



Agenda
Village of Arlington Heights
Zoning Board of Appeals
Buechner Room, 1st floor

Arlington Heights Village Hall
33 S. Arlington Heights Road
Arlington Heights, IL 60005
February 12, 2018
7:00 PM

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF MINUTES

- A. 1176 N. Beverly Ln. - 1/8/18
- B. 2914 N. Mitchell Ave. - 1/8/18
- C. 935 N. Haddow Ave. - 1/8/18
- D. 1301 N. Illinois Ave. - 1/8/18
- E. 2101 S. Arlington Heights Rd. - 1/8/18

IV. REPORTS

V. OLD BUSINESS

VI. NEW BUSINESS

- A. 829 N. Dunton Ave. - ZBA#18-001
- B. Surrey Park West Townhomes - ZBA#18-002
- C. 203 N. Wilke Rd. - ZBA#18-003

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: 1176 N. Beverly Ln. - 1/8/18

Department: Planning & Community Development

ATTACHMENTS:

Description	Type
1176 N. Beverly Ln. - Minutes 1/8/18	Minutes
1176 N. Beverly Ln. - Findings 1/8/18	Minutes

ZONING BOARD

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

OF APPEALS

RE: 1176 NORTH BEVERLY LANE - ZBA #17-059

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Zoning Board of Appeals taken at the Arlington Heights
Village Hall, 33 South Arlington Heights Road, 1st Floor Beuchner Room,
Arlington Heights, Illinois on the 8th day of January, 2018 at the hour of
7:01 p.m.

MEMBERS PRESENT:

DAVID DIVITO, Chairman
TOM DRAKE
TOM SCHWINGBECK
JOSEPH GEISEL
JOSEPH SELBKA
BENJAMIN JAFFE

ALSO PRESENT:

DEREK MACH, Development Planner

CHAIRMAN DIVITO: I'd like to call to order the January 8th, 2018 Zoning Board of Appeals meeting. Derek, would you poll the roll call?

MR. MACH: Chairman Divito.

CHAIRMAN DIVITO: Here.

MR. MACH: Mr. Drake.

MR. DRAKE: Here.

MR. MACH: Mr. Geisel.

MR. GEISEL: Here.

MR. MACH: Mr. Jaffe.

MR. JAFFE: Here.

MR. MACH: Mr. Schwingbeck.

MR. SCHWINGBECK: Here.

MR. MACH: Mr. Selbka.

(No response.)

MR. MACH: Mr. Siavelis.

(No response.)

CHAIRMAN DIVITO: All right. If you would all stand and join us for the pledge of allegiance?

(Pledge of allegiance recited.)

CHAIRMAN DIVITO: Thank you all. We have five members of the Zoning Board present this evening. So, in order for the variance to actually be approved tonight, you're going to need four out of the five to go through. So, if anyone has an issue with that, I can give you an opportunity now to state the request and push it to another meeting in hopes of having more Board members present. Otherwise, we can go through and hear it tonight as well.

Tonight, each petitioner, we ask that they present on three key elements in order for us to make our decisions. The first element is to represent what hardship that you're actually having with the property to where you could not yield a reasonable return if only permitted to use the property within the strict definition of the regulations. Second, we would like to hear the unique situations. Finally, we would like to understand the changes, if approved, how they will not alter the characteristics of the neighborhood.

(Whereupon Mr. Selbka arrives.)

CHAIRMAN DIVITO: Welcome. All right, so we have six. We still need four votes. We're doing good.

So, with that being said, we can start off with the first, I'm sorry, actually approval of minutes. So, did everyone on the Board have an opportunity to review last month's meeting minutes?

(Chorus of yeses.)

CHAIRMAN DIVITO: Any changes or corrections that need to be made?

(No response.)

CHAIRMAN DIVITO: All right. Is there a motion to approve?

MR. DRAKE: I move approval.

MR. GEISEL: Second.

CHAIRMAN DIVITO: All right. All in favor?

(Chorus of ayes.)

CHAIRMAN DIVITO: All opposed?

(No response.)

CHAIRMAN DIVITO: All right. Now on to new business. So, we'll start off with our first Petitioner of the evening, 1176 North Beverly.

MR. COCHRAN: Hello, gentlemen.

CHAIRMAN DIVITO: How are you? So, I think you came in right when I was asking, so if you would just, and I'll ask this of all people who present, just to sign in at the podium.

MR. GEISEL: While he's signing in, for the record, I know Mr. Cochran but I don't have a need to recuse myself on the matter.

CHAIRMAN DIVITO: Very good. All right, name and address?

MR. COCHRAN: It's JRC Construction, and it's 1176 North Beverly.

CHAIRMAN DIVITO: Your name?

MR. COCHRAN: Jim Cochran.

CHAIRMAN DIVITO: Raise your right hand.

(Witness sworn.)

CHAIRMAN DIVITO: All right, go ahead.

MR. COCHRAN: It's a 50-foot lot and it's about 1,000 square-foot home. We're going to put a second floor addition on it. We're on a real deep lot, I think it's 130 or 135. When we decided, because there was room in the front, to bring the house to the front of the property instead of the back of the property to leave a nice yard in the back with a detached garage, the lot existing is 3.2 or 3.4 I think on the side yard. The required is five feet, so we're asking for 1.9.

We're trying to go straight up to build a two-story addition on top, and we went through a couple of scenarios to leave it in to meet the required setback. What we came up with was the design that you see there to basically line up the east wall going, you know, vertical straight up instead of dragging it in a foot and a half, or a foot and two-quarters, whatever.

I've talked to both neighbors on the east and the west side. Actually, you should have gotten a letter today from them that they were in agreement that it wasn't going to hinder their property or property value, and that it would be a complement to the neighborhood.

MR. JAFFE: So, this is a letter from 1176, not --

MR. COCHRAN: This is a letter from the neighbors to the east who was mostly hindered by --

MR. JAFFE: So, 1180?

MR. COCHRAN: I'm not a hundred percent sure on their address. It might be 78, might be 80, but they're the ones to the east. They had a large-scale addition put on years ago that was very harmonious to the neighborhood and fits in well. They went to the back with theirs, and it looks nice. So, I think it's going to be a nice complement to make this little ranch and give it a nice facelift and give it a little more size.

CHAIRMAN DIVITO: Clarification. The wall that we're asking the variance for is already nonconforming?

MR. COCHRAN: It's the east wall that's existing. We're going to go straight

up, but we are also coming out about I think seven feet on that east side as well to the front.

CHAIRMAN DIVITO: I don't think we need, there is no variance required for the placement of, going forward, right? It's just being on the side?

MR. MACH: It would be on the rear yard setback.

CHAIRMAN DIVITO: How many people live in the residence?

MR. COCHRAN: It's going to be for sale. I have been living there for the last six months, but it's going to be rebuilt and then for sale.

CHAIRMAN DIVITO: Okay. Any other questions from the Board members?

MR. DRAKE: Besides 1180, did you have any contact with any of the other neighbors?

MR. COCHRAN: I did to the due west. I actually left a letter on Saturday and they didn't give it back to me. I know that she at 1180 talked to her, and they had no problems but I didn't get the letter signed from them. But there is no hindrance on their side as far as variance goes. It's the east side that's more of the issue.

AUDIENCE MEMBER: And I'm 1174, you dropped a letter off at my place.

MR. COCHRAN: Oh, okay.

AUDIENCE MEMBER: Yes, we did not get a chance to talk which is why I'm here.

MR. COCHRAN: Yes, sorry. I tried to stop there and say hi.

AUDIENCE MEMBER: Yes.

MR. JAFFE: On the engineering report, there is a statement that says due to the two-foot eaves, there are only going to be gutters to prevent excess stormwater runoff from negatively impacting the neighbor's driveway property. Were you aware of that? Has that been addressed?

MR. COCHRAN: Yes, that's not a problem. There will be gutters and downspouts that will be directed towards the front. Yes, we know in Arlington that nothing ever drains to the side yards, or any other village for that matter.

MR. SELBKA: Would you object to that being a condition of the variance?

MR. COCHRAN: That's fine. Yes, there's literally, it's like three feet, 3.5 of property, and then their driveway. So, we wanted to make everything go to the street so that they don't get any waters.

CHAIRMAN DIVITO: Derek, when they actually go for building permits, wouldn't that be a requirement?

MR. MACH: Yes.

MR. COCHRAN: Yes, it's in for permit already. Derek, did you get the, there was a height thing, too, that we adjusted the actual height as well?

MR. MACH: Yes, to comply with code. Yes.

MR. COCHRAN: Yes.

CHAIRMAN DIVITO: Any other questions from the Board members? Okay, at this time you can sit. Let's see if there's anybody from the audience.

MR. COCHRAN: Okay, thank you.

CHAIRMAN DIVITO: Thanks. Anyone from the audience want to come up and speak on this Petitioner's behalf? Questions? No?

All right. None being heard, we will close it down to Board discussions. Anyone want to start this one off?

MR. SCHWINGBECK: It seems to be pretty straightforward. I think looking at the property, big concern was those gutters on the east side because by the time that eave hangs out over there, it's the neighbor's driveway. So, I think that's the only concern, and they have addressed it.

CHAIRMAN DIVITO: The fact that it's an existing nonconforming, that helps.

MR. SCHWINGBECK: Right.

CHAIRMAN DIVITO: The fact that they're going straight up, definitely minimizing it I think.

MR. COCHRAN: There's actually a gutter on that corner now.

CHAIRMAN DIVITO: You might want to come up. Do you hear him okay? Just for the recording.

MR. COCHRAN: Oh, yes. It's a hip roof on the house now, so there's actually a corner on that, that southeast corner, that comes right out to the front and that's never been an issue on their driveway. I've actually looked at it during some of the rains we had and it's never been a problem. So, it's not draining into their property at all.

CHAIRMAN DIVITO: Okay, thanks for the clarification. With all that information, is there a movement?

MR. SCHWINGBECK: Move to approve.

MR. JAFFE: Second.

CHAIRMAN DIVITO: Derek?

MR. MACH: Mr. Drake.

MR. DRAKE: Yes.

MR. MACH: Mr. Geisel.

MR. GEISEL: Yes.

MR. MACH: Mr. Jaffe.

MR. JAFFE: Yes.

MR. MACH: Mr. Schwingbeck.

MR. SCHWINGBECK: Yes.

MR. MACH: Mr. Selbka.

MR. SELBKA: Yes.

MR. MACH: Chairman Divito.

CHAIRMAN DIVITO: Yes. It's approved.

MR. COCHRAN: Thank you, gentlemen.

CHAIRMAN DIVITO: You do not need to wait for the rest of the meeting.

MR. COCHRAN: Okay.

(Whereupon, the above-mentioned petition was adjourned at 7:12 p.m.)

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS January 8, 2018

PETITIONER: 1176 N. Beverly Ln. Residence
ADDRESS OF PROPERTY: 1176 N. Beverly Ln.
VARIATION: 5.1-3.6 (Minimum Required Yards)

A 1.9' variance to allow a home with a side yard setback of 3.1' from the east property line instead of the required 5' and an additional 2' for the eaves.

The petitioner testified as to hardship, uniqueness of circumstances, and the character of the locality. The petitioner explained that the lot is 50 feet in width the home is approximately 1,000 square-feet. The petitioner testified that the footprint of the home is nonconforming and they are proposing to put a second floor addition on the existing home. The petitioner testified that in order to construct a second story addition that a 1.9 foot side yard setback variance is required. The petitioner commented that the proposed addition is going to complement the existing home and the neighborhood.

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

Now, therefore, after hearing all the evidence and after due deliberation, the Zoning Board of Appeals, voted 6-0 to grant the variance as requested.

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

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

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



Item: 2914 N. Mitchell Ave. - 1/8/18

Department: Planning & Community Development

ATTACHMENTS:

Description	Type
2914 N. Mitchell Ave. - Minutes 1/8/18	Minutes
2914 N. Mitchell Ave. - Findings 1/8/18	Minutes

ZONING BOARD

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

OF APPEALS

RE: 2914 NORTH MITCHELL AVENUE - ZBA #17-060

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Zoning Board of Appeals taken at the Arlington Heights
Village Hall, 33 South Arlington Heights Road, 1st Floor Beuchner Room,
Arlington Heights, Illinois on the 8th day of January, 2018 at the hour of
7:12 p.m.

MEMBERS PRESENT:

DAVID DIVITO, Chairman
TOM DRAKE
TOM SCHWINGBECK
JOSEPH GEISEL
JOSEPH SELBKA
BENJAMIN JAFFE

ALSO PRESENT:

DEREK MACH, Development Planner

CHAIRMAN DIVITO: All right, the next order of business is 2914 North Mitchell.

MR. BURKE: Hello, my name is Ron Burke, 2914 North Mitchell. I'm the owner. Moved in about 25 years ago to that property.

CHAIRMAN DIVITO: Let me, are you going to present as well?

MR. ROGNER: Yes. Paul Rogner, I'm the architect. 825 East Rand Road, Suite 230.

CHAIRMAN DIVITO: Perfect. Raise your right hand.
(Witnesses sworn.)

CHAIRMAN DIVITO: Thank you.

MR. BURKE: So, I guess I'll speak on the hardship aspect of it. When I moved in 25 years ago, there was an existing patio. My intent was always to enclose that patio and extend the living space.

I've been in countless homes in my neighborhood where people have put on a screened-in porch and/or addition to the back of their property and didn't have an issue in doing so. I think it would be a great improvement in terms of the value of the property as well as increasing the size of the kitchen area and extending that living space.

MR. ROGNER: One other area of hardship that Ron didn't mention is they actually did some paver work years ago, and in conjunction with that they poured in a foundation. Got a permit for it, I think I had submitted it to you, Derek, the permit information. That was, what, 10 years ago?

MR. BURKE: Yes.

MR. ROGNER: 10 years ago, did a full foundation, footing and everything. It didn't throw up any flags at the time because it just went through Building Department and it was just a foundation. But they already had that in place. We measured it up, the footprint, we were working off of that footprint and come to realize it's beyond the setback requirements.

So, in comes the uniqueness of the property which I actually, if you don't mind, I just want to, I photocopied this off of the Village's website. It kind of gives you a little idea of how unique this property is, in conjunction with all the others, in relation to all the others around it. It has a very shallow backyard. If we were to try and place this addition on any other properties around it, it would be no problem. That, in combination with the fact that this is a split level house with a garage pushed up front, it actually just works against us in every way. Even where the main level of the house being on the south side versus the north side, we could have probably made it work if the main level of the house is on the other side. So, you know, everything kind of worked against us in trying to get this to go within the existing rear yard.

We designed the addition so that it relates well with the existing house. It matches up with all of the fascias and the fringe board and roof planes. We really want it to, you know, look like it was meant to be there from day one. We intend to use all of the same materials that are on the existing home, and it is on the back of the home. It's not like we're, you know, trying to push something out towards the front which is going to have an impact on the street side.

One other thing of note, too, that may relate to that handout I gave you, too, is if you look at the home that's directly behind them, their rear yard setback is probably twice what ours is. So, in relation to, you know, the distance between the two homes, it really will be pretty, you know, still pretty large.

