Agenda
Village of Arlington Heights
Zoning Board of Appeals
Virtual Meeting

February 8, 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/3cFEuxn

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 8, 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. 304 W. Hawthorne St. - ZBA#20-039

B. 1223 E. Mayfair Rd. - ZBA#20-040

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
2/8/2021

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
_____
_____
_____
OF APPEALS

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

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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

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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.)

DRAFT

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
2/8/2021

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
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OF APPEALS

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

DRAFT

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,

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.)

DRAFT

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
2/8/2021

Item: 304 W. Hawthorne St. - ZBA#20-039

Department: Planning & Community Development

REQUEST

• A 2.0 foot variance from Chapter 28, Section 6.5-2 for a new detached garage with a rear yard setback of 3.0 feet instead of the minimum required 5.0 feet.

• A 0.8 foot variance from Chapter 28, Section 6.5-2 for a new detached garage with a side yard setback of 2.2 feet instead of the minimum required 3.0 feet.

• A 4-foot variation from Chapter 28, Section 10.2-11.1b (Parking in Yards - Maximum Driveway Width) to allow a driveway that is 26-feet in width where code allows a maximum width of 22-feet.

ATTACHMENTS:

Description	**Type**
Supporting Documents	Exhibits

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: February 8, 2021
Date Prepared: February 3, 2021
Project Title: Whalen Residence
Address: 304 W. Hawthorne St.

Background Information
Petition Number: ZBA #20-039
Petitioner: Timothy Whalen
Address: 304 W. Hawthorne St.
Arlington Heights IL 60004

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

Requested Action/Background Information

The subject site is zoned R-3, One Family Dwelling District and the property has a total land area of 6,000 square feet. The petitioner is proposing to replace an existing garage. The new garage will encroach into the required side yard setback and the required rear yard setback. The proposed rear yard setback from the north property line is 3.0 feet instead of the required 5.0 feet, and the proposed side yard setback is 2.2 feet from the east property line instead of the required 3.0 feet. In addition, the petitioner is proposing a driveway near the face of the garage that 26 feet in width where 22 feet is the maximum allowed for a two car garage. Therefore, the petitioner requests the following variations:

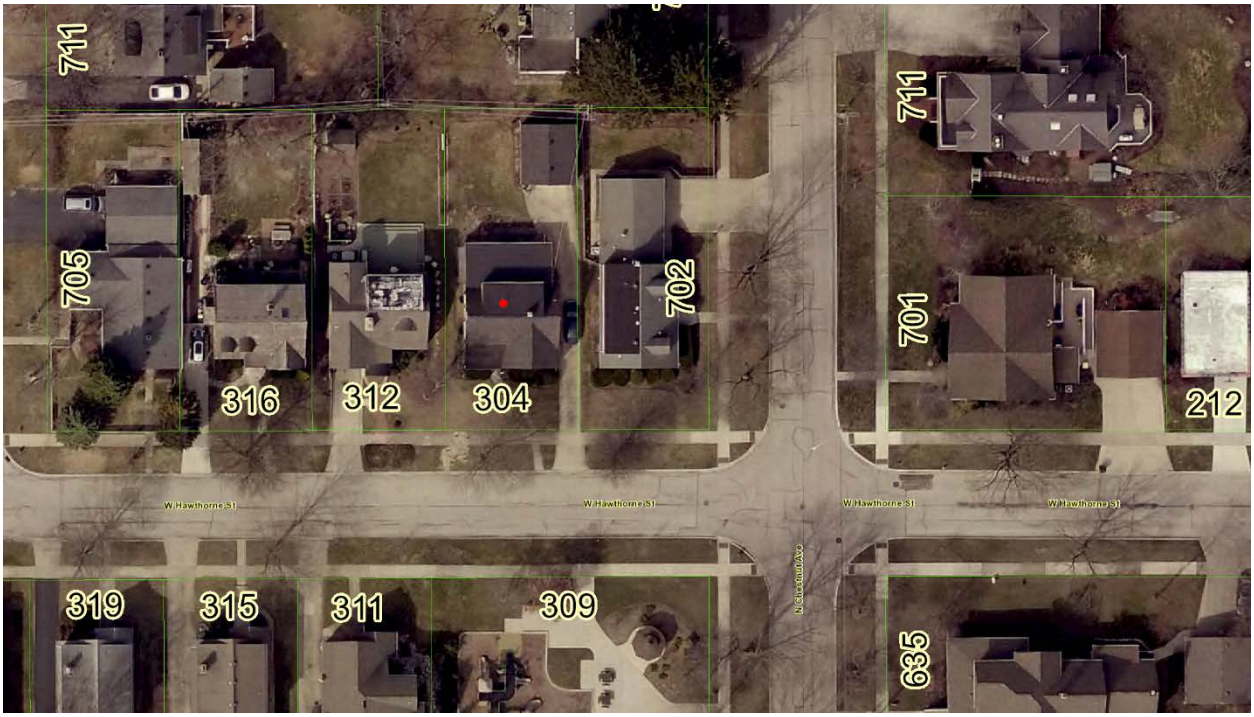
- A 2.0 foot variance from Chapter 28, Section 6.5-2 for a new detached garage with a rear yard setback of 3.0 feet instead of the minimum required 5.0 feet.
- A 0.8 foot variance from Chapter 28, Section 6.5-2 for a new detached garage with a side yard setback of 2.2 feet instead of the minimum required 3.0 feet.
- A 4-foot variation from Chapter 28, Section 10.2-11.1b (Parking in Yards - Maximum Driveway Width) to allow a driveway that is 26-feet in width where code allows a maximum width of 22-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.

Petition – ZBA#20-039
PIN: 03-30-225-017

Map of General Vicinity

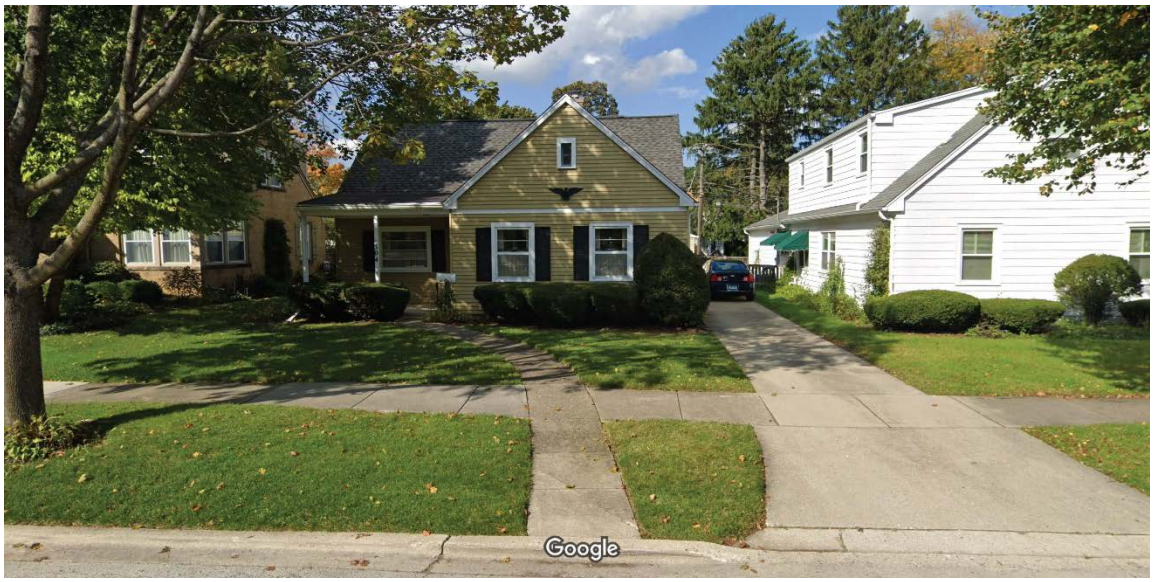


Items required to be Submitted 15 Days Prior to Public Hearing

Item	Provided	Dated	Remarks
1. Notification Affidavit	✓	1/12/21	
2. List of Property Owners Within 250 feet of Subject Property	✓	1/12/21	
3. Letter that was Mailed	✓	1/12/21	
4. Photographs of Sign on Property	✓	1/12/21	

-

Photographs of Existing Structure



-

ZBA# 20-039
304 W Hawthorne Street - ZBA
Rev. Eng: Briget Schwab, P.E.
cc: Mike Pagones, P.E. Village Engineer

Application Date: 11-17-2020
Received by Planning:
Transmitted to Engineering: December 21, 2020
Received by Briget: November 21, 2020
Completed: December 22, 2020

The proposed ZBA application indicates that the petitioner is seeking:

2.0 foot variance from Chapter 28, Section 6.5-2 for a new detached garage with a rear yard setback of 3.0 feet instead of the minimum required 5.0 feet.

0.8 foot variance from Chapter 28, Section 6.5-2 for a new detached garage with a side yard setback of 2.2 feet instead of the minimum required 3.0 feet.

A 4-foot variation from Chapter 28, Section 10.2-11.1b (Parking in Yards – Maximum Driveway Width) to allow a driveway that is 26-feet in width where code allows a maximum width of 22-feet.

The Engineering Division has NO OBJECTION to the proposed variance request for rear yard setback of 3.0 feet instead of the minimum 5.0 feet. However, there are existing overhead utilities on the north property line and petitioner must provide the Village documentation indicating that the garage will not encroach on an utility easement. If there is an existing utility easement, the petitioner must provide sign-off letters from all utility companies located in the easement before a permit can be issued.

The Engineering Division has NO COMMENT on the proposed variance request for side yard setback.

The Engineering Division has NO OBJECTION to the proposed variance request to allow a 26-feet width driveway.

NOTE: Existing side yard setback is 2.2 feet.

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: **Whalen Residence**

Project Address: **304 W Hawthorne St**

ZBA #: **20-039**

Date: **December 21, 2020**

Derek:

I have reviewed the request for the following variances:

- A 2.0-foot variation from Chapter 28, Section 6.5-2 for a new detached garage with a rear yard setback of 3.0 feet instead of the minimum required 5.0 feet.
- A 0.8-foot variation from Chapter 28, Section 6.5-2 for a new detached garage with a side yard setback of 2.2 feet instead of the minimum required 3.0 feet.
- A 4-foot variation from Chapter 28, Section 10.2-11.1b (Parking in Yards - Maximum Driveway Width) to allow a driveway that is 26-feet in width where code allows a maximum width of 22-feet.

and have the following comments:

1. The north wall of the garage, located 3 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.
2. The east wall of the garage, located 2.2 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.
3. The soffit of the east wall of the garage located 2.2 feet from the side lot line shall have a minimum of 1-hour fire-resistance rated construction on the underside based on the distance to the lot line of between 2 feet to 5 feet.
4. The windows on the east wall of the garage located 2.2 feet from the side lot line are not permitted based on the distance to the lot line of less than 3 feet.
5. No comments for the variation request for the width of the driveway.

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Whalen Residence

Project Address: 304 W. Hawthorne Street

ZBA #: 20-039

ZBA Hearing Date: January 11, 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:	December 21, 2020

- A 2.0 foot variance from Chapter 28, Section 6.5-2 for a new detached garage with a rear yard setback of 3.0 feet instead of the minimum required 5.0 feet.
- A 0.8 foot variance from Chapter 28, Section 6.5-2 for a new detached garage with a side yard setback of 2.2 feet instead of the minimum required 3.0 feet.
- A 4-foot variation from Chapter 28, Section 10.2-11.1b (Parking in Yards - Maximum Driveway Width) to allow a driveway that is 26-feet in width where code allows a maximum width of 22-feet.

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 4, 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 Timothy & Melissa Whalen

being the owner of the property commonly know as: 304 W Hawthorne St

and appeals to the Zoning Board of Appeals of the Village of Arlington Heights for a Variation from Section 6.5-2

Chapter 28, of the Arlington Heights Municipal Code, in order to: have our detached garage be 2.2 feet off our side lot and 3 feet off our back lot.

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): We agree that the proposed use will not alter the essentital character of the locality and will be compatible with existing uses and zoning of nearby 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 (please explain): We are requesting that our detached garage be rebuilt 2.2 feet off our side lot (where the current garage is located) and also that we move the garage back so that it is 3 feet off the back lot (our current garage is 4.5 feet off the back lot). We are requesting this so we have a better sight-line and less of a "swing" when backing out for the safety of our small children.

I hereby state that the proposed variation is in harmony with the spirit and intent of this Chapter (please explain): Our current garage is already 2.2 feet off our side lot, so there would be no change to the existing side lot with this new garage. We are requesting that the garage be moved back 1.5 feet (from 4.5 feet to 3 feet off the back lot). We believe moving the garage back would be a small change to our yard and our surrounding neighbor's yards.

I hereby state that the variance requested is the minimum variance necessary to allow reasonable use of the property (please explain): We are requesting these variances so we have a better sight-line and less of a "swing" when backing out for the safety of our small children. Our daughter is almost 4 years old and we have a side door off the driveway. Any amount of feet we can move the garage back and keep the garage at the same distance off the side lot would be the safest outcome for our children.

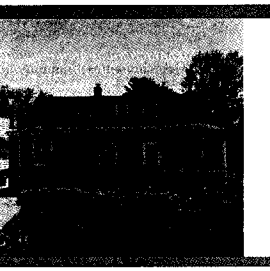
Signed: _____ Date: 12/2/2020

Petitioner

#5

Matthew J. Taylor
Attorney at Law
847-894-8038 Matt@MJTaylorLaw.com





PROPERTY ADDRESS: 304 W. HAWTHORNE STREET, ARLINGTON HEIGHTS, ILLINOIS 60004

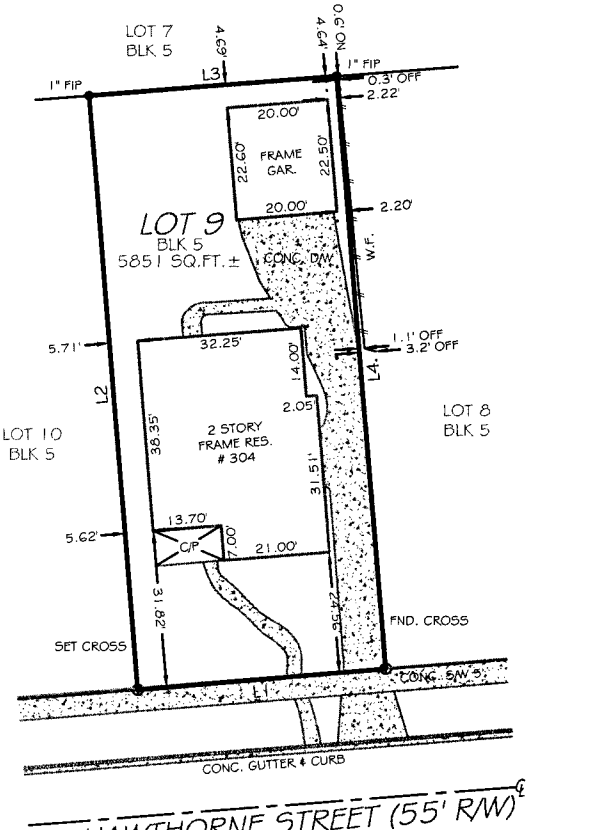
SURVEY NUMBER: IL1905.4984

FIELD WORK DATE: 5/22/2019 **REVISION DATE(S):** (REV.0 5/29/2019)

19054984
BOUNDARY SURVEY
COOK COUNTY

LOT 9 IN BLOCK 5 IN E.P. MUELLER'S ALTENHEIM SUBDIVISION OF THE EAST 28 ACRES MORE OR LESS OF THE SOUTH EAST QUARTER OF THE NORTH EAST QUARTER OF SECTION 30, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

TABLE:
L1 S 85°05'04" W 49.65' (R), 49.57' (M)
L2 N 4°36'10" W 120.00' (R), 120.06' (M)
L3 N 85°28'29" E 49.62' (R) 49.65' (M)
L4 S 4°35'32" E 120.00' (R), 119.72' (M)





STATE OF ILLINOIS }
COUNTY OF DuPAGE } SS

THIS IS TO CERTIFY THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. GIVEN UNDER MY HAND AND SEAL THIS 27TH DAY OF MAY, 2019 AT 312 S. HALE STREET IN WHEATON, IL 60187.

ILLINOIS PROFESSIONAL LAND SURVEYOR No. 2971
LICENSE EXPIRES 11/30/2020
EXACTA LAND SURVEYORS
PROFESSIONAL DESIGN FIRM 184008059-0008

30 0 15 30
GRAPHIC SCALE (In Feet)
1 inch = 30' ft.



THE ABOVE SURVEY IS A PROFESSIONAL SERVICE IN COMPLIANCE WITH THE MINIMUM STANDARDS OF THE STATE OF ILLINOIS. NO IMPROVEMENTS SHOULD BE MADE ON THE BASIS OF THIS PLAT ALONE. PLEASE REFER ALSO TO YOUR DEED, TITLE POLICY AND LOCAL ORDINANCES. COPYRIGHT BY EXACTA ILLINOIS SURVEYORS. THIS DOCUMENT MAY ONLY BE USED BY THE PARTIES TO WHICH IT IS CERTIFIED. PLEASE DIRECT QUESTIONS OR COMMENTS TO EXACTA ILLINOIS SURVEYORS, INC. AT THE NUMBER IN THE BOTTOM RIGHT CORNER.

CLIENT NUMBER: RE19-051 **DATE:** 05/29/19

BUYER: TIMOTHY & MELISSA WHALEN

SELLER:

CERTIFIED TO: TIMOTHY & MELISSA WHALEN; FIRST AMERICAN TITLE

This is page 1 of 2 and is not valid without all pages.

POINTS OF INTEREST

Exacta Proudly Supports
THE cara PROGRAM
transforming lives...
www.thecaraprogram.org
Since 1991, The Cara Program has placed more than 4,800 motivated adults into more than 6,800 quality jobs, catalyzing the same number of families to stop the transfer of poverty from one generation to the next.

EXACTA LAND SURVEYORS, LLC.
LB# 184008059
316 East Jackson Street, Morris, IL 60450
Phone: 773.305.4011
Please remit payment to: 2132 E 9th St, Suite 310 | Cleveland, OH 44115

LEGAL DESCRIPTION:

LOT 9 IN BLOCK 5 IN E.P. MUELLER'S ALTENHEIM SUBDIVISION OF THE EAST 28 ACRES MORE OR LESS OF THE SOUTH EAST QUARTER OF THE NORTH EAST QUARTER OF SECTION 30, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

JOB SPECIFIC SURVEYOR NOTES:

GENERAL SURVEYOR NOTES:

1. The legal description used to perform this survey was supplied by others. The survey does not determine or imply ownership.
2. This survey only shows improvements found above ground. Underground footings, utilities, and encroachments are not located on this survey map.
3. If there is a septic tank, well or drain field on this survey, the location of such items was shown to us by others and are not verified.
4. This survey is exclusively for the use of the parties to whom it is certified.
5. Any additions or deletions to this 1-page survey document are strictly prohibited.
6. Dimensions are in feet and decimals thereof.
7. Due to varying construction standards, house dimensions are approximate.
8. Any FEMA flood zone data contained in this survey is for informational purposes only. Research to obtain such data was performed at www.fema.gov.
9. All pins marked as set are 5/8 diameter, 18" iron rebar.
10. Unless specifically stated otherwise, an examination of the abstract of title was not performed by the signing surveyor to determine which instruments, if any, are affecting this property.
11. Points of Interest (POI's) are selected above-ground improvements which may be in conflict with boundary, building setback, or easement lines, as defined by the parameters of this survey. There may be additional POI's which are not shown, not called-out as POI's, or which are otherwise unknown to the surveyor. These POI's may not represent all items of interest to the viewer.
12. Utilities shown on the subject property may or may not indicate the existence of recorded or unrecorded utility easements.
13. The information contained in this survey has been performed exclusively and is the sole responsibility of Exacta Land Surveyors, LLC. Additional logo or references to third party firms are for informational purposes only.
14. House measurements should not be used for new construction or planning. Measurements should be verified prior to such activity.
15. Surveyor bearings are used for angular reference and are used to show angular relationships of lines only and are not related or orientated to true or magnetic north. Bearings are shown as surveyor bearings, and when shown as matching those on the subdivision plats on which this survey is based, they are to be deemed no more accurate as the determination of a north orientation made on and for those original subdivision plats. North 0 degrees east is assumed and upon preparation of this plat, the resulting bearing between found points as shown on this survey is the basis of said surveyor bearings as defined and required to be noted by Illinois Administrative Code Title 68, Chapter VII, Sub-Chapter B, Part 1270, Section 1270.56, Paragraph B, Sub-Paragraph 6, Item k.

LEGEND:

SURVEYOR'S LEGEND

LINETYPES: (UNLESS OTHERWISE NOTED)

BOUNDARY LINE
STRUCTURE
CENTERLINE
CHAIN-LINK or WIRE FENCE
EASEMENT
EDGE OF WATER
IRON FENCE
OVERHEAD LINES
SURVEY TIE LINE
WALL OR PARTY WALL
WOOD FENCE
VINYL FENCE

SURFACE TYPES: (UNLESS OTHERWISE NOTED)

ASPHALT
BRICK or TILE
CONCRETE
COVERED AREA
WATER
WOOD

SYMBOLS: (UNLESS OTHERWISE NOTED)

BENCH MARK
CENTERLINE
CENTRAL ANGLE or DELTA
COMMON OWNERSHIP
CONTROL POINT
CONCRETE MONUMENT
CATCH BASIN
ELEVATION
FIRE HYDRANT
FND OR SET MONUMENT
GUYWIRE OR ANCHOR
MANHOLE
TREE
UTILITY OR LIGHT POLE
WELL

(C)	CALCULATED
(D)	DEED
(F)	FIELD
(M)	MEASURED
(P)	PLAT
(R)	RECORD
(S)	SURVEY
A.S.B.L.	ACCESSORY SETBACK LINE
A/C	AIR CONDITIONING
B.C.	BLOCK CORNER
B.F.P.	BACKFLOW PREVENTOR
B.R.	BEARING REFERENCE
B.R.L.	BUILDING RESTRICTION LINE
B/W	BAY/BOX WINDOW
BLDG.	BUILDING
BLK.	BLOCK
BM	BENCHMARK
BSMT.	BASEMENT
C	CURVE
C.B.	CONCRETE BLOCK
C.L.F.	CHAIN LINK FENCE
C.O.	CLEAN OUT
C.V.G.	CONCRETE VALLEY GUTTER
C/L	CENTER LINE
C/P	COVERED PORCH
C/S	CONCRETE SLAB
CATV	CABLE TV RISER
CH	CHORD BEARING
CHIM.	CHIMNEY
CONC.	CONCRETE
COR.	CORNER
CS/W	CONCRETE SIDEWALK
D.F.	DRAIN FIELD
D.H.	DRILL HOLE
D/W	DRIVEWAY
E.O.W.	EDGE OF WATER
ELEV.	ELEVATION
EM	ELECTRIC METER
ENCL.	ENCLOSURE
ENT.	ENTRANCE
EUB	ELECTRIC UTILITY BOX
F.F.	FINISHED FLOOR
F.O.P.	EDGE OF PAVEMENT
F/DH	FOUND DRILL HOLE
FCM	FND. CONCRETE MONUMENT
FIP	FOUND IRON PIPE
FIPC	FOUND IRON PIPE & CAP
FIR	FOUND IRON ROD
FIRC	FOUND IRON ROD & CAP
FN	FOUND NAIL
FN&D	FOUND NAIL AND DISC
FND.	FOUND
FPKN	FOUND PARKER-KALON NAIL
FPKN&D	FOUND PK NAIL & DISC
FRRSPK	FOUND RAILROAD SPIKE
GAR.	GARAGE
GM	GAS METER
ID.	IDENTIFICATION
ILL.	ILLEGIBLE
INST.	INSTRUMENT
INT.	INTERSECTION
L	LENGTH
LB#	LICENSE # - BUSINESS
LS#	LICENSE # - SURVEYOR
M.B.	MAP BOOK
M.E.S.	MITERED END SECTION
M.F.	METAL FENCE
MES	MITERED END SECTION
MH	MANHOLE
N.R.	NON RADIAL
N.T.S.	NOT TO SCALE
NAVD88	NORTH AMERICAN VERTICAL DATUM OF 1988
NGVD29	NATIONAL GEODETIC VERTICAL DATUM OF 1929
O.C.S.	ON CONCRETE SLAB
O.G.	ON GROUND
O.R.B	OFFICIAL RECORD BOOK
O.R.V.	OFFICIAL RECORD VOLUME
O/A	OVERALL
O/S	OFFSET
OFF	OUTSIDE OF SUBJECT PARCEL
OH.	OVERHANG
OHL	OVERHEAD LINES
ON	INSIDE OF SUBJECT PARCEL
P.B.	PLAT BOOK
P.C.	POINT OF CURVATURE
P.C.C.	POINT OF COMPOUND
P.C.P.	CURVATURE PERMANENT CONTROL POINT
P.I.	POINT OF INTERSECTION
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
P.P.	PINCHED PIPE
P.R.C.	POINT OF REVERSE CURVATURE
P.R.M.	PERMANENT REFERENCE MONUMENT
P.T.	POINT OF TANGENCY
P/E	POOL EQUIPMENT
PG.	PAGE
PLS	PROFESSIONAL LAND SURVEYOR
PLT	PLANTER
PSM	PROFESSIONAL SURVEYOR AND MAPPER
R	RADIUS or RADIAL
R.P.	RADIUS POINT
R/W	RIGHT OF WAY
RES.	RESIDENCE
RGE.	RANGE
S.B.L.	SET BACK LINE
S.C.L.	SURVEY CLOSURE LINE
S.T.L.	SURVEY TIE LINE
S.W.	SEAWALL
S/GD	SET GLUE DISC
S/W	SIDEWALK
SCR.	SCREEN
SEC.	SECTION
SEP.	SEPTIC TANK
SEW.	SEWER
SIRC	SET IRON ROD & CAP
SN&D	SET NAIL & DISC
SQ.FT.	SQUARE FEET
STY.	STORY
SV	SEWER VALVE
T.O.B.	TOP OF BANK
TBM	TEMPORARY BENCHMARK
TEL.	TELEPHONE FACILITIES
TWP.	TOWNSHIP
TX	TRANSFORMER
TYP.	TYPICAL
U.R.	UTILITY RISER
UG	UNDERGROUND
UR	UTILITY RISER
V.F.	VINYL FENCE
W.F.	WOODEN FENCE
W/C	WITNESS CORNER
W/F	WATER FILTER
WM	WATER METER/VALVE BOX
WV	WATER VALVE
A.E.	ACCESS EASEMENT
AN.E.	ANCHOR EASEMENT
C.M.E.	CANAL MAINTENANCE ESMT.
C.U.E.	COUNTY UTILITY ESMT.
D.E.	DRAINAGE EASEMENT
D.U.E.	DRAINAGE AND UTILITY ESMT.
ESMT.	EASEMENT
I.E./E.E.	INGRESS/EGRESS ESMT.
IRR.E.	IRRIGATION EASEMENT
L.A.E.	LIMITED ACCESS ESMT.
L.B.E.	LANDSCAPE BUFFER ESMT.
L.E.	LANDSCAPE ESMT.
L.M.E.	LAKE OR LANDSCAPE MAINTENANCE EASEMENT
M.E.	MAINTENANCE EASEMENT
P.U.E.	PUBLIC UTILITY EASEMENT
R.O.E.	ROOF OVERHANG ESMT.
S.W.E.	SIDEWALK EASEMENT
S.W.M.E.	STORM WATER MANAGEMENT EASEMENT
T.U.E.	TECHNOLOGICAL UTILITY ESMT.
U.E.	UTILITY EASEMENT

ELECTRONIC SIGNATURE:

In order to "Electronically Sign" all of the PDFs sent by STARS, you must use a hash calculator. A free online hash calculator is available at http://www.fileformat.info/tool/md5sum.htm. To Electronically Sign any survey PDF: 1. Save the PDF onto your computer. 2. Use the online tool at http://www.fileformat.info/tool/md5sum.htm to browse for the saved PDF on your computer. 3. Select the Hash Method as SHA. 4. Click Submit. Your PDF is electronically signed if all of the characters in the SHA-1 code submitted by STARS matches the code which is produced by the hash calculator. If they match exactly, your PDF is electronically signed. If the codes do not match exactly, your PDF is not authentic.

PRINTING INSTRUCTIONS:

1. While viewing the survey in Adobe Reader, select the "Print" button under the "File" tab.
2. Select a printer with legal sized paper.
3. Under "Print Range", click select the "All" toggle.
4. Under the "Page Handling" section, select the number of copies that you would like to print.
5. Under the "Page Scaling" selection drop down menu, select "None."
6. Uncheck the "Auto Rotate and Center" checkbox.
7. Check the "Choose Paper size by PDF" checkbox.
8. Click OK to print.

TO PRINT IN BLACK + WHITE:

1. In the main print screen, choose "Properties".
2. Choose "Quality" from the options.
3. Change from "Auto Color" or "Full Color" to "Gray Scale".

OFFER VALID ONLY FOR THE BUYERS LISTED ON THE FIRST PAGE OF THIS SURVEY:

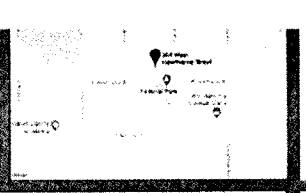
10 OFF

OF FUTURE SURVEYING SERVICES ON THIS PROPERTY,

*Offer valid for fence stakeouts and additions to the existing structures only. Valid only for the buyer as listed on the first page of this survey for up to one year after survey issuance date. Total discount not to exceed $500.

EXACTA LAND SURVEYORS, LLC.
LB# 184008059
316 East Jackson Street, Morris, IL 60450
Phone: 773.305.4011

Matthew J. Taylor
Attorney at Law
847-894-8038 Matt@MJTaylorLaw.com





PROPERTY ADDRESS: 304 W. HAWTHORNE STREET, ARLINGTON HEIGHTS, ILLINOIS 60004

SURVEY NUMBER: IL1905.4984

FIELD WORK DATE: 5/22/2019 **REVISION DATE(S):** (REV0 5/29/2019)

19054984
BOUNDARY SURVEY
COOK COUNTY

FLOOR AREA RATIO COVERAGE CALCULATIONS :
LOT AREA = 5958 X 50% = 2979SF

	EXISTING :	PROPOSED:
HOUSE..(1st&2nd Floor)	1433	1433
PORCH...	89	89
GARAGE	450	572
APRON...	0	78
DRIVEWAY..	925	1056
STAIRS&AREAWAYS...	110	110
SHED...	0	0
TOTAL F.A.R. :	3007	3,338
% TOTAL F.A.R. :	50%	56%

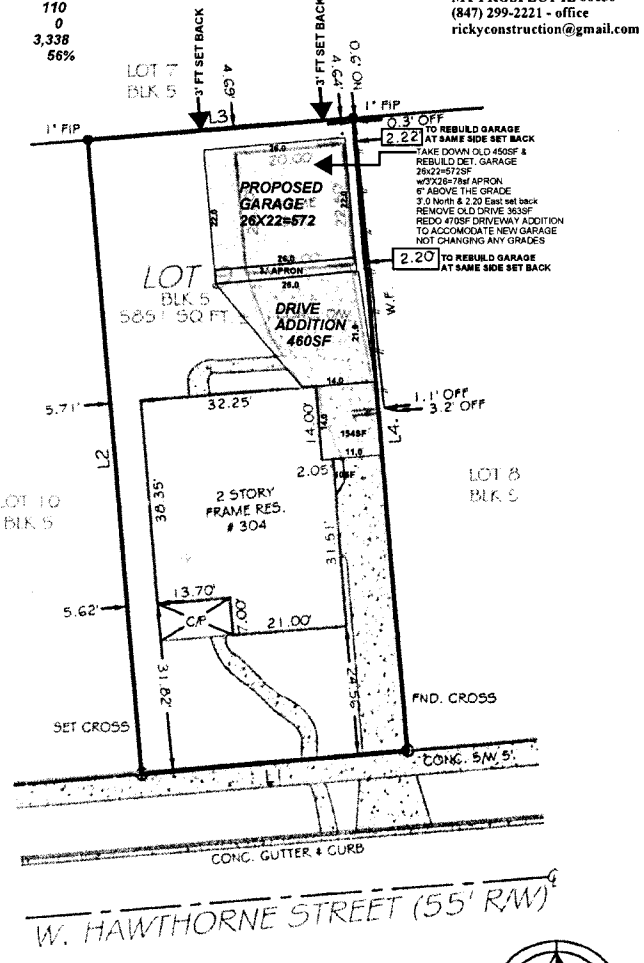
OWNER:
TIMOTHY WHALEN
304 W. HAWTHORNE ST
ARLINGTON HTS, IL 60004
(847)712-4611
tvw1987@gmail.com

RICKY CONSTRUCTION, INC
141 E. ANITA AVE
MT PROSPECT IL 60056
(847) 299-2221 - office
rickyconstruction@gmail.com

LOT 9 IN BLOCK 5 IN E.P. MUELLER'S ALTENHEIM SUBDIVISION OF THE EAST 28 ACRES MORE OR LESS OF THE SOUTH EAST QUARTER OF THE NORTH EAST QUARTER OF SECTION 30, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

TABLE:
L1 S 85°05'04" W 49.65' (R), 49.57' (M)
L2 N 4°36'10" W 120.00' (R), 120.06' (M)
L3 N 85°28'29" E 49.62' (R) 49.65' (M)
L4 S 4°35'32" E 120.00' (R), 119.72' (M)





30 0 15 30
GRAPHIC SCALE (In Feet)
1 inch = 30' ft.

