots contained within the plat shall be included on the plat of subdivision.
- ☒ *th need* t. A block stating "Send Tax Bill To: (Name/Address)." The actual name and address shall be provided by the developer.
- ☒ u. Provide a location to identify the address of each new lot.

The Village of Arlington Heights Municipal Code can be accessed over the internet at www.vah.com .

Contacts for Plat Signatures

Mr. Frank Gautier
Comcast Cable
688 Industrial Drive
Elmhurst, IL 60125

630/600-6348
frank_gautier@cable.comcast.com

Alternate: Martha Gieras 630/600-6352
Martha_gieras@cable.comcast.net

Ms. Mark Cozzi
ComEd
Three Lincoln Center – 4th Floor
Oakbrook Terrace, IL 60181

630/576-6530
Mark.Cozzi@ComEd.com

Ms. Kim Augustine
NICOR Gas
300 W. Terra Cotta Avenue
Crystal Lake, IL 60014

630/338-2976
kaugust@aglresources.com

Ms. Sue E. Manshum
ROW Engineer
Ameritech
2004 Miner, 1st Floor
Des Plaines, IL 60016

847/759-5603
sm9231@att.com

Mr. Greg Argetsinger
VPGM of Illinois
WOW Internet Cable
1674 Frontenac Road
Naperville, IL 60563-1757

630/536-3121
Tom Gebens
630/536-3153
Brian Herd
630/669-5227

Mr. Jonathan Karabowicz
IDOT Permits
201 W. Center Court
Schaumburg, IL 60196

847/705-4149

Mr. Michael Sterr, P.E.
Permit Office
Cook County Highway Department
69 West Washington Street
23rd Floor, Suite 2354
Chicago, IL 60602

312/603-1670

Sample Stormwater Detention Calculations

Project Name

Detention Calculation Verification PC# 00-000

Site Requirements

Site Area = 3.000 Acres
 Allowed Release Rate (Area x 0.18cfs/Ac) = 0.540 cfs
 Weighted "C" Factor = 0.875
 Pervious = 0.500 Acres
 Impervious = 2.500 Acres

A Runoff Factor "C"	B C Storm Duration		D Rainfall Intensity "I" (in/hr)	E Site Area "A" (acres)	F Inflow Rate (CxlxA) (cfs)	G Release Rate (cfs)	H Storage Rate (cfs)	J K Storage Required	
	(min)	(hrs)						(cu-ft)	(Ac-ft)
0.875	5	0.08	10.92	3.000	28.67	0.54	28.13	8100	0.186
0.875	10	0.17	10.02	3.000	26.30	0.54	25.76	15767	0.362
0.875	15	0.25	8.20	3.000	21.53	0.54	20.99	18887	0.434
0.875	30	0.50	5.60	3.000	14.70	0.54	14.16	25488	0.585
0.875	60	1.00	3.56	3.000	9.35	0.54	8.81	31698	0.728
0.875	90	1.50	2.75	3.000	7.22	0.54	6.68	36065	0.828
0.875	120	2.00	2.24	3.000	5.88	0.54	5.34	38448	0.883
0.875	180	3.00	1.62	3.000	4.25	0.54	3.71	40095	0.920
0.875	240	4.00	1.28	3.000	3.36	0.54	2.82	40608	0.932
0.875	300	5.00	1.08	3.000	2.84	0.54	2.30	41310	0.948
0.875	360	6.00	0.95	3.000	2.49	0.54	1.95	42201	0.969
0.875	420	7.00	0.83	3.000	2.18	0.54	1.64	41297	0.948
0.875	480	8.00	0.75	3.000	1.97	0.54	1.43	41148	0.945
0.875	540	9.00	0.68	3.000	1.79	0.54	1.25	40338	0.926
0.875	600	10.00	0.63	3.000	1.65	0.54	1.11	40095	0.920
0.875	660	11.00	0.59	3.000	1.55	0.54	1.01	39947	0.917
0.875	720	12.00	0.55	3.000	1.44	0.54	0.90	39042	0.896
0.875	780	13.00	0.52	3.000	1.37	0.54	0.83	38610	0.886
0.875	840	14.00	0.49	3.000	1.29	0.54	0.75	37611	0.863
0.875	900	15.00	0.46	3.000	1.21	0.54	0.67	36045	0.827
0.875	960	16.00	0.43	3.000	1.13	0.54	0.59	33912	0.779
0.875	1020	17.00	0.41	3.000	1.08	0.54	0.54	32819	0.753
0.875	1080	18.00	0.39	3.000	1.02	0.54	0.48	31347	0.720
					A*D*E			F-G	J/43560

Max Volume = 0.969 Acre-Ft
 = 42,201 cu-ft

Orifice Computation

1) Allowed Release Rate, Q(cfs)	0.540	<u>Free Flow</u>	<u>Submerged Flow</u>
2) High Water Elevation	621.00		0.00
3) Outfall Water Elevation	-	-	0.00
4) Invert Elevation	616.00		0.00
5) Diameter of Restrictor (inch)	3.00		0
6) Cross Section Area (sq ft)	-	0.000	0.000
7) Head (ft) h =	4.88	0.00	0.00
8) Discharge Coefficient	0.61		0.00
Square Edge	0.79 - 0.82		
Round Edge	0.93 - 0.98		
Sharp Edge	0.58 - 0.64		
Projecting	0.50		

$$Q = C^*a^*(\text{sqrt } 2^*g^*h)$$

$$\text{Orifice area: } a = \frac{Q}{C^*(\text{sqrt } 2^*g^*h)}$$

$$Q \text{ (cfs)} = 0.00 \quad 0.000$$

$$a(\text{sq ft}) = 0.050 \quad \text{dia(in)} = 3.03$$



Arlington Heights Fire Department Plan Review Sheet

P. C. Number 17-002

Project Name

2214 E. Palatine Rd. Subdivision

Project Location

2214 E. Palatine Rd

Planning Department Contact Sam Hubbard

General Comments

Round 1

No Fire Department comments at this time.

**NOTE: PLAN IS CONCEPTUAL ONLY
SUBJECT TO DETAILED PLAN REVIEW**

Date Jan. 30, 2017

Reviewed By: LT. Mark Aleckson

Arlington Heights Fire Department

HEALTH SERVICES DEPARTMENT

6

PETITIONER'S APPLICATION - ARLINGTON HEIGHTS PLAN COMMISSION

Petition #: P.C. 17-002Petitioner: Elroy and Corinne Hograve
2214 E. PalatineArlington Heights, IL 60004 847-253-0199Owner: SAMEP.I.N.# 0316303004000Location: 2214 E PALATINE

Rezoning: _____ Current: _____ Proposed: _____

Subdivision: _____

of Lots: 1 Current: 1 Proposed: 2

PUD: _____ For: _____

Special Use: _____ For: _____

Land Use Variation: _____ For: _____

Contact Person: Richard LaubensteinAddress: 216 Higgins Rd.Park Ridge IL 60068Phone #: 847-698-9600Fax #: 847-698-9623E-Mail: rlaubenstein@dimontelaw.comLand Use: _____ Current: residentialProposed: residential

Site Gross Area: _____

of Units Total: _____

1BR: _____ 2BR: _____ 3BR: _____ 4BR: _____

(Petitioner: Please do not write below this line.)

1. GENERAL COMMENTS:

No comments

RECEIVED
JAN 23 2017
PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT

Jeff Bohner 1/20/17

Environmental Health Officer

Date

James McCalister 1/20/17

Director

Date

PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

7

PETITIONER'S APPLICATION - ARLINGTON HEIGHTS PLAN COMMISSION

Petition #: P.C. 17-002
 Petitioner: Elroy and Carinne Hogue
2214 E. Palatine
Arlington Heights, IL 60004 847.853.0199
 Owner: SAME

P.I.N.# 0316303004000
 Location: 2214 E PALATINE
 Rezoning: _____ Current: _____ Proposed: _____
 Subdivision: _____
 # of Lots: 1 Current: 1 Proposed: 2
 PUD: _____ For: _____
 Special Use: _____ For: _____
 Land Use Variation: _____ For: _____

Contact Person: Richard Laubenstein
 Address: 216 Higgins Road
Park Ridge IL 60068
 Phone #: 847-698-9600
 Fax #: 847-698-9623
 E-Mail: claubenstein@dimzntelaw.com

Land Use: _____ Current: residential
 Proposed: residential
 Site Gross Area: _____
 # of Units Total: _____
 1BR: _____ 2BR: _____ 3BR: _____ 4BR: _____

(Petitioner: Please do not write below this line.)

YES NO

1. ☒ ☐ COMPLIES WITH COMPREHENSIVE PLAN?
2. ☒ ☐ COMPLIES WITH THOROUGHFARE PLAN?
3. ☒ ☐ VARIATIONS NEEDED FROM ZONING REGULATIONS?
 (See below.)
4. ☐ ☒ VARIATIONS NEEDED FROM SUBDIVISION REGULATIONS?
 (See below.)
5. ☒ ☐ SUBDIVISION REQUIRED?
6. ☒ ☐ SCHOOL/PARK DISTRICT CONTRIBUTIONS REQUIRED?
 (See below.)

Comments:

Please see attached Comments



1.30.17
 Date



Planning & Community Development Dept. Review

January 30, 2017

REVIEW ROUND 1

Project: 2214 E. Palatine Rd.
Proposed Subdivision

Case Number: PC 17-002

General:

7. Please note that the Final Plat, as approved by the Engineering Dept., must be printed on mylar and submitted to the Village, with signatures obtained from all parties except those to be coordinated by the Village, no less than one week prior to the Plan Commission hearing date. If this requirement cannot be met, you can proceed with Preliminary Plat approval with Final Plat approval obtained at a future date (i.e. a separate Plan Commission meeting would be needed). No public notice is required for Final Plat of Subdivision approval if it is obtained separately from Preliminary Plat of Subdivision approval.
8. Section 13.2-2.2 of Chapter 28 requires the submission of a Plat of Survey for the subject property. Please provide a Plat of Survey for the property. The application materials included a "Preliminary Plat of Subdivision" which included many of the elements found in a traditional Plat of Survey, however, a Plat of Survey for the property is required with this application.
9. The subject property is zoned R-1 and is designated on the Comprehensive Plan as "Single-Family Detached Estate 2", which is a land use designation meant for properties within the R-2 zoning district. The subject property is contiguous with an area of R-2 zoning to the west and R-3 zoning to the east. Staff is recommending the rezoning of the subject property into the R-2 District and will include this rezoning as part of the application request. Please acknowledge this understanding.
10. School, Park, and Library contributions will be required prior to the issuance of a building permit for Lot 2. Lot 1 contains an existing home, therefore, contributions have theoretically already been paid for this lot and shall not be required.
11. A Design Commission application will be required for any new construction on Lot 1 or Lot 2.
12. Are any Covenants, Conditions, or Restrictions proposed for this subdivision?
13. The Plat & Subdivision Committee report recommended a sidewalk be constructed along the south side of Lilac Terrance from the west side of the proposed Lot 2 to the existing sidewalk to the east that connects the Birchwood Lane to Oakwood Street on the east.

Zoning:

14. The following Variations have been identified:
 - a. Lot 1: Section 5.1-1.6 to allow a front yard setback of 34.84' where code requires a 40' setback. This setback applies to the existing home.
 - b. Lot 1: Section 6.5-2 to allow an accessory structure to be setback 4.8' from a rear property line where code requires a 5' setback from a rear property line. This setback applies to the existing shed.

Staff is supportive of Variation "a" as identified above as it is an existing condition and it would be impractical to

move the home. With regards to Variation "b", staff suggests removing the shed to eliminate the need for this Variation. Alternatively, the proposed rear property line could be shifted to the north by 0.2' to eliminate the need for this Variation.

For Variation A, please provide a written response each of the three criteria listed below to demonstrate that the proposed Variation conforms to the necessary standards of approval:

- That 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.
- The plight of the owner is due to unique circumstances.
- The variation, if granted, will not alter the essential character of the locality.

15. It may be noted that the existing driveway width on Lot 1 exceeds the maximum allowable width of 22'. A Variation for this legal non-conforming condition is not required as no alteration to the driveway has been proposed.

Final Plat of Subdivision:

16. A portion of Lot 1 includes part of Palatine Road. This area should be dedicated to IDOT. Additionally, Sidwell maps indicate that a portion of Lilac Terrace is included within the subject property (unless it has been since dedicated to the Village). This area should be dedicated to the Village if it has not already been done so. The exact location of the subject property's encroachment into Palatine Road and Lilac Terrace cannot be verified as a Plat of Survey has not been provided.

17. Please show all building setback lines on the Final Plat of Subdivision.

Prepared by:



PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

7A

PETITIONER'S APPLICATION - ARLINGTON HEIGHTS PLAN COMMISSION

Petition #: P.C. 17-002

Petitioner: Elyse and Corinne Hogue

2214 E Palatine

Arlington Heights IL 60004 847.253.0199

Owner: SAME

P.I.N.# 0316303004000

Location: 2214 E PALATINE

Rezoning: Current: Proposed:

Subdivision:

of Lots: 1 Current: 1 Proposed: 2

PUD: For:

Special Use: For:

Land Use Variation: For:

Contact Person: Richard Laubenstein

Address: 216 Higgins Rd.

West Ridge IL 60068

Phone #: 847-698-9600

Fax #: 847-698-9623

E-Mail: rlaubenstein@montelaw.com

Land Use: Current: residential

Proposed: residential

Site Gross Area:

of Units Total:

1BR: 2BR: 3BR: 4BR:

(Petitioner: Please do not write below this line.)

LANDSCAPE & TREE PRESERVATION:

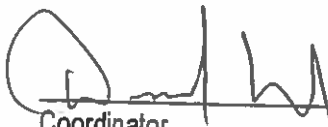
1. Complies with Tree Preservation Ordinance
2. Complies with Landscape Plan Ordinance
3. Parkway Tree Fee Required (See below.)

YES NO

N/A
N/A
X

Comments:

NO COMMENTS



Coordinator

2/1/17

Date

HOGRAVE PETITION FOR SUBDIVISION

Petition # P.C. 17 002

PETITIONERS RESPONSES TO COMMENTS

Petitioner further agrees to the proposed rezoning from R-1 to R-2 District

Petitioner further seeks land use variation regarding building set back of the existing residence on Lot 1, and use of existing water supply and waste line for Lot 1 until such time as a new structure is placed thereon, see comments to Planning & Community Development Department Review for further details.

The comments received from each department are attached hereto with Petitioner's written response following each department's comments.

RECEIVED

FEB 24 2017

PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT

BUILDING DEPARTMENT

1A

PETITIONER'S APPLICATION - ARLINGTON HEIGHTS PLAN COMMISSION

Petition #: P.C. 17 - 002
Petitioner: Elroy and Corinne Hagarave
2214 E. Palatine
Arlington Heights IL 60004 847.253.0199
Owner: SAME

Contact Person: Richard Laubenstein
Address: 216 Higgins Rd.
Park Ridge, IL 60068
Phone #: 847-698-9600
Fax #: 847-698-9623
Email: rlaubenstein@dimontelaw.com

P.I.N.# 0316303004000
Location: 2214 E PALATINE
Rezoning: _____ Current: _____ Proposed: _____
Subdivision: _____
of Lots: 1 Current: 1 Proposed: 2
PUD: _____ For: _____
Special Use: _____ For: _____
Land Use Variation: _____ For: _____
Land Use: _____ Current: residential
Proposed: residential
Site Gross Area: _____
of Units Total: _____
1BR: _____ 2BR: _____ 3BR: _____ 4BR: _____

(Petitioner: Please do not write below this line.)

FIRE PREVENTION

NO Comments

RECEIVED

JAN 20 2017

PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT

Director

109 Ray

1/20/17
Date

No comments from the Building Department, and therefore Petitioners have no response.

ENGINEERING DEPARTMENT

3

PETITIONER'S APPLICATION - ARLINGTON HEIGHTS PLAN COMMISSION

Petition #: P.C. 17-002
 Petitioner: Elroy and Corinne Hygrave
2214 E. Palatine
Arlington Heights IL 60004 847 253 0199
 Owner: SAME

P.I.N.# 0316303004000
 Location: 2214 E PALATINE
 Rezoning: _____ Current: _____ Proposed: _____
 Subdivision: _____
 # of Lots: 1 Current: 1 Proposed: 2
 PUD: _____ For: _____
 Special Use: _____ For: _____
 Land Use Variation: _____ For: _____

Contact Person: Richard Laubenstein
 Address: 216 Higgins Rd.
Park Ridge IL 60068
 Phone #: 847-698-9600
 Fax #: 847-698-9623
 E-Mail: claubenstein@edimentalaw.com

Land Use: _____ Current: residential
 Proposed: residential
 Site Gross Area: _____
 # of Units Total: _____
 1BR: _____ 2BR: _____ 3BR: _____ 4BR: _____

(Petitioner: Please do not write below this line.)

1. PUBLIC IMPROVEMENTS

REQUIRED: _____ YES NO COMMENTS

a. Underground Utilities

Water _____ X _____Sanitary Sewer _____ X _____Storm Sewer _____ X _____

b. Surface Improvement

Pavement _____ X _____Curb & Gutter _____ X _____Sidewalks _____ X _____Street Lighting _____ X _____

c. Easements

Utility & Drainage _____ X _____Access _____ X _____

2. PERMITS REQUIRED OTHER THAN VILLAGE:

a. MWRDGC _____

b. IDOT _____

c. ARMY CORP _____

d. IEPA X

e. CCHD _____

3. R.O.W. DEDICATIONS? _____

4. SITE PLAN ACCEPTABLE? _____

5. PRELIMINARY PLAT ACCEPTABLE? _____

6. TRAFFIC STUDY ACCEPTABLE? _____

7. STORM WATER DETENTION REQUIRED? _____

8. CONTRIBUTION ORDINANCE EXISTING? _____

9. FLOOD PLAIN OR FLOODWAY EXISTING? _____

10. WETLAND EXISTING? _____

YES NO COMMENTS

X _____X NOT PROVIDED (PROPOSED PLAN)X _____X N/AX FOR-IN-LIEUX _____X _____X _____

GENERAL COMMENTS ATTACHED

PLANS PREPARED BY: N/ADATE OF PLANS: N/A

James J. M. M. 1/31/17
 Director Date

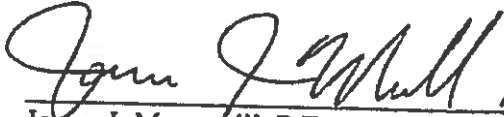
PLAN COMMISSION PC #17-002
Hogreve Resubdivision
2214 E. Palatine Road
Preliminary/Final Plat of Resubdivision
Round 1

11. The petitioner is notified that these comments are being provided to ensure that the project meets the requirements for submittal to the Plan Commission. Approval by the Plan Commission is not an endorsement or approval of these documents to obtain the required building permits, engineering approval, or permits required by other government or permitting agencies for construction. Detailed plan review with associated comments will be provided upon submittal of plans for a building permit. The petitioner shall acknowledge that they accept this understanding.
12. Since a subdivision is being proposed the plans must meet all subdivision requirements. Final engineering plans for all public improvements must be approved prior to the final plat of subdivision approval. An Engineers estimate of construction cost for full site improvements is required to complete the calculation for plan review, inspection, and other fees. An Engineers estimate of construction cost for public improvements is also required to complete the calculation for the required public improvement guarantee deposit. The public improvements for this development would be the public sidewalk along East Lilac Terrace and the water main extension. These estimates should be submitted at least three weeks prior to the final Plan Commission meeting to allow us time to generate the fee letter and for the petitioner to assemble the proper documents.
13. The original signed mylar Final Plat of Subdivision, containing all non-Village signatures, shall be submitted one week before the scheduled date of the final Plan Commission meeting. Village Code Section 29-209 also requires a digital copy of the plat to be provided on disk to the Village. The petitioner shall acknowledge that they accept this understanding.
14. Final approval will require detention calculations showing storage required. The Village's allowable release rate is 0.18 cfs/Ac. Use $C=0.50$ for pervious areas, $C=0.95$ for impervious areas. Use Bulletin 70 rainfall data. Clearly show the overflow route for the site. The payment of a fee in lieu of detention at the rate of \$1.00 per cubic foot of required storage is acceptable for a two-lot subdivision.
15. The water main must be extended to service the lot fronting Palatine Road. An IEPA Water Permit is required for the extension of public water main.

Final Plat of Subdivision:

16. The plat was reviewed against the attached Final Plat of Subdivision Checklist. Please address the following items:
 - a. Item f: Label the East Line of the SW $\frac{1}{4}$ of SEC. 16-42-11 (in Birchwood Lane)
 - b. Item h: Add the following Public Utility and Drainage Easements: 5' wide along the west side of both lots; 5' wide on each lot where they back against each other, totaling 10' wide; 10' wide along south line of Lot 1 along Palatine Road.

- c. Item h: Clearly label the dedication of the Palatine Road area as "Hereby Dedicated for Roadway Purposes" or whatever format acceptable to IDOT.
- d. Item m: Add building setback lines and dimensions.
- e. Item n: Include the wording as provided on the checklist.
- f. Item q: The elementary school district is Consolidated Community School District #23. Add Harper Community College District #512.
- g. Item t: Add block stating "Send Tax Bill To:..."


James J. Massarelli, P.E. 1/31/17
Director of Engineering Date

Attachments:

- Final Plat of Subdivision Checklist (3 pages)
- Contacts for Plat Signatures (1 page)
- Sample Stormwater Detention Calculations (1 page)

Final Plat of Subdivision Checklist Municipal Code Section 29-209(a - t)

- ☒ a. The date of preparation of the final plat and by whom prepared.
- ☒ b. The boundary of the plat, based on accurate traverse, with angles and lineal dimensions.
- ☒ c. All permanent survey monuments, markers and bench marks.
- ☒ d. Exact location, width and name of all streets within and adjoining the plat, and the exact location and widths of all cross walkways.
- ☒ e. True angles and distances to the nearest established street lines or official monuments, not less than three. *Label the East Line of Sec 1/4 (in direction of)*
- ☐ f. Municipal, township, county and section lines accurately tied to the lines of the subdivision by distances and angles.
- ☒ g. Radli, internal angles, points and curvatures, tangent bearings and lengths of all arcs.
- ☐ h. All easements ^{on lots} ~~for rights of way~~ ^{dedicate} established for public use and utilities.
- ☒ i. All lot numbers and lines, with accurate dimensions given in hundredths of feet.
- ☒ j. Accurate outlines and legal descriptions of all areas dedicated or reserved for public use, with the proposed uses indicated thereon; and all areas to be reserved by deed covenant for the common use of all property owners; together with the proposed uses indicated thereon.
- ☒ k. The text of protective covenants, approved by the Plan Commission, relating to the proposed subdivision.
- ☒ l. An endorsement by the County Clerk in the form acceptable to Cook County, that there are no delinquent, forfeited, foreclosed or purchased general taxes, or unpaid current general taxes, against the land proposed to be subdivided.
- ☒ m. A summary of all restrictions applicable to any part of such subdivision concerning building restrictions, use restrictions, building setback lines and similar matters.
- ☐ n. A deed of dedication in the form set forth in Section 29-217(a):
The Final plat shall contain a deed of dedication substantially as follows:

need

"We, the undersigned, (Names), owners of the real estate shown and described herein, do hereby lay off, plat and subdivide said real estate in accordance with the within plat. This subdivision shall be known and designated as (Name), an addition to the Village of Arlington Heights, Cook County. All streets and alleys and public open spaces shown and not heretofore dedicated are hereby dedicated to the public. Front and side yard building setback lines are established as shown on this plat, between which lines and the property lines of the streets, there shall be erected or maintained no building or structure. There are strips of ground, (Number) feet in width, as shown on this plat and marked 'Easement' reserved for the use of public utilities for the installation of water and sewer mains, poles, ducts, lines and wires, subject at all times to the proper authorities and to the easement herein reserved. No permanent or other structures are to be erected or maintained upon

these strips of land, but owners of lots in this subdivision shall take their titles subject to the rights of the public utilities, and to the rights of the owners of other lots in this subdivision.

(Additional dedications and protective covenants, or private restrictions, would be inserted here upon the subdivider's Initiative or the recommendation of the Plan Commission or Village Board; important provisions are those specifying the use to be made of the property and, in the case of residential use, the minimum habitable floor area.)

The foregoing covenants (or restrictions), are to run with the land and shall be binding on all parties and all persons claiming under them until January 1, 20____ [25 year period is suggested], at which time said covenants (or restrictions) shall be automatically extended for successive periods of ten years unless indicated otherwise by negative vote of a majority of the then owners of the building sites covered by these covenants (or restrictions), in whole or in part, which said vote will be evidenced by a petition in writing signed by the owners and duly recorded. Invalidation of any one of the foregoing covenants (or restrictions) by judgment or court order shall in no way affect any of the other various covenants (or restrictions), which shall remain in full force and effect.

The right to enforce these provisions by injunction, together with the right to cause the removal, by due process of law, of any structure or part thereof erected or maintained in violation, is hereby dedicated to the public, and reserved to the several owners of the several lots in this subdivision and to their heirs and assigns.

WITNESS our hands and seals this ____ day of _____, 20____.

STATE OF ILLINOIS)
COUNTY OF COOK) SS.

Before me the undersigned Notary Public, in and for the County and State aforesaid, personally appeared (Names), and each separately and severally acknowledged the execution of the foregoing instrument as his or her voluntary act and deed, for the purposes therein expressed.

WITNESS my hand and notarial seal this ____ day of 20 ____.

Notary Public"

- ☒ o. A blank certificate of approval in the form set forth in Section 29-217(b).
The Final plat shall contain a certificate of approval as follows:

"Under the authority provided by 65 ILCS 5/11-12 as amended by the State Legislature of the State of Illinois and Ordinance adopted by the Village Board of the Village of Arlington Heights, Illinois, this plat was given approval by the Village of Arlington Heights AND MUST BE RECORDED WITHIN SIX MONTHS OF THE DATE OF APPROVAL BY THE VILLAGE BOARD, OTHERWISE IT IS NULL AND VOID.

APPROVED by the Plan Commission at a meeting held _____

Chairman

Secretary

APPROVED by the Village Board of Trustees at a meeting held _____

President

Village Clerk

APPROVED by the Village Collector _____

APPROVED by the Director of Engineering _____

- ☒ p. A certification by a registered surveyor in the form set forth in Section 29-217(c). The Final plat shall contain a certificate signed by an Illinois Registered Land Surveyor in substantially the following form:

"I, (Name), hereby certify that I am an Illinois Registered Land Surveyor in compliance with the laws of the State of Illinois, and that this plat correctly represents a survey completed by me on (Date); that all monuments and markers shown thereon actually exist, and that I have accurately shown the materials that they are made of.

(SURVEYOR'S SEAL)

Signature

Illinois Land Surveyor

No. _____

- ☒ q. A notarized statement from the owner indicating the school district in which each tract, parcel, lot or block lies. *Spec: SP 23*
- ☒ r. A certificate in the form as required by the Illinois Department of Transportation or Cook County Highway Department, respectively, when any new street or new driveway will access one of these Department's streets.
- ☒ s. The parcel index numbers of all lots contained within the plat shall be included on the plat of subdivision.
- ☒ *in need* t. A block stating "Send Tax Bill To: (Name/Address)." The actual name and address shall be provided by the developer.
- ☒ u. Provide a location to identify the address of each new lot.

The Village of Arlington Heights Municipal Code can be accessed over the internet at www.vah.com.

Contacts for Plat Signatures

Mr. Frank Gautier
Comcast Cable
688 Industrial Drive
Elmhurst, IL 60125

630/600-6348
frank_gautier@cable.comcast.com

Alternate: Martha Gieras 630/600-6352
Martha_gieras@cable.comcast.net

Ms. Mark Cozzi
ComEd
Three Lincoln Center – 4th Floor
Oakbrook Terrace, IL 60181

630/576-6530
Mark.Cozzi@ComEd.com

Ms. Kim Augustine
NICOR Gas
300 W. Terra Cotta Avenue
Crystal Lake, IL 60014

630/338-2976
kaugust@aglresources.com

Ms. Sue E. Manshum
ROW Engineer
Ameritech
2004 Miner, 1st Floor
Des Plaines, IL 60016

847/759-5603
sm9231@att.com

Mr. Greg Argelsinger
VPGM of Illinois
WOW Internet Cable
1674 Frontenac Road
Naperville, IL 60563-1757

630/536-3121
Tom Gebens
630/536-3153
Brian Herd
630/669-5227

Mr. Jonathan Karabowicz
IDOT Permits
201 W. Center Court
Schaumburg, IL 60196

847/705-4149

Mr. Michael Sterr, P.E.
Permit Office
Cook County Highway Department
69 West Washington Street
23rd Floor, Suite 2354
Chicago, IL 60602

312/603-1670

Sample Stormwater Detention Calculations

Project Name

Detention Calculation Verification PC# 00-000

Site Requirements

Site Area = 3.000 Acres
 Allowed Release Rate (Area x 0.18cfs/Ac) = 0.540 cfs
 Weighted "C" Factor = 0.875

Pervious = 0.500 Acres
 Impervious = 2.500 Acres

A Runoff Factor "C"	B C		D Rainfall Intensity "I" (in/hr)	E Site Area "A" (acres)	F Inflow Rate (C <i>x</i> I <i>x</i> A) (cfs)	G Release Rate (cfs)	H Storage Rate (cfs)	J K	
	Storm Duration							Storage Required	
	(min)	(hrs)						(cu-ft)	(Ac-ft)
0.875	5	0.08	10.92	3.000	28.67	0.54	28.13	8100	0.186
0.875	10	0.17	10.02	3.000	26.30	0.54	25.76	15767	0.362
0.875	15	0.25	8.20	3.000	21.53	0.54	20.99	18887	0.434
0.875	30	0.50	5.60	3.000	14.70	0.54	14.16	25488	0.585
0.875	60	1.00	3.56	3.000	9.35	0.54	8.81	31698	0.728
0.875	90	1.50	2.75	3.000	7.22	0.54	6.68	36065	0.828
0.875	120	2.00	2.24	3.000	5.88	0.54	5.34	38448	0.883
0.875	180	3.00	1.62	3.000	4.25	0.54	3.71	40095	0.920
0.875	240	4.00	1.28	3.000	3.36	0.54	2.82	40608	0.932
0.875	300	5.00	1.08	3.000	2.84	0.54	2.30	41310	0.948
0.875	360	6.00	0.95	3.000	2.49	0.54	1.95	42201	0.969
0.875	420	7.00	0.83	3.000	2.18	0.54	1.64	41297	0.948
0.875	480	8.00	0.75	3.000	1.97	0.54	1.43	41148	0.945
0.875	540	9.00	0.68	3.000	1.79	0.54	1.25	40338	0.926
0.875	600	10.00	0.63	3.000	1.65	0.54	1.11	40095	0.920
0.875	660	11.00	0.59	3.000	1.55	0.54	1.01	39947	0.917
0.875	720	12.00	0.55	3.000	1.44	0.54	0.90	39042	0.896
0.875	780	13.00	0.52	3.000	1.37	0.54	0.83	38610	0.886
0.875	840	14.00	0.49	3.000	1.29	0.54	0.75	37611	0.863
0.875	900	15.00	0.46	3.000	1.21	0.54	0.67	36045	0.827
0.875	960	16.00	0.43	3.000	1.13	0.54	0.59	33912	0.779
0.875	1020	17.00	0.41	3.000	1.08	0.54	0.54	32819	0.753
0.875	1080	18.00	0.39	3.000	1.02	0.54	0.48	31347	0.720
A*D*E					F-G		C*H*3600		J/43560

Max Volume = 0.969 Acre-Ft
 = 42,201 cu-ft

Orifice Computation

1) Allowed Release Rate, Q(cfs)	0.540	<u>Free Flow</u>	<u>Submerged Flow</u>
2) High Water Elevation	621.00		0.00
3) Outfall Water Elevation	-		0.00
4) Invert Elevation	616.00		0.00
5) Diameter of Restrictor (inch)	3.00		0
6) Cross Section Area (sq ft)	-	0.000	0.000
7) Head (ft) h =	4.88	0.00	0.00
8) Discharge Coefficient	0.61		0.00
Square Edge 0.79 - 0.82 Round Edge 0.93 - 0.98 Sharp Edge 0.58 - 0.64 Projecting 0.50			
$Q = C^*a^*(\text{sqrt } 2^*g^*h)$			

Orifice area: a = $\frac{Q}{C^*(\text{sqrt } 2^*g^*h)}$

Q (cfs) = 0.00 0.000

a(sq ft) = 0.050 dia(in) = 3.03

Engineering Department responses:

- 1 a. Easements for utilities and water have been incorporated into the revised POS.
- 1 b. No construction is contemplated at this time. The proposed purchaser of Lot 2 has been advised that as part of any building permit it may seek, it will need to provide for sidewalks.
- 1 c. The revised plans have incorporated utility and drainage easements.
- 2d. The existing residence on lot one is presently supplied with water from the Village of Arlington Heights via a supply line, and has water waste lines on site over proposed Lot 2, and the revised plans provide for a private easement over Lot 2 to allow for such continued services, so at this time, no IEPA approval or new water supply is needed. The developer of Lot 2 will need to connect to the existing water supply and waste lines located adjacent to Lot 2 as part of any proposed development and will need to provide for the public sidewalk and the engineering calculations and costs related to same would be picked up as part of the new construction permit for Lot 2. The final POS provides that the existing structure on Lot 1 is a legal non-conforming residence (its construction began prior to 1955 and prior to annexation of this property into the Village), and further, the proposed final POS provides that in the event a new home is erected in its place, at such time a new hydrant and new water supply will need to be furnished at which time such engineering costs are to be picked up then as part of the new construction permit for Lot 1. See further comments to item 14a in response to the Planning and Community Development Department.
3. The title company has reviewed its records and no new right of way dedications are needed.
5. Site plan (survey) has been provided along with the revised Preliminary and Final Plats.
7. Storm Water Detention calculations are provided (see next page) and Petitioner agrees to the payment of a fee in lieu of detention.
12. See comments to 2d above.
13. Petitioner is circulating the Mylar for all non-Village signatures and shall submit same one week prior to the Plan Commission meeting of March 22nd.
14. Detention calculations have been prepared, see following page.
15. See comments to 2d above.
16. a through g. The revised POS has incorporated the requested items (note the block for signature by the County Highway Department was left off the Revised POS by mistake and will be included on the Mylar).