CHAIRMAN DIVITO: Any questions?

MR. JAFFE: Yes, I guess just, so on the, I think it's page five, this is the letter from Deb Pierce. So, there's a comment, it says this type of foundation is not allowed for a sunroom and a full footing and foundation is required by the Village.

MR. ROGNER: It does have a footing. Yes, we actually looked back in the records and it does have a spread footing.

MR. JAFFE: I mean this is dated December 18th, so has this been, I guess maybe this is more to Derek. The letter concludes by saying it's my recommendation that the variance not be approved until the footing and foundation issue is resolved, or the project is changed back to the screened porch as indicated in the 2009 permit. So, does that corroborate with what the Petitioner is saying?

MR. ROGNER: The permit I believe was for a, you know, a patio and a foundation for a future screened porch. So, they were just kind of trying to get ahead of the game so to speak and get that in place so they didn't have to disrupt the patio work that they were doing when the time came to do a screened porch. But according to the sketch that was submitted to the Village, it has a spread footing.

One of the things that we would be doing is confirming that that is in fact what is in the ground. I don't know what the inspection records show as far as footing inspections. But the sketch that was submitted to the Village shows a spread footing.

MR. BURKE: They did come out and inspect. I was there when they came out and inspected it.

MR. JAFFE: You mean in 2009 or now?

MR. BURKE: In 2009 when it was poured originally. The Village came out and inspected it and everything was fine.

MR. DRAKE: I guess I'm confused between your explanation and this note that's here. Am I missing something? And I appreciate you bringing that up, she says she's not in favor of the variance and the issue is that there is a lack of footings and foundation. Isn't that what she's saying?

MR. MACH: Yes. I mean the Petitioner is going to have to comply with building code and satisfy the Department of Building. I'm not, you know, I don't have knowledge of exactly what was installed at that time and what would be required for this proposed addition. But the Petitioner will have to satisfy the building requirements.

MR. SELBKA: So, the issue is that there's, I guess, a different foundation required for a screened-in porch and a sunroom. Ms. Pierce is saying you've got the foundation for a screened-in porch but not a foundation that's appropriate for a sunroom.

MR. JAFFE: That's how I'm interpreting it, too.

MR. GEISEL: But they're going to have to deal with that from our construction approval standpoint. That's not a variance issue per se.

MR. SELBKA: Yes.

CHAIRMAN DIVITO: The variance that we're worrying about is the setback. So, the building portion of it still will have to go through that process.

MR. GEISEL: Not our jurisdiction.

CHAIRMAN DIVITO: So, her comment is very valid and I'm sure there's going to be some guidance that's going to need to be followed.

MR. ROGNER: Absolutely.

CHAIRMAN DIVITO: But I think for the variance that we're trying to evaluate, I think we can get past that point.

MR. SCHWINGBECK: Yes, the only thing I think just a little concerning here is that she says it's my recommendation that the variance does not get approved until that footing and foundation issue is resolved. Not go ahead, approve the variance and we'll get the foundation and footing fixed on the back half, that's the concerning part is she's saying don't approve it until it gets resolved.

MR. MACH: I mean one option is the Zoning Board can continue this until it is resolved.

MR. GEISEL: We could also condition our approval such that they have the appropriate, because a lot of people come in for a zoning variance to begin with and they deal with construction thereafter, which is what they're going to have to do with the Building Department.

CHAIRMAN DIVITO: Right. I mean again, the foundation that is in question that is being referenced in that letter is a construction point. It's not, for the variance, if we as a Board feel that we can approve the building of the patio or the room addition, that's I think what we need to be vetting. Whether or not the foundation that's in place is suitable, whether they're going to have to tear it out and do it again, I think that's not our concern. I think our concern is just looking at can we allow this to be built or not.

MR. SELBKA: Derek, will they need to pull in a new permit?

MR. MACH: Yes.

CHAIRMAN DIVITO: That's the check and balances that I think we have protecting us. Any other questions from Board members? Okay, thank you.

MR. ROGNER: Thank you.

CHAIRMAN DIVITO: Anyone from the audience that wishes to speak on this petition? Have you had a chance to sign in?

MR. DISCH: Yes, I have. My name is Mike Disch. I live, I'm a neighbor of Ron's, to the northeast of this house, and just as an appearance thing and so forth --

CHAIRMAN DIVITO: Let me swear you in before --

MR. DISCH: What's that?

CHAIRMAN DIVITO: I have to swear you in first.

MR. DISCH: Oh, I'm sorry.

CHAIRMAN DIVITO: So, did you mention your address?

MR. DISCH: 403 West Burr Oak Drive.

(Witness sworn.)

MR. DISCH: As I was saying, I have no issues with the appearance and how it's going to come out and so forth. I think it's going to add value to that house and the neighborhood. That's all I have to say.

CHAIRMAN DIVITO: I appreciate it.

MR. DISCH: Thanks.

CHAIRMAN DIVITO: Thank you. Anyone else from the audience? None

being heard, we'll close it down to Board discussion.

I'll lead this one up just because of some of the conversation going on so far. So, I mean looking at the pie-shaped lot, I don't think the request as it stands now is out of place. I think it's actually going to be a nice addition. Obviously, the permit portion will have to be satisfied, but again not this Board's concern.

MR. GEISEL: I would agree.

MR. SELBKA: I think it is a really nice design, and it looks very sharp. So, as long as the permit problem is not our problem, then I would be in favor of this variance.

CHAIRMAN DIVITO: Yes, and I don't mean to make it sound like we're just kicking it down. But you know, like the fact is that there are other checks need to be addressed still.

MR. DRAKE: I think a good point that they made is that 419 West Marine, the distance between that home and the backyard of the Petitioner, there's a lot of space there, and I think that helps me. I think it's a nice design as well, so I'm in favor.

CHAIRMAN DIVITO: Yes, it does buffer the property as well. All right, is there a movement?

MR. SELBKA: Motion to approve.

CHAIRMAN DIVITO: Second? Which one of you is on for the motion?

MR. DRAKE: Second.

CHAIRMAN DIVITO: All right, there you go. Derek, roll call.

MR. MACH: Mr. Drake.

MR. DRAKE: Yes.

MR. MACH: Mr. Geisel.

MR. GEISEL: Yes.

MR. MACH: Mr. Jaffe.

MR. JAFFE: Yes.

MR. MACH: Mr. Schwingbeck.

MR. SCHWINGBECK: Yes.

MR. MACH: Mr. Selbka.

MR. SELBKA: Yes.

MR. MACH: Chairman Divito.

CHAIRMAN DIVITO: Yes. Thank you, guys.

MR. ROGNER: Thanks.

(Whereupon, the above-mentioned petition was adjourned at 7:23 p.m.)

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS January 8, 2018

PETITIONER: Burke Residence
ADDRESS OF PROPERTY: 2914 N. Mitchell Ave.
VARIATION: 5.1-3.6 (Minimum Required Yards)

A 6.6' variation to allow an addition with a rear yard setback of 23.4' where 30' is required, and an additional 1' for the eave.

The petitioner testified as to hardship, uniqueness of circumstances, and the character of the locality. The petitioner explained that they are proposing an addition in the rear of the home. The petitioner testified that the lot is irregular shaped and the home is pushed towards the rear. The petitioner explained that in order to construct an addition, a rear yard setback variance is required. The petitioner explained that there is an existing patio and that their intent is to enclose the patio area in order to extend the living space. The petitioner testified that they designed the addition so that it relates well with the existing house.

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

Thereafter, a motion was made by Mr. Selbka and seconded by Mr. Drake. Thereafter, the Board voted 6-0 to approve the variance request.

Now, therefore, after hearing all the evidence and after due deliberation, the Zoning Board of Appeals, voted 6-0 to grant the variance as requested.

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

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

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



Item: 935 N. Haddow Ave. - 1/8/18

Department: Planning & Community Development

ATTACHMENTS:

Description	Type
935 N. Haddow Ave. - Minutes 1/8/18	Minutes
935 N. Haddow Ave. - Findings 1/8/18	Minutes

ZONING BOARD

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

OF APPEALS

RE: 935 NORTH HADDOW AVENUE - ZBA #17-061

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Zoning Board of Appeals taken at the Arlington Heights
Village Hall, 33 South Arlington Heights Road, 1st Floor Beuchner Room,
Arlington Heights, Illinois on the 8th day of January, 2018 at the hour of
7:23 p.m.

MEMBERS PRESENT:

DAVID DIVITO, Chairman
TOM DRAKE
TOM SCHWINGBECK
JOSEPH GEISEL
JOSEPH SELBKA
BENJAMIN JAFFE

ALSO PRESENT:

DEREK MACH, Development Planner

CHAIRMAN DIVITO: All right, 935 North Haddow.

MRS. MURRAY: I'm Kathleen Murray and I'm the homeowner at 935 North Haddow.

CHAIRMAN DIVITO: Excellent. Raise your right hand.
(Witness sworn.)

CHAIRMAN DIVITO: Thank you.

MRS. MURRAY: My husband and I have lived in our home for 11 years. When we moved in, we never realized how narrow our lot was until we decided we wanted to do something to change our home. We have four children, four daughters, small. The home we currently have is, to say bursting at the seams would be an understatement.

So, what we would like to do is put on a single-story addition with a basement beneath. We are, in essence we have seen other houses in the neighborhood with similar additions. Each time we're in those homes, we say that's what we want to do. Now, that's what we're doing.

What we plan to do is to go out the back of our home into our rear, as you can see from the picture, go into the yard. It's going to be approximately 20 by 24-foot room, and it will go off the back of our house directly. There's no steps down, which is what some of the other neighbors have done. It will be straight in from our current home.

The way it stands is that we can't do anything because our lot is not 50 feet wide, and that's kind of where we're at. The addition is not going to go out as far as our current wall. We pushed it in just to keep it, we didn't want to be right on top, we can't be right on top our neighbor's fence, and we didn't want to be either. So, it will be in several feet, and it still gives us, we felt like, a lot of yard for our kids to continue to grow up in.

We like our neighborhood. We don't want to move. This is our next best thing. I don't know if I said everything I'm supposed to.

CHAIRMAN DIVITO: You're doing great so far.

MRS. MURRAY: Oh, good. You can't see my knees, you know, they're shaking.

CHAIRMAN DIVITO: Any questions from the Board members?

MR. DRAKE: The copy of the petition that I have, I think everybody else has the same, there are some blank lines here under hardship and unique circumstance. I don't know if that's a type or computer transmission. Could you go through what those are again please?

MRS. MURRAY: The hardship?

MR. DRAKE: Yes, the hardship and unique circumstances.

MRS. MURRAY: Okay, the hardship that we have is that we cannot put on an addition because we do not have a 50-foot lot. Our lot I believe is 48 feet 10 inches. We were told that we cannot build because it's not 50 feet.

The unique circumstance, our addition would be similar to the two houses on the immediate sides, plus the one at the corner and several down the block across the street. So, we feel as though it isn't a different, we're not asking for something that is very different from other homes. I don't know if I answered your question, sorry,

I'm not good at this.

MR. GEISEL: Yes, just the fact that it's not 50, there's no other variances there.

MR. DRAKE: Yes.

MR. SELBKA: That's a unique circumstance as well but it's not --

CHAIRMAN DIVITO: It sounds like Engineering has mentioned the idea of the placement of the window well?

MRS. MURRAY: Yes, and it will shift onto the back of the home on the, I have to think, the southeast corner. That's southeast, but it will be on the back side. Basically, it's coming around the corner. The architect is out of the country currently for three weeks, and she won't do it from Iceland, I'm not sure why.

CHAIRMAN DIVITO: Any other questions? All right, thank you. Anyone from the audience that wishes to speak on this one? None being heard, we can close it down for Board discussion.

MR. GEISEL: I would support the project as simply existing nonconforming with no other variances requested.

CHAIRMAN DIVITO: Well said. With that being said, is there a motion?

MR. GEISEL: I'll motion.

MR. JAFFE: Second.

CHAIRMAN DIVITO: Derek?

MR. MACH: Mr. Drake.

MR. DRAKE: Yes.

MR. MACH: Mr. Geisel.

MR. GEISEL: Yes.

MR. MACH: Mr. Jaffe.

MR. JAFFE: Yes.

MR. MACH: Mr. Schwingbeck.

MR. SCHWINGBECK: Yes.

MR. MACH: Mr. Selbka.

MR. SELBKA: Yes.

MR. MACH: Chairman Divito.

CHAIRMAN DIVITO: Yes. It's approved, thank you.

MRS. MURRAY: Thanks.

(Whereupon, the above-mentioned petition was adjourned at 7:28 p.m.)

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS January 8, 2018

PETITIONER: Murray Residence
ADDRESS OF PROPERTY: 935 N. Haddow Ave.
VARIATION: 5.1-3.4 (Minimum Lot Size)

A 1' variation to allow a lot with a width of 49' to be buildable where 50' is required.

The petitioner testified as to hardship, uniqueness of circumstances, and the character of the locality. The petitioner explained that they lived in the house for 11 years and they are proposing an addition on the rear of the home. The petitioner testified that the lot has a width of 49 feet, which is under the minimum allowable width for a buildable lot.

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

Thereafter, a motion was made by Mr. Jaffe and seconded by Mr. Schwingbeck. Thereafter, the Board voted 6-0 to approve the variance request.

Now, therefore, after hearing all the evidence and after due deliberation, the Zoning Board of Appeals, voted 6-0 to grant the variance as requested.

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

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

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



Item: 1301 N. Illinois Ave. - 1/8/18

Department: Planning & Community Development

ATTACHMENTS:

Description	Type
1301 N. Illinois Ave. - Minutes 1/8/18	Minutes
1301 N. Illinois Ave. - Findings 1/8/18	Minutes

ZONING BOARD

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

OF APPEALS

RE: 1301 NORTH ILLINOIS AVENUE - ZBA #17-062

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Zoning Board of Appeals taken at the Arlington Heights
Village Hall, 33 South Arlington Heights Road, 1st Floor Beuchner Room,
Arlington Heights, Illinois on the 8th day of January, 2018 at the hour of
7:28 p.m.

MEMBERS PRESENT:

DAVID DIVITO, Chairman
TOM DRAKE
TOM SCHWINGBECK
JOSEPH GEISEL
JOSEPH SELBKA
BENJAMIN JAFFE

ALSO PRESENT:

DEREK MACH, Development Planner

CHAIRMAN DIVITO: All right. Moving on to 1301 North Illinois, good evening.

MS. SANDER: Good evening. My name is Ella Sander. I'm from Trident Development & Construction, and represents the owner. I'm here because of the --

CHAIRMAN DIVITO: Let's do the swear in.

(Witness sworn.)

CHAIRMAN DIVITO: Thank you.

MS. SANDER: To build a new house on a substandard lot, because of the width of the lot, the width is 85 instead of 90. It's an existing lot in the existing neighborhood, beautiful lawn, a lot of new houses around.

CHAIRMAN DIVITO: The construction project that you're, is this going to be --

MS. SANDER: Two-story.

CHAIRMAN DIVITO: -- a tear-down, right?

MS. SANDER: Yes.

