

APPROVED

ZONING BOARD

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

OF APPEALS

RE: 917 EAST OLIVE STREET - ZBA #24-008

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 8th day of April, 2024 at the hour of
7:00 p.m.

MEMBERS PRESENT:

JOSEPH SELBKA, Acting Chairperson
JEFFREY LANAGHAN
FRANK PORTERA
MICHAEL O'CONNOR

ALSO PRESENT:

DEREK MACH, Development Planner
DAN OSOBA, Planner I

ACTING CHAIR SELBKA: I'd like to call the meeting to order. This is the April meeting of the Village of Arlington Heights Zoning Board of Appeals, and we will begin with roll call.

MR. MACH: Mr. Siavelis.

(No response.)

MR. MACH: Mr. Drake.

(No response.)

MR. MACH: Mr. Jaffe.

(No response.)

MR. MACH: Mr. Lanaghan.

COMMISSIONER LANAGHAN: Here.

MR. MACH: Mr. O'Connor.

COMMISSIONER O'CONNOR: Here.

MR. MACH: Mr. Selbka.

ACTING CHAIR SELBKA: Here.

MR. MACH: Mr. Portera.

COMMISSIONER PORTERA: Here.

ACTING CHAIR SELBKA: Okay, with that, I think we will do a Pledge of Allegiance. So, if we all could stand?

(Pledge of Allegiance recited.)

ACTING CHAIR SELBKA: Next, we will move to approve the minutes from the previous month's meeting. Did everybody have a chance to review the minutes? If so, can I have a motion?

COMMISSIONER LANAGHAN: Move to approve the minutes as presented.

ACTING CHAIR SELBKA: Okay, second?

COMMISSIONER O'CONNOR: Second.

ACTING CHAIR SELBKA: All right, all in favor?

(Chorus of ayes.)

ACTING CHAIR SELBKA: All opposed?

(No response.)

ACTING CHAIR SELBKA: Hearing no nays, the motion carries.

Derek, there's something called Reports, we have no reports, correct?

MR. MACH: No reports this evening.

ACTING CHAIR SELBKA: Okay, and no Old Business?

MR. MACH: Correct.

ACTING CHAIR SELBKA: So, let's move on to New Business.

Okay, for those of you who don't know, we're all volunteers and there are seven of us ordinarily on this Zoning Board. But to have a quorum, there has to be four of us present. We also have double the number of petitions today than we usually do for a given month, and one of our members has to leave at 8:15 in order to catch a flight overseas. So, we are not going to, we may not be able to hit all of the petitions today. We're probably going to not get to them and we'll have to continue them over to next month because we won't have a quorum when one of our members has to leave.

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What I'd like to do, therefore, is move one of the more difficult petitions, Petition A, #24-007, to the end of the call. Actually, you know what --

COMMISSIONER LANAGHAN: I want to ask them, you know, since they need a unanimous thing.

ACTING CHAIR SELBKA: Yes, right.

COMMISSIONER LANAGHAN: Does anybody want to maybe volunteer to this?

ACTING CHAIR SELBKA: Right, so that's another thing. When less than six members, you need to get a majority no matter what, so you need to get four votes no matter what. If you continue, you'll have a four-in-seven chance. This time, if you move forward with the variation hearing tonight, you'll need to bat a thousand. All of us will have to agree to the variance.

So, with that being said, do any of the petitioners want to move their petition to next month when more of the other members are likely to be present?

(No response.)

ACTING CHAIR SELBKA: No? Okay. All right, well, one of the petitions looks to be kind of difficult, 124 South Vail, so we're going to move that one to the end if the rest of the Commissioners agree.

Could I have a motion to do that?

COMMISSIONER LANAGHAN: Move to move Petition A to the last slot tonight.

COMMISSIONER PORTERA: Second.

ACTING CHAIR SELBKA: All right, all in favor?

(Chorus of ayes.)

ACTING CHAIR SELBKA: All opposed?

(No response.)