Hogreve Subdivision

Detention Calculation Verification PC# 17-002

Site Requirements

2/9/2017

Site Area = 1.000 Acres
Allowed Release Rate (Area x 0.18cfs/Ac) = 0.180 cfs
Weighted "C" Factor = 0.725
Pervious = 0.500 Acres
Impervious = 0.500 Acres
Water = 0.000 Acres
Synth Turf = 0.000 Acres

Synth Turf=

0.000 Acres

A	B	C	D	E	F	G	H	J	K
Runoff Factor "C"	Storm Duration		Rainfall Intensity "I" (in/hr)	Site Area "A" (acres)	Inflow Rate (CxlxA) (cfs)	Release Rate (cfs)	Storage Rate (cfs)	Storage Required	
	(min)	(hrs)						(cu-ft)	(Ac-ft)
0.725	5	0.08	10.92	1.000	7.92	0.180	7.74	2228	0.051
0.725	10	0.17	10.02	1.000	7.26	0.180	7.08	4336	0.100
0.725	15	0.25	8.20	1.000	5.95	0.180	5.77	5189	0.119
0.725	30	0.50	5.60	1.000	4.06	0.180	3.88	6984	0.160
0.725	60	1.00	3.56	1.000	2.58	0.180	2.40	8644	0.198
0.725	90	1.50	2.75	1.000	1.99	0.180	1.81	9794	0.225
0.725	120	2.00	2.24	1.000	1.62	0.180	1.44	10397	0.239
0.725	180	3.00	1.62	1.000	1.17	0.180	0.99	10741	0.247
0.725	240	4.00	1.28	1.000	0.93	0.180	0.75	10771	0.247
0.725	300	5.00	1.08	1.000	0.78	0.180	0.60	10854	0.249
0.725	360	6.00	0.95	1.000	0.69	0.180	0.51	10989	0.252
0.725	420	7.00	0.83	1.000	0.60	0.180	0.42	10628	0.244
0.725	480	8.00	0.75	1.000	0.54	0.180	0.36	10476	0.240
0.725	540	9.00	0.68	1.000	0.49	0.180	0.31	10141	0.233
0.725	600	10.00	0.63	1.000	0.46	0.180	0.28	9963	0.229
0.725	660	11.00	0.59	1.000	0.43	0.180	0.25	9811	0.225
0.725	720	12.00	0.55	1.000	0.40	0.180	0.22	9450	0.217
0.725	780	13.00	0.52	1.000	0.38	0.180	0.20	9220	0.212
0.725	840	14.00	0.49	1.000	0.36	0.180	0.18	8833	0.203
0.725	900	15.00	0.46	1.000	0.33	0.180	0.15	8289	0.190
0.725	960	16.00	0.43	1.000	0.31	0.180	0.13	7589	0.174
0.725	1020	17.00	0.41	1.000	0.30	0.180	0.12	7176	0.165
0.725	1080	18.00	0.39	1.000	0.28	0.180	0.10	6658	0.153
A*D*E					F-G	C*H*3600	J/43560		

Max Volume = 0.252 Acre-Ft
= 10,989 cu-ft

Orifice Computation

1) Allowed Release Rate, Q(cfs) 0.180
2) High Water Elevation
3) Outfall Water Elevation -
4) Invert Elevation
5) Diameter of Restrictor (inch)
6) Cross Section Area (sq ft) -
7) Head (ft) h = 0.00
8) Discharge Coefficient
Square Edge 0.79 - 0.82
Round Edge 0.93 - 0.98
Sharp Edge 0.58 - 0.64
Projecting 0.50

Free Flow Submerged Flow
0.00
0.00
0.00
0
0.000 0.000
0.00 0.00
0.00

Q = C*a*(sqrt 2*g*h)

Orifice area: a = $\frac{Q}{C \cdot (\sqrt{2 \cdot g \cdot h})}$

Q (cfs) = 0.00 0.000

a(sq ft) = ##### dia(in) = #DIV/0!

Village of Arlington Heights
Public Works Department

Memorandum

To: Sam Hubbard, Planning and Community Development

From: Cris Papierniak, Assistant Director of Public Works

Date: February 2, 2017

Subject: 2214 E. Palatine Rd., P.C. #17-02



With regard to the proposed preliminary & final plat of subdivision, I have the following comments:

- 1) Any future buildings would need to be supplied water from within the existing utility easement. A new water main would need to be installed within that easement.
 - a. The existing house at 2214 would need to disconnect the water service from Lilac Terrace and reconnect to the new water main.
 - b. The new water main would need to have a hydrant installed at the end (Palatine)

If you have any questions, please feel free to contact me.

C. file

Public Works Department responses:

- 1. The Revised POS provides that any future building on Lot 2 will need to be supplied with water from the utility easements which have been added thereon. With regard to the existing home on Lot 1, the existing residence on lot one is presently supplied with water from the Village of Arlington Heights via a supply line, and has water waste lines on site over proposed Lot 2, and the revised plans provide for a private easement over Lot 2 to allow for such continued services, so at this time, no IEPA approval or new water supply is needed. The final POS provides that the existing structure on Lot 1 is a legal non-conforming residence (its construction began prior to 1955 and prior to annexation of this property into the Village), and further, the proposed final POS provides that in the event a new home is erected in its place, at such time a new hydrant and new water supply will need to be furnished at which time such engineering costs are to be picked up then as part of the new construction permit for Lot 1. See further comments to item 14a in response to the Planning and Community Development Department.**



Arlington Heights Fire Department Plan Review Sheet

P. C. Number 17-002

Project Name

2214 E. Palatine Rd. Subdivision

Project Location

2214 E. Palatine Rd

Planning Department Contact Sam Hubbard

General Comments

Round 1

No Fire Department comments at this time.

**NOTE: PLAN IS CONCEPTUAL ONLY
SUBJECT TO DETAILED PLAN REVIEW**

Date Jan. 30, 2017

Reviewed By:

LT. Mark Aleckson

Arlington Heights Fire Department

No comments from the Fire Department, and therefore Petitioners have no response.

HEALTH SERVICES DEPARTMENT

6

PETITIONER'S APPLICATION - ARLINGTON HEIGHTS PLAN COMMISSION

Petition #: P.C. 17-002Petitioner: Elva and Corinne Hogue2214 E. PalatineArlington Heights, IL 60004 847-253-0199Owner: SAMEP.I.N.# 0316303004000Location: 2214 E PALATINE

Rezoning: _____ Current: _____ Proposed: _____

Subdivision: _____

of Lots: 1 Current: 1 Proposed: 2

PUD: _____ For: _____

Special Use: _____ For: _____

Land Use Variation: _____ For: _____

Contact Person: Richard LaubensteinAddress: 216 Higgins Rd.Park Ridge, IL 60068Phone #: 847-698-9600Fax #: 847-698-9623E-Mail: rlaubenstein@dimanetelgw.comLand Use: _____ Current: residentialProposed: residential

Site Gross Area: _____

of Units Total: _____

1BR: _____ 2BR: _____ 3BR: _____ 4BR: _____

(Petitioner: Please do not write below this line.)

1. GENERAL COMMENTS:

No comments

RECEIVED

JAN 23 2017

PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENTJeff Bohner 1/20/17

Environmental Health Officer

Date

James McCalister 1/20/17

Director

Date

No comments from the Health Services Department, and therefore Petitioners have no response.

PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

7

PETITIONER'S APPLICATION - ARLINGTON HEIGHTS PLAN COMMISSION

Petition #: P.C. 17-002
 Petitioner: Elroy and Corinne Hargrave
2214 E Palatine
Arlington Heights, IL 60004 847.953
 Owner: SAMT 0199

P.I.N.# 0316303004000
 Location: 2214 E PALATINE
 Rezoning: _____ Current: _____ Proposed: _____
 Subdivision: _____
 # of Lots: 1 Current: 1 Proposed: 2
 PUD: _____ For: _____
 Special Use: _____ For: _____
 Land Use Variation: _____ For: _____

Contact Person: Richard Laubenstein
 Address: 216 Higgins Road
Park Ridge, IL 60068
 Phone #: 847-698-9600
 Fax #: 847-698-9623
 E-Mail: rlaubenstein@dimantelaw.com

Land Use: _____ Current: residential
 Proposed: residential
 Site Gross Area: _____
 # of Units Total: _____
 1BR: _____ 2BR: _____ 3BR: _____ 4BR: _____

(Petitioner: Please do not write below this line.)

- | | YES | NO | |
|----|-------------------------------------|-------------------------------------|---|
| 1. | ☒ | ☐ | COMPLIES WITH COMPREHENSIVE PLAN? |
| 2. | ☒ | ☐ | COMPLIES WITH THOROUGHFARE PLAN? |
| 3. | ☒ | ☐ | VARIATIONS NEEDED FROM ZONING REGULATIONS?
(See below.) |
| 4. | ☐ | ☒ | VARIATIONS NEEDED FROM SUBDIVISION REGULATIONS?
(See below.) |
| 5. | ☒ | ☐ | SUBDIVISION REQUIRED? |
| 6. | ☒ | ☐ | SCHOOL/PARK DISTRICT CONTRIBUTIONS REQUIRED?
(See below.) |

Comments:

Please see attached Comments

SAMT

1-30-17
 Date

Planning & Community Development Dept. Review

January 30, 2017



REVIEW ROUND 1

Project: 2214 E. Palatine Rd.
Proposed Subdivision

Case Number: PC 17-002

General:

7. Please note that the Final Plat, as approved by the Engineering Dept., must be printed on mylar and submitted to the Village, with signatures obtained from all parties except those to be coordinated by the Village, no less than one week prior to the Plan Commission hearing date. If this requirement cannot be met, you can proceed with Preliminary Plat approval with Final Plat approval obtained at a future date (i.e. a separate Plan Commission meeting would be needed). No public notice is required for Final Plat of Subdivision approval if it is obtained separately from Preliminary Plat of Subdivision approval.
8. Section 13.2-2.2 of Chapter 28 requires the submission of a Plat of Survey for the subject property. Please provide a Plat of Survey for the property. The application materials included a "Preliminary Plat of Subdivision" which included many of the elements found in a traditional Plat of Survey, however, a Plat of Survey for the property is required with this application.
9. The subject property is zoned R-1 and is designated on the Comprehensive Plan as "Single-Family Detached Estate 2", which is a land use designation meant for properties within the R-2 zoning district. The subject property is contiguous with an area of R-2 zoning to the west and R-3 zoning to the east. Staff is recommending the rezoning of the subject property into the R-2 District and will include this rezoning as part of the application request. Please acknowledge this understanding.
10. School, Park, and Library contributions will be required prior to the issuance of a building permit for Lot 2. Lot 1 contains an existing home, therefore, contributions have theoretically already been paid for this lot and shall not be required.
11. A Design Commission application will be required for any new construction on Lot 1 or Lot 2.
12. Are any Covenants, Conditions, or Restrictions proposed for this subdivision?
13. The Plat & Subdivision Committee report recommended a sidewalk be constructed along the south side of Lilac Terrace from the west side of the proposed Lot 2 to the existing sidewalk to the east that connects the Birchwood Lane to Oakwood Street on the east.

Zoning:

14. The following Variations have been identified:

- a. Lot 1: Section 5.1-1.6 to allow a front yard setback of 34.84' where code requires a 40' setback. This setback applies to the existing home.
- b. Lot 1: Section 6.5-2 to allow an accessory structure to be setback 4.8' from a rear property line where code requires a 5' setback from a rear property line. This setback applies to the existing shed.

Staff is supportive of Variation "a" as identified above as it is an existing condition and it would be impractical to

move the home. With regards to Variation "b", staff suggests removing the shed to eliminate the need for this Variation. Alternatively, the proposed rear property line could be shifted to the north by 0.2' to eliminate the need for this Variation.

For Variation A, please provide a written response each of the three criteria listed below to demonstrate that the proposed Variation conforms to the necessary standards of approval:

- That 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.
- The plight of the owner is due to unique circumstances.
- The variation, if granted, will not alter the essential character of the locality.

15. It may be noted that the existing driveway width on Lot 1 exceeds the maximum allowable width of 22'. A Variation for this legal non-conforming condition is not required as no alteration to the driveway has been proposed.

Final Plat of Subdivision:

16. A portion of Lot 1 includes part of Palatine Road. This area should be dedicated to IDOT. Additionally, Sidwell maps indicate that a portion of Lilac Terrace is included within the subject property (unless it has been since dedicated to the Village). This area should be dedicated to the Village if it has not already been done so. The exact location of the subject property's encroachment into Palatine Road and Lilac Terrace cannot be verified as a Plat of Survey has not been provided.
17. Please show all building setback lines on the Final Plat of Subdivision.

Prepared by: SAM J. J. J. J. J.

Planning and Community Development Department responses;

4. Variations needed: see comments to item 14 below.

7. Agreed.

8. Agreed, plat of survey has been included with the Revised POS plans.

9. Petitioner agrees that in the event the POS is approved, the zoning will be changed to R-2, provided that the existing residence on Lot 1 may continue as a legal, non-conforming (preexisting) residence with was built prior to 1955 and prior to annexation of this land into the Village, until such time as a new residence is constructed thereon, which will need to comply and conform with the building set back requirements, etc. (see comment to item 2 d of the Engineering Department comments for further details).

10. Agreed.

11. Agreed.

12. There are no covenants, conditions or restrictions proposed for this subdivision.

13. The prospective purchaser of Lot 2 is aware of these requirements and has agreed to pick up the costs relative to same as part of its building permit process.

14. a. The home on proposed Lot 1 was constructed prior to 1955 and cannot practically be moved or relocated to behind the proposed building set back line and the sale of the existing residence would not yield a reasonable return were such movement required, and would not yield a reasonable return if Lot 1 were permitted to be used only under the conditions allowed by the regulations in that zone.

If it were not for the subdivision of the existing lot into the proposed two lots, in order to maximize the return for the present owners (who are senior citizens on limited incomes and with health related issues) the existing home could be sold without the need to conform with the new zoning, and as such, the plight of the Petitioners is due to these unique circumstances which only arise as part of the subdivision process.

The existing home has been there for over 60 years, and its continued use if the variation were granted will not alter the essential character of the locality.

This variance request further applies to the continued use of the existing water supply and waste lines for the same reasons as set forth above, see comments to item 2d of the Engineering Department comments for further details.

14. b. The shed in the back yard is not permanently affixed or placed upon a foundation and has been, or will be, moved so that it will not require a variation, and has been removed from the POS.

15. Agreed.

16. The title company has confirmed that the portion of the existing land which is used as highway purposes for Palatine Road has already been taken for roadway purposes, and the legal description has been so modified – see attached page from the latest title report – and the revised POS has likewise made the change to clearly note the portion for road purposes. Petitioner has meet with the Village representatives who have confirmed that the portion by Lilac Terrace belongs to the Village.

17. The revised POS shows all building setback lines as requested.

PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT

7A

PETITIONER'S APPLICATION - ARLINGTON HEIGHTS PLAN COMMISSION

Petition #: P.C. 17-002
 Petitioner: Elroy and Corinne Hargrave
2214 E Palatine
Arlington Heights IL 60004 847.853.0199
 Owner: SAME

P.I.N.# 0316303004000
 Location: 2214 E PALATINE
 Rezoning: _____ Current: _____ Proposed: _____
 Subdivision: _____
 # of Lots: 1 Current: 1 Proposed: 2
 PUD: _____ For: _____
 Special Use: _____ For: _____
 Land Use Variation: _____ For: _____

Contact Person: Richard Lubenstein
 Address: 216 Higgins Rd.
Dark Ridge IL 60068
 Phone #: 847-698-9600
 Fax #: 847-698-9623
 E-Mail: rlubenstein@att.net

Land Use: _____ Current: residential
 Proposed: residential
 Site Gross Area: _____
 # of Units Total: _____
 1BR: _____ 2BR: _____ 3BR: _____ 4BR: _____

(Petitioner: Please do not write below this line.)

LANDSCAPE & TREE PRESERVATION:

1. Complies with Tree Preservation Ordinance
2. Complies with Landscape Plan Ordinance
3. Parkway Tree Fee Required
(See below.)

YES	NO
<u>N/A</u>	_____
<u>N/A</u>	_____
<u>X</u>	_____

Comments:

NO COMMENTS

[Signature] 2/1/17
 Coordinator Date

No comments from the Planning and Community Development Department 7A, and therefore Petitioners have no response.

ARLINGTON HEIGHTS POLICE DEPARTMENT

Community Services Bureau

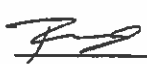
DEPARTMENT PLAN REVIEW SUMMARY

Hogreve Subdivision
2214 E Palatine Road
Preliminary and Final Plat

Round 1 Review Comments

02/01/2017

1. **Character of use:**
The character of use should not be problematic.
2. **Are lighting requirements adequate?**
Lighting should meet Village of Arlington Heights code.
3. **Present traffic problems?**
There are no traffic problems at this location.
4. **Traffic accidents at particular location?**
This is not a problem area in relation to traffic accidents.
5. **Traffic problems that may be created by the development.**
This development may create traffic problems especially if there is an egress from the subdivision onto Palatine Road.
6. **General comments:**
-Please ensure that there is an emergency information/contact card on file with the Arlington Heights Police Department and that it is up-to-date. Agent contact information must be provided to the Arlington Heights Police Department during all construction phases. The form is attached. Please complete and return. This allows police department personnel to contact an agent during emergency situations or for suspicious/criminal activity on the property during all hours.

 #272

Brandi Romag, Crime Prevention Officer
Community Services Bureau

Supervisor's Signature

Community Services Bureau responses:

6. There is presently no new construction scheduled to begin, however, as to the existing residence on Lot 1, the Emergency Information Card has been completed and is attached, see next page.

Arlington Heights Police Department
Emergency Information Card

1. Fill in all information by tabbing to each field.
2. When completed, save the form and send as an attachment to: tmorales@vah.com.

Arlington Heights Police Department
200 E. Sigwalt Street
Arlington Heights, IL 60005-1499
Phone: 847/368-5300

Completed forms may also be printed and submitted in the following manner:

By Mail: Arlington Heights Police Department
200 E. Sigwalt Street, Arlington Heights, IL 60005
Attention: Police Administration

Print Form (To Mail)

By Fax: (847) 368-5970 - Attention: Police Administration

In Person: Dropped off at the Arlington Heights Police Department's front desk for forwarding to Police Administration.

Name (Firm or Residence)

regarding residence at 2214 E Palatine

Address/City

Telephone Number

Date Information Obtained

IN CASE OF EMERGENCY PLEASE CALL:

Contact #1

Name

Elroy Hograve

Address/City

1280 Village Drive Unit 355A Arl.Hts

Telephone Number

847 253 0199

Cell Number

Contact #2

Name

Richard Laubenstein

Address/City

216 W Higgins Park Ridge

Telephone Number

847 698 9600

Cell Number

847 476 9600

Alarm System

☒ No

☐ Yes

Phone number:

Alarm Company Name

**Village of Arlington Heights
Public Works Department**

Memorandum

To: Sam Hubbard, Planning and Community Development
From: Cris Papierniak, Assistant Director of Public Works 
Date: March 10, 2017
Subject: 2214 E. Palatine Rd., P.C. #17-02 Round 2

With regard to the proposed preliminary & final plat of subdivision, I have the following comments:

- 1) The response made by the petitioner to PW comments is not acceptable. The water main must be extended to service the lot fronting Palatine Road and end with a hydrant. An IEPA Water Permit is required for the extension of public water main. This public improvement is required to be installed as part of the subdivision approval process. The water service line to the existing house at on E. Palatine Road must then be connected to the new water main and the existing service line through the Lot 2 property can then be properly abandoned.

If you have any questions, please feel free to contact me.

C. file

PLAN COMMISSION PC #17-002
Hogreve Resubdivision
2214 E. Palatine Road
Preliminary/Final Plat of Resubdivision
Round 2

17. There was no written response made by the petitioner to comment #11. To reiterate, the petitioner is notified that these comments are being provided to ensure that the project meets the requirements for submittal to the Plan Commission. Approval by the Plan Commission is not an endorsement or approval of these documents to obtain the required building permits, engineering approval, or permits required by other government or permitting agencies for construction. Detailed plan review with associated comments will be provided upon submittal of plans for a building permit. The petitioner shall acknowledge that they accept this understanding.
18. The response made by the petitioner to comment #12 is not acceptable. The Subdivision Code under Chapter 29 requires the following items: An Engineers estimate of construction cost for full site improvements is required to complete the calculation for plan review, inspection, and other fees. An Engineers estimate of construction cost for public improvements is also required to complete the calculation for the required public improvement guarantee deposit. The public improvements for this development would be the public sidewalk along East Lilac Terrace and the water main extension. These estimates should be submitted at least three weeks prior to the final Plan Commission meeting to allow us time to generate the fee letter and for the petitioner to assemble the proper documents.
19. The response made by the petitioner to comment #13 is noted. There are needed changes to the Final Plat of Subdivision (see Comment #22). These changes must be made before any signatures are obtained.
20. The response made by the petitioner to comment #14 is noted. The petitioner has agreed to utilize the Village's calculations in determining the fee in-lieu-of detention. Once confirmation has been presented in the form of a recorded document number that the Palatine Road ROW has been taken, the stormwater calculations will be re-done using the total subdivision area of 0.862 acres.
21. The response made by the petitioner to comment #15 is not acceptable. The water main must be extended to service the lot fronting Palatine Road. An IEPA Water Permit is required for the extension of public water main. This public improvement is required to be installed as part of the subdivision approval process. The water service line to the existing house at 212 E. Palatine Road must then be connected to the new water main and the existing service line through the Lot 2 property can then be properly abandoned. This will negate the need for any private utility easement.

Final Plat of Subdivision:

22. The response made by the petitioner to comment #16 is noted. Please address the following items:
 - a. Remove the "Private Public Utility Easement Provisions".
 - b. Include the document number for the Palatine Road ROW take.
 - c. Remove the stormwater detention calculation sheet from the Final Plat of Subdivision.
 - d. Leave areas available for the required certificates from Cook County.
 - e. If the water main extension is to be located along the west side of the property, a 10' easement will be necessary.

RECEIVED

MAR 06 2017

**PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT**

 3/3/17
James J. Massarelli, P.E. Date
Director of Engineering

Planning & Community Development Dept. Review

February 6, 2017



REVIEW ROUND 2

Project: 2214 E. Palatine Rd.
Proposed Subdivision

Case Number: PC 17-002

General:

18. The response to comments #7, #8, #10, #11, #12, and #15 are acceptable.
19. The response to comment #9 is acceptable. However, staff notes that no action is being taken on the existing non-conformities that are allowed to remain as per Section 28-7 "Non-Conforming Use and Building" of Chapter 28 of the Municipal Code. No part of the subdivision and rezoning process shall be deemed to permit these non-conformities unless specified within the approval ordinance.
20. The response to comment #13 is noted, and a condition of approval that requires the installation of this sidewalk prior to construction of a home on Lot 2 may be acceptable. However, an Engineers Estimate of Construction cost is still needed prior to proceeding with Final Plat of Subdivision approval, which estimate shall include both the sidewalk and water main extension (inclusive of the fire hydrant).

Zoning:

21. The response to comment #14 is noted. With regards to #14a, given that the petitioner has stated that the property line along Palatine Road will not be moved to accommodate the dedication of the Palatine Road ROW, no change to the existing front yard setback will occur. Furthermore, if the property is rezoned into the R-2 District, the required front yard setback is only 25', and the existing home conforms to this requirement. Therefore, a front yard setback Variation is not needed. With regards to 14b, if the shed is moved it will negate the need for this Variation. A condition of approval requiring the movement of this shed will be added to the subdivision approval.

Final Plat of Subdivision:

22. The response to #16 references an attached page from a title report. However, no page was attached. Please provide confirmation, via a recording number, that the Palatine ROW has been granted to IDOT.
23. The response to #17 is noted, however, the incorrect setbacks are shown on the Plat. Please note the following setbacks for the R-2 District, which are what must be shown on the Plat for each lot:
 - Front Yard Setback: 25'
 - Side Yard setback (west): 10'
 - Side Yard setback (east): 10' is required, but this may be increased to 15' to coincide with the 15' easement.
 - Rear Yard Setback: 30'

Please revise the Plat to show the above setbacks for each lot. In addition, please remove the proposed residence from the Final Plat of Subdivision. It should remain shown on the Preliminary Plat, however, it should not be shown on the Final Plat of Subdivision.

18. Per Chapter 29, Section 29-209(s), the PIN of the subject property should be noted on the Plat.

Prepared by: 

HOGRAVE PETITION FOR SUBDIVISION

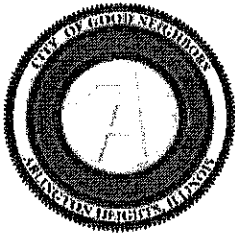
Petition # P.C. 17 002

PETITIONERS RESPONSES TO SECOND ROUND COMMENTS AND REQUEST FOR PRELIMINARY HEARING

Petitioner further agrees to the proposed rezoning from R-1 to R-2 District

Petitioner further seeks land use variation regarding use of existing water supply and waste line for Lot 1 until such time as a new structure is placed thereon, further, that the engineering for the water supply and installation of same be stayed until such time as a building permit is sought to erect a new home on proposed Lot 1, and that the engineering and installation for the sidewalk to be installed on proposed Lot 2 be stayed until such time as proposed Lot 2 is developed and that the ordinance approving of this subdivision allow for same.

The comments received from each department are attached hereto with Petitioner's written response following each department's comments.



Village of Arlington Heights Building Services Department

Interoffice Memorandum

To: Sam Hubbard, Development Planner, Planning and Community Development
From: Deb Pierce, Plan Reviewer, Building Services Department
Subject: 2214 E Palatine Rd., Preliminary and Final Plat of Subdivision
PC#: 17-002 – Round 1
Date: January 30, 2017

Sam:

I have reviewed the submitted documents and have no comments at this time.

No comments from the Building Services Department, and therefore Petitioners have no response.

PLAN COMMISSION PC #17-002
Hogreve Resubdivision
2214 E. Palatine Road
Preliminary/Final Plat of Resubdivision
Round 2

17. There was no written response made by the petitioner to comment #11. To reiterate, the petitioner is notified that these comments are being provided to ensure that the project meets the requirements for submittal to the Plan Commission. Approval by the Plan Commission is not an endorsement or approval of these documents to obtain the required building permits, engineering approval, or permits required by other government or permitting agencies for construction. Detailed plan review with associated comments will be provided upon submittal of plans for a building permit. The petitioner shall acknowledge that they accept this understanding.
18. The response made by the petitioner to comment #12 is not acceptable. The Subdivision Code under Chapter 29 requires the following items: An Engineers estimate of construction cost for full site improvements is required to complete the calculation for plan review, inspection, and other fees. An Engineers estimate of construction cost for public improvements is also required to complete the calculation for the required public improvement guarantee deposit. The public improvements for this development would be the public sidewalk along East Lilac Terrace and the water main extension. These estimates should be submitted at least three weeks prior to the final Plan Commission meeting to allow us time to generate the fee letter and for the petitioner to assemble the proper documents.
19. The response made by the petitioner to comment #13 is noted. There are needed changes to the Final Plat of Subdivision (see Comment #22). These changes must be made before any signatures are obtained.
20. The response made by the petitioner to comment #14 is noted. The petitioner has agreed to utilize the Village's calculations in determining the fee in-lieu-of detention. Once confirmation has been presented in the form of a recorded document number that the Palatine Road ROW has been taken, the stormwater calculations will be re-done using the total subdivision area of 0.862 acres.
21. The response made by the petitioner to comment #15 is not acceptable. The water main must be extended to service the lot fronting Palatine Road. An IEPA Water Permit is required for the extension of public water main. This public improvement is required to be installed as part of the subdivision approval process. The water service line to the existing house at 212 E. Palatine Road must then be connected to the new water main and the existing service line through the Lot 2 property can then be properly abandoned. This will negate the need for any private utility easement.

Final Plat of Subdivision:

22. The response made by the petitioner to comment #16 is noted. Please address the following items:
 - a. Remove the "Private Public Utility Easement Provisions".
 - b. Include the document number for the Palatine Road ROW take.
 - c. Remove the stormwater detention calculation sheet from the Final Plat of Subdivision.
 - d. Leave areas available for the required certificates from Cook County.
 - e. If the water main extension is to be located along the west side of the property, a 10' easement will be necessary.

RECEIVED

MAR 06 2017

**PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT**

 **3/3/17**
James J. Massarelli, P.E. Date
Director of Engineering

Engineering Department responses:

17. Acknowledged.

18. The Village Code allows for a Subdivision to be approved with non-conformities, provided that same are noted in the Ordinance which is adopted approving of the subdivision (see General Note 19 from the Planning & Community Development Department round 2 comments attached). This is not a situation where a large developer is coming into the Village to put up a number of new homes, which would impact upon the Village if the costs for the sidewalks and other improvements are not addressed at the time the subdivision is approved. Allowing a legal, non-conforming existing use to the residence that was built in 1955, prior to annexation of this land into the Village, would not cause any undue costs to the Village or impair the value of the neighboring community with regard to proposed Lot 1, and providing in the ordinance approving this subdivision that at such time as a permit is sought for the construction of a new residence on proposed Lot 1 that the engineering and installation of a new water main/supply be addressed would be consistent with protecting the Village from such expenses in the future. Likewise, the potential purchaser of proposed Lot 2 has agreed to pick up the costs associated with the sidewalk that would be put in front of proposed Lot 2 as part of their permit process for the erection of a new home on Lot 2.

19. Petitioner agrees to make the changes needed to the set backs, easements, etc., and the signature blocks for the County and other officials and to obtain all non-Village signatures prior to the final Plan Commission meeting.

20. Village calculations to determine the fee in lieu of detention have been provided by the Village. Per the comments in paragraph 22 below, the calculations shall be removed from the plat. See revised title commitment from Chicago Title which will insure that the portion of the legal description which had been in the underlying roadway is removed from the legal description for the property attached hereto. Please revise the calculations to the remaining .862 acres of land which remain owned by petitioner (see survey of the subject premises which shows same).

21. All of the adjoining homes are already serviced by water mains, and the installation of a main (which by definition is a line large enough to provide water to several different properties) just for the one pre-existing house would not be necessary, provided that the Zoning Board and the Village were to allow for the approval of this subdivision with the existing non-conformities. Petitioner seeks the input from the board at this time and is not asking for final approval, pending further guidance on the issue of the existing water supply line and the "grandfathering" of the existing home. In the event such recommendation is not forthcoming from the Village, petitioner shall re-visit the issue of the engineering and the timing of the installation of same. Petitioner would like to keep the existing private easement for use with the existing home on Lot 1, until such time as a permit is submitted for the erection of a new home on Lot 1, and shall provide in the Plat of Subdivision for an easement on the West side of the property for the future installation and use of same.

22. a. Petitioner respectfully requests that the Board consider allowing the private easement for water supply until such time as a permit is issued for new construction on Lot 1.

b. The Palatine Road take for the row was accomplished by fiat and per the attached commitment from Chicago Title, the legal descriptions as set forth on the proposed plat of subdivision will cover the roadway and allow for insurable title to proposed lots 1 and 2.

c. The storm water calculations will be removed from the final plat.

d. Signature block for Cook County shall be added.

e. a 10 foot easement along the west side of the property shall be added for future installation of a water main.

Village of Arlington Heights
Public Works Department

Memorandum

To: Sam Hubbard, Planning and Community Development
From: Cris Papierniak, Assistant Director of Public Works 
Date: March 10, 2017
Subject: 2214 E. Palatine Rd., P.C. #17-02 Round 2

With regard to the proposed preliminary & final plat of subdivision, I have the following comments:

- 1) The response made by the petitioner to PW comments is not acceptable. The water main must be extended to service the lot fronting Palatine Road and end with a hydrant. An IEPA Water Permit is required for the extension of public water main. This public improvement is required to be installed as part of the subdivision approval process. The water service line to the existing house at on E. Palatine Road must then be connected to the new water main and the existing service line through the Lot 2 property can then be properly abandoned.

If you have any questions, please feel free to contact me.

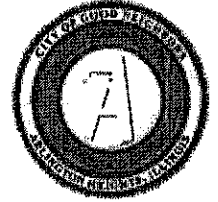
C. file

Public Works Department responses:

1. The Revised POS provides that any future building on Lot 2 will need to be supplied with water from the utility easements which have been added thereon. With regard to the existing home on Lot 1, the existing residence on lot one is presently supplied with water from the Village of Arlington Heights via a supply line, and has water waste lines on site over proposed Lot 2, and the revised plans provide for a private easement over Lot 2 to allow for such continued services, so at this time, no IEPA approval or new water supply is needed. The final POS provides that the existing structure on Lot 1 is a legal non-conforming residence (its construction began prior to 1955 and prior to annexation of this property into the Village), and further, the proposed POS provides that in the event a new home is erected in its place, at such time a new hydrant and new water supply/main will need to be furnished at which time such engineering costs are to be picked up then as part of the new construction permit for Lot 1. Such pre-existing non-conforming uses may be approved by the Village, provided that same are clearly specified within the approval ordinance. Petitioner is seeking preliminary approval at this time and guidance from the board with regard to this issue. See also the responses to the round 2 Engineering comments, 18 and 21 above.

Planning & Community Development Dept. Review

February 6, 2017



REVIEW ROUND 2

Project: 2214 E. Palatine Rd.
Proposed Subdivision

Case Number: PC 17-002

General:

18. The response to comments #7, #8, #10, #11, #12, and #15 are acceptable.
19. The response to comment #9 is acceptable. However, staff notes that no action is being taken on the existing non-conformities that are allowed to remain as per Section 28-7 "Non-Conforming Use and Building" of Chapter 28 of the Municipal Code. No part of the subdivision and rezoning process shall be deemed to permit these non-conformities unless specified within the approval ordinance.
20. The response to comment #13 is noted, and a condition of approval that requires the installation of this sidewalk prior to construction of a home on Lot 2 may be acceptable. However, an Engineers Estimate of Construction cost is still needed prior to proceeding with Final Plat of Subdivision approval, which estimate shall include both the sidewalk and water main extension (inclusive of the fire hydrant).

