



Agenda
Village of Arlington Heights
Zoning Board of Appeals
Buechner Room, 1st Floor
Arlington Heights Village Hall, 33 S. Arlington Heights Rd.
January 9, 2023
7:00 PM

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF MINUTES

- A. 751 S. Burton Pl. - 11/14/22
- B. 704 W. Brittany Dr. - 11/14/22
- C. 1245 S. Arlington Heights Rd. - 11/14/22
- D. 1722 W. Oakton St. - 11/14/22

IV. REPORTS

V. OLD BUSINESS

VI. NEW BUSINESS

- A. 623 N. Beverly Ln. - ZBA#23-004
- B. 2071 N. Ridge Ave. - ZBA#23-001
- C. 1245 N. Illinois Ave. - ZBA#23-002
- D. 129 S. Vail Ave. - ZBA#23-003

VII. OTHER BUSINESS

- A. Public Comment

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 Erin Mercado, at 33 S. Arlington Heights Road, Arlington Heights, Illinois 60005, emercado@vah.com or (847)368-5793.



Zoning Board of Appeals 1/9/2023

Item: 751 S. Burton Pl. - 11/14/22

Department: Planning & Community Development

ATTACHMENTS:

Description	Type
751 S. Burton Pl. - 11/14/22 Findings	Minutes
751 S. Burton Pl. - 11/14/22 Minutes	Minutes

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS

November 14, 2022

PETITIONER: Creel Residence
ADDRESS OF PROPERTY 751 S. Burton Pl.
VARIATION: 5.1-0.5b (Maximum Impervious Surface Coverage), 6.5, 6.6-5.1 (Table of Permitted Obstructions)

A 2-foot variance for the existing pool structure (pergola) and pool deck that is setback 6-feet from the east (rear) property line where 8-feet is required; A variance for existing pool equipment that is setback 4-feet from the east (rear) property line and 7-feet from the south (side) property line where 8-feet is required.

The petitioner testified as to hardship, uniqueness of circumstances, and the character of the locality. At the October 17th Zoning Board meeting, the petitioner was requesting a variance for impervious surface coverage and two variations related to the swimming pool. The Zoning Board continued the October hearing to November 14 and requested that the property owner be present. The petitioner testified that since the October 17th meeting, they have submitted for a building permit to reduce the amount of impervious surface coverage. The petitioner explained that they have eliminated the circular drive in the front yard. Therefore, the impervious surface variance was withdrawn. The petitioner explained that they are requesting the following two variations:

- A two-foot variance from Chapter 28, Section 6.5 and 6.6-5.1 for the existing pool structure (the pergola) and pool deck that is set back six feet from the east property line where eight feet is required.
- In addition, they're requesting a variance from Chapter 28, Section 6.5 and 6.6-5.1 for the existing pool equipment that is set back four feet from the east property line and seven feet from the south property line where eight feet is required.

The petitioner testified that the home and pool area was constructed in 2014-15 and that in order to remedy the setback of the pergola, the entire fireplace and pergola would need to be removed.

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

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

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

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

RE: 751 SOUTH BURTON PLACE - ZBA #22-022

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Zoning Board of Appeals taken at the Arlington Heights
Village Hall, 33 South Arlington Heights Road, 1st Floor, Buechner Room,
Arlington Heights, Illinois on the 14th day of November, 2022 at the hour of
7:00 p.m.

MEMBERS PRESENT:

PETER SIAVELIS, Chairperson
FRANK PORTERA
JOSEPH SELBKA
JOSEPH GEISEL
JEFFREY LANAGHAN
TOM DRAKE

ALSO PRESENT:

DEREK MACH, Development Planner

CHAIRPERSON SIAVELIS: I'm going to call the meeting to order. Welcome, everyone. Today is Monday, November 14th, 2022. This is the Zoning Board of Appeals for the Village of Arlington Heights. We're going to commence the meeting now.

Derek, call the roll 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.

(No response.)

MR. MACH: Mr. Lanaghan.

COMMISSIONER LANAGHAN: Here.

MR. MACH: Mr. Selbka.

COMMISSIONER SELBKA: Here.

MR. MACH: Mr. Portera.

COMMISSIONER PORTERA: Here.

CHAIRPERSON SIAVELIS: All right, Pledge of Allegiance. Notice the flag is right over your right shoulder.

(Pledge of Allegiance recited.)

CHAIRPERSON SIAVELIS: Okay, our next item of business is approval of the minutes from the October meeting. Have the Board members had a chance to review the minutes, and assuming such, are there any proposed revisions or edits to the minutes?

(No response.)

CHAIRPERSON SIAVELIS: Seeing none, is there a motion to approve the minutes?

COMMISSIONER DRAKE: So moved.

CHAIRPERSON SIAVELIS: Voice vote, Derek, is okay still?

MR. MACH: Yes.

CHAIRPERSON SIAVELIS: All in favor?

(Chorus of ayes.)

CHAIRPERSON SIAVELIS: Any opposed?

(No response.)

CHAIRPERSON SIAVELIS: Hearing none, the minutes are approved. All right, folks, we're going to go through some of the hearing procedures today that govern how the meeting is run and make sure the meeting is run in an efficient and accurate manner.

First off, if there are less than six members present, the petitioner has the option to continue the meeting while keeping in mind that it takes four affirmative votes to approve a variance regardless of the number of Board members in attendance. So, there are six of us. To prevail on a variance, you need to have four of the six in favor of it.

If your variance is denied, a petitioner cannot reapply for an entire

year. So, there's a binding preclusive effect of one year.

Before you are called up to the podium to make your case for your variance or variances plural, the Staff will give a presentation that's essentially a project overview of the variance sought and high level points for you also to address and speak to.

There are four elements necessary to establish in order for the Board to be able to grant a variance. These are the four elements that were in the paperwork that you folks reviewed and submitted as part of this process. They are as follows:

1. 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;
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 Village's Code; and
4. That the variance requested is the minimum variance necessary to allow reasonable use of the property.

These are your elements to establish, not ours. It's the petitioner's responsibility to touch on each and every one of these four elements and establish them during the presentation. We have denied variances in the past when these elements have not been established. So, again it's your responsibility, not ours to pull it out of you. A variance is permitted only if the evidence in the judgment of this Board of Appeals sustains each and every one of the four conditions that I just read out.

Okay, so we have a little bit of a wrinkle here today. We have one item of old business and three items of new business. The agenda shows the old business is to go first and that's the way I'll call it, okay.

So, the first item is ZBA Petition #22-022, 751 South Burton Place. So, who's speaking on behalf? Come on up, sir.

All right, so anybody who speaks needs to sign in and then the Petitioner we're going to swear in. Remember, your testimony, your statements are transcribed by the reporter so it's important for you to speak clearly and project, and we've got to try to make sure that we don't speak over each other because to do so when we're on the record makes it difficult on the reporter.

So, go ahead, sir, have you signed in?

MR. CREEL: I have, yes, sir.

CHAIRPERSON SIAVELIS: Okay, what is your name?

MR. CREEL: Keith Creel.

CHAIRPERSON SIAVELIS: Okay, Keith, can you raise your right and I'll swear you in?

(Witness sworn.)

CHAIRPERSON SIAVELIS: Okay, we're going to pause now and give it to Derek to let him give the Staff overview.

MR. MACH: Thank you, Chairman.

At the October 17th Zoning Board meeting, the Petitioner was requesting a variance for impervious surface coverage and two variations related to the swimming pool. At the October hearing, the Zoning Board continued the petition to this evening and requested that the property owner be present.

Since the meeting, the Petitioner has submitted for a building permit

to reduce the amount of impervious surface coverage. The Petitioner has eliminated the circular drive in the front yard. Therefore, the impervious surface variance is being withdrawn since the Petitioner addressed the variance request with the elimination of the circular portion of the drive.

The Petitioner is requesting the following two variations:

- A two-foot variance from Chapter 28, Section 6.5 and 6.6-5.1 for the existing pool structure (the pergola) and pool deck that is set back six feet from the east property line where eight feet is required.
- In addition, they're requesting a variance from Chapter 28, Section 6.5 and 6.6-5.1 for the existing pool equipment that is set back four feet from the east property line and seven feet from the south property line where eight feet is required.

Thank you, Chairman.

CHAIRPERSON SIAVELIS: Great, thank you, Derek.

Okay, Keith, you have the floor.

MR. CREEL: Board, I appreciate the opportunity to come tonight to speak to the request for this variance. This home was constructed for my family and I back in 2014-15 by Capital Custom Homes. At the time, we lived up in Kildeer. Also at the time, I had worked for a Canadian company but actually changed employers to where my office was located in Calgary, so I was going through an extensive period of travel which I still endure today.

I was not here to oversee the job as I should have been, no excuse. It's my responsibility. I found out at the end of the project when we went to get our certificate of occupancy, that we had an issue with where the pergola was built and also the impervious surface. My builder at that time committed to me that he was going to go through this process, and if he could not get a variance approved, then he would remedy the problems that we had with the property.

Now, subsequent to that discussion, there was a portion of the driveway that was built into the side setback. I had that portion of the driveway removed back in 2014. Since that period of time, given my work, I just in all honesty have not thought about this until I guess probably five months ago. I checked to make sure of the status of my certificate of occupancy and I found out that these issues had not received the variance. Again, that's my responsibility, it's not my builder's. I have to hold them accountable but here we are, seven, eight years later, I have lost contact with the builder, so I'm at this point trying to resolve this myself.

Last month, I could not come and attend to participate. I had my chief of staff come and represent me. You guys were gracious enough to push this issue to this month. Since that time, we eliminated over 1,000 feet of the impervious surface just this past week by removing the left side of the half circle driveway and actually just creating a sidewalk. So, that's as it sits this morning with the new grass they put in, I believe they put that in Friday or Saturday, so it's all very nearly completed.

The issue we still have left obviously is the pergola which is connected to the pool. It's too far into the setback. To remedy that, we'd have to tear the entire fireplace and pergola down. Then something that was new to me which I did not know at all about this actual equipment pad where the pool pump sat, it's also in the setback as well. So, to remedy that problem, we again would have to completely deconstruct or reconstruct the equipment pad.

So, at that point, you know, before I have to go to that extensive expense and damage to the back of the property, I would respectfully request that the Board consider granting a variance for those two conditions.

CHAIRPERSON SIAVELIS: Okay, so a couple of things here kind of right off the bat. I think speaking at least for myself, other Board members can speak for themselves, we do appreciate the fact that you addressed the driveway issue, right, because that was a major stumbling block, right. We really struggled last month understanding, you know, what transpired in the timeline, who knew what when, right?

MR. CREEL: Right.

CHAIRPERSON SIAVELIS: And your chief of staff, he did a yeoman's job, but frankly he wasn't, you know, aware of everything and it was difficult for him.

MR. CREEL: Yes, sir.

CHAIRPERSON SIAVELIS: So, we're glad to see that you have taken remedial steps to address the driveway and essentially resolved those variances sought. So, you're left basically the two variances regarding the backyard.

MR. CREEL: Yes, sir.

CHAIRPERSON SIAVELIS: I do recall, and the record reflects, that we asked, you had a number of neighbors stand up and make comments in regard to the variances sought, right? We asked your neighbors directly behind you about the pool equipment, whether they heard it, whether they saw it, things of that nature. Their response was no, we don't see it, we don't hear it, it's not an issue.

The issue or the commentary from your neighbors was the driveway issue and the flooding issues in the estate, okay. So, are you aware of how that transpired and went down? Did you get a chance to look at the meeting minutes?

MR. CREEL: Yes, I did, Chair, and Chad explained it to me as well and explained the history as well. I was not aware of the history with the variances and the flooding concerns, you know, obviously because I haven't experienced those. But I certainly understood and that's the reason we took immediate action to remedy it and try to create a situation that's at least tenable for everyone concerned.

CHAIRPERSON SIAVELIS: Right. Okay, so in the interim, being from last meeting to today as you stand up there at the podium, have you heard from any of your neighbors or have you received any sort of correspondence from your neighbors?

MR. CREEL: Not at all.

CHAIRPERSON SIAVELIS: Do you reside at this property?

MR. CREEL: We do, back and forth. We have a place here and we have a separate place in Florida.

CHAIRPERSON SIAVELIS: Okay. Okay, I don't have any other questions or issues given the testimony that came in last month and the activities taken by the Petitioner to mitigate the driveway issues which I think were giving a number of us some heartburn, especially in view of the feedback from the neighbors. I do recall specifically the questions about the pool equipment in the backyard, and obviously you have a large lot so that helps alleviate some of the concerns that at least I came in here with regarding the pool equipment.

So, I have nothing further to ask.

So, other Board members?

COMMISSIONER GEISEL: I think the 10 minutes or so of testimony has

cleared up the, you know, unknowns that we had at least in my mind.

CHAIRPERSON SIAVELIS: Okay, so let me explain also how the process works here. So, obviously, your presentation and the feedback from the Board, you now take a seat essentially. If there's any audience members, basically Village residents who want to speak in regards to the petition as it currently stands, right, so just the two variances being sought, no driveway variance being sought any further, we open it up for that, okay. Then you will get a chance to rebut any comments from the audience members, okay, other Village residents who are sitting here in the audience. Then once that's done, we do a deliberation and then vote, okay?

MR. CREEL: Okay.

CHAIRPERSON SIAVELIS: So, we'll ask you to take a seat.

Derek, by the way, were there any other comments received by the Village from the public?

MR. MACH: None.

CHAIRPERSON SIAVELIS: Okay, is there anybody in the audience who is here tonight to speak on behalf of this revised petition as it currently stands? Come on up then.

So, a couple of things. Make sure, one, you identify yourself on the record so we have that. I want to caution you to make sure you speak in regards to the two variances being sought right now, the pool equipment variances and the pool structure, the pergola, okay? Don't delve into the driveway or any of that. Don't, you know, waste any time on that because it's already been resolved.

MS. SIMPSON: Really, I'm here more to express some comments on behalf of our neighborhood. So, my name is Jean Simpson, I'm president of the Scarsdale Estates Association neighborhood organization. We have been in conversation with the Village for the last two-and-a-half years about flooding issues that we have in the neighborhood.

CHAIRPERSON SIAVELIS: Okay, I'm going to stop you right there. We are not going down the pathway of flooding.

MS. SIMPSON: No, okay.

CHAIRPERSON SIAVELIS: No, do not interrupt me. We heard plenty of commentary on the flooding issue last meeting. We are not opening that back up, that's in the record right now. The variances being sought right now have nothing to do with the driveway flooding issues, okay?

MS. SIMPSON: So, I was just kind of giving that as a backdrop. I was not able to be here last week, or last month.

CHAIRPERSON SIAVELIS: Last meeting.

MS. SIMPSON: So, I guess my question is when someone applies for a permit and then they want to move into a home, but they have some violations, so is that something that's permitted by the Village, that you have code violations, but you're allowed to move into the property?

MR. MACH: Really that would be a question for the Director of Building. They make a determination, you know, if a temporary certificate of occupancy is issued. Obviously, in order to obtain a final certificate, everything has to be addressed. But the Department of Building handles that and makes that --

MS. SIMPSON: So, can a person receive a temporary certificate of

occupancy and live there for seven years without the Village ever coming back and saying fix these problems?

MR. MACH: I don't --

COMMISSIONER GEISEL: Again, that's an issue for the Building Department. As a resident who has made two additions in this town, I've had two temporaries. Any corrections I made, I got my final. Everything went the way it was supposed to. If it didn't occur here, we can't speak to that.

CHAIRPERSON SIAVELIS: That's basically outside our purview.

MS. SIMPSON: Yes, right, right. It's just it's an ongoing frustration for the neighborhood because it's our suspicion that there are a lot of those kinds of situations in our neighborhood.

COMMISSIONER GEISEL: I appreciate your concern, but that's really not what the Board is here to address.

MS. SIMPSON: Okay.

CHAIRPERSON SIAVELIS: Yes, we don't have any authority over that and we can't make any, or take any remedial measures or make any recommendations. That's just not within our purview.

MS. SIMPSON: Right, and I very much appreciate the changes that were made. I mean, that to me was, you know, huge. The problems that currently exist with those violations, they're probably minor in my own opinion. But I do feel that, I feel frustration on behalf of our homeowners that the Village is not perhaps as diligent as we would hope in protecting issues that we have as residents of Arlington Heights.

CHAIRPERSON SIAVELIS: Well, there's going to be an election coming up for those Trustees, so maybe that's an issue you raise with Trustee candidates on the Board.

MS. SIMPSON: We have a Trustee in our neighborhood, we raised it.

CHAIRPERSON SIAVELIS: Yes, you do.

MS. SIMPSON: Okay, thank you.

CHAIRPERSON SIAVELIS: Okay, any other comments?

(No response.)

CHAIRPERSON SIAVELIS: Okay, hearing none, we don't need the Petitioner to respond back. Well, it's actually your option, actually, I apologize. You can rest or you can respond.

MR. CREEL: No response.

CHAIRPERSON SIAVELIS: Okay.

All right, deliberations? That's the next phase, okay, it's deliberations among the Board members and then a potential vote.

Okay, so I'll start. I appreciate that the Petitioner took to heart our comments last month during the meeting when we expressed our frustration with the situation, and we asked the Petitioner's representative to take seriously the comments from this Board and the neighbors and the other folks who spoke at the meeting. It appears that he has done exactly that. We did get specific and direct testimony from the neighbors regarding the pergola and the pool equipment.

So, in view of that testimony, in view of the significant hardship caused by trying to somehow reconfigure the pool equipment and pergola, I don't think that's a reasonable outcome. So, in light of that, I'm in favor of both of the current two

variances being sought.

So, Joe?

COMMISSIONER GEISEL: I would agree. The direct testimony of the neighbor behind who was most impacted indicated it wasn't an issue. So, I would support the variances.

COMMISSIONER SELBKA: I agree as well with the modified variances.

CHAIRPERSON SIAVELIS: Frank?

COMMISSIONER PORTERA: Yes, I agree. Most of our time last month was spent talking about the impervious surface coverage. So, seeing that remedied was helpful.

CHAIRPERSON SIAVELIS: Great, thank you.

Tom?

COMMISSIONER DRAKE: I agree as well. I understand the neighborhood's frustration about the process with all of this, but I'm in favor.

COMMISSIONER LANAGHAN: Yes, and I would basically say I agree with the neighbors in that it's very frustrating to see us kind of approve something after the fact. It could and should have been done right up front. Having said that, the impervious surface and the impact that it has on the potential flooding in the neighborhood has been addressed. That was the biggest one, and the neighbors from what I heard were not upset with the pergola. So, I begrudgingly can approve this.

CHAIRPERSON SIAVELIS: All right, do we have a motion?

COMMISSIONER GEISEL: Move approval of the variances as sought.

CHAIRPERSON SIAVELIS: Do we have a second?

COMMISSIONER DRAKE: Second.

MR. MACH: Mr. Drake.

COMMISSIONER DRAKE: Yes.

MR. MACH: Mr. Geisel.

COMMISSIONER GEISEL: Yes.

MR. MACH: Mr. Lanaghan.

COMMISSIONER LANAGHAN: Yes.

MR. MACH: Mr. Selbka.

COMMISSIONER SELBKA: Yes.

MR. MACH: Mr. Portera.

COMMISSIONER PORTERA: Yes.

MR. MACH: Chairman Siavelis.

CHAIRPERSON SIAVELIS: Yes.

Congratulations, your variances have passed. You folks are free, by the way, to leave. You don't have to stay; you're not going to hurt our feelings if you leave.

COMMISSIONER LANAGHAN: Stay as long as you like though.

CHAIRPERSON SIAVELIS: Right. If you want to watch Monday night football or you've got something else to do, still you're fine.

MR. CREEL: Thanks for the consideration. Thank you.

CHAIRPERSON SIAVELIS: Certainly.

(Whereupon, the public hearing on the above-mentioned petition was adjourned at 7:21 p.m.)



Zoning Board of Appeals 1/9/2023

Item: 704 W. Brittany Dr. - 11/14/22

Department: Planning & Community Development

ATTACHMENTS:

Description	Type
704 W. Brittany Dr - 11/14/22 Findings	Minutes
704 W. Brittany Dr - 11/14/22 Minutes	Minutes

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS

November 14, 2022

PETITIONER: Schnittker Residence

ADDRESS OF PROPERTY 704 W. Brittany Dr.

VARIATION: 5.1-3.5 (Maximum Impervious Surface Coverage)

A 310 square foot variation to allow 5,007 square feet of impervious surface coverage (existing) where 4,697 square feet is allowed.

The petitioner testified as to hardship, uniqueness of circumstances, and the character of the locality. The petitioner explained that the original patio was approved in error. The petitioner testified that they are proposing a gazebo over the existing patio and that the impervious surface coverage will not be expanded.

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

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

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

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

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

OF APPEALS

RE: 704 WEST BRITTANY DRIVE - ZBA #22-027

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Zoning Board of Appeals taken at the Arlington Heights
Village Hall, 33 South Arlington Heights Road, 1st Floor, Buechner Room,
Arlington Heights, Illinois on the 14th day of November, 2022 at the hour of
7:21 p.m.

MEMBERS PRESENT:

PETER SIAVELIS, Chairperson
FRANK PORTERA
JOSEPH SELBKA
JOSEPH GEISEL
JEFFREY LANAGHAN
TOM DRAKE

ALSO PRESENT:

DEREK MACH, Development Planner

CHAIRPERSON SIAVELIS: Okay, next item of business is ZBA Petition #22-027, 704 West Brittany Drive.

Okay, sir, please identify yourself.

MR. SCHNITTKER: I'm John Schnittker, the homeowner.

CHAIRPERSON SIAVELIS: Okay, I'll swear you in. Right hand?

(Witness sworn.)

CHAIRPERSON SIAVELIS: Great.

Derek?

MR. MACH: Thank you, Chairman.

This past July, the homeowner submitted for a patio permit which was approved in error. This permit was not reviewed by the Department of Planning. The patio along with the existing impervious coverage exceed what is allowed per code, and the Petitioner would like to construct a gazebo above the existing nonconforming patio.

Therefore, they're requesting a 310 square-foot variation from Chapter 28, Section 5.1-3.5 to allow 5,007 square feet of impervious surface coverage where 4,697 square feet is allowed. Thank you.

CHAIRPERSON SIAVELIS: Thanks, Derek.

All right, John, you have the floor.

MR. SCHNITTKER: Yes, we had our patio done by Ramirez Concrete this past summer. Everything was moving along, we had to do a few changes. We were approved for the pour that was done, the patio was complete. In August I had filed for or applied for building a 12 by 20 gazebo. So, we had to do a few changes on my plat of survey, and then ultimately found out that I was over the amount for the impervious surface which I wasn't aware of until I filed for this application. So, that's where it's at right now.