STATE OF ILLINOIS } SS
COUNTY OF DuPAGE }

THIS IS TO CERTIFY THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. GIVEN UNDER MY HAND AND SEAL THIS 27TH DAY OF MAY, 2019 AT 312 S. HALE STREET IN WHEATON, IL 60187.

ILLINOIS PROFESSIONAL LAND SURVEYOR No. 2971
LICENSE EXPIRES 11/30/2020
EXACTA LAND SURVEYORS
PROFESSIONAL DESIGN FIRM 184008059-0008

THE ABOVE SURVEY IS A PROFESSIONAL SERVICE IN COMPLIANCE WITH THE MINIMUM STANDARDS OF THE STATE OF ILLINOIS. NO IMPROVEMENTS SHOULD BE MADE ON THE BASIS OF THIS PLAT ALONE. PLEASE REFER ALSO TO YOUR DEED, TITLE POLICY AND LOCAL ORDINANCES. COPYRIGHT BY EXACTA ILLINOIS SURVEYORS. THIS DOCUMENT MAY ONLY BE USED BY THE PARTIES TO WHICH IT IS CERTIFIED. PLEASE DIRECT QUESTIONS OR COMMENTS TO EXACTA ILLINOIS SURVEYORS, INC. AT THE NUMBER IN THE BOTTOM RIGHT CORNER.

CLIENT NUMBER: RE19-051 **DATE:** 05/29/19

BUYER: TIMOTHY & MELISSA WHALEN

SELLER:

CERTIFIED TO: TIMOTHY & MELISSA WHALEN; FIRST AMERICAN TITLE

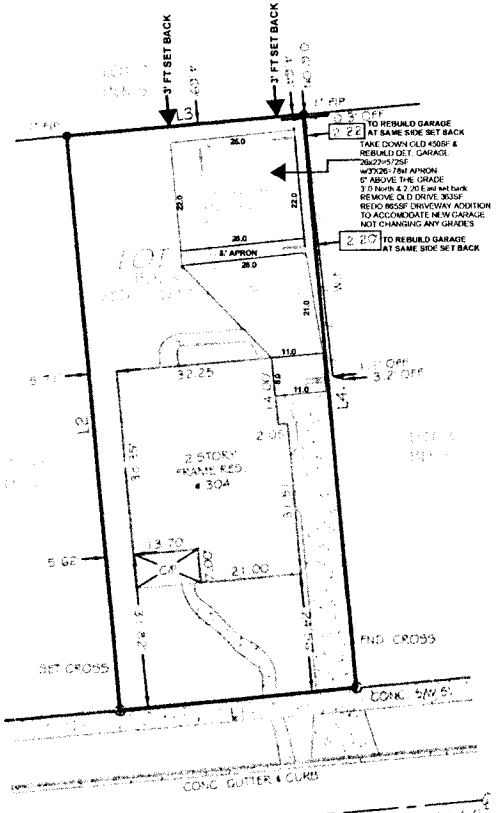
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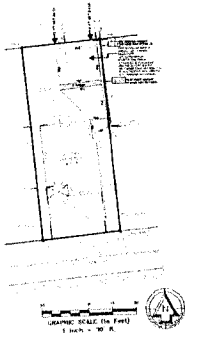
POINTS OF INTEREST

Exacta Proudly Supports
THE cara PROGRAM
transforming lives...
www.theCaraProgram.org
Since 1981, The Cara Program has placed more than 7,000 motivated adults into more than 4,500 quality jobs, exceeding the same number of families to stop the transfer of poverty from one generation to the next.

EXACTA LAND SURVEYORS, LLC.
LIC# 184008059
316 East Jackson Street, Morris, IL 60450
Phone: 773.305.4011

PROPOSED DETACHED FRAME GARAGE
FOR
TIMOTHY WHALEN
304 W. HAWTHORN ST ARLINGTON HTS, IL 60004





GENERAL NOTES

1. ALL CODES HAVING JURISDICTION SHALL BE OBSERVED STRICTLY IN CONSTRUCTION OF THE PROJECT INCLUDING ALL APPLICABLE STATE, CITY AND COUNTY BUILDING , ZONING , ELECTRICAL, MECHANICAL, PLUMBING AND FIRE CODES. CONTRACTOR SHALL VERIFY ALL CODE REQUIREMENTS AND BRING ANY DISCREPANCIES BETWEEN CODE REQUIREMENTS AND THE CONSTRUCTION DOCUMENTS TO THE ATTENTION OF THE COMPANY
2. ALL CODES TRADE STANDARDS AND MANUFACTURER'S INSTRUCTIONS REFERENCED IN THE CONTRACT DOCUMENTS SHALL BE LATEST EDITION.
3. DETAILS AND SECTION ON THE DRAWINGS ARE SHOWN AT SPECIFIC LOCATIONS AND ARE INTENDED TO SHOW GENERAL REQUIREMENTS THROUGHOUT. DETAILS NOTED "TYPICAL" IMPLY ALL CONDITIONS TREATED SIMILARLY MODIFICATIONS TO BE MADE BY CONTRACTOR TO ACCOMMODATE MINOR VARIATIONS.
4. ALL DRAWINGS SHALL BE FULLY COORDINATED BY CONTRACTOR TO VERIFY ALL DIMENSIONS. LOCATE DEPRESSED SLABS. SLOPES, DRAINS, OUTLETS, RECESSES, REGRETS, BOLT SETTINGS, SLEEVES, ETC.
5. THE CONTRACTOR SHALL VERIFY AND PROTECT ALL SERVICES LINES AND EXISTING SITE AREA FROM DETERIORATION OR DAMAGE.
6. THE COMPANY SHALL NOT BE RESPONSIBLE FOR THE SAFETY AND CONSTRUCTION PROCEDURES. TECHNIQUES OR THE FAILURE OF THE BUILDER TO CARRY OUT THE WORK IN ACCORDANCE WITH THE DRAWINGS OR THE REQUIRED CODES.
7. CONTRACTOR SHALL BRING ERRORS AND OMISSIONS WHICH MAY OCCUR IN CONTRACT DOCUMENT TO THE ATTENTION OF THE COMPANY IN WRITING, AND WRITTEN INSTRUCTION SHALL BE OBTAINED BEFORE PROCEEDING WITH THE WORK, THE CONTRACTOR WILL BE HELD RESPONSIBLE FOR THE RESULTS OF ANY ERRORS, DISCREPANCIES OR OMISSIONS IN THE CONTRACT DOCUMENTS OF WHICH THE CONTRACTOR FAILED TO NOTIFY THE COMPANY BEFORE CONSTRUCTION AND OR FABRICATIONS OF THE WORK.
8. THE CONTRACTOR AND SUBCONTRACTOR SHALL VERIFY ALL DIMENSIONS AND JOB CONDITIONS AT THE JOB SITE SUFFICIENTLY IN ADVANCE OF WORK TO BE PERFORMED TO ASSURE THE ORDERLY PROGRESS OF THE WORK.
9. CONTRACTORS SHALL MAINTAIN THE PREMISES CLEAN AND FREE OF ALL TRASH, DEBRIS, AND SHALL PROTECT ALL ADJACENT WORK FROM DAMAG, SOILING, PAINT, OVERSUPPLY, ETC. ALL FIXTURES, EQUIPMENT, GLAZING, FLOORS ETC SHALL BE LEFT CLEAN AND READY FOR OCCUPANCY UPON COMPLETION OF THE PROJECT.
10 ALL MANUFACTURER'S PRINTED WARNINGS FOR HANDLING OF PRODUCTS MUST BE STRICTLY OBSERVED. THE WORDS "OR EQUAL" ARE TO BE ASSUMED WHENEVER A SPECIFIC MANUFACTURER IS NOTED, HOWEVER ALL SUBSTITUTIONS MUST BE APPROVED BY THE CONSECUTION MANAGER.

CONCRETE NOTES

1. ALL CONCRETE FOOTINGS TO BEAR ON SOLID UNDISTURBED SOIL WITH A MINIMUM BEARING CAPACITY OF 3000 LB. PER SQ. FT. AND TO A DEPTH OF BELOW GRADE 12"
2. CONCRETE CONTRACTOR TO VERIFY ALL FIELD CONDITIONS AND DIMENSIONS TO INSURE PROPER LOCATION OF CONCRETE WORK.
3. ALL CONCRETE SHALL HAVE A 28 DAY STRENGTH OF 3000 LB. SQ. IN. CONCRETE FLATWORK TO BE LEVEL AND TO HAVE A BROOM FINISH
4. ALL SLTEEL REINFORCEMENT SHALL BE A.S.T.M. 615 GRADE 60. NEW FILLETSTEEL AND SHALL HAVE DEFORMATION CONFORMIN TO A-305
5. DETAILING, BENDING AND PLACING OF ALL STEEL REINFORCEMENT SHALL COMPLY WITH THE LATEST EDITION OF A.C.I.
6. FORMS SHALL NOT BE STIPPED FROM CONCTETE WALLS SOONER THAN 48 HOURS FROM TIME OF POUR
7. BREAK OFF WALL TIES BEFORE DAMPROOFING
8. THERE SHALL BE NO UNEVEN BACKFILL AGAINST FOUNDATION WALL BACKFILLING SHALL NOT OCCUR UNTIL FRAMING IS COMPLETED
9. BACKFILLING WITH SAND OR OTHER APPROVED GRANULAR FILL IN AREAS WHERE CAST IRON AND OR CLAY TILES PIPES ARE TO BE INSTALLED AS WELL AS ESCAVATED AREAS WHERE SLAB ON GRADE TO BE POURED
10. NO BACKFILLING SHALL OCCUR SOONER THAN SEVEN DAYS AFTER POURING CONCRETE.

MOISTURE PROTECTION NOTES

1.ROOFER SHALL WORK WITH CONTRACTORS FURNISHING ITEMS EXTENDING THROUGH ROOF TO INSURE WATERTIGHT CONNECTION IN ACCORDANCE WITH THE ROOFING MANUFACTURER'S SPECIFICATIONS.
2.SEALANT FOR CAULKING SHALL BE TREMCO ,MONO" ONE PART ACRYLIC SEALANT MANUFACTURER BY THE TREMCO MANUFACTURING COMPANY. CAULK ALL JOINTS BETWEEN SIMILAR AND DISSIMILAR MATERIALS, INTERIOR AND EXTERIOR AS DETAILED AND REQUIRED TO PREVENT AIR AND WATER INFILTRATIO COLOR BY OWNER.
3.PROVIDE 26 GAUGE G.I. METAL FLASHING AT ALL MISCELLANEOUS FLASHING THAT HAVE NOT BEEN SPECIFIED
4.METAL SILLS, COPINGS, FLASHING AND MISCELLANEOUS FLASHING TO FORMED ALUMINUM WITH BAKED ACRYLIC FINISH. PROVIDE CONCEALED ANCHORS
5.SHINGLE ROOFING TO HAVE FIBERGLASS BASED ASPHALT SHINGLE OVER 30 LB. FELT UNDERLAYMENT PER SHINGLE MANUFACTURER'S SPECIFICATIONS. MANUFACTURER TO BE GAF OR APPROVED EQUAL MATCH EXISTING COLOR AS CLOSE AS POSSIBLE.
6.APPROVED CORROSION RESISTIVE FLASHING SHALL BE PROVIDED AT TOP AND ALL SIDES OF ALL EXTERIOR WINDOW AND DOOR OPENINGS. SIMILAR FLASHING SHALL BE INSTALLED AT THE INTERSECTION OF CHIMNEYS AND THE MASONRY CONSTRUCTION WITH FRAME WALLS.
7. PROVIDE ICE SHIELD BY W.R. GRACE OR EQUAL TO EXTEND FROM EDGES OF EAVE TO A POINT 36" INSIDE EXTERIOR WALL LINE

CARPENTRY NOTES

1.PROVIDE ALL CARPENTRY WORK WITHIN AS SHOWN, INSTALL ALL MILLWORK ROUGH AND FINISHED HARDWARE.
2. WOOD STRUCTURAL MEMBERS TO HAVE MINIMUM LUMBER STRESS GRADE AS FOLLOWS. DOUGLAS FIR NUMBER 2 OR SOUTHERN PINE NUMBER 2 MEDIUM GRAIN (Fg=1250 PSI SINGLE, Fb=1450 PSI REPETITIVE)MAXIMUM ALLOWABLE MOISTURE CONTENT SHALL BE 19%.
3. PROVIDE SOLID WOOD B LOCKING NOT OVER 6 FEET ON CENTER ON ALL WOOD JOISTS.
4.PROVIDE BLOCKING OF CONSTRUCTION HEM FIR AS SHOWN OR AS NECESSARY FOR SUPPORT OF FURRED SPACES, FRAMING FOR MILLWORK & OTHER FINISHED MATERIALS WITH ALL NAILS BOLTS & DEVICES NECESSARY FOR RIGID SUPPORT OF WORK.
5.PROVIDE ALL NECESSARY ITEMS OF BUILDER'S HARDWARE TO ASSEMBLE AND OR SECURE WORK AS SHOWN OR SPECIFIED UNDER CARPENTRY OR MILLWORK. DO ALL REFITTING OR ADJUSTING FOR A PERIOD OF ONE YEAR AFTER FINAL PAYMENT AND AT NO COST TO THE OWNER. AFTER REFITTING, REFINISH WOODWORK AS SPECIFIED FOR ORIGINAL INSTALLATION.
6.ROOF SHEATHING TO BE 5/8" DFPA EXTERIOR PLYWOOD UNLESS OTHERWISE NOTED ON DRAWINGS.
9.EXTERIOR WOOD TRIM TO BE WESTERN RED CEDAR, CONSTRUCTION GRADE FOR EXPOSED AREAS.
10.PROVIDED FIRE STOPPING ACCORDING TO LOCAL CODE.
11.ALL HEADERS SHALL MEET THE REQUIREMENTS OF THE DWELLING CODE, SECTION R-402.6
12.PROVIDE TREATED 2X SILL PLATE AGAINST CONCRETE.
13. DOUBLE ALL JOISTS UNDER ALL PARALLEL PARTITIONS.
14 PROVIDE WOOD PLATE ON TOP OF ALL STEEL BEAMS.
15.PROVIDE DOUBLE RAFTERS AND HEADERS AROUND ALL ROOF OPENINGS.

30 0 15 30

GRAPHIC SCALE (In Feet)
1 inch = 30' ft.

TABLE OF CONTENT

A1- SITE PLAN , NOTES , - GENERAL NOTES, CODES

A2- FOUNDATIION PLAN - FIRST FLOOR PLAN -

A3- NORTHWEST ELEVATION - SOUTHWEST ELEVATION - SOUTHEAST ELEVATION-NORTHEAST ELEVATIONS TYPICAL SECTION

SCOPE OF WORK

26'-0" X 22'-0"
FRAME GARAGE

- ICC 2018 International Building Code..... *(23)
- ICC 2018 International Residential Code..... *(23)
- ICC 2018 International Fire Code..... *(27)
- ICC 2018 International Existing Building Code..... *(23)
- ICC 2018 International Mechanical Code..... *(23)
- ICC 2018 International Fuel Gas Code..... *(23)
- ICC 2018 International Swimming Pool and Spa Code *(23)
- NFPA 2017 National Electrical Code..... *(23)
- ICC 2018 International Property Maintenance Code... *(26)
- Illinois Plumbing Code..... *(23)
- Illinois Energy Conservation Code
- Illinois Accessibility Code
- Illinois Elevator Safety Rules
- NFPA 2015 Life Safety Code (OSFM)

RICKY CONSTRUCTION, INC
141 E. ANIATA AVE. MT PROSPECT, IL 60056
847-299-2221

PROPOSED DETACHED FRAME GARAGE
FOR
TIMOTHY WHALEN
304 W. HAWTHORN ST ARLINGTON HTS, IL 60004

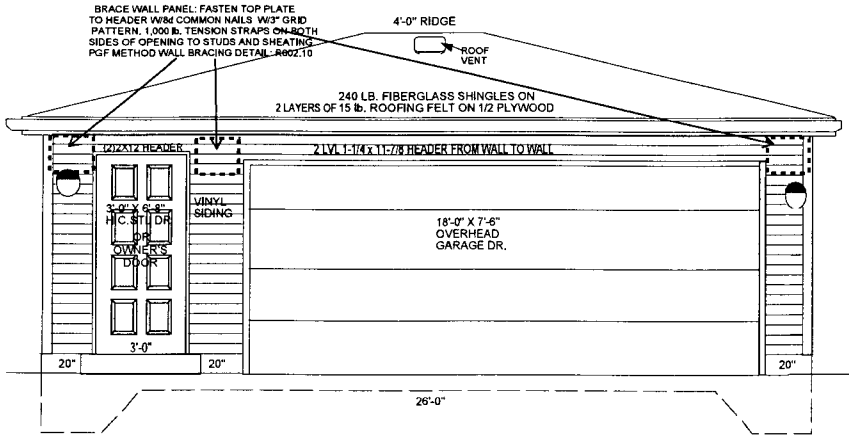
COVER SHEET- SITE PLAN- NOTES- CODES

SHEET NUMBER

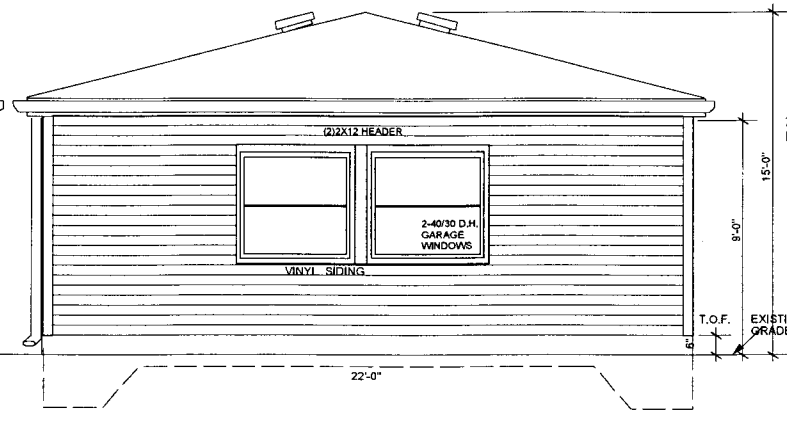
A1

OF SHEETS

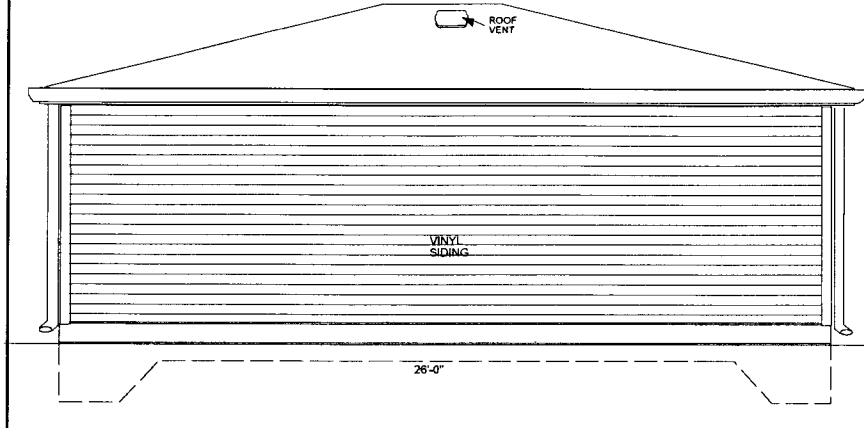
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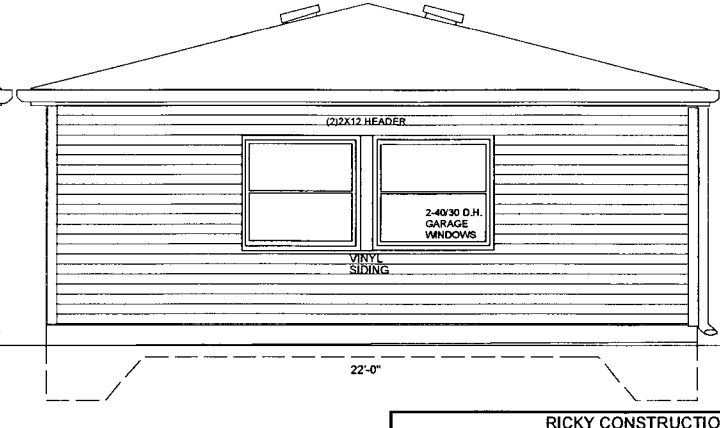
SOUTH ELEVATION
SCALE 1/4" = 1'-0"



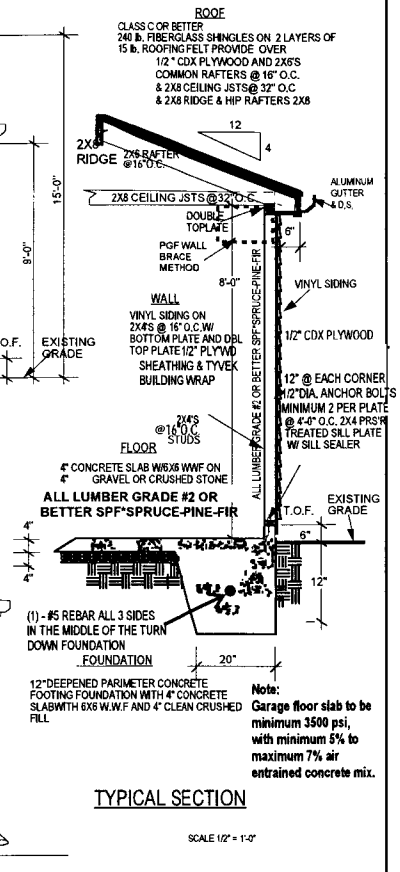
WEST ELEVATION
SCALE 1/4" = 1'-0"



NORTH ELEVATION
SCALE 1/4" = 1'-0"

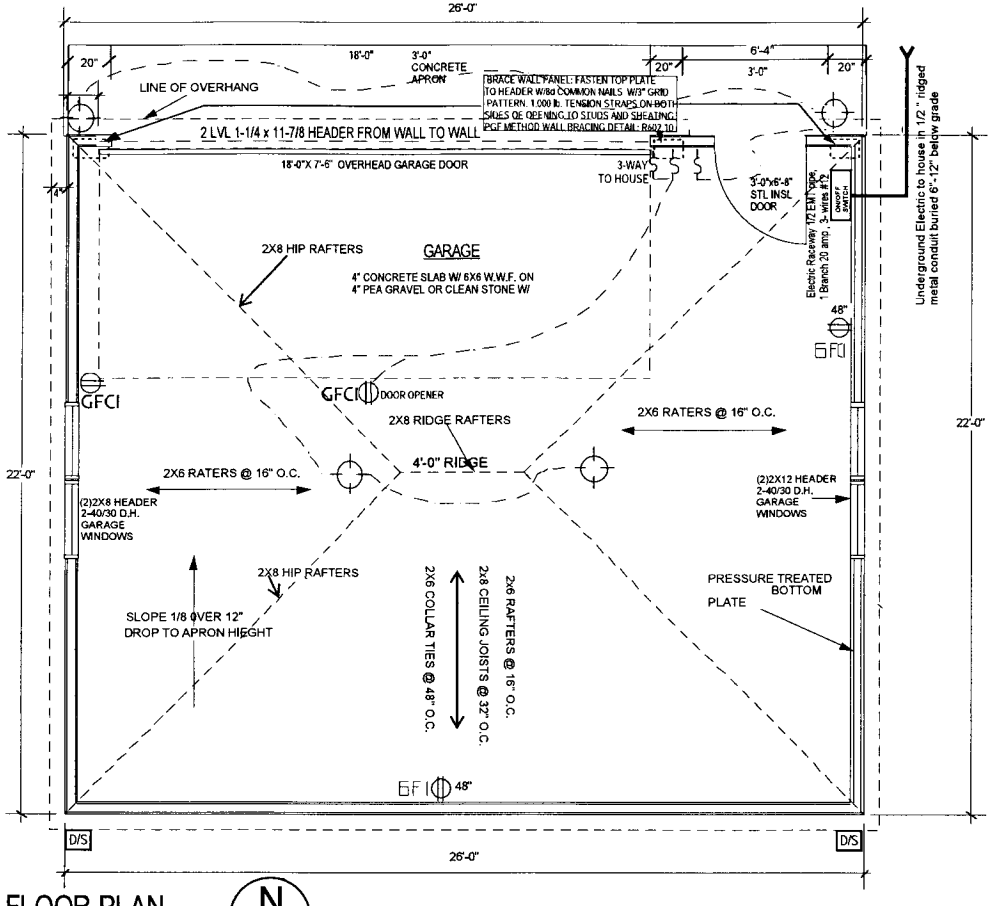


EAST ELEVATION
SCALE 1/4" = 1'-0"



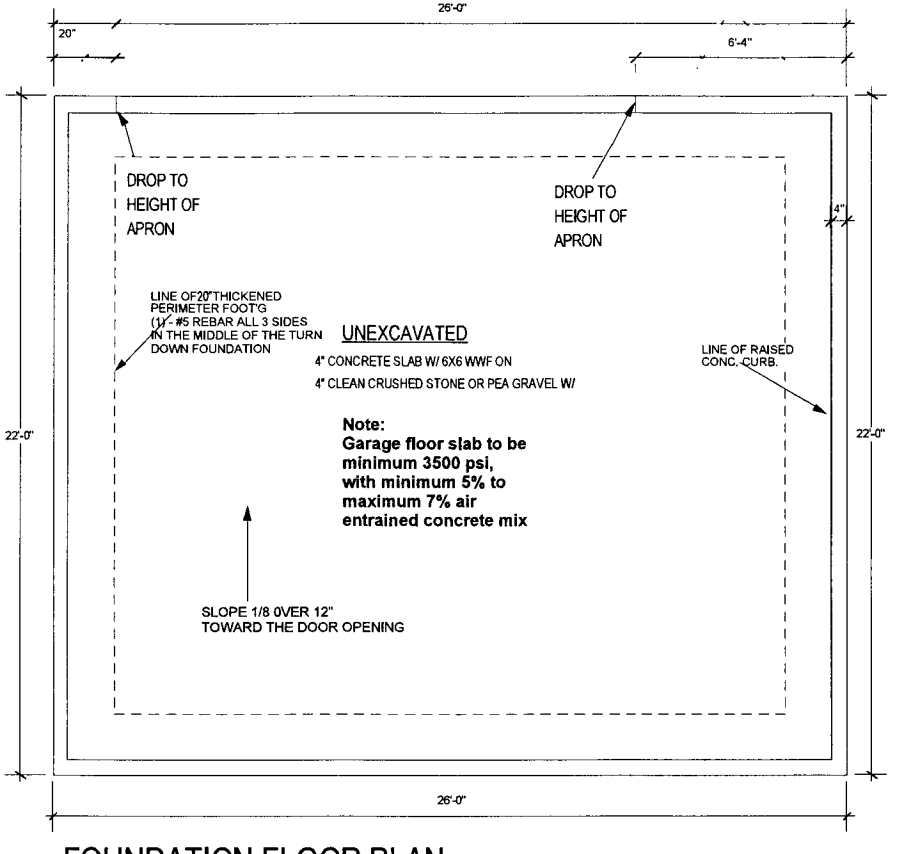
TYPICAL SECTION
SCALE 1/2" = 1'-0"

RICKY CONSTRUCTION INC. 141 E. ANIATA AVE. MT PROSPECT, IL 60056 847-299-2221	SHEET NUMBER
PROPOSED DETACHED FRAME GARAGE FOR TIMOTHY WHALEN 304 W. HAWTHORNE ST ARLINGTON HTS, IL 60004	A3
ELEVATIONS - TYPICAL SECTION	OF SHEETS



FLOOR PLAN

SCALE 1/4" = 1'-0"



FOUNDATION FLOOR PLAN

SCALE 1/4" = 1'-0"

KEY

EXISTING WALLS	2' 2 TUBE FLOURESCENT	SMOKE DETECTOR 120 V. BAT. BAKUP	
NEW. WALLS	DUPLEX OUTLET	CARBON MONOXIDE DETECTOR	
VENT LIGHT VL	GROUND FAULT INTERUPT OUTLET GFI	F.D. -4" FLOOR DRAIN	
LIGHT FIXTUE	ELECTRICAL SWITCH		

RICKY CONSTRUCTION INC.
141 E. ANIATA AVE. MT PROSPECT, IL 60056
847-299-2221

PROPOSED DETACHED FRAME GARAGE
FOR
TIMOTHY WHALEN
304 W. HAWTHORNE ST ARLINGTON HTS, IL 60004

FLOOR PLAN - FOUNDATION PLAN

SHEET NUMBER

A2

OF SHEETS

Zoning Board of Appeals
2/8/2021

Item: 1223 E. Mayfair Rd. - ZBA#20-040

Department: Planning & Community Development

REQUEST

Lot 227
• A 45.1-foot variation from Chapter 28, Section 5.1-3.1 (Minimum Lot Width) and Section 5.1-3.1a, to allow a lot (Lot 227) with a width of 44.9 feet where 90 feet is required.

Lot 228
• A 1.6-foot variation from Chapter 28, Section 5.1-3.1 (Minimum Lot Width) and Section 5.1-3.1a, to allow a lot (Lot 228) with a width of 68.4 feet to be buildable where 70 feet is required.

• A variation from Chapter 28, Section 5.1-3.1 (Minimum Lot Size) and Section 5.1-3.1a, (Lot 228) to allow a 6,440 square foot lot to be buildable where 8,750 square feet is required.

ATTACHMENTS:

Description	**Type**
Supporting Documents	Exhibits
Public Comments	Correspondence

Petition – ZBA#20-040
PIN: 03-32-208-006, 007

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: February 8, 2021
Date Prepared: February 3, 2021
Project Title: McGraw Residence
Address: 1223 E. Mayfair Rd.

Background Information
Petition Number: ZBA #20-040
Petitioner: Michael McGraw
Address: 1223 E. Mayfair Rd.
Arlington Heights IL 60004

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

Requested Action/Background Information

The subject property is zoned R-3, Single-Family Residential District and the zoning lot is comprised of two parcels (Lot 227 and 228) for a total of 16,712 square feet. The property is part of the Stonegate Subdivision which was recorded in 1928. There are approximately seven existing trees within the parkway along Carlyle Place in front of Lot 228. As part of a cursory review, the Village Forester visited the site and deemed one of the parkway trees in poor condition and the remaining trees in fair to good condition. The parkway trees are primarily deciduous of varying sizes along with some evergreen trees.

In 2001, the petitioner did receive a variance for a second story addition that is encroaching into the required rear yard setback. In addition, the petitioner was requesting variances for lot 228 in order to create a buildable lot; however, the property owner withdrew the request at the June 11, 2001 Zoning Board of Appeals meeting.

Lot 227 is 10,272 square feet and includes a single-family home. The petitioner is seeking variations in order to create a buildable lot for the vacant parcel 228. Although the zoning lot consists of two platted lots, variations are necessary since the lots do not meet the minimum R-3 zoning requirements for lot width and area. In addition, separating the two parcels creates a nonconforming lot width for lot 227. Lot 227 is 10,272 square feet in area and 44.9 feet in width where 8,750 square feet and 90 feet in width is required. Lot 228 is 6,440 square feet in area and 68.4 feet in width where 8,750 square feet and 70 feet in width is required. Therefore, the petitioner is requesting the following variations:

Lot 227

- A 45.1-foot variation from Chapter 28, Section 5.1-3.1 (Minimum Lot Width) and Section 5.1-3.1a, to allow a lot (Lot 227) with a width of 44.9 feet where 90 feet is required.