CHAIRMAN DIVITO: So, the existing house is going away?

MS. SANDER: Complete demolition. It's very old and has very bad foundation.

CHAIRMAN DIVITO: Again, you're just looking to have a buildable lot?

MS. SANDER: Yes. We have to go through a couple of procedures, Zoning and Design.

CHAIRMAN DIVITO: Right.

MR. JAFFE: Have you spoken with any of the neighbors about your proposal?

MS. SANDER: I mailed all letters. I didn't speak with anyone.

MR. JAFFE: Did you hear anything back?

MS. SANDER: No. No, not even letters -- everyone received it. Nobody called, nobody mailed. I guess everyone wants the new house.

CHAIRMAN DIVITO: Any questions from other Board members? None being heard, all right, thank you. Is there anyone in the audience that wishes to speak on this one?

MS. PLOOG: Hi, my name is Heather Ploog. I own the property at 1309 North Illinois.

CHAIRMAN DIVITO: Raise your right hand.

(Witness sworn.)

CHAIRMAN DIVITO: Thank you.

MS. PLOOG: I just wanted to express a couple of concerns. One of them is that, I mean it would be great to have a nice, new house on the lot for sure, but it is a corner lot. Maybe the next hearing will be about setbacks or something, either that or it's going to be super close to my property when we already have some drainage issues in the area. So, my lot is directly to the north of this lot, and the whole east side of our yard, there's a utility easement that gets flooded with less than an inch of rain, worse at different times of the year. So, I don't know what is it exactly that you're deciding tonight.

CHAIRMAN DIVITO: So, good question. The variance request that's out

there today is just similar to the previous one. It's looking for a buildable lot, that's all. The size of the lot as it stands today does not meet the requirements based on the zoning.

MR. GEISEL: But there are no other variances being requested.

MS. PLOOG: Got it, okay.

MR. GEISEL: So, no setback.

MS. PLOOG: Okay.

CHAIRMAN DIVITO: So, once we get into the design process and they go through the Design Commission, go pull permits and things like that, then they'll have to come back if there are any other variance requests.

MS. PLOOG: Got it.

CHAIRMAN DIVITO: There will be other petition boards and communication that will --

MS. PLOOG: Okay. I'll stay on top of it then. So, I'm fine for tonight. Thank you, Chairman.

CHAIRMAN DIVITO: Okay, thank you.

MR. MACH: The Petitioner did submit a site plan and elevations and is proposing 8.9 feet between the home and the north property line, and 30 feet between the home and the east property line.

CHAIRMAN DIVITO: All of that fits within --

MR. MACH: All of that is zoning compliant.

MR. GEISEL: So, there's no variances.

MR. MACH: For setbacks, correct.

CHAIRMAN DIVITO: Did they actually, so they didn't go through Design though, have they?

MS. SANDER: Not yet.

CHAIRMAN DIVITO: I'm sorry, I didn't see you.

MR. MACH: No, they have not gone through the Design Review process.

CHAIRMAN DIVITO: Okay, good.

MR. CORTEZ: I'm Rick Cortez.

CHAIRMAN DIVITO: Address?

MR. CORTEZ: 1257 North Illinois.

(Witness sworn.)

CHAIRMAN DIVITO: Thank you.

MR. CORTEZ: Yes, as far as this is concerned, I own the lot directly to the south of this proposed property. I will be looking to do the same in the future. So, I just want to say it because when I first moved in in '91, they were all one stories. Probably about 90 percent of them have been torn down and two-stories are existing now. So, I think it will be a nice addition to the neighborhood.

CHAIRMAN DIVITO: All right, thank you.

MS. PLOOG: I'm sorry, would you please repeat what you said about the proposed position of the structure?

MR. MACH: They are proposing 8.9 feet between the home and the north property line which is the shared property line with 1309, and then 30 feet between the home and the east property line.

MS. PLOOG: 8.9 feet to my property line is code?

MR. MACH: It is code, yes. It's 10 percent of lot width. It's actually just a little bit above the code requirement.

CHAIRMAN DIVITO: Anyone else from the audience? All right, close it down for Board discussion.

MR. GEISEL: Again, existing nonconforming. I don't think what they're proposing, given the fact that there's no other variances being requested, is inappropriate. I would support the motion.

MR. SELBKA: Especially given the fact that most of the other houses in that area are now two stories as opposed to what they're tearing down. So, it certainly does fit the neighborhood. So, I'd be in favor as well.

CHAIRMAN DIVITO: Is there a motion?

MR. DRAKE: Move approval.

MR. JAFFE: Seconded.

CHAIRMAN DIVITO: Derek?

MR. MACH: Mr. Drake.

MR. DRAKE: Yes.

MR. MACH: Mr. Geisel.

MR. GEISEL: Yes.

MR. MACH: Mr. Jaffe.

MR. JAFFE: Yes.

MR. MACH: Mr. Schwingbeck.

MR. SCHWINGBECK: Yes.

MR. MACH: Mr. Selbka.

MR. SELBKA: Yes.

MR. MACH: Chairman Divito.

CHAIRMAN DIVITO: Yes. Thank you.

(Whereupon, the above-mentioned petition was adjourned at 7:35 p.m.)

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS January 8, 2018

PETITIONER: Trident Development & Construction

ADDRESS OF PROPERTY: 1301 N. Illinois Ave.

VARIATION: 5.1-3.4 (Minimum Lot Size) & 5.1-3.5 (Minimum Lot Width)

A variation to allow a lot width of 85.0 feet whereas 90 feet is required and lot size of 8,915 square feet whereas 9,900 square feet is required.

The petitioner testified as to hardship, uniqueness of circumstances, and the character of the locality. The petitioner explained that they propose to tear down the existing ranch home and construct a new home. The proposal is before the Zoning Board of Appeals because of the substandard lot width and area. Sections 5.1-3.4 and 5.1-3.5 of the Zoning Code set forth minimum lot size and width requirements for the R-3 District. As part of Section 5.1-3.4, the Director of Building is authorized to issue permits for structures on lots that are less than the minimum area and width requirements if the majority of the frontage on which the property is located is developed with lots that are below the minimum district requirements. The majority of the lots comply or exceed the code requirement for both lot width and area; therefore, in order for the petitioner to construct the new home, variations for lot width and lot size are required. The proposed lot width is 85.0 feet whereas 90 feet is required and the proposed lot area is 8,915 square feet whereas 9,900 square feet is required. The petitioner testified that they request a variation for lot width and area in order to make the subject property a buildable lot.

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

Thereafter, a motion was made by Mr. Drake and seconded by Mr. Jaffe. Thereafter, the Board voted 6-0 to approve the variance request.

Now, therefore, after hearing all the evidence and after due deliberation, the Zoning Board of Appeals, voted 6-0 to grant the variance as requested.

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

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

David Divito, Chairman
Zoning Board of Appeals

Village of Arlington Heights



Item: 2101 S. Arlington Heights Rd. - 1/8/18

Department: Planning & Community Development

ATTACHMENTS:

Description	Type
2101 S. Arlington Heights Rd. - Minutes 1/8/18	Minutes
2101 S. Arlington Heights Rd. - Findings 1/8/18	Minutes

ZONING BOARD

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

RE: 2101 SOUTH ARLINGTON HEIGHTS ROAD - ZBA #17-063

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Zoning Board of Appeals taken at the Arlington Heights
Village Hall, 33 South Arlington Heights Road, 1st Floor Beuchner Room,
Arlington Heights, Illinois on the 8th day of January, 2018 at the hour of
7:35 p.m.

MEMBERS PRESENT:

DAVID DIVITO, Chairman
TOM DRAKE
TOM SCHWINGBECK
JOSEPH GEISEL
JOSEPH SELBKA
BENJAMIN JAFFE

ALSO PRESENT:

DEREK MACH, Development Planner

CHAIRMAN DIVITO: The last item of business tonight is 2101 South Arlington Heights Road. Thank you for your patience.

MR. DADAY: That's quite all right. Good evening, my name is Steve Daday, D-a-d-a-y. I'm an attorney and I represent the Petitioner who is present. He was not signed in.

MR. METCHIK: I'm not signed in yet. My name is Avi Metchik.

MR. DRAKE: Mr. Chairman, I know Mr. Daday but I don't feel the need to recuse myself.

CHAIRMAN DIVITO: Thank you.

MR. SELBKA: I would also say I've met Mr. Daday but, again, I don't feel the need to recuse myself as well.

MR. GEISEL: Most of us have --

MR. DADAY: Everybody knows my wife. Only half of you know me but everybody knows my wife.

(Witnesses sworn.)

CHAIRMAN DIVITO: Thank you.

MR. DADAY: Mr. Chairman and members of the Board, we're here requesting a variation from the parking requirements of the Village of Arlington Heights for the property located at 2101 South Arlington Heights Road. It's an existing commercial use. It has multiple uses within the building, professional and medical. The building has been in existence for 25-30 years. The parking lot has been in existence for 25 or 30 years.

Based on the Village's calculation, the parking requirement is 254 parking spaces. We have existing 219 parking spaces. The issue here I think is that, we're not actually asking to expand the building, we're not actually asking to expand the number of offices or office spaces there. The issue I think is that the way that the calculation is, it mitigates against the existing conditions. We have a large atrium area, we have large hallways, and I believe that those are included in the calculations.

If we take the net square footage of the offices, both medical and professional, by my calculations anyway we're only maybe seven spaces deficient. But we're requesting at this point the variation for the existing use at 219 spaces. Like I say, there's a number of vacancies in the building. I think the hardship here is that without a variation here, we aren't able to police these spaces. So, I think there's a basis for it.

Obviously, there's no issue with the neighbors. Everybody is, everything is commercial around it, and there's actually no way to expand the parking. If we're not able to do this, we would probably have to knock down the building or knock down a portion of the building in order to comply.

So, that being said, I would request then that a variation be granted for the building.

MR. JAFFE: This last page of the packet that was submitted is Arlington Green parking analysis. Just out of curiosity, I mean it looks like it shows one week, and while all the numbers are clearly underneath what you're asking for, would there be a different result if you chose a different point in time?

MR. DADAY: Well, I think these are very consistent uses. Again, they're professional offices. There's law offices in there, there's some medical offices, there's

some just regular type businesses, marketing representatives and so forth. So, it doesn't really change. The doctors basically have the same routine, the same hours. The businesses all have the same hours. So, it's our belief that they would not change significantly.

MR. METCHIK: I think it wouldn't change. I mean I've been there many times.

CHAIRMAN DIVITO: The only reason why I actually concur with the question there is that it is right during the lead up to the holiday season. Like I know personally I was out of the office that entire week. So, would it have --

MR. DADAY: Well, the maximum, or minimum surplus was 68 spaces during that period of time. Also, the maximum surplus was about 150 spaces. So, I really don't think that in terms of the, there may be one or two, there may be a couple of different people that were on vacation, but I don't think it changed really the doctors' routines in terms of, you know, the number of patients they see. I don't think it would change to a great degree the uses of the professional offices.

CHAIRMAN DIVITO: So, I think you've mentioned that it's not that you're looking to do any significant changes to the property as it exists. You just need to do this in order to do renovations within the units that exist today?

MR. DADAY: There's a new tenant that came and requested building permits, and at that point in time I guess it triggered the analysis of the parking by the Village and the calculations. Although the building has been in existence and there have been medical uses and professional uses for the last 20 years or so, it's never really triggered this type of analysis by the Village.

MR. METCHIK: Right. So, to be clear, Mr. Chairman, there are small modifications that are going on inside the building. You know, this tenant wants to expand, but there's no major structural building changes going on.

CHAIRMAN DIVITO: You mentioned the atrium, that's still staying?

MR. DADAY: Yes.

MR. METCHIK: Yes.

CHAIRMAN DIVITO: It's not converting into --

MR. METCHIK: Yes, all of the atriums and the hallways are all staying as is. Interior suites, a few people are moving around the little walls or something like that, but nothing --

MR. JAFFE: In the past -- I'm sorry, go ahead.

MR. SELBKA: Go ahead.

MR. JAFFE: In the past, during winters when you have a snowplow come through, I mean how many parking spots get utilized to pile up snow?

MR. METCHIK: I'm not sure about, just they utilized the, they pushed all the snow, is that street on the right side?

MR. MACH: Yes.

MR. METCHIK: So, they pushed all the snow, there's a pond at the bottom over there, a fountain with a pond over there. All the snow is piled up in about two or three spots at the bottom of the pond, or I'm sorry, at the top of the pond right there, and they push snow in the corner right next to Arlington Green also. So, I would say they use about three over there and three over there. That's six spots. Because they also have at

the corner, this bottom left corner, there is a nice area there where they push the snow beyond the parking spots. So, they don't need to take any spots at that point.

MR. DADAY: It's a little unusual configuration in terms of the parking because there's about 15 or 20 spaces in front.

MR. METCHIK: Yes, there's a lot of spaces. There's a lot of spaces in the front, and then a lot of spaces in the back. Additionally, I was there, I spoke with Derek. First of all, Derek, thank you for all your help in this application. I appreciate it a lot, we got it at the last minute. Thank you, gentlemen, for like, I'm assuming, volunteering your time for this.

I was curious also, I spoke with Derek about this. The school board owns the bottom right lot over there, and there's nothing there except for a very nice parking lot. If you notice, there is a pathway that runs right into the back of the building, right in the corner where it juts out. In fact, a lot of people park in that parking lot, whether they have permission from the school board or not.

CHAIRMAN DIVITO: Yes, so the school board actually just recently sold that property.

MR. METCHIK: Was it sold?

CHAIRMAN DIVITO: It was sold. They're rebuilding their district headquarters in Elk Grove Village.

MR. METCHIK: Right. So, what's going to be the use of this? Nobody knows?

CHAIRMAN DIVITO: To be determined.

MR. METCHIK: To be determined, all right. So, I mean we can't go on that anyways, but it was just a fact that I drove by it this afternoon.

MR. SELBKA: Is the new tenant going to take over one of the vacant spaces?

MR. METCHIK: He's actually listed as an existing tenant. It's the Clarity Clinic. They have, yes, there's a little bit of a miscommunication here. They're not an expanding tenant, they're a new tenant. They have I think three or four other locations in the Chicago area, and they're psychotherapy. So, there's one lead therapist and a bunch of social workers and therapists that are in and out of there, depending on client availability in different locations that can meet in different corners of Chicago.

So, they're going to take 3,250 gross square feet, and the building has a 60.7 percent add-on factor. If there's any mathematicians, that square footage is, I can't tell you that but that's what they're looking to do. They're a new tenant that's moving in.

CHAIRMAN DIVITO: Any other questions from the Board members? I don't think there's anybody else in the audience. So, we'll just close it down for Board discussion.

MR. METCHIK: Okay, thank you.

MR. JAFFE: I had a couple of questions but the Petitioner had answered both. So, I'm comfortable with the request.

CHAIRMAN DIVITO: I do live right around the corner from there. I drive by it almost everyday, so I'm pretty familiar with the property. I do see plenty of vacancies. I would have liked to see the study maybe expand a couple more various times, but I think

you're pretty spot on with your assessment there. So, I think we're all good.