Zoning:

21. The response to comment #14 is noted. With regards to #14a, given that the petitioner has stated that the property line along Palatine Road will not be moved to accommodate the dedication of the Palatine Road ROW, no change to the existing front yard setback will occur. Furthermore, if the property is rezoned into the R-2 District, the required front yard setback is only 25', and the existing home conforms to this requirement. Therefore, a front yard setback Variation is not needed. With regards to 14b, if the shed is moved it will negate the need for this Variation. A condition of approval requiring the movement of this shed will be added to the subdivision approval.

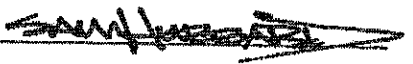
Final Plat of Subdivision:

22. The response to #16 references an attached page from a title report. However, no page was attached. Please provide confirmation, via a recording number, that the Palatine ROW has been granted to IDOT.
23. The response to #17 is noted, however, the incorrect setbacks are shown on the Plat. Please note the following setbacks for the R-2 District, which are what must be shown on the Plat for each lot:
 - Front Yard Setback: 25'
 - Side Yard setback (west): 10'
 - Side Yard setback (east): 10' is required, but this may be increased to 15' to coincide with the 15' easement.
 - Rear Yard Setback: 30'

Please revise the Plat to show the above setbacks for each lot. In addition, please remove the proposed residence from the Final Plat of Subdivision. It should remain shown on the Preliminary Plat, however, it should not be shown on the Final Plat of Subdivision.

18. Per Chapter 29, Section 29-209(s), the PIN of the subject property should be noted on the Plat.

Prepared by:



Planning and Community Development Department responses;

18. Agreed.

19. Petitioner agrees that in the event the POS is approved, the zoning will be changed to R-2, provided that the existing residence on Lot 1 may continue as a legal, non-conforming (preexisting) residence with was built prior to 1955 and prior to annexation of this land into the Village, until such time as a permit for a new residence is submitted for constructed thereon. Petitioner is seeking guidance from the Board on this point and will re-visit same following the comments received from the board.

20. The Revised POS provides that any future building on Lot 2 will need to be supplied with water from the utility easements which have been added thereon. With regard to the existing home on Lot 1, the existing residence on lot one is presently supplied with water from the Village of Arlington Heights via a supply line, and has water waste lines on site over proposed Lot 2, and the revised plans provide for a private easement over Lot 2 to allow for such continued services, so at this time, no IEPA approval or new water supply is needed. The final POS provides that the existing structure on Lot 1 is a legal non-conforming residence (its construction began prior to 1955 and prior to annexation of this property into the Village), and further, the proposed POS provides that in the event a new home is erected in its place, at such time a new hydrant and new water supply/main will need to be furnished at which time such engineering costs are to be picked up then as part of the new construction permit for Lot 1. Such pre-existing non-conforming uses may be approved by the Village, provided that same are clearly specified within the approval ordinance. Petitioner is seeking preliminary approval at this time and guidance from the board with regard to this issue. See also the responses to the round 2 Engineering comments, 18 and 21 above.

21. Petitioner shall revise the POS to provide for the 25 foot set back called for under R-2 and agrees that the shed shall be moved prior to final consideration of this subdivision.

22. Palatine road was widened by fiat by the State and attached is the revised title for the property which confirms that the legal descriptions used shall allow for transfer of insurable title.

23. The front yard setback shall be revised to 25 feet for each lot; the west side yard shall be revised to 10 feet. The proposed east side yard shall be established at 15 feet (provided the private easement is approved) or revised to 10 feet following comments from the board, the rear yards shall each be changed to a 30 foot setback. The proposed residence shall be removed from the final plat.

CHICAGO TITLE INSURANCE COMPANY**COMMITMENT NO. 16NW7125219PK****REVISION 1**

ORIGINATING OFFICE:	FOR SETTLEMENT INQUIRIES, CONTACT:
Chicago Title Company, LLC 1030 West Higgins Road, #200 Park Ridge, IL 60068 Main Phone: (847)384-2600 Email: cthiggins@ctt.com	Chicago Title and Trust Company 1030 West Higgins Road, #200 Park Ridge, IL 60068 Main Phone: (847)384-2600 Main Fax: (847)318-0078

Issued By:

SCHEDULE A**ORDER NO. 16NW7125219PK**

Property Ref.: 2214 E Palatine Rd, Arlington Heights, IL 60004

1. Effective Date: November 16, 2016
2. Policy or (Policies) to be issued:
 - a. ALTA Owner's Policy 2006
Proposed Insured: To Be Determined
Policy Amount: To Be Determined
 - b. ALTA Loan Policy 2006
Proposed Insured: To Come, its successors and/or assigns as their respective interests may appear
Policy Amount: To Be Determined
3. The estate or interest in the land described or referred to in this Commitment is:
Fee Simple
4. Title to the estate or interest in the land is at the Effective Date vested in:
Elroy Hogreve, as trustee of the Elroy Hogreve Declaration of Trust dated November 5, 1992, as to an undivided 1/2 interest; &

Corrine Hogreve, as trustee of the Corinne Hogreve Declaration of Trust dated November 5, 1992, as to an undivided 1/2 interest

Copyright American Land Title Association. All rights reserved.

The use of this Form is restricted to ALTA licensees and ALTA members in good standing as of the date of use.
All other uses are prohibited. Reprinted under license from the American Land Title Association.

ALTA Commitment (06/17/2006)



SCHEDULE A

(continued)

5. The land referred to in this Commitment is described as follows:

THAT PART OF THE EAST QUARTER OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, BEING THE EAST HALF OF LOT 14 OF SCHOOL TRUSTEES SUBDIVISION OF SECTION 16, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ALSO BEING THE SOUTHEAST CORNER OF LOT 14 OF SCHOOL TRUSTEES SUBDIVISION, THENCE WEST ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER, BEING THE CENTER LINE OF PALATINE ROAD, FOR A DISTANCE OF 100.00 FEET, THENCE NORTH AND PARALLEL TO THE EAST LINE OF THE SOUTHWEST QUARTER FOR A DISTANCE OF 435.60 FEET, THENCE EAST AND PARALLEL TO THE SOUTH LINE OF THE SOUTHWEST QUARTER FOR A DISTANCE OF 100 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 16, THENCE SOUTH ALONG THE EAST LINE OF THE SOUTHWEST QUARTER FOR A DISTANCE OF 435.60 FEET TO THE PLACE OF BEGINNING, EXCEPT FOR THAT PORTION TAKEN FOR ROADWAY PURPOSES, ALL IN COOK COUNTY, ILLINOIS.

END OF SCHEDULE A

Copyright American Land Title Association. All rights reserved.

The use of this Form is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.

ALTA Commitment (08/17/2006)





Item: Chapter 28 Text Amendments - PC#17-005

Department: Planning & Community Development

Background

In late 2016 the Village Board established strategic priorities for the Village in 2017. Staff from the Planning and Community Development Department and Legal Department have internally discussed updating various aspects of the Zoning code to modernize the code to make it more user friendly and provide clarity. In addition, staff has reviewed areas of the code to streamline the processes for residents and for developers. The end product will be much more inviting visually and better organized.

Staff has divided recommended amendments to the code into two phases as follows:

Phase 1

Definitions; Permitted Use Table; Special Uses; and Planned Unit Developments. In addition there are amendments suggested to several other sections of Chapter 28, that will be described below.

Phase 2

Non Conforming Uses; Hardship Criteria for Land Use Variations; Use Districts; Parking; and minor updates to the Plan Commission and Design Commission sections. Also minor fences and accessory structures will be reviewed.

Ordinance Review Committee

On February 22, 2017, the Ordinance Review Committee reviewed the proposed amendments and were supportive of the changes to the zoning code (see attached minutes).

Phase 1: the following summarizes the proposed amendments to the zoning code as part of Phase 1.

Planned Unit Developments; Chapter 28-9

Attached are proposed amendments to the Planned Unit Development section. The primary recommendation is to streamline the development review process by combining the Preliminary PUD and Final PUD into one step. The difference between preliminary PUD and Final PUD is Final Engineering, which includes posting of any required bonds and escrows. Final Engineering would now be

deferred to building permit as outlined in a new section '9.13 Permit Requirements for Planned Unit Developments'.

Currently, the Preliminary PUD process can take about 4 to 5 months, and then Final PUD can take an additional 2 months. Making the PUD process a one step process will reduce the timing to obtain PUD approval so that the developer can move forward with permits. The developer will still need to submit all the same documents, but this revised process will allow certain final items to be submitted at permit.

Also recommended is changing the name of the Plat and Subdivision Committee to the "Conceptual Plan Review Committee". This name more accurately describes the committee.

Special Uses

Aside from minor changes to verbiage, the primary recommended amendment is to increase the threshold for granting a Special Use waiver for restaurants from 1,500 square feet to 4,000 square feet. In 2013 the Plan Commission recommended and the Board approved allowing staff to approve a Special Use waiver for restaurants 1,500 sf or less. An application must be filed with the Planning Department and if all criteria are met, then the waiver can be granted and no public hearing required. Attached is the current Special Use Waiver application. One revision to this application is to allow restaurants who serve alcohol to qualify for the waiver. Currently if they serve alcohol, the waiver cannot be granted.

Since 2013, 4 of 16 restaurants were granted a waiver, while 12 went through the Plan Commission process. The table attached lists all restaurants since 2006 and the square footage of each. From 2006 to 2016, there have been 61 restaurants. 17 of 61 (28%) fell within the 1,500 sf waiver threshold. Staff is recommending a larger threshold so that a higher percentage of restaurants can become eligible for the waiver. It is recommended that the waiver apply to restaurants of 4,000 sf or less. Since 2006, 48 of 61 (79%) would have qualified for the waiver in terms of floor area size, while the larger restaurants above 4,000 sf would have to submit the Plan Commission application and obtain Board approval.

Staff suggests this recommendation to streamline the process for restaurants while continuing, via the waiver process, to check critical issues such as parking.

Definitions

Proposed amendments to this section mostly consist of minor revisions to (or more logical reorganization of) existing definitions or eliminating obsolete and or self-explanatory definitions. One definition recommended for removal is the definition of family, which is rarely utilized for code enforcement and is likely unconstitutional.

Permitted Use Table

The recommended amendments to the permitted use table include reorganizing the table by use categories. Attached are the changes to the existing table and the new recommended table. Currently, there are three sections: Non-Manufacturing and Non-Residential; Processing and Manufacturing; and Residential. Staff recommends grouping by the following new categories:

Residential; Commercial; Manufacturing / Processing; Institutional; and Other. The new categories better align the permitted uses to make the code more user friendly.

In addition, many line items (31 total) in the permitted use table are clearly commercial retail, so a new line item "Retail" has been added to the Commercial category. These 31 line items are no longer in the table and will fit under "Retail". Other line items have been combined or deleted as not necessary. Therefore the total number of line items in the table have been reduced from 215 to 145, thus making the table more user friendly.

Other

The following sections are either duplicative to other municipal code sections, or should be moved to other section of the Municipal Code, and are therefore not necessary in Chapter 28 - Zoning. The following sections are recommended for deletion:

28-15 (Occupancy Permits / will be moved to Chapter 23);
28-16 (Plats / already in Chapter 23 so redundant);
28-17 (Enforcement / move to Chapter 3 which is the Director of Building responsibilities);
28-19 (Violation and Penalty / already covered in Chapter 1 of the Municipal Code);
28-20 (Validity / Validity of Chapter 28 will be written into the Ordinances that approve these amendments and all future amendments therefore not necessary in chapter 28));
28-21 (Repeal of Conflicting Ordinances / same as above, verbiage to address conflicting Ordinances will be in all future Ordinances adopting any amendments to this Chapter.)

*Also Chapter 28-18 will be renumbered to Chapter 15 due to deletions above.

ATTACHMENTS:

Description	Type
Legal Notice	Correspondence
ORC Minutes 2-22-17	Minutes
28-9, PUD Amendments	Exhibits
28-9, PUD Proposed	Exhibits
28-8, Special Uses Amendments	Exhibits
28-8, Special Uses Proposed	Exhibits

28-5.5, Permitted Use Table Amendments	Exhibits
28-5.5, Permitted Use Table Proposed	Exhibits
28-3, Definitions Amendments	Exhibits
28-3, Definitions Proposed	Exhibits
28-15,16,17,19,20,21 - Various Amendments	Exhibits
List of Restaurants by Square Feet	Exhibits
Special Use Waiver Application - Current	Exhibits

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT THE PLAN COMMISSION OF THE VILLAGE OF ARLINGTON HEIGHTS WILL CONDUCT A PUBLIC HEARING ON MARCH 22, 2017, AT 7:30 P.M. in the Municipal Building, 33 South Arlington Heights Road, Arlington Heights, Illinois to consider Petition No. 17-005, Text Amendments to Chapter 28 - Zoning of the Municipal Code.

All persons desiring to be heard shall be given the opportunity to be heard. Should any individual need auxiliary aid or service, such as a sign language interpreter or materials in alternative formats, please contact the Health Department at 33 South Arlington Heights Road, Arlington Heights, Illinois 60005, (847) 368-5760, TDD# (847) 368-5794.

Joe Lorenzini, Chairman
ARLINGTON HEIGHTS
PLAN COMMISSION
Published in Daily Herald
March 7, 2017 (4465968)

RECEIVED

MAR 10 2017

**PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT**

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

Daily Herald

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **DAILY HERALD**. That said **DAILY HERALD** is a secular newspaper and has been circulated daily in the Village(s) of Algonquin, Antioch, Arlington Heights, Aurora, Barrington, Barrington Hills, Lake Barrington, North Barrington, South Barrington, Bartlett, Batavia, Buffalo Grove, Burlington, Campton Hills, Carpentersville, Cary, Deer Park, Des Plaines, South Elgin, East Dundee, Elburn, Elgin, Elk Grove Village, Fox Lake, Fox River Grove, Geneva, Gilberts, Grayslake, Green Oaks, Gurnee, Hainesville, Hampshire, Hanover Park, Hawthorn Woods, Hoffman Estates, Huntley, Inverness, Island Lake, Kildeer, Lake Villa, Lake in the Hills, Lake Zurich, Libertyville, Lincolnshire, Lindenhurst, Long Grove, Mt. Prospect, Mundelein, Palatine, Prospect Heights, Rolling Meadows, Round Lake, Round Lake Beach, Round Lake Heights, Round Lake park, Schaumburg, Sleepy Hollow, St. Charles, Streamwood, Tower Lakes, Vernon Hills, Volo, Wauconda, Wheeling, West Dundee, Wildwood, Sugar Grove, North Aurora, Glenview

County(ies) of Cook, Kane, Lake, McHenry

and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

I further certify that the **DAILY HERALD** is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published March 7, 2017 in said **DAILY HERALD**.

IN WITNESS WHEREOF, the undersigned, the said **PADDOCK PUBLICATIONS, Inc.**, has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

**PADDOCK PUBLICATIONS, INC.
DAILY HERALD NEWSPAPERS**

BY *Danula Baitz*
Authorized Agent

Control # 4465968

REPORT OF THE PROCEEDINGS OF
The ORDINANCE REVIEW COMMITTEE
OF THE VILLAGE OF ARLINGTON HEIGHTS PLAN COMMISSION
HELD AT VILLAGE HALL ON:

February 22, 2017

Project Title: Chapter 28 Amendments
Petitioner: Village of Arlington Heights
33 S. Arlington Heights Road
Arlington Heights, IL

Requested Action:

- Chapter 28 Text Amendments / Zoning.

Attendees: Susan Dawson, Plan Commissioner
Bruce Green, Plan Commissioner
Lynn Jensen, Plan Commissioner
Robin Ward, In House Counsel
Bill Enright, Deputy Director Planning
Sam Hubbard, Development Planner

In late 2016 the Village Board established strategic priorities for the Village in 2017. Staff from the Planning and Community Development Department and Legal Department have internally discussed updating various aspects of the Zoning code to modernize the code to make it more user friendly and provide clarity. In addition, staff has reviewed areas of the code to streamline the processes for residents and for developers. The end product will be much more inviting visually and better organized. Staff has divided recommended amendments to the code into two phases as follows:

Phase 1 - Definitions; Permitted Use Table; Special Uses; and Planned Unit Developments. In addition there are amendments suggested to several other sections of Chapter 28.

Phase 2 - Non Conforming Uses; Hardship Criteria for Land Use Variations; Use Districts; Parking; and minor updates to the Plan Commission and Design Commission sections. Also minor fences and accessory structures will be reviewed.

Meeting Discussion:

B. Enright summarized the proposed amendments - both phase 1 and 2. The code in many respects is outdated, therefore these amendments will both streamline the process, but also modernize the code and make it more user friendly.

Regarding the PUD process, staff recommends combining preliminary and final PUD into a one step process. This will save developers a couple months and simply defers certain items to building permit such as escrows and final engineering.

Commission Green was supportive of the change given that developers will still have to provide all the information that they currently provide, it's just a matter of the timing. He felt it's positive to cut down on

the time frame for obtaining PUD approval.

Commissioner Dawson indicated that typically final PUD is the same plan as preliminary, so often there are no changes anyway. Developers have to bring back all their consultants to Final PUD which is costly and often not needed. This is a great improvement to the process.

Commissioner Jensen added that streamlining the process is a positive change.

B. Enright then summarized the proposed changes to the Special Use for restaurants. Currently the code allows for a waiver of the special use process for restaurants less than 1,500 square feet. This process has worked well but staff would recommend increasing the waiver to restaurants less than 4,000 square feet. Also restaurants which serve liquor could also obtain the waiver, whereas now they cannot. Since 2013 when the waiver process was approved, 4 of 16 restaurants have qualified for the waiver. Extrapolating back to 2006, there has been 61 restaurants approved and 17 would have qualified for the waiver had it been in place. If the threshold was increased to 4,000 square feet, then 48 of 61 (80%) would have qualified for the waiver.

Commissioner Green agreed with allowing restaurants who serve liquor to qualify for the waiver as there is a liquor licensing requirement anyway to address any issues with serving of liquor. He asked if the waiver would apply to restaurants with drive throughs?

B. Enright indicated that staff looked at that issue but is recommending at this point that all restaurants with a drive through have to go through the normal process and public hearing. One thought is maybe as a next step, certain drive through restaurants could qualify for the waiver, such as those that are part of a larger shopping center.

Commissioner Green mentioned that the Dunkin Donuts on Arlington Heights Road south of Sigwalt can often back up onto Arlington Heights Road, so those types of sites we would want closer oversight.

Commissioner Jensen added that the Dunkin Donuts on Northwest Highway works well.

Commissioner Dawson added that that project was reviewed by the Plan Commission with a lot of thought to make sure it would function properly. Also is there a way to give staff the discretion to approve a drive through if part of a larger center or outlot if it meets certain standards?

R. Ward indicating that it can be difficult to consistently apply standards as staff can turnover with time. Maybe take a look at drive throughs at a later time once we see how the waiver process works if approved for larger restaurants.

Commissioner Jensen asked if there are any existing standards for drive throughs?

R. Ward that no not at this time and that each situation is different depending on the site.

Commissioner Dawson concurred that we should look to increase the threshold to 4,000 square feet as the next step. Also it appears that there is a large discrepancy in the number of seats depending on the restaurant. Some have a lot more seats even with similar seating area. Should we look at the number of seats as a part of the threshold?

B. Enright indicated that it is touch to use number of seats as seats can be added or removed without the

Village knowing.

Commissioner Dawson agreed it is better to use the seating area as that is a fixed measurement. Are there any concerns with not having a public hearing for the additional restaurants?

B. Enright indicated that most restaurants that go through the public hearing process do not attract much opposition if any. The larger more impactful restaurants would still require the hearing. Issues raised typically include parking and odors. Parking will still be reviewed with the waiver, and the County Court has provided guidance in code enforcement cases that odors are a natural part of a restaurant. Therefore we really can't regulate odors if we allow restaurants in certain districts.

Commissioner Dawson agreed that we can't regulate given what the courts have said.

Commissioner Jensen added that even with the Indian restaurant we didn't get that many complaints.

R. Ward summarized the amendments to the definitions section. Most of the changes are not substantive, but rather updating old terms, or deleting obsolete definitions. Definitions have been revised for clarity and better organized.

Commissioner Dawson asked if there were any changes that we should be aware of that may be more significant?

R. Ward indicated that we are proposing to delete the definition of family as it does not serve any purpose to the Village and is not used.

Commissioner Green mentioned that at a recent Plant and Sub meeting the definition came up in the discussions as to how many persons can live in a dwelling unit. It was stated that the zoning code allows up to 4 unrelated persons. Also the definition of Community Residence refers to the family definition. With the family definition how then do we regulate the number of person in a dwelling unit?

R. Ward indicated that the definition of family is no longer used as you can no longer legally define family. The use of space is regulated by the Building codes.

Commissioner Green added that he thought deleting the definition of family was a significant change to the zoning code. He added that there can be significant zoning impacts on traffic, parking for unrelated persons living in a dwelling unit versus a family.

Commissioner Dawson indicated that there are situations where some homes are used for transient rentals for persons who may for example be in the area for 2 to 3 months for business training, etc. Transient properties sometimes do not maintain their property as well as owner occupied.

R. Ward indicated that we have codes for property maintenance, and that it doesn't matter who resides in the unit as rentals are allowed.

B. Enright summarized the changes to the permitted use table and all concurred with the changes. The number of line items in the table would decrease from 215 to 145 which makes the table more user friendly and deletes obsolete uses. Also, obvious retail uses would simply fall under a new "Retail" use line item in the table.

CHAPTER 28 AMENDMENTS

Commissioner Jensen felt the new organization of the table helps how one thinks about the various uses and how they relate to the zoning districts.

The Ordinance Review Committee concurred with the recommendations and agreed that the amendments should move forward to Plan Commission for a public hearing.

The meeting adjourned at 7.25pm.

Bruce Green, Chair
Ordinance Review Committee
Bill Enright, Recorder

Section 28-9 Planned Unit Development.

9.1 Intent. Planned Unit Developments permit site plans and designs which would not be possible under strict application of zoning district regulations. Consequently, Planned Unit Developments shall offer more benefits than a conventional development because of comprehensive design and adherence to high standards. Improved features include but are not limited to the following:

- a. efficient land utilization;
- b. innovative design;
- c. preservation of natural areas;
- d. diversified land use and architectural treatment;
- e. compatibility with adjacent and nearby land developments.

9.2 Qualifications Required for a Planned Unit Development. The following are the projects that will be considered to be a Planned Unit Development:

Formatted: Font: Bold

(Ord. #06-070)

~~9.2-1 a.~~ Any development with more than one principal building on a zoning lot or lot of record ~~shall be a Planned Unit Development.~~

(Ord. #04-013)

~~9.2-2 b.~~ Planned Unit Developments in the following districts shall have a minimum lot size of one acre: R-E, R-1, R-2, R-3, R-4, R-5, R-6, B-1, B-2, B-3, and B-4, ~~S.~~

~~9.2-3 c.~~ Any development ~~in~~ the B-5 Zoning District ~~of~~, any new building or additions of 500 square feet ~~sq. ft.~~ or more to existing buildings ~~shall be a Planned Unit Development.~~

~~9.2-4 d.~~ Any development of four or more acres ~~in~~ the M-1 and M-2 Districts, ~~any development of four or more acres shall be a Planned Unit Development.~~

~~9.2-5 e.~~ Any All developments in the R-7, O-T, O-R, I and P-L Districts, ~~shall be a Planned Unit Development.~~

~~9.2-6~~ Planned Unit Development Sites ~~shall be under single ownership and/or unified control until fully developed.~~

~~9.2-7 f.~~ Any residential development using private roadways or private drives to provide vehicular access on the lot, ~~subject to the requirements in Section 9.3, shall be a Planned Unit Development.~~

9.3 General Requirements for Planned Unit Developments. Planned Unit Development Sites shall be under single ownership and/or unified control until fully developed and shall be governed by all applicable zoning requirements of this Chapter.

~~9.3-1~~ Yards along the periphery of Planned Unit Developments shall be provided as required by the regulations of the district in which said development is located.

~~9.3-2~~ Parking in a Planned Unit Development shall not be less than required for the same uses in Section 11 of Chapter 28.

~~9.3-3~~ Minimum lot size and lot area per dwelling unit shall be computed according to the standards of the district in which said development is located.

~~9.3-4~~ Whenever possible, vehicular and pedestrian traffic shall be separated from each other.

~~9.3-5~~ Adequate provision shall be made to minimize both external and internal traffic hazards and congestion.

~~9.3-6~~ 9.4 –Requirements for Planned Unit Developments Using Private Roadways. A Planned Unit Development for a residential development using private roadways may be approved in the following circumstances:

- a. The size and shape of the parcel is such that strict application of public street standards would cause development of the parcel to be impractical;
- b. The proposed development is enhanced by exceptional site design features not ordinarily possible under the strict application of the Zoning Ordinance and Subdivision Control Regulations;
- c. The development will provide amenities and improvements that would be materially beneficial to the adjacent neighborhood;
- d. The developer demonstrates to the reasonable satisfaction of the Plan Commission and the Village Board that the private roadways will be adequately maintained, including the execution and recording of a ~~and the owner shall execute and record a~~ covenant, binding all successors in title, ensuring that the private roadways will be maintained in a condition safe for vehicular travel;
- e. ~~The developer execute an agreement with the Village for traffic enforcement on private roadways; and~~

(Ord. # 04-059)

~~f. — e.~~ The development conforms with the following criteria:

~~1. —~~ Private roadways are constructed in accordance with Village construction standards for public roadways.

~~2f.~~ Private roadways are not planned or expected to serve property outside the proposed development.

~~g3.~~ Private roadways are not used to fill gaps in the existing thoroughfare system, connect two collector or arterial streets, or laid out to encourage through traffic.

Formatted: No bullets or numbering

Formatted: Indent: Left: 0.5", First line: 0"

h4. Private roadways shall provide a minimum of two 12-foot wide driving lanes, excluding curb and gutter dimensions.

5.i. Only parallel parking is permitted on a private roadway provided the pavement width is increased by eight feet for each parking lane.

~~(Ord. #04-059)~~

6j. Signs indicating building addresses and directing motorists through the development are provided, the size, number and location of such signs to be determined by the Director of Building.

7k. Unimpeded circulation and travel for emergency vehicles is provided on private roadways in the development.

8l. Curbs are provided along private roadways and driveways.

9m. Street lights and sidewalks shall be installed along all private roadways in compliance with Village standards.

9.4 9.5 Variations.

~~9.4.1~~ In the case of any Planned Unit Development, the Plan Commission may recommend and the Village Board of Trustees may authorize ~~exceptions~~ variations to the applicable bulk regulations of this ordinance and such other variations from the zoning regulations as may be required within the boundaries of such development without referring the matter to the Zoning Board of Appeals.

~~9.4.2~~ ~~Qualifications for Granting Variations.~~ Such variations may be granted as long as it is demonstrated that they exceptions shall will not exercise a detrimental influence on the surrounding neighborhood. ~~Exceptions~~ Variations shall be justified when other characteristics of the development exceed the minimum standards of the ~~m~~Municipal ~~e~~Code. All recommendations shall be based on the standards for appeals as stated in Section 6-201 of the Arlington Heights Municipal Code. Special consideration shall be given to:

~~9.4.2.1~~ a. The provision for indoor and outdoor recreation facilities, which ~~These facilities~~ should be proportional to the size and density of the Planned Unit Development.

~~9.4.2.2~~ b. The conservation of natural resources such as flood plains, wet lands and wooded areas.

~~9.4.2.3~~ c. As much as possible, ~~The preservation, as much as possible,~~ of the natural drainage and floodwater retention.

~~9.4.2.4~~ ~~All recommendations shall be based on the standards for appeals as stated in Section 6-202 of the Arlington Heights Municipal Code.~~

9.65 Procedures for Approval of Planned Unit Development. Application shall be made on

Formatted: No bullets or numbering

forms supplied by the Planning Department and shall be complete with all supporting data, documents, plans, maps and other documents as specified below.

The Village review and approval of the Planned Unit Development may be performed in ~~four~~ three stages:

- a. Review of the Conceptual Plan by the Staff Development Committee and Conceptual Plan Review Committee of the Plan Commission.
- b. Review and approval ~~of the Preliminary Plan by the Plan Commission.~~
- c. Review and approval by the Village Board, including adoption of the Ordinance approving the Planned Unit Development, of the Final Plan.
- d. ~~Approval of the Planned Unit Development Ordinance.~~

~~In some circumstances review and approval of the Preliminary and Final Plan could be considered at the same time requiring only Plan Commission and Village Board Hearings. A petitioner, intending to combine the hearings must make such request at the time of filing the application.~~

9.5.1.7 Conceptual Planned Unit Development Submission and Review. Should a Petitioner desire, the Village will review a Conceptual Plan for a Planned Unit Development.

~~9.5.1.1~~ In order for the Village to review the Conceptual Plan, the following items must be submitted: must include three copies of the following items:

- a. ~~Location plan;~~
- b. ~~Current Plat of Survey of the subject parcel;~~
- c. ~~Current proof of ownership or petitioner interest in the property;~~
- d. ~~Topographical map of the subject property;~~
-
- ea. Sketch Conceptual Development Plan including the site layout of buildings, roadways, access drives, and floor plans as necessary. Conceptual architectural elevations and landscape plans may also be submitted, indicating in a general form proposed land uses, the natural features of the site, the approximate location of roadways, streets, and structures, the density of dwellings, the parking and the natural drainage of the terrain;
- fb. A brief written statement explaining the character of the development and its main features should accompany the plan.

~~9.5.1.2~~ As quickly as possible from the date of submission of the Conceptual Plan, the Village Planning Department and the Staff Development Committee and Engineering Departments

Formatted: Indent: Left: 0", Hanging: 0.5"

Formatted: Indent: Left: 0", Hanging: 0.5"

Formatted: Indent: Left: 0", Hanging: 0.5"

Formatted: Font: Not Bold

~~assisted by other Departments if necessary, will review the submitted materials, after which and a meeting of the Plat and Subdivision Conceptual Plan Review Committee of the Plan Commission will be set. The notes of the Committee will be sent to the Plan Commission. If the Conceptual Plan Review Committee has an In a case of an unfavorable recommendation, the petitioner can revise the Conceptual Plan and resubmit material for Staff and Committee review. The Petitioner can also choose to move forward to the Plan Commission with the negative recommendation from the Conceptual Plan Review Committee.~~

~~**9.5-2 Preliminary Planned Unit Development Submission, Review and Approval.** The petitioner applying for approval of the Planned Unit Development may petition for Preliminary Plan approval even if the staff and Plan Commission recommendation is negative.~~

~~**9.5-2.18 Submission for Planned Unit Development Approval.** The following items are required for submission to the Plan Commission for approval of a Planned Unit Development, in the quantity set forth in the Plan Commission application: materials required for Preliminary Plan approval shall include 10 copies for Department Heads and 10 copies for Plan Commission.~~

- ~~a. The previously submitted and updated items required for Conceptual Plan approval; A legal description of the entire Planned Unit Development;~~
- ~~b. A current plat of survey or Alta Survey of the subject property;~~
- ~~c. Proof of ownership or other legal interest of the petitioner in the property;~~
- ~~db. A Master Plan showing streets, lots, parcels and sites for all uses included in the Planned Unit Development, including areas proposed to be conveyed, dedicated or reserved for public uses including parks, playgrounds and parkways, as well as a brief written statement describing the Planned Unit Development;~~
- ~~ee. A site plan indicating exterior and interior roadways and streets, pedestrian walkways, fire lanes, parking lots including parking spaces for handicapped persons, areas reserved for landscaping and screening, all proposed structures, free standing signs, outdoor lighting, trash storage areas and loading areas, including a chart with all relevant zoning data such as FAR, land coverage ratios, density, setbacks, etc.;~~
- ~~df. Preliminary architectural floor plans and one typical building elevations. The plans for single family dwellings do not require submittal of floor plans and building elevations;~~
- ~~eg. A preliminary tree preservation plan and a detailed landscaping plan indicating approximate location of the planting material with general description like shade trees, bushes, flower beds, foundation planting, etc. with all of the planting materials common and Latin names, sizes and quantities.~~
- ~~fh. A preliminary engineering development plan indicating storm sewer lines, sanitary sewer lines, water mains and storm water detention or retention facilities and topographic plans.~~

- gi. A preliminary development schedule indicating:
 - 1. The approximate date of construction start.
 - 2. The number of construction phases and the date of starting each phase.
 - 3. The date of completion of each phase.
 - 4. A construction staging plan.
- hj. A draft of all proposed bylaws, covenants, easements, maintenance and other agreements, wherever applicable.
- i. ~~For residential Planned Unit Development a letter stating compliance with the required land or cash contribution in accordance with Chapter 29 of the Arlington Heights Municipal Code.~~
- jk. A preliminary traffic analysis in accordance with Section 6.12 of this Chapter.
- kl. Preliminary Plat of Subdivision (if required) in accordance with Chapter 29 of the Municipal Code.

9.5-2.29 The Review of the Preliminary Plan material. ~~Once a complete Plan Commission application has been received, Village Staff will review the~~

Formatted: Font: Not Bold

- ~~a. As quickly as possible the Village Administration will review the submitted material, prepare written comments and submit the material to the Plat and Subdivision Committee of the Plan Commission for a public hearing in accordance with the requirements of this Chapter. The Committee will schedule the meeting with the petitioner as quickly as possible after the Department Heads review.~~
- ~~b. The Chairman of the Plan Commission will schedule the Plan Commission Hearing date.~~
- ~~c. The petitioner is responsible for proper notifications in accordance with Section 17.~~

9.5-2.310. Public Hearing before the Plan Commission. ~~At t~~At the P~~public H~~hearing, the Plan Commission may make ~~shall include, but need not be limited to,~~ the following findings ~~which shall be if~~ fully supported by ~~reference to the~~ specific evidence presented by the petitioner.:

- a. The reasons why extent to which the proposed Planned Unit Development departs the departures from the Village Zoning and Subdivision regulations, and the Village Comprehensive Plan ~~and the reasons why such departures proposed for the Planned Unit Development~~ are or are not deemed to be in the public interest.
- b. The ~~extent to which reasons why~~ the proposed design does or does not make adequate provision for public services, public utilities and services, for vehicular and pedestrian traffic or provide for common open space and recreation.

- c. The physical and economic benefits of the proposed development to the entire community.
- d. The impact of the proposed development on the adjoining traffic network.