Lot 228

- A 1.6-foot variation from Chapter 28, Section 5.1-3.1 (Minimum Lot Width) and Section 5.1-3.1a, to allow a lot (Lot 228) with a width of 68.4 feet to be buildable where 70 feet is required.

- A variation from Chapter 28, Section 5.1-3.1 (Minimum Lot Size) and Section 5.1-3.1a, (Lot 228) to allow a 6,440 square foot lot to be buildable where 8,750 square feet is required.

Zoning Requirements	Minimum Lot Size (SF)	Minimum Lot Width (feet)
Required:		
R-3 Lot	8,750	70’ for an interior lot and 90’ for a corner lot
Proposed:		
Lot 227 (Corner parcel)	10,272	44.9’
Lot 228 (Interior parcel)	6,440	68.4’

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

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

Photographs of Existing Structure







ZONING BOARD OF APPEALS
VILLAGE OF ARLINGTON HEIGHTS

FINDINGS

APPROVED
Minutes & Findings
ZBA

JUNE 11, 2001

PETITIONER:	Mike & Joanne McGraw
ADDRESS OF PROPERTY:	1223 E. Mayfair Road
VARIATION:	Sect. 5.3-4 (Req. Min. Yards) Sect. 6.6-2 (Div. Of Zoning Lot)

A request to allow a 2nd story addition, which will encroach approximately 4-ft. into the required 30-ft. rear yard of Lot #228, and to allow the Division of a Zoning Lot, which will result in the future construction of a single family house on Lot #227, which meets the minimum lot width and area requirements in the R-3 zoning district.

The petitioners are the owners of a single-family home located at 1223 E. Mayfair Road and request a variance to allow a second story addition, which will encroach approximately 4-ft. into the required 30-ft. rear yard of Lot #228, and to allow the Division of a Zoning Lot, which will result in the future construction of a single family house on Lot #227, which meets the minimum lot width and area requirements in the R-3 zoning district.

The second story addition, which the petitioner proposed to construct, will encroach no further into the existing yard than the current structure. The petitioner's hardship is the fact that his home has a flat roof and has been repaired several times, but still continues to leak. To solve the problem he plans to construct a pitched roof.

The petitioner withdrew his request for a determination that he has two buildable lots.

Proof of ownership and compliance with the Notification Provisions of the Ordinance were presented.

Based upon the foregoing as well as other evidence submitted, the Zoning Board of Appeals finds that the petitioners have carried their burden of establishing 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.

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

The granting of a variation 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.

ZONING BOARD OF APPEALS

HEARING OF PETITION BEFORE THE VILLAGE OF ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

APPROVED Minutes & Findings ZBA

JUNE 11, 2001

MEMBERS PRESENT:
William Kurnik, Chairman Pro Tem
Doug Closs
George Hauff
Kirsten Kingsley
George Shibayama
Harry E. Sturm

MEMBERS ABSENT:
Michael Wolfe

ADMINISTRATION PRESENT:
Joyce Hosler, Zoning Inspector
Building & Zoning Department

PETITIONER: Mike & Joanne McGraw

ADDRESS OF PROPERTY: 1223 E. Mayfair Road

VARIATION: Sect. 5.3-4 (Required Min. Yards)
Sect. 6.6-2 (Div. Of Zoning Lot)

A request to allow a 2nd story addition which will encroach approximately 4-ft. into the required 30-ft. rear yard of Lot #228, and to allow the Division of a Zoning Lot, which will result in the future construction of a single family house on Lot #227, which meets the minimum lot width and area requirements in the R-3 Zoning district.

There being a quorum present, Chairman Kurnik called the hearing to order at 7:10 P.M.

Mr. McGraw was present and subsequently sworn in by the Chairman.

Presented and received as Group Exhibit A – Warranty Deed dated May 19, 2001 in the name of the petitioner.

Presented and received as Group Exhibit B – The Affidavit of Compliance with Notification Provisions of the Ordinance; Notice of Public Hearing, and a list of taxpayers of record within 250 feet of the subject property which was obtained from the Wheeling Township Assessor's office. There were no mailings returned.

Presented and received as Group Exhibit C - Letter from neighbor, Laura Frederick, in support of the variance request.

Chairman Kurnik explained that the petitioner is required by the Zoning Ordinance, in testimony and through evidence, to address the following items in order for a variance to be granted: 1) a hardship would be sustained if the variance were not granted; 2) a unique circumstance exists, and 3) if the variance were granted, it would not alter the essential character of the neighborhood.

Mr. McGraw said the house was originally built in 1928 and the one story addition was built in 1948. The style of the home is Tudor with a 16/12 cedar shake roof. The house has fallen into disrepair. At the time they purchased the home they also purchased the adjacent lot next door. The existing addition violates the 30-ft. rear yard setback. It has a flat roof that leaked time and time again. They believe the roof has leaked a total of seven different since 1948. The house itself had lost over $200,000 in value because the owners did not repair the roof. They would like to eliminate the flat roof and replace it with a pitch roof similar to the roofline of the house.

The petitioner explained that the hardship is more of a "need" than a hardship. He wanted to get rid of the flat roof. Mr. McGraw's parents are elderly and not in very good health. They are hoping to have enough room in their home to accommodate his parents should they ever need to come and live with them.

The design of the addition would be in keeping with the original design of the house. A cedar shake 16/12-roof pitch would blend with the existing roof of the house as well as the surrounding homes in the neighborhood.

Mr. McGraw said he has contacted his neighbors and explained to them what he was trying to do. He said some of his neighbors were in attendance and a few of them had written letters in support of the petition.

Chairman Kurnik asked the distance from the addition to the property line. Mr. McGraw explained that the second story addition will not change the footprint of the existing addition and they will not be encroaching any further into the sideyard.

Mr. McGraw said they would be adding a master bedroom and bath with closet space on the second floor with a total of four bedrooms for the whole house. The footprint of the house is 2400 square feet.

The Chairman then asked if there was anyone in the audience who wished to be heard on the addition aspect of the petition and there was no one.

Ms. Kingsley asked if the addition would exceed the Floor Area Ratio required by code. Ms. Hosler said "No".

Mr. McGraw said he has spoken at length to his neighbor, Laura Frederick, whose property is west of the subject property.

Chairman Kurnik read a note from Laura Frederick stating that she had no objection and feels that the addition will be a definite improvement to the property. (Exhibit C)

Chairman Kurnik suggested that before the Board took a vote on the addition they would discuss the other variance request to divide the zoning lot.

Mr. McGraw said they did not want the other aspect of the petition to be an impediment to the Board's decision on the addition.

Mr. McGraw said they currently have a summerhouse on the second lot. When they first became interested in buying the lot, they wondered if the second lot was a "buildable" lot. They believe that it is and they would just like to have the knowledge that it is "buildable". Mr. McGraw testified that they are not going to develop the lot, they just want to know if the lot is buildable.

Chairman Kurnik asked the petitioner why he was asking if the lot was buildable, if he had no intent to build on it or sell it? Mr. McGraw said his first plan was to tear down the summerhouse. If he tore down the house and resurveyed the land, he wondered if there would be an issue about whether or not they would have to come for another variance on the lot.

Joyce Hosler explained that if it weren't for the summer home, the petitioner would not even have to ask the question. Because the summer home is already there and the two lots together have been used as one zoning lot in the past that is why the petitioner is asking for permission to separate the lots. She said the lot with the summer home meets all the requirements for the R-3 district. If it didn't have that house on it, it would definitely be a buildable lot.

Mr. McGraw said that although he would like to tear down the summer home, his wife wants to use it for a greenhouse. Ms. Hosler said if Mr. McGraw had torn down the summer home and come in with a clean plat of survey she had no doubt they would have been issued a permit.

Mr. McGraw said he is willing to take certain risks but as far as the future, he wanted to know if they were completely locked in, or in case of financial hardship, is there something you can fall back on. He said it is always nice to have to answer to these questions and that is why he asked if it was a buildable lot.

Chairman Kurnik noted that the petitioner's decision to tear down the summer home would have no impact on whether the property was buildable. Ms. Hosler said the petitioner would still have to come before the Board, because the Village now has knowledge of the situation.

Chairman Kurnik asked the Board for their comments concerning the division of the lot. He felt that the petitioner was asking the Board to decide a hypothetical issue that they many never be called upon to decide in the future.

Doug Closs asked what kind of time frame would be in effect regarding the Board's decision. Normally when a variance is granted it is good for one year from the time it's granted, which gives the petitioner time to do whatever they propose to do with the variance. He asked if the variance was

granted, would the petitioner have one year to build on the property. Joyce Hosler said she was not sure since the petitioner was not proposing any construction plans at this time.

After further discussion, Mr. McGraw asked to withdraw the request for Division of a Zoning lot from the petition.

With the petitioner's withdrawal for the division of the zoning lots, the Chairman advised the Board that the only request before them was the construction of a second story addition which will encroach 4' into the 30- rear yard.

MR. CLOSS MADE A MOTION, SECONDED BY MR. STURM TO GRANT THE VARIANCE AS REQUESTED FOR CONSTRUCTION OF A SECOND STORY ADDITION WHICH WILL ENCROACH 4-FEET INTO THE 30-FT. REAR YARD.

On motion made and seconded, the Board Members voted unanimously to grant the variance.

AYES: 6 NAYS: 0 VARIANCE WAS APPROVED.

The meeting was adjourned at 7:30 P.M.

William Kumik, Chairman Pro Tem
Zoning Board of Appeals
Marge Selin, Recording Secretary

ZBA# 20-040
1223 E Mayfair Rd - 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: December 21, 2020
Received by Briget: November 21, 2020
Completed: December 22, 2020

The proposed ZBA application indicates that the petitioner is seeking:

Lot 227

- A 45.1-foot variation from Chapter 28, Section 5.1-3.1 (Minimum Lot Width) and Section 5.1-3.1a, to allow a lot (Lot 227) with a width of 44.9 feet where 90 feet is required.

Lot 228

- A 1.6-foot variation from Chapter 28, Section 5.1-3.1 (Minimum Lot Width) and Section 5.1-3.1a, to allow a lot (Lot 228) with a width of 68.4 feet to be buildable where 70 feet is required.
- A variation from Chapter 28, Section 5.1-3.1 (Minimum Lot Size) and Section 5.1-3.1a, (Lot 228) to allow a 6,440 square foot lot to be buildable where 8,750 square feet is required.

The Engineering Division has NO COMMENT to the proposed variance request for minimum lot width for LOT 227 and LOT 228.

The Engineering Division has NO COMMENT on the proposed variance request for minimum lot size for LOT 228.

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: **McGraw Residence**

Project Address: **1223 E Mayfair Rd**

ZBA #: **20-040**

Date: **December 21, 2020**

Derek:

I have reviewed the request for the following variances:

Lot 227

- A 45.1-foot variation from Chapter 28, Section 5.1-3.1 (Minimum Lot Width) and Section 5.1-3.1a, to allow a lot (Lot 227) with a width of 44.9 feet where 90 feet is required.

Lot 228

- A 1.6-foot variation from Chapter 28, Section 5.1-3.1 (Minimum Lot Width) and Section 5.1-3.1a, to allow a lot (Lot 228) with a width of 68.4 feet to be buildable where 70 feet is required.

- A variation from Chapter 28, Section 5.1-3.1 (Minimum Lot Size) and Section 5.1-3.1a, (Lot 228) to allow a 6,440 square foot lot to be buildable where 8,750 square feet is required.

and have no objections to the requests.

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: McGraw Residence

Project Address: 1223 E. Mayfair Road

ZBA #: 20-040

ZBA Hearing Date: January 11, 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:	December 21, 2020

Lot 227

- A 45.1-foot variation from Chapter 28, Section 5.1-3.1 (Minimum Lot Width) and Section 5.1-3.1a, to allow a lot (Lot 227) with a width of 44.9 feet where 90 feet is required.

Lot 228

- A 1.6-foot variation from Chapter 28, Section 5.1-3.1 (Minimum Lot Width) and Section 5.1-3.1a, to allow a lot (Lot 228) with a width of 68.4 feet to be buildable where 70 feet is required.

- A variation from Chapter 28, Section 5.1-3.1 (Minimum Lot Size) and Section 5.1-3.1a, (Lot 228) to allow a 6,440 square foot lot to be buildable where 8,750 square feet is required.

Attached are the Petitioner's:

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

Comments: _____

A Design Commission application will be required to be submitted for the new house.

Steve Hautzinger, Design Planner

Please review, comment, and return to me no later than January 4, 2021.

MELTZER, PURTILL & STELLE LLC

ATTORNEYS AT LAW

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File Number: 35917-001
Direct Dial: (312) 461-4302
E-mail: sbauer@mpslaw.com

December 22, 2020

VIA E-MAIL

Chairman Peter Siavelis
and Members of the Zoning Board of Appeals
Village of Arlington Heights
33 S. Arlington Heights Road
Arlington Heights, IL 60005

Re: Petition for Variations Regarding 1223 E. Mayfair Road

Dear Chairman Siavelis and Zoning Board of Appeals Members:

On behalf of Michael L. McGraw, as trustee of the Michael L. McGraw Declaration of Trust dated December 7, 1999 ("Petitioner"), which is the owner of the property located at 1223 E. Mayfair Road consisting of Lots 227 and 228 ("Subject Property") of the Stonegate subdivision plat recorded on February 25, 1928 ("Stonegate Plat"), we are pleased to submit Petitioner's request for variations to allow separation of those lots from being a single zoning lot to become two zoning lots identical in size and configuration to Lots 227 and 228 as created by the Stonegate Plat. More specifically, Petitioner seeks variations to reduce (i) the minimum required lot width of developed Lot 227 and undeveloped Lot 228 and (ii) the minimum required lot size of Lot 228 below that required by the R-3 One-Family Dwelling District as more fully described in the attached petition, but no differently than those lots were created by the Subdivision Plat nearly 93 years ago, such that they may be independently owned and used to allow construction of a detached single-family house on Lot 228.

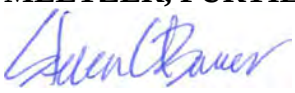
As described in the attached petition, approval of the requested variations to authorize construction of a house on Lot 228 will both support preservation and advancement of Stonegate via development as contemplated by the Stonegate Plat and significant reinvestment in the neighborhood; enable completion of that portion of Stonegate located west of S. Windsor Drive through development of Lot 228 as the only remaining undeveloped, originally platted lot in that neighborhood; be harmonious with the spirit and intent of the Village Zoning Ordinance; and allow reasonable use of Lot 228 as

intended by planning and platting actions leading back to recordation of the Stonegate Plat that formed the foundation upon which the Stonegate neighborhood exists today.

We look forward to presenting this request to you at the January 11, 2021 meeting of the Zoning Board of Appeals, and we thank in advance for your time and consideration.

Sincerely,

MELTZER, PURTILL & STELLE LLC



Steven C. Bauer

Attachment

Petition for Variations from Sections 5.1-3.1 and 5.1-3.1(a) of the 2002 Comprehensive Amendment of the Zoning Ordinance of the Village of Arlington Heights
(1223 E. Mayfair Road | Stonegate Lots 227 and 228)

Now comes the Petitioner, Michael L. McGraw, as trustee of the Michael L. McGraw Declaration of Trust dated December 7, 1999, being the titleholder of record of the property commonly known as 1223 E. Mayfair Road, Arlington Heights, Illinois ("Subject Property") and more particularly known as Lots 227 and 228 of Stonegate subdivision ("Lot 227" and "Lot 228," respectively), as platted by recordation on February 25, 1928 ("Platting Date"), with an appeal to the Zoning Board of Appeals of the Village of Arlington Heights for variations from Sections 5.1-3.1, 5.1-3.1(a) and 5.1-3.2(b) of the *2002 Comprehensive Amendment of the Zoning Ordinance of the Village of Arlington Heights* ("Zoning Ordinance") to allow (i) separation of (a) the zoning lot that is composed of Lot 227 and Lot 228 into (b) two zoning lots each being identical in size and configuration to Lot 227 and Lot 228 as platted on the Platting Date, (ii) a reduction in the minimum required lot width for Lot 227 from 90 feet to 44.9 feet as platted on the Platting Date, (iii) a reduction in the minimum lot width for Lot 228 from 70 feet to 68.4 feet as platted on the Platting Date and (iv) a reduction in the minimum required lot size for Lot 228 from 8,750 square feet to 6,440 square feet as platted on the Platting Date, all for the purpose of allowing the separate ownership and use of Lot 227 from that of Lot 228, including the construction of a detached single-family house on Lot 228 (collectively, "Variations").

For the reasons stated in Exhibit A attached hereto and made a part hereof, the Petitioner hereby states as follows:

1) The Variations will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property if the Variations are granted;

2) The plight of the Petitioner is due to unique circumstances;

3) The Variations are in harmony with the spirit and intent of Zoning Ordinance; and

4) The Variations are the minimum variations necessary to allow reasonable, independent ownership and use of (i) Lot 227 and Lot 228 in the same size and configuration as they were established on the Platting Date, (ii) Lot 227 as it is currently improved given that no structures thereon encroachment on to Lot 228 and (iii) Lot 228 for construction of a detached single family house thereon in substantial compliance with the applicable regulations of the R-3 One Family Dwelling District regulations.

In conjunction with its request for approval of the Variations, Petitioner respectfully requests that the Zoning Board of Appeals ("ZBA") expressly authorize the Variations as being entitlements running with Lot 227 and Lot 228 rather than being subject to a ZBA order limiting the validity of the Variations to a period of one year given that the Variations do not directly pertain to permitting the erection or alteration of a building under Section 6-202(e)(5) of Arlington Height Municipal Code.

MICHAEL L. MCGRAW, AS TRUSTEE OF THE MICHAEL L. MCGRAW DECLARATION OF TRUST DATED DECEMBER 7, 1999

By: 

Date: December 11, 2020

Exhibit A to Petition for Variations from Sections 5.1-3.1 and 5.1-3.1(a) of the 2002 Comprehensive Amendment of the Zoning Ordinance of the Village of Arlington Heights
(1223 E. Mayfair Road | Stonegate Lots 227 and 228)

Michael L. McGraw, as trustee of the Michael L. McGraw Declaration of Trust dated December 7, 1999, being the titleholder of record of the property commonly known as 1223 E. Mayfair Road, Arlington Heights, Illinois ("Subject Property") and more particularly known as Lots 227 and 228 of the Stonegate subdivision ("Lot 227" and "Lot 228," respectively), as platted by recordation on February 25, 1928 ("Platting Date"), provides the following responses to the standards of review for a land use variation in accordance with Section 11.2 of the *2002 Comprehensive Amendment of the Zoning Ordinance of the Village of Arlington Heights* ("Zoning Ordinance") for variations from Sections 5.1-3.1 and 5.1-3.1(a) of the Zoning Ordinance to allow (i) separation of (a) the zoning lot that is composed of Lot 227 and Lot 228 into (b) two zoning lots each being identical in size and configuration to Lot 227 and Lot 228 as platted on the Platting Date, (ii) a reduction in the minimum required lot width for Lot 227 from 90 feet to 44.9 feet as platted on the Platting Date, (iii) a reduction in the minimum lot width for Lot 228 from 70 feet to 68.4 feet as platted on the Platting Date and (iv) a reduction in the minimum required lot size for Lot 228 from 8,750 square feet to 6,440 square feet as platted on the Platting Date, all for the purpose of allowing the separate ownership and use of Lot 227 from that of Lot 228, including the construction of a detached single-family house on Lot 228 (collectively, "Variations").

1) The Variations will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property if the Variations are granted.

The Variations will not alter the essential character of the locality in which the Subject Property is located because (i) they are all merely reflective of existing lots of record created nearly 93 years ago on the Platting Date when the Stonegate subdivision plat, which is included as Exhibit D to this submittal, was recorded, (ii) the single-family house on Lot 227 has been in existence for approximately the same duration and (iii) construction of a single-family house on Lot 228 will result in further investment in the neighborhood in the same manner contemplated nearly 93 years ago when the neighborhood was planned and platted for development on the Platting Date. As a result, the Variations cannot alter the essential character of the neighborhood in which the Subject Property is located because the lot and site characteristics associated with the Variations already work to *form* that character and are now requested in furtherance of that character.

As demonstrated by the Stonegate subdivision plat, Lot 228 was planned and platted to provide for construction of a single-family residence thereon just as Petitioner now contemplates. This is further demonstrated by the fact that the Chain of Title Search, which is included as Exhibit F to this submittal, reflects that upon creation of Lots 227 and 228 in 1928, those lots were first conveyed separately and more than five years apart. Lot 227 was first conveyed in 1928, approximately six months after the Platting Date. By contrast, Lot 228 was first conveyed more than five years after the Platting Date, and to a different purchaser than that of Lot 227. In fact, the Chain of Title Search reveals that a period of more than 12 years passed between the Platting Date and when Lots 227 and 228 finally came into common ownership in 1940. By that time, the single-family house on Lot 227 had been constructed without encroachment upon, use of or any reliance on Lot 228 unlike, for example, the house constructed at 1207 E. Mayfair to the

immediate west of Lot 227, which was clearly constructed to equally straddle individual lots of record and make use of them in a combined manner as shown by the Excerpt of the Village GIS Map included as Exhibit E to this submittal.

Cook County Property records reflect that the detached garage on Lot 227 was constructed approximately 20 years after construction of the house on that lot.[1] Importantly, that garage is wholly located on Lot 227 and complies with the minimum required setback for such an accessory structure on that lot. As demonstrated by the Plats of Survey of Lots 227 and 228 included as Exhibits B and C to this submittal, respectively, at no point during the nearly 81-year period between when Lots 227 and 228 came into common ownership in 1940 and the present, did the various owners of the Subject Property take any action to construct an addition to either the house or the detached garage on Lot 227 that encroached upon Lot 228 or the minimum required setback from Lot 228. One can only conclude that those owners sought to treat those lots independently and preserve the future buildability of Lot 228 as a result.

As owner of the Subject Property for the past 19.5 years, Petitioner acted in the same manner as his predecessors in title to the Subject Property by not altering the improvements on Lot 227 so as to encroach upon Lot 228 or create any noncompliant setback from Lot 228. As a matter of succession planning, Petitioner now desires to secure the ability to construct a house on Lot 228 as a means for him, either of his adult children or his adult brother (for whom Petitioner has legal responsibility) to be able to remain in the neighborhood, or otherwise, in anticipation of the all-but-certain reality that Petitioner will at some unknown point in the future choose to downsize from the large residence on Lot 227. In that event, the ability to construct a house on Lot 228 will afford any of Petitioner, his adult children and/or his adult brother the opportunity to remain in the neighborhood they have known as their home for many years. Construction of a house on Lot 228 will support both preservation and advancement of the neighborhood through development as planned nearly 93 years ago and significant reinvestment in the neighborhood.

As demonstrated by the Lot 228 Concept Site Plan, Extended Neighborhood Vicinity Context Exhibit and Close-Up Neighborhood Context Exhibit included as Exhibits G, H and I to this submittal, respectively, the Variations necessary to bring Petitioner's desire to fruition will not detrimentally alter the essential character of the neighborhood. To the contrary, those exhibits reflect the significant compatibility and consistency that the Variations and resulting development of Lot 228 will bring to the neighborhood.

2) The plight of the owner is due to unique circumstances, which may include the length of time the subject property is vacant as zoned.

The plight of Petitioner is due to unique circumstances in multiple respects. Not only did he purchase the Subject Property with the understanding that Lot 228 was a buildable lot, which again is consistent with the planning and platting of the neighborhood as reflected by the Stonegate subdivision plat included as Exhibit D to this submittal, but he received written confirmation in the form of the December 2, 2003 email correspondence from former Village employee Joyce Gloff, which is included as Exhibit K to this submittal, expressly stating that Lot 228 is in fact "considered at this time to be a buildable lot." In reliance upon that

[1] Cook County records reflect that the house and detached garage on Lot 227 were constructed in 1932 and 1953, respectively.

confirmation, Petitioner intentionally did not make any building improvements to the house and garage on Lot 227 that either encroached upon Lot 228 or the minimum required setback from Lot 228 as demonstrated by the Plats of Survey of Lots 227 and 228 included as Exhibits B and C to this submittal, respectively.

As a further element of the unique circumstance presented by Petitioner's plight, it is important to note that Lot 227 is (i) the second largest originally platted lot in the block bounded by E. Mayfair Road, S. Carlyle Place, S. Chatham Place and S. Derbyshire Lane as demonstrated by the Excerpt of the Village GIS Map included as Exhibit E to this submittal and the Village's online GIS mapping system and (ii) the third largest originally platted lot amongst all lots shown on the first page of the Stonegate subdivision plat included as Exhibit D to this submittal. Consequently, it is impractical and unnecessary to require that Lots 227 and 228 be treated as a single zoning lot. Doing so effectively penalizes the thoughtful and methodical action taken by Petitioner and his predecessors in title to the Subject Property in intentionally not making any building improvements to Lot 227 that encroach upon Lot 228 or the required setback from Lot 228 for the purpose of reserving Lot 228 for development independent of Lot 227.

Moreover, Petitioner is in the very unique position of owning the only undeveloped, originally platted lot amongst all lots shown on the first page of the Stonegate subdivision plat included as Exhibit D to this submittal as demonstrated by the Village's online GIS mapping system. To require that Lots 227 and 228 be treated as a single zoning lot because Lot 228 is undeveloped creates a plight of inequity and inequality for Petitioner by not allowing him to make use of Lot 228 in the very manner in which that lot was planned and platted for use by the Stonegate subdivision plat and in the same manner as all other lots in the vicinity of that lot given that Lot 228 is the only undeveloped, originally platted lot in the vicinity of the Subject Property.

Lastly, a review of the Stonegate subdivision plat and the Village's online GIS mapping system reveals that many, in fact most, of the originally platted lots in the vicinity of the Subject Property are nonconforming with the applicable R-3 requirements for minimum required lot width, lot size or both, thus presenting the same condition for those lots as necessitates each of the Variations now sought by Petitioner. That further demonstrates that requiring Lots 227 and 228 be treated as a single zoning lot and not allowing a house to be constructed on Lot 228 as a result creates a plight unique to petitioner by not enabling him to put Lot 228 to use for construction of a single-family house thereon despite the lot width and lot size of Lot 228 being substantially similar to, and in many cases larger than, the lot width and lot size of many developed lots in the vicinity of the Subject Property.

3) The Variations are in harmony with the spirit and intent of Zoning Ordinance.

In light of the fact that the Variations are sought merely for the purpose of enabling the development of Lot 228 with construction of a single-family house thereon just as was contemplated nearly 93 years ago by recordation of the Stonegate subdivision plat included as Exhibit D to this submittal and in a manner that is consistent with the character of development in Stonegate, the Variations are in harmony with the spirit and intent of the Zoning Ordinance. In particular, Section 28-2 of the Zoning Ordinance states, in pertinent part, that its intent and purpose is to "promote and protect the public health, safety, morals, comfort and general welfare of the people;" "protect the character and the stability of the residential…areas within the

Village and to promote the orderly and beneficial development of such areas;" "provide adequate light, air, privacy and convenience of access to property;" "regulate the intensity of use of lot areas, and to determine the area of open spaces surrounding buildings, necessary to provide adequate light and air and to protect the public health;" "establish building lines and the location of buildings designed for residential uses;" "fix reasonable standards to which buildings or structures shall conform;" "prohibit uses, buildings or structures incompatible with the character of development or intended uses within specified zoning districts;" "limit congestion in the public streets and protect the public health, safety, convenience and general welfare by providing for the off-street parking of motor vehicles;" "protect against fire, explosion, noxious fumes and other hazards in the interest of the public health, safety, comfort and general welfare;" "prevent the overcrowding of land and undue concentration of structures, *so far as is possible and appropriate* in each district, by regulating the use and bulk of buildings in relation to the land surrounding them; and "conserve the taxable value of land and buildings throughout the Village." (emphasis added). Again, the Variations will not compromise or undermine any of those intents and purposes because they are sought merely for the purpose of enabling the development of Lot 228 in a manner that is reflective of the Stonegate subdivision plat and the character of development in the vicinity of the Subject Property.

4) The variances requested are the minimum variances necessary to allow reasonable use of the property.

The Variations are the minimum variations necessary to allow reasonable, independent ownership and use of (i) Lot 227 and Lot 228 in the same size and configuration as they were established by the Stonegate subdivision plat included as Exhibit D to this submittal, (ii) Lot 227 as it is currently improved given that no structures thereon encroachment upon Lot 228 or within the minimum required setback from Lot 228 as demonstrated by the Plats of Survey of Lots 227 and 228 included as Exhibits B and C to this submittal, respectively, and (iii) Lot 228 for construction of a detached single family house thereon in substantial compliance with the applicable regulations of the R-3 One Family Dwelling District. As indicated by the Lot 228 Concept Site Plan and the Lot 227 Property Data Exhibit, which are provided as Exhibits G and J to this submittal, respectively, separation of the Zoning Lot and development of Lot 228 each as proposed by Petitioner will result in Lots 227 and 228 still being significantly below the maximum permitted lot coverage, maximum permitted building lot coverage and maximum permitted impervious surface coverage requirements of the Zoning Ordinance.

Index of Exhibits to Petition for Variations from Sections 5.1-3.1 and 5.1-3.1(a) of the 2002 Comprehensive Amendment of the Zoning Ordinance of the Village of Arlington Heights
(1223 E. Mayfair Road | Stonegate Lots 227 and 228)

Exhibit A – Responses to Standards of Review for Variations

Exhibit B – Plat of Survey of Lot 227

Exhibit C – Plat of Survey of Lot 228

Exhibit D – Stonegate Plat of Subdivision

Exhibit E – Excerpt of Village GIS Map

Exhibit F – Chain of Title Search

Exhibit G – Lot 228 Concept Site Plan

Exhibit H – Extended Neighborhood Vicinity Context of Lot 228 Concept Plan

Exhibit I – Close-Up Neighborhood Vicinity Context of Lot 228 Concept Plan

Exhibit J – Lot 227 Property Data

Exhibit K – Email from Former Village Employee Joyce Gloff

Exhibit A to Petition for Variations from Sections 5.1-3.1 and 5.1-3.1(a) of the 2002 Comprehensive Amendment of the Zoning Ordinance of the Village of Arlington Heights
(1223 E. Mayfair Road | Stonegate Lots 227 and 228)

Michael L. McGraw, as trustee of the Michael L. McGraw Declaration of Trust dated December 7, 1999, being the titleholder of record of the property commonly known as 1223 E. Mayfair Road, Arlington Heights, Illinois ("Subject Property") and more particularly known as Lots 227 and 228 of the Stonegate subdivision ("Lot 227" and "Lot 228," respectively), as platted by recordation on February 25, 1928 ("Platting Date"), provides the following responses to the standards of review for a land use variation in accordance with Section 11.2 of the *2002 Comprehensive Amendment of the Zoning Ordinance of the Village of Arlington Heights* ("Zoning Ordinance") for variations from Sections 5.1-3.1 and 5.1-3.1(a) of the Zoning Ordinance to allow (i) separation of (a) the zoning lot that is composed of Lot 227 and Lot 228 into (b) two zoning lots each being identical in size and configuration to Lot 227 and Lot 228 as platted on the Platting Date, (ii) a reduction in the minimum required lot width for Lot 227 from 90 feet to 44.9 feet as platted on the Platting Date, (iii) a reduction in the minimum lot width for Lot 228 from 70 feet to 68.4 feet as platted on the Platting Date and (iv) a reduction in the minimum required lot size for Lot 228 from 8,750 square feet to 6,440 square feet as platted on the Platting Date, all for the purpose of allowing the separate ownership and use of Lot 227 from that of Lot 228, including the construction of a detached single-family house on Lot 228 (collectively, "Variations").

1) ***The Variations will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property if the Variations are granted.***

   The Variations will not alter the essential character of the locality in which the Subject Property is located because (i) they are all merely reflective of existing lots of record created nearly 93 years ago on the Platting Date when the Stonegate subdivision plat, which is included as Exhibit D to this submittal, was recorded, (ii) the single-family house on Lot 227 has been in existence for approximately the same duration and (iii) construction of a single-family house on Lot 228 will result in further investment in the neighborhood in the same manner contemplated nearly 93 years ago when the neighborhood was planned and platted for development on the Platting Date. As a result, the Variations cannot alter the essential character of the neighborhood in which the Subject Property is located because the lot and site characteristics associated with the Variations already work to *form* that character and are now requested in furtherance of that character.