MR. SCHWINGBECK: Yes, and I think when you look at buildings like this, if there is a real parking issue, usually these tenants are complaining. I mean I've seen it in other complexes along Arlington Heights Road where there is not enough parking spots. There's food service in there, with all the people coming in and out, the tenants will complain if there's parking issues.

MR. METCHIK: As to Mr. Schwingbeck's comments, obviously I put up the signs in front of the building notifying the hearing. So, I'm from Houston, I just came in for this meeting, but I have a representative there. I did get a lot of calls from the tenants like what's going on, and every single tenant that I spoke to said, here, there's no parking issue here. There's plenty, there's plenty of parking. So, no tenant voiced a concern or has ever voiced a concern about any of their visitors or employees finding a place to park. They all said there's lots of parking.

MR. SCHWINGBECK: Well, that's good to know.

MR. DRAKE: I think they have done a good job on making their case. On a personal basis, I have been in that building for appointments, I've never had a problem finding parking. In my recollection, I've been there a number of times, there's plenty of parking space.

MR. SELBKA: Just to be clear, this Clarity Clinic is expanding and they are looking at just an additional 11 spots?

MR. METCHIK: So, that's not -- I don't know how, Clarity Clinic is a new tenant, but the spaces are not, it's not the sum total of 27 percent, 2,221. It's a totally different number, it's 3,250.

MR. SELBKA: Okay.

MR. METCHIK: But they're a new tenant --

CHAIRMAN DIVITO: All right. With all that being heard, is there a motion?

MR. DRAKE: Move approval.

MR. SCHWINGBECK: Second.

CHAIRMAN DIVITO: Okay, Derek.

MR. MACH: Mr. Drake.

MR. DRAKE: Yes.

MR. MACH: Mr. Geisel.

MR. GEISEL: Yes.

MR. MACH: Mr. Jaffe.

MR. JAFFE: Yes.

MR. MACH: Mr. Schwingbeck.

MR. SCHWINGBECK: Yes.

MR. MACH: Mr. Selbka.

MR. SELBKA: Yes.

MR. MACH: Chairman Divito.

CHAIRMAN DIVITO: Yes. Thank you.

MR. METCHIK: Thank you.

MR. DADAY: Stay warm, and Happy New Year.

CHAIRMAN DIVITO: Is there a motion to adjourn?

MR. SCHWINGBECK: Motion to adjourn.

CHAIRMAN DIVITO: Is there a second?

MR. DRAKE: Second.

CHAIRMAN DIVITO: All right. All in favor?

MR. MACH: Staff had one quick thing.

CHAIRMAN DIVITO: Sorry. I was hoping while he was distracted.

MR. MACH: As previously mentioned, Staff is going to evaluate the hardship criteria and just want to share a draft of what is being proposed, just kind of an FYI. This will go to, I believe Ordinance Review, and then continue either Plan Commission or the Village Board. But this is just a draft and the Staff just wanted to just share.

MR. GEISEL: When you say Staff, how does this come up? Who?

MR. MACH: Who developed it?

MR. GEISEL: Or what's the basis for the issue, for the change?

MR. MACH: It's part of a review of the zoning code, Chapter 28. Certain modifications are being proposed, and one of them was looking at the hardship criteria which applies to the Zoning Board of Appeals as well as the Plan Commission.

MR. SELBKA: Are they going to have an administrative hearing officer do these?

MR. MACH: Yes, there would be a public hearing, more than one, well, at least one. Then ultimately, it will require Village Board approval.

MR. SELBKA: Right, but they're saying here the determination of the administrative officer at the bottom. Is that just -- I'm sorry, I don't understand what that means.

MR. MACH: The Director of Planning is the Zoning Administrator, but I would have to find out more.

MR. SELBKA: Okay.

CHAIRMAN DIVITO: Basically, they're saying that four Board members can overrule any of those or need the four of us to approve it.

MR. SELBKA: Right.

CHAIRMAN DIVITO: But we're saying that we can overrule the administrative officer?

MR. SELBKA: But I guess who's the, so, typically, administrative officers don't, did they make decisions before this? I mean I'm trying to sort of figure out, was that a change?

MR. MACH: I would need to find out more, which I can do and send it to you.

MR. SELBKA: Yes, if you wouldn't mind.

MR. MACH: Sure.

MR. SELBKA: Because I mean, typically, there's no initial determination before they come here.

MR. MACH: Right, right. Correct.

MR. DRAKE: Derek, on number three, maybe I'm a little thick here, what exactly does that mean, spirit and harmony? That sounds like a lot of flowery talk.

CHAIRMAN DIVITO: Thank you for calling that out to us. What is this chapter? This chapter meaning the zoning --

MR. MACH: The zoning regulations, Chapter 28.

CHAIRMAN DIVITO: Derek is the one that proposed those verbiage.

MR. DRAKE: It's very well written, it's just a little, you know.

MR. MACH: Sure. No, I'll seek some clarification on those.

MR. DRAKE: Yes, just so it's more clear.

MR. SELBKA: This number four, are they adding something? Is there concern that there's too many variances?

CHAIRMAN DIVITO: I think one, two and four are actually the existing ones. Three is the one that's been added. They're just rewording it so it's actually a little bit easier to say.

MR. MACH: Right. Yes.

CHAIRMAN DIVITO: Than what I have to try and repeat every month.

Okay?

MR. MACH: That's it.

CHAIRMAN DIVITO: Thank you. So, can I go off with the old word?

MR. MACH: Sure.

CHAIRMAN DIVITO: So, all in favor of adjourning?

(Chorus of ayes.)

CHAIRMAN DIVITO: All opposed?

(No response.)

CHAIRMAN DIVITO: All right, we're adjourned. Thanks.

(Whereupon, the above-mentioned petition was adjourned at 7:53 p.m.)

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS January 8, 2018

PETITIONER: Interra Management Co.
ADDRESS OF PROPERTY: 2101 S. Arlington Heights Rd.
VARIATION: 11.2 (Schedule of Parking Requirements)

A variation to allow a reduction to the minimum required parking from 254 to 219 parking spaces.

The petitioner explained that there is a new medical office use that would like to locate at 2101 S. Arlington Heights Road. The petitioner further explained that since the proposed use is a medical office it is creating a parking deficit pursuant to Chapter 28. The petitioner testified that there are multiple uses within the building that include both professional and medical offices. The petitioner explained that the building has been in existence for 25-30 years. The petitioner explained that based on the Village's calculations, the parking requirement is 254 parking spaces and there are 219 existing parking spaces. The petitioner testified that they are not expanding the building. The petitioner explained that there is a large atrium area and large hallways that is factored into the parking calculation. The petitioner testified that the parking counts demonstrate that there is a large surplus of vacant parking spaces throughout the day.

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

Thereafter, a motion was made by Mr. Drake and seconded by Mr. Schwingbeck. Thereafter, the Board voted 6-0 to approve the variance request.

Now, therefore, after hearing all the evidence and after due deliberation, the Zoning Board of Appeals, voted 6-0 to grant the variance as requested.

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

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

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



Item: 829 N. Dunton Ave. - ZBA#18-001

Department: Planning & Community Development

REQUEST

1. A 7 foot variance from Chapter 28, Section 6.5-6 (Accessory Buildings) to allow an increase to the maximum height of an accessory structure (detached garage) from 15 feet to 22 feet.
2. A 2 foot variance from Chapter 28, Section 6.5-2 for a new detached garage with a rear yard setback of 3 feet instead of the minimum required 5 feet.

ATTACHMENTS:

Description	Type
Supporting Documents	Exhibits

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: February 12, 2018
Date Prepared: February 5, 2018
Project Title: Stefaniak Residence
Address: 829 N. Dunton Ave.

Background Information

Petition Number: ZBA #18-001
Petitioner: Susan Stefaniak
Address: 829 N. Dunton Ave.
Arlington Heights, IL 60004
Existing Zoning: R-3, Single-Family Residential District

Requested Action/Background Information

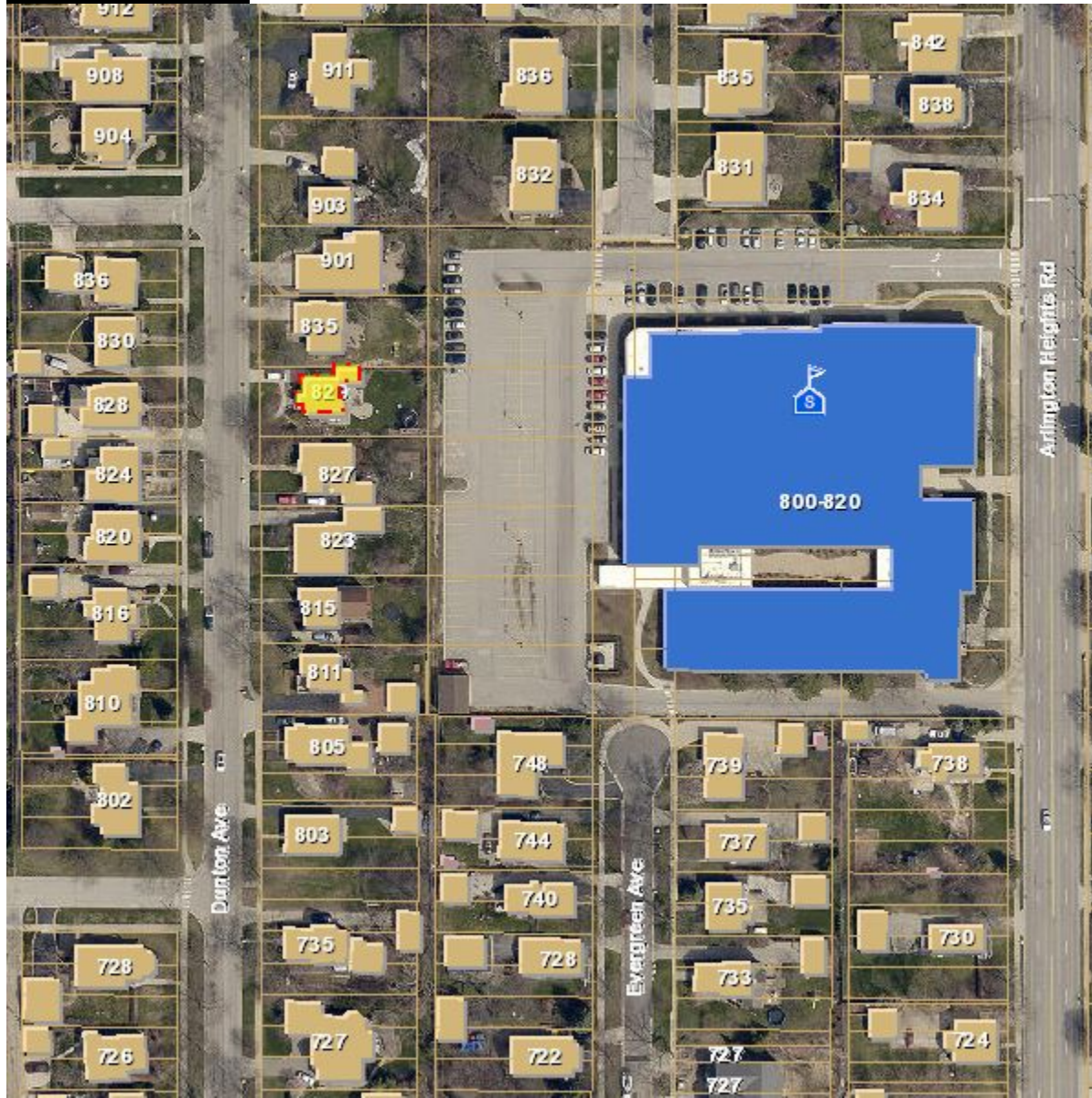
The petitioner is proposing to construct a new detached garage in their rear yard, to replace an existing garage that is not code compliant. The case was previously heard before the ZBA for the identical request and on April 8th, 2013, the variations were approved as requested. The petitioner is proposing to match the roof slope on the existing home which results in a garage with a height of 22 feet where 15 feet is the maximum allowed. Additionally, the petitioner is proposing a setback along the rear property line that is 2 feet where 5 feet is required. Therefore, the petitioner request the following variations:

- A 7 foot variance from Chapter 28, Section 6.5-6 (Accessory Buildings) to allow an increase to the maximum height of an accessory structure (detached garage) from 15 feet to 22 feet.
- A 2 foot variance from Chapter 28, Section 6.5-2 for a new detached garage with a rear yard setback of 3 feet instead of the minimum required 5 feet.

Variation Review Standards

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

Map of General Vicinity



Items Required to be Submitted 15 Days Prior to Public Hearing

<u>Item</u>	<u>Provided</u>	<u>Dated</u>	<u>Remarks</u>
1. Notification Affidavit	✓	1/14/18	
2. List of Property Owners Within 250 feet of Subject Property	✓	1/14/18	
3. Letter that was Mailed	✓	1/14/18	
4. Photographs of Sign on Property	✓	1/14/18	

Photographs of Existing Structure



ZBA# 18-001

829 N Dunton Ave- ZBA

Rev. Eng: Nanci Julius, P.E.

cc: James J. Massarelli, P.E. Director of Engineering

Submitted: January 19, 2018

Completed: January 23, 2018



The proposed ZBA application indicates that the petitioner is seeking:

A 7 ft variance to allow an increase to the maximum height of an accessory structure from 15 ft to 22 ft; and a 2 ft variance for a new detached garage with a rear yard setback of 3 ft instead of the minimum required 5 ft.

NOTE: The property backs up to the St James School parking lot. There is a fence and utilities along the rear property line, shown below.



The Engineering Department has NO COMMENT on the maximum height, and NOT IN FAVOR of the 3 ft setback. To maintain proper drainage along the rear property line, 5 ft minimum.



**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: Stefaniak Residence

Project Address: 829 N Dunton Ave

ZBA #: 18-001

Date: January 22, 2018

Derek:

I have reviewed the requests for a 7 foot variance to allow a new detached garage with a maximum height of 22 feet, and a 2.0 foot variance to allow a rear yard setback of 3.0 feet from the rear (east) property line and have no objection to the variances with the following comments and requirements:

1. The north wall of the garage, located 3 feet from the side lot line shall have a minimum of 1-hour fire-resistance rated construction with exposure from both the inside and outside of the wall, based on the distance to the lot line of less than 5 feet.
2. The east wall of the garage, located 3.0 feet from the rear lot line shall have a minimum of 1-hour fire-resistance rated construction with exposure from both the inside and outside of the wall, based on the distance to the lot line of less than 5 feet.
3. Based on the proposed size of the detached garage, 625 square feet, a full footing and foundation shall be provided.

RECEIVED

JAN 22 2018

**PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT**

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Stefanlak Residence

Project Address: 829 N. Dunton Ave.

ZBA #: 18-001

ZBA Hearing Date: February 12th, 2018

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

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

From: Derek Mach, Zoning Board of Appeals Liaison

Transmitted On: January 19th, 2018

- A 7 foot variance from Chapter 28, Section 6.5-6 (Accessory Buildings) to allow an increase to the maximum height of an accessory structure (detached garage) from 15 feet to 22 feet.
- A 2 foot variance from Chapter 28, Section 6.5-2 for a new detached garage with a rear yard setback of 3 feet instead of the minimum required 5 feet.

