



Agenda
Village of Arlington Heights
Building Code Review Board
Commissions Room
33 S. Arlington Heights Rd, Arlington Heights, IL 60005
February 27, 2017
7:00 PM

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF MINUTES

- A. Minutes from 7/25/16

IV. REPORTS

V. OLD BUSINESS

VI. NEW BUSINESS

- A. Variance from Chapter 23, Section 23-402 (amended 903.2); and Chapter 27, Section 27-102 (amended 903.2) of the Arlington Heights Municipal Code for 412 W. Algonquin Rd.- Arlington Animal Hospital

VII. OTHER BUSINESS

VIII. ADJOURNMENT

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



Item: Minutes from 7/25/16

Department: Building Services

ATTACHMENTS:

Description	Type
Minutes of July 25, 2016	Minutes

DRAFT

BUILDING CODE REVIEW BOARD

MINUTES OF A MEETING BEFORE THE VILLAGE OF ARLINGTON HEIGHTS BUILDING CODE REVIEW BOARD

JULY 25, 2016

MEMBERS PRESENT:

ADMINISTRATION PRESENT:

Carl Baldassarra
Richard Bondarowicz
John Scaletta (Trustee)
Scott Smith
Steve Touloumis, Director of Building Services
Charley Craig, Assistant Building Official
Patty LeVee, Recording Secretary

OTHERS PRESENT:

William and Karen Kissane, Petitioner
Jeffery Maki, Danley's Garage, Contractor

SUBJECT:

- **Petitioner, William and Karen Kissane, seeking a variance from Section 23-302, R309.1 of Chapter 23 allow for an 18' free standing garage to replace an identical garage that was destroyed by a fallen tree during a storm.**
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There being a quorum present, Acting Chairman Carl Baldassarra called the meeting to order at 7:01 PM. All stood for the Pledge of Allegiance.

APPROVAL OF MINUTES

RICHARD BONDAROWICZ MOVED TO APPROVE THE MINUTES OF THE APRIL 30, 2015 MEETING, SECONDED BY TRUSTEE SCALETTA, THE MOTION PASSED UNANIMOUSLY.

NEW BUSINESS

Chairman Baldassarra introduced the request for a variance. **Mr. Kissane** noted he and his wife have been residents for 32 years. Their home is 47 years old; it is a four bedroom, split level, with a detached garage. On the 16th of March, a heavy 60mph wind toppled the neighbor's tree onto his garage, causing enough damage to need to have it demolished. He then contracted with Danley to replace the exact same garage and ran into a problem in terms of the width of the garage. According to code, garages

need to be 21' wide and the garage that was there was 18' wide. The problem with the extension to 21' is that it would violate another Village Ordinance involving the impervious coverage would be more than 55% of the yard. The yard is 40' wide.

Mr. Kissane continued stating he would need to move the water connection. His situation is unique being that the water service runs between Evergreen and Dunton. **Mr. Baldassarra** asked if it was behind the house. **Mr. Kissane** replied, yes, not in front. It runs directly along, parallel with the side of the garage and if he put a 21 foot garage it would cover that water connection, including the shut off valve.

Mr. Kissane mentioned he spoke with a plumber named Todd, who said it would cost a minimum of \$8,000 to move the water line, probably closer to \$16,000. He did not know how much it would be because he would have to go to the Village to find out how they would want this configured.

Mr. Kissane explained that they went to the Planning Department and they checked out the footage. Pointing out the site plan exhibited, he noted they had written that if he put a 21.5 foot garage, it would be 56.25% of the impervious coverage of the yard. He is trying to just simply put the garage that sat there for 47 years, replace exactly the same size etc. His understanding is that either way he goes; it is a violation of the Ordinance. The only other alternative is to not have a garage and that would lower the property value.

Mr. Baldassarra stated that the copy of the survey they received was dated 1987. He asked if there was any substantive change on the survey that would be material to this discussion. **Mr. Kissane** replied no, he has an updated survey that he gave to Danley, done within a year, and nothing has changed.

Mr. Baldassarra asked for comments. **Mrs. Kissane** noted that this is a very small yard and to build a larger garage is ridiculous. **Mr. Maki** (Danley Garage) had no comments adding that they are just requesting a variance to replace existing footprint.

Mr. Touloumis added that he did ask the Public Works Department/Water Service Department to go out and verify that actual location of that water line to assure that it was in fact something that would need to be moved and they did verify that it was running right next to and parallel to the garage.

Mr. Baldassarra asked if the Village supports this request. **Mr. Touloumis** replied, yes.