   As demonstrated by the Stonegate subdivision plat, Lot 228 was planned and platted to provide for construction of a single-family residence thereon just as Petitioner now contemplates. This is further demonstrated by the fact that the Chain of Title Search, which is included as Exhibit F to this submittal, reflects that upon creation of Lots 227 and 228 in 1928, those lots were first conveyed separately and more than five years apart. Lot 227 was first conveyed in 1928, approximately six months after the Platting Date. By contrast, Lot 228 was first conveyed more than five years after the Platting Date, and to a different purchaser than that of Lot 227. In fact, the Chain of Title Search reveals that a period of more than 12 years passed between the Platting Date and when Lots 227 and 228 finally came into common ownership in 1940. By that time, the single-family house on Lot 227 had been constructed without encroachment upon, use of or any reliance on Lot 228 unlike, for example, the house constructed at 1207 E. Mayfair to the

immediate west of Lot 227, which was clearly constructed to equally straddle individual lots of record and make use of them in a combined manner as shown by the Excerpt of the Village GIS Map included as Exhibit E to this submittal.

Cook County Property records reflect that the detached garage on Lot 227 was constructed approximately 20 years after construction of the house on that lot.[1] Importantly, that garage is wholly located on Lot 227 and complies with the minimum required setback for such an accessory structure on that lot. As demonstrated by the Plats of Survey of Lots 227 and 228 included as Exhibits B and C to this submittal, respectively, at no point during the nearly 81-year period between when Lots 227 and 228 came into common ownership in 1940 and the present, did the various owners of the Subject Property take any action to construct an addition to either the house or the detached garage on Lot 227 that encroached upon Lot 228 or the minimum required setback from Lot 228. One can only conclude that those owners sought to treat those lots independently and preserve the future buildability of Lot 228 as a result.

As owner of the Subject Property for the past 19.5 years, Petitioner acted in the same manner as his predecessors in title to the Subject Property by not altering the improvements on Lot 227 so as to encroach upon Lot 228 or create any noncompliant setback from Lot 228. As a matter of succession planning, Petitioner now desires to secure the ability to construct a house on Lot 228 as a means for him, either of his adult children or his adult brother (for whom Petitioner has legal responsibility) to be able to remain in the neighborhood, or otherwise, in anticipation of the all-but-certain reality that Petitioner will at some unknown point in the future choose to downsize from the large residence on Lot 227. In that event, the ability to construct a house on Lot 228 will afford any of Petitioner, his adult children and/or his adult brother the opportunity to remain in the neighborhood they have known as their home for many years. Construction of a house on Lot 228 will support both preservation and advancement of the neighborhood through development as planned nearly 93 years ago and significant reinvestment in the neighborhood.

As demonstrated by the Lot 228 Concept Site Plan, Extended Neighborhood Vicinity Context Exhibit and Close-Up Neighborhood Context Exhibit included as Exhibits G, H and I to this submittal, respectively, the Variations necessary to bring Petitioner's desire to fruition will not detrimentally alter the essential character of the neighborhood. To the contrary, those exhibits reflect the significant compatibility and consistency that the Variations and resulting development of Lot 228 will bring to the neighborhood.

2) The plight of the owner is due to unique circumstances, which may include the length of time the subject property is vacant as zoned.

The plight of Petitioner is due to unique circumstances in multiple respects. Not only did he purchase the Subject Property with the understanding that Lot 228 was a buildable lot, which again is consistent with the planning and platting of the neighborhood as reflected by the Stonegate subdivision plat included as Exhibit D to this submittal, but he received written confirmation in the form of the December 2, 2003 email correspondence from former Village employee Joyce Gloff, which is included as Exhibit K to this submittal, expressly stating that Lot 228 is in fact "considered at this time to be a buildable lot." In reliance upon that

[1] Cook County records reflect that the house and detached garage on Lot 227 were constructed in 1932 and 1953, respectively.

confirmation, Petitioner intentionally did not make any building improvements to the house and garage on Lot 227 that either encroached upon Lot 228 or the minimum required setback from Lot 228 as demonstrated by the Plats of Survey of Lots 227 and 228 included as Exhibits B and C to this submittal, respectively.

As a further element of the unique circumstance presented by Petitioner's plight, it is important to note that Lot 227 is (i) the second largest originally platted lot in the block bounded by E. Mayfair Road, S. Carlyle Place, S. Chatham Place and S. Derbyshire Lane as demonstrated by the Excerpt of the Village GIS Map included as Exhibit E to this submittal and the Village's online GIS mapping system and (ii) the third largest originally platted lot amongst all lots shown on the first page of the Stonegate subdivision plat included as Exhibit D to this submittal. Consequently, it is impractical and unnecessary to require that Lots 227 and 228 be treated as a single zoning lot. Doing so effectively penalizes the thoughtful and methodical action taken by Petitioner and his predecessors in title to the Subject Property in intentionally not making any building improvements to Lot 227 that encroach upon Lot 228 or the required setback from Lot 228 for the purpose of reserving Lot 228 for development independent of Lot 227.

Moreover, Petitioner is in the very unique position of owning the only undeveloped, originally platted lot amongst all lots shown on the first page of the Stonegate subdivision plat included as Exhibit D to this submittal as demonstrated by the Village's online GIS mapping system. To require that Lots 227 and 228 be treated as a single zoning lot because Lot 228 is undeveloped creates a plight of inequity and inequality for Petitioner by not allowing him to make use of Lot 228 in the very manner in which that lot was planned and platted for use by the Stonegate subdivision plat and in the same manner as all other lots in the vicinity of that lot given that Lot 228 is the only undeveloped, originally platted lot in the vicinity of the Subject Property.

Lastly, a review of the Stonegate subdivision plat and the Village's online GIS mapping system reveals that many, in fact most, of the originally platted lots in the vicinity of the Subject Property are nonconforming with the applicable R-3 requirements for minimum required lot width, lot size or both, thus presenting the same condition for those lots as necessitates each of the Variations now sought by Petitioner. That further demonstrates that requiring Lots 227 and 228 be treated as a single zoning lot and not allowing a house to be constructed on Lot 228 as a result creates a plight unique to petitioner by not enabling him to put Lot 228 to use for construction of a single-family house thereon despite the lot width and lot size of Lot 228 being substantially similar to, and in many cases larger than, the lot width and lot size of many developed lots in the vicinity of the Subject Property.

3) The Variations are in harmony with the spirit and intent of Zoning Ordinance.

In light of the fact that the Variations are sought merely for the purpose of enabling the development of Lot 228 with construction of a single-family house thereon just as was contemplated nearly 93 years ago by recordation of the Stonegate subdivision plat included as Exhibit D to this submittal and in a manner that is consistent with the character of development in Stonegate, the Variations are in harmony with the spirit and intent of the Zoning Ordinance. In particular, Section 28-2 of the Zoning Ordinance states, in pertinent part, that its intent and purpose is to "promote and protect the public health, safety, morals, comfort and general welfare of the people;" "protect the character and the stability of the residential…areas within the

Village and to promote the orderly and beneficial development of such areas;" "provide adequate light, air, privacy and convenience of access to property;" "regulate the intensity of use of lot areas, and to determine the area of open spaces surrounding buildings, necessary to provide adequate light and air and to protect the public health;" "establish building lines and the location of buildings designed for residential uses;" "fix reasonable standards to which buildings or structures shall conform;" "prohibit uses, buildings or structures incompatible with the character of development or intended uses within specified zoning districts;" "limit congestion in the public streets and protect the public health, safety, convenience and general welfare by providing for the off-street parking of motor vehicles;" "protect against fire, explosion, noxious fumes and other hazards in the interest of the public health, safety, comfort and general welfare;" "prevent the overcrowding of land and undue concentration of structures, *so far as is possible and appropriate* in each district, by regulating the use and bulk of buildings in relation to the land surrounding them; and "conserve the taxable value of land and buildings throughout the Village." (emphasis added). Again, the Variations will not compromise or undermine any of those intents and purposes because they are sought merely for the purpose of enabling the development of Lot 228 in a manner that is reflective of the Stonegate subdivision plat and the character of development in the vicinity of the Subject Property.

4) The variances requested are the minimum variances necessary to allow reasonable use of the property.

The Variations are the minimum variations necessary to allow reasonable, independent ownership and use of (i) Lot 227 and Lot 228 in the same size and configuration as they were established by the Stonegate subdivision plat included as Exhibit D to this submittal, (ii) Lot 227 as it is currently improved given that no structures thereon encroachment upon Lot 228 or within the minimum required setback from Lot 228 as demonstrated by the Plats of Survey of Lots 227 and 228 included as Exhibits B and C to this submittal, respectively, and (iii) Lot 228 for construction of a detached single family house thereon in substantial compliance with the applicable regulations of the R-3 One Family Dwelling District. As indicated by the Lot 228 Concept Site Plan and the Lot 227 Property Data Exhibit, which are provided as Exhibits G and J to this submittal, respectively, separation of the Zoning Lot and development of Lot 228 each as proposed by Petitioner will result in Lots 227 and 228 still being significantly below the maximum permitted lot coverage, maximum permitted building lot coverage and maximum permitted impervious surface coverage requirements of the Zoning Ordinance.

PLAT OF SURVEY

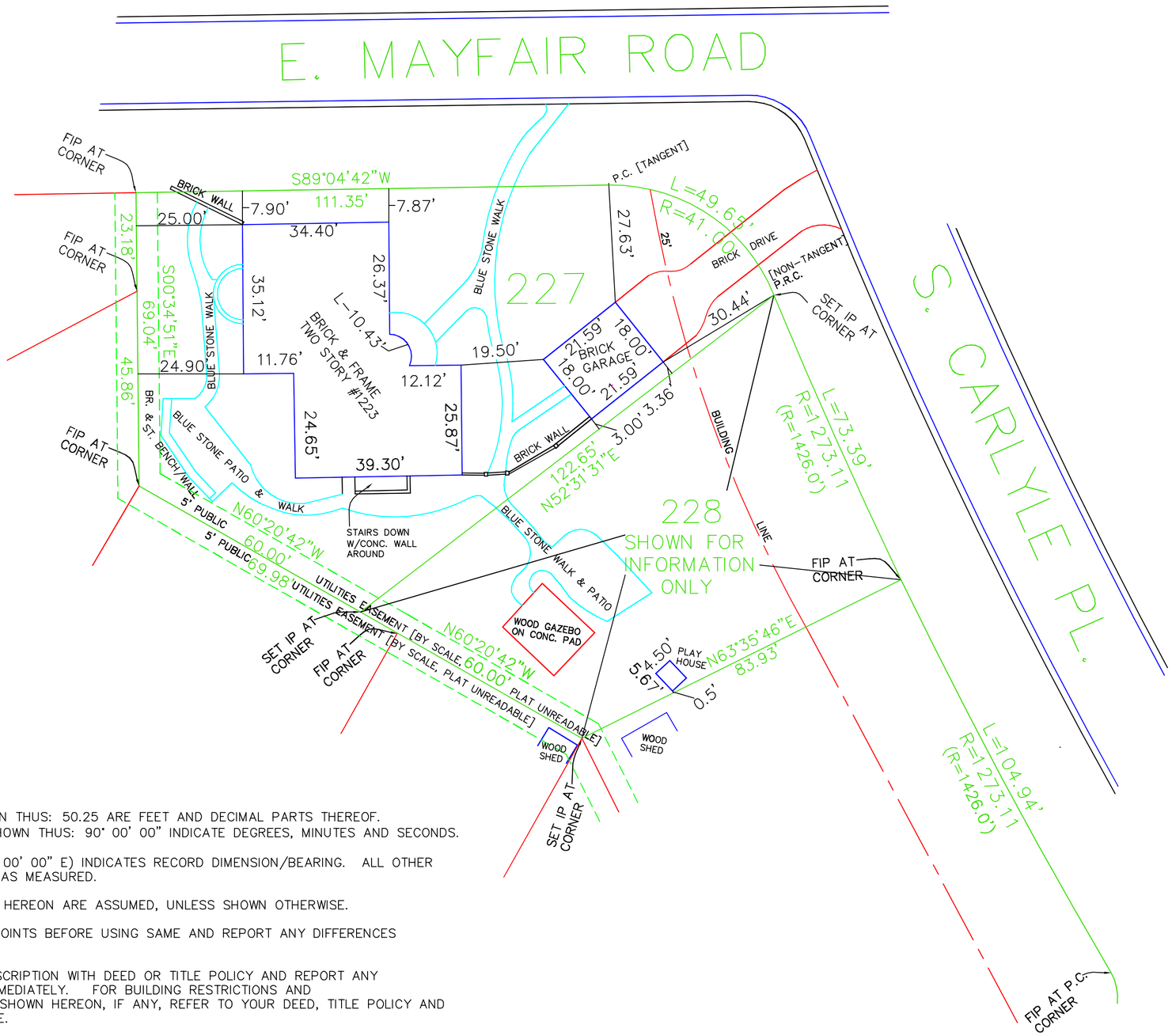
Exhibit B

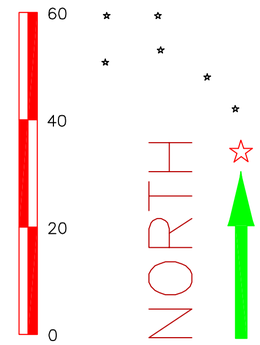
AREA

10,272 SQ. FT.

0.2358 ACRES

LOT 227 IN "STONEGATE", BEING A RESUBDIVISION OF H. ROY BERRY CO'S EAST MORELAND, BEING A SUBDIVISION OF THAT PART OF THE WEST HALF (1/2) OF THE NORTHWEST QUARTER (1/4) OF SECTION 33, AND THAT PART OF THE EAST HALF (1/2) OF THE NORTHEAST QUARTER (1/4) OF SECTION 32, LYING NORTHEASTERLY OF THE CHICAGO AND NORTHWESTERN RAILROAD COMPANY, ALL IN TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF REGISTERED WITH THE REGISTRAR OF TITLES OF COOK COUNTY, ILLINOIS, ON FEBRUARY 25, 1928 AS DOCUMENT NUMBER 394266, IN COOK COUNTY, ILLINOIS.





LEGEND

- BOUNDARY LINE
- EXISTING LOT LINE
- EXISTING CENTERLINE
- EXISTING EASEMENT LINE
- EXISTING BUILDING SETBACK LINE

ABBREVIATIONS

PP	POWER POLE
CONC.	CONCRETE
BIT.	BITUMINOUS
N	NORTH
S	SOUTH
E	EAST
W	WEST
FIP	FOUND IRON PIPE
FIR	FOUND IRON ROD
FPK	FOUND MAG NAIL
(REC)	RECORD DATUM

1. DIMENSIONS SHOWN THUS: 50.25 ARE FEET AND DECIMAL PARTS THEREOF. ANGULAR DATA SHOWN THUS: 90° 00' 00" INDICATE DEGREES, MINUTES AND SECONDS.
2. (50.25) / (N 90° 00' 00" E) INDICATES RECORD DIMENSION/BEARING. ALL OTHER DIMENSIONS ARE AS MEASURED.
3. BEARINGS SHOWN HEREON ARE ASSUMED, UNLESS SHOWN OTHERWISE.
4. COMPARE YOUR POINTS BEFORE USING SAME AND REPORT ANY DIFFERENCES IMMEDIATELY.
5. CHECK LEGAL DESCRIPTION WITH DEED OR TITLE POLICY AND REPORT ANY DESCREPANCY IMMEDIATELY. FOR BUILDING RESTRICTIONS AND EASEMENTS NOT SHOWN HEREON, IF ANY, REFER TO YOUR DEED, TITLE POLICY AND LOCAL ORDINANCE.

SURVEYOR'S NOTE: THE PLAT OF SUBDIVISION FILED ON RECORD IS DIFFICULT TO IMPOSSIBLE TO READ. LOT DIMENISIONS, BUILDING LINES AND EASEMENTS ARE SHOWN TO THE BEST OF MY ABILITY.

STATE OF ILLINOIS)
COUNTY OF MCHENRY) S.S.

I, EDWARD A. HEDGE, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY, AND THAT THE ABOVE PLAT IS A CORRECT REPRESENTATION OF SAID SURVEY AND THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

DATE OF COMPLETION OF FIELD WORK: JUNE 20, 2013

CRYSTAL LAKE, ILLINOIS, JUNE 25, 2013.

_____

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 03-003026
LICENSE EXPIRATION DATE: NOVEMBER 30, 2014.

EDWARD A. HEDGE
3026
PROFESSIONAL LAND SURVEYOR STATE OF ILLINOIS
CRYSTAL LAKE, IL

JOB NO.
13128

PLAT OF SURVEY
1223 E. MAYFAIR ROAD
ARLINGTON HEIGHTS, ILLINOIS
PREPARED FOR: MICHAEL L. AND JOANNE MCGRAW

FIELD WORK:	EAH
DRAWN BY:	TMS
CHECKED BY:	EAH
PROJECT No.:	13128
FIELD BOOK:	
FILE LOCATION:	
DRAWING FILE:	13128.DWG

REVISIONS

No.	Date	

HEDGE SURVEYING CO.
PROFESSIONAL LAND SURVEYOR
900 SARASOTA LANE, CRYSTAL LAKE, IL 60014
PHONE: 815.575.6355
EDHEDGE56@GMAIL.COM

PLAT OF SURVEY

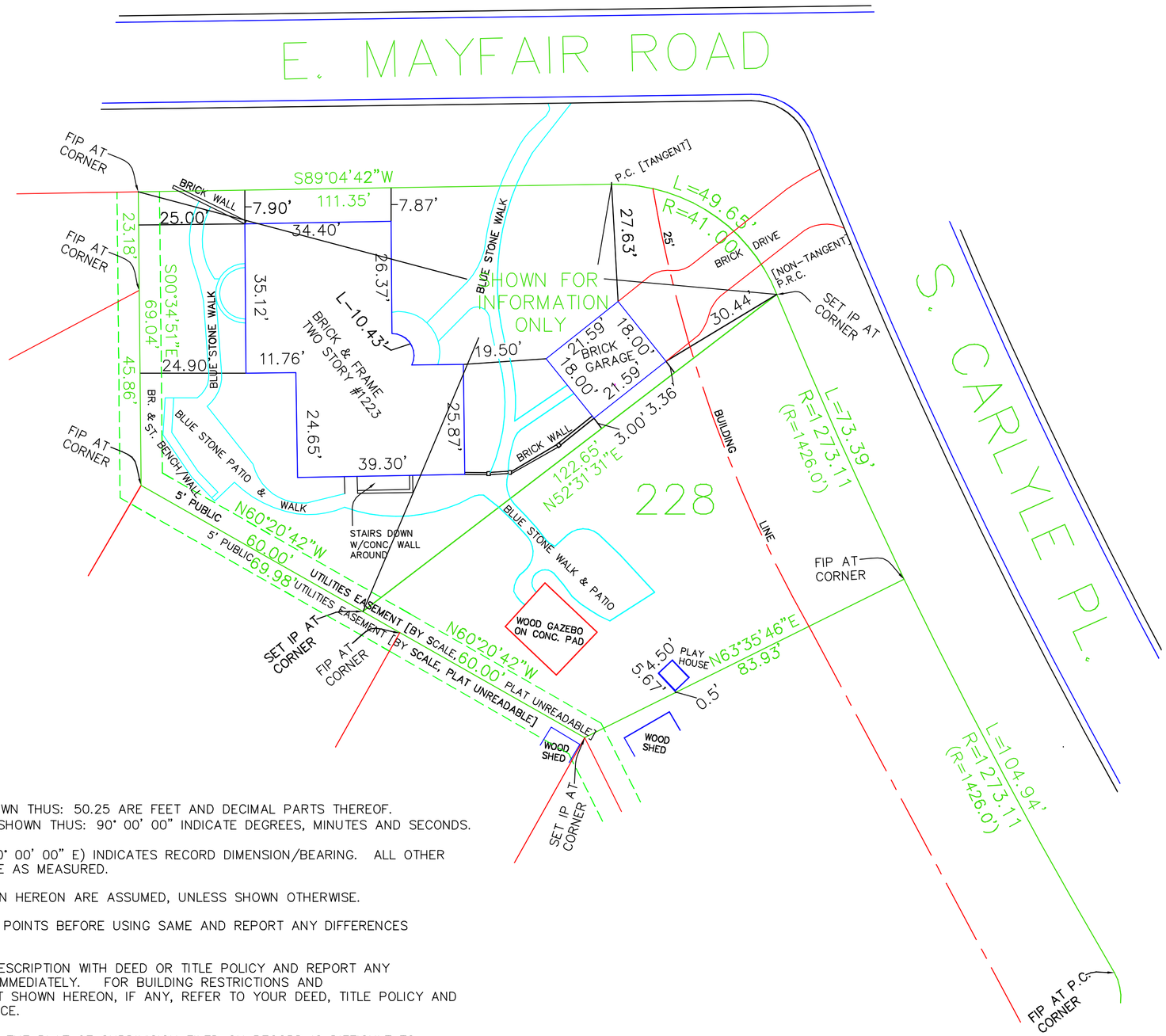
Exhibit C

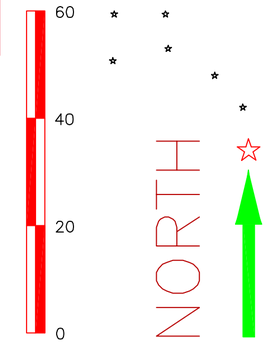
AREA

6,440 SQ. FT.

0.1478 ACRES

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STATE OF ILLINOIS)
COUNTY OF MCHENRY) S.S.

I, EDWARD A. HEDGE, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY, AND THAT THE ABOVE PLAT IS A CORRECT REPRESENTATION OF SAID SURVEY AND THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

DATE OF COMPLETION OF FIELD WORK: JUNE 20, 2013

CRYSTAL LAKE, ILLINOIS, JUNE 25, 2013.

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ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 03-003026
LICENSE EXPIRATION DATE: NOVEMBER 30, 2014.



JOB NO.
13128

PLAT OF SURVEY
1223 E. MAYFAIR ROAD [PART]
ARLINGTON HEIGHTS, ILLINOIS
PREPARED FOR: MICHAEL L. AND JOANNE MCGRAW

FIELD WORK:	EAH
DRAWN BY:	TMS
CHECKED BY:	EAH
PROJECT No.:	13128
FIELD BOOK:	
FILE LOCATION:	
DRAWING FILE:	13128.DWG

REVISIONS

No.	Date	

HEDGE SURVEYING CO.
PROFESSIONAL LAND SURVEYOR
900 SARASOTA LANE, CRYSTAL LAKE, IL 60014
PHONE: 815.575.6355
EDHEDGE56@GMAIL.COM

Exhibit D

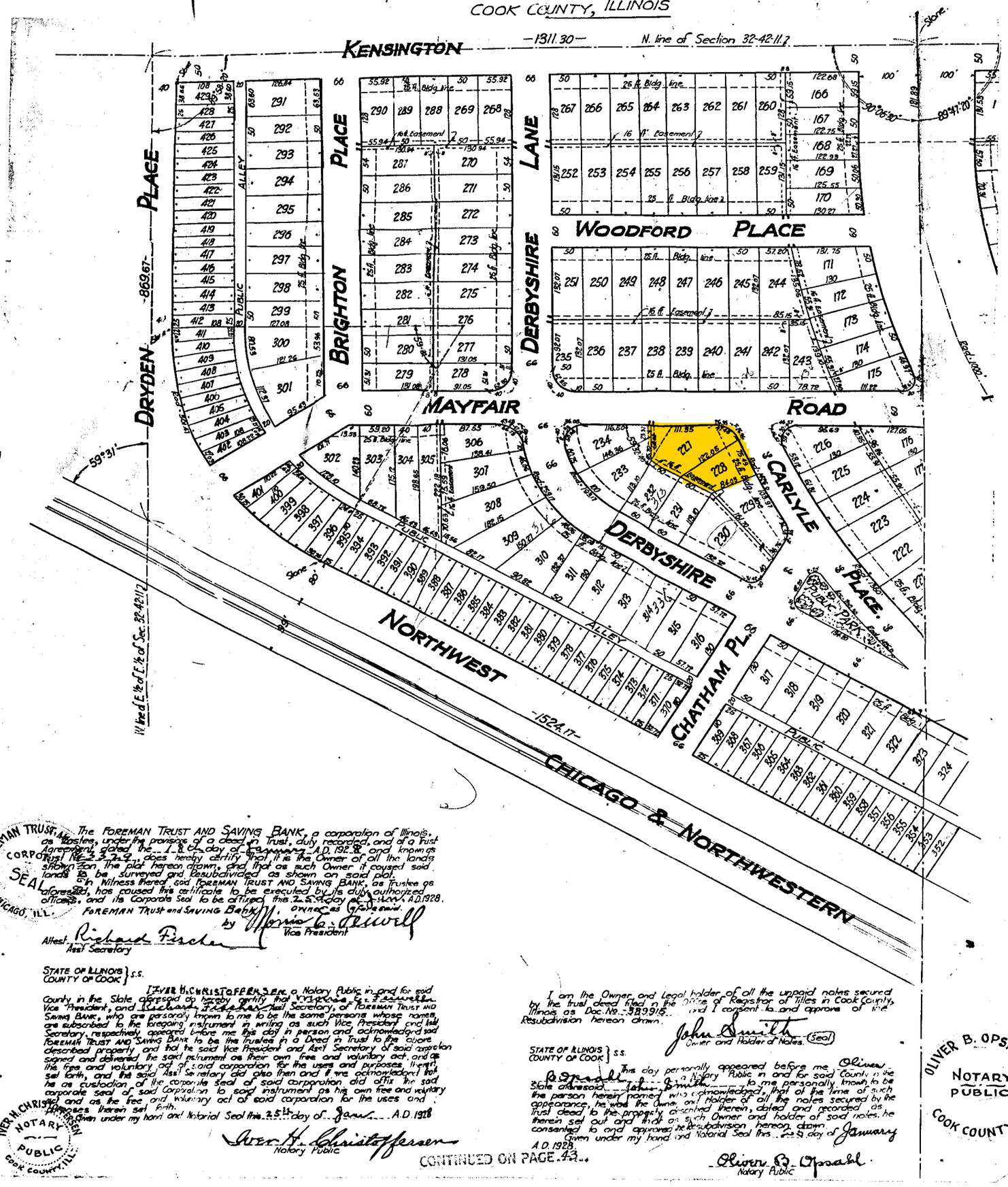
42

TORRENS
BOOK
20

"STONEGATE"

being a Resubdivision of

H. ROY BERRY Co's - EAST MORELAND, being a Subdivision of that part of the W. ½ of the N.W. ¼ of Section 33, and that part of the E. ½ of the N. E. ¼ of Section 32, lying N.E'ly of the Chicago & Northwestern Railroad Co, all in Township 42 North, Range 11 East of the 3rd Principal Meridian,
COOK COUNTY, ILLINOIS



The FOREMAN TRUST AND SAVING BANK, a corporation of Illinois, as Trustee, under the provisos of a deed in Trust, duly recorded, and of a Trust Agreement, dated the 18th day of January A.D. 1928, and known as Trust No. 3372, does hereby certify that it is the Owner of all the lands shown on the plat hereon drawn, and that as such Owner it caused said lands to be surveyed and Resubdivided as shown on said plat.
In Witness thereof, said FOREMAN TRUST AND SAVING BANK, as Trustee as aforesaid, has caused this certificate to be executed by its duly authorized officers, and its Corporate Seal to be affixed, this 25 day of January A.D. 1928.

THE FOREMAN TRUST & SAVING BANK CORPORATE SEAL CHICAGO, ILL.

FOREMAN TRUST and SAVING BANK, Owner as aforesaid.
by Morris B. Sexwell
Vice President
Attest: Richard Fischer
Asst Secretary

STATE OF ILLINOIS } S.S.
COUNTY OF COOK }

I, IVER H. CHRISTOFFERSEN, a Notary Public in and for said County in the State aforesaid do hereby certify that Morris B. Sexwell Vice President, and Richard Fischer Asst Secretary, of FOREMAN TRUST AND SAVING BANK, who are personally known to me to be the same persons whose names are subscribed to the foregoing instrument in writing as such Vice President and said Secretary, respectively, appeared before me this day in person and acknowledged said FOREMAN TRUST AND SAVING BANK to be the Trustee in a Deed in Trust to the above described property and that the said Vice President and Asst Secretary of said corporation signed and delivered the said instrument as their own free and voluntary act, and as the free and voluntary act of said corporation for the uses and purposes therein set forth, and the said Asst Secretary did also then and there acknowledge that he as custodian of the corporate seal of said corporation did affix the said corporate seal of said corporation to said instrument as his own free and voluntary act and as the free and voluntary act of said corporation for the uses and purposes therein set forth.
Given under my hand and Notarial Seal this 25th day of Jan. A.D. 1928

IVER H. CHRISTOFFERSEN NOTARY PUBLIC COOK COUNTY, ILL.

Iver H. Christoffersen
Notary Public

I am the Owner and Legal holder of all the unpaid notes secured by the trust deed filed in the Office of Registrar of Titles in Cook County, Illinois as Doc. No. 389915 and I consent to and approve of the Resubdivision hereon drawn.

John Smith (Seal)
Owner and Holder of Notes.

STATE OF ILLINOIS } S.S.
COUNTY OF COOK }

This day personally appeared before me Oliver B. Opsahl a Notary Public in and for said County in the State aforesaid John Smith to me personally known to be the person herein named who acknowledged that at the time of such appearance, he was the Owner and Holder of all the notes secured by the trust deed to the property described therein, dated and recorded as therein set out and that as such Owner and holder of said notes, he consented to and approved the Resubdivision hereon drawn.
Given under my hand and Notarial Seal this 25th day of January A.D. 1928

Oliver B. Opsahl
Notary Public

OLIVER B. OPSAHL NOTARY PUBLIC COOK COUNTY, ILL.

CONTINUED ON PAGE 43

The undersigned, The CHICAGO TITLE AND TRUST COMPANY, as Trustee under a certain Trust deed dated January 24, 1928 and filed in the Office of Registrar of Titles of Cook County, Illinois on January 24, 1928 as Doc. No. 389915, also a certain Trust deed dated January 18, 1928 and filed in the Office of Registrar of Titles of Cook County, Illinois on January 24, 1928 as Doc. No. 389916 hereby consents to and approves of the Resubdivision hereon shown, and the plat thereof, hereon drawn.

CHICAGO TITLE AND TRUST COMPANY, as trustee
M. J. Lautsky
Vice President

CHICAGO TITLE & TRUST CO. SEAL CHICAGO, ILLINOIS
Attest: Irene Low
Asst Secretary

STATE OF ILLINOIS } ss.
COUNTY OF COOK }

I, O. Meiklejohn a Notary Public in and for said County in the State aforesaid do hereby certify that M. J. Lautsky Vice President and Irene Low Asst Secretary of the CHICAGO TITLE AND TRUST COMPANY, who are personally known to me to be the same persons whose names are subscribed to the foregoing instrument in writing, as such Vice President and Asst Secretary respectively, appeared before me this day in person and acknowledged said CHICAGO TITLE AND TRUST COMPANY to be the trustee in trust deeds to the above described property, and that the said Vice President and Asst Secretary of said Company, signed and delivered the said instrument as their own free and voluntary act and as the free and voluntary act of said Company for the uses and purposes therein set forth, and the said Asst Secretary did also then and there acknowledge that she, as custodian of the corporate seal of said Company, did affix the said corporate seal of said Company to said instrument as her own free and voluntary act and as the free and voluntary act of said Company for the uses and purposes therein set forth.
Given under my hand and Notarial Seal this 27th day of January A.D. 1928.

O. Meiklejohn
Notary Public

O. MEIKLEJOHN NOTARY PUBLIC

I am the Owner and Legal holder of all the unpaid notes secured by the trust deed filed in the Office of Registrar of Titles in Cook County, Illinois as Doc. No. 389916 and I consent to and approve of the Resubdivision hereon drawn.

Lawrence D. Houghs (Seal)
Owner and Holder of Notes

STATE OF ILLINOIS } SS.
COUNTY OF COOK }

This day personally appeared before me Frank W. Freeman a Notary Public in and for said County, in the State aforesaid Lawrence D. Houghs to me personally known to be the person herein named who acknowledged that, at the time of such appearance he was the Owner and Holder of all the notes secured by the trust deed to the property described therein, dated and recorded as therein set out and that as such owner and holder of said notes he consented to and approve the Resubdivision hereon drawn.
Given under my hand and Notarial Seal this 26th day of Jan A.D. 1928

Frank W. Freeman
Notary Public.