Attached are the Petitioner's:

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

Comments: THE PROPOSED GARAGE IS NICELY DESIGNED TO
MATCH THE EXISTING HOUSE.

- STEVE HAUTZINGER, DESIGN PLANNER

Please review, comment, and return to me no later than Thursday, February 1st, 2018.

Petition

NOW COMES the Petitioner, Todd and Susan Stefaniak, being the owner of the property commonly known as: 829 N Dunton Avenue, appealing to the Zoning Board of Appeals of the Village of Arlington Heights for variation from Chapter 28 Section 6.5-6 (Accessory Buildings), of the Arlington Heights Municipal Code, In order to allow an increase to the maximum height of an accessory structure in an R-3 District from 15 feet to 22 feet and a variation from Chapter 28, Section 6.5-2 for a new garage with a rear yard setback of 3 feet instead of the minimum required 5 feet.

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

The 2-car garage would not match the roofline of the existing house and would therefore not conform to the architectural style and character of house.

A vehicle would not have the required space needed to execute the necessary 180-degree turn in order to exit the driveway safely.

I hereby state that the following unique circumstances exist:

The existing tudor style house has steep 45 degree pitch of 12/12.

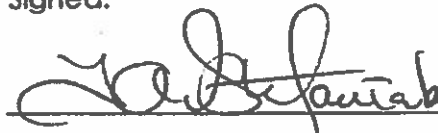
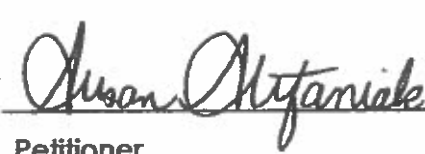
The space between the existing house and the property line limits the driveway to 9 feet wide.

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

The garage aligns with the Village's overall objectives for high quality architecture and aesthetics throughout the Village.

The property directly behind 829 N Dunton Avenue is a parking lot and would not be adversely affected.

Signed:

 01-01-2018  1-1-2018

Petitioner

Date

Petitioner

Date

RECEIVED

JAN 04 2018

PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT

1203 W. WHITE OAK ST

ARLINGTON HEIGHTS, ILL. 60005

PLAT OF SURVEY

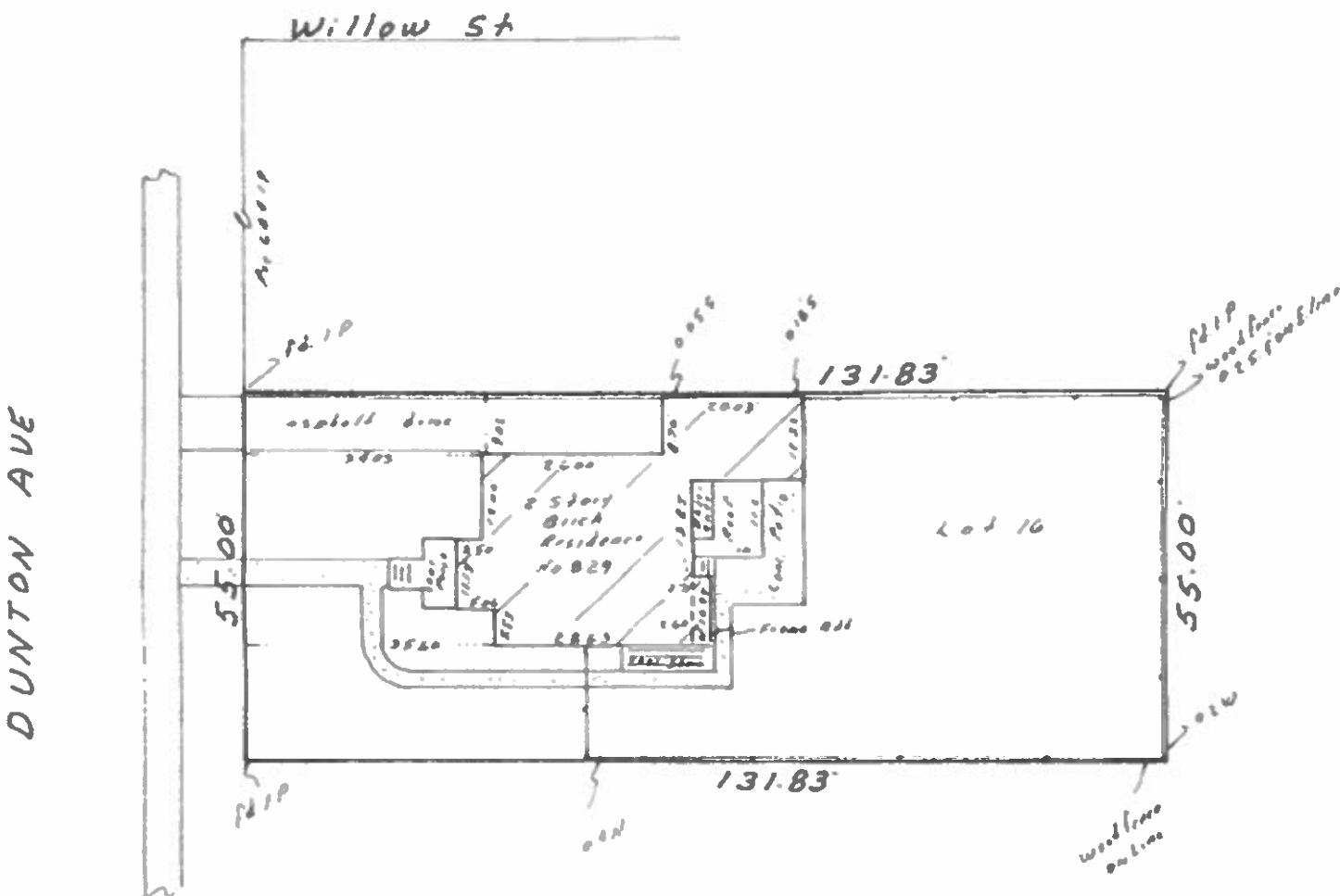
-BY-

(708)
Phone: 253-6566

JAMES M. ELLMAN

OF

LOT 16 IN A.M. SCHAEFER'S SUBDIVISION OF LOT 3 (EXCEPT THAT PART CONVEYED BY WARRANTY DEED AS DOCUMENT 3305370) IN DUNTON AND OTHERS SUBDIVISION OF THE N.W. 1/4 OF THE N.W. 1/4 OF SECTION 29, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 9, 1872 AS DOCUMENT 29725, IN COOK COUNTY, ILLINOIS.



Ordered by PATRICK J. MOLOHO

Order No 930618

Base Scale 1 inch = 20 feet

Date JUNE 13, 1995

COMPARE ALL POINTS BEFORE BUILDING BY SAME AND AT ONCE REPORT ANY DIFFERENCE. FOR BUILDING LINE AND OTHER RESTRICTIONS NOT SHOWN HEREON REFER TO YOUR ABSTRACT, DEED, CONTRACT AND ZONING ORDINANCE.

STATE OF ILLINOIS } ss
COUNTY OF COOK }

I, JAMES M. ELLMAN, do hereby certify that the above described property has been surveyed under my supervision and that the plat hereon drawn is a correct representation of said survey.

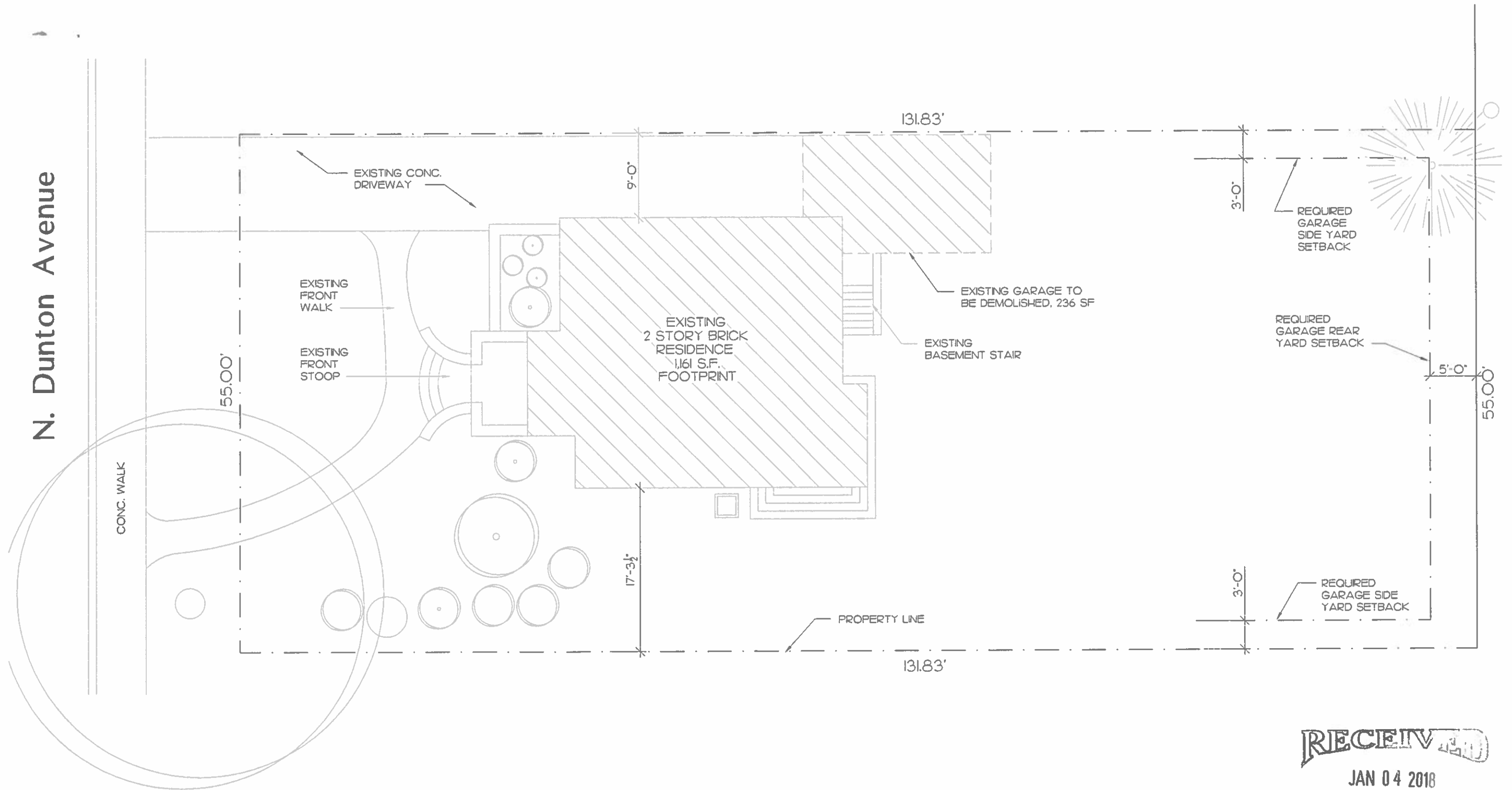
by James M. Ellman
ILLINOIS REGISTERED LAND SURVEYOR NO 36-2186

RECEIVED

JAN 04 2018

PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT

N. Dunton Avenue



EXISTING SITE PLAN

SCALE: 1" = 10'-0"