CHAIRPERSON SIAVELIS: I'm sorry, we're obviously looking at something in your files.

MR. SCHNITTKER: Yes.

CHAIRPERSON SIAVELIS: We all have your papers on our computers, we're not like looking at the stock market or, you know, something on ESPN, right?

MR. SCHNITTKER: Yes.

CHAIRPERSON SIAVELIS: We're actually double-checking the drawings against what you said. You want to take on this one?

COMMISSIONER GEISEL: Certainly. So, you indicated that you had applied for a permit for the patio. It was approved, it was constructed without the knowledge that it was over.

MR. SCHNITTKER: Right.

COMMISSIONER GEISEL: Until you made the corresponding additional application?

MR. SCHNITTKER: Correct.

COMMISSIONER GEISEL: And did you say this was, it's actually poured concrete?

MR. SCHNITTKER: Yes, it's poured stamped concrete, 53 feet by 18. Yes.

COMMISSIONER GEISEL: So, it's not like it's --

MR. SCHNITTKER: I'm not getting --

COMMISSIONER GEISEL: -- a brick patio and you can --

MR. SCHNITTKER: No.

COMMISSIONER GEISEL: Right, yes.

MR. SCHNITTKER: Right, I'm kind of, you know.

COMMISSIONER GEISEL: Got it, okay. Quite frankly, I don't have any other questions. I don't know if anybody else does given the testimony.

CHAIRPERSON SIAVELIS: So, this is stamped and colored it looks like?

MR. SCHNITTKER: Yes. Yes, correct, yes.

COMMISSIONER LANAGHAN: And the gazebo is 100 percent on top of the concrete?

MR. SCHNITTKER: Correct, and there's piers, you know, like Derek is probably aware of. There are six piers under the patio where it's going to be anchored to the patio, yes.

CHAIRPERSON SIAVELIS: So, Derek, this is just a snafu internally here?

MR. MACH: It is.

CHAIRPERSON SIAVELIS: Okay, how many folks live in this house?

MR. SCHNITTKER: Two right now. I just got rid of my two sons this past week, so it's just the two of us now.

COMMISSIONER LANAGHAN: Congratulations.

MR. SCHNITTKER: Yes, yes.

CHAIRPERSON SIAVELIS: So, your wife and you are going to utilize this.

MR. SCHNITTKER: And the neighbors, you know, and my family. We have parties, you know, and get-togethers with our neighbors and my family, yes.

CHAIRPERSON SIAVELIS: And the Board?

MR. SCHNITTKER: Yes, absolutely.

CHAIRPERSON SIAVELIS: Okay, any comments your neighbors, you know, when they saw the sign? Anything like that?

MR. SCHNITTKER: Yes, my neighbor, I talked to my next-door neighbor, the Zamaros back today and she just was wondering what was going on. I had to explain to her exactly what I told you. Then the neighbor across the street, talked to him. Actually, yes, everybody around our house, yes, the neighbor behind me, he came by trick or treating with his daughter, I was talking to my wife about it and they're all aware of it, yes.

CHAIRPERSON SIAVELIS: Any opposition?

MR. SCHNITTKER: No.

CHAIRPERSON SIAVELIS: Okay. All right, do you have anything else to add?

MR. SCHNITTKER: No, that's it.

CHAIRPERSON SIAVELIS: Okay, stay there for a second.

MR. SCHNITTKER: Okay.

CHAIRPERSON SIAVELIS: Any comments from audience members in regards to this petition in particular?

(No response.)

CHAIRPERSON SIAVELIS: Okay, hearing none, let's go to deliberation.

Anybody want to take a lead on this one?

COMMISSIONER SELBKA: Well, there's certainly a hardship here given the snafu from the Village. I think they're requesting the minimum of what they need to

build the gazebo and it won't add to the impervious surface at all. So, I can't see a reason to deny it.

COMMISSIONER GEISEL: I think it's a simple good faith error.

COMMISSIONER LANAGHAN: Yes, this is almost the exact opposite of what we just had where, you know, he did it right, submitted for permit, got the approval, built it, found out after the fact that it was a problem. I don't have an issue with this one.

CHAIRPERSON SIAVELIS: Yes. Okay, with that in mind, is there a motion?

COMMISSIONER SELBKA: Motion to approve.

COMMISSIONER LANAGHAN: Second.

MR. MACH: Mr. Drake.

COMMISSIONER DRAKE: Yes.

MR. MACH: Mr. Geisel.

COMMISSIONER GEISEL: Yes.

MR. MACH: Mr. Lanaghan.

COMMISSIONER LANAGHAN: Yes.

MR. MACH: Mr. Selbka.

COMMISSIONER SELBKA: Yes.

MR. MACH: Mr. Portera.

COMMISSIONER PORTERA: Yes.

MR. MACH: Chairman Siavelis.

CHAIRPERSON SIAVELIS: Yes.

Congratulations, variance granted.

MR. SCHNITTKER: Okay, thanks a lot, gentlemen. Appreciate it.

CHAIRPERSON SIAVELIS: Have a good night.

(Whereupon, the public hearing on the above-mentioned petition was adjourned at 7:26 p.m.)



Zoning Board of Appeals 1/9/2023

Item: 1245 S. Arlington Heights Rd. - 11/14/22

Department: Planning & Community Development

ATTACHMENTS:

Description	Type
1245 S. Arlington Heights Rd - 11/14/22 Findings	Minutes
1245 S. Arlington Heights Rd. - 11/14/22 Minutes	Minutes

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS

November 14, 2022

PETITIONER: Ibarra/Recendez Residence
ADDRESS OF PROPERTY 1245 S. Arlington Heights Rd.
VARIATION: 6.13-3 (Location of Fences), 5.1-3.3 (Required Minimum Yards)

A 3-foot variation to allow a 6-foot tall solid fence in the front yard (Arlington Heights Road), where code allows a 3 foot tall fence of open design; A 6.2-foot variation to allow a new home with a front yard setback of 26.3 feet instead of the required 32.5 feet and an additional 1.0 feet for the eave; A 8.6-foot variation to allow a new home with an exterior side yard setback of 31.6 feet instead of the required 40.2 feet and an additional 1.0 feet 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 to build a new two-story residence with an attached two-car garage at the northwest corner of White Oak Street and Arlington Heights Road. The petitioner explained that the proposed home requires zoning variations to allow a front yard setback of 26.3 feet where 32.5 feet is the minimum required, and a variation to allow an exterior side yard setback of 31.6 feet where 40.2 feet is required. The petitioner further explained that they are proposing a six-foot tall fence in the front yard along Arlington Heights Road where code limits the height of fences to an open three-foot high fence. The petitioner testified that there is commercial office building to the north of the subject property and residential to the east, west and south.

The petitioner explained that although the proposed home is encroaching into the front and exterior side yard setback it is aligned with the structure to the north and east. The petitioner explained that the placement of the proposed home allows for additional yard. The petitioner also testified that the placement of the proposed fence is consistent with the fences to the south along Arlington Heights Road. The petitioner further testified that the homeowners are trying to provide a buffer from Arlington Heights Road and a backyard where they can, spend their family time.

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

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

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

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

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

OF APPEALS

RE: 1245 SOUTH ARLINGTON HEIGHTS ROAD - ZBA #22-026

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Zoning Board of Appeals taken at the Arlington Heights
Village Hall, 33 South Arlington Heights Road, 1st Floor, Buechner Room,
Arlington Heights, Illinois on the 14th day of November, 2022 at the hour of
7:26 p.m.

MEMBERS PRESENT:

PETER SIABELIS, Chairperson
FRANK PORTERA
JOSEPH SELBKA
JOSEPH GEISEL
JEFFREY LANAGHAN
TOM DRAKE

ALSO PRESENT:

DEREK MACH, Development Planner

CHAIRPERSON SIAVELIS: Okay, next item of business, ZBA Petition #22-026, 1245 South Arlington Heights Road.

Signed in, Keith?

MR. GINNODO: I'm in. I'm ready.

CHAIRPERSON SIAVELIS: All right, your name just for the record? Identify yourself for the record.

MR. GINNODO: Keith Ginnodo, Kingsley Ginnodo Architects.

CHAIRPERSON SIAVELIS: Right hand.

(Witness sworn.)

CHAIRPERSON SIAVELIS: Okay, Derek?

MR. MACH: Thank you.

The Petitioner is proposing to build a new two-story residence with an attached two-car garage at the northwest corner of White Oak and Arlington Heights Road. The proposed home requires a zoning variation to allow a front yard setback of 26.3 feet where 32.5 feet is the minimum required, and a variation to allow an exterior side yard setback of 31.6 feet where 40.2 feet is required. In addition, the Petitioner is proposing a six-foot tall fence in the front yard along Arlington Heights Road where code limits the height of fences to an open three-foot high fence. If the Zoning Board is supportive of the variance request, it is recommended that the fence be set back to allow for landscaping on the street side.

The Petitioner is requesting the following variations:

- A three-foot variation from Chapter 28, Section 6.13-3 and Chapter 28, Section 6.13-3a to allow a six-foot tall solid fence in the front yard where code allows a three-foot tall open fence
- A 6.2-foot variation from Chapter 28, Section 5.1-3.3 to allow a new home with a front yard setback of 26.3 feet instead of the required 32.5 feet and an additional one foot for the eave; and
- An 8.6-foot variation from Chapter 28, Section 5.1-3.3 to allow a new home with an exterior side yard setback of 31.6 feet instead of the required 40.2 feet and an additional one foot for the eave.

Thank you, Chairman.

CHAIRPERSON SIAVELIS: Thanks, Derek.

All right, Keith, you have the floor.

MR. GINNODO: Okay, Derek, would you get to the plat of survey for me please? Hopefully, you've all had a chance to evaluate the location of this property. By the way, my clients are here, Angie and Ernesto Ibarra Recendez. They purchased the property with the intention of building a new home for themselves there. So, the property that's there, the building that's there will be demolished.

So, north of Arlington Heights Road, yes, so the house is probably from, I'm going to guess, 1960, do you know? Somewhere, give or take, you know, a handful of years there, and you know, everything was different in that area. The building directly to the north was certainly not there, it's a newer building. Then since this house was built, you know, the neighborhood has changed on all fronts.

So, what we're hoping to do is position the new home on the lot so that we can give them the benefit of a backyard.

Derek, could you go to the site plan, the next one? There you go.

So, this illustrates the basic relationship of the new house proposed next to the commercial property to the north and the residential property to the east. You know, the family is mom and dad, two young kids and two dogs, and so they're basically trying to give themselves a buffer from Arlington Heights Road and a nice backyard where they can, you know, spend their family time. The location of the driveway is pushed, you know, for a variety of reasons, all the way up to the east side as far as we can before we run into the fire hydrant just to kind of give that front yard enough open space for not only clearance of visuals but also give the house a nice presence on the street.

If you take a look on the left-hand side, the big heavy dashed line is the property line. If you look just inside of it, that's, you know, it's a sidewalk that doesn't belong to them but it's on their property. So, that kind of is one of the hardships about it; instead of like the property being, you know, usually it's not a condition. It doesn't affect our impervious surface because we're not close to that, but that will make a difference, but it is one of those things that's odd about the property.

Another odd thing is that the setback where it's currently drawn has to be a split. Let's just look at the south boundary first. If you look at 210 East White Oak Street, they're closer but it's the only house on the block other than the residence that's there. We took the average of those two and that's where that line kind of is. But if you go to the next building down, the street kind of lines up along there on both sides of the street.

So, we thought, well, let's get as much yard as we can for their private use and pull the building down so it's more or less aligned with 210.

We did the same sort of thing up on the north side to try to get those buildings more or less in line, again, with the impulse of, you know, not being greedy and taking more, but just basically trying to stay within the boundaries that are -- by the adjacent properties. So, that explains where the property lines are coming from.

The fence is kind of a related story because as we sit here listening as the cars and motorcycles and all that kind of stuff goes by, whatever we can do to get a little bit more distance is part, and the other part is something that kind of hits the sound and let's it reflect it back into the street rather than into their house. There's only so many things that we can do to kind of help give a little privacy and some relief from Arlington Heights Road. So, the six-foot fence along the sidewalk is there, the six-foot fence that comes across and joins to the house just kind of gives them kind of an enclosed backyard so if the kids wander around, you know, they're not going out on the street. There's also another fence that's indicated on the top end of the driveway that connects all the way around basically.

We are illustrating a six-foot fence on the east end side, but that actually is partially the neighbor's fence so we don't need to ask for anything for that. We'll just --

CHAIRPERSON SIAVELIS: What's the height of the neighbor's fence?

MR. IBARRA: I believe it's five feet.

MR. GINNODO: Five feet. Do they have a pool?

MR. IBARRA: They don't.

MR. GINNODO: No. Yes, so less than six feet. Less than six feet.

Okay, so now I should probably talk about the essential character, the unique circumstances and in harmony with the code and the minimum variance. I'll do them in reverse order.

The minimum variance, I've tried to lay out that we're trying to make as whole, you know, healthy an environment for the family as we can within the boundaries that we feel are like the real boundaries. It's the edges of the building. We're not going any farther than that with respect to the setbacks.

With respect to the fence, we're basically trying to give Angie and Ernesto at least what is common in the neighborhood as you go south on either side, well, actually on this side. There's a lot of fences that are right up next to the sidewalk with no planting. So, that's, you know, in consideration of the sidewalk that's there, we're just trying to maximize their privacy and the character of their yard.

I don't believe that there's anything about the code that this would be disharmonious with. In fact, the effort that we're making to kind of align the building with the other buildings kind of reinforces the nature of the zoning code I believe.

The unique circumstances are pretty obvious. We've got an old house that remains after everything around it has changed. It's a condition of the location more than anything else.

The essential character is maintained. We're bringing the residence back to the western edge of the block to kind of, you know, you're going into a residential area rather than something else in that location.

CHAIRPERSON SIAVELIS: Okay, so Derek, what was the request that you read near the tail end of your presentation there, your comments?

MR. MACH: Just Staff is recommending that landscaping be provided on the street side of the fence. It is along Arlington Heights Road, it is the front yard. There are fences that go up to the property line to the south, but it is the rear yard of those properties. If this was the exterior side yard, code would require a five-foot setback with landscaping on the street side.

COMMISSIONER LANAGHAN: But on the front yard, it's a three-foot tall fence but at the property line is what the code allows?

MR. MACH: Correct, yes.

CHAIRPERSON SIAVELIS: You're putting it, I mean, the way this is laid out --

MR. GINNODO: Yes, the front yard is actually Arlington Heights Road because it's the narrower boundary. 150, I can't quite make it out, and then it's 116 --

COMMISSIONER LANAGHAN: 115 by 130 or something.

MR. GINNODO: Yes, thank you.

COMMISSIONER GEISEL: Keith, can we circle back?

MR. GINNODO: Sure.

COMMISSIONER GEISEL: You indicated the sidewalk which is existing is already on their property essentially.

MR. GINNODO: Yes, that's correct.

COMMISSIONER GEISEL: And would otherwise be a public sidewalk, the property line would go up to it.

MR. GINNODO: Correct.

COMMISSIONER GEISEL: And the sidewalk would not be constructed on -

-

MR. GINNODO: Private property.

COMMISSIONER GEISEL: -- private property.

MR. GINNODO: Exactly.

COMMISSIONER GEISEL: So, they've been effectively deprived of the opportunity to put the buffer --

MR. GINNODO: The fence, yes.

COMMISSIONER GEISEL: -- as requested by virtue of --

MR. GINNODO: I think that's a nice summary, exactly.

COMMISSIONER GEISEL: Okay, I just want to understand that.

MR. GINNODO: Yes, yes.

COMMISSIONER LANAGHAN: How big is that sidewalk?

MR. GINNODO: I believe it's five feet, the typical.

COMMISSIONER GEISEL: I'm also going to tell you that right up against Arlington Heights Road, all that salt, anything you ever plant in there wouldn't last two years.

MR. GINNODO: Yes.

COMMISSIONER LANAGHAN: Yes, I hate having fences on Arlington Heights Road, I got to say that.

CHAIRPERSON SIAVELIS: Yes, this is a tough location, too.

COMMISSIONER LANAGHAN: Yes.

CHAIRPERSON SIAVELIS: Because there's a lot of traffic, not just obviously on Arlington Heights Road, but White Oak has a fair amount of traffic.

COMMISSIONER DRAKE: A lot of collector traffic.

CHAIRPERSON SIAVELIS: Exactly, exactly. Some of us on this Board are probably guilty of that.

COMMISSIONER GEISEL: To your point, I travel that quite frankly and I think as Keith suggested, it's the rear yard, but those other fences are right exactly on the same spot.

COMMISSIONER LANAGHAN: Right. Everything to the south of White Oak, they've basically got fences right on the sidewalk.

COMMISSIONER GEISEL: Right.

COMMISSIONER LANAGHAN: I hate it, but that's already there.

CHAIRPERSON SIAVELIS: It's not inconsistent with what's existing.

COMMISSIONER LANAGHAN: Right. Well, it's inconsistent with everything north of White Oak, but to the south of White Oak it's very much that way.

COMMISSIONER DRAKE: What about discussion with the neighbors? Any feedback, discussion?

MR. IBARRA: No, we didn't get feedback.

MR. GINNODO: No feedback.

CHAIRPERSON SIAVELIS: I mean, this property is a tough property, right? I mean, it's been kind of substandard for years.

COMMISSIONER LANAGHAN: Yes, and I love the fact that they're doing something nice but, you know, I am torn on this one like I said.

CHAIRPERSON SIAVELIS: Yes, there's not a lot of, at least to me there's not a lot of options, right? Keith has drawn up a plan that seems reasonable, especially when two kids and two dogs, I mean --

COMMISSIONER GEISEL: I like the reorientation to White Oak for the driveway, the safety of access.

CHAIRPERSON SIAVELIS: Which is a necessity, right.

COMMISSIONER GEISEL: All of that.

COMMISSIONER LANAGHAN: All that I agree, yes. So, that kind of shifted this to the front yards to White Oak even though that's the wide side and theoretically be your front yard.

CHAIRPERSON SIAVELIS: Right, and that makes a lot of sense to me especially because, how old are your children?

MS. RECENDEZ: One is going to be two next month and the other one will be four in February.

CHAIRPERSON SIAVELIS: Yes, then that makes all the sense in the world. You don't want to ingress and egress on Arlington Heights Road.

COMMISSIONER LANAGHAN: Absolutely not.

CHAIRPERSON SIAVELIS: Yes, and for the long-term value of the house, too, it's better to be oriented this way. Now, Keith, if you're going to have the driveway and the front entry is in that White Oak, did that present you with a design challenge then to be able to utilize that kind of configuration?

MR. GINNODO: Well, because it's close to Arlington Heights Road, we can't go too far, you know, towards that, there's kind of limitations on that. So, the impulse was just to put it there. I mean, it actually costs them more to push it farther east because it's a longer driveway and all the maintenance and all that kind of business.

CHAIRPERSON SIAVELIS: So, more initial cost as well?

MR. GINNODO: Yes, the driveway is going to be much larger.

COMMISSIONER GEISEL: You push that curb cut as far to the east as possible.

MR. GINNODO: To the east.

COMMISSIONER LANAGHAN: Yes, it's just the design.

MR. GINNODO: Let me make one clarification. In the petition, there's a slight difference between, of wordage and I just wanted to be absolutely clear. We've made an effort to align on the south side with the building on White Oak, but that little bump-out that happens right by the 40.24, it does go beyond. If I just project that line straight out, it goes out about 17 inches further out.

Now, that's news to these guys, unfortunately. There is a little bit of a cushion, if we had to, that's about two feet between the back portion of the house and the side yard setback. So, we'd like to leave it where it's at.

CHAIRPERSON SIAVELIS: Why did you do it that way?

MR. GINNODO: Pardon?

CHAIRPERSON SIAVELIS: Why did you do it the way it's drawn? Is that to give like a stagger effect?

MR. GINNODO: Architectural, yes, yes, rather than a big, you know, thing across, yes.

COMMISSIONER GEISEL: I took your align as a general not specific.

MR. GINNODO: Yes.

CHAIRPERSON SIAVELIS: 17 inches is reasonable to me.

MR. GINNODO: Yes, I just want to be clear about that. Yes, it's that bump-out on the right-hand side, yes.

CHAIRPERSON SIAVELIS: Any other questions, Board members?

(No response.)

CHAIRPERSON SIAVELIS: So, is that six-foot fence a necessity, Keith?

MR. GINNODO: I would say so.

CHAIRPERSON SIAVELIS: On the Arlington Heights Road side?

MR. GINNODO: Is the fence a necessity?

CHAIRPERSON SIAVELIS: Six-foot.

MS. RECENDEZ: I would say so for the safety of kids and two dogs jumping out, major accident on Arlington Heights Road. So, for safety reasons.

CHAIRPERSON SIAVELIS: So, yes, let me rephrase my question. Could you live with a five-foot fence there?

MR. IBARRA: We have no fence currently. The only fence is on the neighbor side to the east of us.

CHAIRPERSON SIAVELIS: So, if one of you is going to be talking, you can come to the podium before you answer.

MR. GINNODO: Sure, yes, and they've both signed in.

MR. IBARRA: So, what was the question?

CHAIRPERSON SIAVELIS: Let's do this first. Identify yourself on the record.

MR. IBARRA: Ernesto Ibarra.

CHAIRPERSON SIAVELIS: Right hand, please.

(Witness sworn.)

CHAIRPERSON SIAVELIS: Okay, so the question was, because you're asking for a six-foot fence on Arlington Heights Road, that's a pretty tall fence, right? We understand the other factors involved but could you live with a five-foot fence there on Arlington Heights Road?

MR. IBARRA: I think the fact that we have two dogs, both large dogs, I think five-foot is, I don't know if I think we could.

CHAIRPERSON SIAVELIS: Are you worried about them jumping over the fence?

MR. IBARRA: Yes, because that's a busy street, so that's a, the kids are little now but, you know, it's like, we would prefer I guess maximum privacy there.

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

COMMISSIONER LANAGHAN: Derek, code allows six-foot everywhere other than the front yard, is that correct?

MR. MACH: It does. Yes, everything east of the front of the house is allowed to be six feet.

COMMISSIONER LANAGHAN: Again the front of the house is --

MR. MACH: Is Arlington Heights.

COMMISSIONER LANAGHAN: Is facing Arlington Heights because it's the skinniest portion of all.

MR. MACH: Correct.

MR. GINNODO: Derek, is the section that runs between the residential property and the commercial property to the north, you know, there's that section there, too, I don't know offhand what the fence requirement would be between those two properties.

MR. MACH: It is six feet requirement between the residential and the

change in the zoning, I think it's Office-Transitional to the north.