FRANK W. FREEMAN NOTARY PUBLIC COOK COUNTY, ILL.

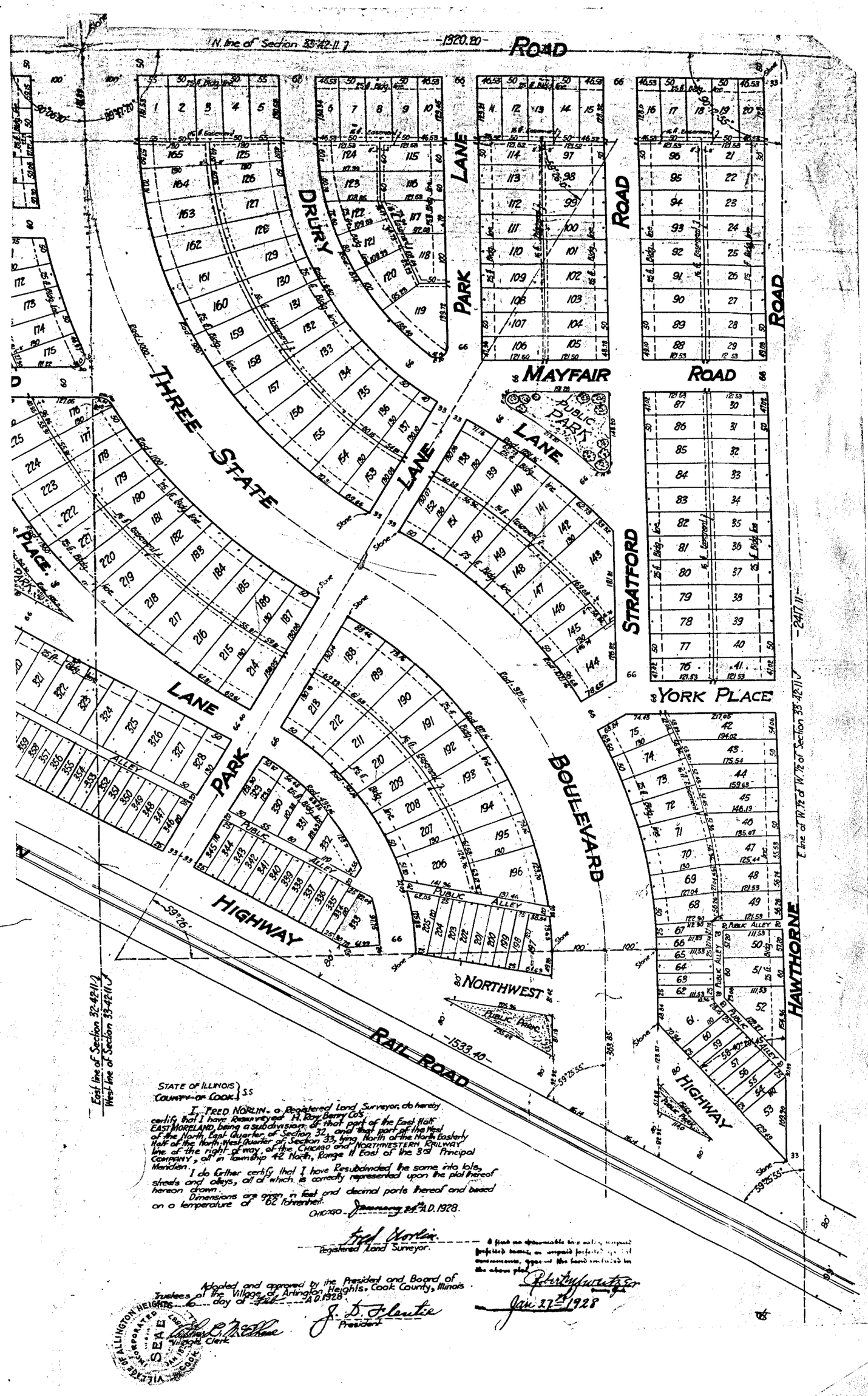
This map/plat is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

TORRENS
BOOK
20

No. 394266

FILED FEBRUARY 25 A.D. 1928 AT 10:09 O'CLOCK A.M. AND ENTERED IN VOLUME 429 OF REGISTER OF TITLES, ON PAGE 25

Joseph J. Kaine, REGISTRAR.



STATE OF ILLINOIS } SS
COUNTY OF COOK }

I, FRED NORLIN, a Registered Land Surveyor, do hereby certify that I have Resurveyed H. Ray Berry Co's EASTMORELAND, being a subdivision of that part of the East Half of the North East Quarter of Section 32, and that part of the West Half of the North West Quarter of Section 33, lying North of the North Easterly line of the right of way of the CHICAGO and NORTHWESTERN RAILWAY Company, all in Township 42 North, Range 11 East of the 3rd Principal Meridian.

I do Further certify that I have Resubdivided the same into lots, streets and alleys, all of which is correctly represented upon the plat thereof hereon drawn.

Dimensions are given in feet and decimal parts thereof and based on a temperature of 62 fahrenheit.

CHICAGO - January 26th A.D. 1928.

Fred Norlin.
Registered Land Surveyor.

Adopted and approved by the President and Board of Trustees of the Village of Arlington Heights, Cook County, Illinois 6 day of Feb A.D. 1928.

VILLAGE OF ARLINGTON HEIGHTS INCORPORATED SEAL 1887 COOK

Arthur L. Wallace
Village Clerk

J. D. Plentie
President

Liberty Insurance Co.
Jan 27th 1928

This map/plat is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

Exhibit E

Excerpt of Village GIS Map

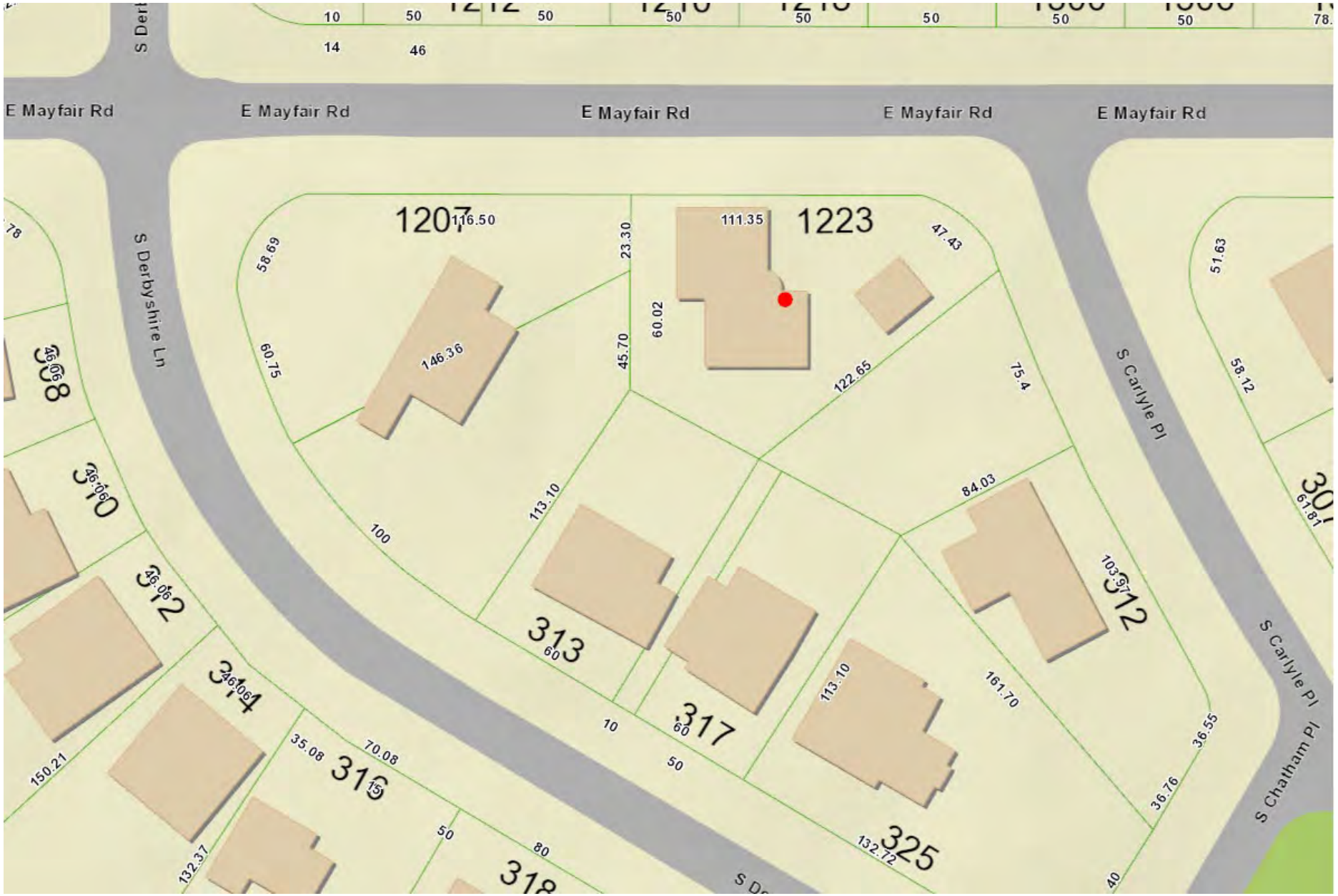


Exhibit F

CHICAGO TITLE INSURANCE COMPANY

LETTER REPORT

Customer Name and Address:
Meltzer Purtill & Stelle
1515 E Woodfield Rd, Suite 250
Schaumburg, IL 60173

Customer Reference:
1223 E. MAYFAIR RD.

Borrower Name and Address:
Michael L. McGraw
1223 E. Mayfair Rd.
Arlington Heights, IL 60004

Order No.: 20023431S

Please Direct Inquiries To:
Chicago Title Company, LLC
2441 Warrenville Rd, Suite 110
Lisle, IL 60532
(800)284-7545

Effective Date: October 30, 2020

Property: 1223 E. Mayfair Rd.
Arlington Heights, IL 60004

A. Last Grantee Of Record:
MICHAEL L. MCGRAW, AS TRUSTEE OF THE MICHAEL L. MCGRAW DECLARATION OF TRUST DATED DECEMBER 7, 1999

B. Current Year Real Estate Tax Information:
TAX ID #: 03-32-208-006-0000 and 03-32-208-007-0000
No search has been made for tax search.

Pink = Lot 227 Conveyances
Green = Lot 228 Conveyances

C. Mortgages, Judgments And Other Liens Of Record:
ALL CONVEYANCES ON LOTS 227 AND 228 SINCE PLAT WAS RECORDED:

First Lot 227 Conveyance →

Deed recorded August 8, 1928 as Document No. LR420282 from FOREMAN TRUST AND SAVINGS BANK AS TRUSTEE AND RECEIVER OF SIGNATURES, Grantor(s) to WALKER W. TACKETT, Grantee(s). (LOT 227)

Deed recorded January 14, 1929 as Document No. LR441361 from WALKER TACKETT AND ELIZABETH TACKETT, HIS WIFE, Grantor(s) to ROBERTA NEWELL, Grantee(s). (LOT 227)

Deed recorded June 5, 1929 as Document No. LR463995 from ROBERTA NEWELL AND ROBERT NEWELL, HER HUSBAND, Grantor(s) to ELSIE LINDBLOM, Grantee(s). (LOT 227)

First Lot 228 Conveyance →

Deed recorded September 25, 1933 as Document No. LR618311 from FOREMAN TRUST AND SAVINGS BANK, AS TRUSTEE AND RECEIVER OF SIGNATURES, Grantor(s) to TRUST COMPANY OF CHICAGO, TRUST #257, Grantee(s). (LOT 228)

Deed recorded December 5, 1934 as Document No. LR655689 from ELSIE NELSON (LINDBLOM) AND MANNE NELSON, HER HUSBAND, Grantor(s) to HARRY DRAKE, Grantee(s). (LOT 227)

First Time Lots 227 and 228 are Held in Common →

Deed recorded July 16, 1937 as Document No. LR765081 from HARRY DRAKE AND ALICE DRAKE, HIS WIFE, Grantor(s) to PETER B. ATWOOD AND DORIS ATWOOD, HIS WIFE, IN JOINT TENANCY, Grantee(s). (LOT 227)

Deed recorded July 29, 1937 as Document No. LR766172 from TRUST COMPANY OF CHICAGO, TRUST #257, Grantor(s) to WILLIAM TACKETT, Grantee(s). (LOT 228)

Deed recorded September 13, 1940 as Document No. LR869767 from WILLIAM C. TACKETT, Grantor(s) to PETER B. ATWOOD AND DORIS ATWOOD, HIS WIFE, IN JOINT TENANCY, Grantee(s). (LOT 228)

Deed recorded April 23, 1952 as Document No. LR1401022 from PETER ATWOOD AND DORIS ATWOOD, HIS WIFE, Grantor(s) to GLADYS M. WOLFF, Grantee(s). (LOT 227)

Deed recorded April 23, 1952 as Document No. LR1401023 from PETER ATWOOD AND DORIS ATWOOD, HIS WIFE, Grantor(s) to GLADYS M. WOLFF, Grantee(s). (LOT 228)

Deed recorded April 23, 1952 as Document No. LR1401024 from GLADYS M. WOLFF, Grantor(s) to GLENN A. MCTAVISH, AS TRUSTEE UNDER TRUST NO. 227, Grantee(s). (LOTS 227 AND 228)

Deed recorded July 12, 1965 as Document No. LR2218976 from GLENN A. MCTAVISH, AS TRUSTEE UNDER TRUST NO. 227, Grantor(s) to GLADYS M. WOLFF, Grantee(s). (LOTS 227 AND 228)

Deed recorded July 12, 1965 as Document No. LR2218977 from GLADYS WOLFF, Grantor(s) to PETER B. ATWOOD AND DORIS ATWOOD, HIS WIFE, IN JOINT TENANCY, Grantee(s). (LOTS 227 AND 228)

Deed recorded August 31, 1965 as Document No. LR2289653 from PETER B. ATWOOD AND DORIS ATWOOD, HIS WIFE, Grantor(s) to JOHN P. RINELLA AND JOAN RINELLA, HIS WIFE, IN JOINT TENANCY, Grantee(s). (LOTS 227 AND 228)

Deed recorded May 24, 2001 as Document No. 0010444022 from JOHN P. RINELLA AND JOAN M. RINELLA, HUSBAND AND WIFE, Grantor(s) to MICHAEL L. MCGRAW AND JOANNE MCGRAW, HUSBAND AND WIFE, AS TENANTS BY THE ENTIRETY WITH RIGHT OF SURVIVORSHIP, Grantee(s). (LOTS 227 AND 228)

Deed recorded September 26, 2001 as Document No. 0010895703 from MICHAEL L. MCGRAW AND JOANNE MCGRAW, HUSBAND AND WIFE, Grantor(s) to JOANNE MCGRAW, AS TRUSTEE UNDER THE JOANNE MCGRAW DECLARATION OF TRUST DATED DECEMBER 7, 1999, Grantee(s). (LOTS 227 AND 228)

Deed recorded March 6, 2002 as Document No. 0020252933 from JOANNE MCGRAW, AS TRUSTEE UNDER TRUST AGREEMENT DATED DECEMBER 7, 1999 AND KNOWN AS THE JOANNE MCGRAW DECLARATION OF TRUST, Grantor(s) to MICHAEL L. MCGRAW AND JOANNE MCGRAW, HUSBAND AND WIFE, AS TENANTS BY THE ENTIRETY, Grantee(s). (LOTS 227 AND 228)

Deed recorded October 8, 2002 as Document No. 0021105236 from MICHAEL MCGRAW AND JOANNE MCGRAW, HUSBAND AND WIFE, Grantor(s) to JOANNE MCGRAW, AS TRUSTEE UNDER TRUST AGREEMENT DATED DECEMBER 7, 1999 AND KNOWN AS THE JOANNE MCGRAW DECLARATION OF TRUST, Grantee(s). (LOTS 227 AND 228)

Deed recorded May 20, 2003 as Document No. 0314014077 from JOANNE MCGRAW, AS TRUSTEE UNDER TRUST AGREEMENT DATED DECEMBER 7, 1999 AND KNOWN AS THE JOANNE MCGRAW DECLARATION OF TRUST, Grantor(s) to MICHAEL L. MCGRAW AND JOANNE MCGRAW, HUSBAND AND WIFE, AS TENANTS BY THE ENTIRETY, Grantee(s). (LOTS 227 AND 228)

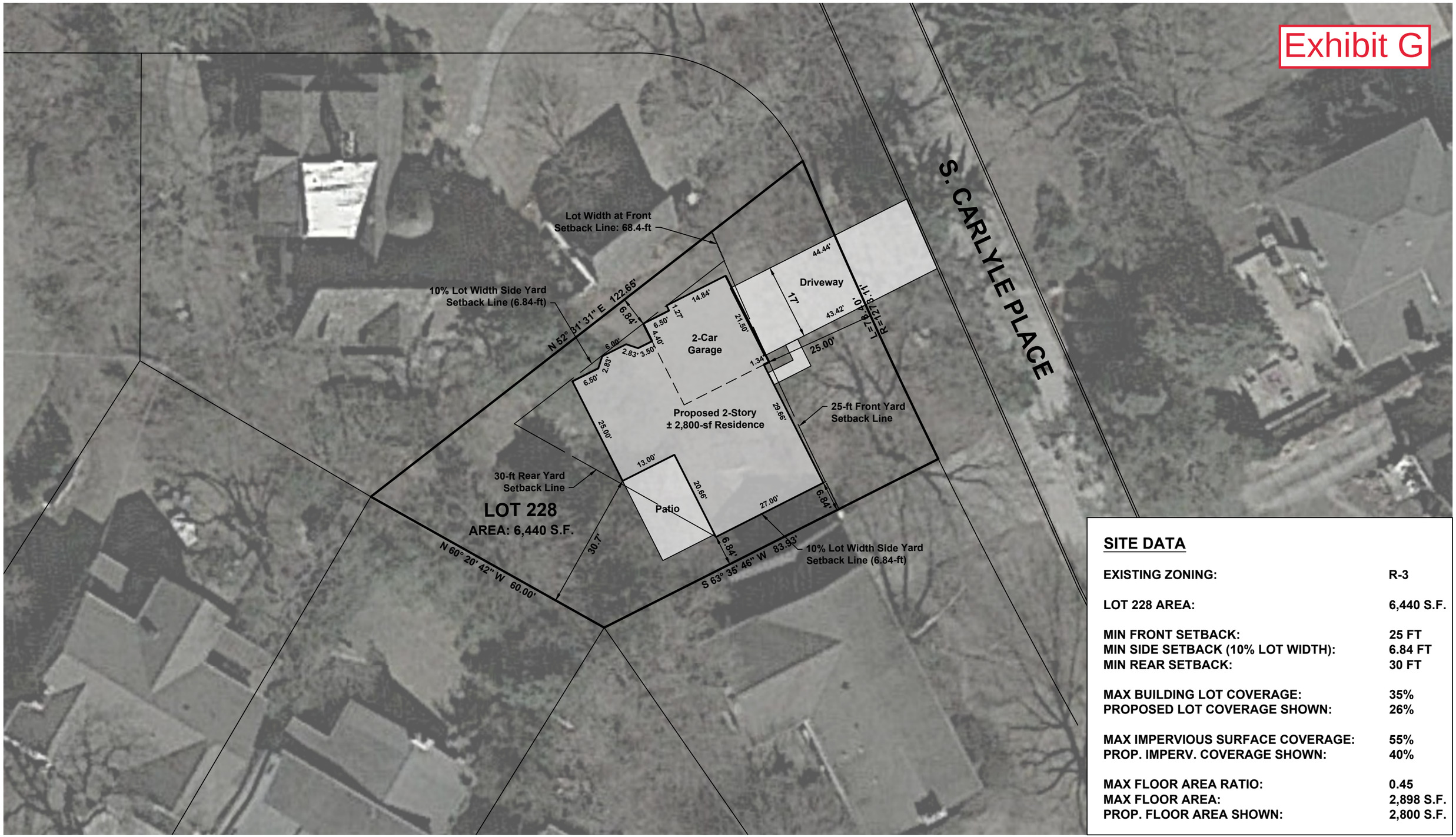
Deed recorded November 21, 2003 as Document No. 0332545082 from MICHAEL L. MCGRAW AND JOANNE MCGRAW, HUSBAND AND WIFE, Grantor(s) to JOANNE MCGRAW, AS TRUSTEE UNDER TRUST AGREEMENT DATED DECEMBER 7, 1999 AND KNOWN AS THE JOANNE MCGRAW DECLARATION OF TRUST, Grantee(s). (LOTS 227 AND 228)

Deed recorded August 29, 2013 as Document No. 1324155013 from JOANNE MCGRAW, AS TRUSTEE UNDER TRUST AGREEMENT DATED DECEMBER 7, 1999 AND KNOWN AS THE JOANNE MCGRAW DECLARATION OF TRUST, Grantor(s) to MICHAEL L. MCGRAW AND JOANNE MCGRAW, HUSBAND AND WIFE, AS TENANTS BY THE ENTIRETY, Grantee(s). (LOTS 227 AND 228)

Deed recorded October 20, 2017 as Document No. 1729318049 from JOANNE MCGRAW AND MICHAEL MCGRAW, DIVORCED AND NOT REMARRIED, Grantor(s) to MICHAEL MCGRAW A/K/A MICHAEL LESLIE MCGRAW, A/K/A MICHAEL L. MCGRAW, DIVORCED AND NOT REMARRIED, Grantee(s). (LOTS 227 AND 228)

Deed recorded July 24, 2019 as Document No. 1920555252 from MICHAEL MCGRAW A/K/A MICHAEL LESLIE MCGRAW, A/K/A MICHAEL L. MCGRAW, DIVORCED AND NOT REMARRIED, Grantor(s) to MICHAEL L. MCGRAW, AS TRUSTEE OF THE MICHAEL L. MCGRAW DECLARATION OF TRUST DATED DECEMBER 7, 1999, Grantee(s). (LOTS 227 AND 228)

Exhibit G



SITE DATA

EXISTING ZONING:	R-3
LOT 228 AREA:	6,440 S.F.
MIN FRONT SETBACK:	25 FT
MIN SIDE SETBACK (10% LOT WIDTH):	6.84 FT
MIN REAR SETBACK:	30 FT
MAX BUILDING LOT COVERAGE:	35%
PROPOSED LOT COVERAGE SHOWN:	26%
MAX IMPERVIOUS SURFACE COVERAGE:	55%
PROP. IMPERV. COVERAGE SHOWN:	40%
MAX FLOOR AREA RATIO:	0.45
MAX FLOOR AREA:	2,898 S.F.
PROP. FLOOR AREA SHOWN:	2,800 S.F.

NORTH
0 20
Scale: 1" = 20'

No.	Date	Revision

CONCEPT SITE PLAN

LOT 228 - STONEGATE SUBDIVISION

ARLINGTON HEIGHTS

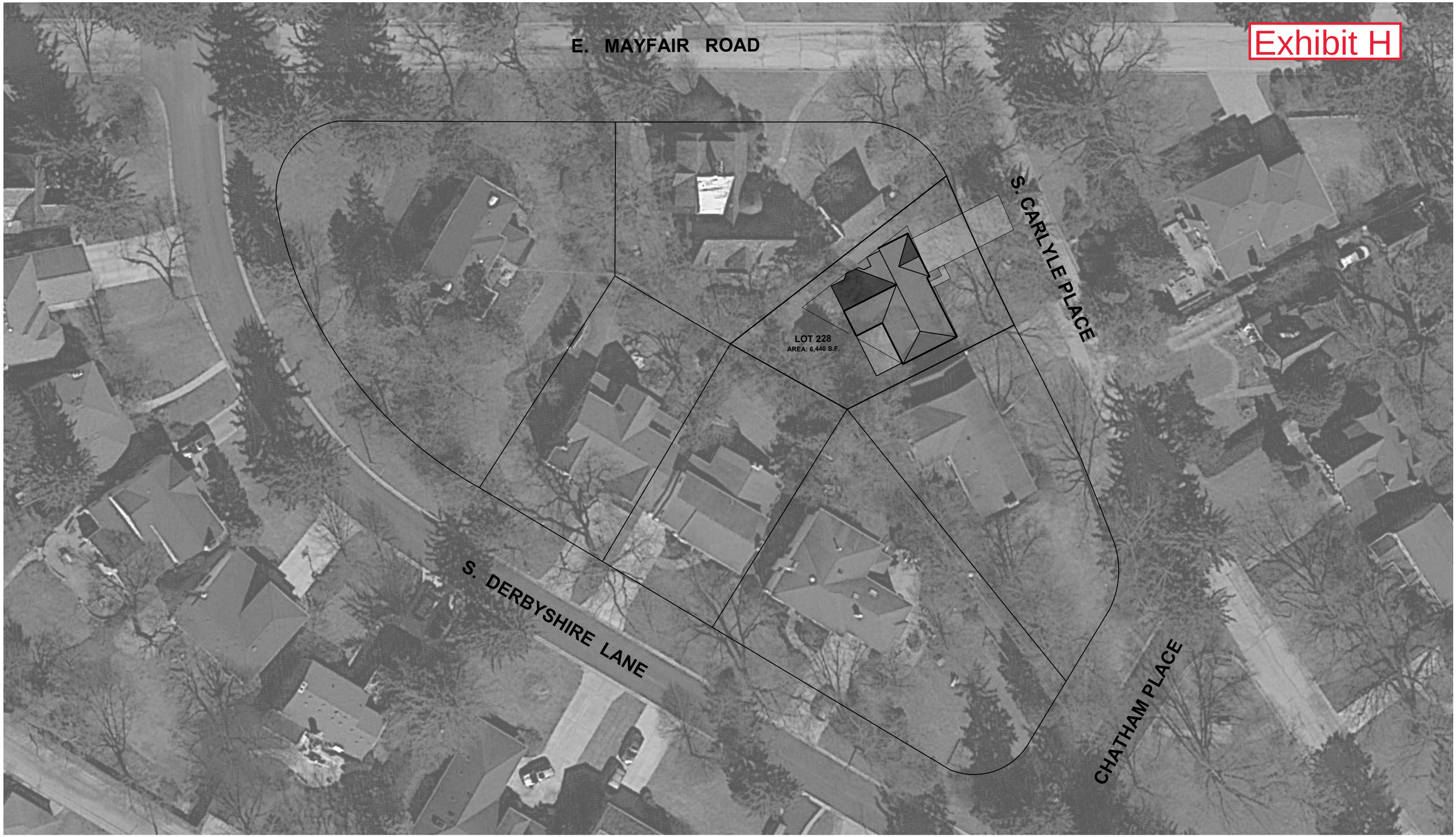
HAEGER ENGINEERING
consulting engineers • land surveyors
100 East State Parkway, Schaumburg, IL 60173 Tel: 847.394.6600 Fax: 847.394.6608
Illinois Professional Design Firm License No. 184-003152 www.HaegerEngineering.com

Project Manager:	MLA
Engineer:	
Date:	11.18.2020
Project No.	20-197
Sheet	1 / 1

C:\Users\mike-a.HE\appdata\local\temp\AcPublish_14804\20197-Lot Fit Exhibit.dwg | Nov 18, 2020 - 7:49am | mike-a

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Exhibit H



NORTH
0 40
Scale: 1" = 40'

No.	Date	Revision

EXTENDED NEIGHBORHOOD VICINITY CONTEXT EXHIBIT OF CONCEPT PLAN

LOT 228 - STONEGATE SUBDIVISION

ARLINGTON HEIGHTS

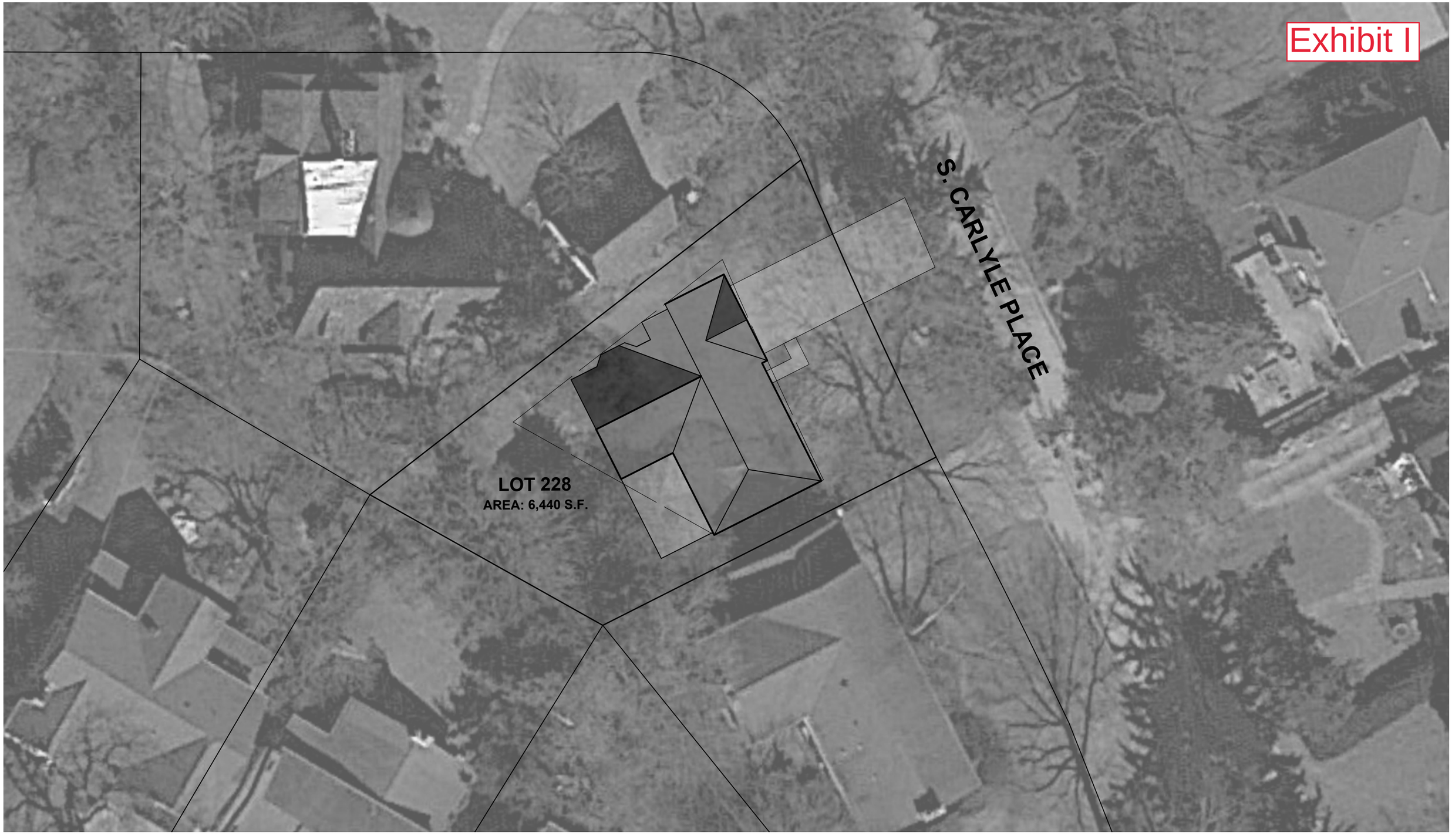
HAEGER ENGINEERING
consulting engineers • land surveyors
100 East State Parkway, Schaumburg, IL 60173 Tel: 847.394.6600 Fax: 847.394.6608
Illinois Professional Design Firm License No. 184-003152 www.HaegerEngineering.com

Project Manager:	MLA
Engineer:	
Date:	11.30.2020
Project No.	20-197
Sheet	1 / 1

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Exhibit I



NORTH

0 20

Scale: 1" = 20'

No.	Date	Revision

NEIGHBORHOOD VICINITY CONTEXT EXHIBIT OF CONCEPT PLAN

LOT 228 - STONEGATE SUBDIVISION

ARLINGTON HEIGHTS

HAEGER ENGINEERING
consulting engineers • land surveyors
100 East State Parkway, Schaumburg, IL 60173 Tel: 847.394.6600 Fax: 847.394.6608
Illinois Professional Design Firm License No. 184-003152 www.HaegerEngineering.com