~~9.5.2.4 The Preliminary Plan application material with Plan Commission minutes and findings shall be submitted to the Village Board of Trustees for their approval. The Village Board shall accept, modify, or reject the Plan Commission recommendation. The preliminary acceptance of the Planned Unit Development shall not constitute a commitment by the Village that final approval will be granted.~~

~~9.5.3 Final Development Plan Review and Approval:~~

~~9.5.3.1 Within 12 months after the approval of the Preliminary Plan the petitioner shall file all the following materials with the Planning Department required for Final Plan approval:~~

- ~~a. A final land use plan suitable for recording. The purpose of the Final Land Use Plan is to designate the land subdivided into lots as well as the division of other land into common open areas and building areas.~~
- ~~b. A legal description of the entire Planned Unit Development and a legal description of each separate unsubdivided use, including common open space.~~
- ~~c. If subdivided lands are included in the Planned Unit Development, a Final Plat of subdivision must be submitted. (Refer to Chapter 29 Subdivision Control Regulations)~~
- ~~d. Detailed final site plan with all dimensions, details, designation and location of all buildings to be constructed and designation of the uses for which each building is designed.~~
- ~~e. Properly executed land dedication ordinances and recording documents.~~
- ~~f. Detailed project data including number of dwelling units per net acre; parking computation, land coverage, F.A.R. and land use breakdown by area and percentage.~~
- ~~g. Detailed landscaping plan with all the planting materials common and Latin names, sizes and quantities.~~
- ~~h. Final engineering plans and feasibility study for all utilities, water retention and drainage.~~
- ~~i. Final traffic report (if required).~~
- ~~j. Final agreements, bylaws, maintenance and continued protection of the Planned Unit Development, common areas and other facilities.~~
- ~~k. Final development and construction schedule.~~

~~l. Any bond or escrow agreements.~~

~~m. A written commitment to contribute land or money as determined in Chapter 29 of the Arlington Heights Municipal Code.~~

~~Items “d” through “k” may substitute for preliminary plan in case of simultaneous Preliminary and Final plan submission.~~

~~**9.5 3.2 Approval of Final Development Plan.** The petitioner shall file all the above described plans and documents with the Planning Department. As soon as possible the Planning Department and other Village Departments will review the submitted materials and prepare written comments and forward the material to the Plat and Subdivision Committee of the Plan Commission.~~

~~Satisfactory submission will be forwarded to the Plan Commission, which will approve or disapprove the petition at their regular meeting. As soon as possible all the material, with the recommendation of the Plan Commission, will be forwarded to the Village Board which will accept, modify, or reject the Plan Commission recommendation.~~

~~**9.5-4-11 Approval of Planned Unit Development Ordinance.** If, after review of the recommendation from the Plan Commission, After the Village Board approves the Planned Unit Development, action a Planned Unit Development an appropriate Ordinance shall be prepared if required. Upon approval of the Planned Unit Development Ordinance, ~~said~~the ordinance and with exhibits shall be recorded by the Village Clerk with the County Recorder of Deeds. The Village Zoning Map and the Village Comprehensive Plan shall be amended to include the approved Planned Unit Development. -The final approval and recording is required for the issuance of the building permit.~~

~~**9.612 Enforcement of Development Schedule.** The ~~final~~ Planned Unit Development approval shall be effective for no more than 24-months from the date the ordinance was adopted granting the approval. Unless a building permit has been issued and construction commenced within this time period, all ordinances approving the Planned Unit Development, including any other conditions and approvals, shall be void. An extension of up to 12-months can be obtained by submitting a detailed request to the Planning Department. After appropriate review, the Planning Department will transmit the request and its recommendation to the Village Board ~~of Trustees~~ for final determination.~~

~~In the event that an additional request for extension is made, ~~said- that~~ request will also be reviewed by the Plan Commission and the Plan Commission will transmit the request with its recommendation to the Village Board of Trustees.~~

~~(Ord. #12-055)~~

~~**9.7 Amending of the Final Plan.** The Development shall take place in substantial compliance with the Planned Unit Development Ordinance. The procedures for amending, approval and recording of an amended Planned Unit Development are the same as the procedures for approval of a Planned Unit Development as outlined in Section 9.5. The amended final Planned Unit Development must be recorded by the Village Clerk with the County Recorder of Deeds.~~

9.13 Permit Requirements for Planned Unit Developments. The following items shall be required as part of a submittal for a building permit, in addition to all other permit requirements:

- a. Final Engineering Plans and Details for all utilities, storm water retention, and drainage;
- b. Final Construction staging plan, including a construction schedule; and
- c. Final copy of all bylaws, covenants, easements, and maintenance agreements, including bonds and escrow agreements, as requested by the Village.

Formatted: Indent: Left: 0", Hanging: 0.5"

Section 28-9 Planned Unit Development.

9.1 Intent. Planned Unit Developments permit site plans and designs which would not be possible under strict application of zoning district regulations. Consequently, Planned Unit Developments shall offer more benefits than a conventional development because of comprehensive design and adherence to high standards. Improved features include but are not limited to the following:

- a. efficient land utilization;
- b. innovative design;
- c. preservation of natural areas;
- d. diversified land use and architectural treatment;
- e. compatibility with adjacent and nearby land developments.

9.2 Qualifications Required for a Planned Unit Development. The following are the projects that will be considered to be a Planned Unit Development:

- a. Any development with more than one principal building on a zoning lot or lot of record.
- b. Planned Unit Developments in the following districts shall have a minimum lot size of one acre: R-E, R-1, R-2, R-3, R-4, R-5, R-6, B-1, B-2, B-3, and B-4.
- c. Any development in the B-5 Zoning District of any new building or additions of 500 square feet or more to existing buildings.
- d. Any development of four or more acres in the M-1 and M-2 Districts, .
- e. All developments in the R-7, O-T, O-R, I and P-L Districts
- f. Any residential development using private roadways or private drives to provide vehicular access on the lot

9.3 General Requirements for Planned Unit Developments. Planned Unit Development Sites shall be under single ownership and/or unified control until fully developed and shall be governed by all applicable zoning requirements of this Chapter.

9.4 Requirements for Planned Unit Developments Using Private Roadways. A Planned Unit Development for a residential development using private roadways may be approved in the following circumstances:

- a. The size and shape of the parcel is such that strict application of public street standards would cause development of the parcel to be impractical;
- b. The proposed development is enhanced by exceptional site design features not ordinarily possible under the strict application of the Zoning Ordinance and Subdivision Control Regulations;
- c. The development will provide amenities and improvements that would be materially beneficial to the adjacent neighborhood;

- d. The developer demonstrates to the reasonable satisfaction of the Plan Commission and the Village Board that the private roadways will be adequately maintained, including the execution and recording of a covenant binding all successors in title, ensuring that the private roadways will be maintained in a condition safe for vehicular travel;
- e. Private roadways are constructed in accordance with Village construction standards for public roadways.
- f. Private roadways are not planned or expected to serve property outside the proposed development.
- g. Private roadways are not used to fill gaps in the existing thoroughfare system, connect two collector or arterial streets, or laid out to encourage through traffic.
- h. Private roadways shall provide a minimum of two 12-foot wide driving lanes, excluding curb and gutter dimensions.
- i. Only parallel parking is permitted on a private roadway provided the pavement width is increased by eight feet for each parking lane.
- j. Signs indicating building addresses and directing motorists through the development are provided, the size, number and location of such signs to be determined by the Director of Building.
- k. Unimpeded circulation and travel for emergency vehicles is provided on private roadways in the development.
- l. Curbs are provided along private roadways and driveways.
- m. Street lights and sidewalks shall be installed along all private roadways in compliance with Village standards.

9.5 Variations. In the case of any Planned Unit Development, the Plan Commission may recommend and the Village Board of Trustees may authorize variations to the applicable bulk regulations of this ordinance and such other variations from the zoning regulations as may be required within the boundaries of such development without referring the matter to the Zoning Board of Appeals.

Such variations may be granted as long as it is demonstrated that they will not exercise a detrimental influence on the surrounding neighborhood. Variations shall be justified when other characteristics of the development exceed the minimum standards of the Municipal Code. All recommendations shall be based on the standards for appeals as stated in Section 6-201 of the Arlington Heights Municipal Code. Special consideration shall be given to:

- a. The provision for indoor and outdoor recreation facilities, which should be proportional to the size and density of the Planned Unit Development.
- b. The conservation of natural resources such as flood plains, wet lands and wooded areas.
- c. As much as possible, the preservation, of the natural drainage and floodwater retention.

9.6 Procedures for Approval of Planned Unit Development. Application shall be made on forms supplied by the Planning Department and shall be complete with all supporting data, documents, plans, maps and other documents as specified below.

The Village review and approval of the Planned Unit Development may be performed in three stages:

- a. Review of the Conceptual Plan by the Staff Development Committee and the Conceptual Plan Review Committee of the Plan Commission.
- b. Review and approval by the Plan Commission.
- c. Review and approval by the Village Board, including adoption of the Ordinance approving the Planned Unit Development.

9.7 Conceptual Planned Unit Development Submission and Review. Should a Petitioner desire, the Village will review a Conceptual Plan for a Planned Unit Development. In order for the Village to review the Conceptual Plan, the following items must be submitted:

- a. Conceptual Development Plan including the site layout of buildings, roadways, access drives, and floor plans as necessary. Conceptual architectural elevations and landscape plans may also be submitted.
- b. A brief written statement explaining the character of the development and its main features should accompany the plan.

As quickly as possible from the date of submission of the Conceptual Plan, the Village Planning Department and the Staff Development Committee will review the submitted materials, after which a meeting of the Conceptual Plan Review Committee will be set. If the Conceptual Plan Review Committee has an unfavorable recommendation, the petitioner can revise the Conceptual Plan and resubmit material for Staff and Committee review. The Petitioner can also choose to move forward to the Plan Commission with the negative recommendation from the Conceptual Plan Review Committee.

9.8 Submission for Planned Unit Development Approval. The following items are required for submission to the Plan Commission for approval of a Planned Unit Development, in the quantity set forth in the Plan Commission application:

- a. A legal description of the entire Planned Unit Development;
- b. A current plat of survey or Alta Survey of the subject property;
- c. Proof of ownership or other legal interest of the petitioner in the property;
- d. A Master Plan showing streets, lots, parcels and sites for all uses included in the Planned Unit Development, including areas proposed to be conveyed, dedicated or reserved for public uses including parks, playgrounds and parkways, as well as a brief written statement describing the Planned Unit Development;
- e. A site plan indicating exterior and interior roadways and streets, pedestrian walkways, fire lanes, parking lots including parking spaces for handicapped persons, areas reserved

for landscaping and screening, all proposed structures, free standing signs, outdoor lighting, trash storage areas and loading areas, including a chart with all relevant zoning data such as FAR, land coverage ratios, density, setbacks, etc.;

- f. Architectural floor plans and building elevations;
- g. A tree preservation plan and a detailed landscaping plan with all of the planting materials common and Latin names, sizes and quantities.
- h. A preliminary engineering plan indicating storm sewer lines, sanitary sewer lines, water mains and storm water detention or retention facilities and topographic plans.
- i. A preliminary development schedule indicating:
 - 1. The approximate date of construction start.
 - 2. The number of construction phases and the date of starting each phase.
 - 3. The date of completion of each phase.
 - 4. A construction staging plan.
- j. A draft of all proposed bylaws, covenants, easements, maintenance and other agreements, wherever applicable.
- k. A traffic analysis in accordance with Section 6.12 of this Chapter.
- l. Preliminary Plat of Subdivision (if required) in accordance with Chapter 29 of the Municipal Code.

9.9 Review of the Plan material. Once a complete Plan Commission application has been received, Village Staff will review the submitted material, prepare written comments and submit the material to the Plan Commission for a public hearing in accordance with the requirements of this Chapter.

9.10. Public Hearing before the Plan Commission. At the public hearing, the Plan Commission may make the following findings if fully supported by specific evidence presented by the petitioner:

- a. The reasons why the departures from the Village Zoning and Subdivision regulations and the Village Comprehensive Plan proposed for the Planned Unit Development are or are not deemed to be in the public interest.
- b. The reasons why the proposed design does or does not make adequate provision for public services, public utilities and services, for vehicular and pedestrian traffic or provide for common open space and recreation.
- c. The physical and economic benefits of the proposed development to the entire community.

- d. The impact of the proposed development on the adjoining traffic network.

9.11 Approval of Planned Unit Development Ordinance. If, after review of the recommendation from the Plan Commission, the Village Board approves the Planned Unit Development, an appropriate Ordinance shall be prepared. Upon approval of the Planned Unit Development Ordinance, the ordinance and with exhibits shall be recorded by the Village Clerk with the County Recorder of Deeds. The Village Zoning Map and the Village Comprehensive Plan shall be amended to include the approved Planned Unit Development. The final approval and recording is required for the issuance of the building permit.

9.12 Enforcement of Development Schedule. The Planned Unit Development approval shall be effective for no more than 24-months from the date the ordinance was adopted granting the approval. Unless a building permit has been issued and construction commenced within this time period, all ordinances approving the Planned Unit Development, including any other conditions and approvals, shall be void. An extension of up to 12-months can be obtained by submitting a detailed request to the Planning Department. After appropriate review, the Planning Department will transmit the request and its recommendation to the Village Board for final determination.

In the event that an additional request for extension is made, that request will also be reviewed by the Plan Commission and the Plan Commission will transmit the request with its recommendation to the Village Board of Trustees.

9.13 Permit Requirements for Planned Unit Developments. The following items shall be required as part of a submittal for a building permit, in addition to all other permit requirements:

- a. Final Engineering Plans and Details for all utilities, storm water retention, and drainage;
- b. Final Construction staging plan, including a construction schedule; and
- c. Final copy of all bylaws, covenants, easements, and maintenance agreements, including bonds and escrow agreements, as requested by the Village.

Section 28-8 Special Uses

8.1 Purpose. The principal objective of ~~this- the~~ Zoning ~~Ordinance- Code~~ is to provide for an orderly arrangement of compatible building and land uses, and for the proper location of all types of uses required in the social and economic welfare of the Village. To accomplish this objective, each type and kind of use is classified as permitted in one or more of the various districts established by this ~~ordinance Chapter~~. However, in addition to those uses specifically classified and permitted in each district, there are certain additional uses which it may be necessary to allow because of their unusual characteristics or the service they provide the public. These "Special Uses" require particular consideration as to their proper location in relation to adjacent established or intended uses, or to the planned development of the community. The conditions controlling the location and operation of such "Special Uses" are established by the following provisions of this Section 8.

8.2 Authority. The Board of Trustees of the Village of Arlington Heights shall have authority to permit the "special uses" of land or structures or both, subject to the applicable provisions of ~~Section 8.4~~ Section 8, if it finds that the proposed location and establishment of any such use will be desirable or necessary to the public convenience or welfare and will be harmonious and compatible with other uses adjacent to and in the vicinity of the selected site or sites. For such uses, the Plan Commission may recommend and the Village Board of Trustees may authorize exceptions to the applicable bulk regulations of this ~~Ordinance- Chapter~~ and such other variations from the zoning regulations as may be required within the boundaries of such development without referring the matter to the Zoning Board of Appeals.

8.3 Conditions and Approval. The Plan Commission may recommend and the Board of Trustees may impose such restrictions upon the height and bulk and area of occupancy of any structure so approved for a "Special Use" as may be reasonable under the particular circumstances provided that such restrictions and stipulations shall not be more restrictive than the requirements established for the district in which such structure is proposed to be located, or as may be required ~~in any municipal code elsewhere in the Village Code~~. Off-street parking facilities as well as off-street loading and unloading spaces may also be stipulated in the ~~order ordinance~~ permitting the "Special Use."

8.4 Procedure. The procedure to be followed in considering applications for a Special Use permit shall be those outlined in ~~Sections 6.14 2.3. 8-7, 13 and 17 of this Code applicable sections of this Chapter~~.

8.5 Determination. The Plan Commission then shall make its findings and recommendations to the Village Board of Trustees within 30 days following the date of public hearing on each application. No Special Use shall be recommended by the Plan Commission unless ~~said- the~~ Commission ~~shall~~ finds:

8.5-1 That ~~said- the~~ special use is deemed necessary for the public convenience at this location; and

8.5-2 That such use case will not, under the circumstances of the particular case, be detrimental to the health, safety, morals or general welfare of persons residing or working in the vicinity; and

8.5-3 That the proposed use will comply with the regulations and conditions specified in this ~~ordinance- Chapter~~ for such use and with the stipulations and conditions made a part of the authorization granted by the Village Board of Trustees.

8.6 Ordinance Required. Those uses indicated in Section 5.5 as a Special Use shall not be established until the Village Board has adopted an ordinance to grant the special use.

Section 8.7 Special Use Waiver for Restaurants. The special use requirement for a restaurant may be waived if the restaurant use is

1. A sit-down/carry out restaurant that is no larger than ~~1,500-4,000~~ square feet (for purposes of this provision, any outdoor eating area in the B-5 District is not to be counted for determining the square footage);
2. A carry-out only restaurant, regardless of size;
3. An outdoor café in conjunction with a restaurant that has been legally established either through the special use permit or special use waiver process;

The Petitioner must submit detailed plans and an application to the Planning and Community Development Department for an administrative review to determine if the special use public hearing can be waived. ~~Applicant shall comply with application review criteria established by the Department.~~ After review by the Planning and Community Development Department, the Village reserves the right to add other restrictions if there are impacts to surrounding property owners and/or ~~require a public hearing review~~ require the Applicant pursue a Special Use through the by the Plan Commission process set forth in this Chapter. ~~and approval by the Village Board.~~

~~**Section 8.7-1, Building Permit Required.** Approval of the special use waiver shall be subject to the submittal and issuance of a building permit.~~

Section 28-8 Special Uses

8.1 Purpose. The principal objective of the Zoning Code is to provide for an orderly arrangement of compatible building and land uses, and for the proper location of all types of uses required in the social and economic welfare of the Village. To accomplish this objective, each type and kind of use is classified as permitted in one or more of the various districts established by this Chapter. However, in addition to those uses specifically classified and permitted in each district, there are certain additional uses which it may be necessary to allow because of their unusual characteristics or the service they provide the public. These "Special Uses" require particular consideration as to their proper location in relation to adjacent established or intended uses, or to the planned development of the community. The conditions controlling the location and operation of such "Special Uses" are established by the following provisions of this Section 8.

8.2 Authority. The Board of Trustees of the Village of Arlington Heights shall have authority to permit the "special uses" of land or structures or both, subject to the applicable provisions of Section 8, if it finds that the proposed location and establishment of any such use will be desirable or necessary to the public convenience or welfare and will be harmonious and compatible with other uses adjacent to and in the vicinity of the selected site or sites. For such uses, the Plan Commission may recommend and the Village Board of Trustees may authorize exceptions to the applicable bulk regulations of this Chapter and such other variations from the zoning regulations as may be required within the boundaries of such development without referring the matter to the Zoning Board of Appeals.

8.3 Conditions and Approval. The Plan Commission may recommend and the Board of Trustees may impose such restrictions upon the height and bulk and area of occupancy of any structure so approved for a "Special Use" as may be reasonable under the particular circumstances provided that such restrictions and stipulations shall not be more restrictive than the requirements established for the district in which such structure is proposed to be located, or as may be required elsewhere in the Village Code. Off-street parking facilities as well as off-street loading and unloading spaces may also be stipulated in the ordinance permitting the "Special Use."

8.4 Procedure. The procedure to be followed in considering applications for a Special Use permit shall be those outlined in applicable sections of this Chapter.

8.5 Determination. The Plan Commission then shall make its findings and recommendations to the Village Board of Trustees within 30 days following the date of public hearing on each application. No Special Use shall be recommended by the Plan Commission unless the Commission finds:

8.5-1 That the special use is deemed necessary for the public convenience at this location; and

8.5-2 That such use will not, under the circumstances of the particular case, be detrimental to the health, safety, morals or general welfare of persons residing or working in the vicinity; and

8.5-3 That the proposed use will comply with the regulations and conditions specified in this Chapter for such use and with the stipulations and conditions made a part of the authorization

granted by the Village Board of Trustees.

8.6 Ordinance Required. Those uses indicated in Section 5.5 as a Special Use shall not be established until the Village Board has adopted an ordinance to grant the special use.

Section 8.7 Special Use Waiver for Restaurants. The special use requirement for a restaurant may be waived if the restaurant use is

1. A sit-down/carry out restaurant that is no larger than 4,000 square feet (for purposes of this provision, any outdoor eating area in the B-5 District is not to be counted for determining the square footage);
2. A carry-out only restaurant, regardless of size;
3. An outdoor café in conjunction with a restaurant that has been legally established either through the special use permit or special use waiver process;

The Petitioner must submit detailed plans and an application to the Planning and Community Development Department for an administrative review to determine if the special use public hearing can be waived. After review by the Planning and Community Development Department, the Village reserves the right to add other restrictions if there are impacts to surrounding property owners and/or require the Applicant pursue a Special Use through the Plan Commission process set forth in this Chapter.

5.5-1 PERMITTED USE TABLE: NON-MANUFACTURING AND NON-RESIDENTIAL																		
X=PERMITTED USE									S=SPECIAL USE									
R-E R-1	R-2	R-3	R-4	R-5	R-6	R-7	I	O-T	PERMITTED-SPECIAL USES	B-1	B-2	B-3	B-4	B-5	O-R	P-L	M-1	M-2
							S	X	ACCESSORY USES INCIDENTAL TO PERMITTED PRINCIPAL USES	X	X	X	X	X	X	X	X	X
									(Ord. #06-064) ADULT BUSINESS			S						
									AGRICULTURAL IMPLEMENT SALES AND SERVICE WHEN CONDUCTED WHOLLY WITHIN AN ENCLOSED BUILDING				X					
							X		AMBULATORY CARE FACILITY (already falls under Care Facility)									
									ANIMAL HOSPITALS		X	X						
							S	S	ANTENNA-RADIO-TELEPHONE, AND TELEVISION RECEIVING OR TRANSMITTING ANTENNA COMMERCIAL STRUCTURE AND OTHER ELECTRONIC EQUIPMENT REQUIRING OUTDOOR STRUCTURES AS DEFINED AND RESTRICTED IN CHAPTER 23	S	S	S	S	S	S	S	S	S
X	X	X	X	X	X				ANTENNA, NON-COMMERCIAL, AND RELATED STRUCTURES SUBJECT TO THE REGULATIONS IN CHAPTER 23, ARTICLE XIII									
									ANTIQUE SHOPS (retail)	X	X	X	X	X				
									APPLIANCE SALES (retail)		X	X	X	X				
									ARCADE, AMUSEMENT/INTERNET COMPUTER, LARGE (See Additional Requirements for Use Districts)		S	S						
									ARCADE, AMUSEMENT/INTERNET COMPUTER, SMALL		X	X						
									ART GALLERIES (add below)	X	X	X	X	X				
									(Ord. #12-055) ARTS & CRAFT STUDIOS & GALLERIES	X	X	X	X	X				
									ARTS, CRAFTS, & SCHOOL SUPPLY STORES (retail)	X	X	X	X	X				
									AUCTION ROOMS		X	X	X	X				

5.5-1 PERMITTED USE TABLE: NON-MANUFACTURING AND NON-RESIDENTIAL																		
X=PERMITTED USE										S=SPECIAL USE								
<u>R-E</u> <u>R-1</u>	<u>R-2</u>	<u>R-3</u>	<u>R-4</u>	<u>R-5</u>	<u>R-6</u>	<u>R-7</u>	<u>I</u>	<u>O-T</u>	PERMITTED-SPECIAL USES	<u>B-1</u>	<u>B-2</u>	<u>B-3</u>	<u>B-4</u>	<u>B-5</u>	<u>O-R</u>	<u>P-L</u>	<u>M-1</u>	<u>M-2</u>
									AUDITORIUM, STADIUM, ARENA, MEETING HALL, GYMNASIUM & OTHER SIMILAR PLACES FOR PUBLIC EVENTS		S	S		S				
									(Ord. #12-055) AUTOMOBILE CAR WASH			S						
									AUTOMOBILE DRIVING SCHOOL				X	X				
									(Ord. #12-055) AUTO PARTS & SUPPLY STORES (retail)		X	X	X	X				
									(Ord. #03-055, #12-055) AUTOMOBILE SERVICE STATIONS, WITH OR WITHOUT CONVENIENCE MARTS		S	S						
									BAKERY	X	X	X		X				
									BANKS & FINANCIAL INSTITUTIONS, ALSO SEE DRIVE-INS	X	X	X	X	X				
									BANQUET HALLS		S	S		S				
									BARBER SHOPS (combine with below)	X	X	X	X	X				
									BARBER & BEAUTY SHOPS SALON	X	X	X	X	X				
									(Ord. #12-055) BICYCLE SALES, REPAIR & RENTAL (retail)	X	X	X	X	X				
									BOOK OR STATIONERY STORES (retail)	X	X	X	X	X				
									BROADCASTING STATION-RADIO & TELEVISION	X	X	X	X	X			X	
									(Ord. #12-055) BOWING ALLEYS		X	X		S				
									(Ord. #12-055) BUILDING MATERIALS, SALES		X	X						
									BUILDING MATERIALS, WHOLESALE									X
									CAMERA & PHOTOGRAPHIC SUPPLY STORES (retail)	X	X	X	X	X				

S=SPECIAL USE

[illegible]

5.5-1 PERMITTED USE TABLE: NON-MANUFACTURING AND NON-RESIDENTIAL																		
X=PERMITTED USE									S=SPECIAL USE									
R-E R-1	R-2	R-3	R-4	R-5	R-6	R-7	I	O-T	PERMITTED-SPECIAL USES	B-1	B-2	B-3	B-4	B-5	O-R	P-L	M-1	M-2
									(Ord. #12-055) CONTRACTOR OFFICE AND DESIGN SHOWROOM – NO VEHICLE STORAGE	X	X	X	X	X			X	X
									(Ord. #12-055) CONVENIENT MART AND FOOD STORES	X	X	X	X	X				
									CONTRACTOR SHOPS				X				X	X
									CURRENCY EXCHANGES	X	X	X	X	X			X	
									DANCE HALLS		S	S						
S	S	S	S	S	S	S	S	S	(Ord. #12-055) DAY CARE CENTERS	S	S	S	S	S			S	
X	X	X	X	X	X	X	X		DAY CARE HOMES LICENSED BY THE VILLAGE IN SINGLE-FAMILY HOMES									
									DEPARTMENT STORES (retail)		X	X	X	X				
							S		DORMITORY									
									DRIVE-THROUGH FACILITIES WHEN USED IN CONJUNCTION WITH USES OTHERWISE PERMITTED (See Additional Requirements in Use District)		S	S		S				
									DRUG STORE AND PHARMACY (retail)	X	X	X		X				
X	X	X	X	X	X	X	X	X	EARTH STATIONS, COMMERCIAL AND NON-COMMERCIAL, REQUIRING OUTDOOR STRUCTURES AS REGULATED IN CH. 23 AND SEC. 6.15	X	X	X	X	X	X	X	X	X
									ELECTRICAL EQUIPMENT SALES SUCH AS MOTORS, TRANSFORMERS		X	X						
									ELECTRONIC PRODUCT SALES (retail)	X	X	X	X	X				
								S	(Ord. #12-055) EMPLOYMENT AGENCIES	X	X	X	X	X				
									EQUIPMENT RENTAL & LEASING FOR HOME, OFFICE & BUSINESS		X	X	X				X	X
									EQUIPMENT RENTAL, INDUSTRIAL EXTERMINATING SHOPS			X	X				X	X
												X	X					X

S=SPECIAL USE

[illegible]

									HEALTH CLUBS		X	X		X		S		
5.5-1 PERMITTED USE TABLE: NON-MANUFACTURING AND NON-RESIDENTIAL																		
X=PERMITTED USE										S=SPECIAL USE								
<u>R- E R- 1</u>	<u>R- 2</u>	<u>R- 3</u>	<u>R- 4</u>	<u>R- 5</u>	<u>R-6</u>	<u>R- 7</u>	<u>I</u>	<u>O-T</u>	PERMITTED-SPECIAL USES	<u>B-1</u>	<u>B-2</u>	<u>B-3</u>	<u>B-4</u>	<u>B-5</u>	<u>O- R</u>	<u>P-L</u>	<u>M-1</u>	<u>M-2</u>
							S		HELIPORT SUBJECT TO FEDERAL AVIATION ADMINISTRATION	S	S	S	S	S	S	S	S	S
									HOBBY, TOY AND GAME SHOPS (retail)	X	X	X	X	X				
X	X	X	X	X	X	X	X		HOME OCCUPATIONS AS REGULATED BY SECTION 6.17 (not necessary)									
									HOTEL		S	S		S				
									HOTEL, APARTMENT					S				
			S	S	S	S	X		INSTITUTION, RESIDENTIAL									
									INTERIOR DECORATING SHOPS	X	X	X	X	X				
									JANITORIAL & CLEANING SERVICES				X				X	X
									JEWELRY STORES (retail)	X	X	X	X	X				
									KENNEL, COMMERCIAL			S						
								S	(Ord. #12-055) LABORATORIES, MEDICAL AND DENTAL		X	X	X				S	
									(Ord. #12-055) LAUNDROMAT AUTOMATIC SELF-SERVICE TYPE OR HAND	X	X	X	X				S	
									LAUNDRIES & DRYCLEANING, INDUSTRIAL								X	X
									LAUNDRY & DRYCLEANING ESTABLISHMENTS LIMITED TO 5,000-S.F. OF GROSS FLOOR AREA PER ESTABLISHMENT	X	X	X	X	X				

5.5-1 PERMITTED USE TABLE: NON-MANUFACTURING AND NON-RESIDENTIAL																		
X=PERMITTED USE									S=SPECIAL USE									
R-E R-1	R-2	R-3	R-4	R-5	R-6	R-7	I	O-T	PERMITTED-SPECIAL USES	B-1	B-2	B-3	B-4	B-5	O-R	P-L	M-1	M-2
									LEATHER GOODS AND LUGGAGE STORES (retail)	X	X	X	X	X				
									LIQUOR STORES, PACKAGE GOODS ONLY	X	X	X		X				
								X	(Ord. #12-055) LOAN OFFICES (office)	X	X	X		X			X	
									LOCKSMITH SHOPS (retail)	X	X	X	X					
									MACHINERY SALES & SERVICE			X	X					
									MEDICAL, DENTAL & ORTHOPEDIC APPLIANCE & INSTRUMENT SERVICE				X				X	
									MEDICAL, DENTAL & ORTHOPEDIC APPLIANCE & INSTRUMENT SUPPLY SALES		X	X	X					
									MONUMENT SALES			X						
									(Ord. #12-055) MOTOR VEHICLE RENTAL INCLUDING AUTOMOBILES, MOTORCYCLES, TRUCKS, TRAILERS		S	X						X
									MOTOR VEHICLE REPAIR, MAJOR			X						X
									MOTOR VEHICLE REPAIR, MINOR		S	X						
									MOTOR VEHICLES SALES AND INCIDENTAL RENTAL OF MOTOR VEHICLES, INCLUDING AUTOMOBILES, MOTORCYCLES, TRUCKS & TRAILERS, INCLUDING AUXILLARY SERVICE & REPAIRS IN CONJUNCTION THEREIN IF CONDUCTED WHOLLY WITHIN A COMPLETELY ENCLOSED BUILDING		S	X						
									MOTOR VEHICLE SALES LOTS WHEN CONTIGUOUS TO & ADJOINING AUTOMOBILE SALES ROOM FOR THE SALE OF AUTOMOBILES UNDER THE SAME OWNERSHIP		S	X						

5.5-1 PERMITTED USE TABLE: NON-MANUFACTURING AND NON-RESIDENTIAL																			
X=PERMITTED USE										S=SPECIAL USE									
<u>R-E</u> <u>R-1</u>	<u>R-2</u>	<u>R-3</u>	<u>R-4</u>	<u>R-5</u>	<u>R-6</u>	<u>R-7</u>	<u>I</u>	<u>O-T</u>	PERMITTED-SPECIAL USES	<u>B-1</u>	<u>B-2</u>	<u>B-3</u>	<u>B-4</u>	<u>B-5</u>	<u>O-R</u>	<u>P-L</u>	<u>M-1</u>	<u>M-2</u>	
									MUSIC CONSERVATORIES OR MUSIC INSTRUCTION	X	X	X	X	X					
									MUSICAL INSTRUMENT STORE (retail)	X	X	X	X	X					
									NEWSPAPER DISTRIBUTION AGENCY								X	X	
									OFFICE SUPPLY STORE (retail)	X	X	X	X	X					
							X	X	OFFICES: BUSINESS AND PROFESSIONAL	X	X	X	X	X	X	X	X	X	
							X	X	OFFICES: MEDICAL & DENTAL CLINICS, INCLUDING LABORATORIES	X	X	X	X	X			X		
									PAINT & WALLPAPER STORE (retail)	X	X	X	X	X					
									PARCEL DELIVERY & PICK-UP SERVICE		X	X	X	X			X	X	
									(Ord. #06-058) PARKING GARAGES, MUNICIPAL					X		X			
							S	S	(Ord. #06-058) PARKING GARAGE, PRIVATE CUSTOMER AND EMPLOYEE	S	S	S	S	S	S	S	S	S	
									(Ord. #06-058) PARKING LOTS & GARAGES PRIVATE/GENERAL PUBLIC										
									PAWN SHOP/CASH CONVERTER		X	X							
									(Ord. #11-024) PERSONAL TRAINER	X	X	X	X	X			X	X	
									PET GROOMING ESTABLISHMENTS	X	X	X	X						
									PET SHOPS & SUPPLY STORE		X	X		X					
								X	(Ord. #12-055) PHOTOGRAPHERS	X	X	X	X	X					
									PHOTOGRAPHIC DEVELOPING & PROCESSING		X	X	X	X					
							X	X	(Ord. #07-009, #12-055) PHYSICAL REHABILITATION CENTER	X	X	X	X	S					

S=SPECIAL USE

[illegible]