ACTING CHAIR SELBKA: Okay, hearing no nays, we will move forward. I'm going to give you an outline as to the procedures for each of your zoning petitions. We talked about the quorum. You need to get four approvals here today, so if any Commissioner votes no, your variance will fail and you will not be able to apply again for a year.

It is your responsibility to explain and establish the four elements of the variance:

1. That the proposed use will not alter the essential character of the locality and will be compatible with the existing uses and zoning of nearby property;
2. That the plight of the owner is due to unique circumstances;
3. That the proposed variation is in harmony with the spirit and intent of the Zoning Code; and
4. That the variation requested is the minimum variation necessary to allow reasonable use of the property.

I will open the agenda item for each of the variations, and someone from the Village will provide a summary of the presentation. Then you will present your variance to us, at which point we can ask you some questions or we will ask for comments from the, if there's anybody in opposition to a variance, or if there's anybody who wants to speak in favor of the variance from the public at large.

After public comment, we will close the variance for Board

deliberation, and the Board will give their impression and any type of information that they want regarding whether they are in favor or opposed to the variance. Then there will be a vote on whether to grant or deny the variance after Board deliberation. After that, whether your variance is denied or granted, you can leave. You do not have to stay for the whole meeting.

So, with that, I'd like to 917 East Olive Street, ZBA #24-008.
Derek?

MR. LINDSAY: Good evening. My name is Tom Lindsay, architect. Thank you.

MRS. ORLANDINO: Nicolette Orlandino.

MR. ORLANDINO: Kevin Orlandino.

MR. LINDSAY: Owners.

ACTING CHAIR SELBKA: Are you all going to testify?

MR. LINDSAY: Yes.

ACTING CHAIR SELBKA: Okay, would you please raise your right hand?
(Witnesses sworn.)

ACTING CHAIR SELBKA: Okay, with that, Derek, could you give us the Staff report.

MR. MACH: Thank you, Chairman.

The Petitioner is proposing to construct a second story addition to the existing single-story home. The proposed addition is encroaching into the required side yard setback.

Therefore, they're requesting a 2.3-foot variation from Chapter 28, Section 5.1-3.3b to allow a second story addition with a side yard setback of 2.7 feet instead of the required five feet and an additional one foot for the eave, as well as a 0.8-foot variation from Chapter 28, Section 5.1-3.3b to allow a two-story addition in the rear of the home with a side yard setback of 4.2 feet instead of the required five feet and an additional one foot for the eave.

Thank you, Chairman.

ACTING CHAIR SELBKA: Okay, please go ahead with the petition.

MR. LINDSAY: I could actually just open it up for questions if that's okay. It might speed things up for you guys.

ACTING CHAIR SELBKA: Well, why don't you just go through your petition quickly?

MR. LINDSAY: Okay. All right, if you look at the existing first floor plan, there is a staircase that created some issues here. What we're trying to do here with this revamp of the first floor is to get the active spaces: kitchen, breakfast area, family room or new family room to the backyard. We're building straight up on the second floor over the existing which is the 2.3, and we've moved the addition in the back over more than a foot so that it's only encroaching about nine inches or so into the side yard.

The reason why we didn't take that last nine inches, if you look on the first-floor plan, we're trying to keep some connection between the kitchen and breakfast area with the outside in the backyard. The stairs have presented problems with, there are some structural things, and this is what we came up with in order to be able to do as much as we can.

COMMISSIONER LANAGHAN: Unfortunately, we don't have the floor plan,

so we'd have to take your word for it.

MR. MACH: We don't have it on the website.

MR. LINDSAY: What?

MR. MACH: Do you have a copy you can share?

MR. LINDSAY: Yes, yes.

MR. MACH: Thank you.

MR. LINDSAY: I only have one copy though.

COMMISSIONER LANAGHAN: Could we keep that and put it into the record if need be?

MR. MACH: I actually have it.

COMMISSIONER LANAGHAN: You have one, okay.

MR. MACH: Yes.

MR. LINDSAY: That's the proposed and that's the existing first floor.