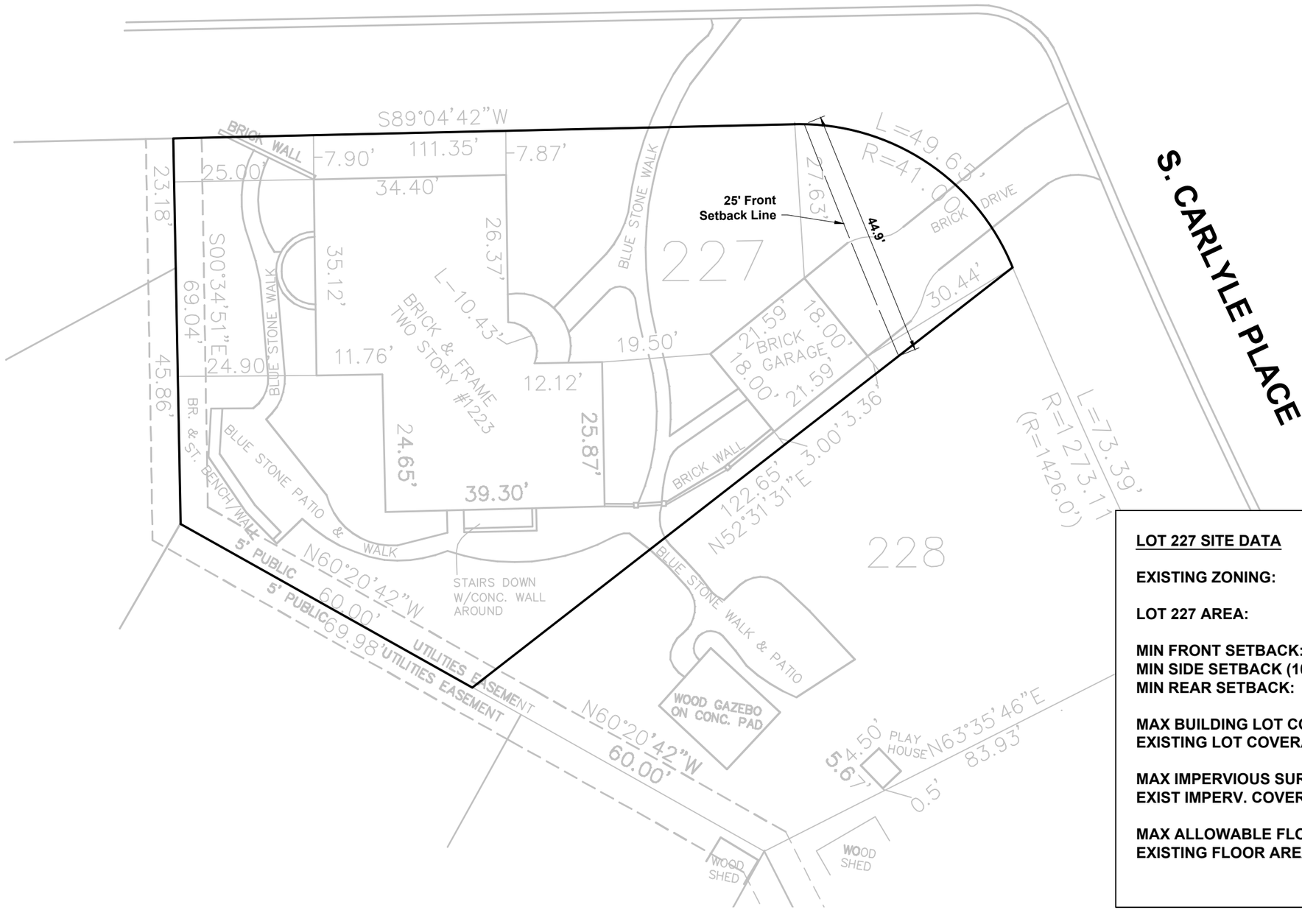
Project Manager:	MLA
Engineer:	
Date:	11.20.2020
Project No.	20-197
Sheet	1 / 1

C:\Users\mike-a.HE\appdata\local\temp\AcPublish_23132\20197-Lot Fit Exhibit.dwg | Nov 20, 2020 - 10:49am | mike-a

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Exhibit J

E. MAYFAIR ROAD



LOT 227 SITE DATA

EXISTING ZONING:	**R-3**
LOT 227 AREA:	**10,272 S.F.**
MIN FRONT SETBACK:	**25 FT**
MIN SIDE SETBACK (10% LOT WIDTH):	**4.49 FT**
MIN REAR SETBACK:	**30 FT**
MAX BUILDING LOT COVERAGE:	**35%**
EXISTING LOT COVERAGE (2,599 S.F.):	**25.3%**
MAX IMPERVIOUS SURFACE COVERAGE:	**50%**
EXIST IMPERV. COVERAGE (4,536 S.F.):	**44.2%**
MAX ALLOWABLE FLOOR AREA:	**4,547 S.F.**
EXISTING FLOOR AREA:	**2,606 S.F.**

NORTH
0 20
Scale: 1" = 20'

No.	Date	Revision

PROPERTY EXHIBIT

LOT 227 - STONEGATE SUBDIVISION
ARLINGTON HEIGHTS

HAEGER ENGINEERING
consulting engineers • land surveyors
100 East State Parkway, Schaumburg, IL 60173 Tel: 847.394.6600 Fax: 847.394.6608
Illinois Professional Design Firm License No. 184-003152 www.HaegerEngineering.com

Project Manager:	MLA
Engineer:	
Date:	11.25.2020
Project No.	20-197
Sheet	1 / 1

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Exhibit K

From: Joyce M. Gloff <jgloff@vah.com>
Sent: Tuesday, December 2, 2003 3:16 PM
To: [redacted]
Subject: Re: Buildability opinion

I reviewed the minutes of your ZBA meeting held 6/11/01. According to the minutes, your lot needed to be divided via the Zoning Board of Appeals because there was a summerhome on one lot and the two lots were being used as one zoning lot. As you are now aware, the Village changed its zoning laws effective November 1, 2003. The new zoning codes do not include the requirement for a division of a zoning lot as long as the majority of the developed lots on the block are less than code in either width or area. Because the accessory structure is still located on the side lot, the side lot is considered to be a developed lot. Both the corner lot at 312 S. Caryle Place and your side lot are substandard; therefore, the subject property is considered at this time to be a buildable lot. A building permit could be issued as long as all other applicable building and zoning regulations are met.

the_mcgraws wrote:

> Joyce ... as a follow-up to our discussion at 5:00. House next door is 312 S. Carlyle, currently owned by Jeff & Cathie Schwarz. My property is approx. 75' front x 83.03' north x 60' back x 120' south or 101.5' x 67.5' = 6,851 sq. ft.. Please advise your thoughts when convenient. Best regards. ... Mike Mike McGraw, owner

PUBLIC COMMENTS RECEIVED FOR 1223 E. MAYFAIR RD.

[redacted]

From: anna toth [redacted]
Sent: Wednesday, February 3, 2021 9:56 PM
To: Mach, Derek
Subject: 1223 E Mayfair Rd. Variance Request

[**NOTICE:** This message originated outside of Village of Arlington Heights email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

To Whom It May Concern;

Regarding the Variance Request for property located at 1223 E. Mayfair Rd, (Stonegate Subdivision). We are longtime residents (33 years) and neighbors in this community and are opposed to this type of expansion/construction.

The request is being made on property that is much too small to support the size of the house, which lends to a "jammed in" feel to the space. Given the proposed construction of a new home, on a sub-divided lot, on a narrow street .... is a recipe for serious congestion. This housing request on property that is already substantially developed seems unnecessary and diminishes the character of the neighborhood and surrounding space.

Please consider those of us who live in and enjoy the neighborhood.

Regards,

Mr. & Mrs. George Toth
[redacted]

[redacted]

From: Dale Anderson [redacted] >
Sent: Thursday, February 4, 2021 8:32 AM
To: Mach, Derek
Cc: Kathy Anderson; Cathie Schwarz
Subject: 1223 Mayfair Variance

[**NOTICE:** This message originated outside of Village of Arlington Heights email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

To Whom It May Concern,

I own the home at [redacted] in Stonegate. The lot and house at 1223 Mayfair of the variance request is visible from my home.

I am against the variance request at 1223 Mayfair.

Not only will another house on that lot change the nature of my corner of Stonegate, it would open the door for additional variances in Stonegate. If the variance is granted, my unscientific count has 10-12 lots in Stonegate which could use the 1223 Mayfair approval as a reason to build more homes significantly changing the unique qualities of our neighborhood.

Please call or email with any questions.

Thanks, Dale

Dale Anderson
[redacted]

Sent from my laptop

[redacted]

From: KATY DICKMAN [redacted] >
Sent: Wednesday, February 3, 2021 9:00 PM
To: Mach, Derek
Cc: Katy Dickman
Subject: Variance Lot Requests for 227 and 228 in Stonegate Neighborhood
Attachments: StonegateNeighborhood.pdf

[**NOTICE:** This message originated outside of Village of Arlington Heights email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Regarding the Variance requests submitted by Mr. Mike McGraw as follows:

- Lot 227: A 45.1-foot variation from Chapter 28, Section 5.1-3.1 (Minimum Lot Width) and Section 5.1-3.1a, to allow a lot (Lot 227) with a width of 44.9 feet where 90 feet is required.
- Lot 228: A 1.6-foot variation from Chapter 28, Section 5.1-3.1 (Minimum Lot Width) and Section 5.1-3.1a, to allow a lot (Lot 228) with a width of 68.4 feet to be buildable where 70 feet is required.
- A variation from Chapter 28, Section 5.1-3.1 (Minimum Lot Size) and Section 5.1-3.1a, (Lot 228) to allow a 6,440 square foot lot to be buildable where 8,750 square feet is required.

Dear Mr. Mach and the Village Board,

I live at [redacted] in the Stonegate subdivision. I am writing in opposition to Mr. McGraw's request for a variance for Lots 227 and 228 in my neighborhood. Current zoning requirements should be upheld and this request should be denied.

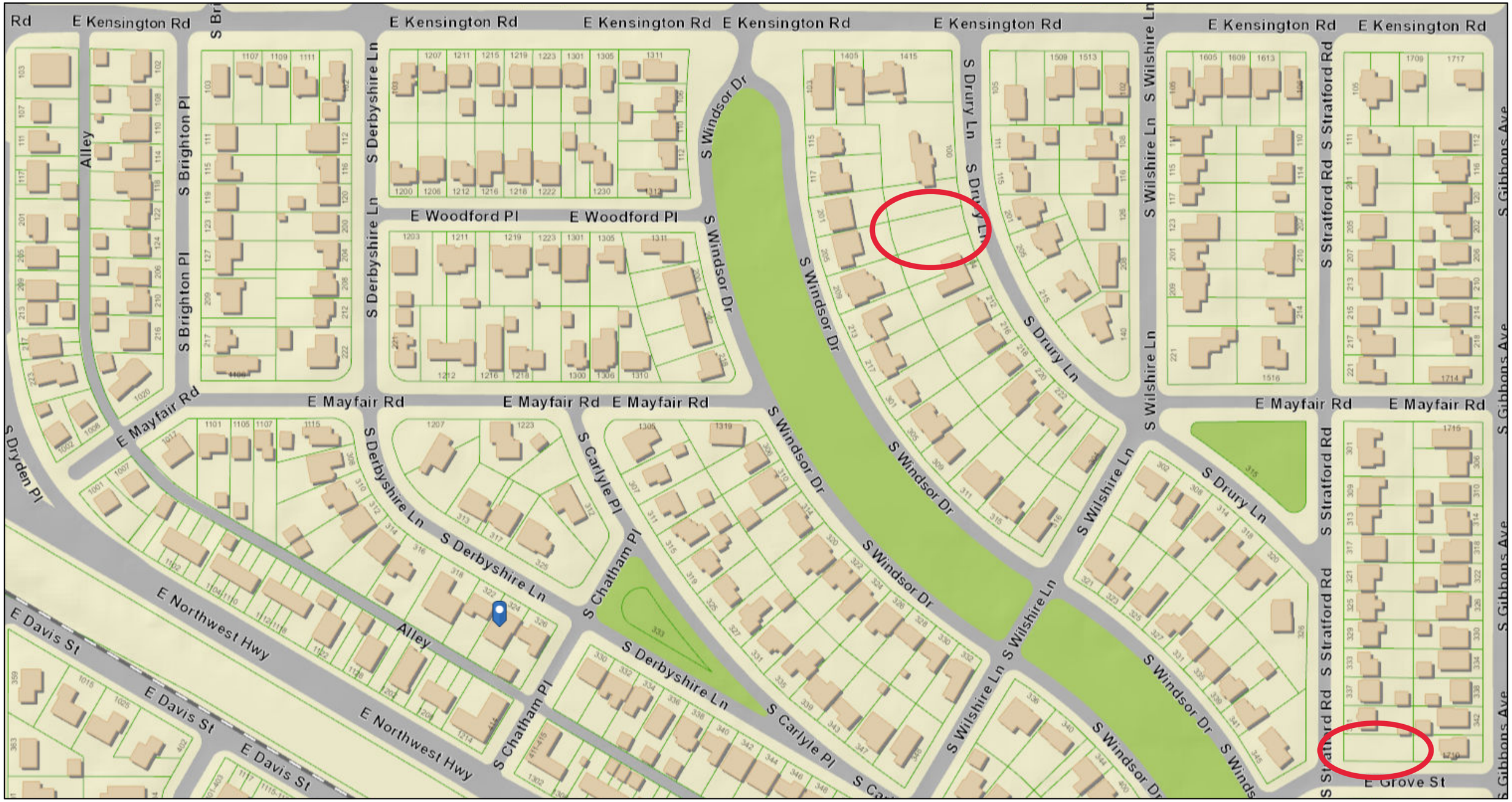
Mr. McGraw states in Exhibit A to his application that Lot 228 puts him in a unique position of owning the "only undeveloped" platted lot, however a review of the Village's online GIS mapping systems shows this is not the case. Attached are two pages of the web map showing undeveloped plots which have been circled for convenience.

The charm and value of our neighborhood comes in part due to the large lots and open spaces throughout the neighborhood, which in turn adds to the special character of our greater community of Arlington Heights. The Village has put these zoning regulations in place for the consistency of "overall objectives for quality architecture and aesthetics throughout the Village." Please keep the aesthetics of our neighborhood, uphold the current zoning requirements, and deny Mr. McGraw's request.

Thank you for your attention and service to our community.

Kind regards,
Kathryn Dickman
[redacted]

ArcGIS Web Map



2/3/2021, 7:56:42 PM

1:2,000

0 0.03 0.05 0.1 mi

0 0.04 0.07 0.15 km

Web AppBuilder for ArcGIS

ArcGIS Web Map



2/3/2021, 7:59:07 PM

1:2,000

0 0.03 0.05 0.1 mi

0 0.04 0.07 0.15 km

[redacted]

From: Anita Annen [redacted]
Sent: Tuesday, February 2, 2021 7:42 PM
To: Mach, Derek
Subject: Objection to requests for zoning variances - 1223 E. Mayfair Lots 227 and 228

[**NOTICE:** This message originated outside of Village of Arlington Heights email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

We are 18 year residents of Stonegate, having lived in 3 different houses, and are writing to express our opposition to the proposed variances at 1223 E. Mayfair.

We have several concerns about the variance requests on both lots, as noted below:

- The proposed "new" lot that would be built on would be over 2300 sq ft less than the Village requirement. The width of the existing house/lot would be almost half the requirement. Both are significant variances, not just a foot or two.
- The changes to both lots would negatively impact the character of the neighborhood, as most of the surrounding houses are on larger lots.
- Having sold 2 prior Stonegate houses, a re-occurring comment was the houses were "too close together". I believe that cramming a large house on too small of a lot will negatively impact the value of the surrounding houses.
- With the amount of structure and brick pavers that would occupy the smaller lots, I expect that flooding would be a concern for neighbors.
- It does not seem that the 3 conditions for approval have been met – a reasonable return is possible as is based on purchase price and the typically strong market for tudor houses; 2 people not wanting to live together does not seem to be unique (the petitioner owns another house down the street that could solve the problem); and the variance would absolutely alter the essential character of the area.

Best regards,
Anita and Bill Annen

[redacted]

From: Ann Baker [redacted]
Sent: Wednesday, January 13, 2021 6:11 PM
To: Mach, Derek
Subject: 1223 E Mayfair

[NOTICE: This message originated outside of Village of Arlington Heights email system -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Hello,

I am a resident of Stonegate in Arlington Heights. I live very close to 1223 E Mayfair. My children play every day after school and on weekends in the triangle park very close to that address. I worry if a house is built in that lot, there will be even more traffic in that very narrow part of the street. When we walk to school, we travel past that address and there is very little room even now because we don't have sidewalks. Another residence there would only bring in more traffic.

I also think that a large home on such a small lot does not match the character of our neighborhood.

Let me know if you need my address, etc.

Thank you!
Ann

Sent from my iPhone

[redacted]

From: Bill Berry [redacted] >
Sent: Tuesday, January 26, 2021 9:55 PM
To: Mach, Derek
Subject: Mike McGraw Property @ 1223 E. Mayfair Road Variance Request

[**NOTICE:** This message originated outside of Village of Arlington Heights email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

As a close neighbor to this property, I am very concerned with splitting this property into a lot that would be too small. In 2018, I moved our family into Stone Gate from another Arlington Heights neighborhood because of the historical homes, property values and unique StoneGate neighborhood character.

I understand this reduced lot would not be not large enough to build upon prompting the variance request. What is the point and risk that it will be lobbied to be build and create a property that is not conducive and fitting to the neighborhood.

If this change were granted, the lot would not meet minimum size requirements for a home to be built there of similar size, character, and potential value, consistent with Stonegate. I anticipate that by reducing the required dimensions for both resulting lots, the beauty and density that we all appreciate in Stonegate would be negatively impacted.

I am an owner of one of the similar and original tudor style homes in Stonegate. I have invested significant improvements to restore such 96 year old home. I did this partly in the expectation that the neighborhood would remain stately and attractive to other high equity buyers. A smaller property next to such tudors will degrade this attractiveness.

There are large trees in that property that surely would need to be removed. This reduces the character of the neighborhood. It also create more stress to the other trees with less protection in high winds. We have three such tall pine trees that are significantly taller than our house. We need the protection brought by groupings of other trees. It also reduces animal habitats especially birds (owls) which are treasured in the area.
I strongly oppose the approval of this variance and respectfully request that the Village Zoning Board uphold the current zoning and protect the character of our neighborhood that many of us sought out, and purchased at a premium, to enjoy.

Regards,
William and Kerrie Berry
[redacted] Mayfair Road
Arlington Heights, IL 60004

[redacted]

From: Bud & Becky Daleiden [redacted] >
Sent: Thursday, December 31, 2020 4:10 PM
To: Mach, Derek
Subject: Opposition to variance request for 1223 E. Mayfair Rd.

[**NOTICE:** This message originated outside of Village of Arlington Heights email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Derek and Arlington Heights Zoning Board,

We are writing to convey our opposition to the subdivision of the lot at 1223 E. Mayfair Rd., AH, IL 60004. We have lived across the street from the property pursuing the variance since 1997.

We do not believe the variance should be granted. Particularly, we are opposed to reducing the permissible lot width from 90 feet to 44.9 feet and reducing the minimum square footage from 8,750 to 6,440.

Granting the variances will alter the character of the locality significantly.

Finally, the owner does not have a significant reason to subdivide for the following reasons:

- He does not reside at the lot in question or in Illinois
- His new primary residence is in Florida
- We have been informed that his grown son and brother will occupy each of the two houses on lots 227 and 228 since they do not like living together at the current residence (1223 E. Mayfair Rd.)
- He already owns two homes in Stonegate (1017 E. Mayfair Rd, and the lot in question)
- It stands to reason that either his son or brother could occupy the other home he owns in Stonegate and, thus, the variance would be unnecessary and frivolous.

Thank you,
Bud & Becky Daleiden
[redacted].
Arlington Hts., IL 60004

[redacted]

From: Bob Jostes [redacted] >
Sent: Monday, February 1, 2021 8:26 PM
To: Mach, Derek
Subject: I am an Arlington Heights resident opposed to Mike McGraw's variance request

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for Lot 227 and Lot 228 in the Stonegate neighborhood. Current zoning requirements should be upheld and this request should be denied.

I reside at [redacted] in Stonegate.

Thank you,
Robert T. Jostes

Sent from my iPad

[redacted]

From: Barbara Morrison [redacted]
Sent: Monday, January 11, 2021 1:04 PM
To: Mach, Derek
Subject: Fwd: 1223 E. Mayfair Variance

[**NOTICE:** This message originated outside of Village of Arlington Heights email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear Village Zoning-

I am not supportive of the requested variance for 1223 E Mayfair. The variance requested is too large in terms of minimum lot requested of 44.9 feet vs 90 feet and square footage for buildable space of 6,440 vs required 8,750 feet. The zoning requirements are put in place to keep housing from being too close to each other and this requested variance should be denied.
Thank you,

Barbara Morrison
[redacted]

Begin forwarded message:

> **From:** Cathie Schwarz [redacted]
> **Date:** January 5, 2021 at 10:12:46 AM CST
> **To:** undisclosed-recipients:;
> **Subject: 1223 E. Mayfair Variance**
>
> Dear Friends,
>
> This is Cathie Schwarz, [redacted]. (37 years) Please forgive my intrusion.
>
> As you may be aware, Mike McGraw is seeking a variance in order to build on his side property.
> He now lives in Florida.
>
> Here is his ask in simple terms provided to me by the Village:
>
> •to allow separation of the Subject Property from a single zoning lot into two zoning lots...
>
> Lot 227
> • A 45.1-foot variation from Chapter 28, Section 5.1-3.1 (Minimum Lot Width) and Section 5.1-3.1a, to allow a lot (Lot 227) with a width of 44.9 feet where 90 feet is required. (Tudor)
>
> Lot 228
> • A 1.6-foot variation from Chapter 28, Section 5.1-3.1 (Minimum Lot Width) and Section 5.1-3.1a, to allow a lot (Lot 228) with a width of 68.4 feet to be buildable where 70 feet is required.

- A variation from Chapter 28, Section 5.1-3.1 (Minimum Lot Size) and Section 5.1-3.1a, (Lot 228) to allow a 6,440 square foot lot to be buildable where 8,750 square feet is required. (Side yard)

If you have a feeling about this and wish to preserve Stonegate's open space and neighborhood charm, please consider sending an email to: dmach@vah.com
to express your feeling BY MONDAY, JAN.11 at 3:00 p.m. There is also a Zoom Zoning Board meeting on Monday, January 11, which you could attend or have your email read. I will send further information regarding this on Friday.

I realize my neighbors and I will experience the greatest effect if this variance is approved, but we appreciate any support you can share. A Village trustee told me that it is a good idea to get as many people ("50-100") as possible to weigh in on this issue.

I thank you so very much. Please let me know if you have any questions.

Sincerely, Cathie Schwarz☺

[redacted]

From: Barb Powers [redacted] >
Sent: Sunday, January 10, 2021 5:31 PM
To: Mach, Derek
Subject: 1223 E. Mayfair variances

[**NOTICE:** This message originated outside of Village of Arlington Heights email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Good morning,

I am writing to express my concerns regarding the variances requested for 1223 E. Mayfair. This property is one of the most beautiful in the neighborhood, and I am strongly against the owner's plan to build another house there. The owner is not currently living in the house and my understanding is that he is living out of state. Thus, he will not be affected by the change in his property, except for the money he will receive upon the sale of either the property or any future home constructed on it. Even if he were living there, these variances would cause a significant change to the property and this request is unacceptable.

It seems that builders need to build large houses to turn a good profit, so I am envisioning a large house sitting on a too small lot. It would mean 3 driveways in a condensed area, which would cause safety issues, particularly for cars, bikes, and people on foot as they come around the corner from the north at Carlyle and Mayfair. There are no sidewalks in this neighborhood, so children and adults ride their bikes and walk in the street regularly. The safety concerns, added congestion, and affect on the character of the neighborhood all lead me to ask you to reject this request. If this variance is given, I would strongly encourage the planning committee to allow only a small home to be built.

Thank you for your time and consideration of my thoughts. I look forward to the meeting on February 8th.

Regards,
Barbara Powers
[redacted], Arlington Heights

[redacted]

From: Christine Petrovski [redacted]
Sent: Friday, January 8, 2021 2:04 PM
To: Mach, Derek
Cc: Nick Petrovski
Subject: 1223 E. Mayfair Variance

[**NOTICE:** This message originated outside of Village of Arlington Heights email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

To whom it may concern,
We do not believe the Village should allow the property of 1223 E. Mayfair to be split into two zoning lots. Much of Stonegate's appeal and charm is due to its open spaces, wooded lots, and well-spaced properties. Passing this variance would detract from the neighborhood's appeal and would decrease property values, especially to those properties nearest 1223 E. Mayfair.

Sincerely,

Christine and Nicholas Petrovski
[redacted]



To: Members of the Zoning Board, Village of Arlington Heights

Mr. Peter Siavelis
Mr. David Divito
Mr. Thomas Drake
Mr. Joseph Geisel
Mr. Benjamin Jaffe
Mr. Jeff Lanaghan
Mr. Joseph Selbka
and
Mr. Derek Mach, Village Planner

From: Cathie Schwarz, [redacted]
Date: Tuesday, February 2, 2021

Regarding: Variance request for 1223 E. Mayfair Road

Hello. My name is Cathie Schwarz, and I have lived at [redacted] for 37 years. My home is adjacent to Lot 228 on which the petitioner is seeking to build a home. I am a lifelong resident of Arlington Heights and a recently retired teacher from Dryden Elementary School (21 years) where I was a dedicated and caring educator. In 2010, I was awarded the Arlington Heights Educator Heart of Gold which reflects my integrity and service to this wonderful community.

In consideration of the variances sought by the petitioner, I share what I hope you will find to be a logical, educated, and fair assessment of the request. It is my sincere hope that my Village government will deny the petitioner's requests for variance, making a fair judgement when applying the statutes that are currently in place.

To begin with, I take exception with the petitioner's statement: "*Construction of a house on Lot 228 will support both preservation and advancement of the neighborhood through development as planned nearly 93 years ago and significant reinvestment in the neighborhood.*" What was planned for Stonegate 93 years ago should not have any bearing on and is not relevant to the Zoning Board of Appeal's 2021 decision for what is best for our neighborhood. To think this project would preserve and advance Stonegate is pure fantasy.

Regarding the petitioner's Exhibit K, a 2003 email correspondence from then Village employee Joyce Gloff, the petitioner shares that Lot 228 is in fact "*considered at this time to be a buildable lot.*" The petitioner omits the final statement of Ms. Gloff's email: *A building permit could be issued as long as all other applicable building and zoning regulations are met.*

The variances being requested for Lot 228, which include the request for a lot which is 26.4% smaller than what the current code requires, is concerning. As the property owner adjacent to Lot 228, I am extremely concerned about a large home (2800 square feet--Exhibit G) being shoehorned into this undersized lot. Among other concerns, I am very worried about the effects that stormwater runoff from a new home on Lot 228 would have on our homes. The sewer at the corner of Mayfair and Derbyshire currently struggles to accommodate the amount of rainwater that flows to it during a hard rain. The tudor home on Lot 227 has experienced flooding problems in the past as has my home. In 2018, I spent a very significant amount of money for drain tiles and other drainage improvements to solve my flooding issues; I fear a new home shoehorned into Lot 228 would increase the frequency of flooding events for my neighbors and me.

The safety and welfare of the property owners immediately adjacent to the property and the neighborhood as a whole should be taken into consideration. The additional congestion and street parking at/around the corner of Mayfair and Carlyle, an area without sidewalks, is a significant concern. In the space of 150 feet near the corner of Mayfair and Carlyle, there would be 6 driveways (3 single and 3 double) with access to the Mayfair and Carlyle if a home is constructed on Lot 228. There are many, many walkers, runners, parents//grandparents with strollers, and kids on scooters/skateboards who

use and enjoy the streets of Stonegate for recreation. The pandemic has increased the amount of time people spend outdoors, and I believe this healthy trend will continue post pandemic. Additionally, the area between the intersections of Mayfair (east side) and Derbyshire as well as the area from 311 S. Carlyle through 347 S. Carlyle are home to 21 children and 15 visiting grandchildren who enjoy and deeply appreciate this area of Stonegate.

The block created by Mayfair Road, Derbyshire Lane, Chatham Place, and Carlyle Place is an appreciated and uniquely-shaped block within our close neighborhood. The four corner houses, the petitioner's at 1223 Mayfair, 1207 E. Mayfair, 325 S. Derbyshire, and [redacted] (my home) have large, corner lots. With its magnificent pines, it is an area of our neighborhood that is enjoyed and valued by many for its unique character and open feeling. Believing that this development of Lot 228 will not alter the essential character of the locality is just inaccurate. The essential character of the area will undoubtedly be affected if this variance is approved as mature trees will have to be removed, more brick and mortar will extend into the open sky eliminating a beautiful vista and green space, and another double driveway will cover the land. A large home built on this tiny lot will look out-of-place. If you are familiar with this area of Stonegate, I am sure you understand the concern.

In an email correspondence sent to the Stonegate Board dated January 22, 2021, the petitioner's attorney wrote: "*Mr. McGraw desires in good faith to go above and beyond the minimum notification that the Village requires because he wants to ensure that the neighborhood is fully informed of his petition.*" Prior to the variance information being posted in his yard, I am the only homeowner on this six-home block, described in the preceding paragraph, to whom the petitioner spoke personally regarding his plans. I realize the Village does not require these personal, difficult conversations, but in the City of Good Neighbors, I would think this conversation would have taken place with all of the neighbors on our block. It did not. After the variance signs were posted, the petitioner did speak to the homeowners at 1207 E. Mayfair as he sought support; however, the petitioner has never spoken with the three other homeowners of this unique block, two of whom back up to Lot 228.

I have observed two discrepancies in the petitioner's information. The Plat of Survey which the petitioner provided is inaccurate due to the fact that Lot

227 now has a wrap around driveway, accessing both Derbyshire and Mayfair, which the Plat fails to show. Additionally, Exhibit J in the Site Plans indicates that the current tudor home on Lot 227 is 2606 square feet. The Zoning Department has informed me that the home, in actuality, is approximately 3500 square feet. How are we to be assured that the rest of the information is accurate in the petitioner's paperwork?

When the petitioner purchased his home two decades ago, I recall a conversation I had with him in which he expressed an appreciation for all the right reasons regarding his unique and magnificent property. The beauty and unique character of this property and the other tudor homes in its vicinity are one of the many, most charming, areas of the Village. Apparently, the petitioner has now lost sight of what he once valued as he demonstrates his desire to shoehorn a 2800 square foot home into, by Village standards, this undersized, lot. I wonder if he will miss the grandeur and integrity of his beautiful tudor home if this negative change takes place. I think not since the petitioner now lives full time in [redacted] Florida.

While I understand the petitioner has the right to request these variances as he considers his plight and hardships, I request that you, please, enforce and comply with the zoning ordinances and standards that are currently on the books in Arlington Heights.

Thank you very much.
Sincerely,
Cathie Schwarz

[redacted]

From: Carolyn Warnement [redacted]
Sent: Friday, January 29, 2021 10:10 AM
To: Mach, Derek
Subject: Regarding Variance requests submitted by Mr. Mike McGraw

[**NOTICE:** This message originated outside of Village of Arlington Heights email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear Mr. Mach and the Village Board,

Regarding Variance requests submitted by Mr. Mike McGraw:

> **Lot 227:** A **45.1-foot variation** from Chapter 28, Section 5.1-3.1 (Minimum Lot Width) and Section 5.1-3.1a, to allow a lot (Lot 227) with a width of 44.9 feet where 90 feet is required.
>
> **Lot 228:** A 1.6-foot variation from Chapter 28, Section 5.1-3.1 (Minimum Lot Width) and Section 5.1-3.1a, to allow a lot (Lot 228) with a width of 68.4 feet to be buildable where 70 feet is required.
> A variation from Chapter 28, Section 5.1-3.1 (Minimum Lot Size) and Section 5.1-3.1a, (Lot 228) to **allow a 6,440 square foot lot to be buildable where 8,750 square feet is required**

I am an Arlington Heights resident and a former resident of the Stonegate neighborhood. I am writing you to oppose Mr. McGraw's request for a variance for Lots 227 and 228 in the Stonegate neighborhood. Current zoning requirements should be upheld and this request should be denied.