5.5-1 PERMITTED USE TABLE: NON-MANUFACTURING AND NON-RESIDENTIAL																		
X=PERMITTED USE										S=SPECIAL USE								
R-E R-1	R-2	R-3	R-4	R-5	R-6	R-7	I	O-T	PERMITTED-SPECIAL USES	B-1	B-2	B-3	B-4	B-5	O-R	P-L	M-1	M-2
									SECONDHAND STORE (retail)		X	X	X	X				
									SECURITY & GUARD FIRMS				X	X			X	X
									SEWING SUPPLIES & FABRIC (retail)		X	X		X				
S	S	S	S	S	S		S		SHELTER CARE HOMES									
									SHOE STORE AND REPAIR (retail)	X	X	X	X	X				
									SIGN PAINTING SHOP, IF CONDUCTED WHOLY WITHIN A COMPLETELY ENCLOSED BUILDING			X	X					
									SPORTING GOODS STORE (retail)	X	X	X	X	X				
									(Ord. #12-055) STORAGE FACILITIES NOT LOCATED ALONG MAJOR OR SECONDARY ARTERIAL STREETS								X	X
									STUDIOS, RECORDING		X	X	X				X	X
									TAILOR & DRESSMAKING SHOP	X	X	X	X	X				
									(Ord. #12-055) TAXICAB DISPATCHING OFFICE			X	X					X
									TAXIDERMIST SHOP				X					
									THATERS, EXCLUDING DRIVE-IN THEATERS		X	X		X				
									TICKET AGENCIES, AMUSEMENT	X	X	X	X	X				
									TOBACCO SHOP (retail)	X	X	X	X	X				
									TOOL & DIE SHOP			X	X				X	X
								X	(Ord. #12-055) TRAVEL BUREAU AND TRANSPORTATION TICKET OFFICES	X	X	X	X	X			X	X
									(Ord. #12-055) WHOLESALE, AND WAREHOUSE FACILITY								X	X
									WHOLESALE OFFICES INCLUDING WAREHOUSES AND STOREROOMS			X					X	X

5.5-2 PERMITTED USE TABLE: PROCESSING AND MANUFACTURING

[illegible]

5.5-2 PERMITTED USE TABLE: PROCESSING AND MANUFACTURING	
---	--

X=PERMITTED USE

S=SPECIAL USE

[illegible]

5.5-3 PERMITTED USE TABLE: RESIDENTIAL

[illegible]

Residential Uses

[illegible]

Commercial Uses

Commercial Uses	B1	B2	B3	B4	B5	I	OT	PL	M1	M2
Retail Stores/Sales (not otherwise listed)	p	p	p	p	p					
Adult Business			p							
Agricultural Implement Sales and Service within wholly enclosed building			p							
Animal Hospitals		p	p							
Antenna Commercial	s	s	s	s	s	s	s	s	s	s
Arcade, Amusement/Internet Computer, Large		s	s							
Arcade, Amusement/Internet Computer, Small		p	p							
Arts and Craft Studios/Galleries	p	p	p	p	p					
Auction Rooms		p	p	p	p					
Auditorium, Stadium, Meeting Hall Gymnasium or other similar places for public events		s	s		s					
Auto car wash			s							
Automobile driving school			p	p						
Auto Service Station, with or without convenience marts		s	s							
Bakery	p	p	p		p					
Banks and Financial Institutions	p	p	p	p	p					
Banquet Halls		s	s		s					
Barber, Beauty Salon	p	p	p	p	p					
Broadcasting station TV, Radio	p	p	p	p	p				p	
Bowling Alleys		p	p		s					
Building Material Sales		p	p							
Carpet Cleaning and Service				p						
Catering Establishments	s	p	p	p						
Clubs and Lodges Private		s	s		s					
Community Center, Recreation Building	s	s	s		s			s	s	
Municipal or non profit	s	s	s		s			s	s	
Contractor Office&Design Showroom (no vehicle storage)	p	p	p	p	p				p	p
Convenient Mart and Food Store	p	p	p	p	p					
Contractor Shops				p					p	p
Currency Exchanges	p	p	p	p						
Dance Halls		s	s							
Day Care Centers	s	s	s	s	s				s	
Drive Through when used in conjunction with uses otherwise permitted		s	s		s					
Drug Store and Pharmacy	p	p	p		p					
Electrical Equipments Sales		p	p							
Fairgrounds Kiddie Parks			s							
Food Stores	p	p	p	p	p					
Foot Massage	p	p	p	p	s					
Funeral Parlor, Mortuary		p	p	p						
Garden Center		p	p	p						
Health Club		p	p		p					

Commercial Uses

Commercial Uses	B1	B2	B3	B4	B5	I	OT	PL	M1	M2
Hotel		s	s		s					
Interior Decorator Shops	p	p	p	p	p					
Kennel, Commercial			s							
Laundry Dry Cleaning up to 5,000 sf	p	p	p	p	p					
Liquor Stores, Package Goods Only	p	p	p		p					
Machinery Sales and service			p	p						
Mecial Dental Orthopedic Appiance and										
Instrument Supply sales		p	p	p						
Monuments Sales			p							
Motor Vehicle Rental		s	p							p
Motor Vehicle Repair Major			p							p
Motor Vehicle Repair Minor		s	p							
Motor Vehicle Sales, inclcuding auxillary service		s	p							
Motor Vehicle Sales Lots when contiguous to and adjoining auto sales room under same owners		s	p							
Music Conservatories or instruction	p	p	p	p	p					
Offices Business and Professional	p	p	p	p	p	p	p	p	p	p
Offices Medical and Dental incl labs	p	p	p	p	p	p	p		p	
Pawn Shop Cash Converter		p	p							
Personal Trainer (limited to 2 clients at a time per trainer; and no more than 4 personal trainers on site at one time)	p	p	p	p	p				p	p
Photographers	p	p	p	p	p		p			
Photographers, inlc photo developing processing	p	p	p	p	p					
Physical Rehabilitation Center	p	p	p	p	s	p	p			
Post Office not incl bulk distribution		p	p							
Printing Services Retail	p	p	p	p	p					
Private Library, Museum or Other Similar Buildings	s	s	s		s					
Railroad Passenger Stations			s		s					
Recreation Facilities Commercial inlc Health club		p	p	p	p				p	p
Recreational Vehicles and Boats, sales/supplies			p							
Repair Major				p						p
Repair Minor	p	p	p	p						
Restaurant	s	s	s		s					
Restaurant Amusement Divice Arcade		s	s							
School, Commercial	p	p	p	p	p				p	p
Secondhand store		p	p	p	p					
Security and Guard Firms				p	p				p	p
Sign Painting Shop (enclosed)			p	p						
Studios Recording		p	p	p					p	p
Tailor, Dressmaking Shop	p	p	p	p	p					
Taxicab Dispatching Office			p	p						p
Theaters, Excluding Drive-ins		p	p		p					
Ticket Agencies	p	p	p	p	p					
Tool and Die Shop			p	p					p	p
Travel Bureau and Transportation Ticket Offices	p	p	p	p	p		p		p	p

Manufacturing / Processing Uses

Manufacturing / Processing Uses	M1	M2	B3
Products made from fabrics and similar materials and textile mill products		p	
Bakery Products, Wholesale & Production		p	
Beverages Bottling and Distributing	p	p	
Beverages - Non Alcoholic		p	
Carpet Cleaning On Premises		p	
Canned Food Products		p	
Ceramic Products	p	p	
Concrete Gypsum & Plaster Products		p	
Containers, Pallets and other similar products		p	
Cosmetics, Perfumes & Other similar products		p	
Dairy Products		p	
Drugs	p	p	
Dwelling Unit for Caretaker located on premises	p	p	
Electronic Components and Lighting and Wiring Equipment	p	p	
Furniture / Fixtures		p	
Glass Products made of purchased glass		p	
Household Appliances		p	
Instruments and Supplies - Medical, Dental, Engineering	p	p	
Jewelry, Silverware and Plated Ware	p	p	
Leather (not including tanning) and vinly Products		p	
Metal Products, Fabricated - Except machinery and transportation equipment		p	
Musical Instruments	p	p	
Computers	p	p	
Paper Products from converted paper/paperboard		p	
Office & Art Supplies		p	
Photographic Equipment & Supplies, Developing/Processing	p	p	
Plastic Products, Fabricated		p	
Pottery and Related Products	p	p	
Printing Ink		p	
Printing, Publishing	p	p	
Radio and Television / Communication Equipment	p	p	
Rubber Products, Fabricated		p	
Signs and Advertising Displays		p	
Silver Plating and Repairing	p	p	
Structural Clay Products, Cut Stone and stone products		p	
Sugar and Confectionery Products		p	
Tool and Die Shops	p	p	
Toys; Sporting Goods		p	
Watches, Clocks, Clockwork Operated Devices and parts	p	p	
Storage Facility (not located along major or secondary arterial streets)	p	p	
Wholesale and Warehouse Facility	p	p	
Wholesale Offices (including warehouses and storerooms)	p	p	p

Institutional Uses

[illegible]

Other Uses

Other Uses	I	OT	B1	B2	B3	B4	B5	PL	M1	M2
Parking Garage, Private Customer/Employee	s	s	s	s	s	s	s	s	s	s
Private and Public Utility Facilities										
Heliport			s	s	s	s	s	s	s	s

Section 28-3.2 Definitions.

~~3.2-1 Accessible (Accessibility).~~ Meeting For the requirements purposes of this Chapter, the Illinois Accessibility Code and ANSI following words shall have the meanings set forth in this Section. ~~117.1: Reference ADA.~~

(Ord. #11-025)

~~3.2-2-1.~~ **Accessory Structure.** An Accessory Structure is one which meets all of the following criteria:

~~3.2-2-1 a.~~ Is subordinate to and serves a principal building; and

~~3.2-2-2 b.~~ Is subordinate in area, extent, or purpose to the principal building served; and

~~3.2-2-3 c.~~ Contributes to the comfort, convenience or necessity of occupants of the principal building; and

~~3.2-2-4 d.~~ Is located in the rear yard or side yards, and on the same zoning lot as the principal building served, except as otherwise indicated in this code Code.

~~3.2-3 Acreage.~~ Any tract or parcel of land having an area of one acre or more which has not been sub-divided by metes and bounds or platted.

(Ord. #14-028)

~~3.2-2a2.~~ **Acupuncture.** A medical practice or procedure that treats illness or provides local anesthesia by the insertion of needles at specified sites on the body.

(Ord. #06-064)

~~3.2-3a.~~ **Adult Business.** Any or all of the following businesses:

~~a.~~ Adult Bookstore, Adult Live Business and Adult Theater, as defined herein:

~~1.~~ ~~Adult Bookstore.~~ - A business establishment having a substantial or significant portion of its stock in trade, books, magazines, films for sale, rent or other distribution, and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing or relating to "Specified Sexual Activities" or "Specified Anatomical Areas."

~~2b.~~ Adult Live Entertainment Establishment. - A nightclub, theater, or other business establishment, which permits live performances by topless and/or bottomless dancers, go-go dancers, strippers or similar entertainers, where such performances are distinguished or characterized by an emphasis on "Specified Sexual Activities" or "Specified Anatomical Areas."

~~3c.~~ Adult Theater. - A business establishment in an enclosed building that as a substantial or significant portion of its business regularly features for presentation films, motion pictures, video or audio cassettes, slides, or other visual representation or recordings of

Style Definition: Normal: Font: (Default) Times New Roman, 12 pt, Left

Style Definition: Header: Font: (Default) Times New Roman, 10 pt, Left, Tab stops: 3", Centered + 6", Right + Not at 3.25" + 6.5"

Style Definition: Footer: Font: (Default) Times New Roman, 12 pt, Left, Tab stops: 3", Centered + 6", Right + Not at 3.25" + 6.5"

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Justified, Right: 0.15"

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman, Bold

Formatted: Font: Times New Roman, Bold

Formatted: Font: Times New Roman

Formatted: Justified, Right: 0.15"

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Justified, Indent: Left: 0.04", Hanging: 0.46", Right: 0.15"

Formatted: Font: Times New Roman

Formatted: Justified, Right: 0.15"

Formatted: Justified, Indent: Left: 0.08", Hanging: 0.42", Right: 0.15"

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Justified, Right: 0.15"

Formatted: Justified, Right: 0.15"

Formatted: Font: Times New Roman, Not Bold

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman, 12 pt

Formatted: Justified, Right: 0.15", Widow/Orphan control, Don't hyphenate, Tab stops: -0.5", Left

Formatted: Justified, Right: 0.15"

~~a. **Major.** (See, Motor Vehicle Repair, Major) is work that is of a significant nature, such as engine rebuilding or major reconditioning of worn or damaged motor vehicles or trailers; collision service, including body, frame or fender straightening or repair; and overall painting of vehicles.~~

Formatted: Font: Times New Roman

Formatted: Justified

Formatted: Font: Times New Roman, Bold

Formatted: Font: Times New Roman

~~3.2-17 **Automobile Repair, Minor.** (See, Motor Vehicle Repair, Minor)~~

~~3.2-18b. **Minor Repair** is work that is not of a significant nature, including incidental repairs, replacement of parts, and motor service to motor vehicles, but not including any operation specified as Major Repair in paragraph a above.~~

10. Automobile Service Station. Any building or premises used for dispensing, sale or offering for sale at retail to the public, gasoline stored only in underground tanks, kerosene, lubricating oil or grease for the operation of automobiles and including the sale and installation of tires, batteries and other minor accessories and service for automobiles, but not including major automobile repairs; and including washing of automobiles where no production line methods are employed.

Formatted: Justified

Formatted: Font: Times New Roman

~~3.2-19**11. Awning.** A roof like shelter extended over a doorway or window. The awning, which~~ is supported entirely from the exterior wall of the building and provides protection from the weather.

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

~~3.2-20 **Bakery.** Any building or part where bread, cakes, pastries or other baked goods are prepared and sold at retail.~~

Formatted: Font: Times New Roman, Bold, Not Italic

~~3.2-21 **Bank.** A financial institution that is open to the public and engaged in deposit banking, and that performs closely related functions such as making loans, investments, and fiduciary activities which may include a drive through.~~

~~3.2-22 **Barber/Beauty Shop.** Any establishment where cosmetology services are provided including hair care, nail care, and skin care on a regular basis for compensation.~~

Formatted: Justified

Formatted: Font: Times New Roman

~~3.2-23**12. Basement.** A story having all or part, but not more than one half of its height below grade. A basement subdivided and used for dwelling purposes other than by a janitor employed on the premises is counted as a story for the purpose of height regulation.~~

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

~~3.2-24~~

Formatted: Justified

~~13. **Block.** A tract of land bounded by streets or, in lieu of street or streets, by public parks, cemeteries, railroad rights-of-way, lines of waterways, or a corporate boundary line of the Village.~~
the Village.

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Justified, No bullets or numbering

~~3.2-25 **14. Buildable Area.** The space remaining on a zoning lot after the minimum open space requirements of this codeCode have been complied with.~~

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Justified

~~3.2-26~~ **15. Building.** Any structure with substantial walls and roof securely affixed to the land and entirely separated on all sides from any other structure by space or by walls in which there are no communicating doors, windows or openings; and which is designed or intended for the shelter, enclosure or protection of persons, animals or chattels. Any structure with interior areas not normally accessible for human use, such as oil tanks, water tanks, and other similar structures, are not considered as buildings.

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Justified, No bullets or numbering

~~3.2-27 Building, Detached.~~ A building surrounded by open space on the same zoning lot.

Formatted: Justified

~~3.2-28~~ **16. Building Height.** The vertical distance measured from the sidewalk level or its equivalent established grade opposite the middle of the front of the building to the highest point of the roof in the case of a flat roof; to the deck line of a mansard roof; and to the mean height level between eaves and ridge of a gable, hip or gambrel roof; provided that where buildings are set back from the street line, the height of a building may be measured from the average elevation of the finished lot grade at the front of the building.

Formatted: Justified

Formatted: Font: Times New Roman

~~3.2-29~~ **17. Building Line.** The line nearest the front of and across a zoning lot, establishing the minimum open space to be provided between the front line of a building or structure and the street right-of-way line.

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

¹
(Ord. #03-066)

Formatted: Font: Times New Roman, 12 pt

~~3.2-29-a~~ **18. Building Lot Coverage.** The area of a zoning lot occupied by the principal building or buildings and accessory buildings.

Formatted: Justified

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

~~3.2-30 Building, Non-Conforming.~~ (See "Non-Conforming Building").

~~3.2-31 Building, Non-Conforming.~~ (See "Non-Conforming Building").

~~3.2-32 Building, Principal.~~ A non-accessory building in which a principal use of the zoning lot on which it is located is conducted.

~~3.2-33 Building, Unit Group.~~ Two or more interacting buildings (other than dwellings), grouped upon a lot and held under one ownership, such as universities, hospitals, institutions and industrial plants.

~~3.2-34~~ **19. Bulk.** The three-dimensional space within which a structure is permitted to be built on a lot and which is defined by maximum height regulations, yard setbacks, and sky exposure plane regulations.

Formatted: Justified

Formatted: Font: Times New Roman

~~3.2-35 Bus Lot.~~ Any lot or land area used for the storage or layover of passenger buses or motor coaches.

~~3.2-36 Business.~~ An occupation, employment or enterprise which occupies time, attention, labor and materials, or wherein merchandise is exhibited, bought or sold, or where services are offered for compensation.

~~3.2-37~~ **20. Business Establishment.** A separate place of business having the following three

Formatted: Font: Times New Roman

Formatted: Justified

characteristics:

- a. The ownership and management of all operations conducted within such establishment are separate and distinct from the ownership and management of operations conducted within other establishments on the same or adjacent zoning lots.
- b. Direct public access to such “business establishment” is separate and distinct from direct access to any other “business establishment.”
- c. There is no direct public access from within such establishment to any other such establishment.

Where adjacent places of business lack any one of the above-listed characteristics with respect to one another, they shall then be considered as a single business establishment for the purposes of this Chapter.

21. Camper Trailer (Pop-up). A partially collapsible structure designed to provide temporary living quarters primarily for recreational use, constructed with integral wheels to make it mobile and/or towable by motor vehicle.

3.2-3822, Canopy. A structure other than an awning with a frame, which is wholly or partially supported by columns, poles or braces extending from the ground.

3.2-3923, Care Facility, Ambulatory. A facility ~~to provide~~ providing care to individuals. ~~There are three primary types of care facilities:~~

~~a patient.~~ **Ambulatory** - A facility which provides care to individuals without hospitalization or other institutionalization.

3.2-40 Care Facility, b. Extended Care or Skilled Nursing Home. ~~An institution - A facility or a distinct part of an institutional facility~~ which is licensed or approved to provide health care under medical supervision for 24 or more consecutive hours to two or more patients.

3.2-41 Care Facility, c. Intermediate. A facility which provides, on a regular basis, health-related care and services to individuals who do not require the degree of care and treatment which a hospital or skilled nursing facility is designated to provide but who, because of their mental or physical condition, require care and services which can be made available to them only through institutional facilities such as these.

3.2-42 Carport. A structure without substantial walls used solely for shelter for private passenger vehicles.

3.2-43 Cargo or Freight Terminal. A building or premises in which cargo or freight is received or dispatched.

Formatted: Justified

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Justified, Indent: Left: 0", Hanging: 0.5"

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman, Not Bold

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Justified

Formatted: Justified, Indent: Left: 0.04", Hanging: 0.46"

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Justified

3.2-4424, Catering Establishments. A facility whose primary purpose is to provide food, generally in large quantities, for banquets or for special events which are held off the premises not including a carry-out restaurant or a sit-down restaurant.

Formatted: Justified

Formatted: Font: Times New Roman

25. Commercial Recreation Facilities. Physical recreation establishments such as tennis or racquet clubs or gymnasiums or fitness facilities.

26. Commercial School. A school which principally offers, for profit, specific courses of instruction in business, trade, industry or other trained skills, but does not offer academic instruction equivalent to the standards prescribed by the School Code of Illinois.

Formatted: Font: Times New Roman

Formatted: Justified

3.2-45 Cellar. A story having more than one half of its height below the curb level or below the highest level of the adjoining ground. A cellar shall not be counted as a story for the purpose of height measurement.

Formatted: Font: Times New Roman, Strikethrough

3.2-46 Cemeteries, crematories or mausoleums. Land used or dedicated to the burial of the dead, including crematoriums, mausoleums, related sales, and related maintenance facilities.

3.2-47 Church, Synagogue, and Places of Worship: A building used for public worship with customary incidental uses.

3.2-48 Club or Lodge, Private. A non-profit association of persons, who are bona fide members paying annual dues, which owns, hires, or leases a building or portion thereof, the use of such premises being restricted to members and their guests. It shall be permissible to serve food and meals on such premises provided adequate dining room space and kitchen facilities are available. The sale of alcoholic beverages to members and their guests shall be allowed provided such sale is in compliance with the applicable Federal, State and municipal laws.

3.2-49 Colleges and Universities, Public or Private. An institution owned or operated by a private person, partnership or corporation or a public body, approved by the Illinois Board of Higher Education and/or the Illinois State Board of Education, offering instruction above the high school level leading toward or prerequisite to an academic or professional degree beyond the secondary school level, and which requires that in order to obtain such degree or diploma or certificate, the recipient thereof satisfactorily complete an appropriate course of class, laboratory or research study in person under a faculty whose members hold appropriate academic degrees or whose members possess appropriate moral, intellectual and technical skill and competence.

Formatted: Justified

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

3.2-5027, Community Center. A building owned, leased and operated by a governmental agency or a non-profit organization. A building for recreational, educational, or entertainment purposes.

Formatted: Font: Times New Roman, Font color: Purple

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

3.2-5128, Community Residence, Small. A group home or specialized residential care home serving persons with disabilities which is licensed, certified, or accredited by appropriate local, state or national bodies. The A Community Residence is deemed Small when the number of unrelated disabled persons allowed to live in the residence shall be the same as is less than five and deemed Large when the number of unrelated, non-disabled persons allowed to

liveliving in the residence, which is determined by the Village's definition of "family." For the purposes of this Section, the phrase "owned by one or more of the occupants" shall include ownership or other contractual obligation by an organization or entity sponsoring or responsible for the Community Residence, regardless of whether there is a full time staff person residing in the home. (Example: If Group Home, Inc. owns a single family residence in the Village, they can house up to four persons with disabilities in that single family house.)between five and eight.

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman, Font color: Purple

Formatted: Font: Times New Roman

Full-time staff, meaning staff which occupy the residence overnight, shall not be included when calculating the number of unrelated persons living in a residence but shall be included when determining the number of persons that can live in a structure spatially as per the Building Code. Community Residence does not include a residence, Community Residence does not include a residence, which serves persons as an alternative to incarceration for a criminal offense, or persons whose primary reason is substance abuse, or persons whose primary reason for placement is treatment of a communicable disease.

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman, Bold

Formatted: Font: Times New Roman

3.2-52 Community Residence, Large. A group home or specialized residential care home serving persons with disabilities which is licensed, certified or accredited by appropriate local, state or national bodies. A Community Residence is deemed large when the number of unrelated disabled persons living in the residence exceeds the permitted number of unrelated non disabled persons allowed to live in a residence as determined by the Village's definition of "family." For the purposes of this Section, the phrase "owned by one or more of the occupants" shall include ownership or other contractual obligation by an organization or entity sponsoring or responsible for the Community Residence, regardless of whether there is a full time staff person residing in the home. (Example: If Group Home, Inc. owns a single family residence in the Village, they can house five to eight persons with disabilities in that single family house.)

Full time staff, meaning staff which occupy the residence overnight, shall not be included when calculating the number of unrelated persons living in a residence, but shall be included when determining the number of persons that can live in a structure spatially as per the Building Code. Community Residence does not include a residence, which serves persons as an alternative to incarceration for a criminal offense, or persons whose primary reason is substance abuse, or persons whose primary reason for placement is treatment of a communicable disease.

3.2-5329, Conference Room/Meeting Hall. A facility or hall with space, available for lease by private parties, the primary purpose of which is to provide accommodations for business primarily for meetings.

Formatted: Justified

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

(Ord. #12-071)

Formatted: Justified

3.2-5430, Construction Yard. An establishment with an enclosed and/or unenclosed space used for bulk storage of landscape and building material, heavy construction equipment and machinery, and, which, may include the provision of services, the fabrication of building related products, the operating of machinery, and the construction yard's business office.

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

(Ord. #12-071)

Section 3.2-54a31, Contractor's Office. A room or group of rooms used for conducting administrative, clerical and general office (business) affairs but not including design showrooms or any on-site storage of contractor's vehicles, equipment and materials. This use shall be

Formatted: Justified

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

~~allowed as general office and shall adhere to Chapter 28, Section 5.5 1, Permitted Use Table “Offices: Business and Professional.”~~

~~(Ord. #12-071)~~

~~**Section 3.2-54b32, Contractor’s Office and Design Showroom.**~~ A room or group of rooms used for conducting administrative, clerical and general office (business) affairs, ~~and may include which includes~~ a design showroom but ~~shall~~does not include on-site storage of contractor’s vehicles, equipment and materials.

~~(Ord. #12-071)~~

~~**Section 3.2-54c33, Contractor’s Shop.**~~ An establishment used for conducting administrative, clerical and general office (business) affairs, indoor repair, maintenance and/or storage of a contractor’s vehicles, equipment and materials, and may include the contractor’s business office and may include a design showroom.

~~**34. Convenience Store.**~~ A small retail establishment solely for the purpose of selling food, tobacco, periodicals, beverages, and other household items, in limited size and produce choices with the intent of quick service. Reheating and/or selling of already prepared/prepackaged food for consumption off the premises does not ~~3.2-55 Corner Lot.~~ (See “~~Lot, Corner~~”)

~~**3.2-56 Corner Lot, Reversed.**~~ (See “~~Lot, Reversed Corner~~”)

~~make a Convenience Food Store a restaurant.~~

~~**3.2-57 35. Court, Inner.**~~ An open area unobstructed from the ground to the sky, ~~which. An Inner Court~~ is bounded on more than three sides by the exterior walls of one or more buildings.

~~**3.2-58 Court, An Outer.**~~ An open area, unobstructed from the ground to the sky, ~~which Court~~ is bounded on not more than three sides by the exterior walls of one or more buildings.

~~**3.2-5936, Curb Level.**~~ The level of the established curb in front of the building measured at the center of such front. Where a building faces on more than one street, the “curb level” shall be the average of the levels of the curbs at the center of the front of each street. Where no curb elevation has been established, the mean level of the land immediately adjacent to the building ~~shall be considered the “curb level”.~~

~~**3.2-60 Dance Halls.**~~ A commercial establishment where the principal function is dancing for entertainment and for compensation.

~~**3.2-61**~~shall be considered the “curb level”.

~~**37, Day Care Center, Children’s.**~~ Any institution or place in which are received three or more children, ~~not of common parentage~~, apart from their parents or guardian, under the age of six years, for care during part or all of a day between 6:00 A.M. and 9:00 P.M. The term is further construed to include similar units operating under any other name whatsoever with or without stated educational purposes.

Formatted: Font: Times New Roman

Formatted: Justified

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Justified

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman, Not Bold

Formatted: Font: Times New Roman

Formatted: Justified

Formatted: Font: Times New Roman, Bold

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Justified

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

This definition does not include “Group Care Home”, “Group Day Care Home”, “Foster Family Home”, “Centers for Mental Retarded”, licensed by the State of Illinois, bona fide kindergartens or “Day Nursery Schools”, established in connection with grade schools supervised or operated by a private or public Board of Education or approved by the State Department of Public Instruction.

3.2-6238, Day Care Facility, Adult. Any facility operated for the purpose of providing care, protection and guidance to more than eight adults during only part of a 24-hour day. This term excludes public and private educational facilities or any facility offering care to individuals for a full 24-hour period.

3.2-6339, Day Care Home. A day care home is a facility located in a single-family detached residence, which receives ~~not no~~ more than eight children for care during the day. The maximum of eight children includes the family’s natural or adopted children under age ~~sixteen~~ 16 and those children who are in the home under full-time care.

3.2-64 Decibel. A unit of measurement of the intensity (loudness) of sound.

(Ord. #05-082)

3.2-6540, Deck. A raised platform over 16” above grade, ~~no more than 15% covered, which may or may not be~~ directly attached to the principal building. ~~If not directly attached to the principal building, it should be connected by stairs, walkway, or some other distinct means.~~ The height of any deck shall not exceed the height of the first full story above grade.

3.2-66 Disability. Disability means any person whose disability:

- a. ~~is attributed to mental, intellectual or physical impairments or a combination of mental, intellectual or physical impairments; and~~
- b. ~~is likely to continue for a significant amount of time or indefinitely; and~~
- c. ~~results in functional limitations in three or more of the following areas of major life activities:~~
 - 1. ~~self care;~~
 - 2. ~~receptive or expressive language;~~
 - 3. ~~learning;~~
 - 4. ~~mobility;~~
 - 5. ~~self direction;~~
 - 6. ~~capacity for self living;~~
 - 7. ~~economic self sufficiency; and~~
- d. ~~reflects the person’s need for a combination and sequence of special interdisciplinary or generic care, treatment or other services which are of a life long or extended duration.~~

3.2-67 District or Zoning District. A section or sections of the Village of Arlington Heights for which regulations governing the use of buildings and premises, the heights of buildings, the size

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Justified

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman, Bold

of yards, and the intensity of use, are uniform.

3.2-6841, Dormitory. A building or portion thereof, which contains living quarters for students, staff or members of an accredited college, university, boarding school, theological school, hospital, religious order or comparable organization; ~~provide~~provided that ~~said~~the building is owned and managed by ~~said~~the organization and contains common cooking and eating areas.

3.2-69 Drive, Private. ~~A private roadway providing access from a street to two or more dwellings on the same lot.~~

3.2-70-42, Drive-Through Facility: A facility, establishment, or portion thereof, such as a bank or restaurant, that is designed, intended or used for transacting business with customers who remain in their vehicles.

3.2-71-43, Driveway. ~~A private motor vehicle access way between the roadway and a parking area within a lot. A Shared Driveway is a private roadway providing access from a street to two or more dwellings on the same lot.~~

3.2-7244, Dwelling. ~~A building or portion thereof, designed or used exclusively for residential occupancy, including one-family dwelling units, two-family dwelling units, and multiple-family dwelling units, but not including hotels, or motels. Kitchen~~Kitchens and ~~bathroom~~bathrooms must be permanently installed.

3.2-73 An Attached Dwelling Unit. ~~One or more rooms in a dwelling or apartment hotel designed for occupancy by~~is one family for living purposes and having its own permanently installed cooking and sanitary facilities.

3.2-74 Dwelling, Attached. ~~A dwelling~~ which is joined to another dwelling or dwellings at one or more sides by a party wall or walls and designed exclusively for the occupancy by one family.

3.2-75A Detached Dwelling, Detached. ~~A dwelling is one~~ which is entirely surrounded by open space on the same lot designed exclusively for occupancy by one family.

3.2-76 Dwelling, There may be One-Family. ~~A building designed exclusively for use and occupancy by one family, and entirely separated from any other dwelling by space.~~

3.2-77 Dwelling Dwellings, Two-Family. ~~A building designed exclusively for occupancy by two families living independently of each other, including a duplex (one dwelling unit above the other) Dwellings, or an attached dwelling unit (one dwelling unit beside the other).~~

3.2-78 Dwelling, Multiple-Family. ~~A Dwellings. A Multiple Family Dwelling consists of a~~ building or portion thereof designed or altered for occupancy by three or more families living in individual apartments with separate kitchen and bath facilities for each apartment.

3.2-79 Dwelling Unit, Efficiency. ~~A dwelling unit consisting~~**45. Dwelling Unit.** One or more rooms in a dwelling designed for occupancy by one family for living purposes and having its

Formatted: Font: Times New Roman

Formatted: Justified

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Justified

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman, Not Bold

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman, Not Strikethrough

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman, Not Bold

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman, Not Bold

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman, Not Bold

Formatted: Font: Times New Roman, Not Bold

Formatted: Font: Times New Roman, Not Bold

Formatted: Font: Times New Roman

Formatted: Justified

Formatted: Font: Times New Roman, Not Bold

Formatted: Font: Times New Roman

own permanently installed cooking and sanitary facilities. An Efficiency Dwelling Unit is one which consists of not more than one habitable room together with kitchen or kitchenette and sanitary facilities.

Formatted: Font: Times New Roman

~~3.2-80 Drive-in Facility.~~ A facility or establishment, which is designed, intended or used for transaction of business with customers in automobiles.

Formatted: Font: Times New Roman, Not Bold

~~3.2-8146.~~ **Earth Station.** Any disc antenna with an essentially solid surface, whether flat, concave, or parabolic, which is designed for receiving television, radio, or data microwave signals from satellites. There are two kinds of Earth Stations:

Formatted: Font: Times New Roman

Formatted: Justified

Formatted: Font: Times New Roman

~~3.2-82a.~~ **Commercial Earth Station, Commercial.** Commercial earth station shall mean is any earth station used in conjunction with communication facilities for use in commerce or industry.

Formatted: Justified, Indent: Left: 0", Hanging: 0.5"

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

~~3.2-83b.~~ **Non-Commercial Earth Station, Non-Commercial.** Non-commercial earth station shall mean is any earth station used for private radio and television reception only.

Formatted: Font: Times New Roman, Not Bold

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

~~3.2-84 Employee.~~ One who works for wages or salary in the service of an employer, including officers, manager and other administrative personnel.

Formatted: Justified

~~3.2-85 Establishment, Business.~~ A separate place of business having the following three characteristics:

Formatted: Justified

Formatted: Font: Times New Roman

~~a. The ownership and management of all operations conducted within such establishment are separate and distinct from the ownership and management of operations conducted within other establishments on the same or adjacent zoning lots.~~

~~b. Direct public access to such "business establishment" is separate and distinct from direct access to any other "business establishment."~~

~~c. There is no direct public access from within such establishment to any other such establishment.~~

Where adjacent places of business lack any one of the aforesaid characteristics with respect to one another, they shall then be considered as a single business establishment: for the purposes of this code.

3.2-86 Family. Any number of persons each related to each of the others by blood, marriage or adoption, living and maintaining a common household in dwelling unit; not more than two persons who are not related by blood, marriage or adoption, living and maintaining a common household in a detached single family dwelling; not more than three persons who are not related to each of the others by blood, marriage or adoption, living and maintaining a common household in a dwelling unit other than a detached single family dwelling; or, not more than four persons who are not each related to each of the others by blood, marriage or adoption, living and maintaining a common household in single family dwelling owned by one or more of the occupants. For the purposes of this definition, "maintaining a common household" shall mean the joint occupancy and use of the entire dwelling unit and the facilities therein, with the exception of bedrooms, by all of the residents.

