



Agenda
Village of Arlington Heights
Zoning Board of Appeals
Virtual Meeting

February 15, 2021
7:00 PM

I. CALL TO ORDER

- A. In response to the COVID-19 pandemic, this meeting is being held virtually which permits the public to fully participate via their computers or using their phones.

To participate in the virtual meeting, please follow these instructions: <https://bit.ly/3jAnudm>

Individuals who wish to comment or ask a question on an item on the Agenda may either participate virtually or send an email to the Village at dmach@vah.com. Please limit emails to 200 words or less. To be shared at the meeting, the email must be received by 3:00 p.m. on February 15, 2021.

II. ROLL CALL

III. APPROVAL OF MINUTES

- A. 1724 E. Flentie Rd. - 1/11/21
B. 725 S. Highland Ave. - 1/11/21

IV. REPORTS

V. OLD BUSINESS

VI. NEW BUSINESS

- A. 402-404 N Chestnut Ave - ZBA#20-042
B. 544 S. Highland Ave. - ZBA#21-002
C. 2117 N. Cherry Hill Dr. - ZBA#21-003
D. 215 W. Miner St. - ZBA#21-004

VII. OTHER BUSINESS

VIII. ADJOURNMENT

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



Zoning Board of Appeals 2/15/2021

Item: 1724 E. Flentie Rd - 1/11/21

Department: Planning & Community Development

ATTACHMENTS:

Description	Type
1724 E. Flentie Rd. - 1/11/21 Minutes	Minutes
1724 E. Flentie Rd. - 1/11/21 Findings	Minutes

ZONING BOARD

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

OF APPEALS

RE: 1724 EAST FLENTIE ROAD - ZBA #20-004

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Zoning Board of Appeals held virtually in response to the
COVID-19 pandemic, which permits the public to fully participate via their
computers or using their phones, on the 11th day of January, 2021 at the hour of
7:00 p.m.

MEMBERS PRESENT:

PETER SIAVELIS, Chairperson
DAVID DIVITO
TOM DRAKE
BEN JAFFE
JEFF LANAGHAN
JOE SELBKA
JOE GEISEL

ALSO PRESENT:

DEREK MACH, Development Planner

CHAIRPERSON SIAVELIS: Let's call this meeting to order. Welcome, everyone, to the January 11th, 2021 ZBA meeting, the first meeting of the new year. Happy New Year to everyone participating tonight.

A couple of housekeeping items that we typically go through and make sure we cover; we're probably going to reiterate this next point at least one more time. If you are here for the 1223 East Mayfair Road petition or the 304 West Hawthorn petition, please note that these two petitions will not be heard tonight. They will be heard instead on February 8th, okay, during the February 8th meeting. So, there is no need for you to stand by if you do not want to listen in because those two petitions will not be heard tonight. Again, 1223 East Mayfair Road and 304 West Hawthorn, again they will be heard during the February 8th, 2021 meeting.

Okay, a couple of other housekeeping items to address. My name is Peter Siavelis; I'm the Chairman of the Zoning Board of Appeals. I find that the public health concerns related to the Corona virus pandemic render in-person attendance at the regular meeting location here at the Village Hall not feasible. Thus, we are proceeding under the Zoom format.

After the petitioner's presentation, and as part of comments from the audience, public attendees will have an opportunity to speak and weigh in with concise remarks if they so choose. Again, these remarks need to be concise and pointed to the issues at hand. If you would like to make a comment as a member of the public, please select the Raise Your Hand icon on the display and wait for the Chairman, myself, to call you one at a time. To all participants, please mute your microphones when not speaking to avoid background noise.

Next, during the meeting, if the Staff liaison, which is Derek the host, loses connection, please remain in the meeting until the host can rejoin and resume the meeting and we'll proceed from there. If a participant loses connection, you can simply rejoin using the original meeting link that was provided to you.

Okay, with that said, Derek, let's move to roll call please.

MR. MACH: Chairman Siavelis.

CHAIRPERSON SIAVELIS: Here.

MR. MACH: Mr. Drake.

COMMISSIONER DRAKE: Here.

MR. MACH: Mr. Geisel.

COMMISSIONER GEISEL: Here.

MR. MACH: Mr. Jaffe.

COMMISSIONER JAFFE: Here.

MR. MACH: Mr. Lanaghan.

COMMISSIONER LANAGHAN: Here.

MR. MACH: Mr. Selbka.

COMMISSIONER SELBKA: Here.

MR. MACH: Mr. Divito.

COMMISSIONER DIVITO: Here.

CHAIRPERSON SIAVELIS: Great, thank you, gentlemen. Let's now move

to the Pledge of Allegiance.

Derek, I think, yes, you've got the flag up, very good. If we could stand please?

(Pledge of Allegiance recited.)

CHAIRPERSON SIAVELIS: All right, next up, approval of the minutes from the December meeting. Hopefully, the Board members have had an opportunity to review those minutes. Is there a motion, well, first of all, are there any clarifications that are required to be made to the meeting minutes from December?

(No response.)

CHAIRPERSON SIAVELIS: Hearing none, is there a motion to approve the December meeting minutes?

COMMISSIONER SELBKA: Motion to approve.

COMMISSIONER LANAGHAN: Second.

CHAIRPERSON SIAVELIS: Thank you.

MR. MACH: I have Mr. Selbka put the motion forward and Mr. Lanaghan seconded the motion. Chairman Siavelis.

CHAIRPERSON SIAVELIS: Yes.

MR. MACH: Mr. Drake.

COMMISSIONER DRAKE: Yes.

MR. MACH: Mr. Geisel.

COMMISSIONER GEISEL: Yes.

MR. MACH: Mr. Jaffe.

CHAIRPERSON SIAVELIS: Ben?

COMMISSIONER JAFFE: Yes.

MR. MACH: Mr. Lanaghan.

COMMISSIONER LANAGHAN: Yes.

MR. MACH: Mr. Selbka.

COMMISSIONER SELBKA: Yes.

MR. MACH: Mr. Divito.

COMMISSIONER DIVITO: Yes.

CHAIRPERSON SIAVELIS: Great, thank you very much, gentlemen.

Moving on now to hearing procedures, and this is largely directed at the two petitioners tonight, you should have actually received this information, but I'll reiterate it nonetheless.

First point on the hearing procedures, if there's less than six members present, which is not the situation here, the petitioners have an option to continue the meeting. But again, that's not the situation. But please note that it takes four affirmative votes to approve a variance regardless of the number of Board members in attendance. If your petition is denied, a petitioner cannot reapply for an entire year. So, if you feel that a denial is imminent, please note that if your petition is not granted, you must wait an entire year to reapply.

There will be a Staff presentation as part of this process to provide project overview of the variance and other related factors.

Also, petitioners, please take note that there are four elements necessary to establish for the Board to be able to grant a variance. These are the petitioners' responsibility to establish. They are not the Board's responsibility to pull out of

the petitioner in trying to establish for the record.

These four elements are:

1. That the proposed use will not alter the essential character of the locality and will be compatible with the existing uses and zoning of nearby property;
2. That the plight of the owner is due to unique circumstances which may include the length of time the subject property has been vacant as zoned;
3. That the proposed variation is in harmony with the spirit and intent of Chapter 28 of the code; and
4. That the variance requested is the minimum variance necessary to allow reasonable use of the property.

A variation shall be permitted only if the evidence, in the judgment of this Board of Appeals, sustains each of the four conditions enumerated.

Okay, with that said, let's now move to swearing in the first Petitioner, okay, and we will proceed from there. The first petition is ZBA Petition #20-004, and the address is 1724 East Flentie Road. Is the Petitioner here for that identified petition?

MR. GILIO: Yes.

CHAIRPERSON SIAVELIS: Okay, great. Before I actually swear you in, sir, I'm going to have Derek provide the Staff presentation on this.

MR. MACH: Thank you, Chairman.

The Petitioner is seeking to maintain an existing five-foot tall, semi-open fence in their exterior side yard. The fence is located 3.25 feet from the property line with no landscaping along the outside of the fence where code requires to have a five-foot setback from the property line with landscaping that is three feet tall on the street side of the fence.

Therefore, they're requesting a 1.75-foot variation from Chapter 28, Section 6.13-3c to allow a five-foot tall, semi-open fence in the exterior side yard to be 3.25 feet from the property line where a setback of five feet is required, and to waive the requirement to provide landscaping on the street side of the fence. Thank you, Chairman.

CHAIRPERSON SIAVELIS: Great, thank you very much, Derek. Okay, who is speaking tonight on behalf of this petition?

MR. GILIO: My name is Gerry Gilio.

CHAIRPERSON SIAVELIS: Okay, Mr. Gilio, give me one second. I'm just going to scroll through the images here that are displayed so I can get to you and swear you in, okay?

MR. GILIO: Okay.

CHAIRPERSON SIAVELIS: My apologies. There, I got you now, okay. Are you going to be the only one speaking, Mr. Gilio?

MR. GILIO: Yes.

CHAIRPERSON SIAVELIS: Okay, can you raise your right hand? I apologize, I can't see you facing your camera. Great, now I can.

(Witness sworn.)

CHAIRPERSON SIAVELIS: Okay, please proceed. You have the floor.

MR. GILIO: Okay, basically, what we would like or what we're asking for is that we are allowed to maintain our fence where it has been for the last 32 years, and that we are allowed to conform with our neighbors.

We bought this house in 1974, I'll give you a little brief history. It was a two-lane road that went nowhere. It dead-ended at Citibank which used to be Round Rock at Hintz Road. We graded the side of the right-of-way and installed arborvitae hedge along that right-of-way. The sidewalk on our property literally drops off at the end of our property. North of us is unincorporated Cook County. They widened the road, they curbed it, they added and went to Dundee, it goes all the way to Rand Road, I mean to Palatine Road.

When they salted the road, they damaged the arborvitae hedge that we had and eventually killed it. We installed trees and a fence in 1989 to buffer the road. I put a tall hedge along that fence. I replaced them three times, or it took two times. I put sod along the fence and replaced that, and I finally ended up putting mulch. All of it was killed by salt along the road. The right-of-way was cut in half and we got salt damage.

In 2017, we repaired and replaced the fence and I mulched along the fence. After obtaining a permit, we were cited for violations. So, after I was cited, I took a walk, and within walking distance of our house going south along Buffalo Grove Road and going to Hintz Road and going east on Hintz and Arlington Heights Road and going north on Arlington Heights Road and Dundee, I found that on streets with fences, that all of them, 12 streets, the fences are along the sidewalk and not five feet back. Two of them are brand new fences that were put in 2020.

Our fence conforms to all these fences, and like I said, it's been there for 32 years. All I'm asking, and all these right-of-ways along all these streets are maintained by the Village of Arlington Heights. Public Works maintains all of them except mine, it never has maintained mine. So, we're asking for that to be conformed.

As far as landscaping the fence, I'm a landscape contractor. I've worked for Arlington Heights. My wife told me to stop being so stubborn, that I'm a landscaper and I could put landscaping along the fence and keep replacing it every time it dies. That's what the code calls for. So, I'm willing to landscape the fence.

I can move the fence, I really can't move it, I'd have to take it down. There's trees on the other side of it because I put buffers up. I have trees and a rock garden, I have all kinds of stuff on the inside of the fence. If I move the fence, I mean I can't move it, I've got to take it down, I can't re-place it.

So, that's where I'm at with this. Like I say, we conform. We don't block traffic with the fence. It's no different than everybody else's fence. That's been there for 32 years. I've been here for 48 years.

CHAIRPERSON SIAVELIS: Mr. Gilio, that was very helpful, very thorough and very helpful. I have just a couple of quick questions. What is the existing length of the fence on the lawn there along the street? What is that?

MR. GILIO: I think it's 50 feet, I'm not exactly sure.

CHAIRPERSON SIAVELIS: Ballpark?

MR. GILIO: Yes, about 50 feet.

CHAIRPERSON SIAVELIS: So, that --

MR. GILIO: It goes to the back of my property line, so it's probably 50 feet.

CHAIRPERSON SIAVELIS: Okay, so there's essentially 50 feet worth of fencing along Buffalo Grove Road that will be impacted by this variance, is that correct?

MR. GILIO: Correct. Correct.

CHAIRPERSON SIAVELIS: Okay, have you talked to your neighbors about

this? You know, did any neighbor ask you questions after seeing the sign that you have?

MR. GILIO: No.

CHAIRPERSON SIAVELIS: Have you received any correspondence?

MR. GILIO: No, no one approached me.

CHAIRPERSON SIAVELIS: No one approached you, okay. How many folks live in your house, in your residence?

MR. GILIO: Two, my wife and I.

CHAIRPERSON SIAVELIS: Do you have any pets that are out there in the yard that need to be fenced?

MR. GILIO: No. We had three children; they're all grown.

CHAIRPERSON SIAVELIS: All grown, okay.

MR. GILIO: Yes, they're grown and left. Like I said, I've been here 48 years. The kids are grown and gone.

CHAIRPERSON SIAVELIS: Right, understood. I'm just trying to get a little better understanding of your overall situation. Do you contemplate putting a gate there in the middle of the fence at all?

MR. GILIO: There's been a gate in the center of the fence.

CHAIRPERSON SIAVELIS: And you'll replicate that as well?

MR. GILIO: Yes, the gate is there, it's still there. If you get closer, you'll see there's a gate. That's how the equipment gets in to cut the grass.

CHAIRPERSON SIAVELIS: Okay. Okay, any other questions from Board members?

COMMISSIONER GEISEL: I had a question on the landscaping that was well answered, after numerous attempts to replace. So, no questions.

COMMISSIONER JAFFE: Just one question from me to the Chairman or to Derek. I just noticed in the paperwork, some of the documents were initially dated in March and April. So, was this petition just postponed because of COVID? I know we canceled our April meeting. Just curious as to, again, some of these documents are dated March and April of 2020.

MR. MACH: Mr. Jaffe, that is correct. The petition was also to go, I think it was the April meeting. I think the April ended up getting canceled, as you'd always had a handful of special meetings trying to get to the number of ZBA submittals, and this petition did get pushed to this meeting.

COMMISSIONER JAFFE: Thank you, Derek.

CHAIRPERSON SIAVELIS: Any other Board questions?

COMMISSIONER DRAKE: Yes, Mr. Chairman, I have a question. When the fence was originally put in, I thought you said 34 years ago, did you get a permit at that time? You mentioned 2017 and not having a permit, but when the fence first went in, was there a permit on that?

MR. GILIO: Yes. Matter of fact, I can show you. I have the permit here. Here it is, 1989.

COMMISSIONER DRAKE: Thank you.

MRS. GILIO: He's a businessman. He keeps all his papers.

CHAIRPERSON SIAVELIS: Very impressive, Mr. Gilio. You've kept that from 32 years ago and you've had it on you, so kudos to you for that. I just have one point of clarification here. The variation you're seeking, you're not looking to tear down

and replace the existing fence that we see here in these pictures, are you and would you?

MR. GILIO: No.

CHAIRPERSON SIAVELIS: You're just obtaining the variance retroactively, is that correct?

MR. GILIO: Correct. This fence has been replaced, it's a new fence.

CHAIRPERSON SIAVELIS: Right, exactly. With the timeline you've put out and provided to us, I didn't think you were going to try and replace it.

MR. GILIO: No.

CHAIRPERSON SIAVELIS: For your old fence, right, the fence is less than four years old.

MR. GILIO: Yes, the other fence lasted 30 years which was pretty good.

CHAIRPERSON SIAVELIS: Yes. Yes, and I bet you've still got the other paperwork for that, too, that's impressive as well.

MR. GILIO: I have the contract.

CHAIRPERSON SIAVELIS: All right, any other questions from Board members?

(No response.)

CHAIRPERSON SIAVELIS: All right, hearing none, we'll ask for any comments from the audience. Again, audience members, if you would like to raise a point or make a point, please click on the Raise Your Hand icon or button if you'd like to speak and provide any concise remarks.

MR. MACH: Chairman, I do have one member in the audience who would like to speak. Also, I do have an e-mail that I would like to share.

CHAIRPERSON SIAVELIS: Okay, Derek, let's go with the e-mail first.

MR. MACH: Sure.

CHAIRPERSON SIAVELIS: Please proceed with that.

MR. MACH: I received this e-mail pertaining to this petition: Regarding the variance requested by Mr. Gilio, what is the purpose of the zoning regulation if a person can apply for a variance to avoid meeting the requirements? When we replaced our fence to meet permit requirements, we had to set the fence five feet back from the property line and install landscaping. Granting a variance is not right because if Mr. Gilio had followed zoning regulations, he would not need a variance from this regulation. What's good for one is good for all. Mr. and Mrs. Gil Lesko.

CHAIRPERSON SIAVELIS: Okay, Derek, go ahead then with the in-person participant/audience member please.

MS. CAYER: Hello?

CHAIRPERSON SIAVELIS: Hello, yes, we can hear you.

MS. CAYER: Okay, I was wondering why are they seeking a permit now?

CHAIRPERSON SIAVELIS: Hold on one second, hold on one second. Can you identify yourself please?

MS. CAYER: Melissa Cayer.

CHAIRPERSON SIAVELIS: Okay, go ahead, Melissa.

MS. CAYER: Yes, why are they seeking a permit now since it's already done? What prompted them to get the permit, or the variation I mean?

CHAIRPERSON SIAVELIS: Mr. Gilio?

MR. GILIO: Well, I initially replaced the fence that was existing without

getting a permit. I didn't realize I needed a permit to replace the fence that was existing. Then an inspector came by and said I needed a permit. So, I went and got a permit, he came out to inspect it and he says, you know, you need landscaping. I said I wasn't going to do landscaping, but he came back and said, you know, you've got to move the fence, too. That's when we got into this discussion that I needed a variance.

So, it wasn't put up, it was put up 32 years and just now they mentioned that I was in the wrong spot. So, that's where this started with it. There was a permit on this fence, we did pay for it.

MS. CAYER: But I mean, oh, I thought you said it was built in the last four years?

MR. GILIO: It was replaced in the last four years. It was built on 1989.

MS. CAYER: Oh, okay.

MR. GILIO: Then it deteriorated, so instead of replacing a post here and there, we just replaced the whole fence.

MS. CAYER: Okay, thank you. Just curious.

MR. GILIO: Yes.

CHAIRPERSON SIAVELIS: Okay, thank you very much, Melissa.

Any other comments from the Board members?

(No response.)

CHAIRPERSON SIAVELIS: All right, at this point, we're in deliberation of the Board members then. Mr. Gilio, we probably will not have any further comments for you, so just stand by.

MR. GILIO: Okay.

CHAIRPERSON SIAVELIS: This is deliberation of the Board members, that's the second we're at right now, or the phase we're at right now.