CHAIRPERSON SIAVELIS: It's a six-foot requirement?

MR. MACH: It is a requirement between zoning districts.

CHAIRPERSON SIAVELIS: Okay, so you're saying that the north side property line has to have a six-foot fence and --

MR. MACH: And it's the commercial property's responsibility which there is currently not a fence there. There was a fence; I've been looking into it. The Petitioner did reach out.

CHAIRPERSON SIAVELIS: So, it's the commercial property owner's responsibility to put a six-foot fence up there?

MR. MACH: Correct.

MR. GINNODO: So, we're not asking for that one.

COMMISSIONER DRAKE: Is there a law firm next door or there was?

MR. IBARRA: It is. It still is.

MR. GINNODO: Yes.

CHAIRPERSON SIAVELIS: Interesting.

MR. MACH: So, this portion of the fence.

CHAIRPERSON SIAVELIS: On the north side.

MR. MACH: Yes. Nothing in the front yard though.

CHAIRPERSON SIAVELIS: So, you've got the six feet on your property line, and then one of my theories was if you dropped it down to five so it would be less intrusive, then you're going to have a stagger effect there and that's not going to look good.

COMMISSIONER LANAGHAN: Yes, that's why I didn't --

COMMISSIONER GEISEL: Inconsistent.

COMMISSIONER LANAGHAN: Yes.

CHAIRPERSON SIAVELIS: Okay, that's all the questions I had.

Joe, do you --

COMMISSIONER SELBKA: No.

CHAIRPERSON SIAVELIS: Any other Board members have any other questions?

(No response.)

CHAIRPERSON SIAVELIS: Okay, let's go to the public commentary.

MR. GINNODO: Do you guys mind if we sat down?

CHAIRPERSON SIAVELIS: Or you can stay there.

COMMISSIONER LANAGHAN: If you wanted to, you can.

CHAIRPERSON SIAVELIS: Is there anybody, sir, are you here to speak on

--

MR. JIMENEZ: I am a petitioner.

CHAIRPERSON SIAVELIS: Right, the next one coming up?

MR. JIMENEZ: Yes.

CHAIRPERSON SIAVELIS: Okay, so it appears there are no other members of the audience to speak on this, so there's no response needed from you folks. So, now you definitely can sit down.

All right, let's move to deliberation.

COMMISSIONER SELBKA: I would be in favor of all of the requested

variances. I don't think the difference between a six-foot and a five-foot fence is that big of a deal. I think that they gave us some good reasons for the six-foot fence. I think it's a difficult lot to build on and, you know, although it technically is the front yard facing out Arlington Heights Road, it's not really a front yard when this place is going to be built.

So, I think that, and on top of it, there's the hardship of that there's a sidewalk on their property that takes away from the area that they can build on. So, and south of it there's a lot of fences, and there has to be a six-foot fence to the north of it. So, you know, I can't say it's out of character with the neighborhood, and therefore, I think, you know, certainly they've shown hardship, they've shown that it's within the character of the neighborhood. I think it's the minimum variance necessary. I would go with all three.

CHAIRPERSON SIAVELIS: Supporting all three?

COMMISSIONER SELBKA: All three, yes.

CHAIRPERSON SIAVELIS: Well said.

COMMISSIONER DRAKE: I would agree with all of that, and I think it's a great improvement to that corner and to that neighborhood. I live not too far from there. So, nicely designed and I understand all the reasons. I'd be in support.

CHAIRPERSON SIAVELIS: Right, I agree with everything both of you gentlemen just said and the fact that this is a tough lot and the architect did a good job evaluating the many, many factors here that makes it a challenge. So, I'm in support of all three variances as well.

So, do we have a motion?

COMMISSIONER SELBKA: Motion to approve.

COMMISSIONER DRAKE: Second.

MR. MACH: Mr. Drake.

COMMISSIONER DRAKE: Yes.

MR. MACH: Mr. Geisel.

COMMISSIONER GEISEL: Yes.

MR. MACH: Mr. Lanaghan.

COMMISSIONER LANAGHAN: Yes.

MR. MACH: Mr. Selbka.

COMMISSIONER SELBKA: Yes.

MR. MACH: Mr. Portera.

COMMISSIONER PORTERA: Yes.

MR. MACH: Chairman Siavelis.

CHAIRPERSON SIAVELIS: Yes.

Congratulations, all three variances granted.

MR. GINNODO: Thank you very much.

(Whereupon, the public hearing on the above-mentioned petition was adjourned at 7:48 p.m.)



Zoning Board of Appeals 1/9/2023

Item: 1722 W. Oakton St. - 11/14/22

Department: Planning & Community Development

ATTACHMENTS:

Description	Type
1722 W. Oakton St. - 11/14/22 Findings	Minutes
1722 W. Oakton St. - 11/14/22 Minutes	Minutes

ZONING BOARD OF APPEALS VILLAGE OF ARLINGTON HEIGHTS

FINDINGS

November 14, 2022

PETITIONER: Jimenez Residence

ADDRESS OF PROPERTY 1722 W. Oakton St.

VARIATION: 6.13-3 (Location of Fences, 6.13-3a (Location of Fences-Front Yard)

A 3-foot variation to allow a 6-foot tall solid fence in the front yard (Wilke Road), where code allows a 3 foot tall fence of open design.

The petitioner testified as to hardship, uniqueness of circumstances, and the character of the locality. The petitioner explained that they are proposing to replace the existing 5.5-foot-tall solid fence in the front yard (Wilke Road) with a six-foot solid fence where code limits the height of fences to an open three foot high fence. The petitioner testified that the fence is setback five feet from the property line along Wilke Road. The petitioner explained that their front yard is defined as the Wilke frontage; however, the front door and the integrity of the house is facing Oakton. The petitioner testified that the six-foot-high fence is necessary for the safety of the children and the dogs. The petitioner testified that the existing landscaping on the streetside of the fence along Wilke Road will be maintained.

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

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

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

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

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

OF APPEALS

RE: 1722 WEST OAKTON STREET - ZBA #22-028

REPORT OF PROCEEDINGS had before the Village of
Arlington Heights Zoning Board of Appeals taken at the Arlington Heights
Village Hall, 33 South Arlington Heights Road, 1st Floor, Buechner Room,
Arlington Heights, Illinois on the 14th day of November, 2022 at the hour of
7:48 p.m.

MEMBERS PRESENT:

PETER SIAVELIS, Chairperson
FRANK PORTERA
JOSEPH SELBKA
JOSEPH GEISEL
JEFFREY LANAGHAN
TOM DRAKE

ALSO PRESENT:

DEREK MACH, Development Planner

CHAIRPERSON SIAVELIS: All right, moving along, next petition is ZBA Petition Reference #22-028, 1722 West Oakton Street.

Okay, sir, identify yourself for the record.

MR. JIMENEZ: My name is C. Daniel Jimenez.

CHAIRPERSON SIAVELIS: Okay, do you prefer to be addressed, how do you --

MR. JIMENEZ: You could call me Daniel.

CHAIRPERSON SIAVELIS: Okay, that's what I meant. I wasn't entirely sure at this day and age. All right, right hand?

(Witness sworn.)

CHAIRPERSON SIAVELIS: Okay, you have the floor -- actually, Derek has the floor.

MR. JIMENEZ: Sure.

CHAIRPERSON SIAVELIS: He's going to give the overview, he hasn't done it yet.

MR. JIMENEZ: Okay.

MR. MACH: Thank you.

The Petitioner is proposing to replace the existing six-foot tall solid fence in the front yard where code limits the height of fences to an open three-foot high fence. The fence is set back five feet from the property line along Wilke Road, and if the Zoning Board is supportive of the variance request, it's recommended that the landscaping on the street side of the fence be maintained.

The Petitioner is requesting a three-foot variance from Chapter 28, Section 6.13-3 and Section 6.13-3a to allow a six-foot tall solid fence in the front yard where code allows a three-foot tall fence of open design. Thank you.

CHAIRPERSON SIAVELIS: Okay, Daniel, you have the floor.

MR. JIMENEZ: So, very similar to our last Petitioner, I live on a corner lot in which there exists a 5.5-foot wooden fence. That wooden fence is rotting away to the point of where a few of my, my dog has escaped twice. It is beyond repair and I am asking for a variation to replace an existing fence that already exists at a similar height.

My front yard is defined as the Wilke side despite my address and front door and the integrity of the house is pretty much facing Oakton. There's just a brief path that goes down Wilke Road, correct, and in between the fence and the sidewalk there is a line of deciduous trees and bushes that mask any type of like visibility. Like when I was hanging my sign for the petition, I could only fit it on the very corner for it to be visible to the public.

It is in character, well, for the neighborhood. When I was taking my niece trick or treating, several of the people that I had mailed to said that it was a great idea. No complaints. I have two small dogs, as I have mentioned before, that have escaped and it's why I'm here today.

This is the style of fence that would be replacing, a solid vinyl fence, as well as my wife could not attend today because she is very pregnant and we are expecting our first. We had purchased the house with the intention of it having a fence and it would be safe for us to raise a family and be enclosed with privacy for our dogs and our daughter that's on the way.

The neighbors that we share the fence with on the longest portion, they have a --

CHAIRPERSON SIAVELIS: To the north?

MR. JIMENEZ: Correct. They have an exceptionally large, like golden German Shepherd, that every time our dogs are out and their dog is out, that dog is like smacking the fence to where it's wobbling and making me exceptionally nervous. Anything shorter than six feet, I believe that that dog can clear that fence. Since it is a German Shepherd and I have a little pug and a little dachshund, it could take them apart.

CHAIRPERSON SIAVELIS: It would make it quick work.

MR. JIMENEZ: Yes. The request is in character of the neighborhood in the sense that any of my neighbors have a similar style that I had sent letters to, of the solid six-foot vinyl fence, that is facing Wilke. I found the fence group that I'm working with, Peerless Fence, through one of those neighbors.

CHAIRPERSON SIAVELIS: Okay, understood.

Any other comments from your neighbors or any concerns?

MR. JIMENEZ: None that have been brought to me.

COMMISSIONER LANAGHAN: Was that fence there when you bought the house?

MR. JIMENEZ: It was.

COMMISSIONER SELBKA: When did you buy that house?

MR. JIMENEZ: I bought it in July of 2019.

COMMISSIONER GEISEL: I don't really have any questions given the testimony.

CHAIRPERSON SIAVELIS: Yes, okay.

Any members of the audience?

(No response.)

CHAIRPERSON SIAVELIS: None, nobody is left. You're the last Mohican standing, that's right. Okay, there's no testimony then from other residents or audience members.

Derek, do you have anything from any resident?

MR. MACH: No public comments, or no public comment received or taken.

CHAIRPERSON SIAVELIS: Okay, so you don't need to reply to any comments.

Are there any final questions, Board members?

(No response.)

CHAIRPERSON SIAVELIS: Okay, you can sit down, sir.

MR. JIMENEZ: All right, thank you.

COMMISSIONER GEISEL: I would be supportive of the request given the fact that they're replacing the fence in its existing location, maintaining the five-foot buffer with the landscaping as is required. So, I would be very supportive of the request.

CHAIRPERSON SIAVELIS: Anybody else?

COMMISSIONER DRAKE: I agree with that, and there is no opposition at all from any of the three Staff Departments who have greenlighted this. So, I'm in favor, too.

CHAIRPERSON SIAVELIS: Okay, and Derek, what was your, sorry, I know I've asked you twice now, what is your motion that you added?

MR. MACH: Just that the landscaping be maintained which the Petitioner stated that --

COMMISSIONER LANAGHAN: They're going to keep it, right.

CHAIRPERSON SIAVELIS: You're keeping that, right, you said so?

MR. JIMENEZ: Absolutely, yes.

CHAIRPERSON SIAVELIS: Okay. All right, do we have a vote? Or a motion, excuse me?

COMMISSIONER SELBKA: Motion to approve the variance with the condition that the landscaping remain in place.

CHAIRPERSON SIAVELIS: Is there a second?

COMMISSIONER LANAGHAN: Yes, second.

MR. MACH: Mr. Drake.

COMMISSIONER DRAKE: Yes.

MR. MACH: Mr. Geisel.

COMMISSIONER GEISEL: Yes.

MR. MACH: Mr. Lanaghan.

COMMISSIONER LANAGHAN: Yes.

MR. MACH: Mr. Selbka.

COMMISSIONER SELBKA: Yes.

MR. MACH: Mr. Portera.

COMMISSIONER PORTERA: Yes.

MR. MACH: Chairman Siavelis.

CHAIRPERSON SIAVELIS: Yes.

Congratulations. Your petition/variance is granted.

MR. JIMENEZ: I appreciate your time, gentlemen, thank you.

CHAIRPERSON SIAVELIS: No worries.

Okay, next, to our final phase in the evening, one that has proven to be extremely productive in response to asks, the public comment segment of the meetings. Is there any public comment?

(No response.)

CHAIRPERSON SIAVELIS: Hearing none, we can move past that. Do we have a motion to adjourn, gentlemen?

COMMISSIONER SELBKA: So moved.

COMMISSIONER LANAGHAN: Second.

CHAIRPERSON SIAVELIS: All in favor?

(Chorus of ayes.)

CHAIRPERSON SIAVELIS: Any opposed?

(No response.)

CHAIRPERSON SIAVELIS: Hearing none, we are adjourned.

(Whereupon, the public hearing on the above-mentioned petition was adjourned at 7:56 p.m.)



Zoning Board of Appeals 1/9/2023

Item: 623 N. Beverly Ln. - ZBA#23-004

Department: Planning & Community Development

The petitioner has submitted a request that the Zoning Board of Appeals continue the public hearing for 623 N. Beverly Ln. from January 9, 2023 to the regularly scheduled ZBA meeting date on February 13, 2023.

ATTACHMENTS:

Description	Type
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No Attachments Available



Zoning Board of Appeals 1/9/2023

Item: 2071 N. Ridge Ave. - ZBA#23-001

Department: Planning & Community Development

REQUEST

A 319 square foot variation from Chapter 28, Section 5.1-2.5 (Maximum Impervious Surface Coverage) to allow 5,757 square feet of impervious surface coverage where 5,438 square feet is allowed.

ATTACHMENTS:

Description	Type
Supporting Documents	Exhibits

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: January 9, 2023
Date Prepared: January 3, 2023
Project Title: Zirngibl Residence
Address: 2071 N. Ridge Ave.

Background Information

Petition Number: ZBA #23-001
Petitioner: Richard & Jeanette Zirngibl
Address: 2223 N. Ridge Ave.
Arlington Heights IL 60004

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

Requested Action/Background Information

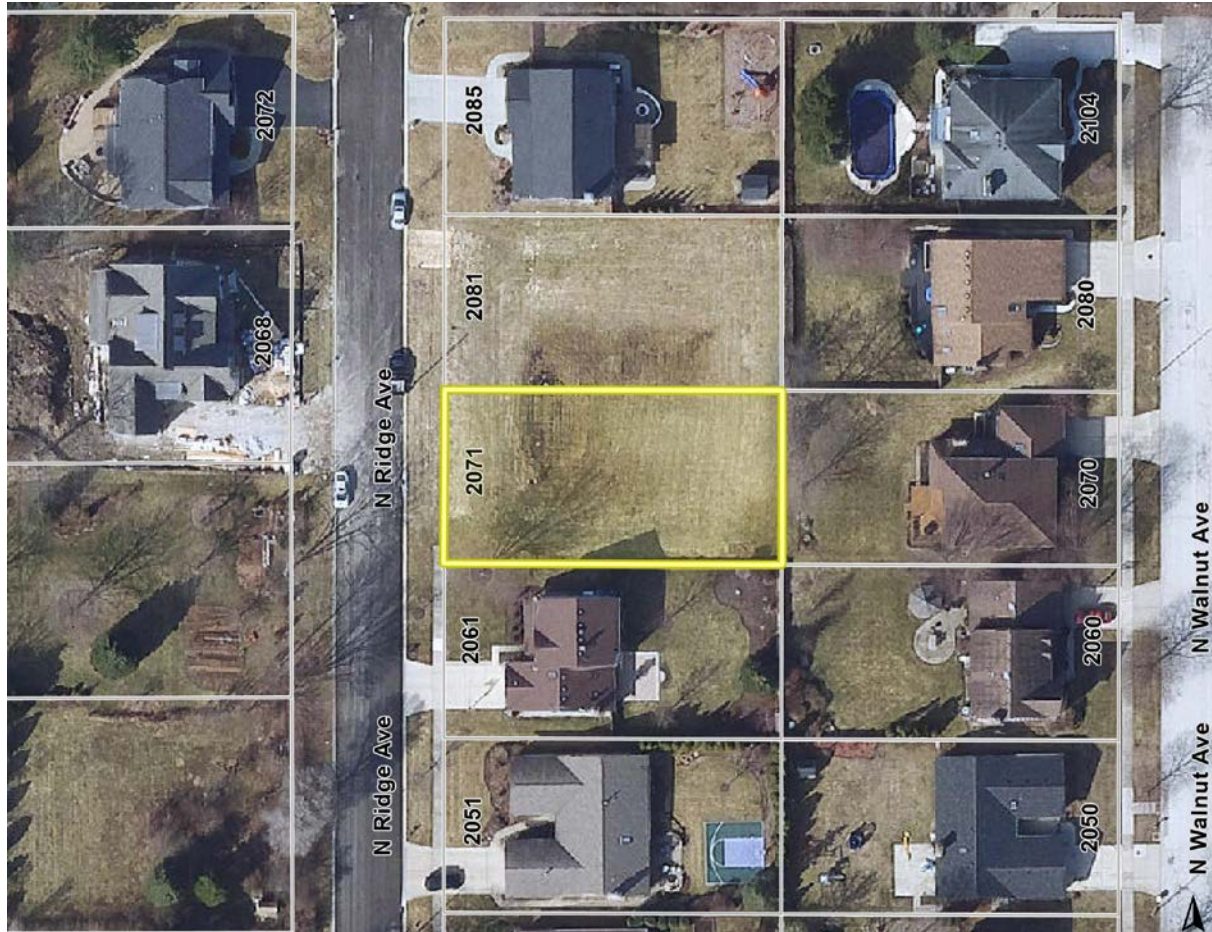
The petitioner is proposing to build a new single-story house with attached two-car garage on an existing vacant lot. The subject site is zoned R-2, One Family Dwelling District. The property has a total land area of 10,875 square feet and the proposed residence will have 2,878 square feet. Due to the proposed swimming pool and pool deck, the total Impervious Surface Coverage exceeds the maximum allowed. Therefore, the petitioner is requesting the following variation:

- A 319 square foot variation from Chapter 28, Section 5.1-2.5 (Maximum Impervious Surface Coverage) to allow 5,757 square feet of impervious surface coverage where 5,438 square feet is allowed.

Variation Review Standards

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

Map of General Vicinity



Items required to be Submitted 15 Days Prior to Public Hearing

<u>Item</u>	<u>Provided</u>	<u>Dated</u>	<u>Remarks</u>
1. Notification Affidavit	✓	12/16/22	
2. List of Property Owners Within 250 feet of Subject Property	✓	12/16/22	
3. Letter that was Mailed	✓	12/16/22	
4. Photographs of Sign on Property	✓	12/16/22	

Photographs of Existing Structure





Village of Arlington Heights Building & Life Safety Department

Interoffice Memorandum

To: Derek Mach, Zoning Board of Appeals Liaison

From: Nusrat Jahan, Building & Life Safety Department

Project Name: Zirngibl Residence

Project Address: 2071 N Ridge Avenue

ZBA #: 23-001

Date: December 21, 2022

Derek:

I have reviewed the request for the following variance:

- **A 319 square foot variation from Chapter 28, Section 5.1-2.5 (Maximum Impervious Surface Coverage) to allow 5,757 square feet of impervious surface coverage where 5,438 square feet is allowed.**

and do not have any objection to the request.

ZBA# 23-001
2071 N Ridge Ave- ZBA
Rev. Eng: Mike Pagones, P.E., Village Engineer
cc: Briget Schwab, P.E.

Application Date: 11/10/2022
Received by Planning:
Transmitted to Engineering: 12/21/2022
Completed: 12/22/2022
ZBA Meeting Date: 1/9/2023

The proposed ZBA application indicates that the petitioner is seeking:

- A 319 square foot variation from Chapter 28, Section 5.1-2.5 (Maximum Impervious Surface Coverage) to allow 5,757 square feet of impervious surface coverage where 5,438 square feet is allowed.

The Engineering Division is NOT IN FAVOR of the proposed variance for impervious surface coverage. If the variance for impervious surface coverage is granted, it is recommended that the petitioner be required to use permeable pavers that allows for detention for a portion of the patio to offset the increase in impervious surface.

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Zirngibl Residence

Project Address: 2071 N Ridge Avenue

ZBA #: 23-001

ZBA Hearing Date: January 9, 2023

To: Mike Pagonis, Village Engineer
Jorge Torres, Director of Building and Life Safety

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

From: Derek Mach, Landscape Planner

Transmitted On: December 19, 2023

- A 319 square foot variation from Chapter 28, Section 5.1-2.5 (Maximum Impervious Surface Coverage) to allow 5,757 square feet of impervious surface coverage where 5,438 square feet is allowed.

Attached are the Petitioner's:

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

Comments:

The house design received Design Commission approval on September 27, 2022.
See attached Design Commission Meeting Minutes.

- Steve Hautzinger, Design Planner

APPROVED

MINUTES OF THE VILLAGE OF ARLINGTON HEIGHTS DESIGN COMMISSION

HELD AT THE ARLINGTON HEIGHTS MUNICIPAL BUILDING
33 S. ARLINGTON HEIGHTS RD.
SEPTEMBER 27, 2022

Acting Chair Eckhardt called the meeting to order at 6:30 p.m.

Members Present: Ted Eckhardt, Acting Chair
Scott Seyer
Kirsten Kingsley
John Fitzgerald

Members Absent: Jonathan Kubow, Chair

Also Present: Keith Ginnodo, Kingsley-Ginnodo Architects for *817 N. Hickory Ave.*
Jacob Dewey, Owner of *817 N. Hickory Ave.*
Bobbi Taylor, Warren Johnson Architects for *2071 & 2081 N. Ridge Ave.*
Carmela Menna, Omega Sign for *At Home*
Steve Hautzinger, Planning Staff

REVIEW OF MEETING MINUTES FOR SEPTEMBER 13, 2022

A MOTION WAS MADE BY COMMISSIONER SEYER, SECONDED BY COMMISSIONER KINGSLEY, TO APPROVE THE MEETING MINUTES OF SEPTEMBER 13, 2022. ALL WERE IN FAVOR. MOTION CARRIED.

ITEM 2. SINGLE-FAMILY NEW REVIEWDC#22-062 – 2071 N. Ridge Ave.DC#22-063 – 2081 N. Ridge Ave.