~~3.2-87 Fence, Open.~~ An open fence is one in which less than 50% of its surface is closed when viewed from a right angle.

~~3.2-88 Fence, Semi-Open.~~ A semi-open fence is one, which shall be designed and constructed to allow the free movement of air through the fence.

~~3.2-89 Fence, Solid.~~ A solid fence is one, which effectively conceals from viewers in or on adjoining properties and streets, materials and activities conducted beyond it.

~~3.2-90 47. Floor Area.~~ (For determining off-street parking and loading requirements). “Floor Area”, when prescribed as the basis of measurement for off-street parking spaces and loading berths for any use, shall mean the sum of the gross horizontal areas of the several floors of the building, or portion thereof, devoted to such use, measured from the exterior faces of the exterior walls or from the center line of walls separating two buildings.

48. Floor Area (For determining compliance with dwelling standards). The floor area shall be measured from the interior walls, excluding utility rooms, cellars, basements, open porches, breezeways, garages, and other spaces that are not used frequently or during extended periods of living, eating or sleeping purposes. Enclosed spaces intended for habitable rooms which are to be completed within a reasonable time may be considered in computing such floor area.

(Ord. #03-065)

~~3.2-91 Floor Area.~~ (For determining floor area ratio). The 49. Floor Area Ratio (F.A.R.). The total floor area of the building or buildings on that zoning lot divided by the area of such zoning lot, or in the case of planned unit developments, by the net site area. F.A.R. is measured from the exterior faces of the exterior walls or from the centerline of walls separating buildings.

For determining floor area ratio, the floor area of a building is the sum of the gross horizontal areas of the several floors of the building measured from the exterior faces of the exterior walls or from the centerline of walls separating two buildings.

The “Floor Area” of a building shall include basement floor area when more than one-half of the basement height is above the established curb level or above the finished lot grade level where curb level has not been established; that floor area of attached and/or detached garage in excess of 400 square feet for a single family residential unit; elevator shafts and stairwells at each floor; floor space used for mechanical equipment, open or enclosed, located on the roof; penthouses; attic or volume space having headroom of seven feet or more; interior balconies and mezzanines; and enclosed porches, and floor area devoted to accessory uses. However, any space, except a single-family attached or detached garage, that is devoted to off-street parking or loading shall not be included in “Floor Area.”

~~3.2-92 Floor Area.~~ (For determining compliance with dwelling standards). The floor area shall be measured from the interior walls, excluding utility rooms, cellars, basements, open porches, breezeways, garages, and other spaces that are not used frequently or during extended periods of living, eating or sleeping purposes. Enclosed spaces intended for habitable rooms which are to be completed within a reasonable time may be considered in computing such floor area.

(Ord. #03-065)

~~3.2-93 Floor Area Ratio (F.A.R.).~~ The “floor area ratio” of the building or buildings on any

Formatted: Font: Times New Roman

Formatted: Justified, No bullets or numbering

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Justified

Formatted: Font: Times New Roman, Bold

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Justified

Formatted: Font: Times New Roman, Bold

Formatted: Font: Times New Roman

~~zoning lot is the total floor area of the building or buildings on that zoning lot divided by the area of such zoning lot, or in the case of planned unit developments, by the net site area. Measured from the exterior faces of the exterior walls or from the centerline of walls separating buildings.~~

~~a. **Floor Area Credit For Detached Garages:** In determining the floor area ratio for lots having detached ~~garage~~garages, 100% of the total floor area of the detached garage shall be excluded from the FAR calculation if there are no other garages on site, if the structure is architecturally compatible with the principal dwelling unit, and if 50% or more of the existing homes that both front on the same side of the street and are contained between two adjacent streets which intersect that street also have detached garages.~~

~~3.2-94-50, Food Store. A place of business where food such as meats, dairy products, frozen foods, produce, and dry goods are sold for retail trade. Consumption of food items on the premises is prohibited except sampling of food products for promotional activities conducted by the food store.~~

~~(Ord. #14-001)~~

~~3.2-95 Food Store, Convenience. A small retail establishment solely for the purpose of selling food, tobacco, periodicals, beverages, and other household items, in limited size and produce choices with the intent of quick service. Reheating and/or selling of already prepared/prepackaged food for consumption off the premises does not constitute a restaurant.~~

~~(Ord. #14-028)~~

~~3.2-95a51, Foot Massage. A place of business which provides any method of pressure on or friction against or stroking, kneading, rubbing, tapping, pounding, vibrating or stimulating the external soft parts of the foot, ankle and lower leg below the knee only, to be performed in an open space as opposed to individual rooms.~~

~~3.2-96-52, Frontage. All the property on one side of a street between two intersecting streets (crossing or terminating) measured along the line of the street, or if the street is dead-ended, then all property abutting on one side between an intersecting street and the dead-end of the street.~~

~~3.2-97-53, Garage. A building or structure, or part thereof, used or intended to be used for the parking and storage of vehicles.~~

~~3.2-98 Garage, Municipal. A structure owned or operated by a municipality and used primarily for the parking and storing of vehicles owned by the general public.~~

~~(Ord. #06-058)~~

~~3.2-9954, Garage, Private Customer and Employee. A structure (above or below ground) which is accessory to a commercial, institutional or manufacturing establishment, building or use utilized for the parking and storage of vehicles operated by the customers, visitors, and employees of such building.~~

~~(Ord. #03-065, #06-058)~~

~~3.2-100 Garage, Private/Single Family Residential. A structure not housing more than four motor driven vehicles, which is accessory to a residential building and which is used for the parking and storage of vehicles. It shall not be a separate commercial enterprise available to the general public.~~

~~3.2-100.a Private Residential Garage, Detached. An accessory building that is not structurally~~

Formatted: Font: Times New Roman

Formatted: Justified, Indent: Left: 0", First line: 0"

Formatted: Font: Times New Roman

Formatted: Justified

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Justified

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Justified

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

attached to a primary single family residential dwelling unit.

(Ord. #06-058)

3.2-100.b Garage, Private/Multi Family Residential. A structure which is accessory to a multi-family residential building and which is used for the parking and storage of vehicles. It shall not be a separate commercial enterprise available to the general public.

(Ord. #06-058)

3.2-101 Garage, Private/General Public. A privately owned and operated structure (above or below ground) which houses more than four motor driven vehicles, is not an accessory use to another use and is used primarily for the parking and storage of vehicles by the general public.

3.2-102

55. Garden Center. A place of business where plants, nursery products, fertilizers, potting soil, tools, and garden utensils are sold to the customer. The sales and storage of the merchandise is permitted in any open area, which must be attached to the building and fenced.

(Ord. #05-082)

3.2-102.a56. Gazebo or Pergola. An accessory building that is a detached, covered, freestanding, open air structure.

(Ord. #11-024)

3.2-102.b57. Geothermal Energy System. A renewable energy system using equipment that circulates relatively constant ground temperatures throughout buildings using an underground based piping system and a heat pump. All heat pump equipment shall be located within the principal building.

3.2-10358. Grade. The degree of rise or descent of a sloping surface.

- For buildings having walls adjoining one street only, the elevation of the sidewalk at the center of the wall adjoining the street.
- For buildings having walls adjoining more than one street, the average of the elevation of the sidewalk at the center of all walls adjoining street.
- For buildings having no wall adjoining the street, the average level of the finished surface of the ground adjacent to the exterior walls of the building.

Any wall approximately parallel to and not more than five feet from a street line shall be considered as adjoining the street. Where no sidewalk exists, the grade shall be established by the Village Engineer.

3.2-104 Habitable Room. Any room primarily used for sleeping.

3.2-10559. Health Clubs. A facility designed for the major purpose of physical fitness or weight reducing which includes, but is not limited to, such equipment as weight resistance machines, whirlpools, saunas, showers, and lockers. This shall not include municipal or privately owned recreation buildings.

3.2-10660. Home Occupation. A use of a dwelling unit carried on by members of the immediate family residing on the premises. The use is clearly incidental to the use of the dwelling unit for

Formatted: Justified

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman, 12 pt

Formatted: Justified

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Normal (Web), Justified

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Justified, Indent: Left: 0", Tab stops: Not at 1"

Formatted: Justified

Formatted: Justified

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

~~residential purposes and does not change the character of the residence or adversely effect the residential character of the surrounding neighborhood. All home occupations must comply with the standards in Section 6.16.~~

~~3.2-10761. Hospital/Health Care Facility. —An institution providing primary health services and medical or surgical care to persons, primarily as in—patients suffering from illness, disease, injury, deformity and other abnormal physical or mental conditions and including as an integral part of the institution, related facilities such as laboratories, out-patient facilities or training facilities.~~

~~3.2-10862. Hotel. A building primarily designed for transient occupancy containing lodging rooms or suites accessible from a common hall or entrance, providing living, sleeping and bathroom facilities. —No more than five percent of the suites shall be provided with kitchen facilities.—A central kitchen, meeting rooms, dining rooms and recreation rooms may also be provided.~~

~~3.2-109 Hotel, Apartment. A building containing dwelling units or individual guest rooms, the majority of which are for permanent guests. Maid and janitor service may be provided but kitchen facilities are not necessarily included.~~

~~3.2-110 Householder. The occupant of a dwelling unit who is either the owner or lessee thereof.~~

~~(Ord. #03-066)~~

~~3.2-110a-63. Impervious Surface Coverage. Any hard-surfaced, man-made area that does not readily absorb or retain water, including but not limited to buildings, patios, paved parking and driveway areas, walkways, sidewalks and paved recreation areas (e.g. basketball court, tennis court, swimming pools). This would exclude public sidewalks on private property pool).~~

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Justified

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Justified

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman, Bold

To determine the percentage of impervious surface covered, divide the total square footage of the impervious surfaces by the total square footage of the site:

$$\frac{\text{Impervious Surfaces}}{\text{Total Area of Site}} = \% \text{ Impervious Surface Coverage}$$

~~3.2-111~~

~~64. Incidental Use.~~ A use which is associated with and subordinate to the principal permitted use.

~~3.2-112 Institution, Non Residential.~~ A public or quasi-public use including but not limited to such uses as a church, library, public school, hospital, intermediate care facility or municipality owned or operated building, structure or land used for public purposes.

~~3.2-113 Institution, Residential.~~ A housing facility owned, supervised, managed or controlled by an organization that qualifies as "institutional non-residential." Such housing facility shall be used for dwelling purposes only and be limited to members of, or persons under the supervision or control of the institutional organization such as, but not limited to elderly, students, clergy, disabled, etc.

~~3.2-114 Intensity of Use of Lot.~~ That proportion of the area of a lot which is occupied by or which may be occupied under this ordinance by buildings and their accessories.

~~3.2-11565. Kennel, Commercial.~~ Any lot or premises, or portion thereof, on which more than four dogs, cats, and other household domestic animals, over four months of age, are kept, or on which more than two such animals are boarded for compensation or kept for sale.

~~3.2-116 Laboratory, Research.~~ A place devoted to experimental study such as testing and analyzing. Manufacturing, assembly or packaging of products is not included within this definition.

~~3.2-117 Laboratory, Medical.~~ A place of business devoted to the testing and analysis for the medical profession.

~~3.2-118 Laboratory, Dental.~~ A place of business devoted to preparation of dentures and similar items for dental preparation.

~~3.2-119 Loading and Unloading Space, Off Street.~~ An open, hard surfaced area of land other than a street or a public way, the principal use of which is for the standing, loading and unloading of motor trucks, tractors and trailers, to avoid undue interference with the public use of streets and alleys. Such space shall not be less than ten feet in width, 45 feet in length and 14 feet in height, exclusive of access aisles and maneuvering space.

~~3.2-12066. Lodging Room.~~ A room rented in a facility having three or more rented rooms as sleeping and living quarters, but without cooking facilities and with which may have individual

Formatted

Formatted: Font: Times New Roman

Formatted: Justified

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman, Not Bold

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Justified

Formatted: Justified

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

~~bathroom~~**bathrooms.** In a suite of rooms without cooking facilities, each room which provides sleeping accommodations shall be counted as one “lodging room” for the purposes of this ~~code~~Code.

3.2-12167. Lot. A designated parcel, tract or area of land established by plat, subdivision or as otherwise permitted by law, to be used, developed or built upon as a unit. The following are the different types of lots:

a. **Corner Lot.** A parcel of land situated at the intersection of two or more streets or adjoining a curved street at the end of a block.

~~3.2-122b. Reversed Corner Lot, Access.~~ A portion of a corner lot, the rear of which does not meet minimum lot width at the boundary to abut upon the side of another lot.

c. **Double Frontage Lot.** A lot having frontage on two non-intersecting streets.

d. **Flag Lot.** A substandard lot of record that does not have its full “frontage” abutting a street. The lot width shall be measured at the required setback line for the building.

~~streets.~~ **Interior Lot.** A lot other than a corner or reversed corner lot.

f. **Substandard Lot of Record.** Any lot lawfully existing at the time of adoption or amendment of this Zoning Code that is not in conformance with the dimensional and its primary purpose is for access to the zoning lot or area provisions of this Zoning Code.

g. **Through Lot.** A lot having frontage on two parallel or approximately parallel streets but which is not a corner lot.

h. **Zoning Lot.** A tract of land which is designated or required as a tract to be used to attain compliance with the regulations of the zoning district in which it is located, or developed or built upon as a unit, under single ownership or control. A “zoning lot” may or may not coincide with a lot of record.

~~3.2-12368. Lot Area.~~ The net area of any lot shall be the**The** area bounded by the lot lines, the right-of-way line of any street adjoining the lot, and the centerline of the right-of-way of any private access road adjoining the lot.

~~3.2-124 Lot Area Requirement.~~ (For calculation of Lot Area Per Dwelling Unit) For the purpose of determining the lot area per dwelling unit, the total lot area shall be measured with the exclusion of land in the public or private streets right-of-way and land dedicated for park or school purposes.

~~3.2-125 Lot, Corner. 69.~~ A parcel of land situated at the intersection of two or more streets or adjoining a curved street at the end of a block.

(Ord. #03-066)

~~3.2-126 Lot Coverage.~~ See Section 3.2-29.a Building Lot Coverage.

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Justified, Indent: Left: 0", Hanging: 0.5"

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman, Bold

Formatted: Justified

Formatted: Font: Times New Roman, Bold

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Justified, Indent: Left: 0", Hanging: 0.5"

Formatted: Font: Times New Roman, Not Bold

Formatted: Justified

Formatted: Justified, Indent: Left: 0", Hanging: 0.5"

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Justified

Formatted: Justified, Indent: Left: 0", Hanging: 0.5"

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman, Bold, Font color: Blue

Formatted: Font: Times New Roman

Formatted: Justified

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Justified

Formatted: Font: Times New Roman, Not Bold

Formatted: Justified, Indent: Left: 0", Hanging: 0.5"

Formatted: Font: Times New Roman

3.2-127 Lot Depth. The mean horizontal distance between the front and rear lot lines measured within the lot boundaries.

Formatted: Font: Times New Roman

Formatted: Justified

3.2-128 Lot, Double Frontage. A lot having frontage on two non-intersecting streets as distinguished from a corner lot.

3.2-129 Lot, Flag. ~~Substandard 70, lot of record that does not have its full "frontage" abutting a street. The lot width shall be measured at the required setback line for the building.~~

Formatted: Font: Times New Roman

Formatted: Justified, Indent: Left: 0", Hanging: 0.5"

3.2-130 Lot Frontage. The frontage of a lot shall be that boundary of a lot along a public street excluding lot access areas.

Formatted: Font: Times New Roman, Not Bold

Formatted: Justified

Formatted: Font: Times New Roman

3.2-131 Lot, Interior. A lot other than a corner or reversed corner lot.

3.2-132 Lot Line. Property boundary line of any lot held in single or separate ownership, except that where any portion of the lot extends into the abutting street or alley, the lot line shall be deemed to be the street or alley line.

3.2-133 Lot Line, Exterior. A side lot line adjacent to a street.

3.2-134 Lot Line, Front. The front property line of a zoning lot.

3.2-135 Lot Line, Interior. A side lot line common with another lot.

3.2-136 Lot Line, Rear. The rear lot line is the lot line or lot lines most nearly parallel to and most remote from the front lot line. Lot lines other than front or rear lot lines are side lot lines.

3.2-137 Lot, Reversed Corner. A corner lot, the rear of which abuts upon the side of another lot, whether across an alley or not.

3.2-138 Lot of Record. A lot that is part of a recorded subdivision, the map or Plat of Survey of which has been recorded in the Office of the County Recorder of Deeds; or a parcel of land, the deed to which was recorded at the office of the Recorder of Deeds. (see, Lot, Zoning).

3.2-139 Lot of Record, Substandard. Any lot lawfully existing at the time of adoption or amendment of this zoning code and not in conformance with the dimensional and/or area provisions of this zoning code.

3.2-140 Lot, Through. A lot having frontage on two parallel or approximately parallel streets, and which is not a corner lot.

3.2-141-71, Lot Width. The horizontal distance between the side lot lines measured at right angles to the lot depth at the established front building line.

Formatted: Justified

Formatted: Font: Times New Roman

(Ord. #03-068, #06-070)

3.2-142 Lot, Zoning. ~~A tract of land located 72, which is designated or required as a tract to be used to attain compliance with the regulations of the zoning district in which it is located, or developed or built upon as a unit, under single ownership or control. A "zoning lot"~~

Formatted: Justified, Indent: Left: 0", Hanging: 0.5"

Formatted: Font: Times New Roman

~~may or may not coincide with a lot of record.~~

3.2-143 Manufacturing. The mechanical or chemical transformation of materials or substances into new products including the assembling of components, parts, the manufacturing of products and the blending of materials.

3.2-14473. Marquee or Canopy. A roof-like structure of a permanent nature ~~which that~~ projects from the wall of a building and overhangs the public way.

3.2-14574. Massage/Accu-Pressure Establishment. A place of business which provides any method of pressure on or friction against or stroking, kneading, rubbing, tapping, pounding, vibrating, or stimulating of the external soft parts of the body with the hands or with the aid of any mechanical or electrical apparatus or appliance, with or without rubbing alcohol, liniments, antiseptics, oils, powder, creams, lotions, ointments, or other similar preparations used in this practice, under such circumstance that it is reasonably expected that the person to whom treatment is provided, or some third party on such person's behalf, will pay money or give other consideration or any gratuity therefore.

3.2-14675. Motel. A building or buildings designed for transient occupancy containing lodging rooms or suites accessible through a common hall or separate outside entrances, providing living, sleeping, and bathroom facilities. No room shall be equipped with kitchen facilities.

~~3.2-147 Motor Freight Terminal. A building in which freight, brought to said building by motor truck, is assembled and sorted for routing in intrastate and interstate shipment by motor truck.~~

3.2-148-76. Motor Home. A portable dwelling designed and constructed as an integral part of a self-propelled vehicle.

~~3.2-149 Motor Vehicle Repair, Major. "Major motor vehicle repair" includes: engine rebuilding or major reconditioning of worn or damaged motor vehicles or trailers; collision service, including body, frame or fender straightening or repair; and overall painting of vehicles.~~

~~3.2-150 Motor Vehicle Repair, Minor. "Minor motor vehicle repair" includes: incidental repairs, replacement of parts, and motor service to motor vehicles, but does not include any operation specified under "Major Motor Vehicle Repairs."~~

3.2-15177. Nameplate. A sign indicating the name and/or address of a building, or the name of an occupant thereof and/or the practice of a permitted occupation therein. ~~The area of the nameplate should be no larger than one square foot.~~

3.2-15278. Non-Conforming Building. A building or structure, or portion thereof, lawfully existing at the time of the adoption of this Code, which was designed, erected or structurally altered for a use that does not conform to the use regulations of the district in which it is located.

3.2-15379. Non-Conforming Use. A use which lawfully occupied a building or land at the time

Formatted: Font: Times New Roman, Bold, Font color: Blue

Formatted: Font: Times New Roman

Formatted: Justified

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Justified

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman, Not Bold

Formatted: Font: Times New Roman

Formatted: Justified

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

of adoption of this ~~code and~~ Code but which ~~does not conform~~ no longer conforms with the use regulations or the district in which it is located.

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

~~3.2-154-80.~~ **Nursing Home.** An extended or intermediate care facility licensed or approved to provide full-time convalescent or chronic care to individuals who by reason of advanced age, chronic illness or infirmity are unable to care for themselves.

Formatted: Font: Times New Roman

~~3.2-155 Office: Business or Professional.~~ **81. Medical or Dental Laboratory.** A place of business devoted to the testing and analysis for the medical profession or to the preparation of dentures and similar items for dental preparation.

82. Off-Street Loading Space. An open, hard-surfaced area of land other than a street or a public way, the principal use of which is for the standing, loading and unloading of motor trucks, tractors and trailers to avoid undue interference with the public use of streets and alleys.

83. Office, Medical or Dental. The office of a member of the medical or dental profession requiring licensing by the State and maintenance of professional standards applicable to the field for which services are provided on an out-patient basis.

84. Office, Non-Medical and Non-Dental. A use or structure other than a medical use where business or professional activities are conducted and/or business or professional services are made available to the public, including, but not limited to, tax preparation, accounting, architecture, legal services, real estate and securities brokering, and professional consulting services. "Office" shall not include any use that is otherwise listed specifically in a zoning district as a permitted or special use.

Formatted: Justified

Formatted: Font: Times New Roman

~~3.2-156 Office, Medical.~~ The office of a member of the medical profession requiring licensing by the State and maintenance of professional standards applicable to the field which services are provided on an out-patient basis.

~~3.2-157 Open Sales Lot.~~ Any premises used or occupied for the purpose of buying and selling merchandise or for the storing of same prior to sale.

~~3.2-158~~ **85. Overlay Zoning District.** An overlay-zoning district is a mapped area with restrictions beyond those in the underlying zoning. An overlay district is used to achieve planning objectives, which may not be achieved through the underlying zoning. Where conflicts arise between the overlay district and the underlying zoning, the overlay district restrictions apply.

Formatted: Justified

Formatted: Font: Times New Roman

~~3.2-159~~ **86. Parcel Delivery and Pick-Up Service.** An establishment where parcels, not exceeding 120 inches in length or girth and not exceeding 125 pounds, are being received for the shipment and delivery to other destinations or are available for pick-up after arriving from other locations.

Formatted: Font: Times New Roman, Bold

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

~~3.2-160-87.~~ **Parking Area, Private.** An open or covered, hard-surfaced area, other than street or alley or public right-of-way, used for the parking of vehicles.

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

a. ~~A Private Parking Area is for private passenger automobiles~~vehicles only, of occupants of the building or buildings for which the parking area is developed and is accessory. ~~The car overhang area of the parking space of no more than one foot six inches in length is not required to be of hard surface. Any ground cover material will be acceptable subject to Public Works Department approval.~~

Formatted: Font: Times New Roman

Formatted: Justified, Indent: Left: 0", Hanging: 0.5"

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

3.2-161

b. ~~A Public Parking Area, Public. An open, hard surfaced area, other than a street or public way intended to be used is~~ for the storage of ~~passenger automobiles only~~vehicles of occupants of the building or buildings for which the parking area is developed and is accessory. ~~The car overhang area of the parking space of no more than one foot six inches in length is not required to be of hard surface. Any ground cover material will be acceptable subject to Public Works Department approval.~~

Formatted: Justified, Indent: Left: 0", Hanging: 0.5"

Formatted: Font: Times New Roman, Not Bold

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman, Bold

Formatted: Font: Times New Roman

Formatted: Justified

~~**3.2-162 Parking Space, Automobile.** A space for the parking of a motor vehicle within a public or private parking area and complying with the standards in Section 11.2-7.~~

~~**3.2-16388, Patio.** A level landscaped and/or surfaced area directly adjacent to a principal building not to exceed 16 inches above grade and open to the sky.~~

Formatted: Justified

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

~~**3.2-16489, Pawn Shop/Cash Converter Facility.** A building or use, the principal purpose of which is the lending of money on deposit or pledge of personal property, or dealing in the purchase of personal property on condition of selling the same back at a stipulated price.~~

~~**3.2-165 Person.** Shall mean any natural person, partnership, trust, corporation or association. Whenever used with respect to any penalty, the term "person" as applied to partnerships or associations, shall mean the partners or members thereof, and as applied to trusts of corporations, shall mean the trustees or officers thereof.~~

(Ord. #11-024)

~~**3.2-165.a90, Personal Trainer.** A physical fitness trainer who provides individual fitness counseling by appointment only limited to no more than two clients per personal trainer at any one time. No more than four personal trainers are allowed on site at any time in conduct of the business.~~

Formatted: Justified

Formatted: Strikethrough

Formatted: Font: Times New Roman, 12 pt

(Ord. #03-066)

~~**3.2-165.b91, Pervious Surface.** (see also Impervious Surface) A surface that presents an opportunity for precipitation to infiltrate into the ground.~~

Formatted: Justified

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

~~**3.2-16692, Pet Grooming Establishments.** Any place or establishment, public or private, where animals are bathed, clipped, or combed for the purpose of enhancing their aesthetic value and/or health and for which a fee is charged. The boarding, breeding, raising, or training of animals for compensation is not permitted.~~

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman, Bold

Formatted: Font: Times New Roman

~~**3.2-167-93, Pet Shops & Supply Stores.** A retail sales establishment primarily involved in~~

Formatted: Font: Times New Roman

the sale of domestic animals, such as dogs, cats fish, birds, reptiles, and related pet supplies, but excluding exotic animals and farm animals such as horses, goats, sheep and poultry. ~~The boarding, breeding, raising, or training of animals for compensation is not permitted.~~

[▲]
(Ord. #07-009)

~~3.2-167.a~~ **94. Physical Rehabilitation Center.** A facility licensed by the State of Illinois providing treatment on an out-patient basis to remove or reduce the risk of injury, impairment, functional limitation or disability, including the promotion and maintenance of fitness, health and wellness through a rehabilitation plan of therapeutic intervention.

~~3.2-168-95.~~ **Pickup Camper.** A structure designed for recreational use, designed primarily to be mounted on a pickup or truck chassis and with sufficient equipment to render it suitable for use as a temporary dwelling.

[▲]
~~3.2-169~~ **Planned Unit Development.** ~~Planned Unit Developments permit site plans and designs, which would not be possible under strict application of zoning district regulations. Consequently, Planned Unit Developments offer more benefits than a conventional development because of comprehensive design and adherence to high standards.~~

~~3.2-170~~ **Plat of Subdivision.** ~~A plat showing lot configurations and other conditions prepared by a licensed Illinois Land Surveyor in accordance with the requirements set forth in Chapter 29 of the Municipal Code, Subdivision Control Ordinance.~~

~~3.2-171~~ **Plat of Survey.** ~~A plat showing existing conditions prepared by a licensed Illinois land surveyor.~~

~~3.2-172~~ **96. Playhouse.** A freestanding structure, ~~exclusively for the use of children,~~ with a maximum height not to exceed 12 feet in a side yard and 15 feet in a rear yard.

~~3.2-173~~ **97. Porch.** A covered protection from a wall of a building that may or may not use columns or other ground supports for structural purposes and which is primarily used to provide an extension of the living area.

~~3.2-174~~ **Portico.** ~~The primary purpose of a portico is to provide shelter for access into a building.~~ **98. Portico.** A roofed structure projecting from the building which has no enclosures of any kind and which has an entry surfaced area that does not exceed eight feet in width and does not extend more than four feet out from the building.

~~3.2-175~~ **99. Principal Building.** A building in which the residence or permitted primary use of the lot is conducted. ~~The principal building on the lot must be greater in area than the total of all other buildings on the premises.~~

~~3.2-176~~ **100. Principal Use.** ~~Main~~ ~~The main~~ use of land or buildings, as distinguished from a subordinate or accessory use, to which premises are devoted comprising at least 80% of the floor area and the primary purpose for the premises.

[▲]
~~101. Private Roadway.~~ ~~The paved area, exclusive of sidewalks, driveways or related uses, on~~

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman, Bold

Formatted: Justified

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman, Not Bold

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Justified

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman, Bold

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Justified

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman, Strikethrough

Formatted: Font: Times New Roman

private property, used or intended to be used for circulation, passage or travel of motor vehicles from a street to two or more adjacent parcels.

[▲]
~~3.2-177 Professional.~~ Member of a recognized profession defined as a vocation, calling, or occupation requiring advanced training, study, or research in a specialized field, or any occupation requiring licensing by the State of Illinois and maintenance of professional standards applicable to the field.

Formatted: Font: Times New Roman, Strikethrough

~~3.2-178 Public Open Space.~~ Any publicly owned open area, including, but not limited to the following: parks, playgrounds, school sites, parkways and streets.

~~3.2-179 Public Right of Way.~~ The term “public right of way” in this ordinance shall refer to the land owned, dedicated, or used as a public street or easement in contrast to any paved roadway, alley, sidewalk or other facility located on said right of way.

~~3.2-180~~**102. Public Utility.** Any person, firm, corporation or municipal department duly authorized to furnish, under public regulation, to the public, electricity, gas, steam, telephone, telegraph, transportation, cable television, water, and other data transmission services.

Formatted: Justified

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

~~3.2-181 Public Way.~~ Any sidewalk, roadway, alley, or other public thoroughfare open to the use of the public as a matter of right for the purpose of travel.

~~3.2-182~~**103. Railroad Right-of-Way.** A strip of land with tracks and auxiliary facilities for track operation, but not including depots, loading platforms, stations, train sheds, warehouses, car shops, car yards, locomotive shops or water towers.

Formatted: Justified

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman, Bold

[▲]
~~3.2-183 Recreation Facilities, Commercial.~~ Physical recreation establishments such as tennis or racquet clubs or gymnasiums.

~~3.2-184~~**104. Research Laboratory.** A place devoted to experimental study such as testing and analyzing but which does not include manufacturing, assembly or packaging of products.

105. Repair, Major. Includes any action which fixes, mends, or restores products other than motor vehicles:

a. Major Repair is repair of products such as furniture, refrigerators, or similar products which generally require storage yards or storage area ~~but excludes motor vehicle repair uses.~~

Formatted: Justified, Indent: Left: 0", Hanging: 0.5"

~~3.2-185~~**b. Minor Repair, Minor.** ~~Includes any action which fixes, mends, or restores is~~ repair of products, such as shoes, watches, jewelry, and electronics ~~but excludes motor vehicle repair uses.~~

Formatted: Justified

Formatted: Justified, Indent: Left: 0", Hanging: 0.5"

Formatted: Font: Not Bold

Formatted: Font: Times New Roman

Formatted: Justified

[▲]
(Ord. #11-024)

3.2-185.a Renewable Energy. Energy harnessed from sources including, but not limited to, wind, solar or geothermal, which are essentially inexhaustible, minimizing environmental impact.

~~3.2-186 Research Laboratory.~~ (See “Laboratories”).

~~3.2-187106. Restaurant.~~ Any building or part thereof where food is cooked or prepared for compensation, for the general public and for immediate consumption on or off the premises.

~~3.2-188-107. Restaurant-Amusement Device Arcade.~~ A restaurant amusement device arcade is an establishment primarily devoted to the sale of food and beverage and partially devoted to the use of more than ten coin-operated amusement devices.

~~3.2-189 Roadway, Private.~~ The paved area, exclusive of sidewalks, driveways or related uses, on private property, used or intended to be used for circulation, passage or travel of motor vehicles from a street to two or more adjacent parcels.

~~3.2-190 School, Public.~~ Elementary, Middle or High School, shall mean a public or other non-profit institution conducting regular academic instruction at the kindergarten, elementary, middle school and high school levels. Such institutions shall offer

a. ~~Public School.~~ A public institution which offers general academic instruction equivalent to the standards prescribed by the School Code of Illinois.

~~3.2-191b. Private School, Private.~~ Shall mean an institution conducting regular academic instruction at kindergarten, elementary, junior high and senior high school levels, operated by non-governmental organizations, which. A non-public institution which offers programs are accepted by the State of Illinois in lieu of public instruction. Schools shall not include private commercial schools.

~~109. Salon.~~ Any establishment where cosmetology services are provided including hair care, nail care, and skin care on a regular basis for compensation.

~~3.2-192 School, Commercial.~~ A school which principally offers, for profit, specific courses of instruction in business, trade, industry or other trained skills, but does not offer academic instruction equivalent to the standards prescribed by the School Code of Illinois.

~~3.2-193110. Seating Area.~~ Areas used to consume food or beverages on the customer side and which provide access to areas such as buffets, bars, or serving tables.

~~3.2-194111. Sheltered Care.~~ An establishment licensed to provide assistance, supervision or oversight to residents, usually short term. A sheltered care home may not provide skilled or intermediate nursing services nor care for those cases for which hospitalization is generally required.

~~3.2-195 Sign.~~ Shall mean any symbol (including letter, word, numeral, emblem or trademark); pictorial representation (including illustration or decoration); flag (including banner or pennant); or any other figure of similar character, which:

Formatted: Font: Times New Roman

Formatted: Justified

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman, Strikethrough

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Justified, Indent: Left: 0", Hanging: 0.5"

Formatted: Font: Times New Roman

Formatted: Justified

Formatted: Justified, Indent: Left: 0", Hanging: 0.5"

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman, Not Bold

Formatted: Justified

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman, Strikethrough

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman, Bold

Formatted: Font: Times New Roman

- a. ~~is a structure or any part thereof or is attached to, painted on, or in any other manner represented on a building or other structure, and;~~
- b. ~~is used to announce, direct attention to, or advertise, and~~
- c. ~~is visible from outside a building. A sign shall include writing, representation, or other figure of similar character within a building only when located in a window.~~

~~The term "sign" (see sketch) shall include, among other structures, and whether illuminated or non illuminated, (a) every ground sign, (b) wall sign, (c) roof sign, (d) projecting sign, and (e) temporary sign. However, the term "sign" shall not include any display of official, court, or public office notices, nor shall it include the flag, emblem; or insignia of a nation, governmental unit, school, or religious group.~~

~~**3.2 196 Sign, Gross Surface Area Of.** The "gross surface area" of a sign shall be the entire area within a single, continuous perimeter enclosing the extreme limits of such sign, and in no case, passing through or between any adjacent elements of same. However, such perimeter shall not include any structural elements lying outside the limits of such sign and not forming an integral part of the display.~~

~~**3.2 197 Snowmobile.** A motorized unit with a continuous tread and runner type steering device used primarily for over snow travel.~~

~~(Ord. #11-024)~~

~~**3.2.197-a-112. Solar Energy System.** A renewable energy system consisting of a collection of parts including any base, mounts, tower, solar collectors and accessory equipment such as utility interconnections and solar storage batteries in such a configuration as necessary to convert solar radiation into thermal or electrical energy. There are three types of Solar Energy Sytems:~~

- a. ~~**Solar Energy System Roof Mounted.**~~ A renewable energy system consisting of equipment installed on the roof of a principal or accessory building located between the eave and ridge used for the conversion of sunlight into a usable form of electrical energy or to heat water.
- b. ~~**Solar Energy System Wall Mounted.**~~ A renewable energy system consisting of equipment installed on a wall of a principal or accessory building below the eave, or where there is a flat roof the space below the top of a parapet, used for the conversion of sunlight into a usable form of electrical energy or to heat water.
- c. ~~**Solar Energy System Ground Based.**~~ A renewable energy system consisting of equipment used for the conversion of sunlight into a usable form of electrical energy placed on the ground of a zoning lot and which is not attached to any principal or accessory building.