MR. GILIO: All right, thank you.

CHAIRPERSON SIAVELIS: All right, so does any Board member want to go first with this one?

COMMISSIONER GEISEL: I'd be happy to, it's Geisel. I believe based upon the Petitioner's testimony regarding the length of time the events have occurred over time, that the request is reasonable under the circumstances and I would support it.

CHAIRPERSON SIAVELIS: Okay, thank you very much, Joe.

Anyone else?

COMMISSIONER DIVITO: Yes, I'll second that, and add that if you just do a quick Google Map, if you haven't driven the street, you'll see that fences are butted up against the sidewalk similar to that up and down the block. So, as far as changing the look and feel of the neighborhood and things like that, this one fits just fine.

CHAIRPERSON SIAVELIS: All right, I agree with Dave. Regarding the comments that were made in the e-mail that was provided to the Village that Derek read, those comments, I read them as essentially nonsensical because we have this process where residents can petition for a variance for relief from the code when certain conditions warrant it and they make a showing. So, that's why we're here. So, that essentially renders moot those comments that were provided in the e-mail that Derek read.

COMMISSIONER GEISEL: I agree. That petitioner had a chance to make their own variation proposal and did not do so.

CHAIRPERSON SIAVELIS: Right, right. It's a remedy that's available for residents should they choose to proceed with it. The current Petitioner, Mr. Gilio, did such, that's why we're here to evaluate it and so be it.

Any other comments from the Board members?

(No response.)

CHAIRPERSON SIAVELIS: All right, is there a motion?

COMMISSIONER DIVITO: I'll motion to approve.

COMMISSIONER SELBKA: Second.

CHAIRPERSON SIAVELIS: Derek?

MR. MACH: I have Mr. Divito put the motion forward and Mr. Selbka seconded the motion. All right, Mr. Drake.

COMMISSIONER DRAKE: Yes.

MR. MACH: Mr. Geisel.

COMMISSIONER GEISEL: Yes.

MR. MACH: Mr. Jaffe.

COMMISSIONER JAFFE: Yes.

MR. MACH: Mr. Lanaghan.

COMMISSIONER LANAGHAN: Yes.

MR. MACH: Mr. Selbka.

COMMISSIONER SELBKA: Yes.

MR. MACH: Mr. Divito.

COMMISSIONER DIVITO: Yes.

MR. MACH: Chairman Siavelis.

CHAIRPERSON SIAVELIS: Yes.

Congratulations, Mr. Gilio. Your petition is granted, and we move on to the next item. Mr. Gilio, you do not need to stay and participate or view, but if you want to, have at it.

MR. GILIO: Okay, thank you very much.

CHAIRPERSON SIAVELIS: Certainly.

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

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS January 11, 2021

PETITIONER: Gilio Residence

ADDRESS OF PROPERTY: 1724 E. Flentie Ln.

VARIATION: 6.13-3c (Location of Fences-Exterior Side Yards)

A 1.75' variation to allow a 5' tall semi-open fence in the exterior side yard to be 3.25' from the property line where a setback of 5' is required, and to waive the requirement to provide landscaping on the street side of the fence.

The petitioner testified that they purchased the house in 1974 and at that time, Buffalo Grove Road was a two-lane thoroughfare. The petitioner explained that the road was widened in 1989 and at that time a fence was installed in order to buffer the road. The petitioner further explained that in 2017 they repaired and replaced the existing fence. The petitioner testified that there are trees on the other side of the fence that would pose a conflict if the fence was moved. The petitioner testified that they have had a fence in the existing location for 32 years.

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

Thereafter, a motion was made by Mr. Divito and seconded by Mr. Selbka. Thereafter, the Board voted 7-0 to approve the variance request.

Now, therefore, after hearing all the evidence and after due deliberation, the Zoning Board of Appeals, voted 7-0 to grant the variance as requested.

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

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

Peter Siavelis, Chair
Zoning Board of Appeals
Village of Arlington Heights



Zoning Board of Appeals 2/15/2021

Item: 725 S. Highland Ave. - 1/11/21

Department: Planning & Community Development

ATTACHMENTS:

Description	Type
725 S. Highland Ave. - 1/11/21 Minutes	Minutes
725 S. Highland Ave. - 1/11/21 Findings	Minutes

ZONING BOARD

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

OF APPEALS

RE: 725 SOUTH HIGHLAND AVENUE - ZBA #20-041

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Zoning Board of Appeals held virtually in response to the
COVID-19 pandemic, which permits the public to fully participate via their
computers or using their phones, on the 11th day of January, 2021 at the hour of
7:00 p.m.

MEMBERS PRESENT:

PETER SIAVELIS, Chairperson
DAVID DIVITO
TOM DRAKE
BEN JAFFE
JEFF LANAGHAN
JOE SELBKA
JOE GEISEL

ALSO PRESENT:

DEREK MACH, Development Planner

CHAIRPERSON SIAVELIS: The next item is ZBA Petition #20-041,

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address is 725 South Highland Avenue. Before we get cracking there, I just want to reiterate for any other audience members out there, if you joined the Zoom call for the petition at 1223 East Mayfair Road or 304 West Hawthorn, please note that both of those petitions will not be heard tonight, neither of those petitions will be heard tonight, and both will be heard during our next regularly scheduled meeting of the Zoning Board of Appeals on February 8th, 2021.

Okay, with that in mind, Derek, please provide the Staff presentation on this petition, and then we'll swear in the Petitioner and proceed from there.

MR. MACH: Thank you. The Petitioner is proposing a code compliant second-story addition, and as part of the project, the Petitioner is also proposing to add a front porch addition to the existing home. The proposed front porch is four feet deep by 16.8 feet in width, and the proposed front yard setback is 27.5. Per code, a front yard setback of 30 feet is required.

Therefore, they're requesting a 2.5-foot variation from Chapter 28, Section 5.1-3.2a to allow a front porch with a front yard setback of 27.5 feet where 30 feet is required, and an additional one foot for the eave.

CHAIRPERSON SIAVELIS: Okay, thank you very much, Derek.

I apologize, I was accessing the papers here while you were speaking. Who is speaking on behalf of this petition tonight at 725 South Highland?

MR. PURDOM: That will be me, Kevin Purdom from JRC Design Build.

CHAIRPERSON SIAVELIS: All right, hello, Kevin, good evening. Let's get you sworn in please. Please raise your right hand.

(Witness sworn.)

CHAIRPERSON SIAVELIS: Okay, you have the floor.

MR. PURDOM: Okay, so we're proposing a code-compliant dormer addition in the back, just adding a master suite. Then the client also wants an extension of their existing front porch. Right now they just have a concrete stoop, and our proposal is to bring that stoop all the way to the edge of the building. They're also replacing their entire driveway, so we'll do this concrete of the porch at the same time as the driveway.

This won't alter any essential character of the neighborhood because the building is code compliant and zoning compliant. The only thing that is not is, I believe five square feet or so of the concrete. They require, we were allowed to go up to 10 feet by four feet, but if we did that, we would come up two feet short of the corner of the house. So, we wanted to just extend the porch all the way to the end of the house and add a roofline that also goes to the corner. If we were to add the roofline but not the porch, then the house would look a little off-kilter at that corner.

We believe it would be more cohesive. It's the minimum requirement that we're asking for because we're not going past the corner. We're just trying to get that extra couple of square feet of concrete poured. I believe that is it.

CHAIRPERSON SIAVELIS: Okay, all right thank you, Kevin.

Questions from the Board?

COMMISSIONER DIVITO: Have you talked to the neighbors around?

MR. PURDOM: We sent out the letters, but we did not get any feedback from the neighbors. I have not heard from the homeowner that they received anything from the neighbors.

COMMISSIONER DIVITO: How long have the homeowners been in that

residence?

MR. PURDOM: They bought the house in September, so they're doing the addition and some interior stuff, and we also wanted to add that front porch to give more interest to that entry.

CHAIRPERSON SIAVELIS: So, Kevin, are the homeowners living in the house while that renovation is going on?

MR. PURDOM: Yes, they are.

CHAIRPERSON SIAVELIS: Dave, was that your question essentially?

COMMISSIONER DIVITO: Essentially, yes. How many people are residing in the residence?

MR. PURDOM: I believe it is the mother, the father, and then one son.

CHAIRPERSON SIAVELIS: Any other questions from the Board?

(No response.)

CHAIRPERSON SIAVELIS: Okay, pretty straight-forward petition, so not unexpected in that regard. All right, let's see if there's any comments from audience members. Again, folks, if there's anybody in the audience who would like to speak regarding this petition and this petition only, please click on the Raise Your Hand button, and Derek will acknowledge you and bring you in the discussion.

So, Derek, is there any audience member?

MR. MACH: Chairman, I'm not showing any raised hands at this time.

CHAIRPERSON SIAVELIS: Okay. All right, that said, we can move to the deliberation phase of the Board members if there's no comments from the audience.

You know, I see this, I can start up and open up with this. I see this as pretty straight-forward, very logical. This seems reasonable to me given the design of the house, excuse me, the design of the existing house, its location on the property, and the desire to design the new plans that we're seeing. So, I can support this and I think this is entirely reasonable.

COMMISSIONER GEISEL: Agreed.

COMMISSIONER DIVITO: I do like the fact that you did look at the option of reducing the square footage, and doing that it wouldn't look right. So, I think you're doing the right request here.

CHAIRPERSON SIAVELIS: Okay, any other comments from Board members?

(No response.)

CHAIRPERSON SIAVELIS: Hearing none, do we have a motion?

COMMISSIONER DIVITO: Motion to approve.

COMMISSIONER GEISEL: Second.

MR. MACH: I have Mr. Divito, and Mr. Geisel seconded the motion. Mr. Drake.

COMMISSIONER DRAKE: Yes.

MR. MACH: Mr. Geisel.

COMMISSIONER GEISEL: Yes.

MR. MACH: Mr. Jaffe.

COMMISSIONER JAFFE: Yes.

MR. MACH: Mr. Lanaghan.

COMMISSIONER LANAGHAN: Yes.

MR. MACH: Mr. Selbka.
COMMISSIONER SELBKA: Yes.
MR. MACH: Mr. Divito.
COMMISSIONER DIVITO: Yes.
MR. MACH: Chairman Siavelis.
CHAIRPERSON SIAVELIS: Yes.

Okay, Kevin, your petition is granted the variance.

MR. PURDOM: Thank you very much for your time.

CHAIRPERSON SIAVELIS: Thank you as well.

Okay, I don't believe there's anything else, no other old business carried over, that's right. Any final comments, gentlemen, before we adjourn?

COMMISSIONER DRAKE: Is it definite we're having two meetings in February?

MR. MACH: Yes, it is definite. We'll have a ZBA meeting on February 8th as well as February 15th.

COMMISSIONER DRAKE: Okay, thanks.

CHAIRPERSON SIAVELIS: Okay, do we have a motion to adjourn?

COMMISSIONER DRAKE: Move adjournment.

CHAIRPERSON SIAVELIS: All right, great.

Derek, we can do this by verbal vote, right?

MR. MACH: Roll call, virtual meeting. I have Mr., I think, Drake put the motion forward. Is there a second?

COMMISSIONER SELBKA: Second.

MR. MACH: Mr. Selbka.

Mr. Drake.

COMMISSIONER DRAKE: Yes.

MR. MACH: Mr. Geisel.

COMMISSIONER GEISEL: Yes.

MR. MACH: Mr. Jaffe.

COMMISSIONER JAFFE: Yes.

MR. MACH: Mr. Lanaghan.

COMMISSIONER LANAGHAN: Yes.

MR. MACH: Mr. Selbka.

COMMISSIONER SELBKA: Yes.

MR. MACH: Mr. Divito.

COMMISSIONER DIVITO: Yes.

MR. MACH: Chairman Siavelis.

CHAIRPERSON SIAVELIS: Yes.

Okay, thank you, everyone. Have a good rest of the evening. Stay healthy and safe and be seeing you on February 8th.

(Whereupon, the public hearing on the above-mentioned petition was adjourned at 7:31 p.m.)

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS January 11, 2021

PETITIONER: Biagini Residence

ADDRESS OF PROPERTY: 725 S. Highland Ave.

VARIATION: 5.1-3.2a (Required Minimum Yards-Front Yards)

A 2.5' variation to allow a front porch with a front yard setback of 27.5' where 30.0' is required, and an additional 1.0' for the eave.

The petitioner testified as to hardship, uniqueness of circumstances, and the character of the locality. The petitioner testified that they are proposing a code-compliant addition in the rear of the home. The petitioner explained that they are also proposing a new front porch that is encroaching 2.5 feet into the required front yard setback.

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

Thereafter, a motion was made by Mr. Divito and seconded by Mr. Geisel. Thereafter, the Board voted 7-0 to approve the variance request.

Now, therefore, after hearing all the evidence and after due deliberation, the Zoning Board of Appeals, voted 7-0 to grant the variance as requested.

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

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

Peter Siavelis, Chair
Zoning Board of Appeals
Village of Arlington Heights



**Zoning Board of Appeals
2/15/2021**

Item: 402-404 N Chestnut Ave - ZBA#20-042

Department: Planning & Community Development

REQUEST

1. A variation from Chapter 28, Section 6.5-2 to allow a 120 square foot shed in the north side yard where sheds are only permitted in the rear yard.
2. A variation from Chapter 28, Section 6.5-2 to allow an 80 square foot shed in the south side yard where sheds are only permitted in the rear yard.

ATTACHMENTS:

Description

Supporting Documents

Type

Exhibits

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: February 15, 2021
Date Prepared: February 10, 2021
Project Title: Freiman Residence
Address: 402 & 404 N. Chestnut Ave.

Background Information

Petition Number: ZBA #20-042
Petitioner: Dan Grecco
Address: 1042 Maple Ave. Suite 130
Lisle, IL 60532

Existing Zoning: R-7 – Residential Multi-Family District

Requested Action/Background Information

The petitioner is proposing two sheds that are located in the side yard where sheds are only permitted in the rear yard. The subject site is zoned R-7, Multi Family Dwelling District and the property has a total land area of 10,587 square feet. The lot is irregular in shape and there is a code compliant location for the sheds in the rear of the property within the bump out towards the west property line. The shed on the north side of the building is 120 square feet and the shed on the south side is 80 square feet. If the Zoning Board is supportive of the variances, it is recommended that ample landscaping be provided for the shed located on the north side of the building and that the sheds match the color of the building. The petitioner is requesting the following variations:

- A variation from Chapter 28, Section 6.5-2 to allow a 120 square foot shed in the north side yard where sheds are only permitted in the rear yard.
- A variation from Chapter 28, Section 6.5-2 to allow an 80 square foot shed in the south side yard where sheds are only permitted in the rear yard.

Variation Review Standards

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

Map of General Vicinity



Items required to be Submitted 15 Days Prior to Public Hearing

<u>Item</u>	<u>Provided</u>	<u>Dated</u>	<u>Remarks</u>
1. Notification Affidavit	✓	1/29/21	
2. List of Property Owners Within 250 feet of Subject Property	✓	1/29/21	
3. Letter that was Mailed	✓	1/29/21	
4. Photographs of Sign on Property	✓	1/29/21	

Photographs of Existing Structure





Village of Arlington Heights Building & Life Safety Department

Interoffice Memorandum

To: Derek Mach, Zoning Board of Appeals Liaison

From: Deb Pierce, Building & Life Safety Department

Project Name: Freiman Project

Project Address: 402-404 N Chestnut Ave

ZBA #: 20-042

Date: January 14, 2021

Derek:

I have reviewed the request for the following variances:

- A variation from Chapter 28, Section 6.5-2 to allow a shed in the north side yard where sheds are only permitted in the rear yard.
- A variation from Chapter 28, Section 6.5-2 to allow a shed in the south side yard where sheds are only permitted in the rear yard.

and do not have any comments or objections.

ZBA# 20-042
402-404 N. Chestnut Ave - ZBA
Rev. Eng: Briget Schwab, P.E.
cc: Mike Pagones, P.E. Village Engineer

Application Date: December 11, 2020
Received by Planning:
Transmitted to Engineering: January 13, 2021
Completed: January 22, 2021

The proposed ZBA application indicates that the petitioner is seeking:

A variation from Chapter 28, Section 6.5-2 to allow a shed in the north side yard where sheds are only permitted in the rear yard.

A variation from Chapter 28, Section 6.5-2 to allow a shed in the south side yard where sheds are only permitted in the rear yard.

The Engineering Division has NO COMMENT to the proposed variance request for allowing a shed in the side yard.

--

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Freiman Project

Project Address: 402-404 N. Chestnut Avenue

ZBA #: 20-042

ZBA Hearing Date: February 15, 2021

To: Mike Pagones, Village Engineer
Mark Fink, Assistant Building Official

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

From: Derek Mach, Zoning Board of Appeals Liaison

Transmitted On: January 13, 2021

- A variation from Chapter 28, Section 6.5-2 to allow a shed in the north side yard where sheds are only permitted in the rear yard.
- A variation from Chapter 28, Section 6.5-2 to allow a shed in the south side yard where sheds are only permitted in the rear yard.

Attached are the Petitioner's:

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

Comments:

The proposed shed on the north will be highly visible which raises design concerns. The need for two sheds is unclear. It is recommended that a single larger shed be provided on the south in lieu of two separate sheds. The shed can be located in the rear 30' x 40' bumpout, which would be a code-compliant rear yard location.

- Steve Hautzinger, Design Planner

Please review, comment, and return to me no later than January 27, 2021.

PETITION

The following petition form shall be used when submitting a petition for a variation from Chapter 28 of the Arlington Heights Municipal Code. This must be submitted with a fully executed application to the Zoning Board of Appeals. Please refer to Section 12 of Chapter 28 if the Arlington Heights Municipal Code for information regarding the criteria by which the Zoning Board of Appeals will evaluate variation requests. (Attached to this application packet.)

PETITION

NOW COMES the Petitioner Allan Freiman

by Dan Brecco, P.E.

being the owner of the property commonly know as: 402-404 Chestnut Ave, A.H.

and appeals to the Zoning Board of Appeals of the Village of Arlington Heights for a Variation from Section 06

Chapter 28, of the Arlington Heights Municipal Code, in order to: Place sheds within the sideyard for a corner, commercial property

I hereby state that the proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property if the variation(s) were granted (please explain): As a corner property, shed placements will not alter sight lines. Pre-fabricated commercially available sheds would be purchased and placed onsite.

I hereby state that the plight of the owner is due to unique circumstances, which may include the length of time the subject property has been vacant as zoned (please explain): Insufficient rearyard setback exists for shed placement.