Mr. Baldassarra opened to questions from the Board. **Mr. Bondarowicz** asked **Mr. Craig**, could they not just call this a one car garage. **Mr. Craig** replied, not with the width of the doors that is proposed. If you had a one car wide, 8 foot wide door, our Ordinance specifically states that with an 8 foot wide door it is a one car garage. The next step up, wider than 12 feet becomes a two car door; it becomes a two car garage. **Mr. Bondarowicz** asked if it was because of the size of the door to enter. **Mr. Craig**

said, right, but what they want and what was there before was considered a two car garage and that is what they want to build. Our requirements or Ordinance state that by definition of a two car garage, it must be full width. They meet the depth already, so that is not a question.

Mr. Bondarowicz asked; but if the garage was built exactly the size that it was, and it had an 8 foot wide door, could it be interpreted as a one car garage? **Mr. Craig** answered, yes; it could be a one car garage.

Mr. Baldassarra asked if they used the garage for two cars. **Mrs. Kissane** stated they had two cars in there all of the time. **Mr. Bondarowicz** said he is not suggesting that it be a one car garage, this is a definition thing that actually surfaced a few years back and it has been a discussion on minimum widths. **Mrs. Kissane** stated the she is just thinking of resale value and that if they want to sell their house and list it, would it be considered a two car garage, which is what they bought it as, a two car garage.

Mr. Baldassarra did not think that should be a concern from their standpoint. He added, that he was on the Board when they made those changes and it was simply to improve the quality of life so that when you get in and out of your car, opening your door relatively easily, with people usually having other things in their garage, it was considered a good thing to do for new construction and he certainly understands their situation.

Mr. Baldassarra asked for further comments. **Mr. Smith** added his only comment is that they do not typically take into account the cost issue. How have we dealt with replacement in kind in the past? **Mr. Baldassarra** said that on this particular issue, and he has been on this Board since about 1987, he does not remember this particular issue coming up like this before. This is new for him. People have had hardships with setbacks and driveway widths, not having 10 feet or 9 ½ feet, and they have tried to work with people on that type of thing, this particular one though, he does not remember ever having come up before.

Mr. Baldassarra asked if the Village supports this because of the ground cover issue. **Mr. Touloumis** replied yes, that is part of it. He typically always looks at a person's intent. Did they intend to build a new garage? They did not just decide we want to build a new and bigger garage. This was something that occurred, if you want to call it an Act of God, they did not plan for it, and he agrees with the cost as not being the deciding issue, but this just was not intended, there was no intention to make this change.

Mr. Kissane said presently they have water pooling behind the garage and would imagine putting a wider garage would cause more of a flooding issue. **Mr. Baldassarra** mentioned it could be the opposite, depending on how it is graded.

Mr. Baldassarra asked if there was enough information for a motion. **Trustee Scaletta** stated he wanted it known on the record that he lives at 1336; he lives right next door to this property. With no reason that he can't participate in the dialog, he stated he has no

financial interest, and knows the Kissane's who live next door to him. He knows exactly where the water line is and where the water shut off is. **Trustee Scaletta** noted there are other garages in the neighborhood that are the same size this garage is and this also fits in the character of the neighborhood. If they were to make the garage any larger their side yard would again be considerably reduced, making the side yard almost useless. He is supportive of the variation and noted the Petitioner going through all the proper protocols, it just so happens they live next door.

Mr. Touloumis asked the Petitioner how far the house is from the garage. **Mr. Kissane** said it is about 12 feet. **Mr. Touloumis** mentioned the turning radius for a vehicle is probably pretty tight around the corner of the house. The **Kissane's** agreed it is, adding that they do use it but it is tight.

Mr. Baldassarra stated he would caveat this action tonight, if they move forward with it, that this does not set a precedent for future actions by this Board on this similar topic. Each one of these is a case by case basis.

Mr. Baldassarra called for a Motion.

TRUSTEE SCALETTA MOTIONED TO APPROVE THE VARIANCE REQUEST. SECONDED BY MR. BONDAROWICZ. THE MOTION CARRIED.

OTHER BUSINESS

Mr. Bondarowicz asked about the fire alarm/fire detection systems on multi-family. He mentioned a year or so ago there was discussion on multi-family condo buildings. **Mr. Craig** explained they were given a time limit in the future to finish installation of fire alarm systems in multi-family units. The time was by 2020. Some have done the work, some are waiting.