Thank you,
Carolyn Warnement
[redacted]
Arlington Heights

[redacted]

From: Wilkins Email [redacted] >
Sent: Thursday, January 7, 2021 5:44 PM
To: Mach, Derek
Cc: Cari Wilkins
Subject: Public Hearing for Michael McGraw's Property at 1223 East Mayfair

[NOTICE: This message originated outside of Village of Arlington Heights email system -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Dear Mr. Mach-

After thoughtful consideration, I am writing to express my concern about the variance Mike McGraw has requested for his property in Stonegate, and to ask that it not be granted. As one of the original neighborhoods in Arlington Heights, a big part of Stonegate's charm and appeal comes from the layout and character of our neighborhood. Not only does this landscape bring joy to those of us who walk in the area every day, it also drives interest and property value.

Mike's request is a significant ask that strays from current guidelines required of other residents and is not equitable. It is a request centered entirely in Mike's personal and financial self-interest with no regard for the impact on the neighborhood, especially since he does not reside here. Please deny this requested variance.

I know working through these situations is challenging and I am happy to discuss this at any time. Thanks you for all you do to keep Arlington Heights the wonderful community that it is.

Cari Wilkins
[redacted]

[redacted]

From: Christine D <[redacted]
Sent: Monday, January 11, 2021 1:57 PM
To: Mach, Derek
Subject: 1223 E. Mayfair - Zoning Call

[**NOTICE:** This message originated outside of Village of Arlington Heights email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Hello Derek,

We wanted to express our concerns prior to the Zoom call regarding zoning for 1223 E. Mayfair. We're planning on participating on the call tonight since it's difficult to understand what these lots will look like from the letter we received. Based on our reading, it seems like he wants to reduce the minimum lot width on the house (which is on a corner lot) from 90 feet to 44.9 feet. That seems like an extreme reduction and should not be allowed per code. We also don't agree with going from 70 feet to 68.4 feet.

Regardless of how the lots will be divided our concerns are still the same; our neighborhood shouldn't continue to squeeze homes on lots that aren't big enough, minimum property widths are in the code for a reason so our neighborhood isn't packed with houses on top of each other and adding additional units to this land will add more cars to streets which are already overcrowded with too many parked vehicles. The bottom line is that parceling out lots will ruin the look and charm of one of the oldest neighborhoods in Arlington Heights and set precedent for future variances in Stonegate. We object to allowing this variance to the municipal code.

Regards,

David & Christine Derengowski

[redacted]

From: Dan Kemper [redacted]
Sent: Tuesday, January 5, 2021 10:46 AM
To: Mach, Derek
Cc: [redacted]
Subject: Fwd: 1223 E. Mayfair Variance

[**NOTICE:** This message originated outside of Village of Arlington Heights email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Greetings!

We live up the street from this property in another of the original Stonegate Tudor homes. Our address is [redacted] I certainly understand the importance of maintaining these classic old homes and am not in favor of disrupting the charm of our neighborhood.

Cathie brought to our attention the intentions of Mr. McGraw to split up his property. As I'm sure you have already seen in person, his home is situated on the property at an angle that would make for an extremely awkward, cost-prohibitive and potentially unbuildable side lot.

---------- Forwarded message ---------
From: **Cathie Schwarz** [redacted]
Date: Tue, Jan 5, 2021 at 10:12 AM
Subject: 1223 E. Mayfair Variance
To:

Dear Friends,

This is Cathie Schwarz, [redacted]. (37 years) Please forgive my intrusion.

As you may be aware, Mike McGraw is seeking a variance in order to build on his side property.
He now lives in Florida.

Here is his ask in simple terms provided to me by the Village:

•to allow separation of the Subject Property from a single zoning lot into two zoning lots...

Lot 227
- A 45.1-foot variation from Chapter 28, Section 5.1-3.1 (Minimum Lot Width) and Section 5.1-3.1a, to allow a lot (Lot 227) with a width of 44.9 feet where 90 feet is required. (Tudor)

Lot 228
- A 1.6-foot variation from Chapter 28, Section 5.1-3.1 (Minimum Lot Width) and Section 5.1-3.1a, to allow a lot (Lot 228) with a width of 68.4 feet to be buildable where 70 feet is required.
- A variation from Chapter 28, Section 5.1-3.1 (Minimum Lot Size) and Section 5.1-3.1a, (Lot 228) to allow a 6,440 square foot lot to be buildable where 8,750 square feet is required. (Side yard)

If you have a feeling about this and wish to preserve Stonegate's open space and neighborhood charm, please consider sending an email to: dmach@vah.com
to express your feeling BY MONDAY, JAN.11 at 3:00 p.m. There is also a Zoom Zoning Board meeting on Monday, January 11, which you could attend or have your email read. I will send further information regarding this on Friday.

I realize my neighbors and I will experience the greatest effect if this variance is approved, but we appreciate any support you can share. A Village trustee told me that it is a good idea to get as many people ("50-100") as possible to weigh in on this issue.

I thank you so very much. Please let me know if you have any questions.

Sincerely, Cathie Schwarz☺

--
Best Regards,

Dan Kemper

[redacted]

[redacted]

From: Dave Raub [redacted] >
Sent: Monday, February 1, 2021 5:24 PM
To: Mach, Derek
Subject: Opposition to Zoning Variance Requests in Stonegate

[**NOTICE:** This message originated outside of Village of Arlington Heights email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear Mr. Mach and the Village Board,

Regarding Variance requests submitted by Mr. Mike McGraw:

Lot 227: A 45.1-foot variation from Chapter 28, Section 5.1-3.1 (Minimum Lot Width) and Section 5.1-3.1a, to allow a lot (Lot 227) with a width of 44.9 feet where 90 feet is required.

Lot 228: A 1.6-foot variation from Chapter 28, Section 5.1-3.1 (Minimum Lot Width) and Section 5.1-3.1a, to allow a lot (Lot 228) with a width of 68.4 feet to be buildable where 70 feet is required.
A variation from Chapter 28, Section 5.1-3.1 (Minimum Lot Size) and Section 5.1-3.1a, (Lot 228) to allow a 6,440 square foot lot to be buildable where 8,750 square feet is required.

I am an Arlington Heights resident and reside at [redacted] in Stonegate. I am writing to express my opposition to Mr. McGraw's variance requests per Lots 227 and 228 in Stonegate, cited above. These requests are significant departures from current zoning requirements. Those current requirements should be sustained, and Mr. McGraw's request should be denied.

Thank you,

David Raub
[redacted]
Arlington Heights, IL 60004

[redacted]

From: Danielle Rubel [redacted] >
Sent: Friday, January 8, 2021 12:07 PM
To: Mach, Derek
Cc: Nick Rubel; [redacted]
Subject: Proposed Variance Lots 227/228

[**NOTICE:** This message originated outside of Village of Arlington Heights email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear Mr. Mach,
I am writing to request that you deny the proposed variance for lots 227/228 in the Stonegate Neighborhood. I have lived in Stonegate for almost 7 years with my husband and our 4 children. I also just recently finished my term as the president of The Stonegate Association on Dec. 31st. I am very strongly opposed to the variance and do not think building a new home on lot 228 has any benefit.

One of the two largest benefits of living in Stonegate is the beauty of the neighborhood. It is incredibly charming and our homes typically sit on large, oddly shaped lots. If the variance is allowed, not only will the lot be small compared to those around it, the new home and the homes on either side of it will be incredibly close together. This will not fit with the look of the neighborhood and I can't imagine it will be very desirable to home buyers.

Lots 227 and 228 are very close to the triangle parkway, which is surrounded by Carlyle, Derbyshire, and Chatham. On those blocks that surround the parkway, there are 30 children younger than the age of 18, most of whom are elementary school or younger. As a parent to 4 of those kids, I cringe every time we walk up Carlyle to Mayfair, past lots 227 and 228 as it is very congested and consists of 2 unprotected intersections. The children of the neighborhood (as well as the adults) like to be outside when weather permits, riding bikes, scooters, and the like. I already worry about my kids as they walk/ride on the street in front of the lots in question and I can't imagine adding an additional residence into the mix. We do not have sidewalks in Stonegate, so car traffic is always something that should be taken into consideration. It's also worth noting that passing these lots is on the route most children take while walking from this part of the neighborhood to and from Windsor School daily.

Approving the variance and ultimately adding an additional residence as proposed would be an unfortunate and **unsafe** change to our neighborhood. I strongly urge you to deny the proposed variance. I am happy to answer any questions or provide any other additional information needed. Thank you for your time.
Best,
Danielle Rubel
[redacted]

[redacted]

From: Deb Sheehan [redacted]
Sent: Monday, January 25, 2021 9:02 AM
To: Mach, Derek
Subject: Mike McGraw Property 1223 E. Mayfair Road Variance Request - Oppose

[**NOTICE:** This message originated outside of Village of Arlington Heights email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

I understand that granting this variance would significantly reduce the size of the lot where Mr. McGraw's tudor style home currently stands to create a larger parcel of the adjacent second lot which is currently the side yard of his existing home. I also understand that according to the Village Code, the second lot is not large enough to build upon prompting the variance request.

If this change were granted, the lot would not meet minimum size requirements for a home to be built there of similar size and character consistent with our neighborhood. I anticipate that by reducing the required dimensions for both resulting lots, the beauty that we all appreciate in our neighborhood would be negatively impacted. If the resulting second lot were to be developed for a residence, a significant number of mature trees would have to be removed to accommodate building.

Although I respect the fact that Mr. McGraw has a right to pursue this variance, I strongly oppose the approval of this variance and respectfully request that the Village Zoning Board uphold the current zoning and protect the character of our neighborhood that many of us sought out and purchased at a premium to enjoy.

Sincerely,

Deb Sheehan
[redacted] Derbyshire Ln
Arlington Heights, IL 60004
[redacted]

[redacted]

[redacted]

From: Debbie <[redacted]>
Sent: Tuesday, January 5, 2021 11:22 AM
To: Mach, Derek
Subject: Regarding 1223 E. Mayfair Variance

[**NOTICE:** This message originated outside of Village of Arlington Heights email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

I live within 2 short blocks from this property and I would prefer that the variance **not be granted.**

I believe that any house built on the new property would not meet the style./ feel of the Stonegate neighborhood.

--Debbie Yates, [redacted], Arlington Heights

[redacted]

From: gretchen Stewart [redacted]
Sent: Tuesday, January 5, 2021 10:28 AM
To: Mach, Derek
Subject: 1223 E. Mayfair Variance

[**NOTICE:** This message originated outside of Village of Arlington Heights email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

I live at [redacted], and have been a resident of the Stonegate neighborhood for 34 yars. One of the aspects that sets Stonegate apart is the spacious nature of the neighborhood. Allowing the variance requested would negate that affect and make Stonegate a less attractive neighborhood. Therefore, I am requesting that you deny the request for variance.
Gretchen Stewart

[redacted]

From: James Abdnor [redacted]
Sent: Wednesday, December 30, 2020 1:53 PM
To: Mach, Derek
Subject: 1223 E. Mayfair Variance

[**NOTICE:** This message originated outside of Village of Arlington Heights email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear Mr. Mach,

My name is Jim Abdnor and I and my wife, Susan, live at [redacted]. in Stonegate. I'm writing in opposition to the above requested variance. With respect to the first of the three village variance requirements, reasonable return, Mr. McGraw would most certainly be able to sell the home and current lot for quite a bit. It is a unique shape and size and could bring top dollar as is. Subdividing would certainly hurt a sale price.

And as to the third statute, altering the character of the locale, that end of the Derbyshire, Mayfair, Carlyle block is heavily treed, as is much of Stonegate. Subdividing and allowing another home to be sandwiched in with the accompanying tree removal would alter the whole feeling of that corner of the block.

To our knowledge, there has been no subdivision of lots requiring a variance for new construction since we arrived in 1986. These types of lots are what help to make Stonegate special. We hope you and/or members of the Zoning Board could take a look at the block to appreciate it now, and how that would change.

Yours truly,

Jim and Susan Abdnor

[redacted]

From: Jeffbonta [redacted] >
Sent: Thursday, January 28, 2021 10:27 PM
To: Mach, Derek
Subject: Variance Request are: Mike McGraw Property @ 1223 E. Mayfair Rd

[NOTICE: This message originated outside of Village of Arlington Heights email system -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

We are writing because we are opposed to the variance that is seeking to divide the property at 1223 E. Mayfair rd. We have lived at [redacted] for 35 years. We moved to this neighborhood because of its unique character. The property at 1223 E. Mayfair has always been one of the premier properties in the neighborhood that attracted us to move here. We feel that dividing this property and putting an additional home on it would negatively affect the charm of the neighborhood as well as reduce the value of our home.

Sincerely,
Jeff and Debbie Bonta
[redacted]
Arlington Heights, IL 60004

Sent from my iPhone

[redacted]

From: Jim Donzelli [redacted]
Sent: Saturday, January 16, 2021 12:41 PM
To: Mach, Derek
Subject: 1223 E. Mayfair Variance

[**NOTICE:** This message originated outside of Village of Arlington Heights email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

To whom it may concern;

I am currently a resident of this neighborhood, residing at [redacted] and I am NOT in favor of this approval for variance.

While I realize the world, our city of Arlington Heights and Stonegate neighborhood all have adapted to new things since zoning laws may have gone into effect, however, this lot that is being discussed is barely a lot. The variance on paper may appear small but the action of building any size structure will not only change the complex of the land but the vegetation as well as not to mention make a dangerous corner even more dangerous with added congestion.

I would hope the leaders of our city could see if this is approved the challenges and destruction to both the environment and neighborhood an approval would bring.

<Just vote NO>

Sincerely
Jim

[redacted]

From: Jeffery Reinke [redacted]
Sent: Monday, January 25, 2021 12:09 PM
To: Mach, Derek
Subject: Mike McGraw Property @1223 East Mayfair Road- Varience Request

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January 25, 2021

To: Mr. Derek Mach, Village Planner DMach@vah.com

Re: Mike McGraw Property @ 1223 E. Mayfair Road Variance Request

I understand granting this variance would significantly reduce the size of Mr. McGraw's current lot to create a second parcel which is the side yard of his existing home. I also understand that according to the Village Code, this second lot is not large enough to build upon prompting the variance request.

If this change were granted, the lot would not meet minimum size requirements for a home to be built there of similar size, character, and potential value, consistent with Stonegate. I anticipate that by reducing the required dimensions for both resulting lots, the beauty and density that we all appreciate in Stonegate would be negatively impacted. Presumably, this lot would be developed for a residence, resulting in a significant number of mature trees being removed, impacting the character of the neighborhood, resulting in a home too big for the lot (FAR).

Although I respect that Mr. McGraw has a right to pursue this variance, I strongly oppose the approval of this variance and respectfully request that the Village Zoning Board uphold the current zoning and protect the character of our neighborhood that many of us sought out, and purchased at a premium, to enjoy.

Jeff Reinke
[redacted] Derbyshire Lane
Arlington Heigths, Illinois 60004
[redacted]

[redacted]

From: Kelly Cavanagh [redacted]
Sent: Friday, January 8, 2021 6:54 AM
To: Mach, Derek
Subject: 1223 E Mayfair Rd

[**NOTICE:** This message originated outside of Village of Arlington Heights email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Hello Derek,
I live across the street from the McGraw property, [redacted] and would like to voice my concerns regarding the zoning request.
I disagree with the variance.
The main reason being the lot is too small. There is just not enough land to accommodate this.
If this variance were to pass I believe it would greatly effect the the aesthetic of our neighborhood.
Stonegate is know for it's unique charm and character, this would change that for the worse.
I oppose this request.

Thank You,
Kelly Cavanagh
[redacted]

[redacted]

From: Kerry Freeman [redacted]
Sent: Tuesday, January 19, 2021 1:21 PM
To: Mach, Derek
Subject: Regarding Variance requests submitted by Mr. Mike McGraw: Please vote No!

[**NOTICE:** This message originated outside of Village of Arlington Heights email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear Mr. Mach and the Village Board,

Regarding Variance requests submitted by Mr. Mike McGraw:

Lot 227: A **45.1-foot variation** from Chapter 28, Section 5.1-3.1 (Minimum Lot Width) and Section 5.1-3.1a, to allow a lot (Lot 227) with a width of 44.9 feet where 90 feet is required.

Lot 228: A 1.6-foot variation from Chapter 28, Section 5.1-3.1 (Minimum Lot Width) and Section 5.1-3.1a, to allow a lot (Lot 228) with a width of 68.4 feet to be buildable where 70 feet is required.
A variation from Chapter 28, Section 5.1-3.1 (Minimum Lot Size) and Section 5.1-3.1a, (Lot 228) to **allow a 6,440 square foot lot to be buildable where 8,750 square feet is required.**

I am an Arlington Heights resident and reside at [redacted] in Stonegate. I am writing you to oppose Mr. McGraw's request for a variance for Lots 227 and 228 in the Stonegate neighborhood. Current zoning requirements should be upheld and this request should be denied.

Thank you,
Kerry Freeman
[redacted], Arlington Heights, IL 60004

[redacted]

From: Lori Raffone [redacted]
Sent: Tuesday, January 5, 2021 7:19 PM
To: Mach, Derek
Subject: 1223 E.Mayfair (Stonegate neighborhood)

[**NOTICE:** This message originated outside of Village of Arlington Heights email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Hello,

We are writing to you to share our views on the proposed variance at the above address. My husband and I do not agree with this variance being approved and would like it to stay as a single zoning lot. Being part of the Stonegate community for 20 years, we would like to preserve Stonegate's open space and charm and feel that building another house on that lot would disturb the character of our neighborhood.

Thank you for strongly considering leaving the lot as a single zoning lot.

Best Regards,

Lori & Gene Raffone
[redacted]
Stonegate

Sent from Mail for Windows 10

[redacted]

From: Larry Raymond [redacted]
Sent: Monday, January 25, 2021 11:19 AM
To: Mach, Derek
Subject: 1223 E. Mayfair Zoning Variation

[**NOTICE:** This message originated outside of Village of Arlington Heights email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear Mr. Mach,

As neighbors and homeowners, both myself and my wife are opposed to the variations requested for the property at 1223 E. Mayfair. We have lived in this neighborhood for over 35 years. We are intimately familiar with the property, the neighborhood and the desires of the surrounding neighbors.

The Stonegate neighborhood is a special place with homes owned by people who care about not just the money value of their property, but also the unique diversity in property and styles. There is a mixture of both large and small lots and homes. Both the larger and smaller homes tend to cluster into similar groups. Together with the friendly and caring people, this makes Stonegate a marvelous place to live. It also helps to maintain the value of the various properties.

The property in question is a large Tudor on a modestly large corner lot. It is one of the keystone homes in the neighborhood. If this lot were occupied by a small home and surrounded by small homes with small lots, I couldn't object to splitting the property. However, the Tudor is large (and beautiful), occupying a significant portion of the lot. The homes immediately adjacent are also large beautiful homes on large lots. Dividing this property into two undersized lots and attempting to cram another house onto the new tiny lot would change the nature of the area and damage the property values of the neighbors.

While I understand and appreciates the rights of ownership, these rights must be mitigated by the rights of neighbors. Hence, we are opposed to granting the variance.

Sincerely,

Lawrence J. Raymond

[redacted]

[redacted]

From: Laura Riggs [redacted]
Sent: Tuesday, January 5, 2021 11:10 AM
To: Mach, Derek
Subject: 1223 E Mayfair Variance Request

[**NOTICE:** This message originated outside of Village of Arlington Heights email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear Derek,

We are Stonegate residents, around the corner from 1223 E Mayfair, at [redacted] We are writing to express our strong opinion that the variance requests being sought by Mr. McGaw should NOT be granted. We are opposed to creating smaller lots within the neighborhood, wiping out our telltale trees and leading to a more "cramped" feel. Moreover, we believe making this kind of exception could lead to further requests and deterioration. We hope you and the Board will help us keep our neighborhood great and Arlington Heights a desirable community.

Thank you
Laura Riggs
Mike Lewis
[redacted]

[redacted]

From: [redacted]
Sent: Monday, January 25, 2021 4:47 PM
To: Mach, Derek
Cc: 'Will Kauke'
Subject: 1223 E. Mayfair zoning hearing comment

[**NOTICE:** This message originated outside of Village of Arlington Heights email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear Derek Mach,

With regards to the zoning commission hearing scheduled for February 8th, 2021 of Michael McGraw, we feel the zoning changes will not only devalue the historic home but also the land itself. It's an honor to own an original Stonegate property and the thought of ripping up the land just so you can shoe horn in another home is ridiculous. If Michael McGraw wants to add value to his home, then provide an addition to the home that is suitable for the family needs. The impact on the neighborhood will be negative with the removal of healthy mature trees and the land itself. Very few original homes, have the quality and historic charm of this neighborhood and in Arlington Heights. This is not the North Shore nor will he be able to make the money as compared to those neighborhoods. It will be a shame for the village to allow this to happen to such an historic landmark.

Regards,
Maureen and Bill Kauke

[redacted]

From: Mike Nitch [redacted] >
Sent: Tuesday, January 5, 2021 3:36 PM
To: Mach, Derek; k[redacted]
Subject: No to varaince Lot27 &28 in arl.hts. neighborhood stonegate

[**NOTICE:** This message originated outside of Village of Arlington Heights email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

I have lived in Arlington heights for 65 yrs. I have lived across from lots 27&28 for 30 yrs..Absolutely NO to a variance for lots 27 &28. Lot 27 the lot in question is 25% to small to be built on according to village requirements. It simply does not have the minimum size of 8,750sq.ft.. Lot 27 is only 6,440 sq.ft. 2,310 sq.ft to small. That is really to small to build on, and by squeezing a house onto lot 27 which is the backyard of lot 28 would ruin the essential character of the neighborhood. I strongly feel that by building a home on that property not only ruins the character and continuity of the neighborhood but also would reduce property values of adjacent existing homes. I feel it is the duty of the zoning board to protect its fellow citizens from profiteering home builders. Perhaps if more living space is needed, an addition added onto the existing home on lot 28 could be a solution. I strongly oppose any variances.

Sincerely,
Mike Nitch

[redacted]

From: [redacted]
Sent: Friday, January 29, 2021 11:59 AM
To: Mach, Derek
Subject: McGraw Variance 2/8/21

[**NOTICE:** This message originated outside of Village of Arlington Heights email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear Mr. Mach and the Village Board,

Regarding Variance requests submitted by Mr. Mike McGraw

Lot 227: A **45.1-foot variation** from Chapter 28, Section 5.1-3.1 (Minimum Lot Width) and Section 5.1-3.1a, to allow a lot (Lot 227) with a width of 44.9 feet where 90 feet is required.

Lot 228: A 1.6-foot variation from Chapter 28, Section 5.1-3.1 (Minimum Lot Width) and Section 5.1-3.1a, to allow a lot (Lot 228) with a width of 68.4 feet to be buildable where 70 feet is required.
A variation from Chapter 28, Section 5.1-3.1 (Minimum Lot Size) and Section 5.1-3.1a, (Lot 228) to allow a 6,440 square foot lot to be buildable where 8,750 square feet is required.

I reside at [redacted], just a few houses away from the McGraw house in Stonegate. I have lived in my home for 24 years. I am writing you to oppose Mr. McGraw's request for a variance for Lots 227 and 228.

I believe that approval of this variance will have a detriment impact on the neighborhood and my property value. The variance request for Lot 228 is a significant change (more then 25%) in the minimum buildable lot size and the proposed home on that sight is a large one, approximately 2800 square feet. Additionally, the existing garage on Lot 227 sits almost on the proposed property line. This does not meet the set-back requirements.

Stonegate is a neighborhood of architectural and historic significance in Arlington Heights and is worthy of our protection. I believe the Village of Arlington Heights has thoughtfully put zoning regulations in place to protect our community from inappropriate and excessive building. I ask you to keep this in mind as you evaluate this variance request.

Thank you,
Micheline Porwit
[redacted]

[redacted]

From: MLPorwit [redacted]
Sent: Wednesday, December 30, 2020 9:55 AM
To: Mach, Derek
Subject: McGraw Variance 1/11/21

Follow Up Flag: Follow up
Flag Status: Flagged

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Mr Mach,

Please postpone the variance hearing on the McGraw property variance currently scheduled for hearing on 1/11/21. Given that notice was not given to us, the neighbors, until Christmas, we have not had the opportunity to get copies of the proposal and drawings of the lot lines. This variance represents a massive change from current regulations and has significant impact on our property. It is only fair that we have the opportunity to examine the proposal and property prepare a response.

Micheline Porwit
[redacted]

Sent from my iPhone

[redacted]

From: Mary Rogozinski [redacted] >
Sent: Monday, January 11, 2021 9:56 AM
To: Mach, Derek
Subject: Re: Objection to Request for Zoning Variation - 1223 E Mayfair - Lots 227 and 228

[**NOTICE:** This message originated outside of Village of Arlington Heights email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Derek, I just learned that the review for this request has been postponed. Please send me the new information.

Also, due to your word limit on emails, I neglected to include my address. It is [redacted], one block from the residence and lots in question.

Thank you.

Mary Schlickman Rogozinski
[redacted]

From: "Mary Rogozinski" <[redacted]>
To: dmach@vah.com
Sent: Monday, January 11, 2021 9:34:17 AM
Subject: Objection to Request for Zoning Variation - 1223 E Mayfair - Lots 227 and 228

My husband Ed and I are 35-year residents of Stonegate, living in the same original Tudor the entire time.

We strongly object to the proposed variance of the McGraw property at 1223 E Mayfair in Stonegate. The proposed “new” lot would be 2310 square feet less than the village requirement and the width of the “old” lot would be reduced to half of the required amount. We find it incomprehensible that the village would even consider such significant variations to the zoning requirements. Not only will it reduce the quality of life for the residents of these structures, but it will also greatly impact the character of the neighborhood and the nearby residences.

We understand that a variance must meet three requirements. We do not believe any of these requirements are met by this application. The current owner owns multiple properties, including 2 in Stonegate, and is not in financial distress. The current full property could easily be sold for a substantial amount of money (Tudors are in high demand), and as noted, the change would be detrimental to the character of the neighborhood.

We petition the commission to deny this request for a variation.

Mary and Ed Rogozinski

[redacted]

From: Monica Sparreo [redacted] >
Sent: Tuesday, February 2, 2021 10:08 AM
To: Mach, Derek
Subject: Stonegate variance requests for lots 227 & 228

[**NOTICE:** This message originated outside of Village of Arlington Heights email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Good morning,

I am an Arlington Heights resident and my family has resided at [redacted] in Stonegate for 20 years. I am voicing opposition to the variance requests for lots 227 and 228. Preserving the character of the neighborhood and respecting the impact on properties adjacent to and near this parcel should take precedence over new construction that is not even close to current zoning requirements. This request grossly abuses the purpose and intent of building variances and should be denied.

Sincerely,

Monica Sparreo

[redacted]

From: Nancy Burbick [redacted]
Sent: Monday, January 11, 2021 11:22 AM
To: Mach, Derek
Subject: 1223 E Mayfair Variance

[**NOTICE:** This message originated outside of Village of Arlington Heights email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

I am a Stonegate resident, and I do not think that the variance for 1223 E Mayfair should be granted. I have looked at the property, and I don't think dividing the lot into two lots, and then building a house on the second lot will be consistent with the look of the rest of the neighborhood. It is an awkwardly shaped lot, and two houses will be way out of proportion to the size of the lots. The variance will have a negative impact on the value of nearby homes, and the rest of the neighborhood.

Nancy Burbick
[redacted]

January 7, 2021

dmach@vah.com

This is in response to the proposed variance of the property at 1223 E. Mayfair.

We have been a part of the Stonegate neighborhood for over 30 years. We moved in during the spring of 1989 and are the second owners of our 1958 Colonial home on S. Gibbons Avenue. The beauty of the open green scape, the variety of homes, and the reminiscence of homes built in the early 1900's from a much earlier era, are only a few reasons that drew us to this area. Walking and driving through Stonegate allows anyone to appreciate a variety of homes both large and small, including ranch style, colonial, Tudor and split level. All the homes are modestly "planted" on their lot with care and thought.

Changes in Arlington Heights neighborhoods are happening all around us, but there should be much more thought and discernment taken within the well-established and historical neighborhood of Stonegate.

The proposed separation and lot size variance as identified should not be allowed. The beautiful regal Tudor, that Mr. McGraw owns, but does not live in, sits on a magical corner lot with side property framing the home, property that is not expansive, but saddles the "triangle" lot of this home. Separating the original lot into two pieces of property, solely for economic gain, will jeopardize and almost definitely negatively impact the property values of all the homes in this section of Stonegate. The integrity of the neighborhood and historic identity of homes surrounding this "new proposed lot division" will be diminished by squeezing in a new build and permitting only an arms-length of space between current neighbor's property, not just property lines, but property. Simply stated, Mr. McGraw wants to divide the property so he can build a new home and then sell one or both properties for his financial gain, while the neighborhood surrounding this lot will take a tremendous financial blow.

The lot sizes should NOT be approved for change; and this property should NOT be allowed to be split; and a new home should NOT be approved for this small open space. The tranquility and ambience of the Stonegate neighborhood is at risk. Right now, even more importantly, shouldn't we stand behind the standards in print and relieve the neighbors of this unbelievable request.

Let us keep Stonegate a beautiful neighborhood filled with established homes and neighbors who do not move away, but want to remain in their homes for 30+ years.

Pam and Greg Pickle
[redacted] Gibbons Avenue

[redacted]

From: Patti Jostes [redacted] >
Sent: Monday, February 1, 2021 2:07 PM
To: Mach, Derek
Subject: Variance request by Mike McGraw

[**NOTICE:** This message originated outside of Village of Arlington Heights email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear Mr. Mach & the Village Board,

I am a resident of Arlington Hts. and reside at [redacted]. in the Stonegate neighborhood. I strongly oppose Mike McGraw's request for a variances for Lot 227 and Lot 228 at the corner of Mayfair & Carlyle in Stonegate.

If these variances are allowed both lots would become substandard! Surely the existing large Tudor-style home would have a far greater footprint than is allowed. The addition of another large house would be an eyesore!

Thank you for your consideration.

Patricia L. Jostes
[redacted].
Arlington Hts., IL 60004
[redacted]

[redacted]

From: MM Kelly [redacted]
Sent: Wednesday, January 6, 2021 6:29 PM
To: Mach, Derek
Subject: Stonegate Lot 228

[NOTICE: This message originated outside of Village of Arlington Heights email system -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Please take a drive past Lot 228 in Stonegate. You will not need to do any measuring or much thinking at all to quickly realize that squeezing even a small, narrow house into the proposed new lot is ridiculous. I have lived around the corner on Derbyshire Lane [redacted] for 23 years. Part of the appeal of our neighborhood is the fact that the homes are not on top of each other. Not only would the house next to the lot be impacted, but the two houses behind would also be. I'm sorry to say that the attempt to split the lot is motivated by money. The homeowner does not live in the neighborhood and hasn't for many years. It seems his focus is not on his neighbors or neighborhood (or even resale of his property). His focus must only be on the ability to make money.

Take a drive past and you will agree.

Peggy Kelly

Dear Members of the Zoning Board of Appeals for the Village of Arlington Heights,

I am writing to express my opposition to the variance requesting the subdivision of the lot at 1223 East Mayfair Road, Arlington Heights, Illinois, into two non-conforming lots. I have been a proud resident of Arlington Heights since 1993 and a resident of Stonegate since 2000 and I object to the granting of the variance because it fails to meet the criteria that Village code requires to be approved. Specifically, the following criteria are not met with this request:

- The variance **will** change the essential character of the locality and would **not** be compatible with existing uses and zoning of nearby properties. Our neighborhood, and the block containing the subject property, contains slightly oversized lots and allowing a small, non-conforming lot would change the character of that locality. The reduced sideyard setbacks for the proposed lot would be inconsistent with the 9-foot sideyard setback required of a code-compliant 90 foot wide lot and would not provide adequate separation between homes. This is not compatible with existing uses and the zoning of nearby properties.
- The plight of the owner lacks **any** unique circumstances required for a variance. The desire to create a residence on a lot that is simply not large enough to meet zoning code requirements does not meet this standard.
- The granting of the variance would create TWO lots that do not meet zoning code requirements because the lot containing the existing residence would not meet setback requirements for the freestanding garage. It is clear that creating two lots that do not satisfy Village code would change the essential character of the area.
- The small lot and proportionally oversized home (or permissible building area) would negatively impact the value of the homes in the immediate area, most specifically the home immediately south of the subject parcel at 312 South Carlyle Place.
- There are vacant lots in the area, including one on Kensington approximately 2 blocks north of the subject property, that are available if the petitioner is interested in constructing a new home (which is unlikely because he does not reside in Illinois).