I hereby state that the proposed variation is in harmony with the spirit and intent of this Chapter (please explain): Sheds are a necessity for the storage and upkeep of equipment, ultimately for maintaining the home and property. Even more so no other accessory structure exists.

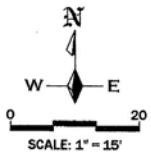
I hereby state that the variance requested is the minimum variance necessary to allow reasonable use of the property (please explain): Use of the sideyards for shed placement, for a commercial property.

Signed: _____

Dan Brecco, P.E.
Petitioner

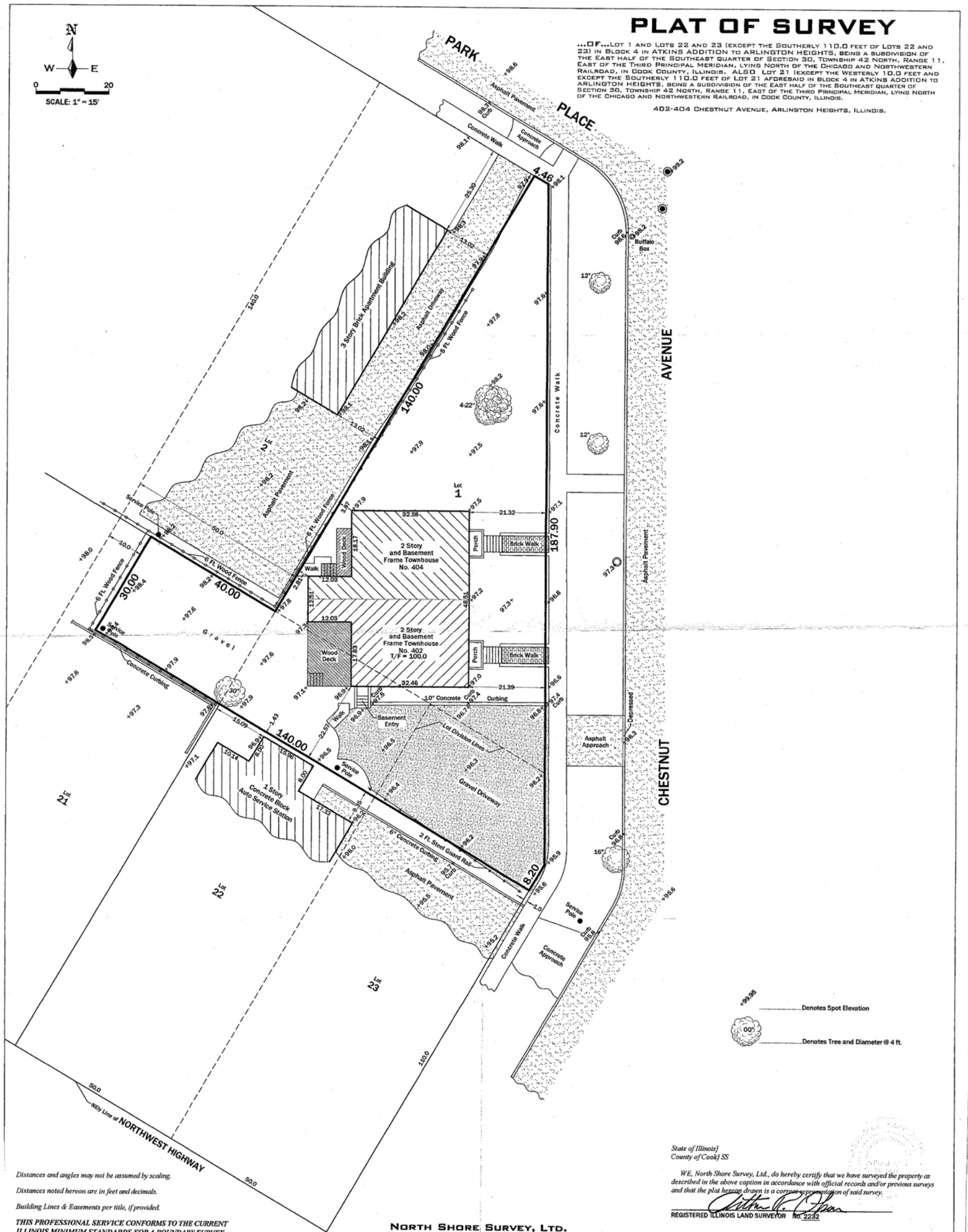
Date: 12/17/20

PLAT OF SURVEY



...OF...LOT 1 AND LOTS 22 AND 23 (EXCEPT THE SOUTHERLY 110.0 FEET OF LOTS 22 AND 23) IN BLOCK 4 IN ATKINS ADDITION TO ARLINGTON HEIGHTS, BEING A SUBDIVISION OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF THE CHICAGO AND NORTHWESTERN RAILROAD, IN COOK COUNTY, ILLINOIS. ALSO LOT 21 (EXCEPT THE WESTERLY 10.0 FEET AND EXCEPT THE SOUTHERLY 110.0 FEET OF LOT 21 ADJOINING IN BLOCK 4 IN ATKINS ADDITION TO ARLINGTON HEIGHTS, BEING A SUBDIVISION OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 30, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF THE CHICAGO AND NORTHWESTERN RAILROAD, IN COOK COUNTY, ILLINOIS.

402-404 CHESTNUT AVENUE, ARLINGTON HEIGHTS, ILLINOIS.



Distances and angles may not be assumed by scaling.

Distances noted hereon are in feet and decimals.

Building Lines & Easements per title, if provided.

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

Survey Prepared For: Al Freiman

NORTH SHORE SURVEY, LTD.
436 CATALPA LANE, LIBERTYVILLE, ILLINOIS 60048
(847) 446-6510 NORTHSHORESURVEY@GMAIL.COM
PROFESSIONAL DESIGN FIRM NO. 184.006982

State of Illinois
County of Cook) SS

WE, North Shore Survey, Ltd., do hereby certify that we have surveyed the property as described in the above caption in accordance with official records and/or previous surveys and that the plat hereon drawn is a correct representation of said survey.

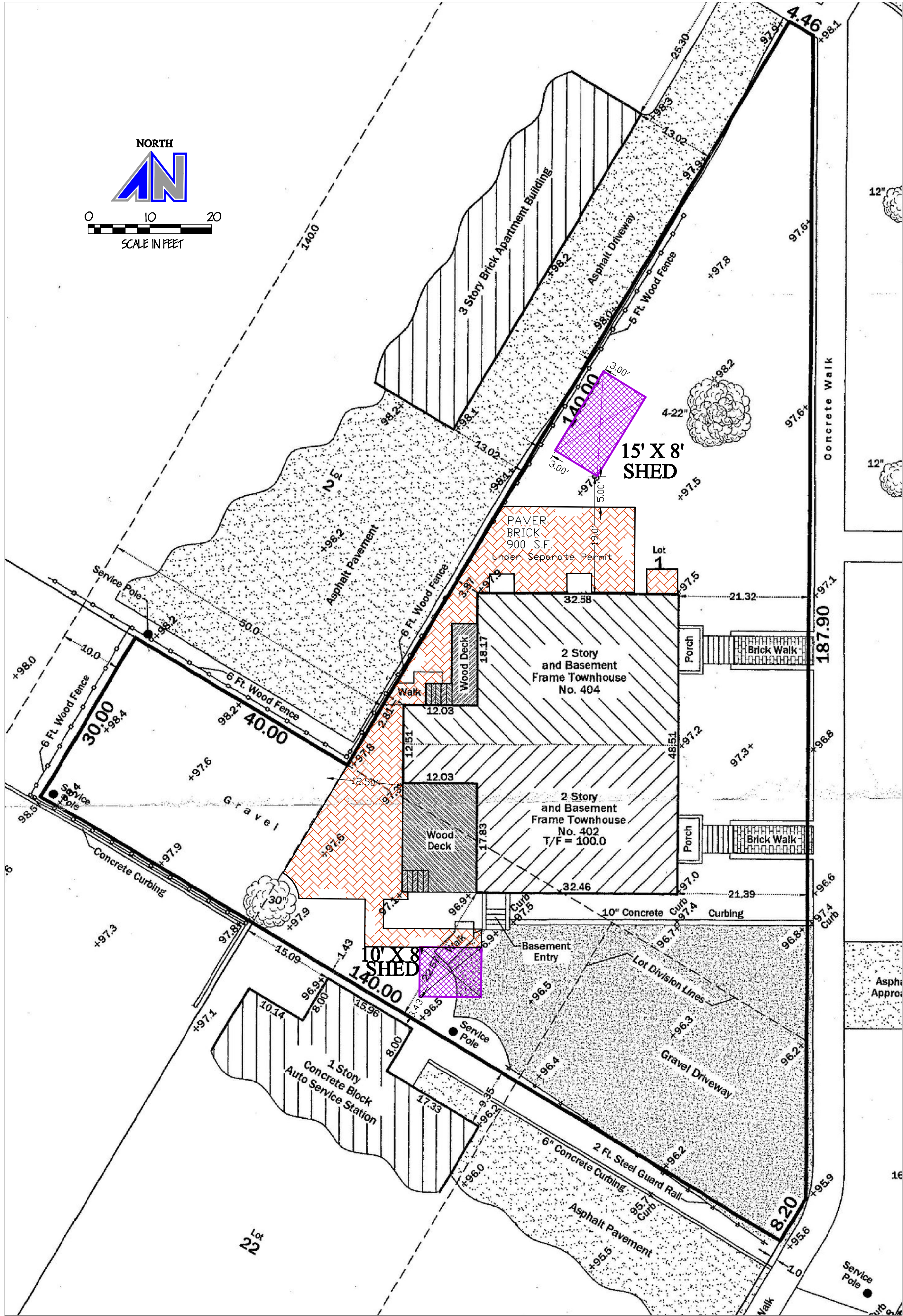
John R. O'Shea
REGISTERED ILLINOIS LAND SURVEYOR No. 2232

DATED: October 12, 2019

FILE NO.

43531-R

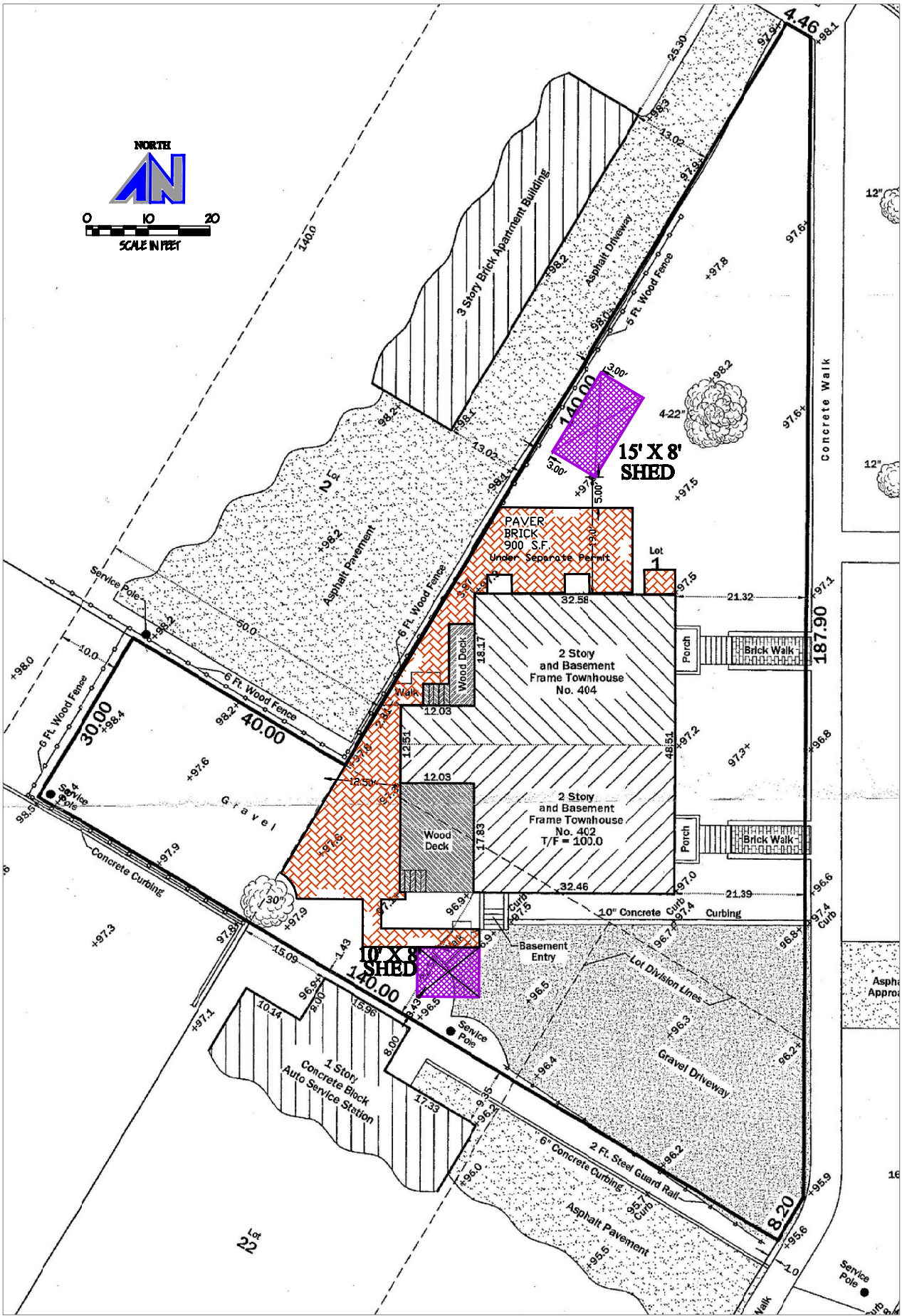
PROPOSED SHED LAYOUTS



GRADING & DRAINAGE NOTES:
Sheds would be installed at existing grade, and slightly elevated for entry and to reduce chance of flooding.
Additional new impervious to be compensated for via recently approved patio project, towards which an additional detention buffer was adequately provided.

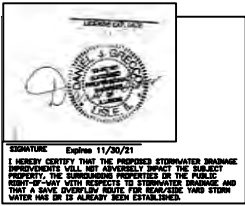
IMPERVIOUS LOT COVERAGE CALCULATIONS	
23-Oct-20 DJG	
LOT SQUARE FOOTAGE	9346 S.F.
STORMWATER	
EXISTING	
RESIDENCE	1712 S.F.
GRAVEL PARKING	1974 S.F.
DECKS	282 S.F.
STOOPS	83 S.F.
FRONT ENTRIES/WALK	266
REAR WALK/ENTRY	76
PATIO (SEPARATE PERMIT)	900 S.F.
AC UNITS	12 S.F.
EXISTING IMPERVIOUS =	5305 S.F.
=	56.76%
PROPOSED STORM	
RESIDENCE	1712 S.F.
GRAVEL PARKING	1974 S.F.
DECKS	282 S.F.
STOOPS	83 S.F.
FRONT ENTRIES/WALK	266 S.F.
REAR WALK/ENTRY	76 S.F.
15' x 8' SHED (PROPOSED)	120 S.F.
10' x 8' SHED (PROPOSED)	80 S.F.
PATIO (SEPARATE PERMIT)	900 S.F.
AC UNITS	6 S.F.
PROPOSED IMPERVIOUS =	5499 S.F.
=	58.84%
INCREASED IMPERVIOUS =	194 S.F.

PROPOSED SHED LAYOUTS



GRADING & DRAINAGE NOTES:
Sheds would be installed at existing grade, and slightly elevated for entry and to reduce chance of flooding. Additional new impervious to be compensated for via recently approved patio project, towards which an additional detention buffer was adequately provided.

IMPERVIOUS LOT COVERAGE CALCULATIONS	
23-Oct-20 DJG	
LOT SQUARE FOOTAGE	9346 S.F.
STORMWATER	
EXISTING	
RESIDENCE	1712 S.F.
GRAVEL PARKING	1974 S.F.
DECKS	282 S.F.
STOOPS	83 S.F.
FRONT ENTRIES/WALK	286 S.F.
REAR WALK/ENTRY	76 S.F.
PATIO (SEPARATE PERMIT)	900 S.F.
AC UNITS	12 S.F.
EXISTING IMPERVIOUS =	5305 S.F.
	= 56.76%
PROPOSED STORM	
RESIDENCE	1712 S.F.
GRAVEL PARKING	1974 S.F.
DECKS	282 S.F.
STOOPS	83 S.F.
FRONT ENTRIES/WALK	286 S.F.
REAR WALK/ENTRY	76 S.F.
15' x 8' SHED (PROPOSED)	120 S.F.
10' x 8' SHED (PROPOSED)	80 S.F.
PATIO (SEPARATE PERMIT)	900 S.F.
AC UNITS	6 S.F.
PROPOSED IMPERVIOUS =	5499 S.F.
	= 58.84%
INCREASED IMPERVIOUS =	194 S.F.