IMPACT
Architecture

735 N Vall Ave.
Arlington Heights, IL 60004
Phone: 773.450.6000

January 3, 2018

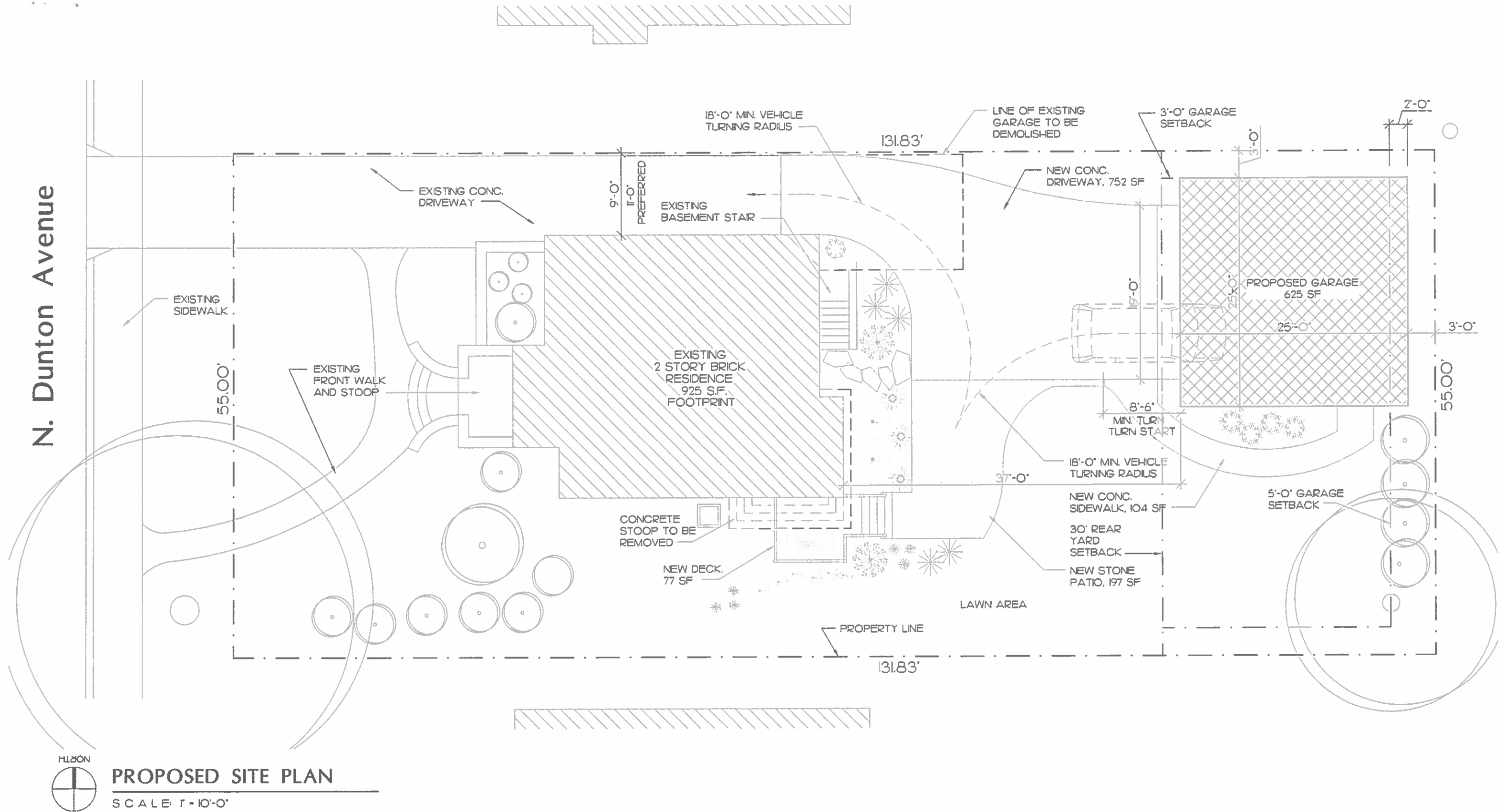
RECEIVED

JAN 04 2018

PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT

Stefaniak Residence
829 N Dunton Avenue
Arlington Heights, Illinois

N. Dunton Avenue





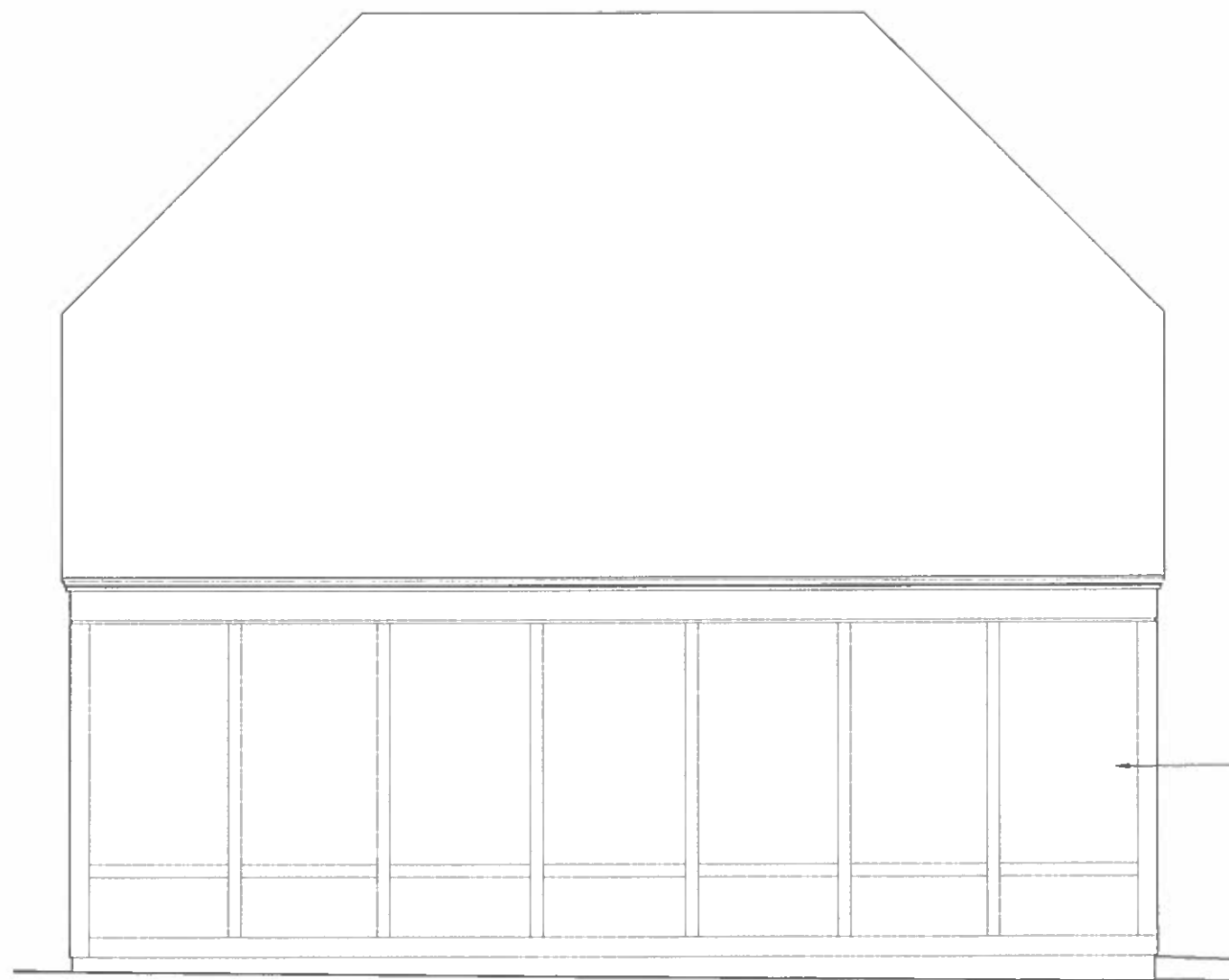
WEST ELEVATION

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



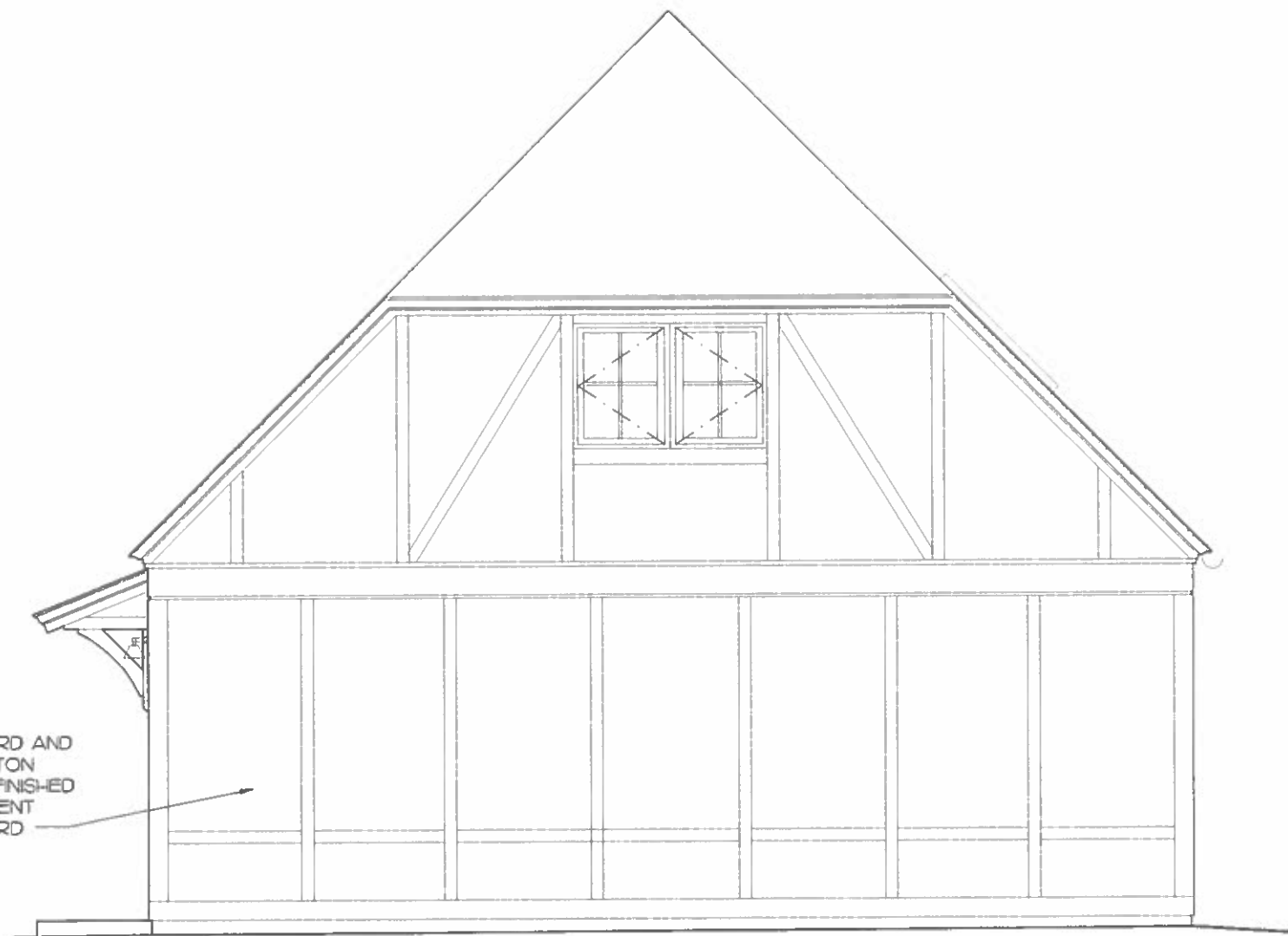
SOUTH ELEVATION

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



NORTH ELEVATION

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



EAST ELEVATION

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



Item: Surrey Park West Townhomes - Wilke Rd/White Oak Ave - ZBA#18-002

Department: Planning & Community Development

REQUEST

1. A 2 foot variation from Section 6.13-3 (Location of Fences) and Section 6.13-3c (Location of Fences – Exterior Side Yards) to allow a 5 foot tall open fence in the front and exterior side yards where only a 3 foot fence is permitted.

ATTACHMENTS:

Description	Type
Supporting Documents	Exhibits

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: February 12, 2018
Date Prepared: February 5, 2018
Project Title: Surrey Park West Townhome Association
Address: SE Corner of Old Wilke Rd. and White Oak St.

Background Information

Petition Number: ZBA #18-002
Petitioner: Gordon Schiavone – Villa Management
Address: 7379 N. Lincoln Ave. Suite A
Lincolnwood, IL 60712
Existing Zoning: R-6, Multiple-Family Residential District

Requested Action/Background Information

The petitioner is proposing to construct a five foot high fence around the northern and western edge of the townhome complex. The maximum allowed fence height in the proposed location is three feet. Therefore, the petitioner requests the following variation:

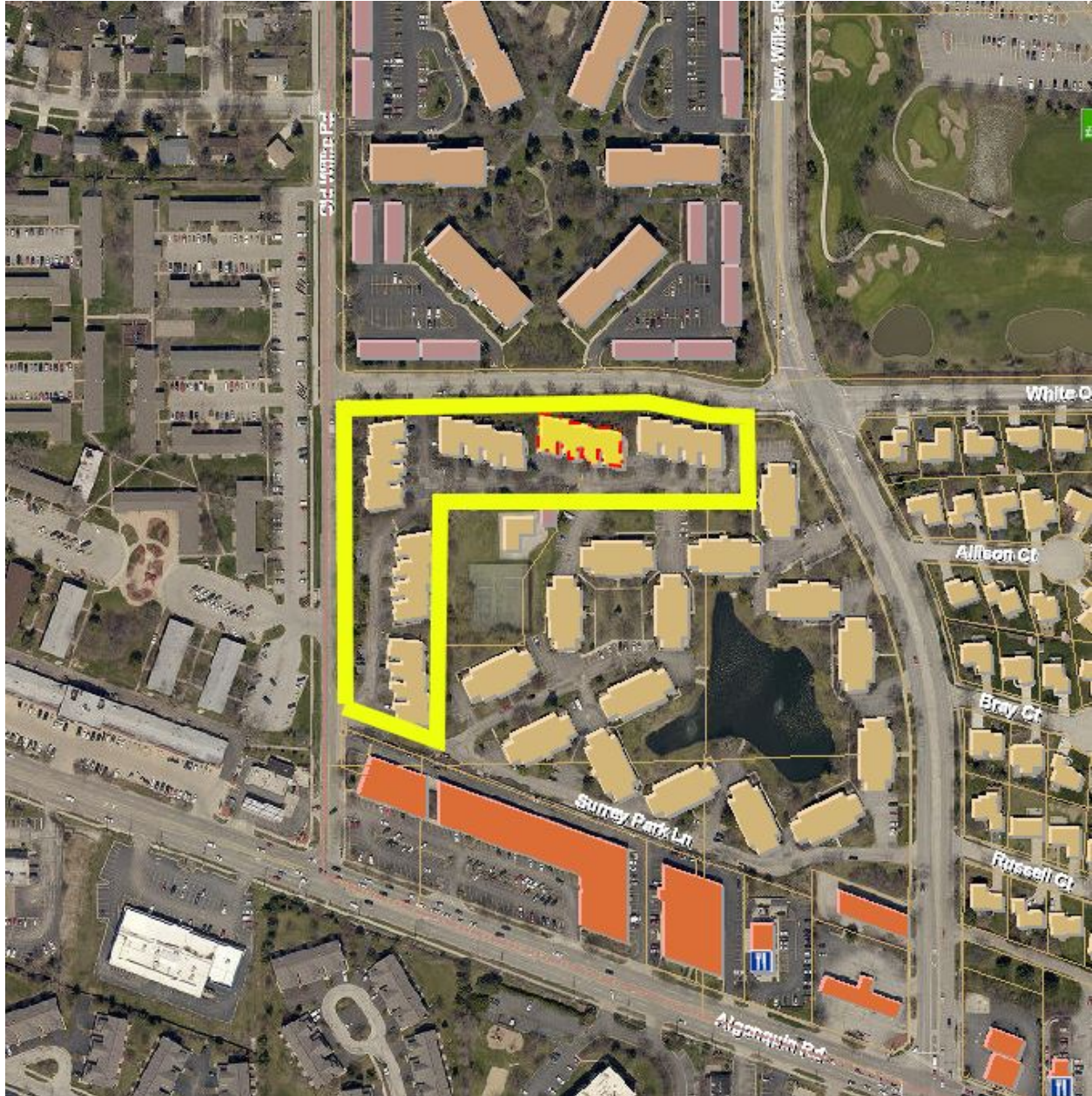
- **A 2 foot variation from Section 6.13-3 (Location of Fences) and Section 6.13-3c (Location of Fences – Exterior Side Yards) to allow a 5 foot tall open fence in the front and exterior side yards where only a 3 foot fence is permitted.**

The proposed fence must be located on private property and not in the right of way. If the Zoning Board of Appeals is supportive of the variation request, the petitioner will be required to submit an updated plat of survey as part of the building permit in order to ensure that the proposed fence is located on private property.

Variation Review Standards

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

Map of General Vicinity



Items Required to be Submitted 15 Days Prior to Public Hearing

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

Photographs of Existing Structure



ZBA# 18-002

Surrey Park Townhome Condo Association- ZBA

Rev. Eng: Nanci Julius, P.E.

cc: James J. Massarelli, P.E. Director of Engineering



Submitted: January 19, 2018

Completed: January 31, 2018

The proposed ZBA application indicates that the petitioner is seeking:

A 2 ft variance to allow a 5 ft tall open fence in the front and exterior side yards where only a 3 ft fence is permitted; and a 11.5 ft setback variance to allow a 5 ft tall open fence in the exterior side yard that is 1 ft from the north property line with no street side landscaping where a 12.5 ft setback is required.

NOTE: An accurate plat of survey was not provided. The fence exhibit submitted shows the fence being located close to the sidewalk along White Oak St. According to the Village's GIS database, the property line is approximately 13 ft south from the sidewalk, and the proposed location of the fence appears to be in the public right-of-way. The fence exhibit references fencing in fire hydrants. Installing the fence at this location appears would also fence in other utilities located in the right-of-way, and they do not show what is proposed at the corners and at the driveway.

The Engineering Department has NO COMMENT on the fence height; and is NOT IN FAVOR of this submittal as presented with the fence possibly located in the public right-of-way and fencing in utilities and fire hydrants.

The Engineering Department would have NO OBJECTION to the fence if it were placed off the property line and the utilities and fire hydrants in the right-of-way would not be fenced in.