COMMISSIONER LANAGHAN: Got you.

MR. LINDSAY: Well, you've got the elevations.

COMMISSIONER LANAGHAN: Yes, we have the elevations.

MR. LINDSAY: The second floor if you wanted them.

ACTING CHAIR SELBKA: And have you spoken to your neighbors about this request for a variance? The homeowners, yes.

MRS. ORLANDINO: Yes. The homeowner on the side where the variance would be, yes, I've spoken with them. They know it's coming.

ACTING CHAIR SELBKA: Is there any other neighbor who has expressed an opinion on this matter?

MRS. ORLANDINO: No.

COMMISSIONER LANAGHAN: And how many people are in the house currently?

MRS. ORLANDINO: Currently, it's just the two of us.

COMMISSIONER LANAGHAN: And how long have you been there ballpark?

MRS. ORLANDINO: It's about 10 years.

COMMISSIONER LANAGHAN: Nice.

ACTING CHAIR SELBKA: And the lot already is, the home is already non-conforming?

MR. LINDSAY: Correct, correct. Severely. I'm not sure how that happened, but maybe it was at the adjacent corner sold off, I don't know.

ACTING CHAIR SELBKA: And so, there would be no way to build this lot without a variance, or --

MR. LINDSAY: Correct.

ACTING CHAIR SELBKA: -- to remodel.

MR. LINDSAY: To build a second floor unless you do something goofy like pull it in three feet or something.

ACTING CHAIR SELBKA: Right, right, okay.

COMMISSIONER LANAGHAN: You need --

ACTING CHAIR SELBKA: Most likely, yes.

COMMISSIONER O'CONNOR: My only question was, well, I know you've explained it a little bit, but why you still have to hang over 0.9 inches on the new addition in

the back.

MR. LINDSAY: So, if you take a look at the proposed plan --

COMMISSIONER O'CONNOR: Yes.

MR. LINDSAY: -- you see that we're trying to keep an open shout-out to this deck to the backyard which, if you look at the existing plan, currently it's a dining room and a bedroom to the back and there's almost no relation. The kitchen is behind a stair, and the whole point of this is to try and keep this open to the backyard. That's just a six-foot door with some room for stuff on each side, and that's what we're trying to do.

COMMISSIONER O'CONNOR: Okay, so it's the sliding door there that's kind of pushing everything over just a little bit?

MR. LINDSAY: Yes, yes. Yes.

COMMISSIONER O'CONNOR: I got you, okay. So, you tried, but that's the best you can come up with, I got it, okay.

MR. LINDSAY: And, actually, we're rebuilding that stair down to the basement which is, the one right now is a question of duck or not duck and its winders. To put in a code-compliant stair, it actually comes a little bit further into that kitchen area.

COMMISSIONER O'CONNOR: Okay, thank you. Understood.

ACTING CHAIR SELBKA: Anyone else have any questions?

(No response.)

ACTING CHAIR SELBKA: Okay, at this time, I will close it down. You can sit down if you like.

Does anyone have any comment about this variance or proposed variance from the public?

MR. LINDSAY: So, you're -- I'm sorry, you're going to keep those in just for now?

COMMISSIONER LANAGHAN: Yes, we need to keep them.

ACTING CHAIR SELBKA: Well, Derek's got them so you can keep them.

COMMISSIONER LANAGHAN: Oh, okay.

ACTING CHAIR SELBKA: Thank you.

MR. LINDSAY: Oh, all right.

ACTING CHAIR SELBKA: Okay, does anyone from the public have any comments about the variance?

(No response.)

ACTING CHAIR SELBKA: All right, hearing none, we will close it down for Board deliberation.

What does everybody think?

COMMISSIONER O'CONNOR: I'm good, because I think the only question is really around that back addition. I understand why they have to --

ACTING CHAIR SELBKA: Yes, and it's a non-conforming lot so that's a hardship in and of itself --

COMMISSIONER LANAGHAN: Absolutely.