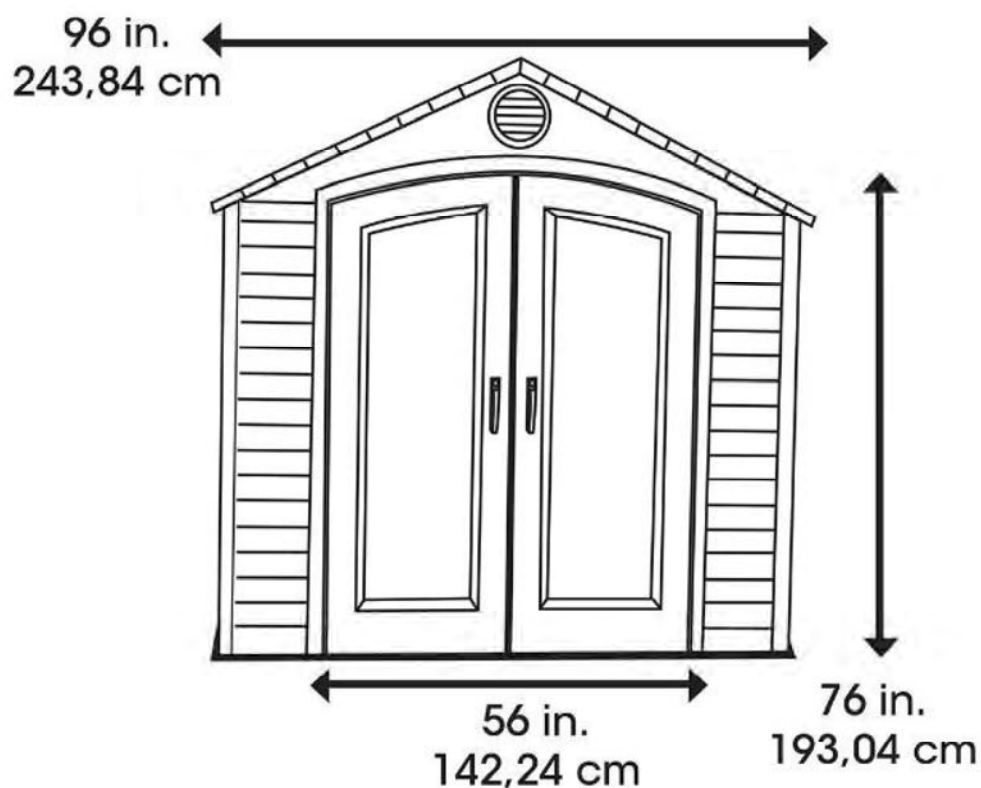
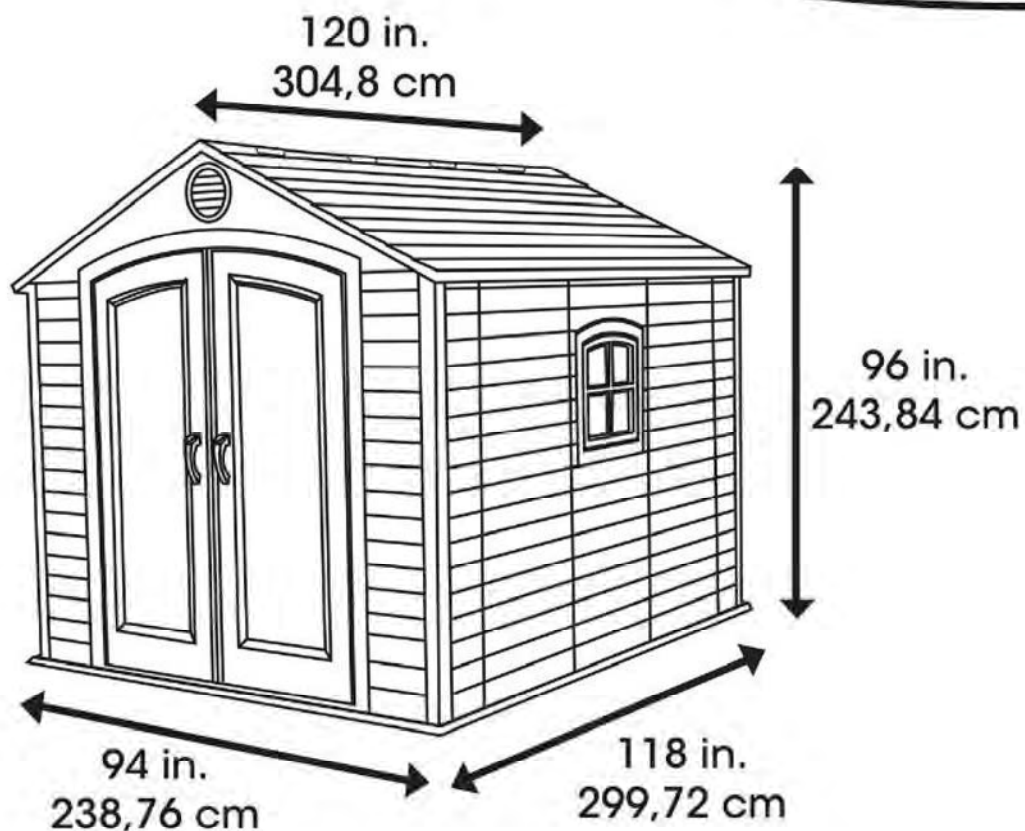






5

Storage Shed
(low)





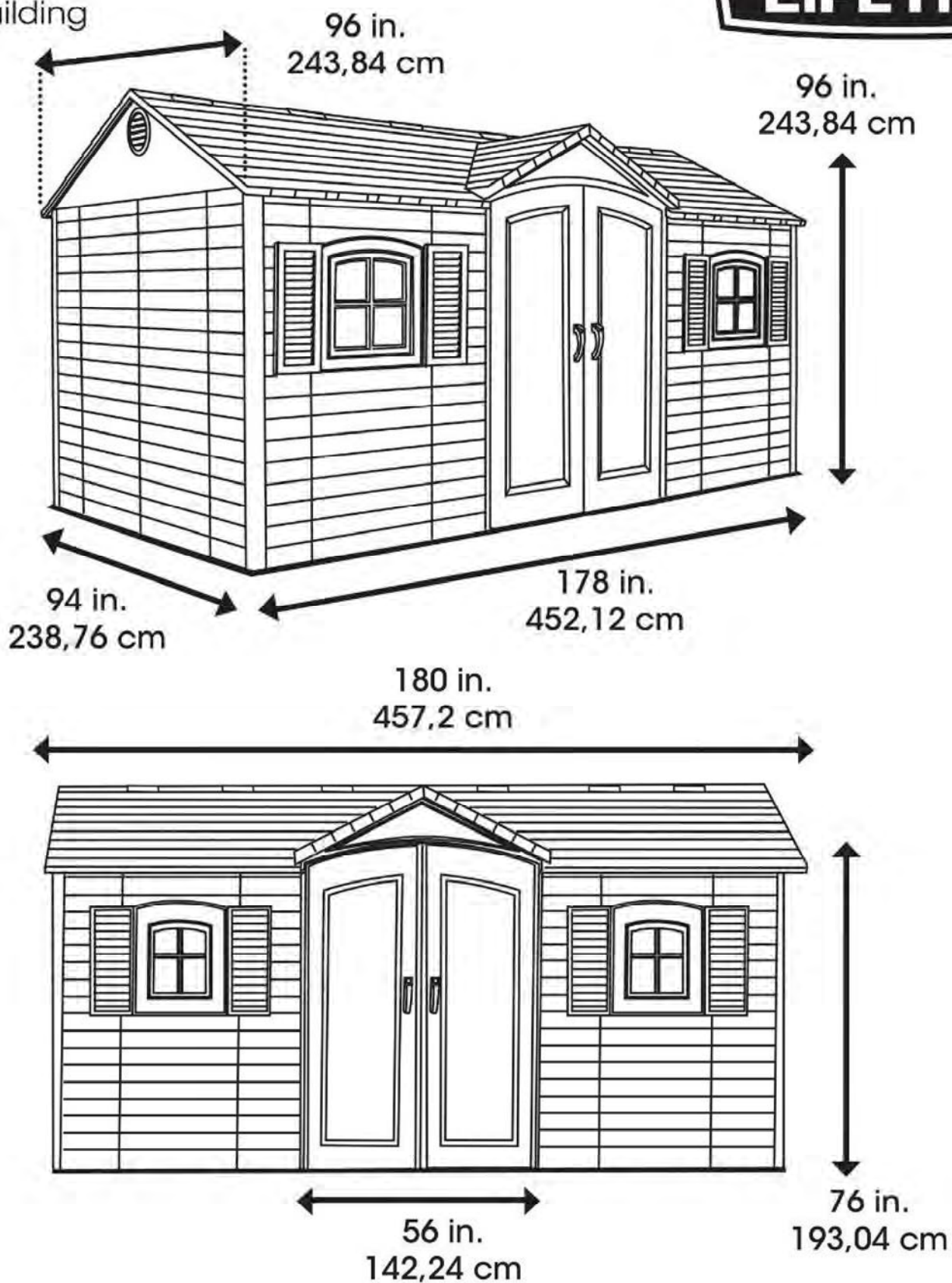






6

Garden Building





**Zoning Board of Appeals
2/15/2021**

Item: 544 S. Highland Ave. - ZBA#21-002

Department: Planning & Community Development

REQUEST

A 2.6 foot variance from Chapter 28, Section 6.5-6 (Accessory Buildings) to allow an increase to the maximum height of an accessory structure (new detached garage) from 15.0 feet to 17.6 feet.

ATTACHMENTS:

Description

Supporting Documents

Type

Exhibits

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: February 15, 2021
Date Prepared: February 10, 2021
Project Title: Capobianco Residence
Address: 544 S. Highland Ave.

Background Information

Petition Number: ZBA #21-002
Petitioner: Robert Flubacker / Robert Flubacker Architects
Address: 1835 Rohlwing Rd. Suite B
Rolling Meadows IL 60008

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

Requested Action/Background Information

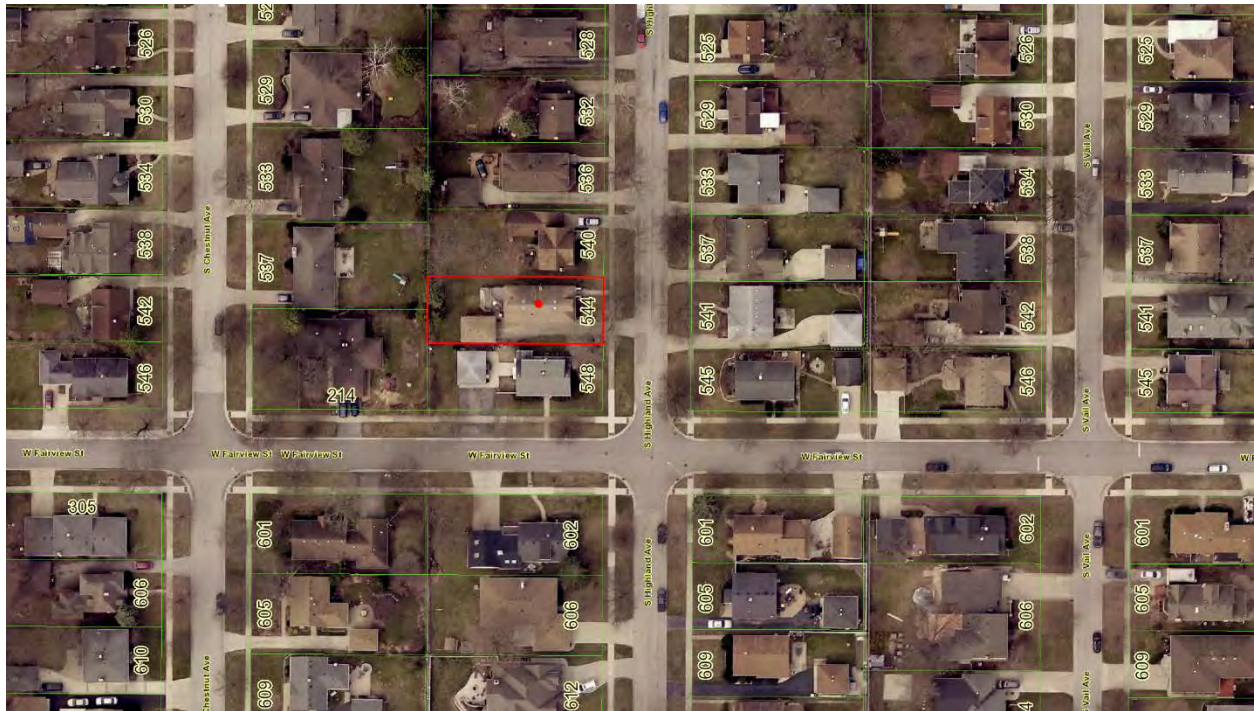
The subject property is zoned R-3 Single Family Zoning District and the land area is approximately 6,577 square feet. The petitioner is proposing to construct a new detached garage in their rear yard, to replace an existing detached garage. The petitioner is proposing a garage with a height of 17.6 feet where 15 feet is the maximum allowed. Therefore, the petitioner requests the following variation:

- **A 2.6 foot variance from Chapter 28, Section 6.5-6 (Accessory Buildings) to allow an increase to the maximum height of an accessory structure (new detached garage) from 15.0 feet to 17.6 feet.**

Variation Review Standards

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

Map of General Vicinity



Items required to be Submitted 15 Days Prior to Public Hearing

<u>Item</u>	<u>Provided</u>	<u>Dated</u>	<u>Remarks</u>
1. Notification Affidavit	✓	1/28/21	
2. List of Property Owners Within 250 feet of Subject Property	✓	1/28/21	
3. Letter that was Mailed	✓	1/28/21	
4. Photographs of Sign on Property	✓	1/28/21	

Photographs of Existing Structure





Village of Arlington Heights Building & Life Safety Department

Interoffice Memorandum

To: Derek Mach, Zoning Board of Appeals Liaison

From: Deb Pierce, Building & Life Safety Department

Project Name: Capobianco Residence

Project Address: 544 S Highland Ave

ZBA #: 21-002

Date: January 14, 2021

Derek:

I have reviewed the request for the following variance:

- A 2.7-foot variance from Chapter 28, Section 6.5-6 (Accessory Buildings) to allow an increase to the maximum height of an accessory structure (new detached garage) from 15.0 feet to 17.7 feet.

and have the following comments:

1. The size of the garage (33' 3" x 21' 8") exceeds the maximum allowed floor area for a garage at 720.41 square feet. Homeowner shall apply for a variance.
2. The garage is required, based on the size of more than 600 square feet, a full spread footing and foundation walls.
3. The south wall of the new garage, being less than 5 feet to the lot line is required to have a minimum fire-resistance rating of 1-hour with exposure from both the inside and outside of the garage.
4. The south wall soffit of the new garage, being less than 5 feet to the lot line is required to have a minimum fire-resistance rating of 1-hour, or fire-retardant treated plywood under the normal weather protective covering.

ZBA# 21-002
544 S Highland Ave - ZBA
Rev. Eng: Briget Schwab, P.E.
cc: Mike Pagones, P.E. Village Engineer

Application Date: January 5, 2021
Received by Planning:
Transmitted to Engineering: January 13, 2021
Completed: January 22, 2021

The proposed ZBA application indicates that the petitioner is seeking:

A 2.6 foot variance from Chapter 28, Section 6.5-6 (Accessory Buildings) to allow an increase to the maximum height of an accessory structure (new detached garage) from 15.0 feet to 17.6 feet.

The Engineering Division has NO COMMENT to the proposed variance request for allowing an increase to maximum height of an accessory structure.

--

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Capobianco Residence

Project Address: 544 S. Highland Avenue

ZBA #: 21-002

ZBA Hearing Date: February 15, 2021

To: Mike Pagones, Village Engineer
Mark Fink, Assistant Building Official

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

From: Derek Mach, Zoning Board of Appeals Liaison

Transmitted On: January 13, 2021

- A 2.6 foot variance from Chapter 28, Section 6.5-6 (Accessory Buildings) to allow an increase to the maximum height of an accessory structure (new detached garage) from 15.0 feet to 17.6 feet.

Attached are the Petitioner's:

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

Comments:

To match the garage design to the aesthetics of the existing home, a 4-sided hipped roof with dormers is recommended.

- Steve Hautzinger, Design Planner

Please review, comment, and return to me no later than January 27, 2021.

PETITION

NOW COMES the Petitioner, **Kyle Capobianco**, being the owner of the property commonly known as: **544 South Highland Avenue**, and appeals to the Zoning Board of Appeals of the Village of Arlington Heights for a variation from **Section 6.5-6 Height of Accessory Structure in Required Rear Yards**, Chapter 28, of the Arlington Heights Municipal Code, in order to:

Construct a one-story detached garage; exceeding 2 feet - 7 inches in height over 15 feet – 0 inches maximum allowed.

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

Through significant improvements, updates and exterior enhancements the property will be enhanced and increase in value substantially which will remain consistent with other new projects in the neighborhood. The improved property will fit well within the surrounding neighborhood while also lending a uniqueness to the property.

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

The proposed garage height is an effort to match the aesthetics of the existing home, which has stood for over 80 years. The existing topography also sets the adjacent detached garage approximately 12" higher than the proposed garage reducing the effect of the height variation.

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

The proposed garage height, by matching the existing house pitch and materials, will be more harmonious with the existing home than the existing garage. This continuity is within the intent of the code.

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

Through orienting the main gable parallel to the front wall of the garage, matching the pitch, can be accomplished in a manor that makes the roof line less impactfull. Additional, setting the garage ten feet of the rear lot line reduces the impact to rear neighbors.

Signed: _____

Petitioner

Date: 1.5.21

LEGEND

A = ASSUMED
BL = BUILDING SETBACK LINE
C = CALCULATED
CE = CITY EASEMENT
CH = CHORD
CL = CENTERLINE
D = DEED
D.E. = DRAINAGE EASEMENT
E = EAST
F.I.P. = FOUND IRON PIPE
F.I.R. = FOUND IRON ROD
FT. = FEET/FOOT
L = ARC LENGTH
M = MEASURED
N = NORTH
NE = NORTHEAST

NW = NORTHWEST
P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCEMENT
P.U.E. = PUBLIC UTILITY EASEMENT
P.U. & D.E. = PUBLIC UTILITY & DRAINAGE EASEMENT
R = RECORD
RAD = RADIUS
R.O.W. = RIGHT OF WAY
S = SOUTH
S.I.P. = SET IRON PIPE
S.I.R. = SET IRON ROD
SE = SOUTHEAST
SW = SOUTHWEST
V.E. = VILLAGE EASEMENT
W = WEST

CHAIN LINK FENCE
WOOD FENCE
METAL FENCE
VINYL FENCE
EASEMENT LINE
SETBACK LINE
INTERIOR LOT LINE

PLAT OF SURVEY OF

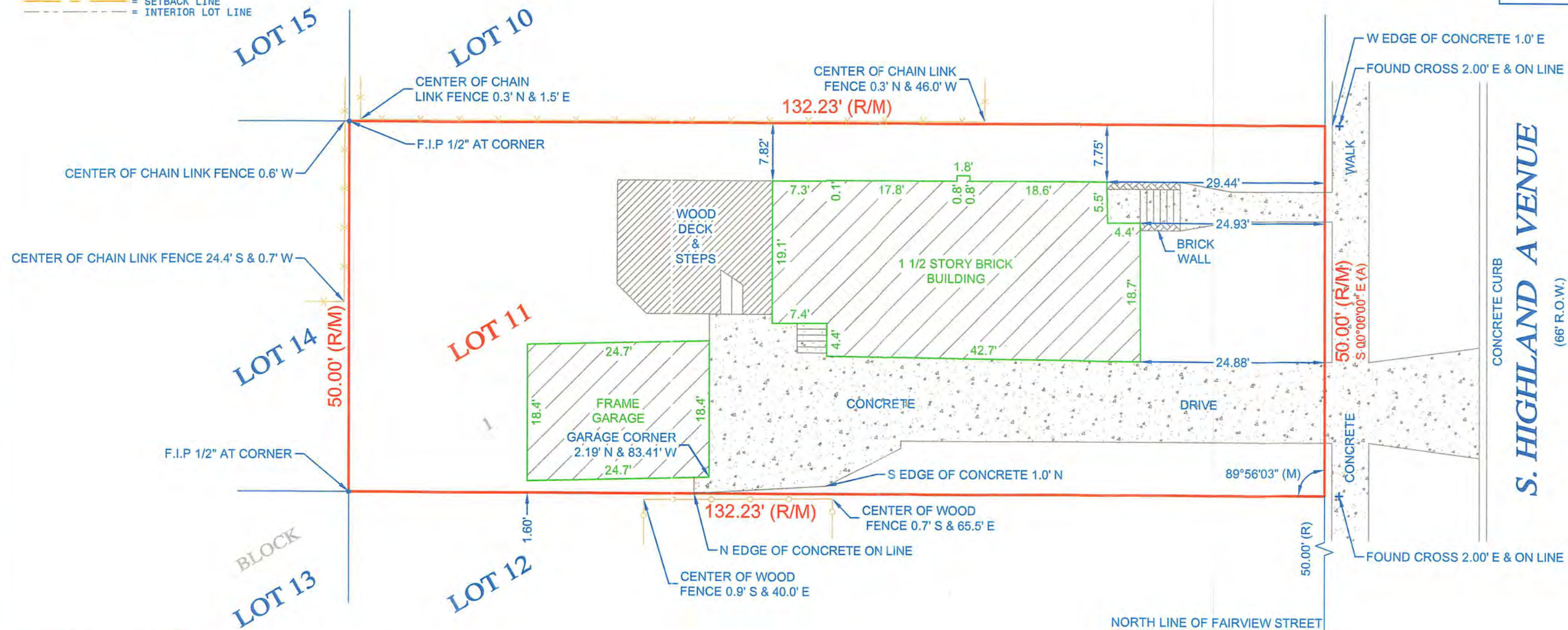
LOT 11 IN BLOCK 1 IN THE SUBDIVISION OF LOTS 9 TO 14 INCLUSIVE IN CAROLINE FIENE'S
SUBDIVISION OF THE SOUTH 50 ACRES OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 31,
TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

AREA OF SURVEY:

CONTAINING 6611.5 SQ. FT. OR 0.15 ACRES MORE OR LESS



BASIS OF BEARING:
WEST LINE OF S. HIGHLAND AVENUE AS FOUND
MONUMENTED AND OCCUPIED PER RECORD
SUBDIVISION.
S 00°00'00" E (A)



Morris Engineering, Inc.
515 Warrenville Road, Lisle, IL 60532
Phone: (630) 271-0770
FAX: (630) 271-0774
WEBSITE: WWW.ECIVIL.COM

STATE OF ILLINOIS }SS
COUNTY OF DUPAGE

I, THE UNDERSIGNED, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY
CERTIFY THAT "THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT
ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY," AND THAT THE PLAT
HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY.