It is my belief that the requested variance will create a lot that is simply too small, is incompatible with the neighborhood, will set a dangerous precedent for variance requests for future non-conforming lots and will have a negative impact on values in the area. I encourage you to take in the comments from the community, most importantly those residents who live close to the site who will be most directly impacted by your decision, and do what is right for our neighborhood and our community and deny this zoning variance request.

Sincerely,

Paul Robertson
[redacted]

[redacted]

From: Roger Horn <[redacted]>
Sent: Tuesday, January 5, 2021 4:02 PM
To: Mach, Derek
Cc: Elizabeth Horn
Subject: 1223 E. Mayfair Variance

[**NOTICE:** This message originated outside of Village of Arlington Heights email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Hi Derek, My name is Roger Horn and I live at [redacted] in Arlington Heights. I am writing about the proposed variance at 1223 E. Mayfair, and the hearing scheduled for 1/11/21. First, I'd like to better understand how the meeting on the 11th will work. Will the residents of Stonegate be given a chance to speak? Or maybe send an email to be read? I've never attended a hearing like this before so I just wanted to understand more about how this works.

Secondly, I'd like to detail my displeasure with the proposed variance. While I am not trying to get in the way of any property owner right to do what they would like with their own property, I am concerned with making an exception to the zoning rules and allowing a new home to be built on a lot which would be smaller than minimum size. My concern stems from the following:

- I am concerned that building a house on a smaller than normal lot will look "forced" and "cramped". It will go against the open and airy design of our neighborhood in general and make it feel more like a crowded city street
- The corner of Carlyle and Mayfair is already a dangerous and busy intersection. Often it's difficult to see down Carlyle when making a turn onto Carlyle from Mayfair, and cars turning off Chatham on to Carlyle have little time to react to the cars coming from Mayfair. Adding another driveway in a place where one was never intended to go by the original planners, and potentially another 2-3 cars backing in and out and parking on the street would only exacerbate this already dangerous situation.
- My family has lived here for 17 years and have noticed an influx of families with small children. This underscores the importance of having a safe intersection. More cars and traffic in this section of Carlyle will make our neighborhood less safe.
- While I understand the the potential income from splitting property and the decrease in property taxes that may come along with reducing the property size might be attractive to the current owner, I would suggest maybe selling the property to someone who might appreciate the larger lot size and want to preserve the character of the neighborhood instead of inflicting permanent damage upon it. To be honest, this all makes even less sense given the current owner actually does not live in the neighborhood and actually lives out of state. In this current scenario, he walks away with all the benefit, and we, the current residents, are left with the less than desirable results

Thank you so much, I look forward to your response,

Roger Horn
[redacted]

[redacted]

From: Sheila Coffin [redacted] >
Sent: Tuesday, January 5, 2021 1:27 PM
To: Mach, Derek
Cc: Lew Coffin
Subject: Zoning Board - Declining support of variance request Lot 227 and Lot 228 on E Mayfair Road

[NOTICE: This message originated outside of Village of Arlington Heights email system -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Hello,
My husband and I are residents of Stonegate subdivision in Arlington Heights. Our home is located at [redacted] During a recent walk through the neighborhood we noticed that our neighbor on Mayfair is seeking a variance for Lot 227 and Lot 228 with the purpose of separating a single property into two properties. Our concern is the proposed variation to Lot 227 and Lot 228 is as follows:
1. The variation request seeks a width of 44.9 feet when a 90 feet width is required (a 45.1 foot variation from Chapter 28, Section 5.1-3.1).
2. A further variation to allow a 6440 square foot lot to be buildable where a minimum 8750 square foot lot is currently required.

Our objection to the variation is the request far exceeds the minimums typically required for the existing property and an additional property and build. Like many neighborhoods in Arlington Heights, Stonegate is a unique and beautiful area with open space and thoughtfully placed homes. While we live one block over from this street, all neighbors take pride in keeping the neighborhood beauty. We do not support this variance request because it fails to be close to the minimal requirements for lot size and width. Thank you.
Sheila and Lew Coffin

[redacted]
Arlington Heights, IL 60004
[redacted]

January 11, 2021

Mr. Derek Mach, PLA
Village of Arlington Heights
33 South Arlington Heights Road
Arlington Heights, IL 60005

Re. Petition for variations from Sections 5.1-3.1 and 5.1-3.1 and 5.1-3.1(a) of the 2002 Comprehensive Amendment of the Zoning Ordinance of the Village of Arlington Heights.
1223 E. Mayfair Road, Arlington Heights; Stonegate Neighborhood Lots 227 & 228

Dear Mr. Mach and the Village Zoning Board of Appeals,

I am writing on behalf of the Dienhart family residing at [redacted] in Arlington Heights. For reference, the back of our property shares a lot line with the property in question.

My name is Stephen Dienhart and I am a Software Director for a consulting company located in Chicago, my wife Sarah is a licensed relator in our community, our daughter Charlotte attends Prospect High School, and our son Oliver attends South Middle School. We have been proud members of the Stonegate community in Arlington Heights for the past 16+ years, split between two houses in the neighborhood over that time period, as well as, my wife Sarah served as Stonegate President in 2015.

The purpose of this letter is to respectfully express our strong opposition to this variance request referenced above by providing our opinions on the harm it would cause, the lack of proof submitted by the Petitioner, the misleading information contained in it, and why the Board should reject this request as it does not meet the requirements below outlined by the village for the variance to be approved:

- The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zone
- The plight of the owner is due to unique circumstances
- The variation, if granted, will not alter the essential character of the locality

To begin, please find below our opinions supported by factual information regarding the individual variances and the significant negative impact these would have on the subject's and neighboring properties.

Lot 227
A 45.1-foot variation from Chapter 28, Section 5.1-3.1 (Minimum Lot Width) and Section 5.1-3.1a, to allow a lot (Lot 227) with a width of 44.9 feet where 90 feet is required.

Understanding that this lot is a unique shape, a 50% variance to the current zoning requirement is a very significant difference. As described below and as evidence by the attached pictures, lot 227 already appears overcrowded and incredibly shallow, not allowing for open green space on the rear and sides of lot 227 with the existing home and improvements the Petitioner and prior owners have already made to the home.

Lot 228
A 1.6-foot variation from Chapter 28, Section 5.1-3.1 (Minimum Lot Width) and Section 5.1-3.1a, to allow a lot (Lot 228) with a width of 68.4 feet to be buildable where 70 feet is required.
A variation from Chapter 28, Section 5.1-3.1 (Minimum Lot Size) and Section 5.1-3.1a, (Lot 228) to allow a 6,440 square foot lot to be buildable where 8,750 square feet is required.

Zoning requirements have been put into place and updated since the inception of Stonegate and other neighborhoods in Arlington Heights for a reason, to prevent overbuilding and to further enhance our neighborhoods, and this request is directly against that reasoning.

- The average lot size for Stonegate homes on Mayfair is 8,928 sqft. according to public data. Allowing a new home on a lot that is more than 26% smaller than minimal requirements and the current average goes against everything the Village has tried to prevent with their zoning ordinances.
- In reviewing the dimensions of the vast majority of homes in Stonegate, the lot depth is consistently about 130 ft deep, compared to the 83.93 ft on the south side of lot 228.
- Furthermore, requesting to build a 2,800 +/- sq. ft. home on this site that doesn't meet minimum requirements is excessive.

In addition to our responses above on the three variances the Petitioner is requesting, we also would like to take the opportunity to respond to the Petitioner's statements, misleading claims, and perceived hardships below:

Claim 1

The plight of Petitioner is due to unique circumstances in multiple respects. Not only did he purchase the Subject Property with the understanding that Lot 228 was a buildable lot, which again is consistent with the planning and platting of the neighborhood as reflected by the Stonegate subdivision plat included as Exhibit D to this submittal, but he received written confirmation in the form of the December 2, 2003 email correspondence from former Village employee Joyce Gloff, which is included as Exhibit K to this submittal, expressly stating that Lot 228 is in fact "considered at this time to be a buildable lot."

The Petitioner may have believed that Lot 228 was a buildable lot, but he did not have evidence at the time of purchase to support this belief. In fact, on the contrary, he submitted a request to the ZBA during the meeting on 6/11/01, less than one month from purchasing the home to "*allow the Division of a Zoning Lot, which will result in the future construction of a single-family house on Lot #227, which meets the minimum lot width and area requirements in the R-3 zoning district.*" The meeting minutes go on to state "*When they first became interested in buying the lot, they wondered if the second lot was a "buildable" lot. They believe that it is and would just like to have the knowledge that it is "buildable". Mr. McGraw testified that they are not going to develop the lot, they just want to know if it is buildable…after further discussion, Mr. McGraw asked to withdraw the request for Division of a Zoning lot from the petition. (*See attached meeting minutes)

In addition, the email response from Ms. Gloff in 2003 goes on to state "*A building permit could be issued as long as all other applicable building and zoning regulations are met*." This statement does not affirm that the lot was buildable as-is and within current zoning regulations, as supported by the requirement of the zoning appeal he is currently petitioning for, along with the variance he requested previously as recorded on 6/11/01.

Claim 2

Petitioner now desires to secure the ability to construct a house on Lot 228 as a means for him, either of his adult children or his adult brother (for whom Petitioner has legal responsibility) to be able to remain in the neighborhood, or otherwise, in anticipation of the all-but-certain reality that Petitioner will at some unknown point in the future choose to downsize from the large residence on Lot 227. In that event, the ability to construct a house on Lot 228 will afford any of Petitioner, his adult children and/or his adult brother the opportunity to remain in the neighborhood they have known as their home for many years.

- The Petitioner has not resided in the property located on Lot 227 for over 10 years so "remaining in the neighborhood" has no merit.
- According to public records and voter registration, his current residence is at [redacted] Florida.

- In the very few times we have seen him in the past 10+ years, never once when speaking to him has he expressed any interest in moving back to Stonegate. There is no anticipation that he will be downsizing from the subject property to a new property on lot 228, as he doesn't reside in Stonegate.
- The proposed property size of almost 2900 sq. ft. is not significantly smaller than the current property calculated to be about 3500 sq. ft. and listed on the MLS previously at 3800 sqft. (although stated as 2,606 sqft. on Petitioners Exhibit J), so this line of thinking of downsizing is false.

In addition, Mr. McGraw already owns a smaller (1227 sqft.) second home in Stonegate at 1017 E Mayfair, about 6 houses down from the property on lot 227.

- Our understanding is that he uses this home as a rental income property.
- His adult son, adult daughter and/or brother have the opportunity to remain in the neighborhood already, if the Petitioner decides to sell the residence at 1223 E Mayfair, so his hardship statement is undeniably false.
- If that home is not to their liking, they can purchase any other home in Stonegate and stay in the neighborhood, as many others who grew up in Stonegate and desire to live in the neighborhood as an adult have done over the years.

Claim 3

The Variations will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property if the Variations are granted…. Construction of a house on Lot 228 will support both preservation and advancement of the neighborhood through development as planned nearly 93 years ago and significant reinvestment in the neighborhood.

Many of the original tudors in Stonegate sit on larger lots, double lots or in some cases 3-4 lots. This is part of the inherent charm of the Stonegate neighborhood. Taking that away from the subject property does not support preservation, advancement or reinvestment in the neighborhood.

- The intersection and surrounding streets of Mayfair, Carlyle, Derbyshire and Windsor is one of the most charming areas of Stonegate and is the essence of the original Tudors on multiple or larger lots, winding streets filled with mature trees, and defines the character of Stonegate.
- This is replicated on the east side of Windsor with multiple tudor style homes on larger or multiple lots, such as the residence at 100 S Drury, among others.
- Eliminating the green space on the side of the subject property does not stay within the character of this specific location. Other homes on similar shallow lots as 227 and 228 in the direct vicinity have large side yards to provide green space, as evidenced by the two homes just to the south of the subject property along Chattem at 325 S. Derbyshire and 312 S. Carlyle (Petitioner's Exhibit H).

In order to build a home on lot 228, the character of the locality would be diminished, if not destroyed.

- Many mature trees would have to be removed from the lot
- A new construction large home on a small shallow lot would diminish the charm and character Stonegate residents love and appreciate about our neighborhood.
- It is our opinion that this would significantly decrease the value of the current home and impact property values across Stonegate, as current and future residents value the charm the neighborhood currently provides.

The new proposed home is NOT an investment in the neighborhood as Mr. McGraw suggests, it is a DETRIMENT!

While we understand the original plat of survey shows two separate buildable lots, we have serious doubts if it was in the context of the current homes of the current and proposed size and position. Additionally, changes to zoning ordinances are meant to enhance the future of our village and

neighborhood, not to grandfather in outdated planning. Charm, character and community needs evolve over time, so even though it was contemplated to have a home on lot 228, this is not what is in the best for the neighborhood in today's time.

Claim 4

Section 28-2 of the Zoning Ordinance states, in pertinent part, that its intent and purpose is to "promote and protect the public health, safety, morals, comfort and general welfare of the people;" "protect the character and the stability of the residential…areas within the Village and to promote the orderly and beneficial development of such areas;" "provide adequate light, air, privacy and convenience of access to property;" "regulate the intensity of use of lot areas, and to determine the area of open spaces surrounding buildings, necessary to provide adequate light and air and to protect the public health;" "establish building lines and the location of buildings designed for residential uses;" "fix reasonable standards to which buildings or structures shall conform;" "prohibit uses, buildings or structures incompatible with the character of development or intended uses within specified zoning districts;" "limit congestion in the public streets and protect the public health, safety, convenience and general welfare by providing for the off-street parking of motor vehicles;" … "prevent the overcrowding of land and undue concentration of structures, so far as is possible and appropriate in each district, by regulating the use and bulk of buildings in relation to the land surrounding them; and "conserve the taxable value of land and buildings throughout the Village." … Again, the Variations will not compromise or undermine any of those intents and purposes because they are sought merely for the purpose of enabling the development of Lot 228 in a manner that is reflective of the Stonegate subdivision plat and the character of development in the vicinity of the Subject Property.

As evident in the pictures below taken from our property, the current lot of 227 appears overcrowded on a very shallow lot, with the rear "V" of the home significantly close to our rear lot line, approximately less than 20 ft based on our calculations.

- For reference, the green stake and large trees sit approximately on current lot line.
- There is almost no rear or side yard on lot 227 with the current home and addition the Petitioner and prior owners constructed while owning the home.
- The only open space is towards lot 228, where the gazebo currently sits. Adding a home on the small and shallow lot 228 will further congest the area, block natural light, and most likely worsen the current flooding issues the home on lot 227 has experienced during our time in Stonegate.
- A new home could exacerbate the current drainage issues and create new water drainage issues for the surrounding homes on Derbyshire, Mayfair and Carlyle.

In addition to the concerns expressed above about overcrowding and water drainage, the new circle drive is not on the plat of survey provided by Mr. McGraw and adding another driveway (3rd drive for lot 227 & 228) would add congestion to an already seemingly small stretch of street and low visibility corner. This particular area is difficult to navigate if any cars are on the street. Also, many kids play at the triangle on Carlyle, and without sidewalks, I believe this creates an even more dangerous section due to increased traffic.







The Dienhart family, along with all of the neighbors we've spoken to in our close-knit community, strongly oppose this variance. We want to preserve the character of the Arlington Heights and Stonegate community, protect the subject's and neighboring property values, promote open spaces, prevent overcrowding, avoid building a large house on an undersized lot, avoid making existing water drainage issues even worse, and above all, protect the neighborhood charm that draws young families into Stonegate and keeps residents here for so long.

We urge the Zoning Board of Appeals to deny this request.

Respectfully,

Stephen S Dienhart

[redacted]

From: Steve Kopp [redacted] >
Sent: Friday, January 8, 2021 1:31 PM
To: Mach, Derek
Subject: 1223 Mayfair Variance

[NOTICE: This message originated outside of Village of Arlington Heights email system -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Dear Sir/Madam,

My name is Steve Kopp and I live at [redacted], a few blocks east of this property. My wife and I frequently walk past this site and enjoy the older homes and large lots. This lot in particular had a beautiful garden on it up until a few years ago. My opinion is that a new large home on this narrow lot would not be in keeping with the ambiance of the neighborhood. I know many of the adjacent neighbors and believe that their enjoyment of their own properties, and the corresponding market value, would be diminished by a new home on this site.

If I had a vote, I would vote against this variance. Thank you for your consideration.

Steve Kopp

[redacted]

From: Sally McDonald [redacted]
Sent: Thursday, January 7, 2021 11:31 AM
To: Mach, Derek
Cc: [redacted]
Subject: 1223 E. Mayfair Road Request for Variance

[**NOTICE:** This message originated outside of Village of Arlington Heights email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Derek: I am writing to express my opposition to the variance request that will ruin the character of Stonegate in particular Mayfair Road.

Sally McDonald
[redacted]

[redacted]

From: Sean Morden [redacted]
Sent: Thursday, January 21, 2021 4:00 PM
To: Mach, Derek
Subject: Variance requests submitted by Mr. Mike McGraw

[**NOTICE:** This message originated outside of Village of Arlington Heights email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear Mr. Mach and the Village Board,

Regarding Variance requests submitted by Mr. Mike McGraw:

Lot 227: A **45.1-foot variation** from Chapter 28, Section 5.1-3.1 (Minimum Lot Width) and Section 5.1-3.1a, to allow a lot (Lot 227) with a width of 44.9 feet where 90 feet is required.

Lot 228: A 1.6-foot variation from Chapter 28, Section 5.1-3.1 (Minimum Lot Width) and Section 5.1-3.1a, to allow a lot (Lot 228) with a width of 68.4 feet to be buildable where 70 feet is required.
A variation from Chapter 28, Section 5.1-3.1 (Minimum Lot Size) and Section 5.1-3.1a, (Lot 228) to **allow a 6,440 square foot lot to be buildable where 8,750 square feet is required.**

I am an Arlington Heights resident and reside at [redacted] Windsor Drive in Stonegate. I am writing you to oppose Mr. McGraw's request for a variance for Lots 227 and 228 in the Stonegate neighborhood. Current zoning requirements should be upheld and this request should be denied.

Thank you,
Sean Morden
[redacted] Windsor Dr.
Arlington Heights, IL 60004

--
Sean Morden
[redacted]

[redacted]

From: [redacted]
Sent: Thursday, January 7, 2021 12:44 PM
To: Mach, Derek
Subject: Regarding 1223 E. Mayfair Variance

[**NOTICE:** This message originated outside of Village of Arlington Heights email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

To Derek Mach, Planner

Please don't allow the variance for this property. I live a short block from this property and feel it would destroy the feel of the Stonegate neighborhood. The reduced size of the new lots would diminish the style of the original house thus alter the character of the Stonegate neighborhood. Many of the houses on this block have large irregular shaped lots. This is one of the beautiful aspects of the neighborhood. It would also be a shame if many mature trees would have to be removed on these new smaller lots.

[redacted]

From: Thomas Painter [redacted] >
Sent: Sunday, January 10, 2021 9:31 PM
To: Mach, Derek; [redacted]
Subject: McGraw Petition

[**NOTICE:** This message originated outside of Village of Arlington Heights email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear Mr. Mach, My wife and I live at [redacted] which is around the corner from the Mcgraw property. I have been asked to express my opinion on the Proposed Variance requested. I am ambivalent about the proposal. I am sympathetic to neighboring property owners who oppose the variance due to the special benefit that the property, in its present state, provides to the area. Simultaneously, I feel it is most fair to allow property owners wide latitude in how they use and develop their own property. Impairing these rights are most problematic when zoning changes void certain rights that were previously held by the owner. In one sense this results in the real transfer of property from the owner to others without just compensation. The balance of these competing interests is difficult. On the whole I would favor preserving the widest latitude of use to the property owner while assuring that this use remains consistent with the intent of the original restrictions. Sincerely, Tom Painter

[redacted]

From: Tammy Wochinski [redacted]
Sent: Monday, February 1, 2021 6:54 PM
To: Mach, Derek
Subject: Michael L McGraw Hearing

[NOTICE: This message originated outside of Village of Arlington Heights email system -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

As a 28 year Stonegate homeowner I have a very vested interest in my wonderful community.
Mr. McGraw should absolutely NOT be granted the right to slice up his lot. Especially since it would not meet current and long standing village lot standards.
Furthermore, dividing the lot would create much more traffic congestion on Mayfair and Carlisle and detract from the character of this beautiful neighborhood.
Thank you for your consideration in this matter.
Sincerely,
Tamara R. Wochinski.

[redacted]

From: William Dasso [redacted]
Sent: Monday, January 11, 2021 4:28 PM
To: Mach, Derek
Subject: Variation 1223 E. Mayfair

[**NOTICE:** This message originated outside of Village of Arlington Heights email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

I oppose the requested variation for 1223 E. Mayfair. To allow the reduction of the size of the current lot so that two smaller lots of odd sizes could be created would hurt the neighborhood and require the removal of some mature trees for the building of a new home. In my opinion, granting the variation would not enhance the neighborhood's appearance, but would result in a cramped, odd feeling for an area that currently reflects the original character of the Stonegate community as it was originally designed.

January 6th , 2021

Mr. Derek Mach, PLA
Planner
Village of Arlington Heights
33 S. Arlington Heights Road
Arlington Heights, IL 60005

Re: Petition for Variations from Sections 5.1-3.1 and 5.1-3.1(a) of the 2002 Comprehensive Amendment of the Zoning Ordinance of the Village of Arlington Heights
(1223 E. Mayfair Road | Stonegate Lots 227 and 228)

Dear Mr. Mach

My name is Steve Pollard. My wife Kathy and I have lived at [redacted] in Arlington Heights since 1989 which touches Lot 228 of 1223 E. Mayfair Road. We love our close knit neighborhood of Stonegate including many mature trees and ample open space. We have raised four children in Stonegate and are very happy to call the area home.

I am writing regarding the above referenced petition. While I understand the Petitioner's desire to develop a new house in his side yard, I don't believe his petition successfully establishes conditions necessary or sufficient for the Zoning Board of Appeals ("the ZBA") to grant his request. I have provided my reasons below in reference to his petition and in the order they appear in his petition.

Page 1, Paragraph 3

Petitioner requests that:

" the Zoning Board of Appeals ("ZBA") expressly authorize the Variations as being entitlements running with Lot 227 and Lot 228 rather than being subject to a ZBA order limiting the validity of the Variations to a period of one year"

Mr. McGraw's petition states reasons that pertain to his personal situation to support his request. If the requested Variations are made as entitlements that run with the land, Mr. McGraw would be free to sell Lot 228 to a third party for development and use by others, notwithstanding the fact he is using his personal circumstances to justify the variance request. If Mr. McGraw has specific plans to develop the property for his family's use, let him bring them forward now.

Exhibit A, Page 1 and 2 , Section 1, Paragraphs 1 and 2

The Petition states that:

"The Variations will not alter the essential character of the locality in which the Subject Property is located because (i) they are all merely reflective of existing lots of record created nearly 93 years ago."

(iii) construction of a single-family house on Lot 228 will result in further investment in the neighborhood in the same manner contemplated nearly 93 years ago

The neighborhood has changed extensively since it was originally platted 93 years ago. Among other things, Lot 227 has existed with a single family home on it using Lot 228 as a side yard where gardens have been planted, Mr. McGraw's children played, a gazebo was built, and parties held. That character remains today but would be changed by putting a new house on the small site that is Lot 227.

The investment that the Petition describes does not enhance the neighborhood and is not a good reason to grant this variance request.

Exhibit A, Page 2, Section 1, Paragraph 3

The Petition states:

"…at no point during the nearly 81-year period between when Lots 227 and 228 came into common ownership in 1940 and the present, did the various owners of the Subject Property take any action to construct an addition to either the house or the detached garage on Lot 227 that encroached upon Lot 228 or the minimum required setback from Lot 228. One can only conclude that those owners sought to treat those lots independently and preserve the future buildability of Lot 228 as a result."

What previous owners sought may be irrelevant, but one can draw many other conclusions from their actions. They just as likely may have thought that the value of the home on Lot 227 was greatly enhanced by preserving and using Lot 228 as a side yard for enjoyment by the owners of the home and to preserve the essential character of the neighborhood.

Exhibit A, Page 2, Section 1, Paragraph 4

"Petitioner now desires to secure the ability to construct a house on Lot 228 as a means for him, either of his adult children or his adult brother (for whom Petitioner has legal responsibility) to be able to remain in the neighborhood, or otherwise, in anticipation of the all-but-certain reality that Petitioner will at some unknown point in the future choose to downsize from the large residence on Lot 227. In that event, the ability to construct a house on Lot 228 will afford any of Petitioner, his adult children and/or his adult brother the opportunity to remain in the neighborhood they have known as their home for many years."

It is my understanding that Petitioner already owns another home in Stonegate that could be used as a residence. As for downsizing, with a FAR of 45% on lot 228 consisting of 6,440 square feet, Petitioner could conceivably build a 2,896 square foot house and has proposed a 2,800 square foot house both of which would be larger than the existing 2,606 square foot house on lot 227.

Construction of a house on Lot 228 will support both preservation and advancement of the neighborhood through development as planned nearly 93 years ago and significant reinvestment in the neighborhood.

This is disputed. The investment that the Petition describes does not enhance the neighborhood.

Exhibit A, Page 2, Section 1, Paragraph 5

As demonstrated by the Lot 228 Concept Site Plan, Extended Neighborhood Vicinity Context Exhibit and Close-Up Neighborhood Context Exhibit included as Exhibits G, H and I to this submittal, respectively, the Variations necessary to bring Petitioner's desire to fruition will not detrimentally alter the essential character of the neighborhood. To the contrary, those exhibits reflect the significant compatibility and consistency that the Variations and resulting development of Lot 228 will bring to the neighborhood.

The Lot 228 Concept Site Plan shows access to the lot would be through the village parkway fronting S. Carlyle Place and include a 17 foot wide driveway. That parkway contains several mature trees, some of which I estimate are at least 75 to 100 feet tall. I don't believe access to the site and a driveway can be provided without removing many of these beautiful trees. Doing that would detrimentally alter the essential character of the neighborhood.

I have separately enclosed four photographs taken this day showing the proposed entrance to Lot 228 from S. Carlyle Place and the trees located in the parkway that would be in danger.

Exhibit A, Page 2, Section 2, Paragraph 1

"The Petitioner….received written confirmation in the form of the December 2, 2003 email correspondence from former Village employee Joyce Gloff, which is included as Exhibit K to this submittal, expressly stating that Lot 228 is in fact "considered at this time to be a buildable lot."

The e-mail is ambiguous. It states that "A building permit could be issued as long as all other applicable building and zoning regulations are met." The fact that Petitioner needs a variance from said zoning regulations shows those conditions have not been met.

Exhibit A, Page 3, Section 2, Paragraph 4

"…in fact most, of the originally platted lots in the vicinity of the Subject Property are nonconforming with the applicable R-3 requirements for minimum required lot width, lot size or both, thus presenting the same condition for those lots as necessitates each of the Variations now sought by Petitioner. "

Staff should review this claim to determine if any of these non-conforming conditions exist and if the houses built upon them were developed before or after the applicable R-3 requirements were enacted. It seems illogical to argue that violation of a requirement that did not exist in the past is good reason not to enforce that requirement after it has been enacted.

Conclusion

I oppose this variance request because I do not want to see a large house build on a small lot and I don't want to see beautiful trees removed. I believe approving this request would change the essential character of this peaceful neighborhood. I don't believe the Petitioner has provided adequate justification for the requested variations to be granted and ask the ZBA to deny the request.

Respectfully,



Steve Pollard



NOTICE OF PUBLIC HEARING

Hearing for: Variations to separate a zoning lot, reduce minimum required lot width and lot size, and as may otherwise be determined necessary.

Hearing Location: To be held "virtually" via online access only. Details on how to access and participate in this online "virtual" meeting will be available at www.vah.com no later than January 8, 2021.

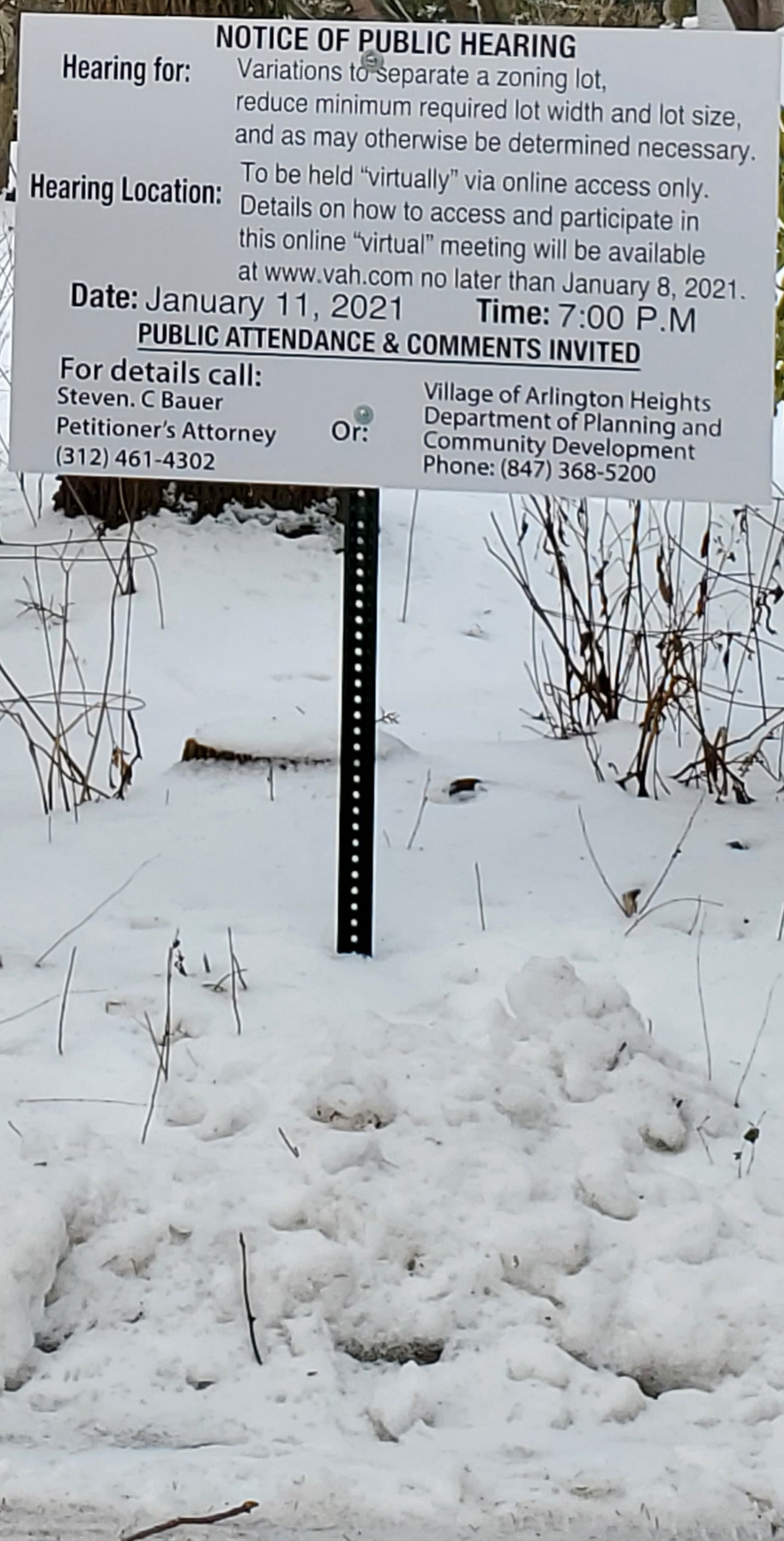
Date: January 11, 2021 **Time:** 7:00 P.M

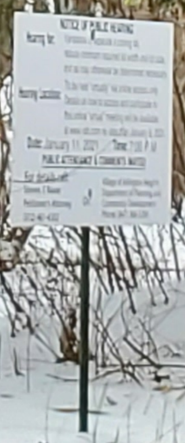
PUBLIC ATTENDANCE & COMMENTS INVITED

For details call:
Steven. C Bauer
Petitioner's Attorney
(312) 461-4302

Or:

Village of Arlington Heights
Department of Planning and
Community Development
Phone: (847) 368-5200


NOTICE OF PUBLIC HEARING
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Variations to separate a zoning lot, reduce minimum required lot width and lot size, and as may otherwise be determined necessary.
Hearing Location:
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Date: January 11, 2021
Time: 7:00 P.M
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For details call:
Steven. C Bauer
Petitioner's Attorney
(312) 461-4302
Or:
Village of Arlington Heights
Department of Planning and
Community Development
Phone: (847) 368-5200


NOTICE OF PUBLIC HEARING