ACTING CHAIR SELBKA: -- and I'm in favor. All right, all being in favor, I'm going to close down Board deliberation.

Could I have a motion?

COMMISSIONER O'CONNOR: Motion to approve.

COMMISSIONER LANAGHAN: Second.

MR. MACH: Mr. Lanaghan.
COMMISSIONER LANAGHAN: Yes.
MR. MACH: Mr. O'Connor.
COMMISSIONER O'CONNOR: Yes.
MR. MACH: Mr. Portera.
COMMISSIONER PORTERA: Yes.
MR. MACH: Acting Chairman Selbka.
ACTING CHAIR SELBKA: Yes.

Thank you, your variance is granted. You don't have to stay if you don't want to.

MR. LINDSAY: Thank you.
MR. ORLANDINO: Thank you.
ACTING CHAIR SELBKA: Thank you for keeping the matter brief.
(Whereupon, the public hearing on the above-mentioned
petition was adjourned at 7:12 p.m.)

ZONING BOARD

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

OF APPEALS

RE: 1114 NORTH RACE AVENUE - ZBA #24-009

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 8th day of April, 2024 at the hour of
7:12 p.m.

MEMBERS PRESENT:

JOSEPH SELBKA, Acting Chairperson
JEFFREY LANAGHAN
FRANK PORTERA
MICHAEL O'CONNOR

ALSO PRESENT:

DEREK MACH, Development Planner
DAN OSOBA, Planner I

ACTING CHAIR SELBKA: Now, we will call Petition C, 1114 North Race Avenue, ZBA #24-009.

Would the Petitioners please step forward?

MR. VALENZANO: Oh, are we on? My name is Francesco Valenzano, and my mom is here, Francesca Valenzano. We're the owners --

ACTING CHAIR SELBKA: Now, will you all be testifying?

MR. VALENZANO: Just me. So, I don't know if you want them up here?

ACTING CHAIR SELBKA: No, they could stay just for moral support.

MR. VALENZANO: Thank you.

ACTING CHAIR SELBKA: All right, please raise your right hand.

MR. VALENZANO: Yes.

(Witness sworn.)

ACTING CHAIR SELBKA: Okay, one moment, please. Mr. Mach, please make the presentation.

MR. MACH: Thank you, Chairman.

The Petitioner is proposing a complete renovation and addition to the existing single-story residence with no garage to create a new expanded single-story house with an attached two-car garage. The project requires review by the Zoning Board of Appeals for the following variations:

- A 3.3-foot variation from Chapter 28, Section 5.1-3.3b to allow an addition with a side yard setback along the south property line of 4.8 feet instead of the required 8.1 feet and an additional one foot for the eave;
- A 2.6-foot variation from Chapter 28, Section 5.1-3.3b to allow an addition with a side yard setback along the north property line of 5.5 feet instead of the required 8.1 feet and an additional one foot for the eave;
- A 250 square-foot variation from Chapter 28, Section 5.1-3.5 to allow building lot coverage of 3,415 square feet where 3,166 square feet is the maximum allowed per code; and
- A 4.4-foot variation from Chapter 28, Section 10.2-11.1 to allow a driveway that is 26.4 feet wide where the maximum width allowed is 22 feet.

Thank you.

ACTING CHAIR SELBKA: Okay, please make your presentation.

MR. VALENZANO: Thank you, sir. First of all, I want to thank everybody here for your time. I'll go ahead and start in order with the first variance which is the driveway with the width of 26.4 feet.

Really, the reason why we stuck with that is because that's the existing width of the driveway. So, while we are going to create a grass pathway to divide the two properties so that our driveway isn't right up to the neighbor's fence, we did want to retain this width of the driveway just in case, you know. We can park two cars there and open the doors comfortably and not really having, kind of not really being a tight space. Also, it seems to fit the scale of the home since it is a little bit wide and since we're not going as tall as some other two stories might be since we're going to have a one-story.