DATED, THIS 24TH DAY OF JUNE, A.D., 2020,
AT LISLE, ILLINOIS.

J. L. Morrison
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-2317
LICENSE EXPIRATION DATE NOVEMBER 30, 2020
ILLINOIS BUSINESS REGISTRATION NO. 184-001245



NOTE:

- ALL TIES SHOWN ON THIS SURVEY ARE MEASURED TO THE BUILDING'S SIDING (BRICK, FRAME, STUCCO, METAL, ETC.) AND NOT TO THE FOUNDATION, UNLESS NOTED OTHERWISE.
- ROOF LINES AND OVERHANGS ARE TYPICALLY NOT SHOWN HEREON.
- COMPARE ALL DISTANCES AND POINTS IN FIELD AND REPORT ANY DISCREPANCIES TO SURVEYOR AT ONCE.
- NO DIMENSIONS SHALL BE ASSUMED BY SCALING.

ADDRESS COMMONLY KNOWN AS 544 S. HIGHLAND AVENUE
ARLINGTON HEIGHTS, ILLINOIS

CLIENT CERAMI LAW FIRM LLC

FIELDWORK DATE (CREW) 06/23/2020 (BV/HP)

DRAWN BY: LV REVISED: JOB NO. 20-06-0442

GARAGE ADDITIONS FOR

THE CAPOBIANCO RESIDENCE

544 S. HIGHLAND AVE.
ARLINGTON HEIGHTS, ILLINOIS

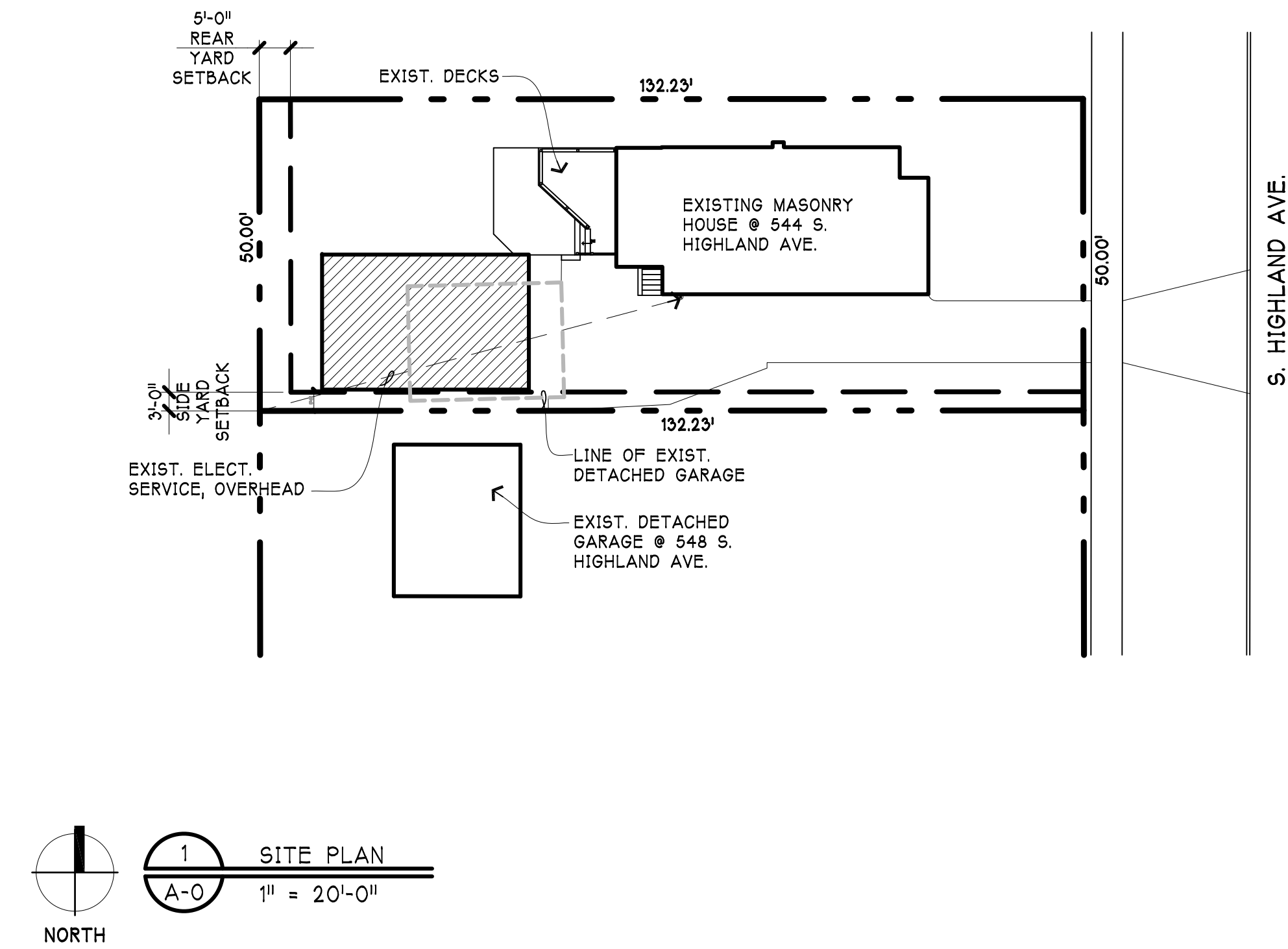
SITE PLAN

SITE PLAN LEGEND:

- EXIST. CONSTRUCTION TO REMAIN
- PROPERTY LINE
- SETBACK LINE

SITE PLAN GENERAL NOTES:

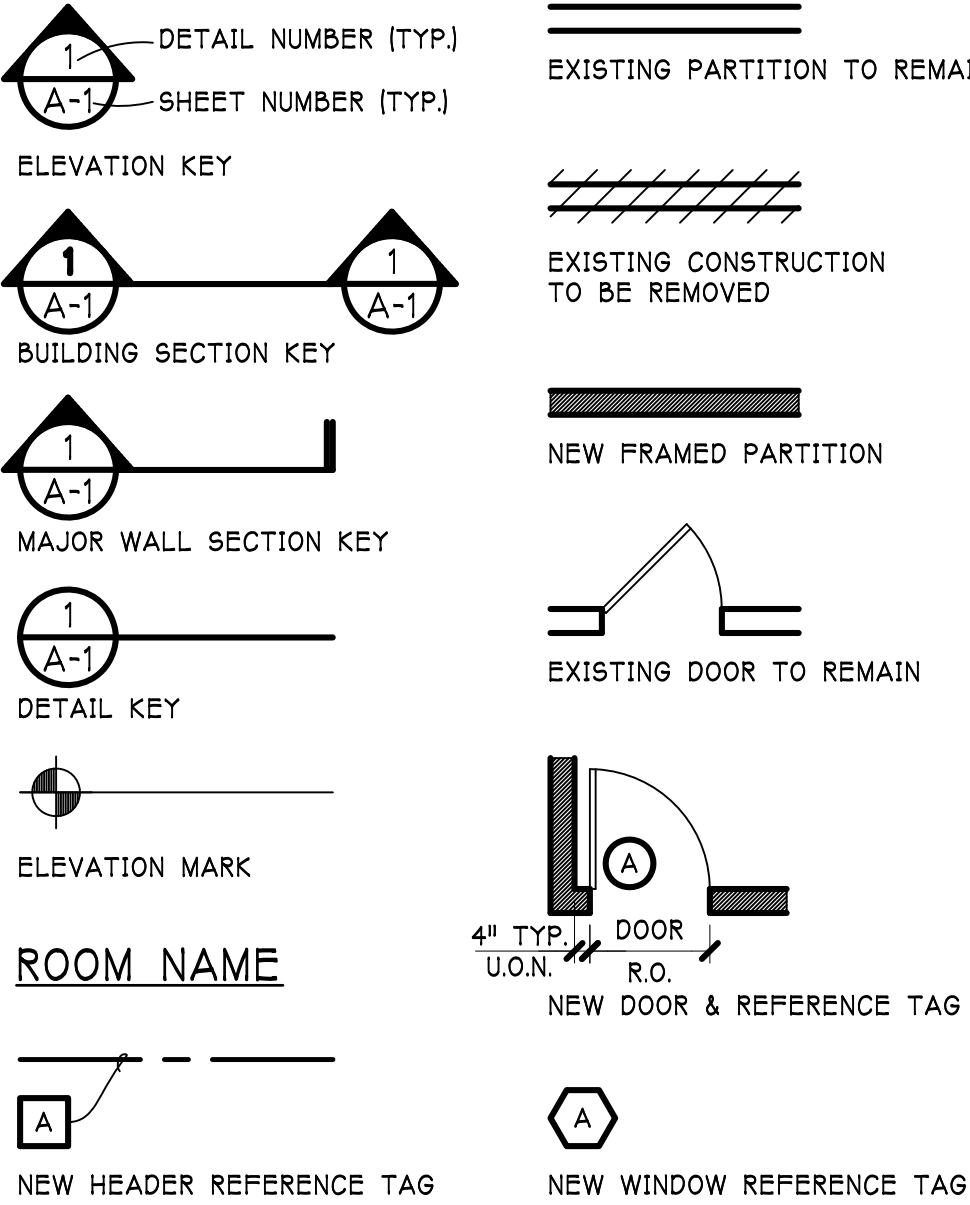
1. INFORMATION SHOWN ON THIS DRAWING IS ACCUMULATED FROM EXIST. DOCUMENTATION AND MUST BE CONFIRMED BY THE CONTRACTOR AND COORDINATED WITH THE ARCHITECT PRIOR TO CONSTRUCTION
2. VERIFY LOCATIONS OF ALL UTILITIES AND OTHER BUILDING SERVICES PRIOR TO EXCAVATION
3. PROVIDE REQUIRED WORK TO ACCOMMODATE EXISTING UTILITIES OR OTHER BUILDING SERVICES
4. PROTECT EXISTING LANDSCAPING DURING CONSTRUCTION
5. PROVIDE TEMPORARY CONSTRUCTION/SECURITY FENCING AROUND ALL OPEN EXCAVATIONS; HEIGHT AS REQ'D. BY LOCAL CODES
6. VERIFY LOCATIONS OF ALL MATERIAL STOCKPILES AND DUMPSTERS WITH OWNER



ABBREVIATIONS

•	AT	EXP.	EXPANSION	PLAM.	PLASTIC LAMINATE
<	ANGLE	F.D.	FLOOR DRAIN	PLYWD.	PLYWOOD
SS	FIVE SHELVES	F.F.	FINISH FLOOR	P.S.F.	POUNDS PER SQUARE FOOT
A/C.	AIR CONDITIONING	FIN.	FINISH	P.S.I.	POUNDS PER SQUARE INCH
ADJ.	ADJUSTABLE	FIXT.	FIXTURE	PSL	PARALLEL STRAND LUMBER
A.F.F.	ABOVE FINISH FLOOR	FND.	FOUNDATION	PVC.	POLYVINYL CHLORIDE
ALT.	ALTERNATE	F.O.C.	FACE OF CONCRETE	R.	RADIUS
ALUM.	ALUMINUM	F.O.S.	FACE OF STUD	R.D.	ROOF DRAIN
APPROX.	APPROXIMATE	FRZ.	FREEZER	R&S	ROD & SHELF
ARCH.	ARCHITECTURAL	F.S.	FOOTING SUMP	REBAR.	REINFORCING BAR
B/	BOTTOM OF	F.T.S.	FOOTING	REF.	REFRIGERATOR
BD.	BOARD	FURN.	FURNACE	REG.	REGULAR
B.I.	BUILT-IN	GA.	Gauge	REINF.	REINFORCE
BLDG.	BUILDING	GALV.	GALVANIZED	RM.	ROOM
B.O.	BY OWNER	GLU-LAM.	GLUE LAMINATED BEAM	R.O.	ROUGH OPENING
BRG.	BEARING	GYP.BD.	GYP.SUM BOARD	S.C.	SOLID CORE
C.	CARPET	HGT.	HEIGHT	SECT.	SECTION
CAB.	CABINET	H.M.	HOLLOW METAL	S.H.	SINGLE-HUNG CLOSET ROD
C.I.	CAST IRON	HORZ.	HORIZONTAL	SIM.	SIMILAR
C.J.	CONSTRUCTION JOINTS	HTG.	HEATING	S.P.	SUMP PIT
CL.	CENTER LINE	H.V.A.C.	HEATING, VENTILATION, AIR CONDITIONING	SPEC.	SPECIFICATION
CLG.	CEILING	H.W.	HOT WATER	SQ.	SQUARE
CMU.	CONCRETE MASONRY UNIT	INSUL.	INSULATION	STD.	STANDARD
C.O.	CASED OPENING/ CLEAN OUT	INT.	INTERIOR	STL.	STEEL
COL.	COLUMN	L.	LINEN	STOR.	STORAGE
CONC.	CONCRETE	LAM.	LAMINATE	STRUCT.	STRUCTURAL
CONST.	CONSTRUCTION	LAV.	LAVATORY	SUSP.	SUSPENDED
CONT.	CONTINUOUS	LLV	LONG LEG VERTICAL	T/	TOP OF
C.T.	CERAMIC TILE	LVL	LAMINATED VENEER LUMBER	T.&B.	TOP & BOTTOM
C.W.	COLD WATER	L.V.	MAXIMUM	T.&G.	TONGUE & GROOVE
D.	DRYER	M.C.	MEDICINE CABINET	TEL.	TELEPHONE
DEMO.	DEMOLITION	MECH.	MECHANICAL	T.M.E.	TO MATCH EXIST.
D.H.	DIAMETER	MED.	MEDIUM	T.O.P.	TOP OF PLATE
DIM.	DIMENSION	MICRO.	MICROWAVE	T.V.	TELEVISION
DISP.	DISPOSAL	MIN.	MINIMUM	TYP.	TYPICAL
DIV.	DIVISION	MISC.	MISCELLANEOUS	U.O.N.	UNLESS OTHERWISE NOTED
DN.	DOWN	M.O.	MASONRY OPENING	V.C.T.	VINYL COMPOSITION TILE
D.S.	DOWN SPOUT	MTL.	METAL	VERT.	VERTICAL
D.W.	DISHWASHER	N.F.H.B.	NON-FREEZE HOSE BIBB	V.T.R.	VENT THRU ROOF
EA.	EACH	NLC.	NOT IN CONTRACT	W/	WITH
EIFS.	EXTERIOR INSULATION AND FINISH SYSTEM	NO.	NUMBER	W.C.	WASHER
ELECT.	ELECTRICAL	NOM.	NOMINAL	WD.	WOOD
ELEV.	ELEVATION	N.T.S.	NOT TO SCALE	WDW.	WINDOW
EP	EJECTOR PIT/SUMP	O.A.	OVER ALL	W.H.	WATER HEATER
EQ.	EQUIP.	O.C.	ON CENTER	W.I.C.	WALK-IN CLOSET
EQUIP.	EQUIPMENT	O.H.	OVERHANG	W/O	WITHOUT
EQUIV.	EQUIVALENT	OPP.	OPPOSITE	WT.	WEIGHT
E.W.	EACH WAY	OV.	OVEN	W.W.F.	WELDED WIRE FABRIC
EXIST.	EXISTING	PERF.	PERFORATED		
		PL.	PLATE		