Bobbi Taylor, representing *Warren Johnson Architects*, was present on behalf of the project.

Mr. Hautzinger said that the same petitioner is proposing two new homes on two existing vacant lots next to each other. Design Commission review is required due to the existing vacant lots having never been developed. The lots were previously used as a storm water detention basin, which is no longer needed, so the lot has become buildable as two separate lots.

Beginning with the new home at 2071 N. Ridge Avenue, the petitioner is proposing to build a new two-story home with attached two-car garage on an existing vacant lot. The proposed new home complies with the R-2 zoning requirements for Floor Area and Building Lot Coverage, but the site plan requires zoning corrections as follows:

- Front Setback. The required front setback is based on the average setback of all existing houses on the east side of the street, which needs to be confirmed.
- A/C Location. The A/C unit is shown within the required side yard setback, which is not allowed.
- Impervious Surface Coverage. Due to the proposed swimming pool and pool deck, the total Impervious Surface Coverage exceeds the maximum allowed.
- The site plan will either need to be revised to comply with code, or seek zoning variations from the Zoning Board of Appeals, which would be a separate meeting with separate public notification.

Overall, the proposed design is nicely done with a traditional style and full masonry exterior that fits well with the character of the neighborhood. Staff recommends approval as submitted.

With regards to the new home at 2081 N. Ridge Avenue, the petitioner is proposing to build a new two-story house with attached two-car garage on an existing vacant lot. The proposed design complies with all R-2 zoning requirements. The required front setback is based on the average setback of all existing houses on the east side of the street, which needs to be confirmed.

Overall, the proposed design is nicely done with a traditional style and full masonry exterior that fits well with the character of the neighborhood. The only comment on the design is regarding the unique brick color, which is quite dark, and Staff recommends a natural mortar color to soften the appearance of the dark brick color.

Ms. Taylor said that they tried to work with the homeowners' ideas to design the two new homes and conform with what the context of the neighborhood. The owner of the two-story home at 2081 N. Ridge is not opposed to a lighter mortar color as suggested by Staff, as well as a lighter brick color. She had no further comments.

Acting Chair Eckhardt asked if there was any public comment on these two projects, and there was response from those in the audience.

The commissioners summarized their comments. Commissioner Kingsley said the two homes are nicely detailed and it is great that both homes are brick and that one of the homes is a ranch style. She suggested adding a covering over the back door of the home at 2071 N. Ridge and extending the upper shed roof. With regards to the new home at 2081 N. Ridge, she felt that lightening up something in the color palette would help, either a lighter mortar color or a lighter brick color. She asked about the windows that appear to protrude up into the fascia on all elevations except the rear elevation, and Ms. Taylor replied that the eave line on the rear of the home is higher than on the sides of the home. Commissioner Kingsley preferred the fascia continue straight across; she liked seeing the trim come all the way around the home, and she added a suggestion to add a covering over the back door.

Commissioner Fitzgerald said that both homes are nicely designed and he appreciated that all four sides of the homes are nicely done. He liked the materials proposed on the home at 2071 N. Ridge Avenue, although he was surprised by the very modern garage door on a traditional home, and he questioned if more space was needed between the two windows on the right side of the front elevation, or maybe just combine them to be one large window instead. He also asked about the siding shown over only one window on the rear elevation, as opposed to brick over all the other windows. Ms. Taylor said that it is a curved bay window at the corner of the rear elevation that will have either vinyl siding or Hardie board trim. Commissioner Fitzgerald also said that since the home at 2081 N. Ridge Avenue does not appear to have any windows in the garage door, he suggested adding a window on the north elevation in the garage wall, and Ms. Taylor agreed.

Commissioner Seyer applauded the efforts to build two homes next to each other that have a very different feel to them, but complement each other very well. He was happy to see that and very much appreciated the contrast between the two homes. Both homes are quite nice as proposed, and he would only suggest that the style of the garage door on the home at 2071 N. Ridge be reconsidered, although he was glad that the garage doors on both homes are different. With respect to the home at 2081 N. Ridge, he was concerned about the dark brick that could be a bit overbearing with that much dark brick, so he suggested a slightly lighter brick while staying in that same tone. Commissioner Seyer also questioned the fascia board trim above the windows; some windows break that board and other windows are underneath it. Ms. Taylor replied that the eave line on the rear elevation is definitely higher, and the side elevations have a longer overhang; however, she could look at that detail again. Commissioner Seyer suggested revisiting this detail to make all four elevations the same.

Acting Chair Eckhardt agreed with the comments made by the other commissioners. He pointed out that the driveways on each home will be separated rather than side-by-side, and both driveways are away from the driveways of the adjacent homes. He agreed with the comments about the dark brick color and said that using a light grey mortar will lighten the appearance of the home. He also suggested going to see the brick on a completed home. Acting Chair Eckhardt supported Commissioner Kingsley's comments about adding a covering over the door on the rear elevation, and he also had concerns about the windows breaking the fascia board trim.

PUBLIC COMMENT

Mark Frighetto, 2072 N. Ridge Avenue, which is across the street from the site. He said the exterior designs are very attractive and the two homes are beautiful. He apologized if his comment is more of an engineering issue, but he referred to the site plan for the new home at 2071 N. Ridge that shows a large amount of retaining wall with a 6-foot fence. He asked about the purpose of this long retaining wall, which appears like a moat going around a castle in a compound. This was previously a functional detention area and the natural water flow still remains from south to north, and water still congregates in the basin.

Joe Jorda, 2061 N. Ridge Avenue, which is adjacent to the new home at 2071 N. Ridge, echoed the comments about the amount of retaining wall and fence, the purpose of the retaining wall, and water issues.

Ms. Taylor said the retaining wall is a little higher in the back of the home but it gets very low towards the front of the home. Even with the retaining wall, this site is still lower than the lot to the south. This new home will be the retirement home for the owners who want no more than 3 steps out from the home to the driveway. With the site being higher from the south to the north, in order to keep the 3 steps to a minimum, the ground had to be lowered, otherwise there would be 6 steps from the driveway to the first-floor. They have been working with their civil engineer on this matter; however, the Village Engineering Department have not seen these drawings yet. Acting Chair Eckhardt assured the residents that the retaining wall would be reviewed by Village Engineering Department to ensure that the existing flow of water will not change as a result of the wall, and he encouraged the residents to communicate with the petitioner about this matter.

Commissioner Seyer said that there could be an aesthetic issue with the 3-foot retaining wall and a 6-foot fence on top of it; his concern is with the height variation between the yards of the two homes, which could be a safety issue. Commissioner Kingsley asked about the material of the retaining wall and Ms. Taylor said it will be split-face

landscape stone with a cap, finished on both sides. Commissioner Kingsley reiterated that the retaining wall and the fence will be reviewed by the Village as part of the permit process, with the possibility that the retaining wall will need to be pushed back from the front yard. Acting Chair Eckhardt asked about the material for the fence, and the petitioner said they would match the board-on-board fence of the neighbor. Mr. Hautzinger said that fences for single-family homes are not reviewed as part of the design review process and he encouraged the petitioner to work out any issues in terms of the retaining wall height and the fence height with the appropriate Village departments prior to permit review.

Mr. Frighetto said that the home immediately across the street at 2068 N. Ridge had to do a fairly large retaining wall, but it was in conjunction with their driveway. Those homeowners flipped their home so the driveway was on the south side of the site in order to be more aesthetically pleasing and make it a part of their driveway. Their retaining wall is very nicely landscaped with shrubs coming out of the top of the retaining wall itself, which could be a nice compromise for the new home at 2071 N. Ridge to consider.

Acting Chair Eckhardt stressed the importance of a landscape plan for the new home; if the fence sits just in front of the retaining wall, it will be impossible to maintain, and it seems like the fence, the retaining wall and the landscaping are a little unresolved.

A MOTION WAS MADE BY COMMISSIONER KINGSLEY, SECONDED BY COMMISSIONER FITZGERALD, TO RECOMMEND APPROVAL OF THE PROPOSED ARCHITECTURAL DESIGN FOR THE NEW SINGLE-FAMILY HOME TO BE LOCATED AT 2071 N. RIDGE AVENUE. THIS RECOMMENDATION IS SUBJECT TO COMPLIANCE WITH THE ARCHITECTURAL PLANS RECEIVED 8/24/22, DESIGN COMMISSION RECOMMENDATIONS, COMPLIANCE WITH ALL APPLICABLE FEDERAL, STATE, AND VILLAGE CODES, REGULATIONS AND POLICIES, THE ISSUANCE OF ALL REQUIRED PERMITS, AND THE FOLLOWING:

1. A RECOMMENDATION TO FURTHER STUDY THE STYLE OF THE GARAGE DOOR.
2. A RECOMMENDATION TO ADD A COVER FOR PROTECTION OVER THE DOOR ON THE REAR ELEVATION.
3. THAT STAFF AND OTHER VILLAGE DEPARTMENTS WORK WITH THE PETITIONER REGARDING THE RETAINING WALL AND THE FENCE, AND THAT THE RETAINING WALL HAVE FINISHED MATERIALS AS STATED BY THE PETITIONER TONIGHT.
4. THIS REVIEW DEALS WITH ARCHITECTURAL DESIGN ONLY AND SHOULD NOT BE CONSTRUED TO BE AN APPROVAL OF, OR TO HAVE ANY OTHER IMPACT ON, NOR REPRESENT ANY TACIT APPROVAL OR SUPPORT FOR THE PROPOSED LAND USE OR ANY OTHER ZONING AND/OR LAND USE ISSUES OR DECISIONS THAT STEM FROM ZONING, BUILDING, SIGNAGE OR ANY OTHER REVIEWS. IN ADDITION TO THE NORMAL TECHNICAL REVIEW, PERMIT DRAWINGS WILL BE REVIEWED FOR CONSISTENCY WITH THE DESIGN COMMISSION AND ANY OTHER COMMISSION OR BOARD APPROVAL CONDITIONS. IT IS THE PETITIONER'S RESPONSIBILITY TO INCORPORATE ALL REQUIREMENTS LISTED ON THE CERTIFICATE OF APPROPRIATENESS INTO THE PERMIT DRAWINGS, AND TO ENSURE THAT BUILDING PERMIT PLANS AND SIGN PERMIT PLANS COMPLY WITH ALL ZONING CODE, BUILDING CODE AND SIGN CODE REQUIREMENTS.

Acting Chair Eckhardt suggested the motion include a requirement that the petitioner provide a schematic design for landscaping that integrates with the retaining wall and the fence.

A MOTION WAS MADE BY COMMISSIONER KINGSLEY, SECONDED BY COMMISSIONER FITZGERALD, TO AMEND THE MOTION AS FOLLOWS:

5. A REQUIREMENT THAT THE PETITIONER PROVIDE A SCHEMATIC DESIGN FOR LANDSCAPING THAT INTEGRATES WITH THE RETAINING WALL AND THE FENCE.

FITZGERALD, AYE; KINGSLEY, AYE; SEYER, AYE; ECKHARDT, AYE.
ALL WERE IN FAVOR. MOTION CARRIED.

A MOTION WAS MADE BY COMMISSIONER KINGSLEY, SECONDED BY COMMISSIONER SEYER, TO RECOMMEND APPROVAL OF THE PROPOSED ARCHITECTURAL DESIGN FOR THE NEW SINGLE-FAMILY HOME TO BE LOCATED AT 2081 N. RIDGE AVENUE. THIS RECOMMENDATION IS SUBJECT TO COMPLIANCE WITH THE ARCHITECTURAL PLANS RECEIVED 8/24/22, DESIGN COMMISSION RECOMMENDATIONS, COMPLIANCE WITH ALL APPLICABLE FEDERAL, STATE, AND VILLAGE CODES, REGULATIONS AND POLICIES, THE ISSUANCE OF ALL REQUIRED PERMITS, AND THE FOLLOWING:

1. A REQUIREMENT THAT THE PETITIONER WORK WITH STAFF REGARDING THE FRIEZE BOARD ON THE HOME, SPECIFICALLY AS IT CONCERNS THE WINDOWS THAT BREAK THE FRIEZE BOARD.
2. A REQUIREMENT THAT THE PETITIONER SUBMIT THE BRICK COLOR AND MORTAR COLOR TO STAFF FOR REVIEW THAT THERE IS SOME LIGHTNESS IN IT; WHETHER THE BRICK GETS LIGHTER OR JUST THAT THE MORTAR COLOR ITSELF WILL MAKE THE BRICK LOOK LIGHTER.
3. A RECOMMENDATION TO ADD A COVER FOR PROTECTION OVER THE DOOR ON THE REAR ELEVATION.
4. THIS REVIEW DEALS WITH ARCHITECTURAL DESIGN ONLY AND SHOULD NOT BE CONSTRUED TO BE AN APPROVAL OF, OR TO HAVE ANY OTHER IMPACT ON, NOR REPRESENT ANY TACIT APPROVAL OR SUPPORT FOR THE PROPOSED LAND USE OR ANY OTHER ZONING AND/OR LAND USE ISSUES OR DECISIONS THAT STEM FROM ZONING, BUILDING, SIGNAGE OR ANY OTHER REVIEWS. IN ADDITION TO THE NORMAL TECHNICAL REVIEW, PERMIT DRAWINGS WILL BE REVIEWED FOR CONSISTENCY WITH THE DESIGN COMMISSION AND ANY OTHER COMMISSION OR BOARD APPROVAL CONDITIONS. IT IS THE PETITIONER'S RESPONSIBILITY TO INCORPORATE ALL REQUIREMENTS LISTED ON THE CERTIFICATE OF APPROPRIATENESS INTO THE PERMIT DRAWINGS, AND TO ENSURE THAT BUILDING PERMIT PLANS AND SIGN PERMIT PLANS COMPLY WITH ALL ZONING CODE, BUILDING CODE AND SIGN CODE REQUIREMENTS.

FITZGERALD, AYE; KINGSLEY, AYE; SEYER, AYE; ECKHARDT, AYE.
ALL WERE IN FAVOR. MOTION CARRIED.

PETITION

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

PETITION

NOW COMES the Petitioner RICHARD J JEANETTE Zirngibl

being the owner of the property commonly known as: 2071 N. RIDGE AVE

and appeals to the Zoning Board of Appeals of the Village of Arlington Heights for a Variation from Section 5.1-2.5(b)

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

Increase the max. impervious surface coverage to 53% from the allowed 50%.

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):

The increase to the impervious area will not be seen from the exterior side of the privacy fencing.

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):

Special health concerns can be improved with the use of a swimming pool/sauna

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

This will only require a slight increase to the allowed lot coverage and will be hidden within the fenced yard.

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

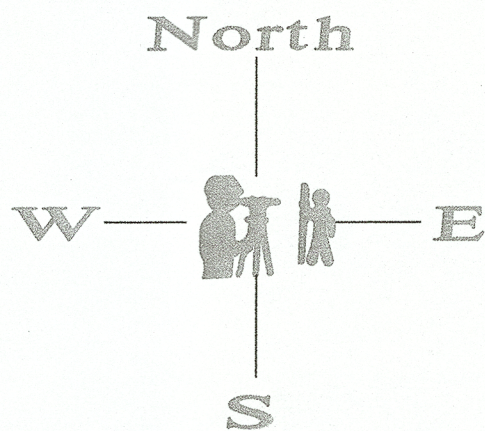
The minimal amount of yard area is being dedicated for pool/sauna. The ranch type home takes more space than the typical 2 story home.

Signed: Richard J. Jeanette Zirngibl
Petitioner

Date: 11/10/2022

The variation is needed for the essential recuperative care of the applicant. The hardship was caused by a work related accident and injury. The applicant's body fell 30 feet and his body landed on angle iron. This traumatic fall resulted in serious injuries to his whole body. Multiple injuries consisted of fractures to his femur, wrists, jaw and back. Due to this, the owner is in constant pain and needs recuperative care. This is essential for the day to day function, so that he can have the pain relief afforded by a hot tub and pool. This is a life management necessity to have onsite at his home so that he does not have to travel

ZIRNGIBL



1" IN. = 20 FT.
VERIFY SCALE
AGAINST THIS
GRAPHIC

BASIS OF BEARINGS IS ASSUMED

PLAT OF SURVEY ALTA \NSPS LAND TITLE SURVEY

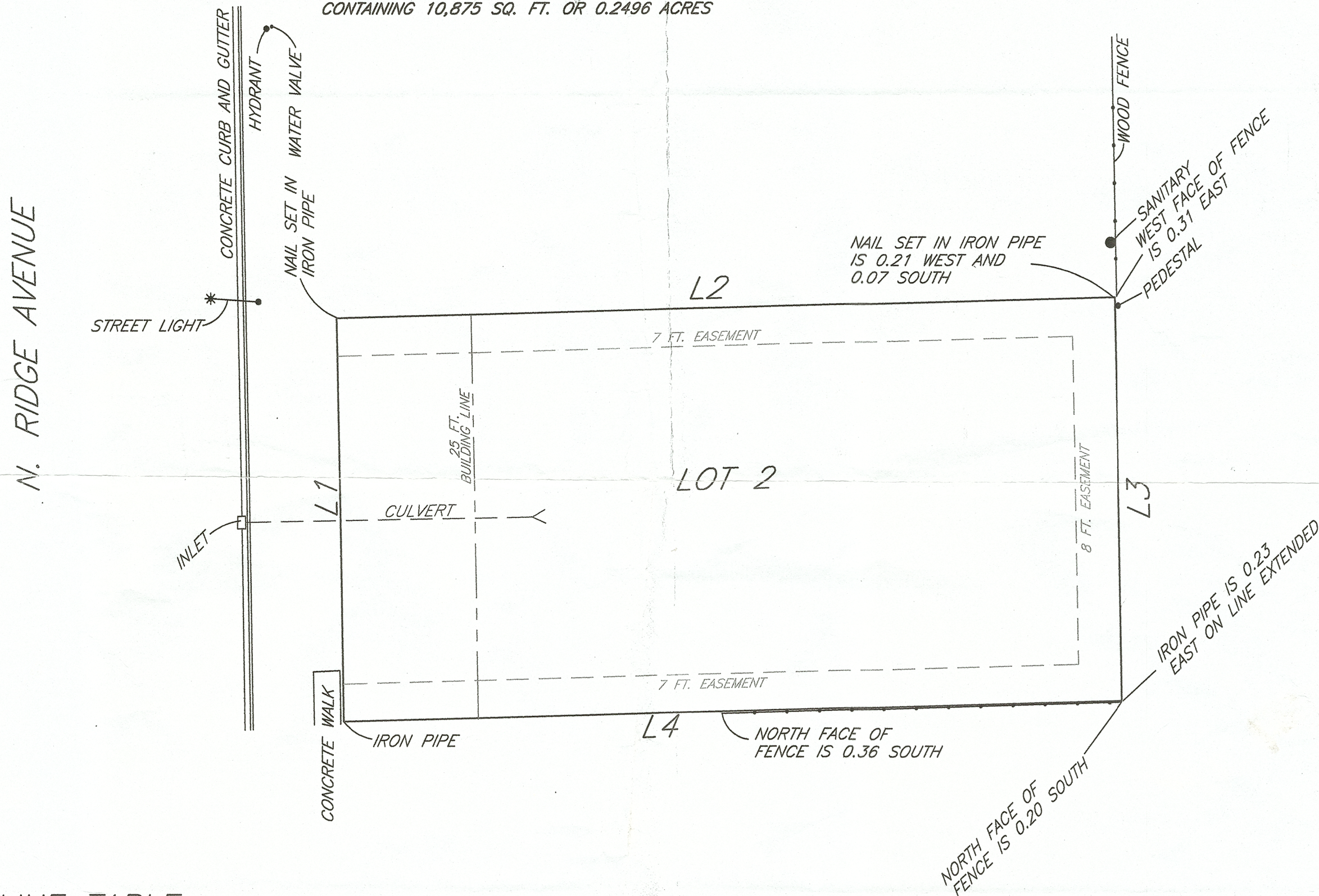
by
Michael J. Emmert Surveys, Inc.

Property located at: 2071 N. RIDGE AVENUE
Legally described as:

LOT 2 IN THE WOODS OF ARLINGTON, BEING A SUBDIVISION OF PART OF THE EAST HALF OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 27, 1986 AS DOCUMENT NUMBER 86265155, IN COOK COUNTY, ILLINOIS.

REFERENCE BEING HAD TO TITLE INSURANCE COMMITMENT NUMBER 18010021NS BEARING AN EFFECTIVE DATE OF MAY 17, 2018 AS PREPARED BY CHICAGO TITLE INSURANCE COMPANY

PROPERTY INDEX NUMBER 03-18-414-002-0000
CONTAINING 10,875 SQ. FT. OR 0.2496 ACRES



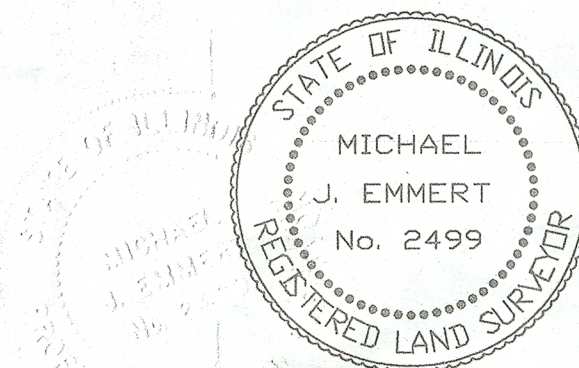
Line	Bearing	Distance
L1	N. 01° 03' 24" W.	75.00'
L2	N. 88° 32' 56" E.	145.00'
L3	S. 01° 03' 24" E.	75.00'
L4	S. 88° 32' 56" W.	145.00'

TO: JEANETTE ZIMGIBL AND RICHARD AIMGIBL AND
CHICAGO TITLE INSURANCE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS. THE FIELD WORK WAS COMPLETED ON MAY 30, 2018.