**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: Surrey Park Townhome Condo Association

Project Address: SE Corner of Old Wilke Rd and White Oak St

ZBA #: 18-002

Date: January 22, 2018

Derek:

I have reviewed the requests for the fence variances and have no objections to the requests.

RECEIVED
JAN 22 2018
PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Surrey Park Townhome Condo Association

Project Address: SE Corner of Old Wilke Rd. and White Oak St.

ZBA #: 18-002

ZBA Hearing Date: February 12th, 2018

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

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

From: Derek Mach, Zoning Board of Appeals Liaison

Transmitted On: January 19th, 2018

- A 2 foot variation from Section 6.13-3 (Location of Fences) and Section 6.13-3c (Location of Fences – Exterior Side Yards) to allow a 5 foot tall open fence in the front and exterior side yards where only a 3 foot fence is permitted.
- An 11.5 foot setback variance from Chapter 28, Section 6.13-3c1 (Exterior Side Yards) to allow a 5 foot tall open fence in the exterior side yard that is 1 foot from the north property line with no street side landscaping where a 12.5 foot setback is required.

Attached are the Petitioner's:

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

Comments: NO COMMENTS.

—STEVE HAUZINGER, DESIGN PLANNER

Please review, comment, and return to me no later than Thursday, February 1st, 2018.

PETITION

**NOW COMES the Petitioner: Surrey Park Condominium Association
being the owner of the property commonly known as: _Surrey Park Condominium
Association**

and appeals to the Zoning Board of Appeals of the Village of Arlington Heights for a

Variation from Section _6.13-3 and section 6.13-3c1,

**Chapter 28, of the Arlington Heights Municipal Code, in order to: allow a 5 foot fence in the front
yard along Weber Drive where 3 feet is the maximum height as well a set back variance to allow a
five foot tall fence in the exterior side yard along White Oak Street**

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

**Gang from across the street apartment complex will continue to cut through our property which
creates an unsafe environment for our residents.**

**I hereby state that the following unique circumstances exist: Based on information from the Police
there have been break ins to cars, homes and drug deals done on our property from the gang across
the street at apartment complex.**

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

because: It would esthetically enhance the property and it's property values.

Signed:

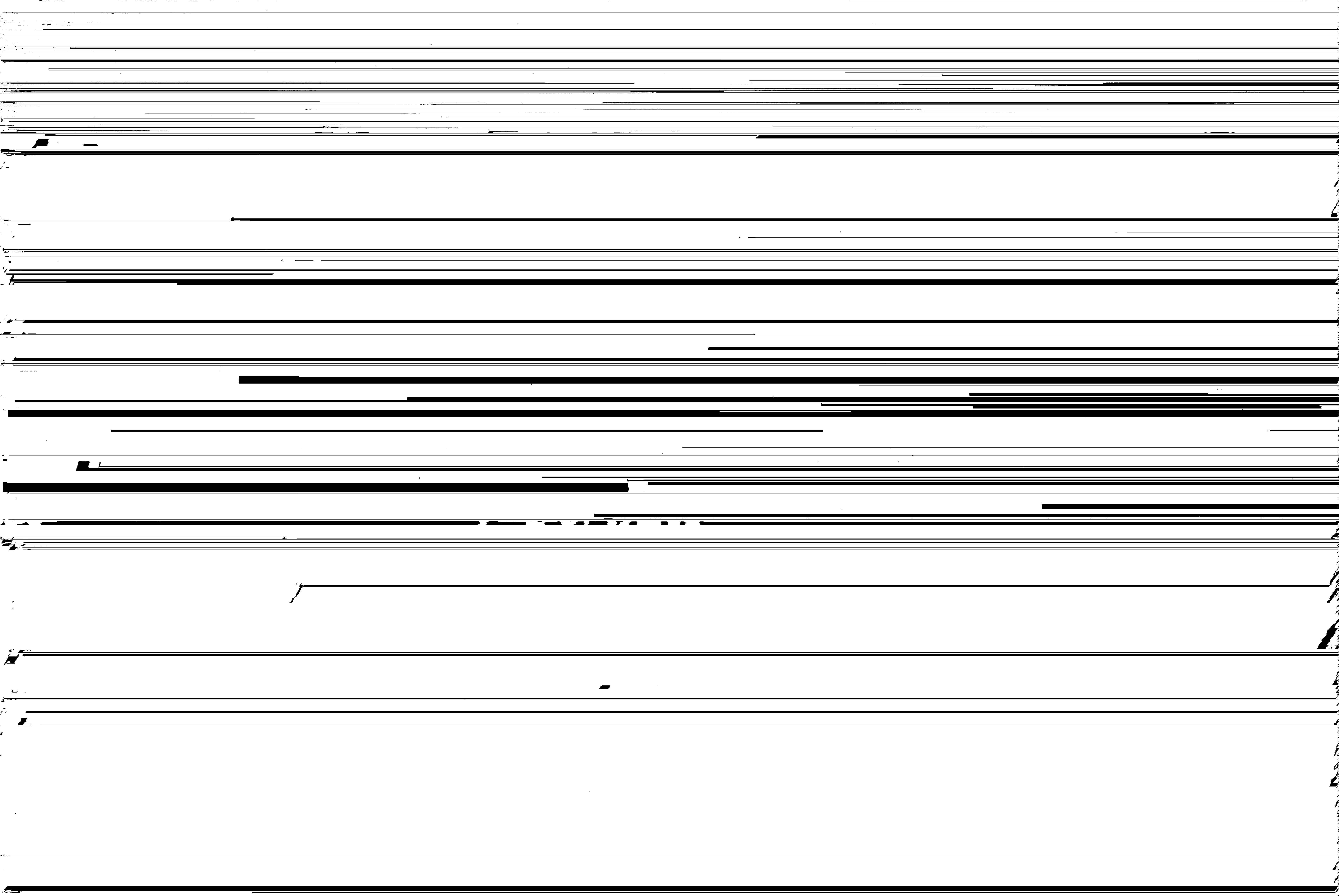
Jordan Johnson Agent

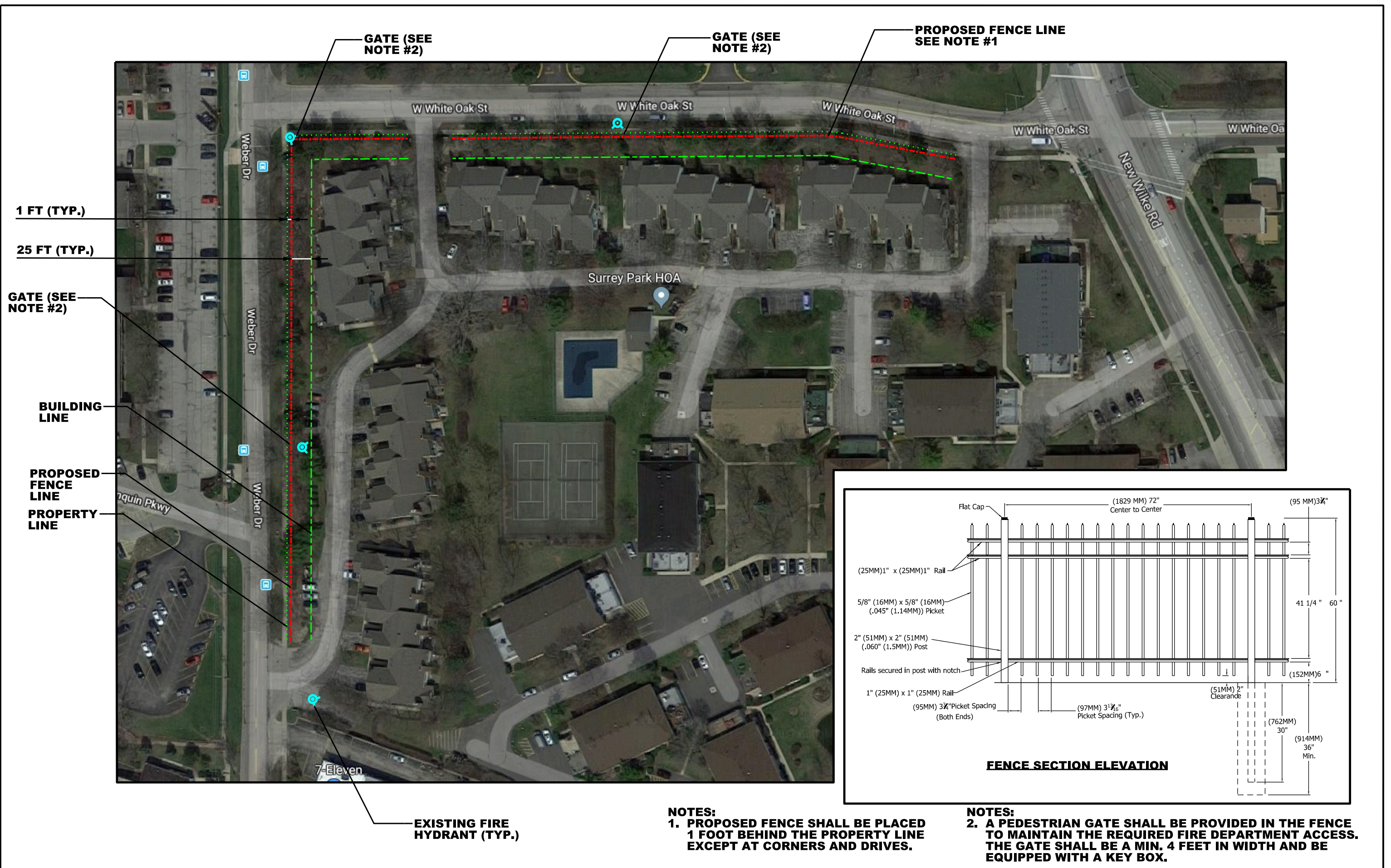
Petitioner

Date:

12-22-17

for Surrey Park Townhome Condominium Assoc





SURVEY	ACTIVITY	BY	DATE	DESIGN	ACTIVITY	BY	DATE
	SURVEYED				DESIGNED		
	UTILITIES				DRAFTED		
	DRAFTING				CHECKED		
NOTE BOOK NO.	CHECKED				APPROVED		

NO.	PER PLAN REVIEW LETTER	DATE



Item: 203 N. Wilke Rd. - ZBA#18-003

Department: Planning & Community Development

REQUEST

An 8.8 foot variation from Chapter 28, Section 5.1-3.6 (Required Minimum Yards) to allow for a garage addition with a front yard setback of 16.2 feet where 25 feet is required.

ATTACHMENTS:

Description	Type
Supporting Documents	Exhibits

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: February 12, 2018
Date Prepared: February 5, 2018
Project Title: Stoev Residence
Address: 203 N. Wilke Rd.

Background Information

Petition Number: ZBA #18-003
Petitioner: Tony Stoev
Address: 203 N. Wilke Rd.
Arlington Heights IL 60005

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

Requested Action/Background Information

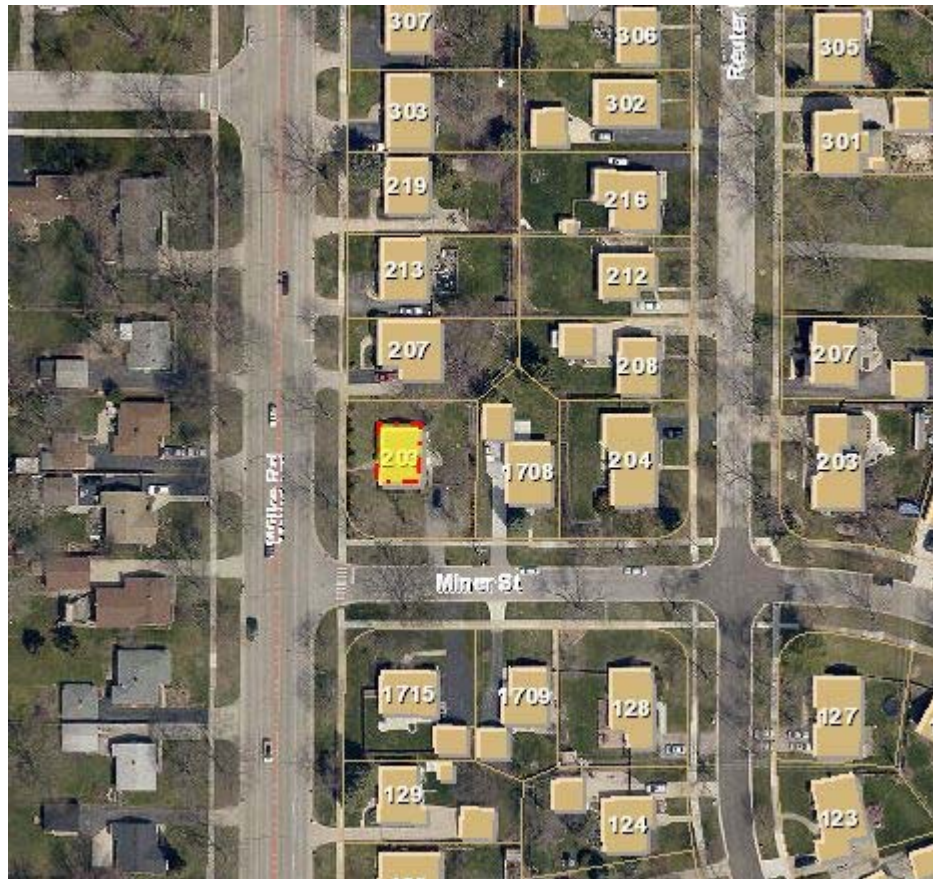
The petitioner is proposing to add an attached garage to their existing home. The proposed garage would be located on the south end of the home as an extension, utilizing the existing driveway. However, this results in the south face of the garage projecting 8 feet over the platted building line, with a front yard setback of 16.2 feet where 25 is required. Therefore, the petitioner requests the following variation:

- **An 8.8 foot variation from Chapter 28, Section 5.1-3.6 (Required Minimum Yards) to allow for a garage addition with a front yard setback of 16.2 feet where 25 feet is required.**

Variation Review Standards

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

Map of General Vicinity



Items Required to be Submitted 15 Days Prior to Public Hearing

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

Photographs of Existing Structure



Permit # 18-003
203 N Wilke Rd- ZBA
Rev. Eng: Nanci Julius
For: Jim Massarelli



Submitted: January 19, 2018
Completed: January 23, 2018

The proposed ZBA application indicates that the petitioner is seeking:

An 8 ft variance to allow for a garage addition with a front yard setback of 17 ft where 25 ft is required.

NOTE: The existing home does not have a garage.

The Engineering Department has NO OBJECTION to the proposed variance.



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: Stoev Residence

Project Address: 203 N Wilke Rd

ZBA #: 18-003

Date: January 22, 2018

Derek:

I have reviewed the request for the 8 foot variance to the front yard setback to allow an attached garage to have a front yard setback of 17 feet where 25 feet is required, and have no objections with the following comment:

1. The attached garage shall have a minimum interior width of 21 feet, and a minimum ceiling height of 7 feet 6 inches.

RECEIVED

JAN 22 2018

**PLANNING & COMMUNITY
DEVELOPMENT DEPARTMENT**

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Stoev Residence

Project Address: 203 N. Wilke Rd.