SYMBOLS

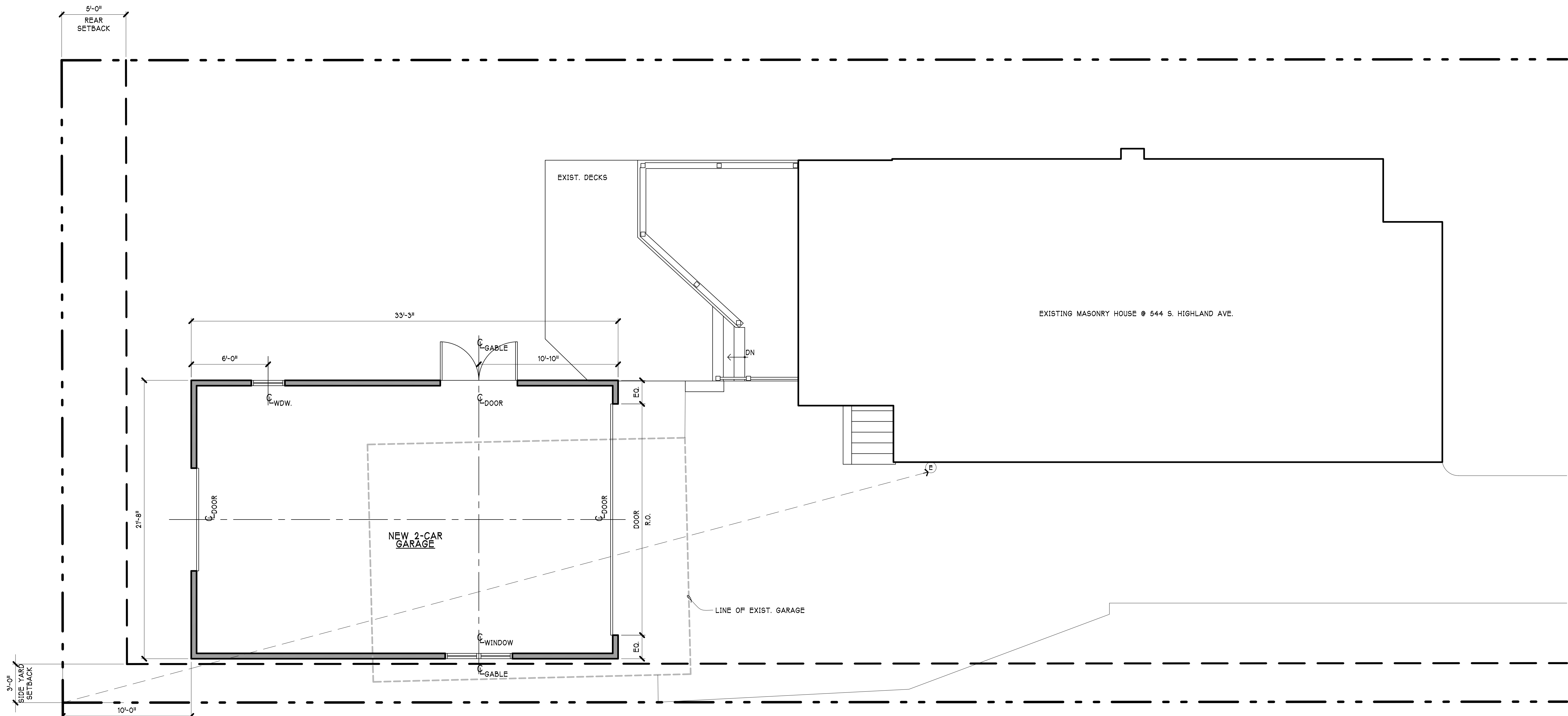


CODE DATA

- ALL CONSTRUCTION SHALL CONFORM WITH THE FOLLOWING:
- 2009 INTERNATIONAL CODE COUNCIL SERIES:
 - INTERNATIONAL BUILDING CODE (IBC)
 - INTERNATIONAL RESIDENTIAL CODE (IRC)
 - INTERNATIONAL PROPERTY MAINTENANCE CODE (IPMC)
 - INTERNATIONAL FIRE CODE (IFC)
 - INTERNATIONAL FUEL GAS CODE (IFGC)
 - INTERNATIONAL MECHANICAL CODE (IMC)
 - INTERNATIONAL EXISTING BUILDING CODE (IEBC)
 - 2018 ILLINOIS ENERGY CONSERVATION CODE
 - 2005 NATIONAL ELECTRICAL CODE (NFPA 70)
 - 2014 ILLINOIS STATE PLUMBING CODE
 - 1997 ILLINOIS ACCESSIBILITY CODE
 - INCLUDING ALL APPROVED LOCAL AMENDMENTS TO THE ABOVE REFERENCED CODES

CODE REVIEW

ZONING	R-3		
LOT AREA	6,611 SQ.FT.		
BUILDING AREAS	EXISTING	ALLOWED	PROPOSED
FIRST FLOOR	1,143 SQ.FT.		
SECOND FLOOR	662 SQ.FT.		
DETACHED GARAGE	450 SQ.FT.	720 SQ.FT.	720 SQ.FT.
FLOOR AREA RATIO (FAR)	1,805 SQ.FT.	2,975 SQ.FT.	2,125 SQ.FT.
BUILDING LOT COVERAGE	1,593 SQ.FT.	2,313 SQ.FT.	1,863 SQ.FT.
IMPERVIOUS SURFACE COVER.	2,821 SQ.FT.	3,305 SQ.FT.	3,157 SQ.FT.
GARAGE HEIGHT	12'-9" FT.	15 FT.	17'-7"



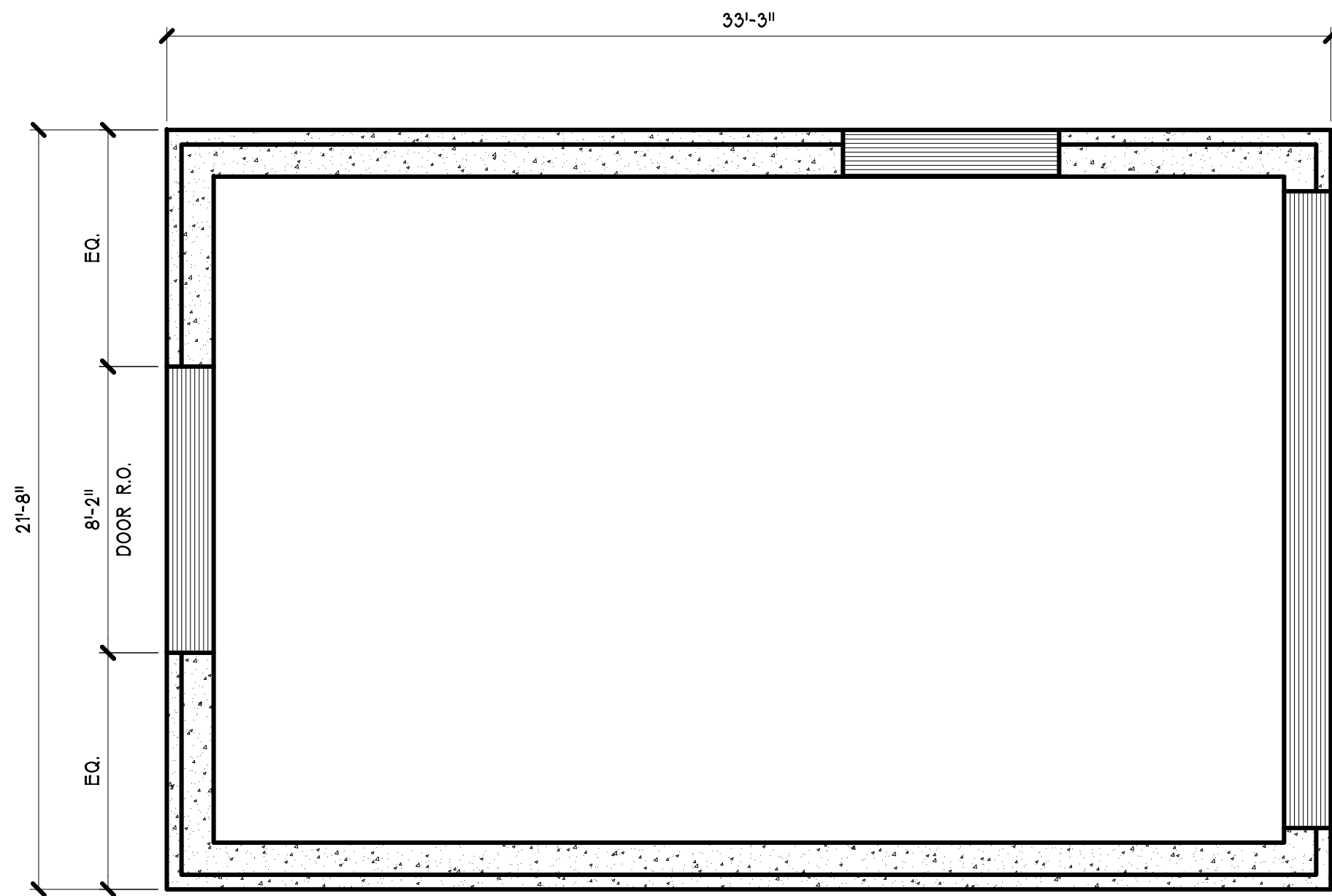
1
A-1
GARGE PLAN
1/4" = 1'-0"

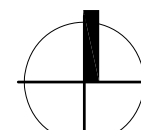
EXIST. DETACHED GARAGE @
548 S. HIGHLAND AVE.

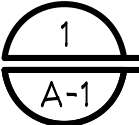
Date	Description
12/10/20	PRE ZBA

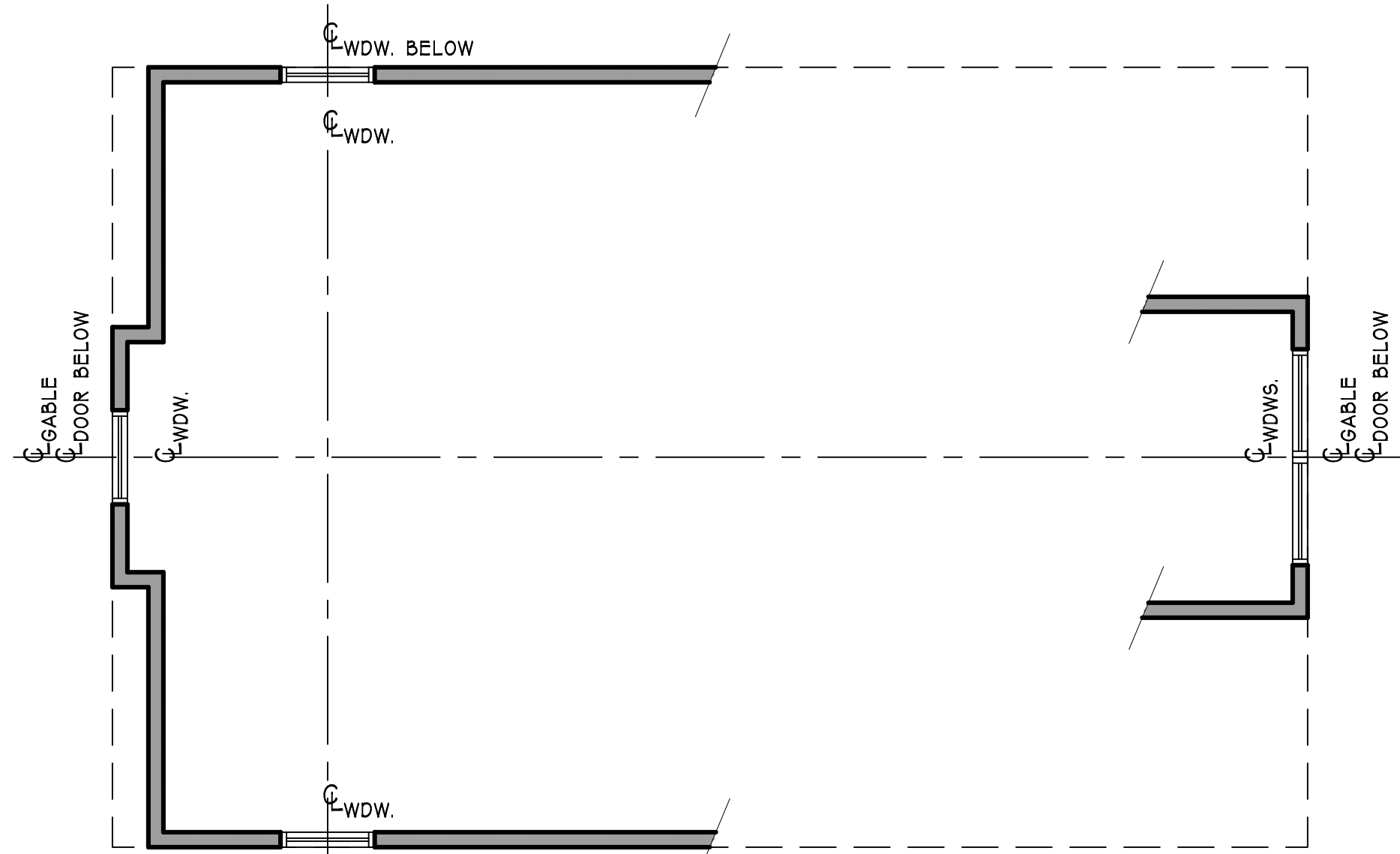
© 2020 R.F.A. LTD.

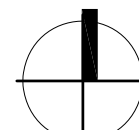
Project Number
200

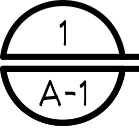



NORTH

 FOUNDATION PLAN
1/4" = 1'-0"




NORTH

 CLERESTORY PLAN
1/4" = 1'-0"

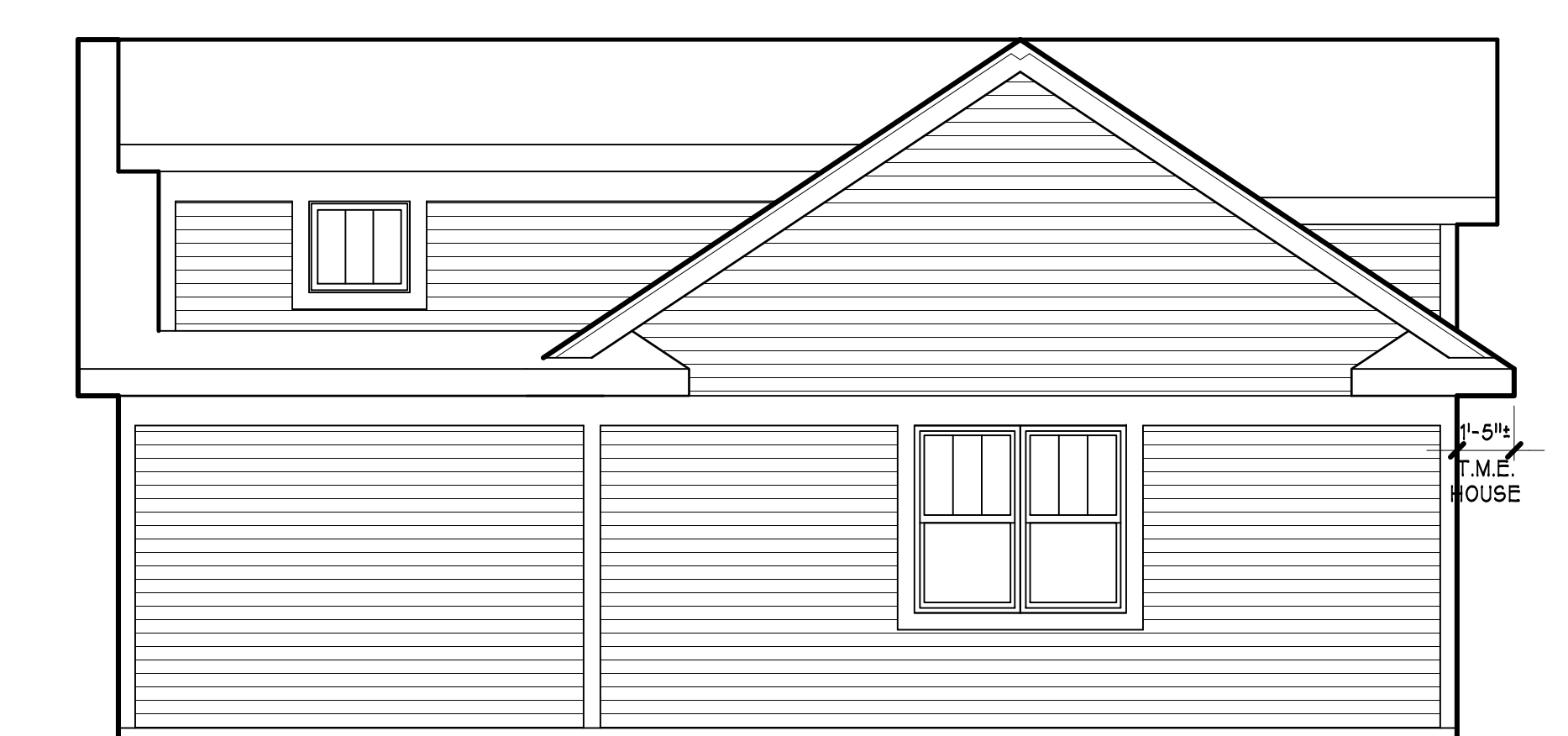
Date	Description
12/10/20	PRE ZBA



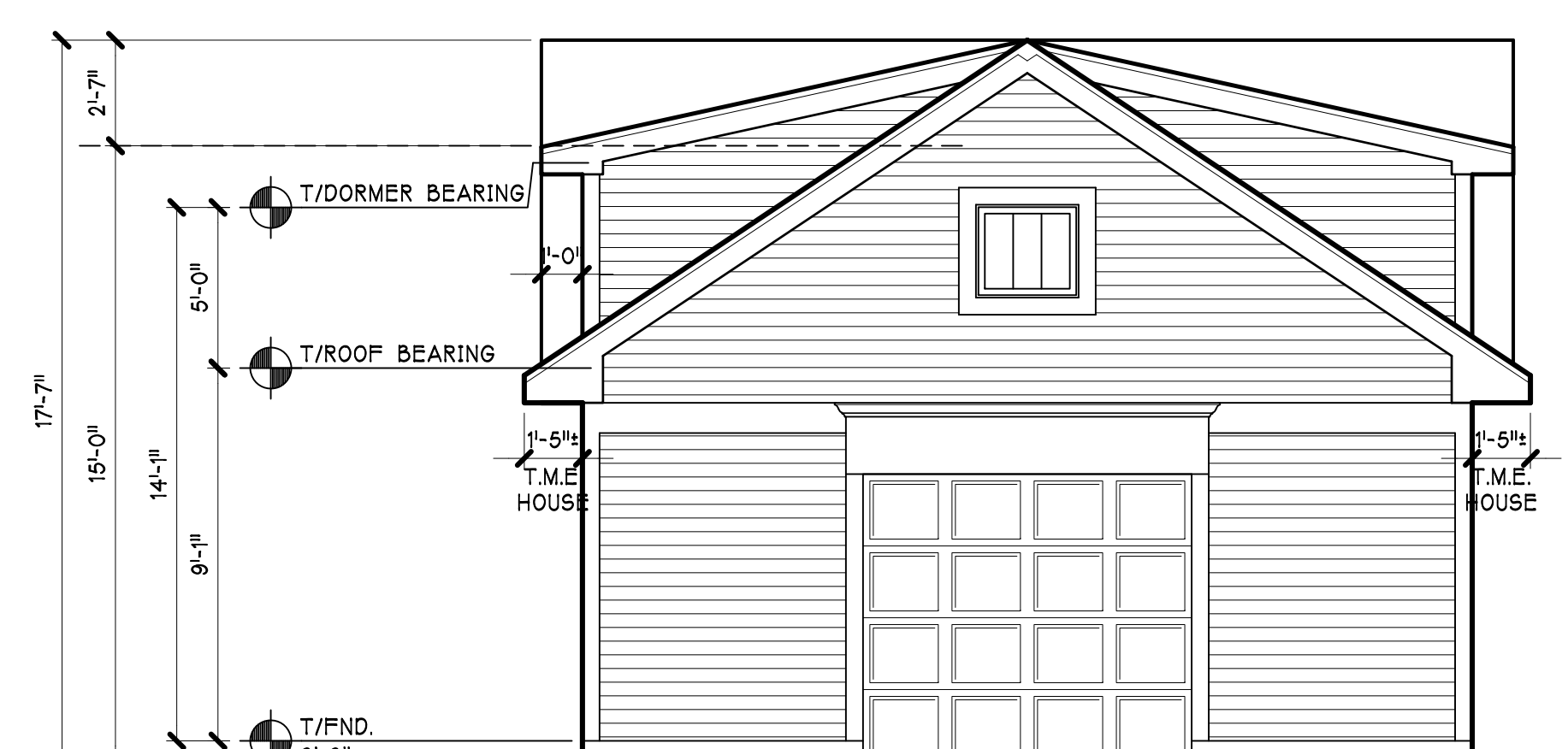
1 EAST ELEVATION
A-3 1/4" = 1'-0"



2 EAST ELEVATION
A-3 1/4" = 1'-0"



3 SOUTH ELEVATION
A-3 1/4" = 1'-0"



4 WEST ELEVATION
A-3 1/4" = 1'-0"



5 NORTH ELEVATION
A-3 1/4" = 1'-0"



Zoning Board of Appeals 2/15/2021

Item: 2117 N. Cherry Hill Dr. - ZBA#21-003

Department: Planning & Community Development

REQUEST

A variation from Chapter 28, Section 6.13-3c (Location of Fences – Front Yards) to allow a 6-foot tall solid fence located along the north property line along the exterior side yard (Jonquil Terrace) with no street side landscaping where code allows a maximum 3-foot tall open fence.