DATED THIS 30TH. DAY OF MAY, 2018

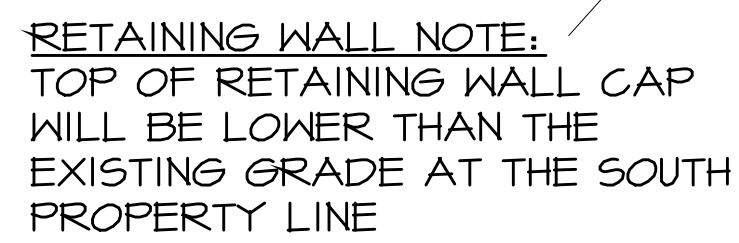
BY: MICHAEL J. EMMERT SURVEYS, INC.
MICHAEL J. EMMERT PRESIDENT
PROFESSIONAL ILLINOIS LAND SURVEYOR NO. 2499



	1/8	1/4	3/8	1/2	5/8	3/4	7/8	
0 AND	.01	.02	.03	.04	.05	.06	.07	.08 = 1 INCH
1 AND	.09	.10	.11	.125	.14	.15	.16	.17 = 2 INCHES
2 AND	.18	.19	.20	.21	.22	.23	.24	.25 = 3 INCHES
3 AND	.26	.27	.28	.29	.30	.31	.32	.33 = 4 INCHES
4 AND	.34	.35	.36	.375	.39	.40	.41	.42 = 5 INCHES
5 AND	.43	.44	.45	.46	.47	.48	.49	.50 = 6 INCHES
6 AND	.51	.52	.53	.54	.55	.56	.57	.58 = 7 INCHES
7 AND	.59	.60	.61	.625	.64	.65	.66	.67 = 8 INCHES
8 AND	.68	.69	.70	.71	.72	.73	.74	.75 = 9 INCHES
9 AND	.76	.77	.78	.79	.80	.81	.82	.83 = 10 INCHES
10 AND	.84	.85	.86	.875	.89	.90	.91	.92 = 11 INCHES
11 AND	.93	.94	.95	.96	.97	.98	.99	1.0 = 1 FOOT

mike@mjesurveys.com
Michael J. Emmert Surveys, Inc.
185 East Vallette Street
Elmhurst, Illinois 60126
Office 630-516-0383
Fax 630-516-0387

ZIRNGIBL



NOTE:
PERMEABLE BRICK PAVER AREA IS
INCLUDED IN IMPERVIOUS LOT
COVERAGE CALCULATION

HABIT. ; 2,529 SF NET HABITABLE SPACE
AREA (EXCLUDES GARAGE + BASEMENT)
TAKEN FROM INSIDE OF EXTERIOR WALLS

2,864.2 SF
NOTE:
ATTIC WILL BE TRUSSES - NO HABITABLE / USABLE SPACE & NOT INCLUDED IN F.A.R.

ISSUE DATES / REVISIONS	
ING VARIANCE REVIEW	9/26/22
N / APPEARANCE REVIEW	8/12/22
DESCRIPTION	DATE:

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DRAWN BY	: BT
CHECKED BY	: WJ
DATE	: 7/31/20
PROJECT No	:

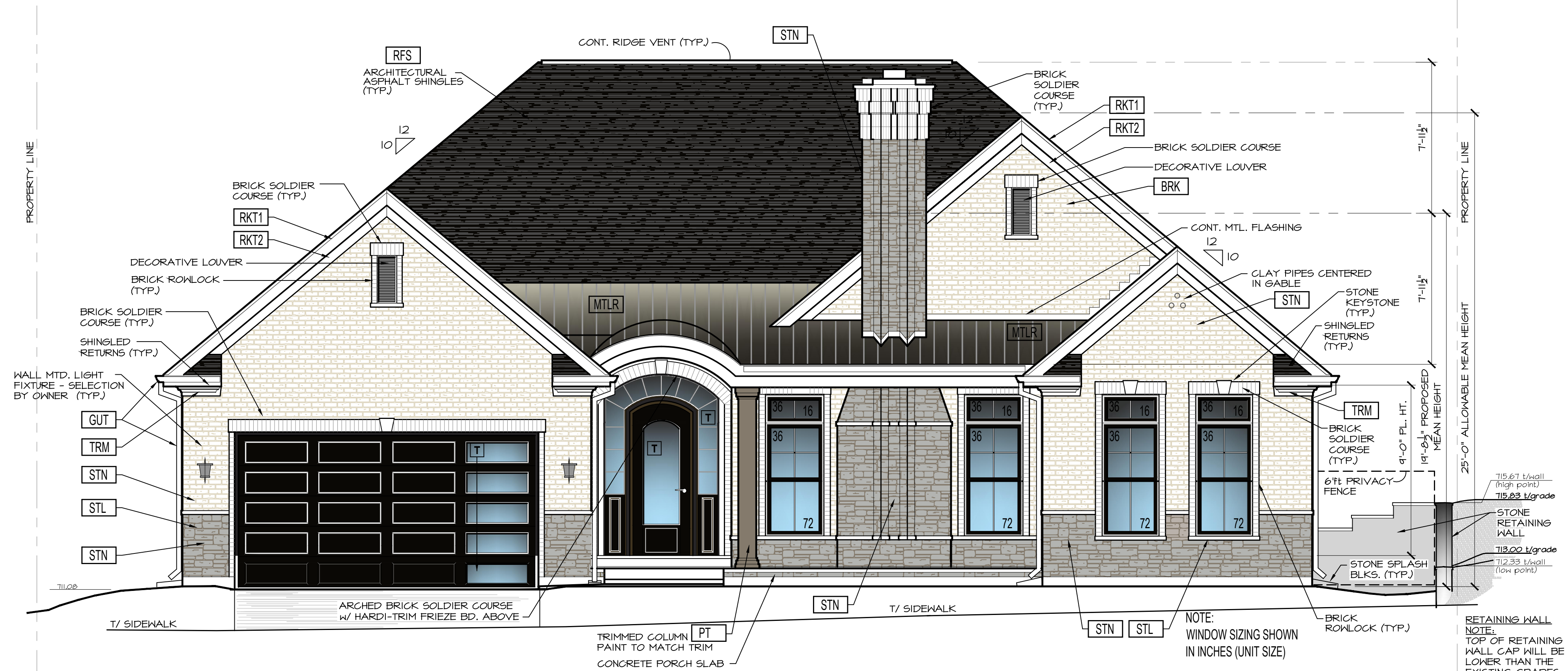
ZIRNGIBL RESIDENCE
2071 N. RIDGE AVE.
ARLINGTON HEIGHTS, IL

SITE PLAN

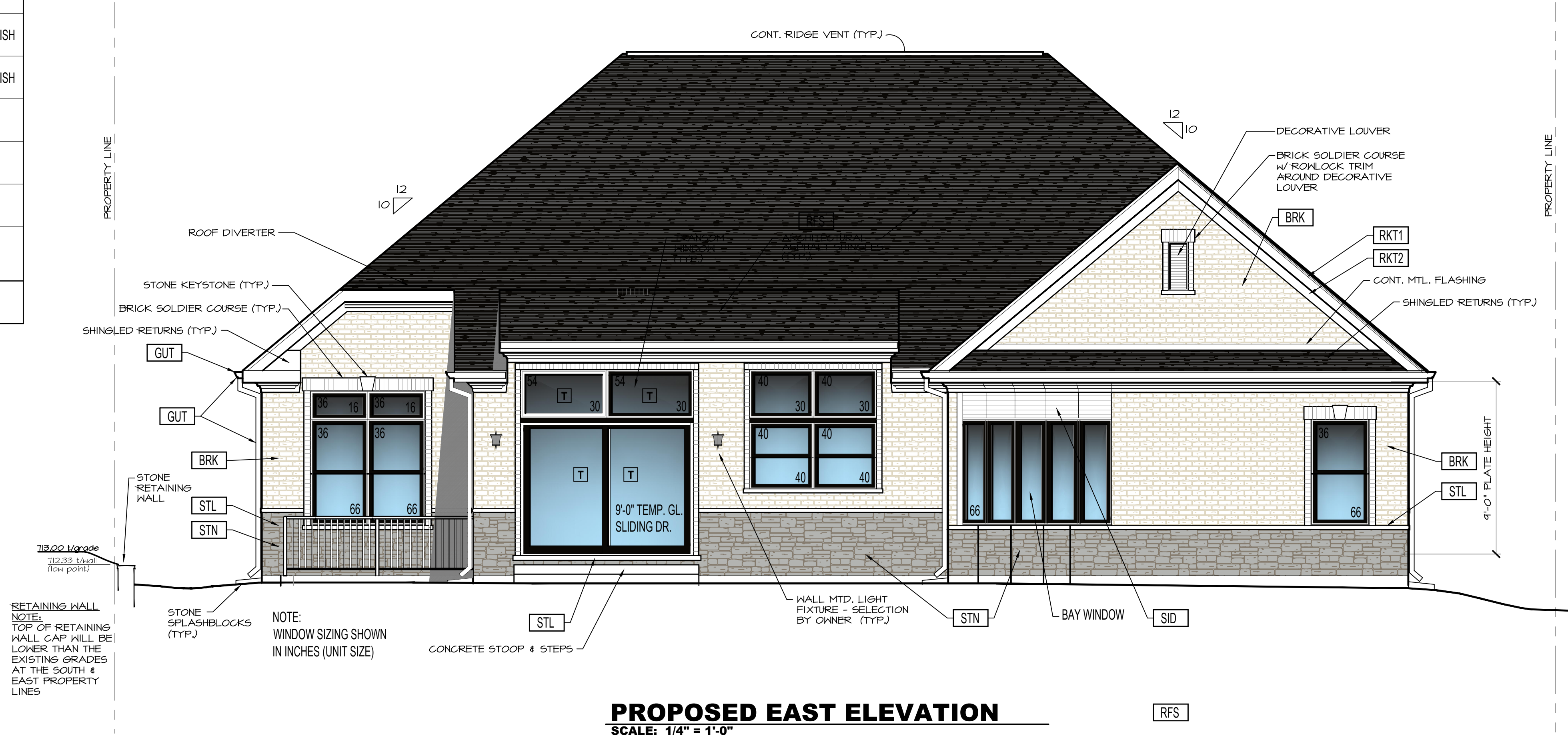
S H E E T

SP1

MARK	MATERIAL	INFR. / SERIES	COLOR	REMARKS
BRK	BRICK VENEER	GLEN-GERY (SILVER CITY SMOOTH MODULAR)	LIGHT BEIGE-TAN	
STN	STONE VENEER	HALQUIST STONE	LIGHT GRAY MIX	
RFS	ROOF SHINGLE	OWENS CORNING "DURATION"	BLACK ONYX	
TRM	FASCIA TRIM	CROWN FASCIA TRIM on 5/4 x 6 TRIM BD. (HARDI-TRIM)	COBBLESTONE	SMOOTH FINISH
RKT1	RAKE TRIM 1	3" TRIM ON 5/4 x 8 RAKE TRIM BD. (HARD-TRIM)	COBBLESTONE	SMOOTH FINISH
RKT2	RAKE TRIM 2	5/4 x 6 RAKE TRIM BD. (HARD-TRIM)	COBBLESTONE	SMOOTH FINISH
MLTR	METAL ROOF	PAC-CLAD	MATTE BLACK STEEL	
STL	STONE LEDGE	CUT STONE LEDGE / SILL		
SID	EXTERIOR SIDING	EXTERIOR VINYL SIDING - CREAM	CREAM	
GUT	GUTTERS & DOWNSPOUTS	ALUMINUM GUTTERS & DOWNSPOUTS	BEST MATCH (CREAM) of SW 7013 IVORY LACE SHERWIN WILLIAMS	
PT	TRIM PAINT	SHERWIN WILLIAMS PAINT (EXTERIOR GRADE)	SW 7013 IVORY LACE SHERWIN WILLIAMS	2 COATS



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



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

ISSUE DATES / REVISIONS	
ZONING VARIANCE REVIEW	9/26/22
DESIGN / APPEARANCE REVIEW	8/12/22
NO.	DATE:
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PROJECT No :	

ZIRNGIBL RESIDENCE
2071 N. RIDGE AVE.
ARLINGTON HEIGHTS, IL

EXTERIOR ELEVATIONS



MARK	MATERIAL	MNFR. / SERIES	COLOR	REMARKS
BRK	BRICK VENEER	GLEN-GERY (SILVER CITY SMOOTH MODULAR)	LIGHT BEIGE-TAN	
STN	STONE VENEER	HALQUIST STONE	LIGHT GRAY MIX	
RFS	ROOF SHINGLE	OWENS CORNING "DURATION"	BLACK ONYX	
TRM	FASCIA TRIM	CROWN FASCIA TRIM on 5/4 x 6 TRIM BD. (HARDI-TRIM)	COBBLESTONE	SMOOTH FINISH
RKT1	RAKE TRIM 1	3" TRIM ON 5/4 x 8 RAKE TRIM BD. (HARD-TRIM)	COBBLESTONE	SMOOTH FINISH
RKT2	RAKE TRIM 2	5/4 x 6 RAKE TRIM BD. (HARD-TRIM)	COBBLESTONE	SMOOTH FINISH
MLTR	METAL ROOF	PAC-CLAD	MATTE BLACK STEEL	
STL	STONE LEDGE	CUT STONE LEDGE / SILL		
SID	EXTERIOR SIDING	EXTERIOR VINYL SIDING - CREAM	CREAM	
GUT	GUTTERS & DOWNSPOUTS	ALUMINUM GUTTERS & DOWNSPOUTS	BEST MATCH (CREAM) of SW 7013 IVORY LACE SHERWIN WILLIAMS	
PT	TRIM PAINT	SHERWIN WILLIAMS PAINT (EXTERIOR GRADE)	SW 7013 IVORY LACE SHERWIN WILLIAMS	2 COATS



ISSUE DATES / REVISIONS		
DESIGN / APPEARANCE REVIEW		8/12/22
NO.	DESCRIPTION	DATE:

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 DATE : 7/31/20
 PROJECT No :

ZIRNGIBL RESIDENCE
2071 N. RIDGE AVE.
ARLINGTON HEIGHTS, IL

EXTERIOR ELEVATIONS



FOR ICE DAM PROTECTION:
PROVIDE 2 LAYERS OF UNDERLAYMENT OR
A SELF-ADHERING POLYMER SHEET SHALL
EXTEND A MIN. OF 36" FROM THE INTERIOR
SIDE OF WALL
PROVIDE ICE & WATER SHIELD & CONT. MTL.
FLASHING AT ALL ROOF/ROOF &
ROOF/WALL INTERSECTIONS (TYP.)

PROVIDE 'HURRICANE' CLIPS AT ALL TRUSS TO PLATE CONNECTIONS
CONTINUOUS RIDGE VENT
PROVIDE CONT. MTL. FLASHING @ ALL ROOF/ WALL CONNECTIONS (TYP.)
5/8" DRYWALL ON ALL CEILINGS

	ZONING VARIANCE REVIEW	9/26/22
	DESIGN / APPEARANCE REVIEW	8/12/22
NO:	DESCRIPTION	DATE:

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ZIRNGIBL RESIDENCE
2071 N. RIDGE AVE.
ARLINGTON HEIGHTS, IL

ROOF PLAN

H E E T

A3



2 EXISTING CONTEXT ELEVATION - WEST SIDE OF STREET

<u>ISSUE DATES / REVISIONS</u>		
ZONING VARIANCE REVIEW	9/26/22	
DESIGN / APPEARANCE REVIEW	8/12/22	
<u>NO:</u>	<u>DESCRIPTION</u>	<u>DATE:</u>
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DATE :	7/31/20	
PROJECT No :		

ZIRNGIBL RESIDENCE
2071 N. RIDGE AVE.
ARLINGTON HEIGHTS, IL

PROPOSED STREETSCAPE

H E E T

S1



PROPERTY TO THE LEFT 2
2085 N. RIDGE AVE.



PROPERTY TO THE LEFT 1
2081 N. RIDGE AVE.



SUBJECT PROPERTY
2071 N. RIDGE AVE.



PROPERTY TO THE RIGHT 1
2061 N. RIDGE AVE.



PROPERTY TO THE RIGHT 2
2051 N. RIDGE AVE.



PROPERTY TO THE RIGHT 3
2041 N. RIDGE AVE.

← END OF STREET

N. RIDGE AVENUE

2072 N. RIDGE AVE.



2068 N. RIDGE AVE.
PROPERTY ACROSS 1



PROPERTY ACROSS 2



PROPERTY ACROSS 3



2038 N. RIDGE AVE.



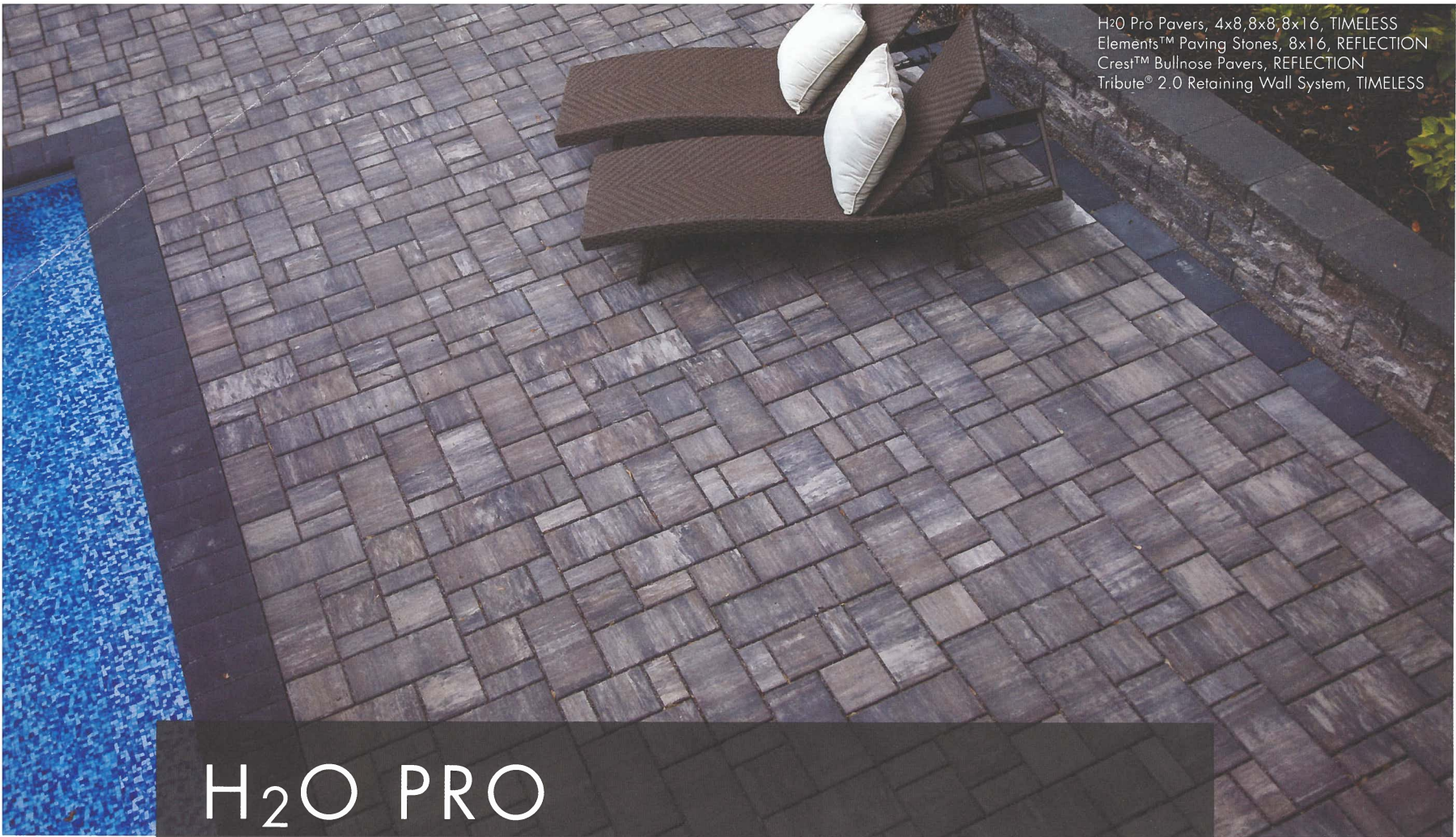
EXISTING STREET PHOTOS
for: the ZIRNGIBL RESIDENCE
2071 N. RIDGE AVE., ARLINGTON HEIGHTS, IL
8/12/22



FRONT HOUSE SETBACKS FOR EAST SIDE OF 'N. RIDGE AVENUE'

ADDRESS	EXIST. FRONT SETBACK	ADDRESS	EXIST. FRONT SETBACK	ADDRESS	EXIST. FRONT SETBACK
2085 N. RIDGE AVE.	28'-0" (+/-)	2031 N. RIDGE AVE.	27'-0" (+/-)	1915 N. RIDGE AVE.	26'-8" (+/-)
2081 N. RIDGE AVE.	PROPOSED	2021 N. RIDGE AVE.	26'-8" (+/-)	1911 N. RIDGE AVE.	26'-6" (+/-)
2071 N. RIDGE AVE.	PROPOSED	2011 N. RIDGE AVE.	26'-5" (+/-)	1907 N. RIDGE AVE.	26'-9" (+/-)
2061 N. RIDGE AVE.	26'-8" (+/-)	1927 N. RIDGE AVE.	26'-6" (+/-)	1903 N. RIDGE AVE.	26'-8" (+/-)
2051 N. RIDGE AVE.	29'-0" (+/-)	1923 N. RIDGE AVE.	28'-4" (+/-)		
2041 N. RIDGE AVE.	26'-7" (+/-)	1919 N. RIDGE AVE.	26'-5" (+/-)		
				AVERAGE SETBACK	27'-0" (+/-) 14 HOUSES

EXISTING STREET SETBACKS
for: the ZIRNGIBL RESIDENCE
2071 N. RIDGE AVE., ARLINGTON HEIGHTS, IL
9/19/22



H₂O Pro Pavers, 4x8, 8x8, 8x16, TIMELESS
Elements™ Paving Stones, 8x16, REFLECTION
Cresi™ Bullnose Pavers, REFLECTION
Tribute® 2.0 Retaining Wall System, TIMELESS

H₂O PRO

PAVERS (PERMEABLE PAVING UNIT)

Our H₂O Pro® Pavers (Permeable Paving Units) are an effective storm water management solution on site. Their 3¹/₈" (80 mm) thickness withstands heavy low speed vehicular loads, making them a suitable option for driveways, walkways and parking lots.

The color photos shown in this catalog were prepared with careful attention to accuracy. However, colors shown may vary from actual hues and should only be used as a guide. Refer to actual product samples for final color selection. Because concrete units are manufactured with high quality, naturally-mined aggregates and materials, variations in color or shading should be expected in products that are manufactured at different times and in units having different shapes. This color or shading variation is acceptable in the industry.



Majestic



Timeless



Reflection

ARREL TUMBLED FINISH *(Special Order)*



Majestic



Timeless



Reflection

H₂O PRO® SIZES

D x H x L (Inches)

Each size is sold on individual pallets.