Mr. Bondarowicz recalled it was four stories or more. **Mr. Craig** said there was discussion in the past and there were some studies done. Paul Dumais, (Fire Safety Inspector) especially organized it into number of units, height, whether they have sprinkler systems, whether they have fire alarms of any kind etc. He has that broken down.

Mr. Bondarowicz said he remembered this was a big deal and that Paul Butt was working on it. **Mr. Craig** agreed he was and his name is on the letter that gave the time limit of the end of 2020.

Mr. Baldassarra said he remembered reading this under Old Minutes, that there was a question about it and the Village was going to get them more information. They all received on copy of the letter sent by Paul Butt, who is no longer with the Village.

Mr. Scaletta said he thought the letter said they had a longer time to complete the project but they needed to acknowledge that they understand the timing of it and provide some kind of timing with when they are going to do it. **Mr. Craig** said there was information to that in the letter. We did get some letters in response to that, while others did not respond at all. He stated we are still in contact with them and have written letters reinforcing the idea that the time limit is coming.

Trustee Scaletta asked if this is something that is reviewed during annual inspections. **Mr. Craig** said the condition of the buildings and the common areas are always reviewed under the inspections. If they have a fire alarm, we do look at them. Some of the buildings have fire alarms that do not meet standards; some have no fire alarms at all. If they have any fire alarm, they are inspected, and/or with some we get the verification from the private alarm company that they are operational.

Trustee Scaletta asked if a multi-family of four stories or more does not have an alarm system, are there any inspections that occur on an annual basis. **Mr. Craig** replied, generally yes, they are not always annual in a sense that they would certainly happen every year, but there are continuing inspections that happen on an approximately yearly basis. He is not sure, and would not want to say the wrong thing, he would have to reread the information and see which applied to four stories and which applies to less than four stories, he does not want to give the wrong statement.

Trustee Scaletta said he would go further in that he thought this Board was supportive of allowing additional time but that when appropriate during inspections it is being reinforced that there is this time limit; that the Village is taking additional steps to go on record again with the property owner, to make sure that somebody does not say at a later time that they were not aware, or property owner changed hands. All of these variety of issues that can come up where people say they were not aware, it would be in the Village's best interest to make sure that they are notifying people during the inspections of the Ordinance.

Mr. Baldassarra mentioned a courtesy indicator that there is an ordinance pending with a deadline. **Mr. Craig** said he does know that the inspectors do have those conversations with different building owners, and he knows he has had them with building owners who have called, but it is probably a good idea to reinforce to the fire inspectors, maybe write it down on their report.

Mr. Bondarowicz suggested sending the letter again. He said it will be interesting when everyone wants to put the systems in at the last minute.

Mr. Touloumis said one other item he contemplated bringing to the Board was the use of a third party reporting system dealing with the fire inspections. After talking with Robin in legal, she said we do not need to have Board action in order to use a method of how we are going to perform some of those functions. We are looking at some systems to be able to help us stay better on top. **Mr. Baldassarra** asked if he meant tracking systems. **Mr. Touloumis** replied yes. It is tracking and follow up systems.

There is no cost to the Village. They pick up their fees through people who submit from the test reports. In some ways it is a common business model for several different types of ancillary functions. Municipalities do RPZ's control systems, very common with a 3rd party company. They do the letters and follow up, and after lack of response it is brought back to the Village. At that point it is up to the Village to enforce. **Mr. Baldassarra** asked if the Village was going forward with that. **Mr. Touloumis** replied they are still in discussions and it is still being investigated.

Mr. Baldassarra asked if businesses have to pay an annual inspection fee. **Mr. Touloumis** said he does not believe they pay a separate inspection fee, he believes it is probably included as part of their business license fee.

Meeting was adjourned at 7:38



Item: Variance from Chapter 23, Section 23-402 (amended 903.2); and Chapter 27, Section 27-102 (amended 903.2) of the Arlington Heights Municipal Code for 412 W. Algonquin Rd.

Department: Building Services

Request:

Petitioner, Jason Sandorson of RWE Management, seeking a variance from Section 23-402, [F] 903.2 of Chapter 23 of the Village of Arlington Heights Municipal Code requiring all new buildings and structure to be equipped with automatic sprinkler systems pertaining to 412 W. Algonquin Rd., Arlington Animal Hospital.