ATTACHMENTS:

Description	Type
Supporting Documents	Exhibits

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: February 15, 2021
Date Prepared: February 10, 2021
Project Title: Abrahamian Residence
Address: 2117 N. Cherry Hill Dr.

Background Information

Petition Number: ZBA #21-003
Petitioner: Eric Abrahamian
Address: 2117 N. Cherry Hill Dr.
Arlington Heights IL 60004

Existing Zoning: R-2 – Residential Single-Family District

Requested Action/Background Information

The subject property is zoned R-2, Single Family Dwelling District. The petitioner is proposing to install a 6-foot tall solid fence along the north property line adjacent to the E. Jonquil Terrace right of way. The proposed fence is located along the property line with no street side landscaping where a setback of 5 feet is required for a fence taller than three feet. Therefore, the petitioner requests the following variation:

- **A variation from Chapter 28, Section 6.13-3c (Location of Fences – Front Yards) to allow a 6-foot tall solid fence located along the north property line along the exterior side yard (Jonquil Terrace) with no street side landscaping where code allows a maximum 3-foot tall open fence.**

Variation Review Standards

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

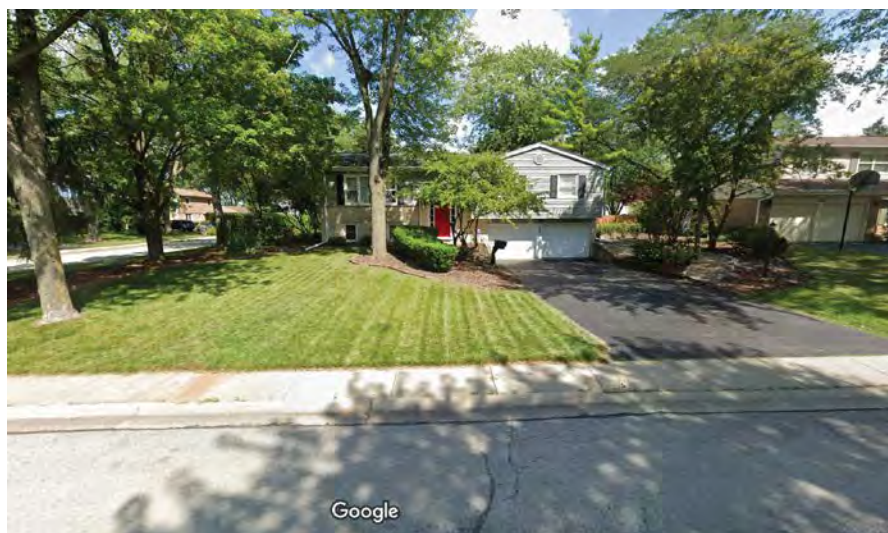
Map of General Vicinity



Items required to be Submitted 15 Days Prior to Public Hearing

<u>Item</u>	<u>Provided</u>	<u>Dated</u>	<u>Remarks</u>
1. Notification Affidavit	✓	1/29/21	
2. List of Property Owners Within 250 feet of Subject Property	✓	1/29/21	
3. Letter that was Mailed	✓	1/29/21	
4. Photographs of Sign on Property	✓	1/29/21	

Photographs of Existing Structure





Village of Arlington Heights Building & Life Safety Department

Interoffice Memorandum

To: Derek Mach, Zoning Board of Appeals Liaison

From: Deb Pierce, Building & Life Safety Department

Project Name: Abrahamian Residence

Project Address: 2117 N Cherry Hill Dr.

ZBA #: 21-003

Date: January 14, 2021

Derek:

I have reviewed the request for the following variance:

- A variation from Chapter 28, Section 6.13-3c (Location of Fences – Front Yards) to allow a 5-foot tall solid fence located along the north property line along the exterior side yard (Jonquil Terrace) with no street side landscaping where code allows a maximum 3-foot tall open fence.

and do not have any comments or objections.

ZBA# 21-003
2117 N. Cherry Hill Drive - ZBA
Rev. Eng: Briget Schwab, P.E.
cc: Mike Pagones, P.E. Village Engineer

Application Date: December 17, 2020
Received by Planning:
Transmitted to Engineering: January 13, 2021
Completed: January 22, 2021

The proposed ZBA application indicates that the petitioner is seeking:

A variation from Chapter 28, Section 6.13-3c (Location of Fences – Front Yards) to allow a 5-foot tall solid fence located along the north property line along the exterior side yard (Jonquil Terrace) with no street side landscaping where code allows a maximum 3-foot tall open fence.

The Engineering Division has NO COMMENT to the proposed variance request for allowing a 5-foot tall solid fence along exterior side yard.

NOTE: Proposed location of fence should not impact sight distance. Existing bush line is 10 feet high and fence will be placed 7 feet behind the bushes.

--

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Abrahamian Residence

Project Address: 2117 N. Cherry Hill Drive

ZBA #: 21-003

ZBA Hearing Date: February 15, 2021

To: Mike Pagones, Village Engineer
Mark Fink, Assistant Building Official

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

From: Derek Mach, Zoning Board of Appeals Liaison

Transmitted On: January 13, 2021

- A variation from Chapter 28, Section 6.13-3c (Location of Fences – Front Yards) to allow a 5-foot tall solid fence located along the north property line along the exterior side yard (Jonquil Terrace) with no street side landscaping where code allows a maximum 3-foot tall open fence.

Attached are the Petitioner's:

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

Comments: No Comments.
- Steve Hautzinger, Design Planner

Please review, comment, and return to me no later than January 27, 2021.

PETITION

The following petition form shall be used when submitting a petition for a variation from Chapter 28 of the Arlington Heights Municipal Code. This must be submitted with a fully executed application to the Zoning Board of Appeals. Please refer to Section 12 of Chapter 28 of the Arlington Heights Municipal Code for information regarding the criteria by which the Zoning Board of Appeals will evaluate variation requests. (Attached to this application packet.)

PETITION

NOW COMES the Petitioner

being the owner of the property commonly known as: Eric Abrahamian

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

Seek a variation for my fence on the north/street side of my property. I would like to extend my fence to my property line on the street side of my property. The code 6.13-3 States that a fence must have a 5 foot set back on the street side of a corner lot from either the street, sidewalk or property line depending on which comes first. I'm asking that my fence can go up to my property line and i can forgo giving up the 5 feet from the property line.

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

I believe that the variation i'm seeking is within the codes and respects the the essential character of the locality. The code 6.13 which this falls under states that the fence must be 5 feet from the sidewalk, street or property using the closet of the 3 to establish your fence. In my case my property line comes first. I'm responsible for the remaining 16 feet of land between the sidewalk and my own property line that is technically not my property. I believe that my variance stays within the proposed zoning rules due to the setback being so large between my property line and the sidewalk. I believe that there is ample room between the property line and my proposed variance fence that it would not cause any issues to the essential character or break the spirit of the zoning code. If my property line reached the sidewalk I would only have to place my fence 5 feet back from the sidewalk. I don't see how having a 21 foot setback as opposed to a 16 foot setback from the sidewalk would or should be an issue since the code is written in the manner to at least be 5 feet from the sidewalk.

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

The main reason I'm looking for this variance is safety, aesthetics and finances . On the north/ street side of my property there is a line of bushes that is 58 feet long and 10 feet high. These bushes would be able to hide a person easily with the distance between my fence if it complies with the village code. There would be a total of 12 feet between the existing bushes and my fence. That is ample space for someone to hide. This worries me because I have a child and I'm mainly concerned for their safety. The area I live in has high foot traffic due to Lake Arlington and my backyard can be seen from the walking paths. The main reason I want the fence on my property for privacy and safety and with such a large gap between the bushes and the fence I feel as though I lose that. Anyone could easily walk through the path between the bushes and fence. If I get awarded the variance the distance between the bushes and my fence would be 7 feet wide which is still sizable but something I could manage with extra landscaping to stop people from hiding or walking through.

Aesthetically it would also look better than a 12 foot gap. The more space I have to fill up with bushes or some type of landscaping to cover the gap the worse it will look aesthetically. Financially filling a gap of 7 feet compared to 12 feet and 58 feet long is quite large. We could be talking in the thousands of dollars range depending on what is needed to complete the task. These are the main reasons I'm looking for this variance and I believe that I have sufficient hardship to be granted one.

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

The Variance that I am requesting will keep the aesthetic appeal of my property and maximise the use of my back yard. The placement of the fence will provide a more appealing line with the house and the material being used for the fence that I am having built will be cedar, which is also aesthetically pleasing. The 16 foot setback from the sidewalk provides enough space for the landscaping that I already have in place per the Village of Arlington Heights. I am following all other requirements of the Village of Arlington Heights and I feel that my proposed variance is in harmony with the spirit of the chapter. If you would like further information or I have not responded to this inquiry to your satisfaction please contact me and give me an opportunity to satisfy your request.

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

All i'm asking is that I'm able to use all of my property for the fence I would like to put in. By asking to forgo the 5 foot setback from the property line I believe i;m reasonable using all my property to its fullest and safest potential. I'm not asking for any more than what my property line is and I don't believe it will hinder the village or my neighbors in any way possible.

Signed: Eric Abrahamian Date: 12/17/20

MY PROFESSIONAL LICENSE RENEWAL DATE IS 11/30/04



Zoning Board of Appeals 2/15/2021

Item: 215 W. Miner St. - ZBA#21-004

Department: Planning & Community Development

REQUEST

A variation from Chapter 28, Section 6.5-2 to allow a shed in the front yard where sheds are only permitted in the rear yard.

ATTACHMENTS:

Description	Type
Supporting Documents	Exhibits

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: February 15, 2021
Date Prepared: February 10, 2021
Project Title: Albert Goedke House
Address: 215 W. Miner St.

Background Information

Petition Number: ZBA #21-004
Petitioner: Francisco Carerra
Address: 4801 S. Thomas Ave.
Bridgeview, IL 60455

Existing Zoning: R-7 – Residential Multi-Family District

Requested Action/Background Information

The subject property is approximately 1.2 acres with a free-standing six story tall building totaling approximately 65,000 square feet in area. The property is zoned R-7, Multiple Family Dwelling District. The site includes single family to the west, commercial to the east and multifamily to the north and south. The subject site is a through lot and includes frontage on both Miner Street and Wing Street. The petitioner is proposing a shed located north of the building within the front yard. Therefore, the petitioner is requesting the following variation:

- A variation from Chapter 28, Section 6.5-2 to allow a shed in the front yard where sheds are only permitted in the rear yard.

Variation Review Standards

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

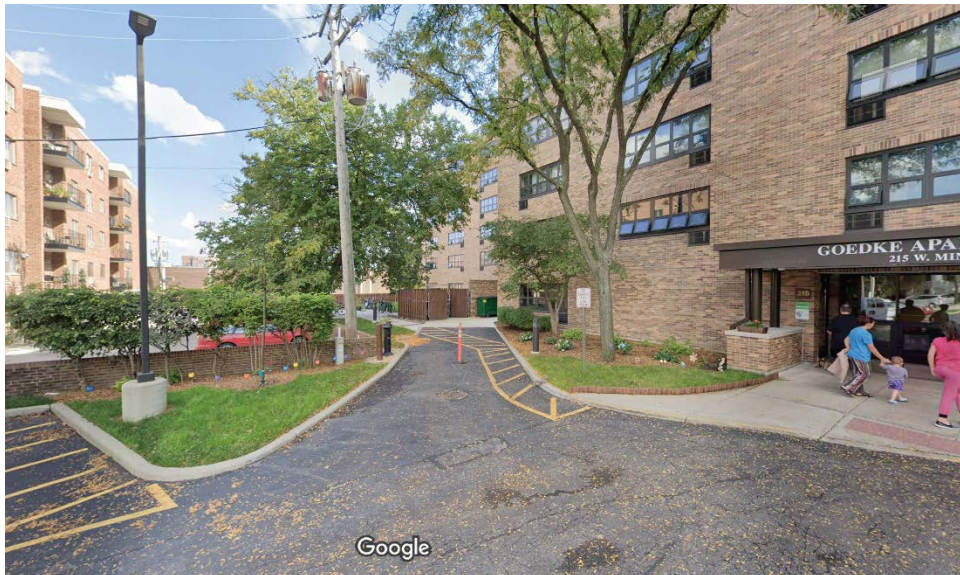
Map of General Vicinity



Items required to be Submitted 15 Days Prior to Public Hearing

<u>Item</u>	<u>Provided</u>	<u>Dated</u>	<u>Remarks</u>
1. Notification Affidavit	✓	1/29/21	
2. List of Property Owners Within 250 feet of Subject Property	✓	1/29/21	
3. Letter that was Mailed	✓	1/29/21	
4. Photographs of Sign on Property	✓	1/29/21	

Photographs of Existing Structure





Village of Arlington Heights Building & Life Safety Department

Interoffice Memorandum

To: Derek Mach, Zoning Board of Appeals Liaison

From: Deb Pierce, Building & Life Safety Department

Project Name: Goedke House

Project Address: 215 W Miner St.

ZBA #: 21-004

Date: January 22, 2021

Derek:

I have reviewed the request for the following variance:

- A variation from Chapter 28, Section 6.5-2 to allow a shed in the front yard where sheds are only permitted in the rear yard.

and have no comments or objections to the request.

ZBA# 21-004
215 W Miner St - ZBA
Rev. Eng: Briget Schwab, P.E.
cc: Mike Pagones, P.E. Village Engineer

Application Date: November 13, 2020
Received by Planning:
Transmitted to Engineering: January 22, 2021
Completed: January 22, 2021

The proposed ZBA application indicates that the petitioner is seeking:

A variation from Chapter 28, Section 6.5-2 to allow a shed in the front yard where sheds are only permitted in the rear yard.

The Engineering Division has NO COMMENT to the proposed variance request for allowing a shed in the front yard.

--

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Goedke House

Project Address: 215 W. Miner Street

ZBA #: 21-004

ZBA Hearing Date: February 15, 2021

To: Mike Pagones, Village Engineer
Mark Fink, Assistant Building Official

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

From: Derek Mach, Zoning Board of Appeals Liaison

Transmitted On: January 21, 2021

- **A variation from Chapter 28, Section 6.5-2 to allow a shed in the front yard where sheds are only permitted in the rear yard.**

Attached are the Petitioner's:

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

Comments:

The white door and green roof on the proposed shed have a bold appearance. It is recommended that the shed siding and door be painted brown to match/complement the existing brick color on the building. The roof shingles should also be a brown color tone for a subdued appearance.

- Steve Hautzinger, Design Planner

Please review, comment, and return to me no later than January 29, 2021.

PETITION

The following petition form shall be used when submitting a petition for a variation from Chapter 28 of the Arlington Heights Municipal Code. This must be submitted with a fully executed application to the Zoning Board of Appeals. Please refer to Section 12 of Chapter 28 if the Arlington Heights Municipal Code for information regarding the criteria by which the Zoning Board of Appeals will evaluate variation requests. (Attached to this application packet.)