4 x 3 1/8 x 8



8 x 3 1/8 x 8



8 x 3 1/8 x 16



H₂O Pro Pavers, 4x8, 8x8, 8x16, TIMELESS



H₂O Pro Pavers, 4x8, 8x8, 8x16, TIMELESS



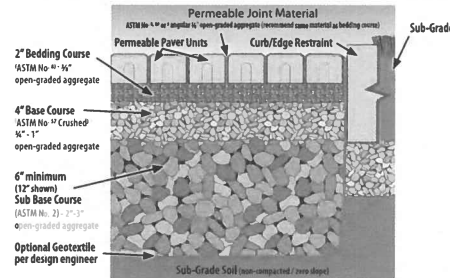
Permeable Concrete Paver Specifications

Installation Guidelines- Permeable Concrete Pavers

Full Exfiltration Cross Section

Allows storage and infiltration. This is a common cross-section installation over highly infiltratable soils such as clean sands and gravel mixtures. By design, all water seeps directly into the soil; a subbase drainage pipe system is not required.

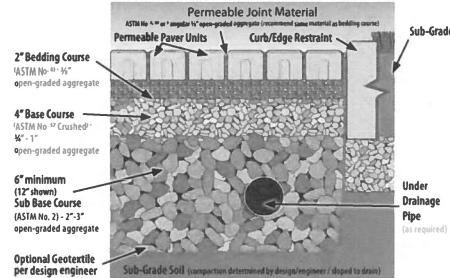
Overflows are directed to swales, bioretention areas or storm sewer inlets.



Partial Exfiltration Cross Section

Water does not infiltrate fully. A perforated pipe system in the subbase is required to allow the residual water to be evacuated to the storm water conveyance network.

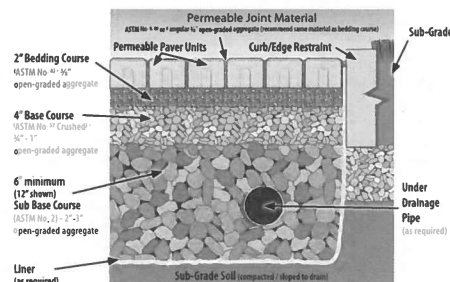
Sub-grade soil preparation, including compaction, is part of the design/engineer's decision and should be executed according to the project specifications. If it is specified not to compact the subgrade, the initial undisturbed soil infiltration should be carefully maintained during excavation and construction; this will enable the base to drain as designed.



No Exfiltration Cross Section

Recommended when soil infiltration capacity is too low or the water table is too high. Water is discharged through a system of pipes and a flow restrictor to control the entry of water into the municipal network. The system essentially acts as an underground reservoir.

County Materials provides general construction guidelines to design professionals and installers of permeable interlocking concrete pavers systems. For additional installation information, reference the Interlocking Concrete Pavement Institute's (ICPI) Tech Spec Technical Bulletins: (<https://www.icpi.org/countymaterials>)



Cross Section Notes:

Geotextile fabrics may be required in some applications. Consult a civil or geotechnical (soil) engineer for recommendations.

Special design considerations should be considered for each application before starting, including but not limited to, traffic, drainage issues, climate, environmental conditions and functionality. A qualified engineer must perform a final design because site conditions and specific design parameters may vary.

Anyone using this material assumes any and all liability resulting from such use. The final determination of the suitability of any information or material for the use intended is the sole responsibility of the user.

Installation Guidelines- Permeable Concrete Pavers

1 Excavation

Excavate to the desired depth, based on the Engineer's analysis of the soil.

2 Curb

It is recommended to provide a concrete curb and/or a concrete curb and gutter for edge support around concrete permeable pavers.

3 Subbase and Base Materials

For the subbase, place the ASTM-33 #2 aggregate to a thickness not less than 6"; the thickness must be calculated by the engineer to allow storage of water based on the subsoil infiltration. State/Local regulations may have minimum requirements. Next, for the base place the ASTM-33 #57 aggregate to a 4" thickness and compact the aggregate.

4 Compaction

A buffer between the plate compactor and the paver surface is recommended to prevent scuffing. Refer to County Materials' Interlocking Concrete Paver or Slab Installation Guidelines, or contact County Materials for information. Vibrate in 4" lifts using a plate compactor or roller compactor for large areas to 98% Proctor Density.

5 Bedding Course

Once the subbase and base layers are compacted, the surface should be topped with a minimum 2" thick layer of ASTM-33 #8 aggregate for the bedding course that is screeded and leveled.

6 Deflectometer

Calculate stiffness-related parameters of an aggregate pavement structure.

7 Paver Installation

The concrete pavers should be placed immediately after the ASTM-33 #8 stone bedding course is placed and screeded. Install the pavers manually or with mechanical installation equipment. With mechanical installation, an installer is able to set between 10,000 – 13,800 sq. ft. per day with 1 operator.

8 Filling Paver Joints

Once all pavers are installed, disperse ASTM-33 #8, 9 or 89 open graded aggregate over the surface. This aggregate can be the same material used in the bedding course (ASTM-33 #8).

9 Clean Surface

Top up joints with joint material as needed and sweep the surface clean.

10 Final Compaction

After sweeping off excess stones from the surface, compact pavers into the bedding course with several passes of a plate compactor that has a buffer attached to prevent scuffing.

Additional aggregate may be placed in the joints as needed, and the surface swept clean.



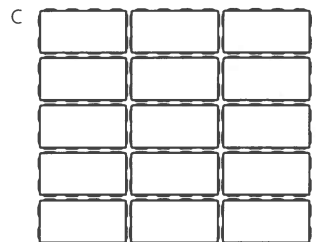
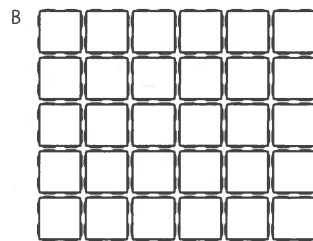
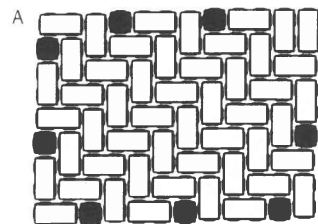
County Materials provides general construction guidelines to design professionals and installers of permeable interlocking concrete pavers systems. For additional installation information, reference the Interlocking Concrete Pavement Institute's (ICPI) Tech Spec Technical Bulletins: (<https://www.icpi.org/countymaterials>)

Units & Sizes

	D x H x L (Nominal Size) Inches • Millimeters	SF/Unit	Units/ SF	SF/ Layer	Layers/ Pallet	SF/ Pallet	Units/ Layer	Units/ Pallet	Lbs/ Pallet
A	4 x 3½ x 8 • 99 x 80 x 199	.22	4.5	11	8	88	50	400	3085
B	8 x 3½ x 8 • 199 x 80 x 199	.44	2.25	13.2	8	105.6	30	240	3695
C	8 x 3½ x 16 • 199 x 80 x 399	.89	1.13	13.2	8	105.6	15	120	3640

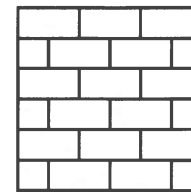
- Installed joint dimensions = 10 mm ($\frac{3}{8}$ ")
- Installed open area/layer = $\pm 9.1\%$ (depending on pattern)

Layer Configurations

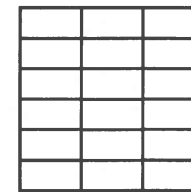


Note: The 4"x 8" size of H₂O Pro pavers are manufactured in a herringbone layer pattern that easily accommodates mechanical installation. Units can also be installed in many different patterns by hand.

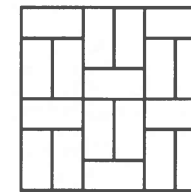
Note: (A) 4"x 8" layer pattern includes 4"x 4" pieces which are included for packaging purpose only and are not recommended for installation.

Installation Patterns **Continued**


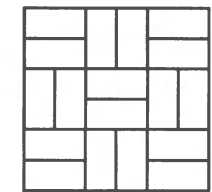
A or C Units Pattern #1



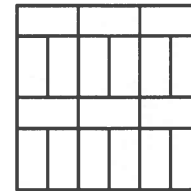
A or C Units Pattern #2



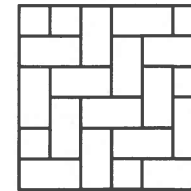
A or C Units Pattern #3



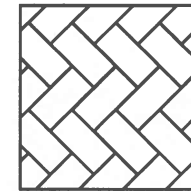
A or C Units Pattern #4



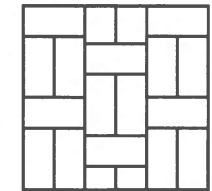
A or C Units Pattern #5



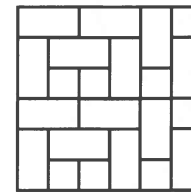
A or C Units Pattern #6



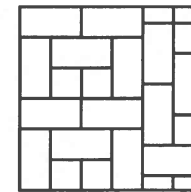
A or C Units Pattern #7



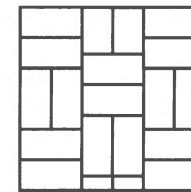
A or C Units Pattern #8



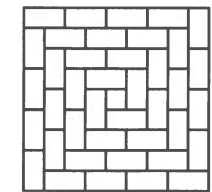
B or C Units Pattern #9



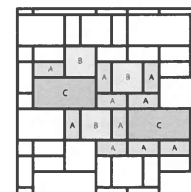
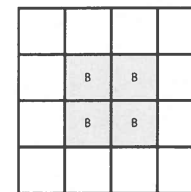
B or C Units Pattern #10



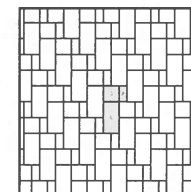
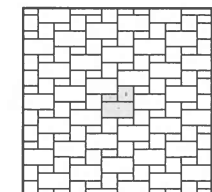
A or C Units Pattern #11



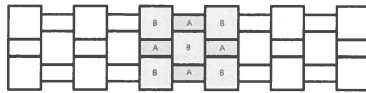
A or C Units Pattern #12


A, B & C Units #13
A-42% B-25% C-33%


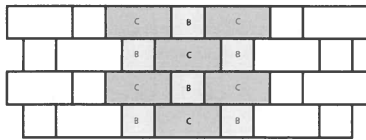
B Units #14


A, B & C Units Pattern #15
A-17% B-29% C-57%

A, B & C Units Pattern #16
A-14% B-29% C-57%

Installation Patterns



A & B Units #17
A-29% B-71%



B & C Units #18
B-33% C-67%



B Units #19





Zoning Board of Appeals 1/9/2023

Item: 1245 N. Illinois Ave. - ZBA#23-002

Department: Planning & Community Development

REQUEST

A 260 square foot variation from Chapter 28, Section 5.1-3.5 (Maximum Impervious Surface Coverage) to allow 4,649 square feet of impervious surface coverage (existing) where 4,389 square feet is allowed.

ATTACHMENTS:

Description	Type
Supporting Documents	Exhibits

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: January 9, 2023
Date Prepared: January 3, 2023
Project Title: Griffin Residence
Address: 1245 N. Illinois Ave.

Background Information

Petition Number: ZBA #23-002
Petitioner: Michel & Patrick Griffin
Address: 1245 N. Illinois Ave.
Arlington Heights IL 60004

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

Requested Action/Background Information

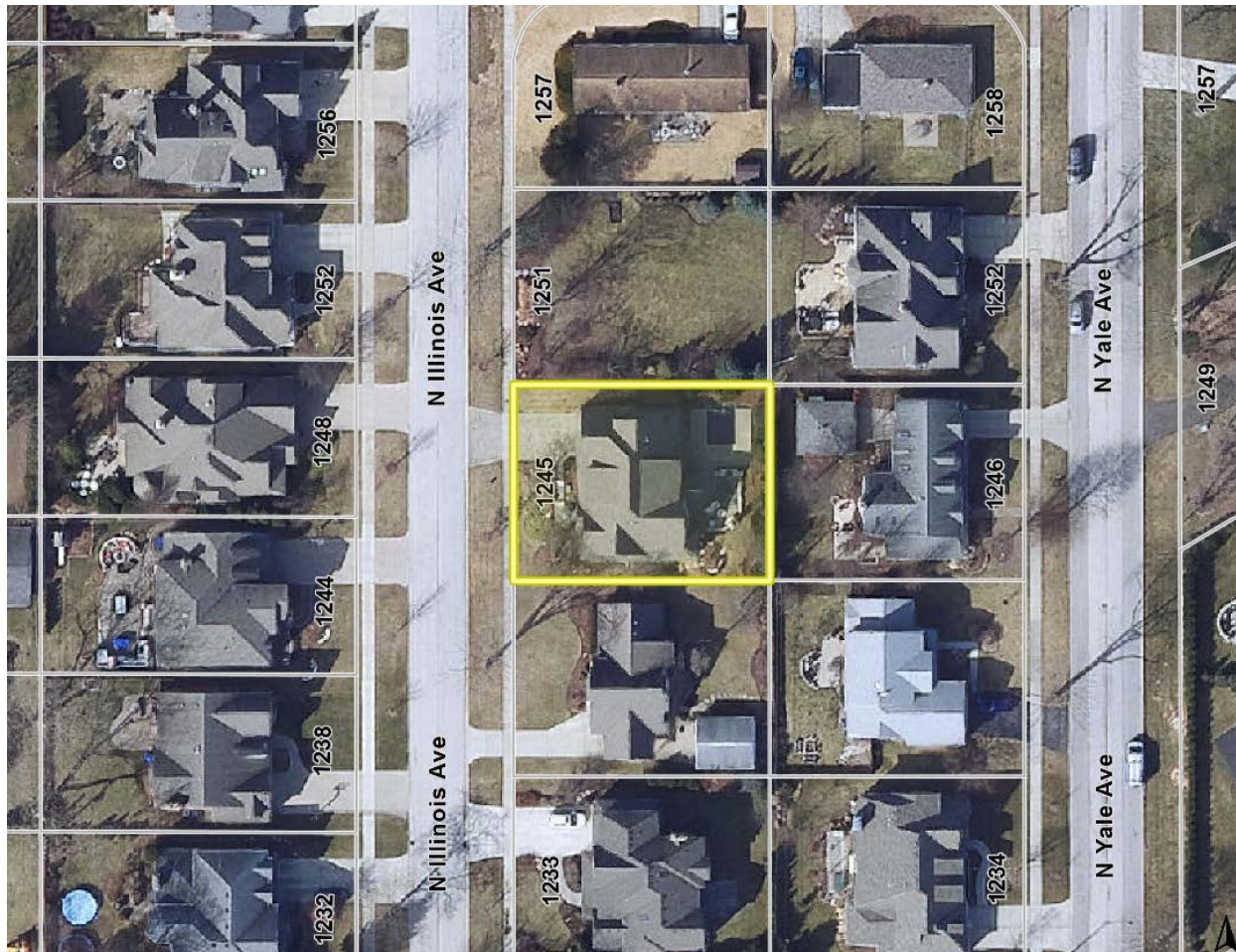
The subject site is zoned R-3, One Family Dwelling District. The property has a total land area of 8,778 square feet and the site includes a residence with a front load attached garage. The petitioner is seeking a variation for the overage for the impervious surface coverage in order to allow the hot tub area to remain. Pursuant to Chapter 28, Section 5.1-3.5b, the petitioner is allowed 4,389 square feet for impervious surface coverage and 4,649 is proposed. Therefore, the petitioner requests the following variation:

- A 260 square foot variation from Chapter 28, Section 5.1-3.5 (Maximum Impervious Surface Coverage) to allow 4,649 square feet of impervious surface coverage (existing) where 4,389 square feet is allowed.

Variation Review Standards

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

Map of General Vicinity



Items required to be Submitted 15 Days Prior to Public Hearing

<u>Item</u>	<u>Provided</u>	<u>Dated</u>	<u>Remarks</u>
1. Notification Affidavit	✓	12/7/22	
2. List of Property Owners Within 250 feet of Subject Property	✓	12/7/22	
3. Letter that was Mailed	✓	12/7/22	
4. Photographs of Sign on Property	✓	12/7/22	

Photographs of Existing Structure





Village of Arlington Heights Building & Life Safety Department

Interoffice Memorandum

To: Derek Mach, Zoning Board of Appeals Liaison

From: Nusrat Jahan, Building & Life Safety Department

Project Name: Griffin Residence

Project Address: 1245 N Illinois Avenue

ZBA #: 23-002

Date: December 21, 2022

Derek:

I have reviewed the request for the following variance:

- **A 260 square foot variation from Chapter 28, Section 5.1-3.5 (Maximum Impervious Surface Coverage) to allow 4,649 square feet of impervious surface coverage (existing) where 4,389 square feet is allowed.**

and do not have any objection to the request.

ZBA# 23-002
1245 N Illinois Ave- ZBA
Rev. Eng: Mike Pagones, P.E., Village Engineer
cc: Briget Schwab, P.E.

Application Date: 11/2022
Received by Planning:
Transmitted to Engineering: 12/21/2022
Completed: 12/22/2022
ZBA Meeting Date: 1/9/2023

The proposed ZBA application indicates that the petitioner is seeking:

- A 260 square foot variation from Chapter 28, Section 5.1-3.5 (Maximum Impervious Surface Coverage) to allow 4,649 square feet of impervious surface coverage (existing) where 4,389 square feet is allowed.

The Engineering Division is NOT IN FAVOR of the proposed variance for impervious surface coverage. If the variance for impervious surface coverage is granted, it is recommended that the petitioner be required to use permeable pavers that allows for detention for a portion of the patio to offset the increase in impervious surface.

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Griffin Residence

Project Address: 1245 N Illinois Avenue

ZBA #: 23-002

ZBA Hearing Date: January 9, 2023

To: Mike Pagonis, Village Engineer
Jorge Torres, Director of Building and Life Safety

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

From: Derek Mach, Landscape Planner

Transmitted On: December 19, 2023

- A 260 square foot variation from Chapter 28, Section 5.1-3.5 (Maximum Impervious Surface Coverage) to allow 4,649 square feet of impervious surface coverage (existing) where 4,389 square feet is allowed.

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 3, 2023.

PETITION

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

PETITION

NOW COMES the Petitioner Michel & Patricia Griffin
being the owner of the property commonly known as: 1245 N. Illinois Ave, AH 60004
and appeals to the Zoning Board of Appeals of the Village of Arlington Heights for a Variation from Section 5.1-3.5
Chapter 28, of the Arlington Heights Municipal Code, in order to: keep a newly installed
hardscape & patio walkway

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): Our home
will remain a single family home that matches the
aesthetic of the neighborhood. We are requesting a variance
to accommodate a hardscape & patio that is located in our fenced in backyard
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): See reverse side

I hereby state that the proposed variation is in harmony with the spirit and intent of this Chapter (please explain):
We are over impervious coverage but all other components
of the project are to code and the aesthetic of the home,
yard & neighborhood are not negatively affected.
I hereby state that the variance requested is the minimum variance necessary to allow reasonable use of the property (please explain): The requested variance is the minimum to
allow my family to utilize our existing backyard without
an additional financial burden.

Signed: _____

Michel Griffin
Petitioner

Date: _____

Petition Continued

We hired a contractor that agreed to file for the appropriate permits on our behalf to complete a project in our backyard. The work included adding trees, installing a hot tub and adding a walkway from the existing patio to the new hot tub. Unfortunately, unknown to us, the permit was never pulled and we received a stop work order towards the end of the project. We stopped work immediately and the contractor then completed the permitting process. We were issued permits and went ahead with completing the work. Once work was complete, we called for final inspections. All areas of the permit passed inspection except for the impervious coverage portion. We were then informed by the inspector that to pass the inspection we would need to tear out an existing sport court (in order to come in compliance w/ 50% impervious coverage). After digging into this with the inspector, we were informed that in order to get the permit issued the contractor submitted plans showing the existing sport court removed from the yard. We never agreed to remove this and were not aware that this is how the contractor obtained the permits. This long and arduous process has now put us in a position for additional work (i.e. removal of the sport court) that we cannot financially afford to complete.

LEGEND

A = ASSUMED
BL = BUILDING SETBACK LINE
C = CALCULATED
CE = CITY EASEMENT
CH = CHORD
CL = CENTERLINE
D = DEED
D.E. = DRAINAGE EASEMENT
E = EAST
F.I.P. = FOUND IRON PIPE
F.I.R. = FOUND IRON ROD
FT. = FEET/FOOT
L = ARC LENGTH
M = MEASURED
N = NORTH
NE = NORTHEAST
NW = NORTHWEST
P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCEMENT
P.U.E. = PUBLIC UTILITY EASEMENT
P.U. & D.E. = PUBLIC UTILITY & DRAINAGE EASEMENT
R = RECORD
RAD = RADIUS
R.O.W. = RIGHT OF WAY
S = SOUTH
S.I.P. = SET IRON PIPE
S.I.R. = SET IRON ROD
SE = SOUTHEAST
SW = SOUTHWEST
V.E. = VILLAGE EASEMENT
W = WEST

—X—X— = CHAIN LINK FENCE
—○—○— = WOOD FENCE
—□—□— = METAL FENCE
—△—△— = VINYL FENCE
- - - - - = EASEMENT LINE
- - - - - = SETBACK LINE
- - - - - = INTERIOR LOT LINE

PLAT OF SURVEY OF

LOT 45 IN RAYMOND L. LUTGERT'S SUBDIVISION OF THE WEST 78 ACRES OF THE SOUTHWEST 1/4 OF SECTION 19, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THE SOUTH 25 FEET THEREOF), IN COOK COUNTY, ILLINOIS.