ZBA #: 18-003

ZBA Hearing Date: February 12th, 2018

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

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

From: Derek Mach, Zoning Board of Appeals Liaison

Transmitted On: January 19th, 2018

- An 8 foot variation from Chapter 28, Section 5.1-3.6 (Required Minimum Yards) to allow for a garage addition with a front yard setback of 17 feet where 25 feet is required.

Attached are the Petitioner's:

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

Comments: THE DESIGN OF THE ADDITION SHOULD BE DEVELOPED
WITH EXTERIOR MATERIAL AND WINDOWS TO MATCH THE
EXISTING HOUSE. A DESIGN COMMISSION APPLICATION IS REQUIRED.

Please review, comment, and return to me no later than Thursday, February 1st, 2018.

- STEVE HAUZINGER, DESIGN PLANNER

PETITION

NOW COME the Petitioner: Stoyan V. Stoev

being owner of the property commonly known as: 203 N Wilke Rd. , Arlington Heights, IL 60005 and appeals to the Zoning Board of Appeals of the Village of Arlington Heights for the Variation from Section _____, Chapter 28, of the Arlington Heights Municipal Code, in order to: Build a two car attached garage at their existing property.

I hereby state that the following hardship will exist if the Variation were not granted. We own the property for 20 years and had no garage for this period of time. Now we are in our senior years of our lives and it become more and more difficult to deal with the bad wether, when it happens. We need to build a garage for several reasons, but the main one is safety during the winter time. We are still active working for the public behalf and need some help to meet the demand of the active seniors life.

I hereby state that the Variation, if granted , will not alter the esential character of the locality because: It will not obscure any views for our neighbors, It is not directly adjasant to anybodies property and It is natural extension of the existing residential structure, utilising the additional existing building spot just extending it by 8 feet which will allow to bvuild 2 car Attached Garage.

Signed: Stoyan V. Stoev date: 01/16/2018
petitioner Stoyan V. Stoev

NEW GARAGE PROPOSAL

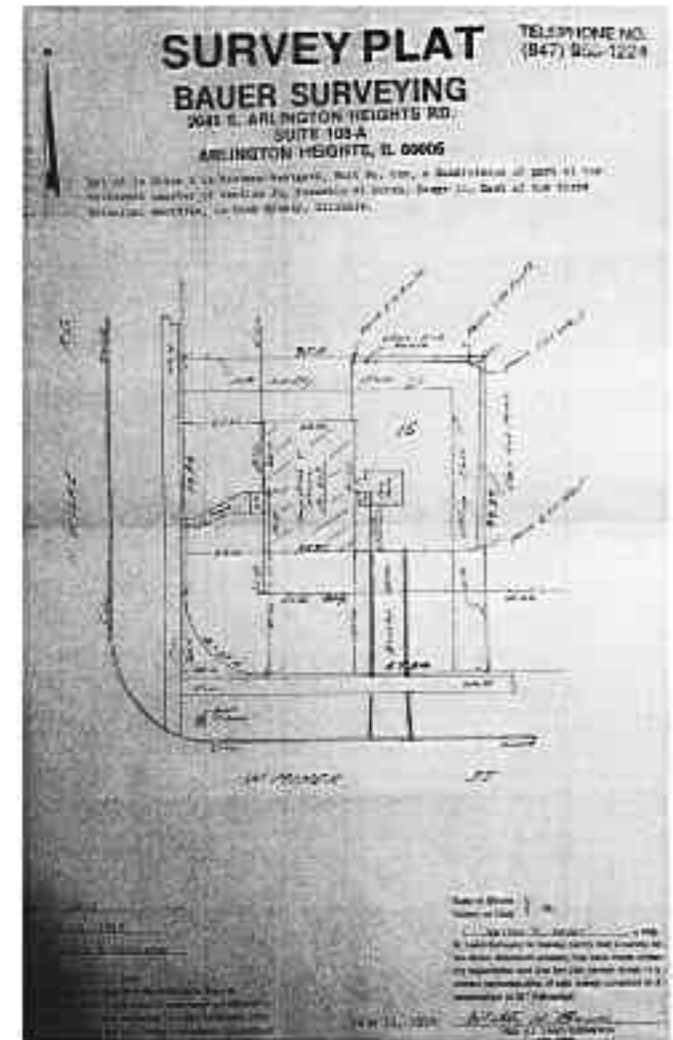
203 N WILKE RD, ARLINGTON HEIGHTS, IL



EXISTING SITE CONDITIONS - SATELLITE VIEW



EXISTING CONDITIONS - STREET VIEWS



CURRENT PLAT OF SURVEY

NEW GARAGE PROPOSAL
 203 N WILKE RD, ARLINGTON HEIGHTS, IL
ISSUED FOR ZBA REVIEW
 JANUARY 10, 2018

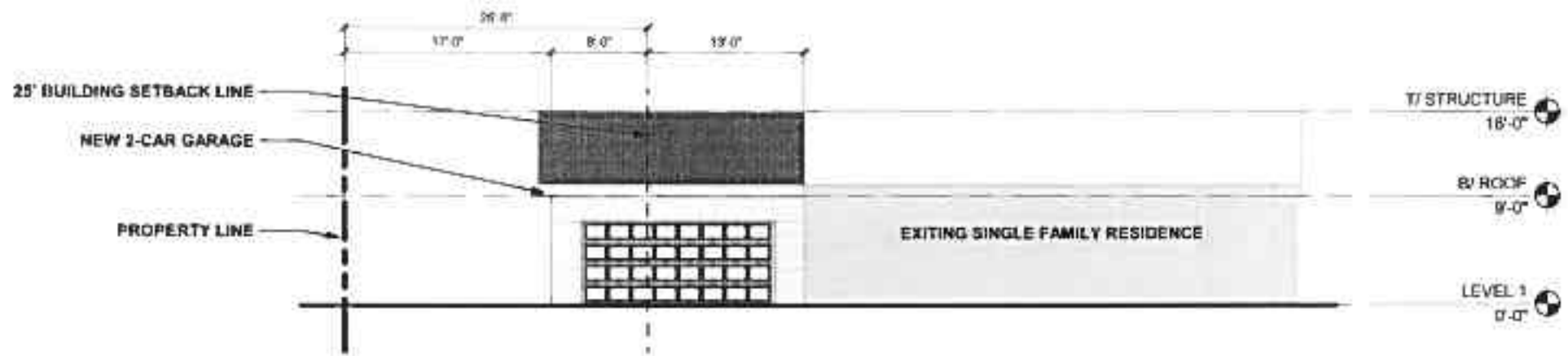


203 N WILKE RD, ARLINGTON HEIGHTS, IL



NEW GARAGE PROPOSAL

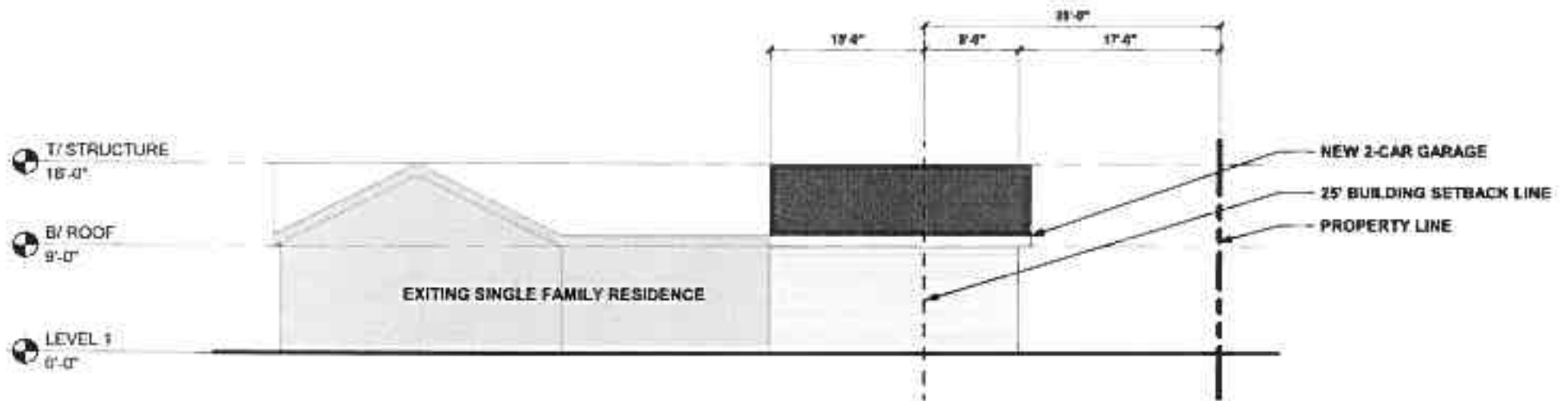
203 N WILKE RD, ARLINGTON HEIGHTS, IL



NEW GARAGE - EAST ELEVATION

NEW GARAGE PROPOSAL

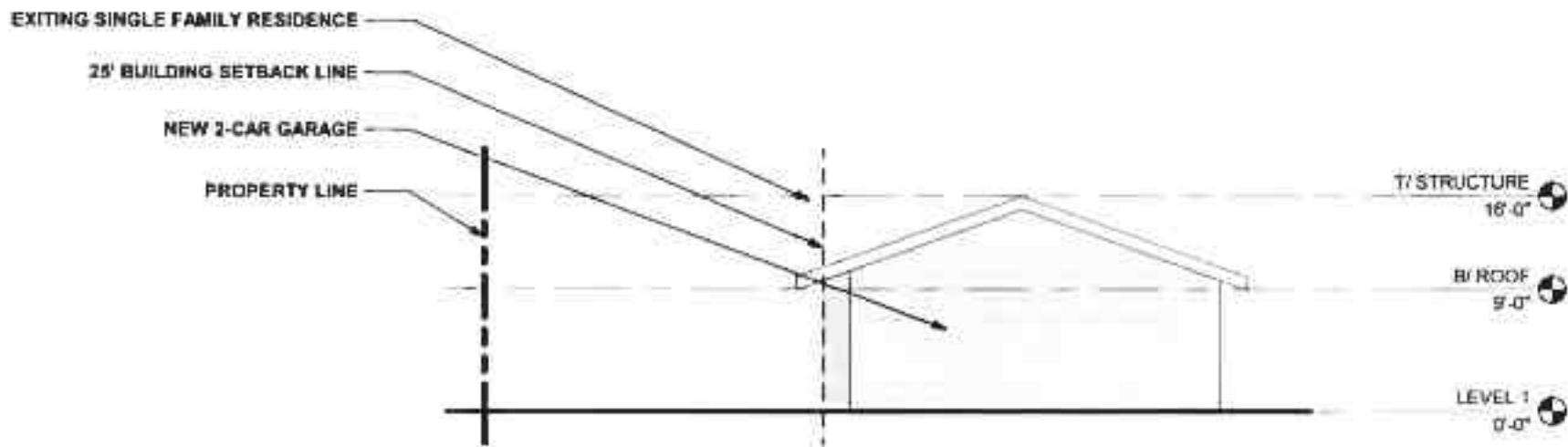
203 N WILKE RD, ARLINGTON HEIGHTS, IL



NEW GARAGE - WEST ELEVATION

NEW GARAGE PROPOSAL

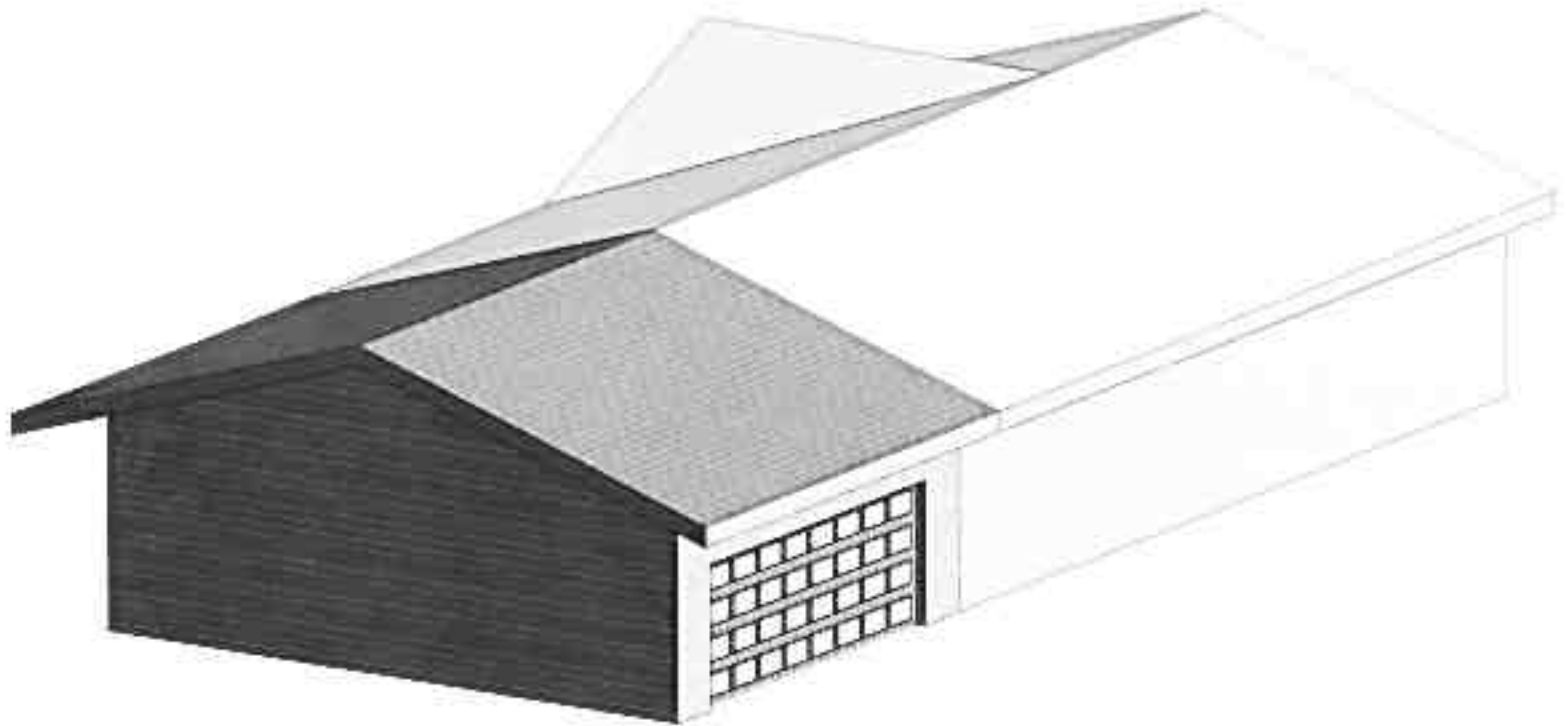
203 N WILKE RD, ARLINGTON HEIGHTS, IL



NEW GARAGE - SOUTH ELEVATION

NEW GARAGE PROPOSAL

203 N WILKE RD, ARLINGTON HEIGHTS, IL



NEW GARAGE - 3D VIEW