PETITION

NOW COMES the Petitioner _____

being the owner of the property commonly know as: _____

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

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

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

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

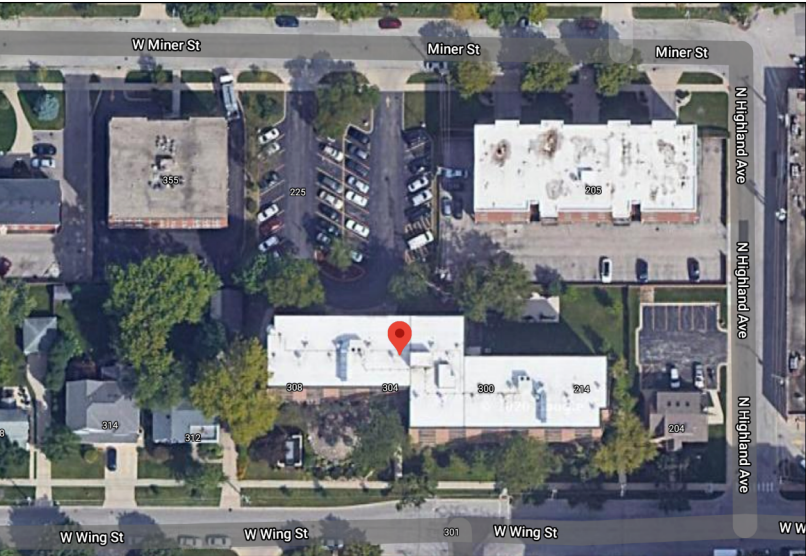
I hereby state that the proposed variation is in harmony with the spirit and intent of this Chapter (please explain): _____

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

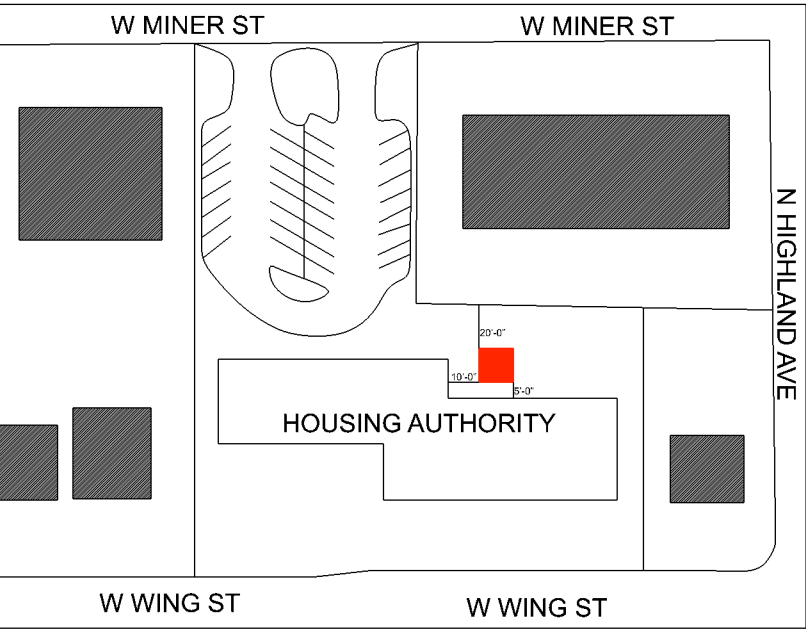
Signed: Francisco Carrera
Petitioner

Date: _____

SITE LOCATION



PROPOSED SHED LOCATION



SCHEDULE OF DRAWINGS:

- GENERAL DRAWINGS
- G-1 TITLE SHEET
- ARCHITECTURAL DRAWINGS
- A-1 FLOOR PLAN
- A-2 SECTIONS & ELEVATIONS

RELEASE

ISSUED FOR ZONING BOARD APPEAL

DATE OF ISSUE

12.31.2020

BLLS PROJECT NUMBER

2020-16

BLLS

Bee Liner
Lean Services

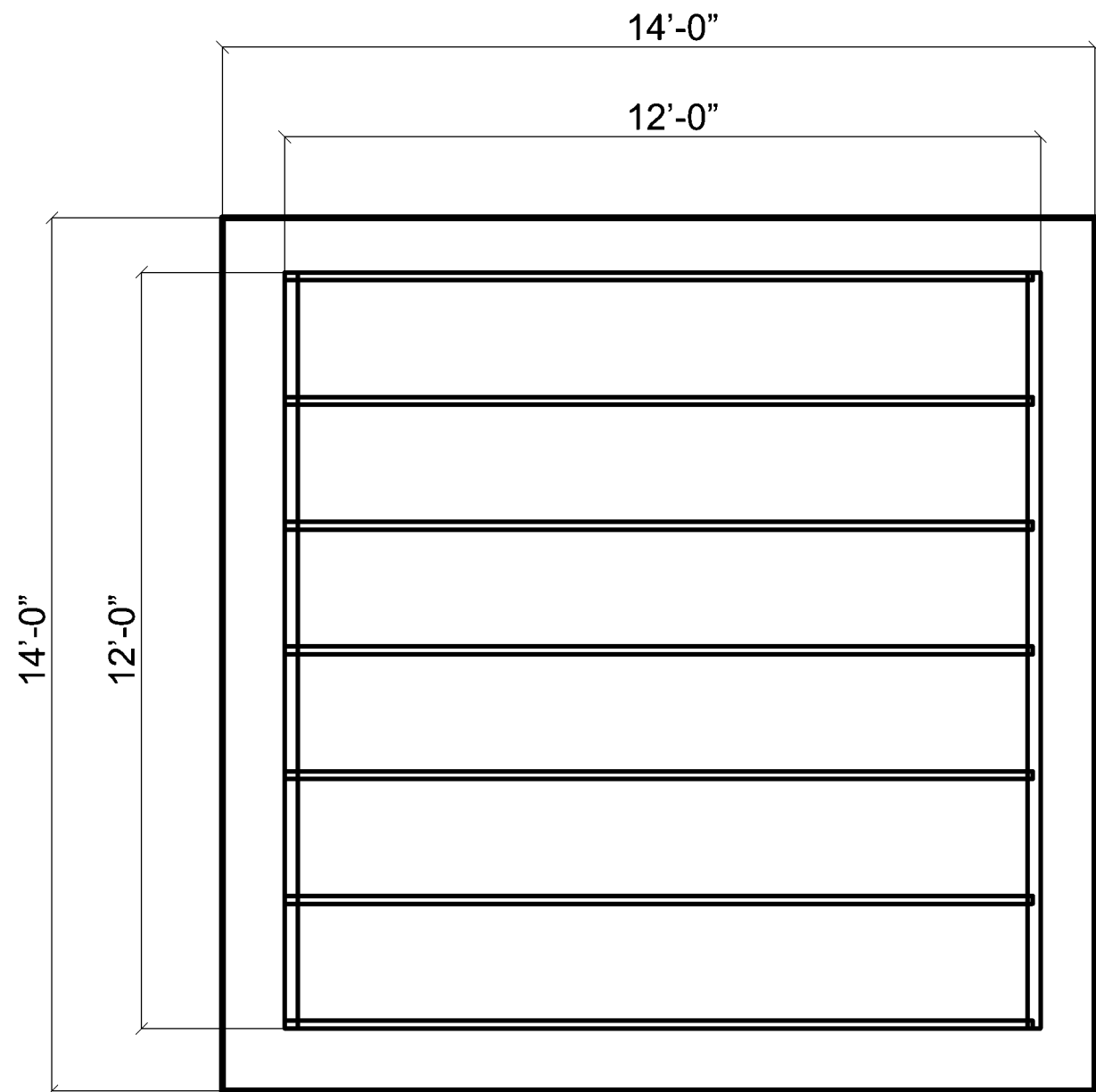
8401 S Thomas Ave.
Bridgeview, IL 60455

Project:
The Albert Goedke House
215 W Miner St.
Arlington Heights, IL 60005

Project Number: 2020-16
Date of Issue: 12.31.2020
Drawn By: FC/BLLS

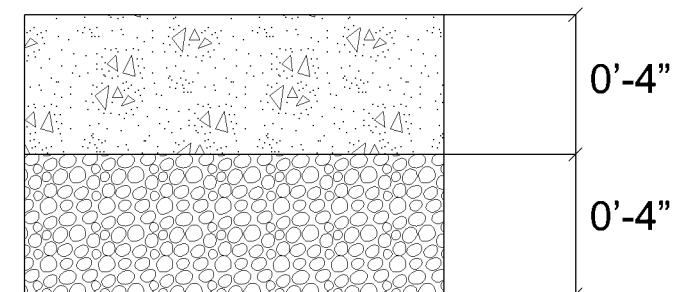
Storage Shed
Plans

G-1



1 **FRAMING PLAN**
1/32" = 1'-0"

FRAMING NOTES	SLAB NOTES
1.) PREFABRICATED FRAMES CONSIST OF PREASSURE TREATED 2X4 WOOD MEMBERS THAT MAKE UP THE SIDEWALLS AS WELL AS ROOF FRAMING	1.) 4" COMPACTED CA-6 GRANULAR FILL
2.) FRAMES DESIGNED FOR 2' ON CENTER SPACING	2.) 4" CONCRETE SLAB 4,000 PSI MIX
3.) 3/4" TREATED PLYWOOD FLOORING	3.) SLAB REINFORCED WITH 6X6 #10 W.W.F.



2 **SLAB DETAIL**
NTS

BLLS
Bee Liner
Lean Services

8401 S Thomas Ave.
Bridgeview, IL 60455

Project:
The Albert Goedke House
215 W Miner St.
Arlington Heights, IL 60005

Project Number: 2020-16
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Storage Shed
Plans

A-1

BLLS

**Bee Liner
Lean Services**

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Bridgeview, IL 60455

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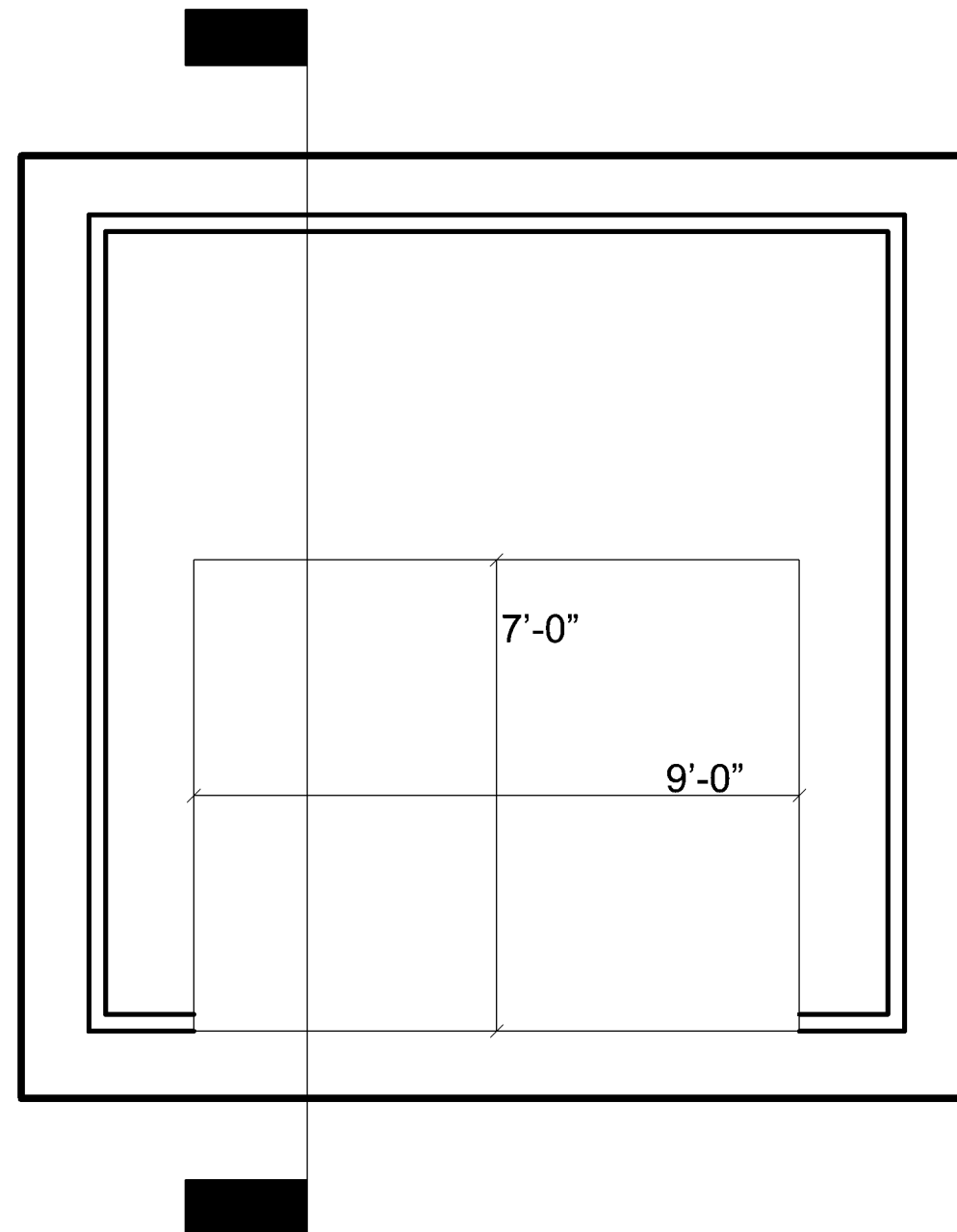
Project Number: 2020-16
Date of Issue: 12.31.2020
Drawn By: FC/BLLS

**Storage Shed
Plans**

A-2

NOTES

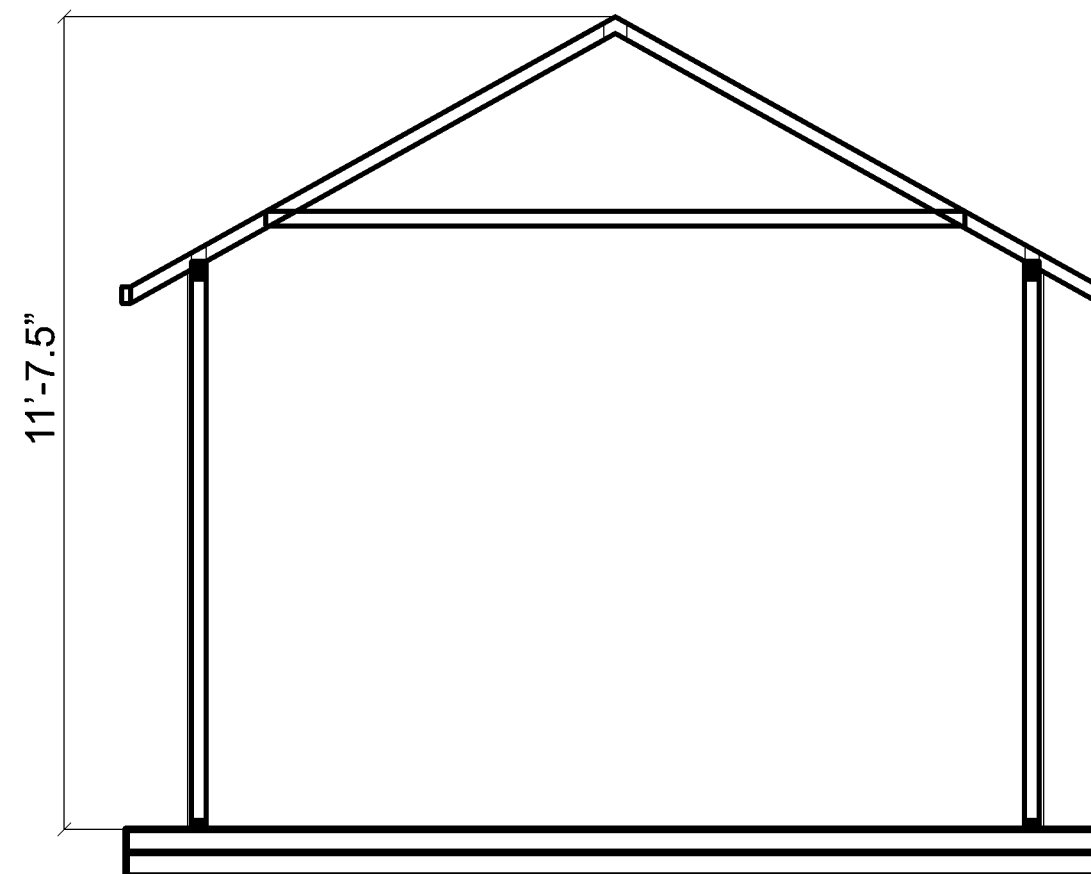
- 1.) OPENING CONSISTS OF 7'X9' OVER HEAD GARAGE DOOR
- 2.) WOOD MEMBERS ARE TO BE FASTENED WITH METAL HANGERS



1

FLOOR PLAN

1/32" = 1'-0"



1

SECTION PLAN

1/32" = 1'-0"

12 x 12 Gable Shed Material List

Midwest Manufacturing®

Model Number: 1926901 | Menards® SKU: 1926901



EVERYDAY LOW PRICE

11% MAIL-IN REBATE

Good Through 11/25/20

\$2,896.51

\$318.62

FINAL PRICE

\$2,577

89 each

You Save \$318.62 After Mail-In Rebate

Size: 12 x 12

* Mail-in Rebate is in the form of merchandise credit check, valid in-store only. Merchandise credit check is not valid towards purchases made on MENARDS.COM®.

Description & Documents

This 12' x 12' Gable Storage Building is a great backyard storage solution! This building features beautiful and durable SmartSide panel siding, which has the attractiveness of traditional wood, but is engineered to resist warping, splitting, cracking and delaminating. The overhead garage door provides a convenient entrance to the building, making it easier for small vehicles and equipment to come in and out. This project requires cutting of materials.

Dimensions: 12' x 12'

Brand Name: **Menards**

Features

- Five times faster construction than traditional framing methods.
- This package requires cutting of materials
- Shown with SmartSide panel siding
- EZ Build frames at 2' on center
- 9' x 7' steel overhead garage door
- 3/4" treated plywood floor
- Includes siding, shingles and door hardware
- Detailed instructions
- The price shown is the sum of the prices for the individual items included in the material list for this project. You may buy all the materials or any part. Some items may be special order or not available. Because of code variances, we cannot guarantee the materials listed will meet your code requirements. This is a suggested design and material list only. We do not guarantee the completeness or price. Items in this material list are located inside the store and throughout the outside yard. Assembly and cutting is required.

Specifications

Product Type	Storage Shed	Assembly Details	Assembly Required
Storage Capacity	1668 cubic foot	Material	Wood
Overall Width	144 inch	Interior Width	137 inch
Overall Depth	144 inch	Interior Depth	136 inch
Overall Height	144 inch	Sidewall Height	97-3/8 inch
Interior Sidewall Height	96 inch	Interior Peak Height	137 inch
Door Opening Width	108 inch	Door Opening Height	83 inch
Roof Pitch	4/12	Frame Material	Wood
Includes	Roofing, Siding, Lumber	Number of Windows	0
Number of Doors	1	Door Type	Overhead
Square Footage	144 square foot	Weight	3445 pounds
View Return Policy	Regular Return		

Please Note: Prices, promotions, styles and availability may vary by store and online. Inventory is sold and received continuously throughout the day; therefore, the quantity shown may not be available when you get to the store. This inventory may include a store display unit. Online orders and products purchased in-store qualify for rebate redemption. Mail-in Rebate is in the form of merchandise credit

check, valid in-store only. Merchandise credit check is not valid towards purchases made on MENARDS.COM®. By submitting this rebate form, you agree to resolve any disputes related to rebate redemption by binding arbitration and you waive any right to file or participate in a class action. Terms and conditions available at www.rebateinternational.com®