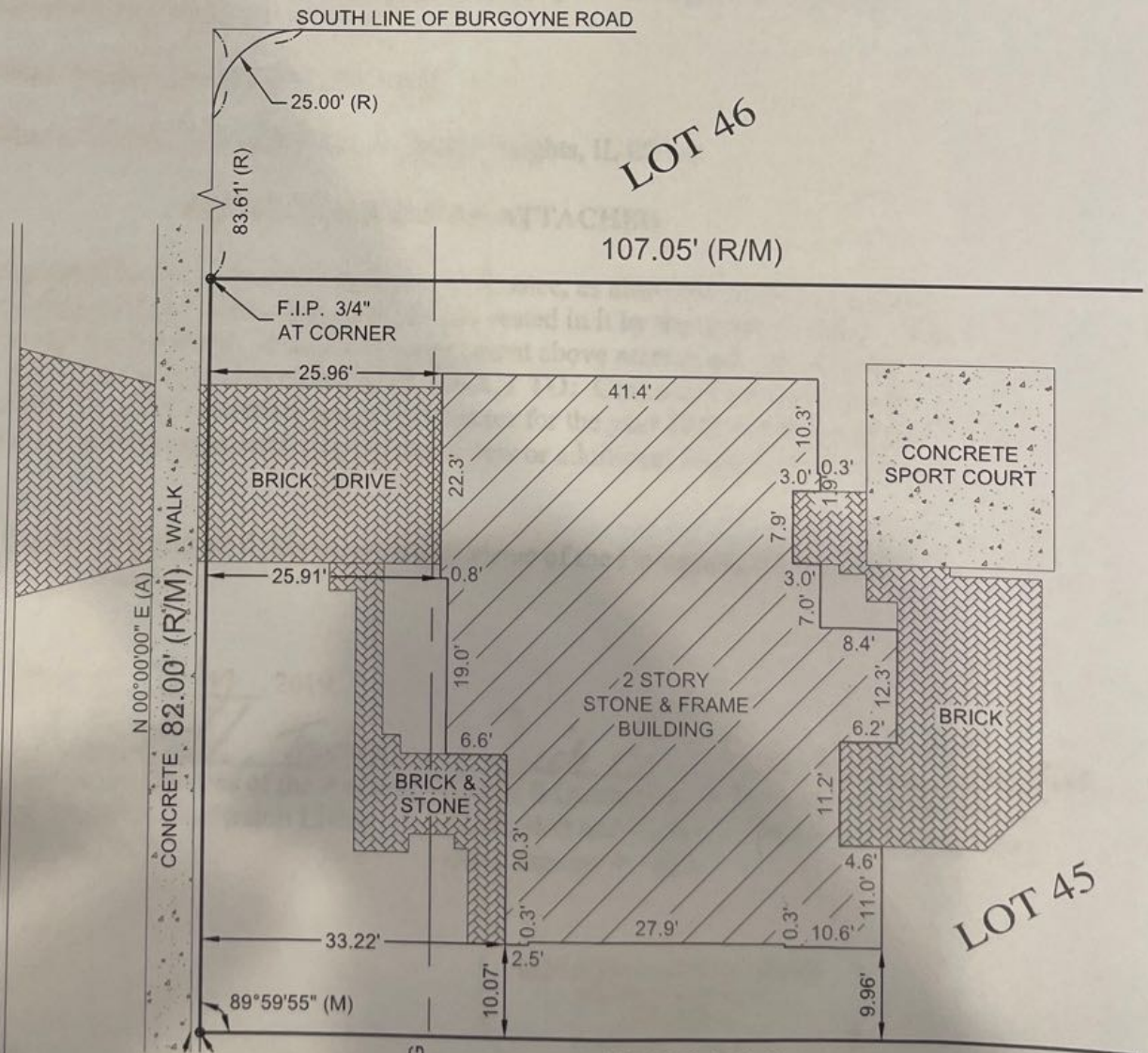
AREA OF SURVEY:

"CONTAINING 8778.1 SQ. FT. OR 0.20 ACRES MORE OR LESS"

20

EAS
MON
SUB

(66' R.O.W.)
N. ILLINOIS AVENUE
CONCRETE CURB



LEGEND

A = ASSUMED
BL = BUILDING SETBACK LINE
C = CALCULATED
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CH = CHORD
CL = CENTERLINE
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SE = SOUTHEAST
SW = SOUTHWEST
V.E. = VILLAGE EASEMENT
W = WEST

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

PLAT OF SURVEY OF

LOT 45 IN RAYMOND L. LUTGERT'S SUBDIVISION OF THE WEST 78 ACRES OF THE SOUTHWEST 1/4 OF SECTION 19, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THE SOUTH 25 FEET THEREOF), IN COOK COUNTY, ILLINOIS.

AREA OF SURVEY:

"CONTAINING 8,778.1 SQ. FT. OR 0.20 ACRES MORE OR LESS"

IMPERVIOUS CALCULATIONS

TOTAL LOT = 8,778 sf
HOUSE = 2,501 sf
FRONT DRIVEWAY & WALK = 755 sf
REAR YARD PATIO & SPORT COURT = 1,262 sf
TOTAL EXISTING IMPERVIOUS = 4,518 sf
PROPOSED HOT TUB & WALKWAY = 131 sf
TOTAL IMPERVIOUS = 4,649 sf PROPOSED

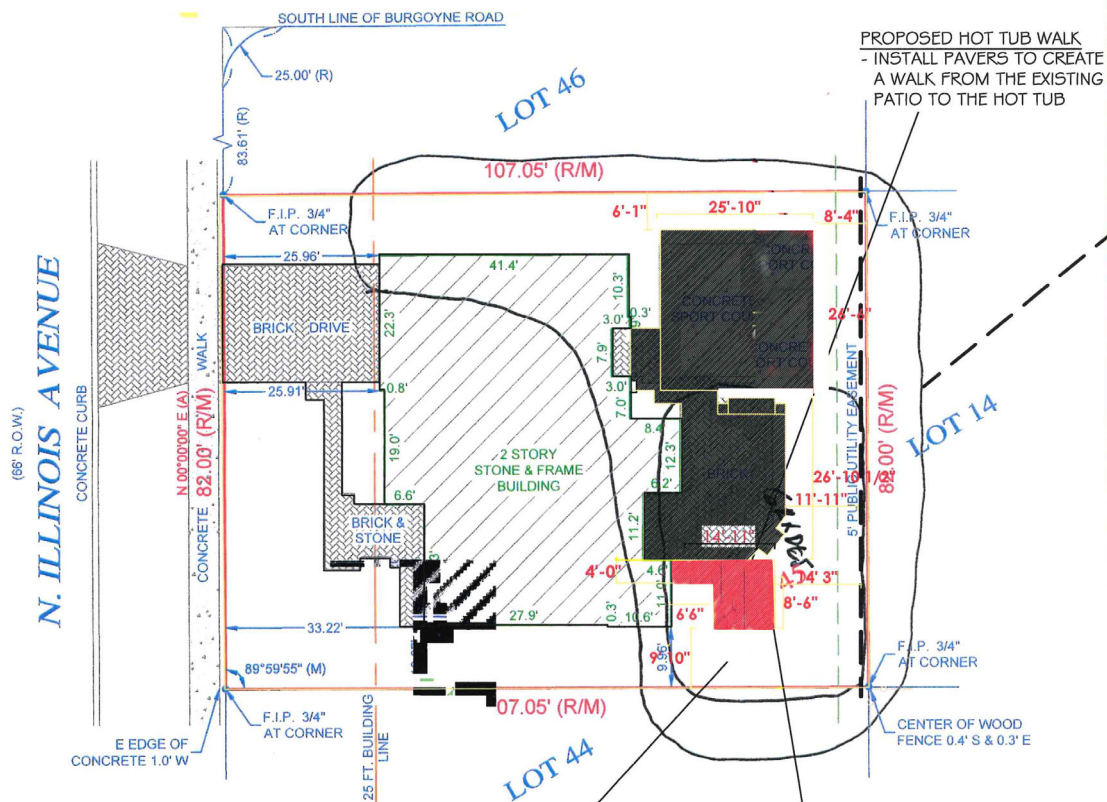
TOTAL IMPERVIOUS SURFACE COVERAGE ALLOWED 4,389 sf
AMOUNT EXCEEDING ALLOWABLE IMPERVIOUS SURFACE COVERAGE = 260 sf

20' 10' 0' 20'

BASIS OF BEARING:
EAST LINE OF N. ILLINOIS STREET AS FOUND MONUMENTED AND OCCUPIED PER RECORD SUBDIVISION.
N 00°00'00" E (A)

PROPOSED HOT TUB

PRESENT PATIO & SPORT COURT DIMENSIONS



EXISTING GRADE ON PROPERTY WILL NOT BE CHANGED.

EXISTING SWALE ON SOUTH PROPERTY LINE WILL BE MAINTAINED THROUGHOUT CONSTRUCTION TO PREVENT SHEET FLOW ONTO NEIGHBORS PROPERTY AND WILL BE DIRECTED TOWARDS THE FRONT YARD

PROPOSED RETAINING WALL - INSTALL CONCRETE BLOCK WALL TO CREATE A RETAINING WALL TO RETAIN THE GRADE FOR THE HOT TUB



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

STATE OF ILLINOIS)
COUNTY OF DUPAGE)
I, THE UNDERSIGNED, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT "THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY," AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY.
DATED, THIS 2ND DAY OF JULY, A.D., 2019, AT LISLE, ILLINOIS.
J. C. MORRIS
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-2317
LICENSE EXPIRATION DATE NOVEMBER 30, 2020
ILLINOIS BUSINESS REGISTRATION NO. 184-001245



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

ADDRESS COMMONLY KNOWN AS 1245 N. ILLINOIS STREET
ARLINGTON HEIGHTS, ILLINOIS

CLIENT DROST KIVLAHAN McMAHON & O'CONNOR LLC

FIELDWORK DATE (CREW) 07/01/2019 (MM/DL)

DRAWN BY: LV REVISED: JOB NO. 19-06-0329





Zoning Board of Appeals 1/9/2023

Item: 129 S. Vail Ave. - ZBA#23-003

Department: Planning & Community Development

REQUEST

1. A variation from Chapter 28, Section 5.1-4.1 (Minimum Lot Size), to allow a lot with an area of 6,600 square feet to be buildable where 8,750 square feet is required.
2. A variation from Chapter 28, Section 5.1-4.2 (Minimum Lot Width) to allow a lot with a width of 50 feet to be buildable where 70 feet is required.

ATTACHMENTS:

Description	Type
Supporting Documents	Exhibits

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: January 9, 2023
Date Prepared: January 3, 2023
Project Title: Ericksen Residence
Address: 129 S. Vail Ave.

Background Information

Petition Number: ZBA #23-003
Petitioner: Four M Builders LLC
Address: 133 S. Highland Ave.
Arlington Heights IL 60005

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

Requested Action/Background Information

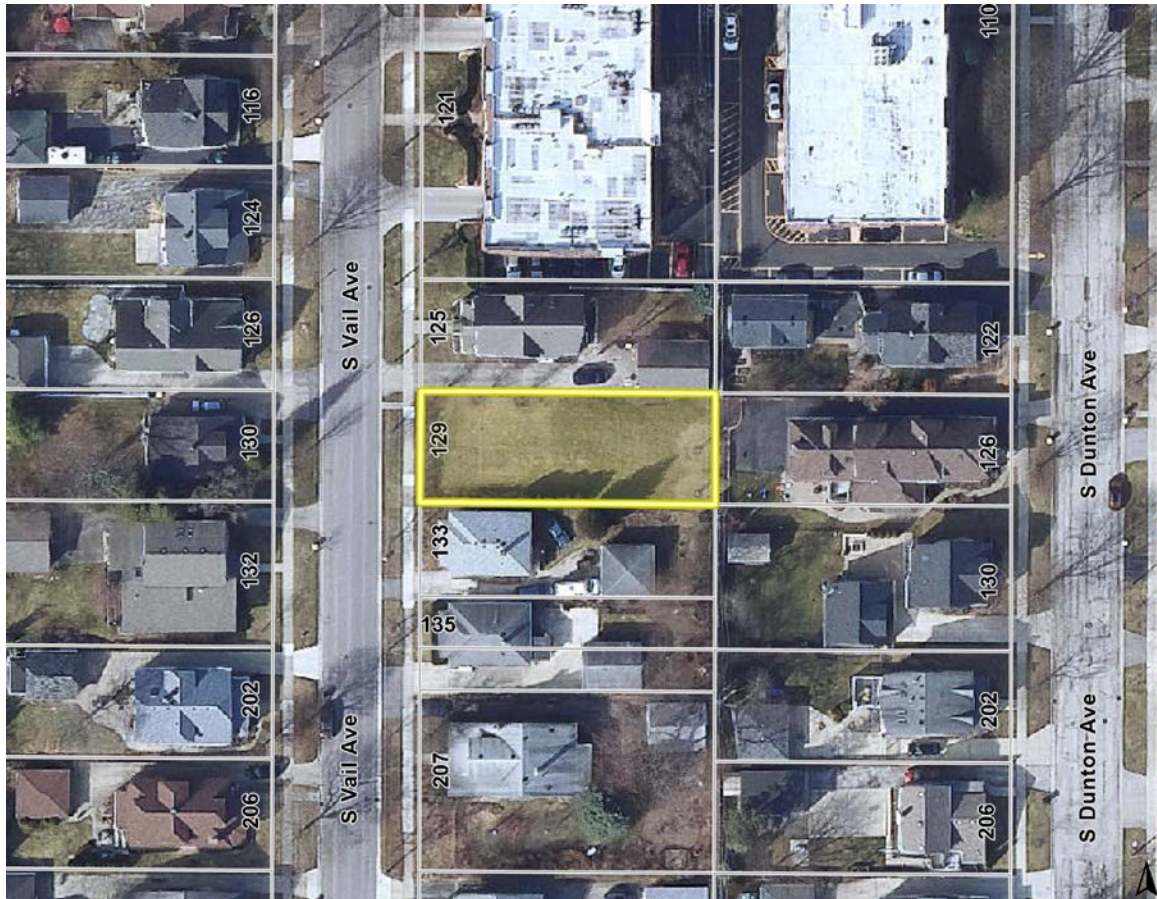
The site is currently vacant and the petitioner is proposing to build a new two-story single family residence with a detached two-car garage. The subject site is zoned R-4, Two Family Dwelling District. The property has a total land area of 6,600 square feet and the proposed residence will have approximately 2,800 square feet. The project does require approval by the Zoning Board of Appeals for a variation in lot width and size due to the existing 50' wide lot with 6,600 square feet not meeting the minimum required 70 foot width and 8,750 square feet. The project design does comply with all other zoning requirements. The petitioner is requesting the following variations:

- A variation from Chapter 28, Section 5.1-4.1 (Minimum Lot Size), to allow a lot with an area of 6,600 square feet to be buildable where 8,750 square feet is required.
- A variation from Chapter 28, Section 5.1-4.2 (Minimum Lot Width) to allow a lot with a width of 50 feet to be buildable where 70 feet is required.

Variation Review Standards

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

Map of General Vicinity



Items required to be Submitted 15 Days Prior to Public Hearing

<u>Item</u>	<u>Provided</u>	<u>Dated</u>	<u>Remarks</u>
1. Notification Affidavit	✓	12/22/22	
2. List of Property Owners Within 250 feet of Subject Property	✓	12/22/22	
3. Letter that was Mailed	✓	12/22/22	
4. Photographs of Sign on Property	✓	12/22/22	

Photographs of Existing Structure





Village of Arlington Heights Building & Life Safety Department

Interoffice Memorandum

To: Derek Mach, Zoning Board of Appeals Liaison

From: Nusrat Jahan, Building & Life Safety Department

Project Name: Ericksen Residence

Project Address: 129 S Vail Avenue

ZBA #: 23-003

Date: December 21, 2022

Derek:

I have reviewed the request for the following variance:

- **A variation from Chapter 28, Section 5.1-4.1 (Minimum Lot Size), to allow a lot with an area of 6,600 square feet to be buildable where 8,750 square feet is required.**
- **A variation from Chapter 28, Section 5.1-4.2 (Minimum Lot Width) to allow a lot with a width of 50 feet to be buildable where 70 feet is required.**

and do not have any objection to the request.

ZBA# 23-003
129 S Vail Ave - ZBA
Rev. Eng: Mike Pagones, P.E., Village Engineer
cc: Briget Schwab, P.E.

Application Date: 12/9/2022
Received by Planning:
Transmitted to Engineering: 12/21/2022
Completed: 12/22/2022
ZBA Meeting Date: 1/9/2023

The proposed ZBA application indicates that the petitioner is seeking:

- A variation from Chapter 28, Section 5.1-4.1 (Minimum Lot Size), to allow a lot with an area of 6,600 square feet to be buildable where 8,750 square feet is required.
- A variation from Chapter 28, Section 5.1-4.2 (Minimum Lot Width) to allow a lot with a width of 50 feet to be buildable where 70 feet is required.

The Engineering Division has NO OBJECTION to the proposed variance for minimum lot size and width. The lot size is an existing condition that is similar to several properties in this area. The proposed side yards should be graded to ensure positive drainage from adjacent properties.

PROJECT REVIEW TRANSMITTAL
for
Zoning Board of Appeals Review

Project Name: Ericksen Residence

Project Address: 129 S Vail Avenue

ZBA #: 23-003

ZBA Hearing Date: January 9, 2023

To: Mike Pagonis, Village Engineer
Jorge Torres, Director of Building and Life Safety

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

From: Derek Mach, Landscape Planner

Transmitted On: December 19, 2023

- A variation from Chapter 28, Section 5.1-4.1 (Minimum Lot Size), to allow a lot with an area of 6,600 square feet to be buildable where 8,750 square feet is required.
- A variation from Chapter 28, Section 5.1-4.2 (Minimum Lot Width) to allow a lot with a width of 50 feet to be buildable where 70 feet is required.

Attached are the Petitioner's:

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

Comments: _____

This project is scheduled for Design Commission review on February 14, 2023.

- Steve Hautzinger, Design Planner

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 Four M Builders LLC

being the owner of the property commonly know as: 129 S. Vail

and appeals to the Zoning Board of Appeals of the Village of Arlington Heights for a Variation from Section 5-1.4-1 & 2
Chapter 28, of the Arlington Heights Municipal Code, in order to: reduce the minimum lot size from 8,750 sf to 6,589 SF
and minimum lot width from 70' to 50' to allow a new home that will comply with other zoning requirements.

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): The vast majority of the properties on the block are around 60' width with a comparable lot area to the subject property. There is no subdivision proposed and no change in lot area or width from the existing

The design for the new proposed home has been completed. The new home will comply with all other zoning requirements. In deference to the character of the neighborhood, the proposed home maintains the side drive with detached garage and front porch. The

I hereby state that the plight of the owner is due to unique circumstances, which may include the length of time the subject property has been vacant as zoned (please explain): The unique circumstance is the existing lot width and lot area.

I hereby state that the proposed variation is in harmony with the spirit and intent of this Chapter (please explain): _____
As stated above, the design of the new home is in character with the neighborhood. and will be reviewed and unanimously approved by the Design Commission.

I hereby state that the variance requested is the minimum variance necessary to allow reasonable use of the property (please explain): The variance is simply to resolve an existing condition. There is no increase in the variance requested.

Signed: _____

Petitioner

Date: 12/9/22



MURRY AND MOODY, LTD.

Land Surveyors

Illinois Professional Land Surveying Firm Corporation License No. 184-002845

933 S. Plum Grove Road, Suite 101

Palatine, Illinois 60067

www.murrysurvey.com

info@murrysurvey.com

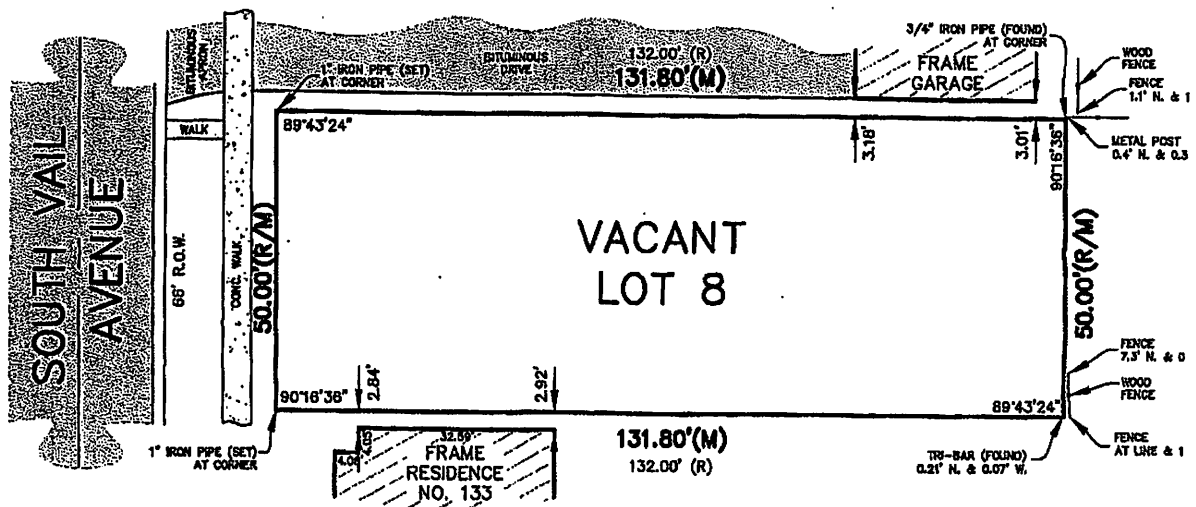
Phone: (847)358-5960



PLAT OF SURVEY OF

LOT 8 IN SIGWALT'S SUBDIVISION OF THE NORTH HALF (1/2) OF THE WEST
15 ACRES OF THE NORTH 30 ACRES OF WEST HALF (1/2) OF NORTHWEST
QUARTER (1/4) OF SECTION 32, TOWNSHIP 42 NORTH, RANGE 11, EAST OF
THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

AREA = 6,589.94± S.F. / 0.151 ACRE



LEGEND AND NOTES

Dimensions shown thus: 50.25 are feet and decimal parts thereof. Angular data shown thus: 90°00'00" indicate degrees, minutes and seconds.

50.25 / N 90°00'00" E indicates measure dimension / bearing.

(50.25) / (N 90°00'00" E) indicates record dimension / bearing.

[50.25 d] / [N 90°00'00" E d] indicates deed dimension / bearing.

Bearings shown hereon, if any, per local or assumed data, unless shown otherwise.

Compare your points before using same and report any differences immediately.

Check legal description with deed or title policy and report any discrepancy immediately. Building lines and easements, if any, shown hereon are as shown on the recorded subdivision plat

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

I, Barbara C. Murry, an Illinois Professional Land Surveyor, do hereby certify that I have surveyed the above described property, and that the plat is a correct representation of said survey and that this professional conforms to the current Illinois minimum standards for a boundary survey.