~~**3.2 198 Special Use.** A use which is specifically enumerated in the permitted use table (Section 5.4) as a special use and is granted upon demonstrating that such use in a specific location will comply with all the conditions and standards for the location or operation of such use as~~

Formatted: Justified

Formatted: Font: Times New Roman

~~specified in the zoning ordinance and approved by the Village Board of Trustees subject to the provisions of Section 8.~~

~~3.2-199~~**113. Storage Facility.** ~~A space or~~ place where goods, materials, or personal property is placed and kept for more than 24-consecutive hours.

~~3.2-200~~**114. Story.** That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between the floor and the ceiling next above it. Any portion of a story exceeding ~~fourteen feet~~**14** in height shall be considered as an additional story for each ~~fourteen~~**14** or fraction thereof.

~~3.2-201~~**115. Story, Half.** ~~A half story is that~~That portion of a building under a gable, hip or mansard roof, the wall plates of which, on at least two opposite exterior walls, are not more than four and one-half feet above the finished floor of such story. In the case of one-family dwellings, two-family dwellings and multiple-family dwellings less than three stories in height, a half story in a sloping roof shall not be counted as a story for the purposes of this Code. In the case of multiple-family dwellings three or more stories in height, a half story shall be counted as a story.

~~3.2-202~~**Street.** (See “Public Right of Way”).

~~3.2-203~~**Street Line.** A line separating an abutting lot, piece or parcel of land from a street.

~~3.2-204~~**116. Structure.** Anything constructed or erected which requires location on the ground or is attached to something having location on the ground, including a fence or freestanding wall, television antenna towers, earth stations, or other devices receiving electronic signals. A sign, billboard or other advertising medium, detached or projecting, shall be construed to be a structure.

~~117.3.2-205~~**Structural Alterations.** Any change except those required by law or ordinance, which would prolong the life of the supporting members of a building or structure, such as

bearing walls, columns, beams or girders, not including openings in bearing walls as permitted by other ordinances.

~~3.2-206~~**Terrace, Open.** (See “Patio, Open”.)

~~3.2-207~~**Toxic Materials.** Materials which are capable of causing injury to living organisms by chemical means when present in relatively small amounts.

~~3.2-208~~

~~118.~~**Travel Trailer.** A rigid, non-collapsible structure designed to provide temporary living quarters primarily for recreational use, constructed with integral wheels to make it mobile land/or towable by a motor vehicle.

[▲]
(Ord. #11-024)

Formatted: Font: Times New Roman

Formatted: Justified

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Justified

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman, Bold

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Justified

Formatted: Font: Times New Roman

Formatted: Justified

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman, Bold,
Underline color: Red

Formatted: Normal (Web), Justified,
Widow/Orphan control

~~3.2-208.~~**119. Tree House.** An accessory structure which utilizes one or more trees for structural support and/or incorporates the tree into the design.

Formatted: Normal (Web), Justified

~~3.2-209 Use.~~ The purpose or activity for which the land, or building thereon, is designed, arranged or intended, or for which it is occupied or maintained, and shall include any manner or performance of such activity with respect to the performance requirements of this Code.

Formatted: Font: Times New Roman, Bold

~~3.2-210 Use. Principal.~~ The main use of land or building(s) as distinguished from a subordinate or accessory use.

~~3.2-211~~**120. Used Car Lot.** A zoning lot on which used cars are displayed for sale or trade.

Formatted: Font: Times New Roman

Formatted: Justified

~~3.2-212~~**121. Vehicle.** Any device in, upon or by which any person or property is or may be transported or drawn upon a highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks.

Formatted: Font: Times New Roman

(Ord. #08-012)

3.2-213 Vehicle-a. Commercial- Vehicle. Any type of vehicle used or maintained for commercial purposes, primarily to transport material or operate a power attachment or tool, such as a snowplow or any vehicle containing cargo for commercial purposes. For purposes of this Chapter, any vehicle with advertising or a business designation affixed to it shall be considered a commercial vehicle.

Formatted: Font: Times New Roman

Formatted: Justified, Indent: Left: 0", Hanging: 0.5"

Formatted: Font: Times New Roman

Formatted: Justified

3.2-214 Vehicle Off Road. Any motorized vehicle not licensed for on road usage.

(Ord. #08-012)

3.2-215 Vehicle- Private Passenger. A motorized vehicle used primarily as a private passenger vehicle.

3.2-216 Vehicle-b. Recreational Vehicle (RV). An RV shall include, but not be limited to, camper trailer (pop-up), motor home, off-road vehicle, open trailer, pickup camper, snowmobile, travel trailer and water craft.

Formatted: Justified, Indent: Left: 0", Hanging: 0.5"

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Justified

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

3.2-217 Vehicle-122. Trailer. Any motorized or non-motorized vehicle intended to carry or store a recreational vehicle. An open trailer or a trailer not carrying or storing an RV shall be considered an RV for the purposes of this ~~code~~Code.

(Ord. #12-055)

3.2-218123. Window Wells. A space maintained between a below grade window and the surrounding soil. The window well provides drainage or air or light around the window and in some cases, an egress route from the structure.

Formatted: Justified

Formatted: Font: Times New Roman

3.2-219124. Yard. An open space on the same zoning lot with a principal building or group of buildings, which is unoccupied and unobstructed from its lowest level upward, except as otherwise permitted in this ~~code~~Code, and which extends along a lot line and at right angles thereto to a depth or width specified in the yard regulations for the district in which the zoning lot is located. The following are the specific definitions for each type of yard:

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

(Ord. #11-024)

3.2-220 Yard-a. Exterior Side Yard. That part of the yard, on a corner lot, lying between the exterior side lot line and the nearest line of the principal building and extending from the front yard (or from the front lot line, if there is no required front yard) to the rear yard (or from the rear lot line, if there is no required rear yard). On a corner lot, the larger of the two lot dimensions adjacent to the street shall be considered the exterior side yard.

Formatted: Justified, Indent: Left: 0", Hanging: 0.5"

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman, Not Bold

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

3.2-221b. Front Yard, Front. A yard extending across the full width of the zoning lot and lying between the lot line which fronts on a street and the nearest line of the principal building. On a corner lot, the smaller of the two dimensions adjacent to a street shall be considered the front yard.

Formatted: Justified

Formatted: Justified, Indent: Left: 0", Hanging: 0.5"

Formatted: Font: Times New Roman

Formatted: Font: Times New Roman

Formatted: Justified

3.2-222c. Rear Yard, Rear. A yard extending across the full width of the zoning lot and lying between the rear line of the lot and the nearest line of the principal building.

(Ord. #11-024)

~~3.2-223d.~~ ~~Side Yard, Side.~~ That part of the yard lying between the nearest line of the principal building and a side lot line, and extending from the front yard (or from the front lot line, if there is no front yard) to the required rear yard (or from the rear lot line, if there is no required rear yard).

~~3.2-224 Zoning Lot.~~ (See “Lot, Zoning”).

~~3.2-225 Zoning Maps.~~ The map or maps incorporated into this code as a part hereof.

WorkCode:Word/Chapter 28 revision pages

Definitions – revisions Jan 2017

Formatted: Font: Times New Roman

Formatted: Justified, Indent: Left: 0", Hanging: 0.5"

Formatted: Font: Times New Roman

Formatted: Widow/Orphan control

Formatted: Widow/Orphan control

Formatted: Font: Times New Roman, 9 pt

Section 28-3 Definitions. For the purposes of this Chapter, the following words shall have the meanings set forth in this Section.

1. Accessory Structure. An Accessory Structure is one which meets all of the following criteria:

- a. Is subordinate to and serves a principal building; and
- b. Is subordinate in area, extent, or purpose to the principal building served; and
- c. Contributes to the comfort, convenience or necessity of occupants of the principal building; and
- d. Is located in the rear yard and on the same zoning lot as the principal building served, except as otherwise indicated in this Code.

2. Acupuncture. A medical practice or procedure that treats illness or provides local anesthesia by the insertion of needles at specified sites on the body.

3. Adult Business. Any or all of the following businesses:

- a. Adult Bookstore - A business establishment having a substantial or significant portion of its stock in trade, books, magazines, films for sale, rent or other distribution, and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing or relating to "Specified Sexual Activities" or "Specified Anatomical Areas."
- b. Adult Live Entertainment Establishment - A nightclub, theater, or other business establishment, which permits live performances by topless and/or bottomless dancers, go-go dancers, strippers or similar entertainers, where such performances are distinguished or characterized by an emphasis on "Specified Sexual Activities" or "Specified Anatomical Areas."
- c. Adult Theater - A business establishment in an enclosed building that as a substantial or significant portion of its business regularly features for presentation films, motion pictures, video or audio cassettes, slides, or other visual representation or recordings of any kind that are distinguished or characterized by an emphasis on the exposure, depiction or description of "Specified Anatomical Areas" or the conduct or simulation of "Specified Sexual Activities."

4. Alley. A public or private thoroughfare not more than 30 feet wide which affords only a secondary means of access to abutting property.

5. Animal Hospital. A place where animals are given medical or surgical treatment and the boarding of animals is limited to short term care incidental to the hospital use.

6. Antenna Structure. Any structure, mast, pole, tripod or tower utilized for the purpose of either transmission or reception purposes, or both:

- a. A **Commercial Antenna** is any antenna structure that is intended for transmitting or receiving television, radio or telephone communications, excluding those used exclusively for dispatch communication.
- b. A **Non-Commercial Antenna** is any antenna that is used for private radio and/or television reception, for licensed amateur operators, citizens band facilities, and governmental and non- profit organizations.

7. Apartment. A room or suite of rooms in a multiple-family structure, which is arranged, designed, used or intended to be used as a single housekeeping unit and which includes permanently installed complete kitchen and bathroom facilities in each apartment.

8. Arcade, Amusement/Internet Computer. An establishment devoted to the use of amusement devices or Internet computers. An Arcade is considered **Large** if there are more than ten amusement devices or internet computers. An Arcade is considered **Small** if there are ten or less amusement devices or internet computers.

9. Automobile Repair.

- a. **Major Repair** is work that is of a significant nature, such as engine rebuilding or major reconditioning of worn or damaged motor vehicles or trailers; collision service, including body, frame or fender straightening or repair; and overall painting of vehicles.
- b. **Minor Repair** is work that is not of a significant nature, including incidental repairs, replacement of parts, and motor service to motor vehicles, but not including any operation specified as Major Repair in paragraph a above.

10. Automobile Service Station. Any building or premises used for dispensing, sale or offering for sale at retail to the public, gasoline stored only in underground tanks, kerosene, lubricating oil or grease for the operation of automobiles and including the sale and installation of tires, batteries and other minor accessories and service for automobiles, but not including major automobile repairs; and including washing of automobiles where no production line methods are employed.

11. Awning. A roof like shelter extended over a doorway or window, which is supported entirely from the exterior wall of the building and provides protection from the weather.

12. Basement. A story having all or part of its height below grade.

13. Block. A tract of land bounded by streets or, in lieu of streets, by public parks, cemeteries, railroad rights-of-way, lines of waterways, or a corporate boundary line of the Village.

14. Buildable Area. The space remaining on a zoning lot after the minimum open space requirements of this Code have been complied with.

15. Building. Any structure with substantial walls and roof securely affixed to the land and entirely separated on all sides from any other structure by space or by walls in which there are no communicating doors, windows or openings; and which is designed or intended for the shelter, enclosure or protection of persons, animals or chattels. Any structure with interior areas not normally accessible for human use, such as oil tanks, water tanks, and other similar structures, are not considered as buildings.

16. Building Height. The vertical distance measured from the sidewalk level or its equivalent established grade opposite the middle of the front of the building to the highest point of the roof in the case of a flat roof; to the deck line of a mansard roof; and to the mean height level between eaves and ridge of a gable, hip or gambrel roof; provided that where buildings are set back from the street line, the height of a building may be measured from the average elevation of the finished lot grade at the front of the building.

17. Building Line. The line nearest the front of and across a zoning lot, establishing the minimum open space to be provided between the front line of a building or structure and the street right-of-way line.

18. Building Lot Coverage. The area of a zoning lot occupied by the principal building or buildings and accessory buildings.

19. Bulk. The three-dimensional space within which a structure is permitted to be built on a lot and which is defined by maximum height regulations, yard setbacks, and sky exposure plane regulations.

20. Business Establishment. A separate place of business having the following three characteristics:

- a. The ownership and management of all operations conducted within such establishment are separate and distinct from the ownership and management of operations conducted within other establishments on the same or adjacent zoning lots.
- b. Direct public access to such “business establishment” is separate and distinct from direct access to any other “business establishment.”
- c. There is no direct public access from within such establishment to any other such establishment.

Where adjacent places of business lack any one of the above-listed characteristics with respect to one another, they shall then be considered as a single business establishment for the purposes of this Chapter.

21. Camper Trailer (Pop-up). A partially collapsible structure designed to provide temporary

living quarters primarily for recreational use, constructed with integral wheels to make it mobile and/or towable by motor vehicle.

22. Canopy. A structure other than an awning with a frame, which is wholly or partially supported by columns, poles or braces extending from the ground.

23. Care Facility. A facility providing care to individuals. There are three primary types of care facilities:

- a. **Ambulatory** - A facility which provides care to individuals without hospitalization or other institutionalization.
- b. **Extended Care or Skilled Nursing Home** - A facility or part of a facility which is licensed or approved to provide health care under medical supervision for 24 or more consecutive hours to two or more patients.
- c. **Intermediate** - A facility which provides, on a regular basis, health-related care and services to individuals who do not require the degree of care and treatment which a hospital or skilled nursing facility is designated to provide but who, because of their mental or physical condition, require care and services which can be made available to them only through institutional facilities such as these.

24. Catering Establishments. A facility whose primary purpose is to provide food, generally in large quantities, for banquets or for special events which are held off the premises not including a carry-out restaurant or a sit-down restaurant.

25. Commercial Recreation Facilities. Physical recreation establishments such as tennis or racquet clubs or gymnasiums or fitness facilities.

26. Commercial School. A school which principally offers, for profit, specific courses of instruction in business, trade, industry or other trained skills, but does not offer academic instruction equivalent to the standards prescribed by the School Code of Illinois.

27. Community Center. A building for recreational, educational, or entertainment purposes.

28. Community Residence. A group home or specialized residential care home serving persons with disabilities which is licensed, certified, or accredited by appropriate local, state or national bodies. A Community Residence is deemed Small when the number of unrelated disabled persons living in the residence is less than five and deemed Large when the number of unrelated disabled persons living in the residence is between five and eight.

Community Residence does not include a residence which serves persons as an alternative to incarceration for a criminal offense, or persons whose primary reason is substance abuse.

29. Conference Room/Meeting Hall. A facility with space available for lease by private parties primarily for meetings.

30. Construction Yard. An establishment with space used for bulk storage of landscape and building material, heavy construction equipment and machinery, and which may include the provision of services, the fabrication of building related products, the operating of machinery, and the construction yard's business office.

31. Contractor's Office. A room or group of rooms used for conducting administrative, clerical and general office affairs but not including design showrooms or any on-site storage of contractor's vehicles, equipment and materials.

32. Contractor's Design Showroom. A room or group of rooms used for conducting administrative, clerical and general office affairs, which includes a design showroom but does not include on-site storage of contractor's vehicles, equipment and materials.

33. Contractor's Shop. An establishment used for conducting administrative, clerical and general office (business) affairs, indoor repair, maintenance and/or storage of a contractor's vehicles, equipment and materials, and may include the contractor's business office and may include a design showroom.

34. Convenience Store. A small retail establishment solely for the purpose of selling food, tobacco, periodicals, beverages, and other household items, in limited size and produce choices with the intent of quick service. Reheating and/or selling of already prepared/prepackaged food for consumption off the premises does not make a Convenience ~~Food~~ Store a restaurant.

35. Court. An open area unobstructed from the ground to the sky. An Inner Court is bounded on more than three sides by the exterior walls of one or more buildings. An Outer Court is bounded on not more than three sides by the exterior walls of one or more buildings.

36. Curb Level. The level of the established curb in front of the building measured at the center of such front. Where a building faces on more than one street, the "curb level" shall be the average of the levels of the curbs at the center of the front of each street. Where no curb elevation has been established, the mean level of the land immediately adjacent to the building shall be considered the "curb level".

37. Day Care Center. Any institution or place in which are received three or more children, apart from their parents or guardian, under the age of six years, for care during part or all of a day between 6:00 A.M. and 9:00 P.M. The term is further construed to include similar units operating under any other name whatsoever with or without stated educational purposes.

This definition does not include "Group Care Home", "Group Day Care Home", "Foster Family Home", "Centers for Mental Retarded", licensed by the State of Illinois, bona fide kindergartens or "Day Nursery Schools", established in connection with grade schools supervised or operated by a private or public Board of Education or approved by the State Department of Public Instruction.

38. Day Care Facility. Any facility operated for the purpose of providing care, protection and guidance to more than eight adults during only part of a 24-hour day. This term excludes public

and private educational facilities or any facility offering care to individuals for a full 24-hour period.

39. Day Care Home. A facility located in a single-family detached residence which receives no more than eight children for care during the day. The maximum of eight children includes the family's natural or adopted children under age 16 and those children who are in the home under full-time care.

40. Deck. A raised platform over 16" above grade directly attached to the principal building. The height of any deck shall not exceed the height of the first full story above grade.

41. Dormitory. A building or portion thereof, which contains living quarters for students, staff or members of an accredited college, university, boarding school, theological school, hospital, religious order or comparable organization; provided that the building is owned and managed by the organization and contains common cooking and eating areas.

42. Drive-Through Facility: A facility, establishment, or portion thereof, such as a bank or restaurant, that is designed, intended or used for transacting business with customers who remain in their vehicles.

43. Driveway. A private motor vehicle access way between the roadway and a parking area within a lot. A Shared Driveway is a private roadway providing access from a street to two or more dwellings on the same lot.

44. Dwelling. A building or portion thereof, designed or used exclusively for residential occupancy, including one-family dwelling units, two-family dwelling units, and multiple-family dwelling units, but not including hotels or motels. Kitchens and bathrooms must be permanently installed. An Attached Dwelling is one which is joined to another dwelling or dwellings at one or more sides by a party wall or walls and designed exclusively for the occupancy by one family. A Detached Dwelling is one which is entirely surrounded by open space on the same lot designed exclusively for occupancy by one family. There may be One-Family Dwellings, Two Family Dwellings or Multiple-Family Dwellings. A Multiple Family Dwelling consists of a building or portion thereof designed or altered for occupancy by three or more families living in individual apartments with separate kitchen and bath facilities for each apartment.

45. Dwelling Unit. One or more rooms in a dwelling designed for occupancy by one family for living purposes and having its own permanently installed cooking and sanitary facilities. An Efficiency Dwelling Unit is one which consists of not more than one habitable room together with kitchen or kitchenette and sanitary facilities.

46. Earth Station. Any disc antenna with an essentially solid surface, whether flat, concave, or parabolic, which is designed for receiving television, radio, or data microwave signals from satellites. There are two kinds of Earth Stations:

- a. **Commercial Earth Station** is any earth station used in conjunction with communication facilities for use in commerce or industry.

- b. **Non-Commercial Earth Station** is any earth station used for private radio and television reception only.

47. Floor Area (For determining off-street parking and loading requirements). The sum of the gross horizontal areas of the several floors of the building, or portion thereof, devoted to such use, measured from the exterior faces of the exterior walls or from the center line of walls separating two buildings.

48. Floor Area (For determining compliance with dwelling standards). The floor area shall be measured from the interior walls, excluding utility rooms, cellars, basements, open porches, breezeways, garages, and other spaces that are not used frequently or during extended periods of living, eating or sleeping purposes. Enclosed spaces intended for habitable rooms which are to be completed within a reasonable time may be considered in computing such floor area.

49. Floor Area Ratio (F.A.R.). The total floor area of the building or buildings on that zoning lot divided by the area of such zoning lot, or in the case of planned unit developments, by the net site area. F.A.R. is measured from the exterior faces of the exterior walls or from the centerline of walls separating buildings.

For determining floor area ratio, the floor area of a building is the sum of the gross horizontal areas of the several floors of the building measured from the exterior faces of the exterior walls or from the centerline of walls separating two buildings.

The “Floor Area” of a building shall include basement floor area when more than one-half of the basement height is above the established curb level or above the finished lot grade level where curb level has not been established; that floor area of attached and/or detached garage in excess of 400 square feet for a single family residential unit; elevator shafts and stairwells at each floor; floor space used for mechanical equipment, open or enclosed, located on the roof; penthouses; attic or volume space having headroom of seven feet or more; interior balconies and mezzanines; and enclosed porches, and floor area devoted to accessory uses. However, any space, except a single-family attached or detached garage, that is devoted to off-street parking or loading shall not be included in “Floor Area.”

In determining the floor area ratio for lots having detached garages, 100% of the total floor area of the detached garage shall be excluded from the FAR calculation if there are no other garages on site, if the structure is architecturally compatible with the principal dwelling unit, and if 50% or more of the existing homes that both front on the same side of the street and are contained between two adjacent streets which intersect that street also have detached garages.

50. Food Store. A place of business where food such as meats, dairy products, frozen foods, produce, and dry goods are sold for retail trade.

51. Foot Massage. A place of business which provides any method of pressure on or friction against or stroking, kneading, rubbing, tapping, pounding, vibrating or stimulating the external soft parts of the foot, ankle and lower leg below the knee only, to be performed in an open space

as opposed to individual rooms.

52. Frontage. All the property on one side of a street between two intersecting streets (crossing or terminating) measured along the line of the street, or if the street is dead-ended, then all property abutting on one side between an intersecting street and the dead-end of the street.

53. Garage. A building or structure or part thereof used or intended to be used for the parking and storage of vehicles.

54. Garage, Private Customer and Employee. A structure (above or below ground) which is accessory to a commercial, institutional or manufacturing establishment, building or use utilized for the parking and storage of vehicles operated by the customers, visitors, and employees of such building.

55. Garden Center. A place of business where plants, nursery products, fertilizers, potting soil, tools, and garden utensils are sold to the customer.

56. Gazebo or Pergola. An accessory building that is a detached, covered, freestanding, open air structure.

57. Geothermal Energy System. A renewable energy system using equipment that circulates relatively constant ground temperatures throughout buildings using an underground based piping system and a heat pump.

58. Grade. The degree of rise or descent of a sloping surface.

- a. For buildings having walls adjoining one street only, the elevation of the sidewalk at the center of the wall adjoining the street.
- b. For buildings having walls adjoining more than one street, the average of the elevation of the sidewalk at the center of all walls adjoining street.
- c. For buildings having no wall adjoining the street, the average level of the finished surface of the ground adjacent to the exterior walls of the building.

Any wall approximately parallel to and not more than five feet from a street line shall be considered as adjoining the street. Where no sidewalk exists, the grade shall be established by the Village Engineer.

59. Health Clubs. A facility designed for the major purpose of physical fitness or weight reducing which includes, but is not limited to, such equipment as weight resistance machines, whirlpools, saunas, showers, and lockers. This shall not include municipal or privately owned recreation buildings.

60. Home Occupation. A use of a dwelling unit carried on by members of the immediate family residing on the premises.

61. Hospital/Health Care Facility. An institution providing primary health services and medical or surgical care to persons, primarily as in-patients suffering from illness, disease, injury, and other physical or mental conditions and including as an integral part of the institution, related facilities such as laboratories, out-patient facilities or training facilities.

62. Hotel. A building primarily designed for transient occupancy containing lodging rooms or suites accessible from a common hall or entrance, providing living, sleeping and bathroom facilities. A central kitchen, meeting rooms, dining rooms and recreation rooms may also be provided.

63. Impervious Surface Coverage. Any hard-surfaced, man-made area that does not readily absorb or retain water, including but not limited to buildings, patios, paved parking and driveway areas, walkways, sidewalks and paved recreation areas (e.g. basketball court, tennis court, swimming pool).

64. Incidental Use. A use which is associated with and subordinate to the principal permitted use.

65. Kennel. Any lot or premises or portion thereof on which more than four dogs, cats, and other household domestic animals, over four months of age, are kept, or on which more than two such animals are boarded for compensation or kept for sale.

66. Lodging Room. A room rented in a facility having three or more rented rooms as sleeping and living quarters, but without cooking facilities and which may have individual bathrooms. In a suite of rooms without cooking facilities, each room which provides sleeping accommodations shall be counted as one “lodging room” for the purposes of this Code.

67. Lot. A designated parcel, tract or area of land established by plat, subdivision or as otherwise permitted by law, to be used, developed or built upon as a unit. The following are the different types of lots:

- a. **Corner Lot.** A parcel of land situated at the intersection of two or more streets or adjoining a curved street at the end of a block.
- b. **Reversed Corner Lot.** A corner lot, the rear of which abuts upon the side of another lot.
- c. **Double Frontage Lot.** A lot having frontage on two non-intersecting streets.
- d. **Flag Lot.** A substandard lot of record that does not have its full “frontage” abutting a street. The lot width shall be measured at the required setback line for the building.
- e. **Interior Lot.** A lot other than a corner or reversed corner lot.
- f. **Substandard Lot of Record.** Any lot lawfully existing at the time of adoption or amendment of this Zoning Code that is not in conformance with the dimensional and/or area provisions of this Zoning Code.

- g. **Through Lot.** A lot having frontage on two parallel or approximately parallel streets but which is not a corner lot.
- h. **Zoning Lot.** A tract of land which is designated or required as a tract to be used to attain compliance with the regulations of the zoning district in which it is located, or developed or built upon as a unit, under single ownership or control. A “zoning lot” may or may not coincide with a lot of record.

68. Lot Area. The area bounded by the lot lines, the right-of-way line of any street adjoining the lot, and the centerline of the right-of-way of any private access road adjoining the lot. For the purpose of determining the lot area per dwelling unit, the total lot area shall be measured with the exclusion of land in the public or private streets right-of-way and land dedicated for park or school purposes.

69. Lot Depth. The mean horizontal distance between the front and rear lot lines measured within the lot boundaries.

70. Lot Frontage. The frontage of a lot shall be that boundary of a lot along a public street excluding lot access areas.

71. Lot Width. The horizontal distance between the side lot lines measured at right angles to the lot depth at the established front building line.

72. Manufacturing. The mechanical or chemical transformation of materials or substances into new products including the assembling of components, parts, the manufacturing of products and the blending of materials.

73. Marquee or Canopy. A roof-like structure of a permanent nature that projects from the wall of a building and overhangs the public way.

74. Massage/Accu-Pressure Establishment. A place of business which provides any method of pressure on or friction against or stroking, kneading, rubbing, tapping, pounding, vibrating, or stimulating of the external soft parts of the body with the hands or with the aid of any mechanical or electrical apparatus or appliance, with or without rubbing alcohol, liniments, antiseptics, oils, powder, creams, lotions, ointments, or other similar preparations used in this practice, under such circumstance that it is reasonably expected that the person to whom treatment is provided, or some third party on such person’s behalf, will pay money or give other consideration or any gratuity therefore.

75. Motel. A building or buildings designed for transient occupancy containing lodging rooms or suites accessible through a common hall or separate outside entrances, providing living, sleeping, and bathroom facilities. No room shall be equipped with kitchen facilities.

76. Motor Home. A portable dwelling designed and constructed as an integral part of a self-propelled vehicle.

77. Nameplate. A sign indicating the name and/or address of a building, or the name of an occupant thereof and/or the practice of a permitted occupation therein.

78. Non-Conforming Building. A building or structure, or portion thereof, lawfully existing at the time of the adoption of this Code, which was designed, erected or structurally altered for a use that does not conform to the use regulations of the district in which it is located.

79. Non-Conforming Use. A use which lawfully occupied a building or land at the time of adoption of this Code but which no longer conforms with the use regulations or the district in which it is located.

80. Nursing Home. An extended or intermediate care facility licensed or approved to provide full-time convalescent or chronic care to individuals who by reason of advanced age, chronic illness or infirmity are unable to care for themselves.

81. Medical or Dental Laboratory. A place of business devoted to the testing and analysis for the medical profession or to the preparation of dentures and similar items for dental preparation.

82. Off-Street Loading Space. An open, hard-surfaced area of land other than a street or a public way, the principal use of which is for the standing, loading and unloading of motor trucks, tractors and trailers to avoid undue interference with the public use of streets and alleys.

83. Office, Medical or Dental. The office of a member of the medical or dental profession requiring licensing by the State and maintenance of professional standards applicable to the field for which services are provided on an out-patient basis.

84. Office, Non-Medical and Non-Dental. A use or structure other than a medical use where business or professional activities are conducted and/or business or professional services are made available to the public, including, but not limited to, tax preparation, accounting, architecture, legal services, real estate and securities brokering, and professional consulting services. "Office" shall not include any use that is otherwise listed specifically in a zoning district as a permitted or special use.

85. Overlay Zoning District. An overlay-zoning district is a mapped area with restrictions beyond those in the underlying zoning. An overlay district is used to achieve planning objectives, which may not be achieved through the underlying zoning. Where conflicts arise between the overlay district and the underlying zoning, the overlay district restrictions apply.

86. Parcel Delivery and Pick-Up Service. An establishment where parcels, not exceeding 120 inches in length or girth and not exceeding 125 pounds, are being received for the shipment and delivery to other destinations or are available for pick-up after arriving from other locations.

87. Parking Area. An open or covered, hard-surfaced area, other than street, alley or public right-of-way, used for the parking of vehicles.

a. A Private Parking Area is for private vehicles only, of occupants of the building or

buildings for which the parking area is developed and is accessory.

- b. A Public Parking Area is for the storage of vehicles of occupants of the building or buildings for which the parking area is developed and is accessory.

88. Patio. A level landscaped and/or surfaced area.

89. Pawn Shop/Cash Converter Facility. A building or use, the principal purpose of which is the lending of money on deposit or pledge of personal property, or dealing in the purchase of personal property on condition of selling the same back at a stipulated price.

90. Personal Trainer. A physical fitness trainer who provides individual fitness counseling.

91. Pervious Surface. A surface that presents an opportunity for precipitation to infiltrate into the ground.

92. Pet Grooming Establishments. Any place or establishment, public or private, where animals are bathed, clipped, or combed for the purpose of enhancing their aesthetic value and/or health and for which a fee is charged.

93. Pet Shops and Supply Stores. A retail sales establishment primarily involved in the sale of domestic animals, such as dogs, cats fish, birds, reptiles, and related pet supplies, but excluding exotic animals and farm animals such as horses, goats, sheep and poultry.

94. Physical Rehabilitation Center. A facility licensed by the State of Illinois providing treatment on an out-patient basis to remove or reduce the risk of injury, impairment, functional limitation or disability, including the promotion and maintenance of fitness, health and wellness through a rehabilitation plan of therapeutic intervention.

95. Pickup Camper. A structure designed for recreational use, designed primarily to be mounted on a pickup or truck chassis and with sufficient equipment to render it suitable for use as a temporary dwelling.

96. Playhouse. A freestanding structure, with a maximum height not to exceed 12 feet in a side yard and 15 feet in a rear yard.

97. Porch. A covered protection from a wall of a building that may or may not use columns or other ground supports for structural purposes and which is primarily used to provide an extension of the living area.

98. Portico. A roofed structure projecting from the building which has no enclosures of any kind and which has an entry surfaced area that does not exceed eight feet in width and does not extend more than four feet out from the building.

99. Principal Building. A building in which the residence or permitted primary use of the lot is conducted.

100. Principal Use. The main use of land or buildings, as distinguished from a subordinate or accessory use, to which premises are devoted comprising at least 80% of the floor area and the primary purpose for the premises.

101. Private Roadway. The paved area, exclusive of sidewalks, driveways or related uses, on private property, used or intended to be used for circulation, passage or travel of motor vehicles from a street to two or more adjacent parcels.

102. Public Utility. Any person, firm, corporation or municipal department duly authorized to furnish, under public regulation, to the public, electricity, gas, steam, telephone, telegraph, transportation, cable television, water, and other data transmission services.

103. Railroad Right-of-Way. A strip of land with tracks and auxiliary facilities for track operation, but not including depots, loading platforms, stations, train sheds, warehouses, car shops, car yards, locomotive shops or water towers.

104. Research Laboratory. A place devoted to experimental study such as testing and analyzing but which does not include manufacturing, assembly or packaging of products.

105. Repair, Major. Includes any action which fixes, mends, or restores products other than motor vehicles:

- a. Major Repair is repair of products such as furniture, refrigerators, or similar products which generally require storage yards or storage area
- b. Minor Repair is repair of products such as shoes, watches, jewelry, and electronics

106. Restaurant. Any building or part thereof where food is cooked or prepared for compensation, for the general public and for immediate consumption on or off the premises.

107. Restaurant-Amusement Device Arcade. An establishment primarily devoted to the sale of food and beverage and partially devoted to the use of more than ten coin-operated amusement devices.

108. School. An institution conducting regular academic instruction at the kindergarten, elementary, middle school and high school levels.

- a. **Public School.** A public institution which offers general academic instruction equivalent to the standards prescribed by the School Code of Illinois.
- b. **Private School.** A non-public institution which offers programs accepted by the State of Illinois in lieu of public instruction.