Recommendation:

It is the opinion of Building Services that the petition should be denied for the following reasons:

1. Section 903.2 of the IBC is amended requiring fire sprinklers in Business (B) occupancies.
2. Section 3043.1 of the IBC requires additions to comply with the requirements of the code for new construction. Of note is that the size and construction of the proposed addition (as well as the existing construction type) does not provide a substantial fire load or hazardous condition to the community. The building is a stand-alone structure and has no exposures in the immediate area that would create an increased hazard from fire extending beyond the property.
3. Reasoning relating to percentages of the addition in relation to the existing building, type of construction, allowable areas, and separation from adjacent properties are not factors that take precedence over the requirement of the need for sprinklers.
4. Reasoning that requiring it for the addition 'triggers' the requirement for fire sprinklers in the existing area being remodeled is incorrect. Section 3404.1 of the IBC requires alterations to existing buildings to comply with the requirements of the code for new construction. Addition or not, alterations have to meet the code.

ATTACHMENTS:

Description

Application

Type

Correspondence

BUILDING CODE REVIEW BOARD APPLICATION AND PETITION

LOCATION OF PROPOSED PROJECT:

Address: 412 W. Algonquin Road

PETITIONER: OWNER:

Name: Darin Flaska - Arlington Heights Animal Hospital

Address: 412 W. Algonquin Road E-mail: drflaska@ahahvets.com

City: Arlington Heights State: IL Zip Code: 60005

Daytime Phone: 847-593-1898 Fax Number: _____

~~PROPERTY OWNER (if different from Petitioner):~~

Name: JASON SANDERSON - RWE MGMT

Address: 16 W 361 S FRONTAGE RD E-mail: JASW@RWE MANAGEMENT

City: BULK RIDGE State: IL Zip Code: 60527 COM

Daytime Phone: 630-734-0883 Fax Number: 630-734-0884

REQUEST:

Variation from Section 903.2 (IBC) of Chapter 23 of the Arlington Heights Municipal Code

BRIEF DESCRIPTION OF VARIANCE REQUEST:

Exception/waiver from Village amendment requiring all new buildings and structure to be equipped with fire protection system.

SUBMITTAL REQUIREMENTS:

The following information must be provided with this application:

- ☒ \$110 Application Fee (Non-Refundable)
- ☒ 14 sets of drawings and all supporting documentation. All drawings must be folded into 11" by 17" and collated into sets.

The Building Code Review Board may recommend that variations be granted from provisions of the Building Code in cases where the applicant for such variation demonstrates practical difficulty and particular hardship. No variation may be granted without review and final action by the Village Board.

Now comes the Petitioner Arlington Heights Animal Hospital requesting a variation from
Section _____ of Chapter 23 of the Arlington Heights Municipal Code for the
following reason:

See Attachment

I hereby state that the following hardship would exist if the variance is not approved:

See Attachment

I understand that any recommendation from the Building Code Review Board for a variation is
subject to review and final action by the Village Board.



Petitioner

Date

Owner (if different from Petitioner)

Date

Village of Arlington Heights
Building Department
33 S. Arlington Heights Road
Arlington Heights, IL 60005
(847) 368-5560

Reason:

The proposed addition at Arlington Heights Animal Hospital is part of an interior remodel project to improve the treatment area of the hospital with updated equipment, surgical suites, and procedure areas. This remodeling project requires the relocation of existing Animal Boarding areas to the proposed 600 square foot addition. We are requesting variation from fire sprinkler based on several factors listed below:

1. The addition is 10% of the existing square footage and is less than 1,000 s.f.
2. The existing building is constructed of non-combustible materials with masonry and steel walls and roof structure. Type 2B Construction.
3. Proposed 600 s.f. addition will also be constructed of non-combustible masonry walls and steel roof structure. Type 2B Construction.
4. Current water service is not sufficient and will need to be improved to accommodate Fire Sprinklers.
5. Allowable area per un-amended IBC 2009 code is 23,000s.f. without area increases and 31,740 with frontage increase. The total proposed building area will be a single story 6,768 s.f. building which is on 22 percent of the unamended IBC 2009.
6. Requirement to sprinkle the 600s.f. addition triggers requirement to sprinkle the remodeled 3,000 s.f. area that would not otherwise require sprinklers per the amended Arlington Heights building code.
7. The building has ample separation from adjacent property structures. 60' to the east and 100' to the north.

Hardship:

If the variance is not approved the applicant will experience the following hardships:

1. They will be required to extend a new water main to the building to service the sprinkler system.
2. They will be required to sprinkle the remodeled 3,000 s.f. area that would not otherwise require sprinklers per the amended Arlington Heights building code.
3. They will be required to extend sprinkler into other areas as they are remodeled.
4. They will be required (depending on system installed) to perform continued maintenance and testing of sprinkler system.