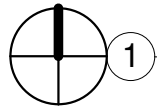
Date of completion of field work: December 03, 2020

Palatine, Illinois: December 07, 2020

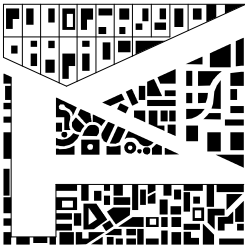
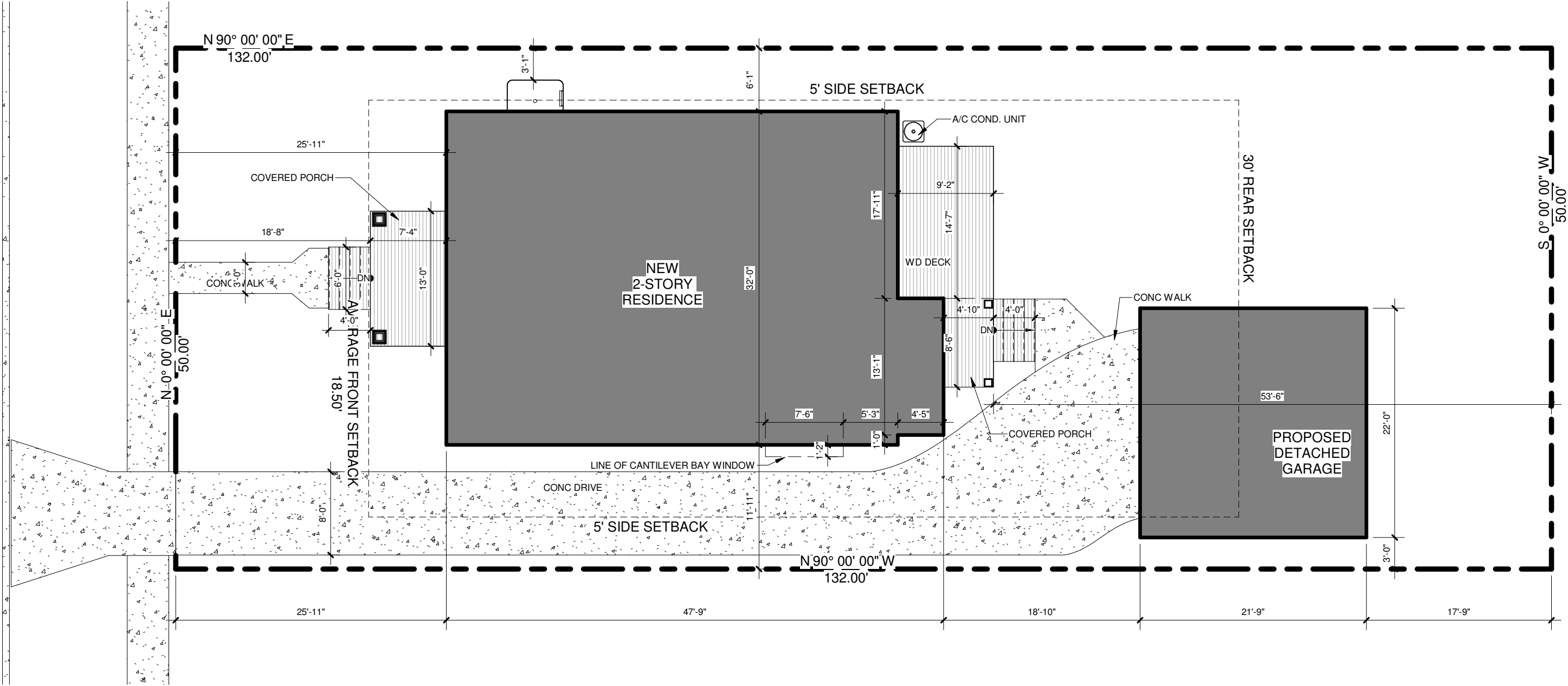
Illinois Professional Land Surveyor - Barbara C. Murry
License Renewal date: November 30, 2022

035-0035

S VAIL AVE



SITE PLAN
1" = 10'-0"



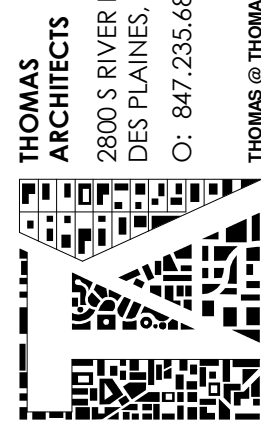
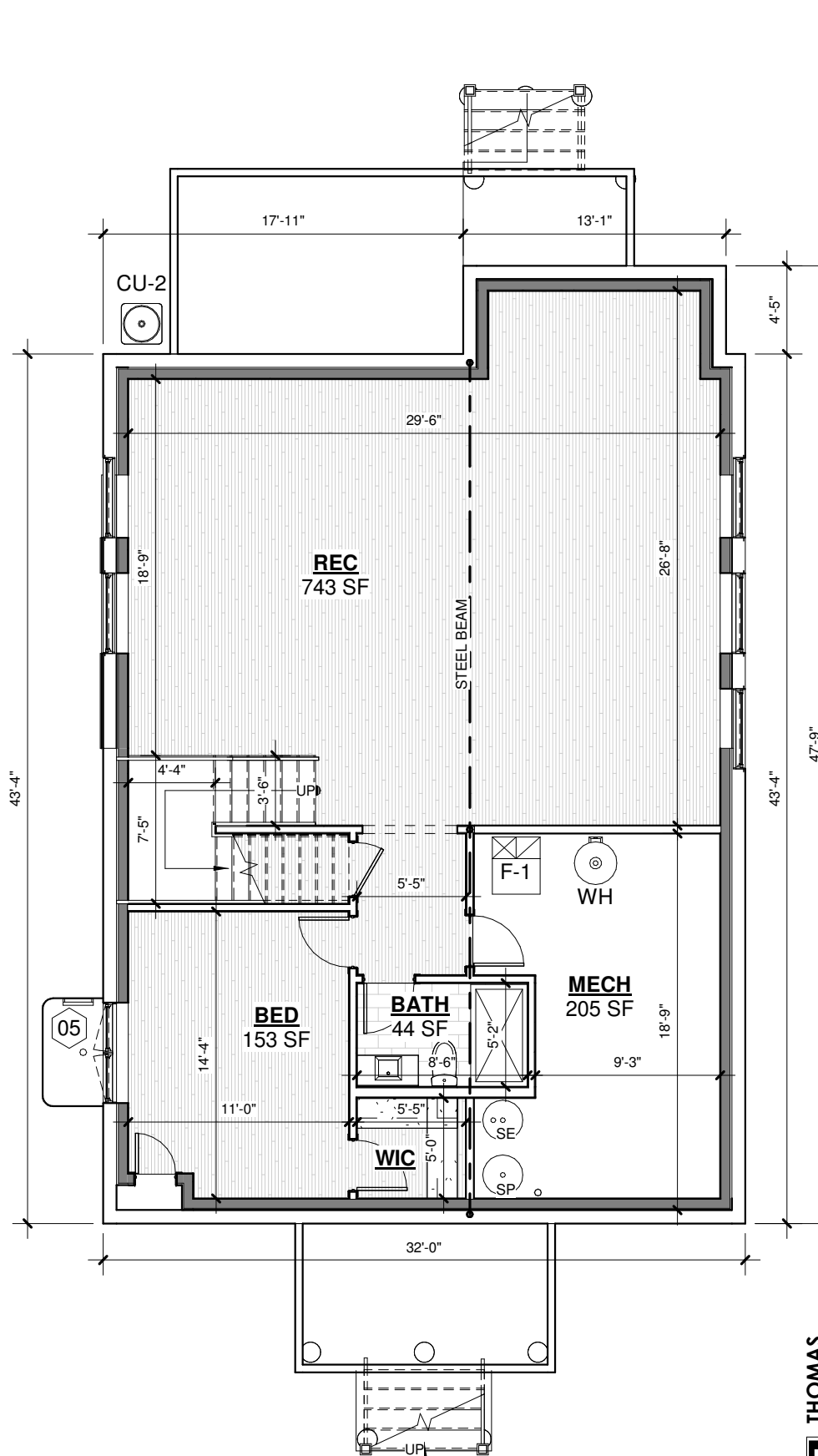
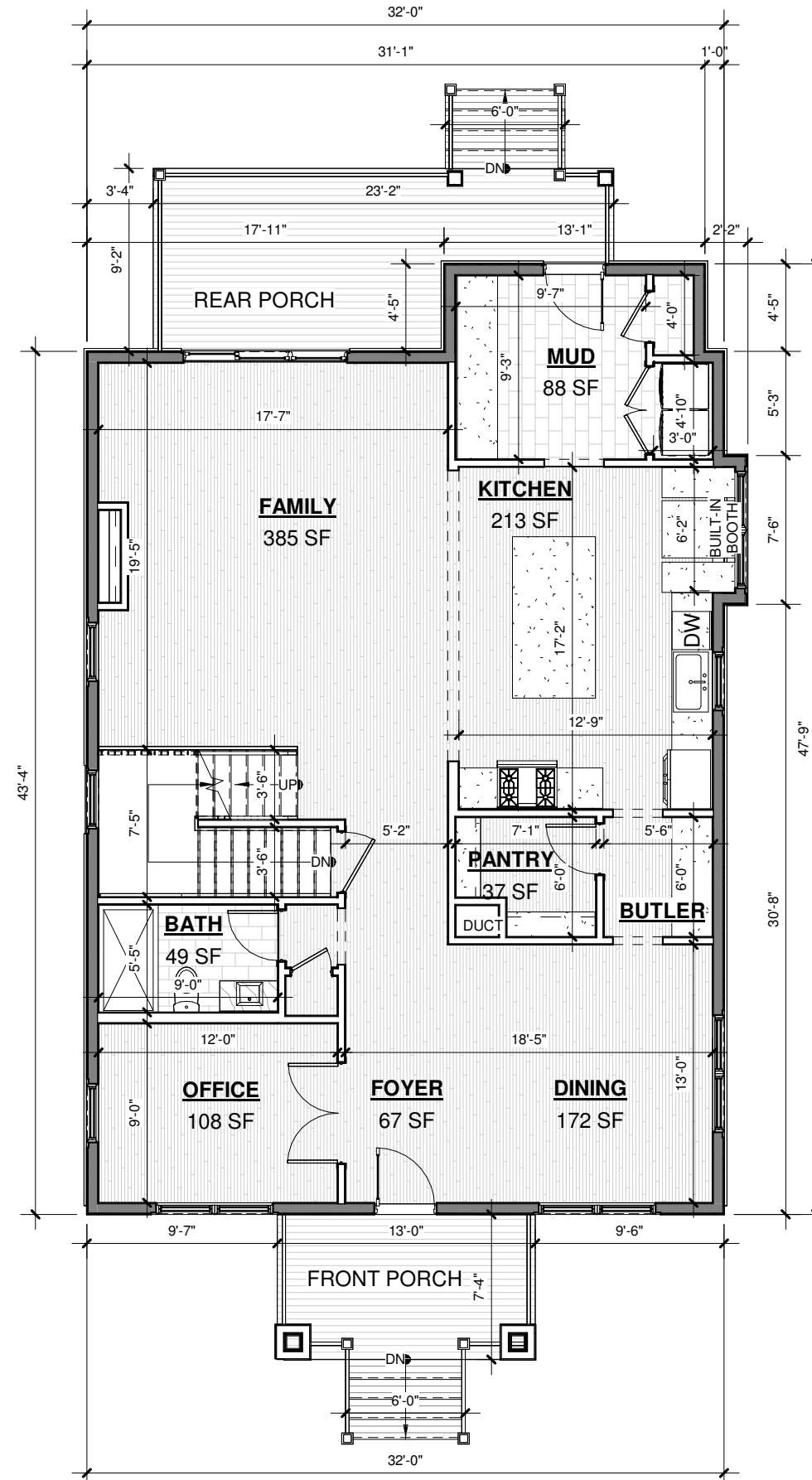
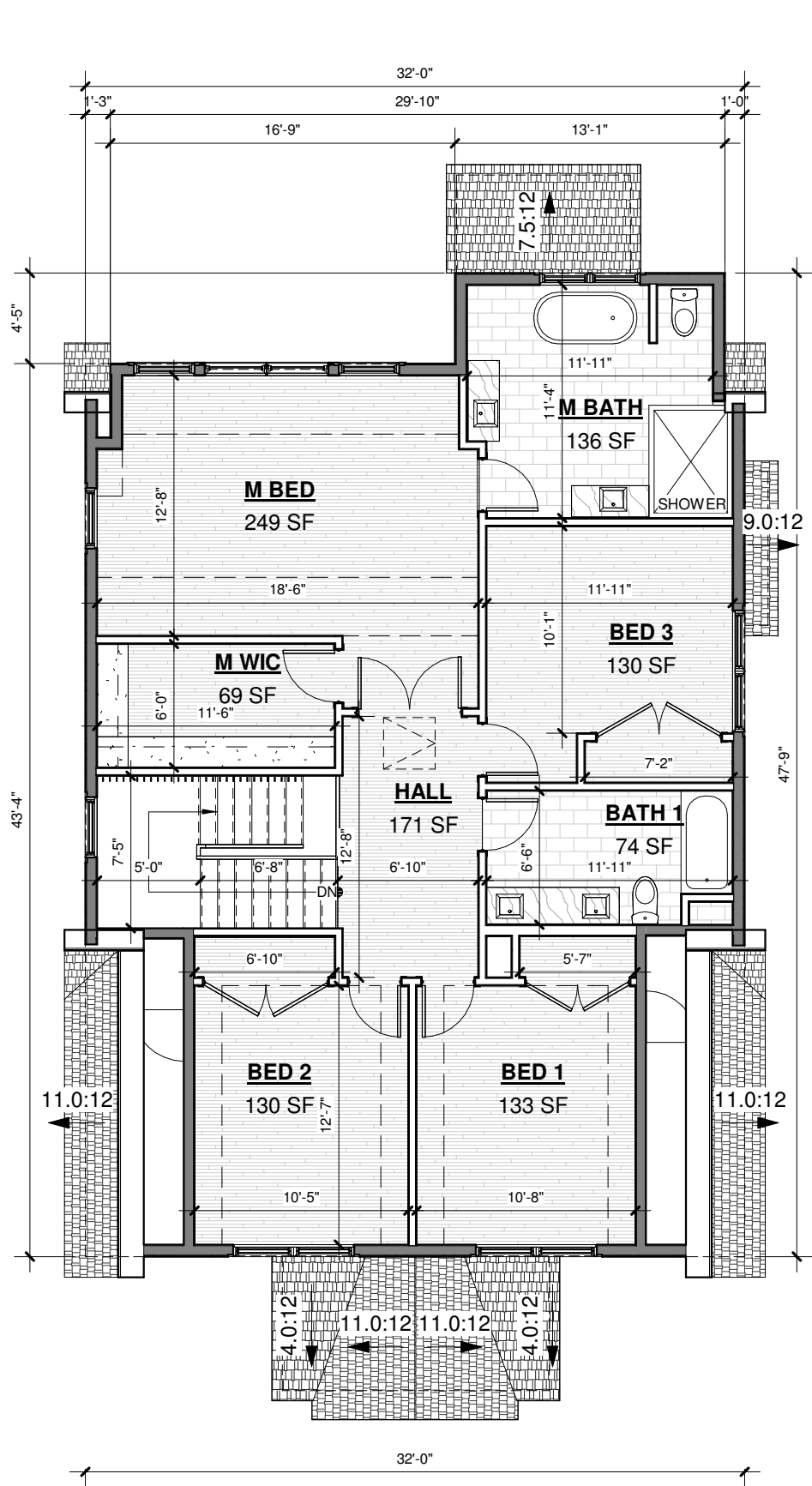
THOMAS
ARCHITECTS
2800 S RIVER RD, #105
DES PLAINES, IL 60018
O: 847.235.6815
THOMAS @ THOMASARCH.COM

SITE PLAN PROPOSED

129 S VAIL AVE,
ARLINGTON HEIGHTS
20-171
NEW SFR

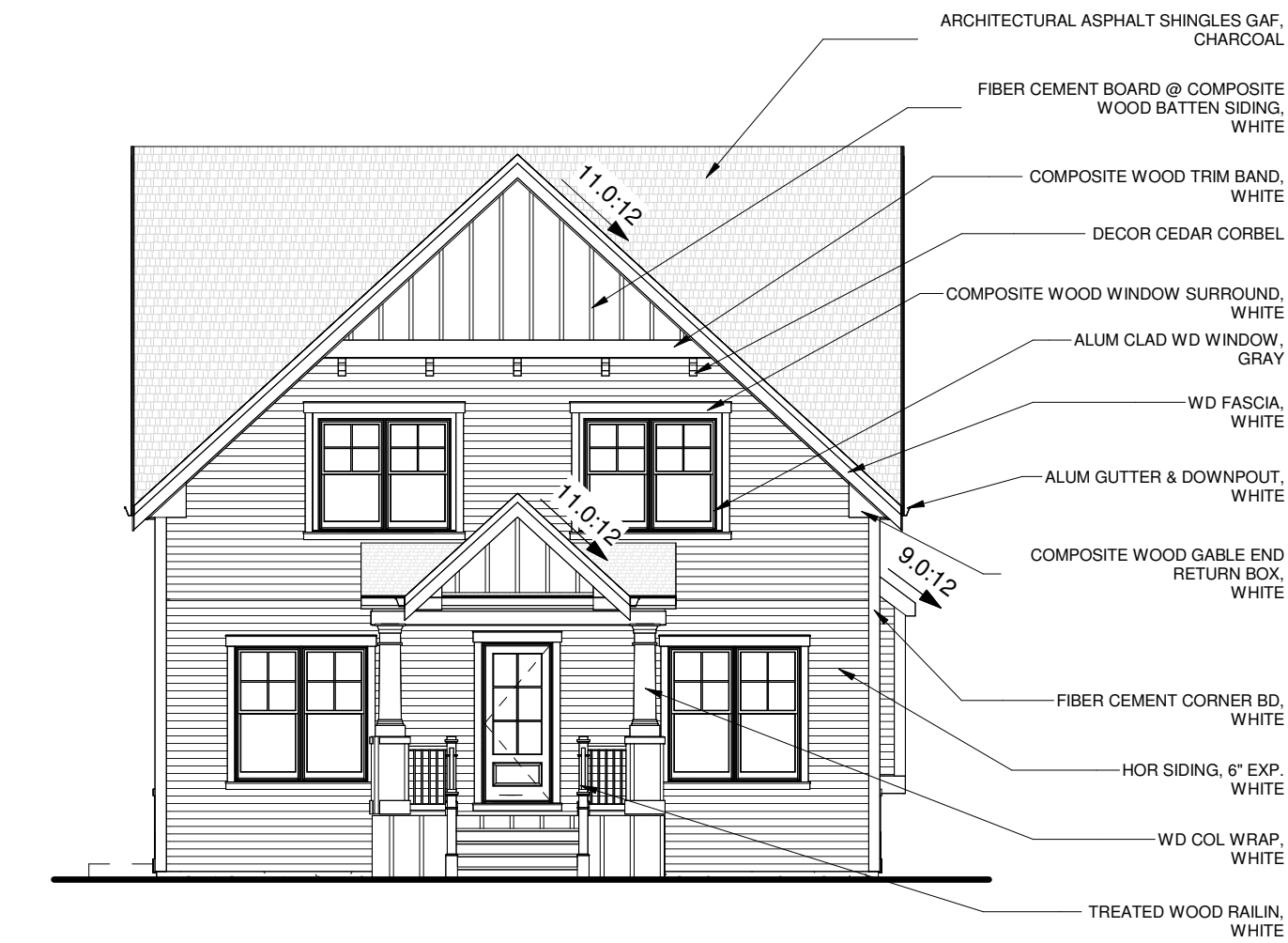
ISSUE FOR
ZBA
12/06/2022

ZBA.1

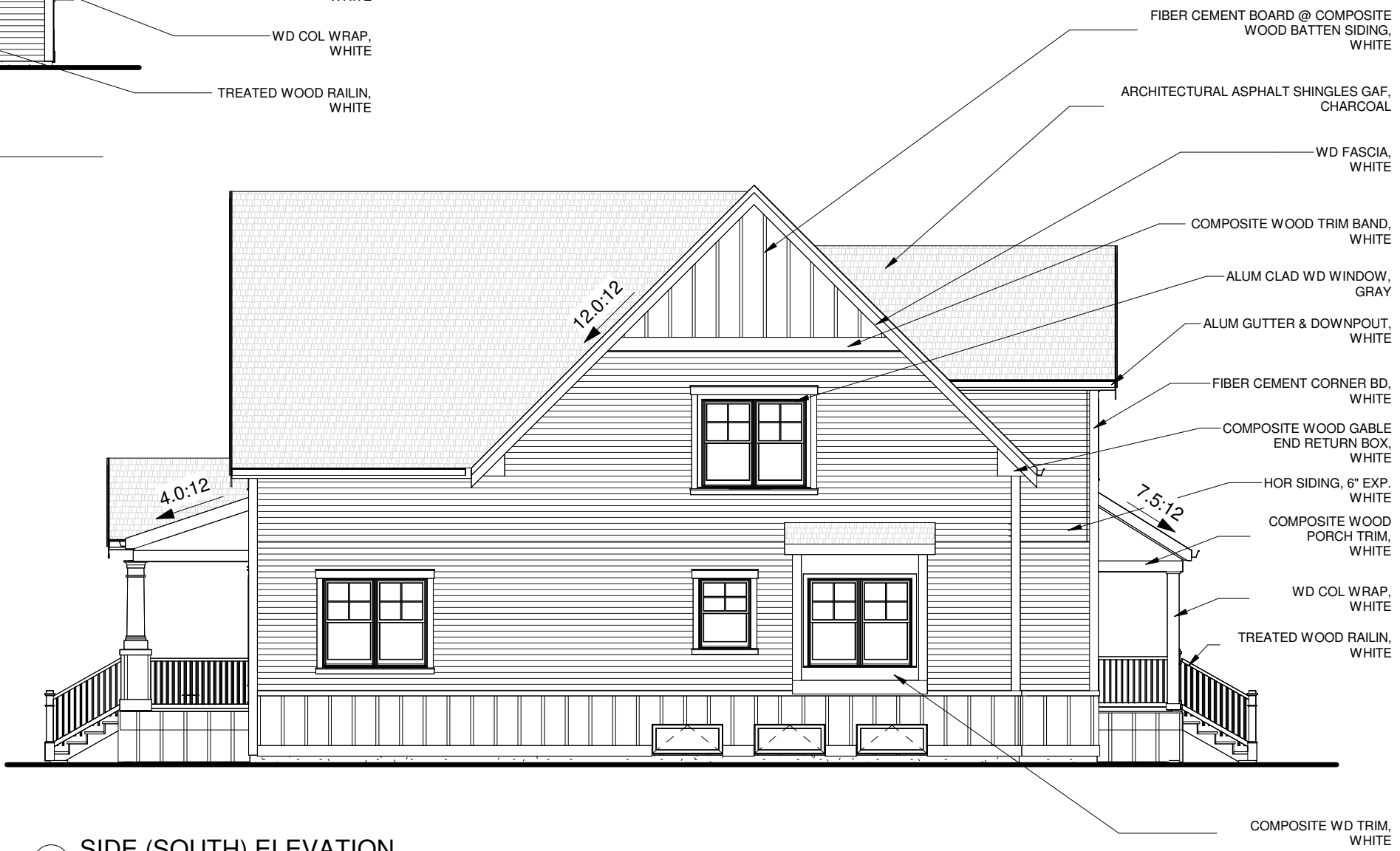


FLOOR PLANS PROPOSED

129 S VAIL AVE,
ARLINGTON HEIGHTS
20-171
NEW SFR
ZBA
12/06/2022
ZBA.2



4 FRONT (EAST) ELEVATION
1/8" = 1'-0"



1 SIDE (SOUTH) ELEVATION
1/8" = 1'-0"