109. Salon. Any establishment where cosmetology services are provided including hair care, nail care, and skin care on a regular basis for compensation.

110. Seating Area. Areas used to consume food or beverages on the customer side and which provide access to areas such as buffets, bars, or serving tables.

111. Sheltered Care. An establishment licensed to provide assistance, supervision or oversight to residents, usually short term. A sheltered care home may not provide skilled or intermediate nursing services nor care for those cases for which hospitalization is generally required.

112. Solar Energy System. A renewable energy system consisting of a collection of parts including any base, mounts, tower, solar collectors and accessory equipment such as utility interconnections and solar storage batteries in such a configuration as necessary to convert solar radiation into thermal or electrical energy. There are three types of Solar Energy Systems:

- a. **Roof Mounted.** A renewable energy system consisting of equipment installed on the roof of a principal or accessory building located between the eave and ridge used for the conversion of sunlight into a usable form of electrical energy or to heat water.
- b. **Wall Mounted.** A renewable energy system consisting of equipment installed on a wall of a principal or accessory building below the eave, or where there is a flat roof the space below the top of a parapet, used for the conversion of sunlight into a usable form of electrical energy or to heat water.
- c. **Ground Based.** A renewable energy system consisting of equipment used for the conversion of sunlight into a usable form of electrical energy placed on the ground of a zoning lot and which is not attached to any principal or accessory building.

113. Storage Facility. A place where goods, materials, or personal property is placed and kept for more than 24-consecutive hours.

114. Story. That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between the floor and the ceiling next above it. Any portion of a story exceeding 14 in height shall be considered as an additional story for each 14 or fraction thereof.

115. Story, Half. That portion of a building under a gable, hip or mansard roof, the wall plates of which, on at least two opposite exterior walls, are not more than four and one-half feet above the finished floor of such story. In the case of one-family dwellings, two-family dwellings and multiple-family dwellings less than three stories in height, a half story in a sloping roof shall not be counted as a story for the purposes of this Code. In the case of multiple-family dwellings three or more stories in height, a half story shall be counted as a story.

116. Structure. Anything constructed or erected which requires location on the ground or is attached to something having location on the ground, including a fence or freestanding wall, television antenna towers, earth stations, or other devices receiving electronic signals. A sign, billboard or other advertising medium, detached or projecting, shall be construed to be a structure.

117. Structural Alterations. Any change except those required by law or ordinance, which would prolong the life of the supporting members of a building or structure, such as bearing walls, columns, beams or girders, not including openings in bearing walls as permitted by other ordinances.

118. Travel Trailer. A rigid, non-collapsible structure designed to provide temporary living quarters primarily for recreational use, constructed with integral wheels to make it mobile land/or towable by a motor vehicle.

119. Tree House. An accessory structure which utilizes one or more trees for structural support and/or incorporates the tree into the design.

120. Used Car Lot. A zoning lot on which used cars are displayed for sale or trade.

121. Vehicle. Any device in, upon or by which any person or property is or may be transported or drawn upon a highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks.

- a. **Commercial Vehicle.** Any type of vehicle used or maintained for commercial purposes, primarily to transport material or operate a power attachment or tool, such as a snowplow or any vehicle containing cargo for commercial purposes. For purposes of this Chapter, any vehicle with advertising or a business designation affixed to it shall be considered a commercial vehicle.
- b. **Recreational Vehicle (RV).** An RV shall include, but not be limited to, camper trailer (pop-up), motor home, off-road vehicle, open trailer, pickup camper, snowmobile, travel trailer and water craft.

122. Trailer. Any motorized or non-motorized vehicle intended to carry or store a recreational vehicle. An open trailer or a trailer not carrying or storing an RV shall be considered an RV for the purposes of this Code.

123. Window Wells. A space maintained between a below grade window and the surrounding soil. The window well provides drainage or air or light around the window and in some cases, an egress route from the structure.

124. Yard. An open space on the same zoning lot with a principal building or group of buildings, which is unoccupied and unobstructed from its lowest level upward, except as otherwise permitted in this Code, and which extends along a lot line and at right angles thereto to a depth or width specified in the yard regulations for the district in which the zoning lot is located. The following are the specific definitions for each type of yard:

- a. **Exterior Side Yard.** That part of the yard on a corner lot, lying between the exterior side lot line and the nearest line of the principal building and extending from the front yard (or from the front lot line, if there is no required front yard) to the rear yard (or from the rear lot line, if there is no required rear yard). On a corner lot, the larger of the two

lot dimensions adjacent to the street shall be considered the exterior side yard.

- b. **Front Yard.** A yard extending across the full width of the zoning lot and lying between the lot line which fronts on a street and the nearest line of the principal building. On a corner lot, the smaller of the two dimensions adjacent to a street shall be considered the front yard.
- c. **Rear Yard.** A yard extending across the full width of the zoning lot and lying between the rear line of the lot and the nearest line of the principal building.
- d. **Side Yard.** That part of the yard lying between the nearest line of the principal building and a side lot line, and extending from the front yard (or from the front lot line, if there is no front yard) to the required rear yard (or from the rear lot line, if there is no required rear yard).

Definitions – revisions Jan 2017

1. **Delete current section 28-15 Occupancy Permits (move non-redundant provisions to Chapter 23, Building Regulations, where they belong)**
2. **Delete current section 28-16 Plats (also found in Chapter 23, Building Regulations, where it belongs)**
3. **Delete current section 28-17 Enforcement (move it to Section 3-304b, with the other duties of the Building Director, where it belongs).**
4. **Renumber current section 28-18 to 28-15 as set forth below:**

Section 28-15 Changes and Amendments.

15.1 Requirement for Public Hearing. The regulations imposed and the districts created by this Chapter may be amended from time to time, but no such amendments shall be made until a public hearing has been held. The Notification Requirements set forth below apply for all public hearings required by this Chapter.

15.2 Published Notice. A notice of the time and place of any public hearing shall be published in newspaper of general circulation in the Village. This Notice shall be published at least 15 days before the date of the public hearing.

15.3 Written Notice. A petitioner for any project requiring a public hearing pursuant to this Chapter shall serve written notice in person or by first-class mail to all property owners of record within 250 feet of the property lines of the subject property; provided the number of feet occupied by all public roads, streets, alleys and other public ways shall be excluded in computing the 250 foot requirement. If the project is a planned unit development, the 250 feet shall be measured from the outermost property line of the entire planned unit development. In addition to notifying property owners, if applicable, the homeowners' association or condominium association must also be notified. The notice must be sent no less than 15 days nor more than 30 days prior to the date set for the public hearing. A copy of the notice with a copy of the list of addresses shall be provided to the Planning Department at the time notice is given to the owners or taxpayers. If, after a bona fide effort to determine such by the petitioner, an owner cannot be found, the notice requirements of this section shall be deemed satisfied upon the petitioner filing an affidavit evidencing the inability to serve notice on that owner.

The required notices shall contain the address of the location for which the public hearing is requested, a brief statement of the nature of the request, the name and address of the legal and beneficial owner of the property, and the time and date on which the hearing shall be held.

15.4 Notice by Sign. Not less than 15 days prior to the date before the public hearing, the petitioner shall post a readable sign on all adjacent roadways. All signs must be removed no later than ten days after completion of the final hearing.

The required sign shall contain the current zoning action requested, date, time and place where the hearing shall be held, a statement that further information can be obtained from the petitioner and the Planning Department of the Village of Arlington Heights, and the phone number of the Village and the petitioner. The sign shall be approximately 30" high by 48" wide. The words

"NOTICE OF PUBLIC HEARING" must appear at the top of the sign(s) in letters no smaller than 1.5". The date and time of the hearing shall also be 1.5". The sign(s) shall meet all other requirements set forth by the Village. All costs associated with the sign(s) for any public hearings are to be borne by the petitioners. A sample sign is set forth below:

NOTICE OF PUBLIC HEARING	
HEARING FOR: [Fill in current zoning and action requested]	
HEARING LOCATION: ARLINGTON HEIGHTS MUNICIPAL BUILDING 33 S. ARLINGTON HEIGHTS ROAD ARLINGTON HEIGHTS, IL 60005	
DATE: [Fill in hearing date]	TIME: [Fill in hearing time]
PUBLIC ATTENDANCE AND COMMENTS INVITED	
FOR DETAILS CALL:	
[Fill in petitioner's name and phone number]	or Village of Arlington Heights Department of Planning & Community Development at 847-368-5200

15.5 Certification of Notice. In advance of the hearing date, the petitioner shall furnish an affidavit certifying that he has complied with the applicable notice requirements. Attached to the affidavit shall be a list of all property owners notified in accordance with the above, the returned notices which are undeliverable by the post office, a copy of the notice sent to each of the individuals therein specified, and a statement that the sign was erected according to Village requirements. Forms of the affidavit shall be made available by the Planning Department.

15.6 Protest Against Amendment. Owners of the frontage of property immediately adjoining or across an alley from or directly opposite frontage which is proposed to be altered as to regulations or districts may file a written protest against a proposed amendment. The protest must be signed by at least 20% of the owners as described above and each signature must be notarized. The written protest shall be filed with the Village Clerk. If the written protest meets the requirements of this Section, the amendment shall not be passed except by the favorable vote of two-thirds of all members of the Village Board

5. Delete current section 28-19, Violation and Penalty (covered by the General Penalty provision in Section 1-501 of the Code

6. Delete current section 28-20, Validity (will be in adopting ordinance)

7. Delete current section 28-21, Repeal of Conflicting Ordinances (will be in adopting ordinance)

ZONING REGULATIONS

(Ord. #03-067)

14.4 Enforcement of a Development Schedule. The Certificate of Approval shall be effective for no more than 12 months from the date it was issued. Unless a building permit has been issued and construction commenced within this time period, the certificate of appropriateness shall be void. An extension of up to 12 months can be obtained by submitting a detailed request to the Planning and Community Development Department.

(Ord. #05-037)

14.5. Amendments. Amendments to a certificate will be obtained through the same process as set forth above.

(Ord. # 04-078)

14.6 Appeal. For all petitioners appearing before the Design Commission who do not need to also appear before the Plan Commission or Zoning Board of Appeals, the petitioner has the right to appeal directly to the Village President and Board of Trustees. The written appeal must be made in writing, to the Village Manager, within 30 days of receipt of the notice of denial by the Design Commission. The Village Board, at a regular meeting, will then either:

- a. agree with the Design Commission's decision; or
- b. overrule or modify the decision of the Design Commission and direct the issuance of a permit.

For all petitioners appearing before the Design Commission who need to also appear before the Plan Commission or Zoning Board of Appeals, the petitioner has the right to file an appeal to the Village President and Board of Trustees. The written appeal must be made in writing and shall be forwarded to the Plan Commission or Zoning Board of Appeals along with the other documents submitted for their review. The appeal will be considered by the Village Board at a regular meeting concurrently with the Village Board's review of the recommendation from the Plan Commission or Zoning Board of Appeals. The Village Board will then either:

- a. agree with the Design Commission's decision; or
- b. overrule or modify the decision of the Design Commission and direct the issuance of a permit.

In all other cases, the Design Commission's decision will be sent to the Plan Commission or Zoning Board of Appeals, along with other documents for review and then forwarded to the Board.

Section 28-15 - Occupancy Permits.

15.1 Subsequent to the effective date of this ordinance no change in the use or occupancy of land, nor any change of use or occupancy in any existing building shall be made, nor shall any new building be occupied for any purpose until a certificate of occupancy has been issued by the Building Commissioner. Every certificate of occupancy shall state that the new occupancy complies with all provisions of this Ordinance.

15.2 No permit for excavation for, or the erection or alteration of, any building shall be issued before the application has been made and approved for a certificate of occupancy and compliance.

ARLINGTON HEIGHTS MUNICIPAL CODE

15.3 A record of all certificates of occupancy shall be kept in the office of the Building Commissioner and copies shall be furnished on request to any person having a proprietary or tenancy in land or in a building affected by such certificate of occupancy.

15.4 A certificate of occupancy shall be required of all non-conforming uses of land or buildings created by the passage of this ordinance. Application for such certificates of occupancy for non-conforming uses shall be filed with the Building Commissioner by the owner or lessee of the land or building occupied by such non-conforming use within three years from the effective date of this ordinance. It shall be the duty of the Building Commissioner to issue a certificate of occupancy for non-conforming use.

15.5 Any non-conforming use for which an occupancy permit has not been obtained on conformity with the requirements of sub-section 14.4 shall be presumed to be operating in violation of this Ordinance and such use shall thereupon be abated.

Section 28-16 – Plats. Each application for a building permit shall be accompanied by a plat, in duplicate, or duplicate prints thereof, drawn to scale, showing the actual dimensions of the lot to be built upon, the size, shape and location of the building to be erected, the size, shape and location of any existing buildings, and such other information as may be necessary to provide for the enforcement of this Ordinance. A record of applications and plats shall be kept in the office of the Building Commissioner.

Section 28-17 – Enforcement. It shall be the duty of the Building Commissioner to enforce this Ordinance. Appeal from the decision of the Building Commissioner may be made to the Zoning Board of Appeals, as provided in Section 12.

Section 28-18 - Changes And Amendments.

18.1 Requirement for Public Hearing. The regulations imposed and the districts created by this ordinance may be amended from time to time, but no such amendments shall be made until a public hearing has been held, and a report and recommendation has been made thereon by the Village of Arlington Heights.

18.2 Notification Requirements.

18.2-1 Published Notice. At least 15 days' notice of the time and place of such hearing shall be published in an official paper of general circulation in the Village of Arlington Heights.

(Ord. # 04-059)

18.2-2 Written Notice. In addition to the notice requirements otherwise provided by law, an applicant for any public hearing required by this Zoning Ordinance shall, not less than 15 days and not more than 30 days prior to the date set for the public hearing, serve written notice in person or by first-class mail to the last known taxpayer or property owner or owners of record reflected in the County records of all property within 250 feet in each direction of the property lines of the subject property for which the public hearing is requested; provided the number of feet occupied by all public roads, streets, alleys and other public ways shall be excluded in computing the 250 foot requirement; in the event of a planned unit development, 250 feet shall be measured from the outermost property line of the entire planned unit development; if any part of a condominium property is located within 250 feet of the property which is the subject of a

ZONING REGULATIONS

hearing, written notification shall be sent to each taxpayer of record of the condominium as well as to the condominium association; if written notification is sent to a trust company or lending institution of record, the notice requirement of this section shall be deemed satisfied. A copy of the notice with a copy of the list of addresses shall be mailed to the Planning Department at the time notice is given to the owners or taxpayers.

The notices herein required shall contain the address of the location for which the public hearing is requested, a brief statement of the nature of the request, the name and address of the legal and beneficial owner of the property, and time and date on which said hearing shall be held. If, after a bonafide effort to determine such by the applicant, the owner cannot be found, the notice requirements of this section shall be deemed satisfied upon filing by the applicant of an affidavit evidencing the inability to serve such notice.

(Ord. # 04-059)

18.2-3 Notice by Sign. An applicant for public hearing shall, not less than 15 days prior to the date before the public hearing post a readable sign(s) on the adjacent roadway(s). Sign(s) must be removed no later than ten days after completion of the final hearing.

SAMPLE SIGN

APPROXIMATE SIZE: 30" HIGH BY 48" WIDE

NOTICE OF PUBLIC HEARING*

HEARING FOR: [Fill in current zoning and action requested] +

HEARING LOCATION: ARLINGTON HEIGHTS MUNICIPAL BUILDING +
33 S. ARLINGTON HEIGHTS ROAD +

DATE: [Fill in hearing date] **TIME:** [Fill in hearing time] *

PUBLIC ATTENDANCE AND COMMENTS INVITED

FOR DETAILS CALL:

[Fill in petitioner's name
and phone number]

or Village of Arlington Heights
Department of
Planning & Community Development at
847-368-5200

- Sign must be posted on adjacent roadway(s) 15 days prior to hearing date.
- Sign must be removed by seven days after the first hearing.

+ MUST BE AT LEAST 1 ½" HIGH

+ MUST BE AT LEAST 1" HIGH

The sign (s) herein required shall contain the current zoning action requested, date, time and place where said hearing shall be held, a statement that further information can be obtained from the petitioner and the Planning Department of the Village of Arlington Heights, and the phone number of the Village of Arlington Heights and the petitioner. The words, "NOTICE OF PUBLIC HEARING" must appear at the top of the sign (s) in letters no smaller than 1.5". The

ARLINGTON HEIGHTS MUNICIPAL CODE

date and time of the hearing shall also be 1.5". The sign (s) shall meet all other requirements set forth by the Village of Arlington Heights. All cost associated with hearing sign (s) are to be borne by the petitioners.

(Ord. #04-059)

18.2-4 Certification of Notice. The applicant shall furnish, at the time of hearing, a written statement certifying that he has complied with the requirements of this subsection. Attached to the written statement shall be a list of all property owners notified in accordance with the above, the returned notices which are undeliverable by the post office, a copy of the notice sent to each of the individuals therein specified, and an affidavit, witnessed by a notary public that the sign was erected according to Village requirements. Forms of the affidavit shall be made available by the Planning Department.

18.3 Protest Against Amendment. In case of written protest against any proposed amendment, signed and acknowledged by the owners of twenty percent of the frontage immediately adjoining or across an alley therefrom or by the owners of twenty percent of the frontage directly opposite the frontage proposed to be altered as to such regulation or district, filed with the Village Clerk of the Village of Arlington Heights, such amendment shall not be passed except by the favorable vote of two-third of all members of the Board of Trustees of the Village of Arlington Heights.

Section 28-19 - Violation And Penalty. Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of these provisions of this ordinance shall be fined not less than \$5.00 nor more than \$500.00 for each offense, and in addition, shall pay all costs and expenses involved in litigation. Each day that a violation is permitted to exist shall constitute a separate offense.

Section 28-20 – Validity. If any section, paragraph, subdivision, clause, sentence or provision of this ordinance shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder of this ordinance, but the effect thereof shall be confined to the section, paragraph, subdivision, clause, sentence or provision immediately involved in the controversy in which judgment or decree shall be rendered.

Section 28-21 – Repeal of Conflicting Ordinances. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Restaurant Characteristic Analysis

A summary of 61 restauraunts that have been approved since 2006

Seating and Total Area Counts are shown as:

Indoor (Indoor with Outdoor Patio)

PC #	Name	Address	Total Area (SF)	Total Seating Area (SF)	% of Floor Area allocated to seating (SF)	Total Seating Capacity (Seats)	Parking Required (Spaces)	Serves Alcohol	Received Parking Variation	Notes
2010-006	Roundy's Café	802 E. NW Highway	1,273	1,273		61	28	N	N	Café in Grocery Store
2009-019	Around the World Café	4204 N AH Road, D	1,447	NA	NA	NA	5	N	N	Carry out only
2009-011	Cool LeBerry	4204 N AH Road, D	1,414	693	49%	44	15	N	N	
2009-008	Subway	2960 W. Euclid	1,130	386	34%	20	9	N	N	
2009-005	Mario's	6 S. Dunton	2,000	739	37%	62	4	Y	N	Downtown
2009-001	2nd Wind	3400 W. Euclid	2,362	2,362	--	126	52	Y		Resturant in Hotel
2008-017	Harry's		5,621	1,910	34%	180	10	Y	N	Downtown - Expansion that was a 37% increase
2008-016	Tuscana	1859 W. Central	2,613	1,158	44%	85	26	Y	N	
2008-008	LaZingara	2300 E Rand, E	3,042 (3,806)	850 (1,610)	28% (42%)	70 (106)	19 (36)	Y	2 Req: 152, Pro: 11	(includes outdoor seating). Increased the previously approved parking variation by 2 stalls.
2008-004	BBQ Chicken	31 W. Golf	1,810	694	38%	50	15	Y	N	
2008-003	Jimmy D's	1718 W. NW Highway	4,750	2,150	45%	113	48	Y	10 Req: 62, Pro: 52	
2007-032	Armand's	70 N. Vail	5,462	3,159	58%	162	16	Y	N	Downtown - expansion that doubled seating area
2007-026	Javier's	202 N. Dunton	6,150	2,400	39%	184	12	Y	N	Downtown
2007-025	Brama Bread	6 S. Dunton	2,000	1,000	50%	49	5	N	N	Downtown
2007-024	Grand Station	101 W. Campbell	4,978	2,241	45%	148	11	Y	N	Downtown
2007-019	Homemade Pizza	17 S. Dunton	1,500	NA	NA	NA	3	N	N	Downtown - carry out only
2007-008	Potbelly's	NEC Euclid/Rohlwing	2,400	1,355	56%	72	30	N	N	
2007-007	Café RomanZa	2324 E. Rand Road	1,040 (1,610)	315 (885)	30% (55%)	16 (38)	7 (20)	Y	N	(includes outdoor seating)
2007-006	Jimmy Johns	19 S. Dunton Avenue	1,500	798	53%	38	4	N	N	Downtown
2006-036	Big Shots	2 S. Vail	3,240	1,776	55%	95	9	Y	N	Downtown
2006-030	Five Star Deli	4204 N Ah Rd-D/E	2,894	1,000	35%	51	22	N		
2006-028	Essence of Europe	1601 W. Campbell	351	351	--	32	8	N	N	Small deli in grocery store
2006-025	Chong Ga House	628 E. Golf Road	1,500	648	43%	52	12	Y	N	
2006-018	My Pie Pizzeria	1401 E. Palatine-E	900	NA	NA	NA	3	N	N	Carry out only
2006-016	Beaner's Coffee	21 S. Dunton	1,500	400	27%	23	2	N	N	Downtown
2006-011	Penang	1720 W. Algonquin	3,231	1,485	46%	99	33	Y	N	
2006-007	Dunkin Donuts	4204 N. AH Rd-A	1,823	248	14%	10	6	N	N	
2006-001	Paprikash	602 W. NW Highway	3,065	1,482	48%	135	33	Y	-8 Req: 33, Pro:25	

Restaurant Square Footages, 2006-2016						
Size	Prior to 2013	Percentage*	After 2013	Percentage*	2006-2016	Percentage
Less than 1500 SF	13	29% (21%)	4	25% (7%)	17	28%
1501-1999 SF	6	13% (10%)	2	13% (4%)	8	13%
2000-2499 SF	9	20% (15%)	2	13% (4%)	11	18%
2500- 2999 SF	6	13% (10%)	1	6% (1%)	7	11%
3000- 3499 SF	3	7% (5%)	1	6% (1%)	4	7%
3500- 3999 SF	1	2% (1%)	0	0% (0%)	1	2%
4000 + SF	7	16% (11%)	6	37% (10%)	13	21%
Total:	45	100% (73%)	16	100% (27%)	61	100%

*Percentages shown as: Percentage for date range, (Percentage of all restaurants in study)

PC #	Name	Address	Total Area (SF)	Total Seating Area (SF)	% of Floor Area allocated to seating (SF)	Total Seating Capacity (Seats)	Parking Required (Spaces)	Serves Alcohol	Received Parking Variation	Notes
2016-006	Egg Harbor Café	140 E. Wing St.	4796	2370	49%	151	53	N	N	Parking Study Still Required
2015-008	Chuck E. Cheese's	41 W. Rand Rd.	13263	3770	28%	256	84	Y	N	
2015-003	TNT's Snack Shop	1706 W. Campbell St.	1000	380	38%	27	8	N	N	USED WAIVER
2015-002	Porky's BBQ	41 S. Dunton Ave.	1200	176	15%	10	1	N	N	USED WAIVER
2015-001	Hanshipocha	1918 S. Arlington Hts. Rd.	1196 (1436)	626 (866)	52% (60%)	N/A	19	Y	N	USED WAIVER
2014-021	Aurelio's Pizza	2944 W. Euclid Ave.	5075 (5475)	1954 (2354)	39% (43%)	208	52	Y	N	
2014-017	Savory Salads	2932 W. Euclid Ave.	1756 (2036)	490 (770)	28% (38%)	68	17	N	N	
2014-007	Starbucks	1808 S. Arlington Heights Rd.	2647	569 (850)	21%	70	19	N	N	Includes drive-thru
2014-006	5th Avenue Sushi Restaurant	138 E. Rand Rd.	2100	902	43%	66	20	Y	N	
2014-004	Toscana Restaurant	1859 W. Central Rd.	2937 (3253)	1279 (1595)	44% (49%)	157	35	Y	N	Ord. retates to expansion in seating capacity
2014-001	Honeyberry Café	306 E. Rand Rd.	6779	X	X	X	X	N	N	USED WAIVER, For Outdoor Seating Only
2013-022	McDonalds	15 E. Dundee Rd.	4387	1600	36%	N/A	36	N	N	Includes drive-thru
2013-021	Dunkin Donuts	1818 W. Northwest Highway	1498	192 (452)	13% (26%)	22	11	N	N	(135 Indoor seats, 22 Outdoor) Includes drive-thru/outdoor seating
2013-013	Japanese Restaurant	932 W. Algonquin Road	1750	872	50%	49	19	Y	Y	Parking variation for entire development (709 to 685 spaces)
2013-009	Circa 57	10 S. Vail Avenue	4189	2953	70%	144	15	Y	N	
2013-004	Jimmy's Place	640 W. Northwest Highway	1551	783	50%	48	17	N	Y	Parking variation (17 to 9 spaces)
2013-001	SPECIAL USE WAIVER									
2012-026	Star Cinema Grill	53 S. Evergreen Avenue	22354	N/A	N/A	707	88 (202 HNTB)	Y	N	Restaurant to serve theater patrons - not stand-alone
2012-022	Manpasand Restaurant	648 E. Golf Road	2800	1108	40%	68	30	N	N	Carry-Out with Dining
2012-020	Subway Restaurant	333 S. Arlington Hts. Rd.	2493	1450	58%	44	32	N	Y	Parking variation for entire building (47 to 27 spaces)
2012-014	Pure Juice Café	24 S. Evergreen	1265	409	32%	20-26	2	N	N	Sit-down/Carry Out Juice Bar
2012-008	Dolce Bakery and Café	4204 N. AH Rd, Unit E	1447	286	20%	16	6	N	N	Italian bakery with small seating area
2012-006	Popolicious	10 S. Evergreen	2,030	NA	NA	NA	3	N	N	Downtown - CO only
2012-004	Qdoba	1015 W. Dundee	2,532 (2,732)	1,232 (1,432)	49% (52%)	66 (82)	27 (32)	Y	N	(includes outdoor café)
2012-003	Caribou	1015 W. Dundee	1,752 (2,082)	768 (1,098)	44% (53%)	38 (54)	17 (24)	N	N	Drive-thru (includes outdoor café)
2012-001	Berry Yo	50 N. Vail	1,800	810	45%	50	4	N	N	Downtown - Ice Cream
2011-019	Jets Pizza	59 W. Golf	1,800	NA	NA	NA	6	N		Carry out only
2011-004	Nathans	1766 W. Algonquin	2,715	540	20%	50	12	N		
2011-003	Caribou	115 W. Rand	2,089 (2,279)	542 (732)	26% (32%)	44 (60)	12 (16)	N	N	Drive-thru (includes outdoor café)
2011-002	Smashburger	115 W. Rand	2,201 (2,407)	614 (820)	28% (34%)	51 (75)	14 (18)	Y	N	(includes outdoor café)
2011-001	Jersey Mikes	115 W. Rand	1,490 (1,640)	348 (498)	23% (30%)	38 (46)	8 (11)	N	N	(includes outdoor café)
2010-013	Culvers	2020 E. NW Highway	3,950 (4,530)	1,300 (1,880)	33% (41%)	91 (127)	29 (42)	N	N	Drive-thru (includes outdoor café)
2010-011	Subway	4204 N AH Road, D	1,414	448	32%	37	10	N	N	

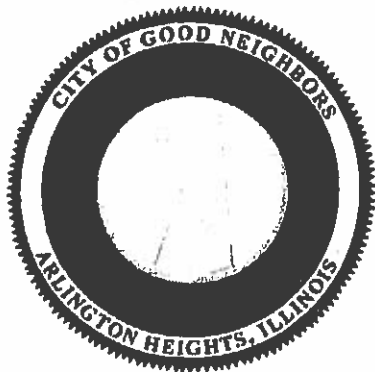


Special Use Waiver for Restaurant Application



March 2013

**Prepared by:
The Department of Planning and
Community Development
Village of Arlington Heights
33 S. Arlington Heights Road
Arlington Heights, Illinois 60005
(847) 368-5200
www.vah.com**



Department of Planning
and
Community Development
**Special Use Waiver for Restaurant
Application Form**

PETITIONER'S APPLICATION	
Petition #: SUW: _____	Site Location: _____
Petitioner's Name: _____	Site Gross Area: _____
Petitioner's Address: _____	PIN: _____
Property Owner: _____	
Contact Person: _____	
Address: _____	Petitioner's Signature _____ Date _____
Phone #: _____	
Fax #: _____	Owner (Beneficial) _____ Date _____
Email: _____	

The petitioner must fill out the top section of this page. The petitioner and owner must sign this page on the signature line provided above prior to submitting the completed application. In addition the following shall be required:

REQUIRED APPLICATION MATERIAL

1. **Ownership Information** – Fully Executed Lease, or fully Executed Contract to Purchase
2. **Detailed Business Narrative**—overview of the restaurant concept/theme, the hours of operation, number of employees during the largest work shift, the anticipated delivery and trash collection times, and a menu.
3. **Current Plat of Survey**
4. **Application form.**
5. **Written justification to the Special Use criteria**
6. **Plans, Studies, and Support Documentation** – Not to exceed 24" x 36" sheet size.
 - a) Fully dimensioned and to scale floor plan
 - b) A site plan showing location of grease trap and refuse area
 - c) A fully dimensioned detail of the trash enclosure.
 - d) A parking survey over a three day period, including Saturday, that demonstrates that the site has sufficient parking to meet code.
 - e) A written statement indicating that all new roof mounted mechanical equipment will be screened in a manner that is architecturally compatible with the design of the building.
 - f) List of existing tenants and the amount of floor area they each occupy.

Village of Arlington Heights Department of Planning and Community Development
33 S. Arlington Heights Road
Arlington Heights, Illinois 60005
847-368-5200
847-368-5988 (FAX)

PETITIONER ACKNOWLEDGEMENT

I, _____, being the Petitioner for the proposed Special Use Waiver for a Restaurant request, acknowledge that the Village reserves the right to add other restrictions if there are impacts to surrounding property owners and/or require public hearing review by the Plan Commission and approval by the Village Board.

Signature



4,000
Downtown not included in the list
As per 11/16/15 OK

Department of Planning and Community Development **Special Use Waiver for Restaurant-Criteria**

Petitioner: _____

Project: _____

Location: _____

The use of the checklist below is to be used to ensure a complete submittal and to be filled out by staff to determine compliance with the Special Use Waiver process.

CRITERIA	YES	NO
The Petitioner has provided proof of ownership or fully executed Lease for the proposed location.		
The proposed request is consistent with current zoning and/or any other enabling ordinance governing the property.		
Under ordinary circumstances, the proposed request would otherwise require a Special Use Permit per existing zoning and Chapter 28, Section 5.5-1, <i>Permitted Uses</i> .		
The Petitioner has provided, to the satisfaction of the Village a written justification to the Special Use criteria (Chapter 28, Section 8.5-1 through 8.5-3).		
The proposed restaurant does not have a drive-through and/or does it involve any new building construction or building addition.		
The proposal meets one or more of the following. ▪ A carry out only restaurant or ▪ A sit-down restaurant that is no larger than 1,500 square feet in size ▪ An outdoor café in conjunction with a legally established restaurant		
The Petitioner has provided written confirmation that the proposed restaurant will not serve alcohol.		
The Petitioner has provided evidence that the proposed restaurant is not within one mile of the same restaurant franchise.		
The Petitioner has provided, to the satisfaction of the Village a detailed business summary (including but not limited to; an overview of the restaurant concept/theme, the hours of operation, the maximum number of employees during the largest work shift, the anticipated delivery and trash collection times, and a menu).		
The Petitioner has provided a code compliant floor plan that is to scale and shows the size and layout of the interior dining room and kitchen.		
The Petitioner proposed request complies with all applicable accessibility, building, health, and life safety Code requirements.		
The Petitioner has provided written confirmation that any new roof mounted mechanical equipment required in conjunction with the restaurant will be screened from the public view in a manner that is architecturally compatible with the building.		
The Petitioner provided written confirmation acknowledging that it is unlawful to cause or to knowingly permit the emission of objectionable odors in quantities so as to be readily detectable by an observer at any point on the boundary line of any premises or beyond and that if the Village determines that the proposed use does not comply with the aforementioned requirement, an understanding that additional measures and/or improvements will be incorporated to address the odor issue.		

The Petitioner provided written confirmation acknowledging that the Special Use Waiver approval shall be subject to the submittal and issuance of a building permit.		
The Petitioner provided, to the satisfaction of the Village, a plat of survey or a contextual site plan showing existing and proposed conditions (i.e. building and parking lot configuration, grease trap, loading, and refuse collection areas).		
The Petitioner provided to the satisfaction of the Village, a parking survey over a three day period, including Saturday, that demonstrates that the site has sufficient parking.		
For outdoor cafes located outside the Downtown, the Petitioner provided written confirmation indicating that the restaurant has been legally established either through the Special Use or Special Use Waiver process?		
For outdoor cafes located in the B-5 Downtown District, the Petitioner provided written confirmation that the outdoor eating area shall comply with the Village's administrative review process and the standards established in Chapter 28, Section 5.1-14.2.		
The Petitioner has provided to the satisfaction of the Village a fully dimensioned and to scale plan showing the location and configuration of the outdoor dining area.		
The Petitioner has provided, to the satisfaction of the Village, details of the outdoor furniture, which is designed to withstand a wind pressure of not less than 30-pounds per square inch.		
The Petitioner has provided written confirmation that the proposed restaurant is not a 24 hour operation.		
The Petitioner provided, to the satisfaction of the Village, certification/documentation from the architect/owner verifying the total square footage.		

Additional Remarks

Provide any additional information that you would like the Planning & Community Development Department to know about that would assist in the evaluation of this project.

The Village of Arlington Heights
Department of Planning and Community Development
33 S. Arlington Heights Road
Arlington Heights, Illinois 60004
(847) 368-5200
(847) 368-5988 FAX
Village Website www.vah.com
Department email: Planningmail@vah.com