In terms of the two variances for 5.1-3.3b and 5.1-3.3b for the existing two corners, that's the existing property, so we're going to keep the structure of the property within the same dimensions. Then when we're building that, that will be within the setbacks. The reason why we're requesting that is because, you know, it would be a lot

easier to keep the existing foundation and not have to make any major foundational changes and any structural changes while changing that.

Then that also leads to the eave height as well. Since we are planning on, or hoping to do higher ceilings in the home, nine-foot ceilings, and with the approval of Design Commission which we already have, it requires us to raise the eave of the roof. Then with that being said, it requires us to keep that same roofline going into the backyard, which is where you see the setback might not be as far as it should be.

Then that leads to the last one, Section 5.1-3.5 with the maximum lot coverage, essentially in the backyard, for two purposes. One, we have a covered patio just to kind of make it a little bit more open space within the home. Then, two, it keeps the roofline in the back uniform, so just for ease of construction and for our roof plan so that we can make them a much more cohesive space and a little bit easier on the construction side.

So, I'm absolutely open to any questions. This is my first time doing this.

ACTING CHAIR SELBKA: Did you speak to any of your neighbors?

MR. VALENZANO: I did. We've introduced ourselves to the neighbors. We kind of let them know what the plan is. We haven't met the neighbors to the right of us because that home is brand new and I don't know when they're moving in, but it's a beautiful house, but we did speak to the neighbors to the left of us. We sent out the letters and everything, so we're open to hear what your --

ACTING CHAIR SELBKA: Have you heard any objection from any of the neighbors?

MR. VALENZANO: No.

ACTING CHAIR SELBKA: Does anyone else have any questions?

COMMISSIONER LANAGHAN: So, you have new houses on both sides of you it looks like from the photos; is that correct?

MR. VALENZANO: Yes.

COMMISSIONER LANAGHAN: Yes, okay. And you're staying in a single-story where they're looking at two-stories?

MR. VALENZANO: Correct, and the main goal with the single-story is, since this is primarily going to be my mom's home, while she looks amazing for her age, she's super young, the goal is for us to be able to stay here until, you know, she retires, and then hopefully one day it becomes my house. So, we don't want to be switching between a two-story home and a one-story with the stair. We just want to keep it one-story and keep it kind of a forever home.

COMMISSIONER LANAGHAN: Got you, and how many people live there or will live there?

MR. VALENZANO: It will be me, my mom, and my younger brother.

COMMISSIONER LANAGHAN: Got you. Thank you.

MR. VALENZANO: Of course.

ACTING CHAIR SELBKA: Anything else?

COMMISSIONER LANAGHAN: No.

ACTING CHAIR SELBKA: All right, if you could just step to the side?

COMMISSIONER LANAGHAN: Let me ask one more question before you sit down.

MR. VALENZANO: Yes, of course.

COMMISSIONER LANAGHAN: So, personally, I'm pretty good, and I haven't talked to the other Commissioners up here, I'm pretty good with the three variances. The 26-foot drive gives me some heartburn because that's a pretty, that's an expansion. I understand it's what you have currently. I would kind of argue it doesn't necessarily match the house especially considering you're expanding it beyond the driveway doors.

So, you know, would you have to keep that or is that something you're --

MR. VALENZANO: It's not something we're set on, you know, and to be completely honest, if that's the thing that makes the variances kind of go through, then we're more than happy to discuss what would be appropriate, but it's not something that we're heart-set on.

COMMISSIONER LANAGHAN: All right, thank you.

MR. VALENZANO: Of course.

ACTING CHAIR SELBKA: And if you could sit down for one moment?

MR. VALENZANO: Of course. We'll head right back here.

ACTING CHAIR SELBKA: Okay, is there anyone from the public who wants to comment on this proposed variation?

Go ahead.

MR. RIES: Hi, good evening. Jason Ries, I live at 1108 North Chicago Avenue, which is the home just to the south.

I have two primary concerns with this as I've seen, I haven't had any discussions with, you know, other than what I've just seen in the plans, but one is a practical engineering design problem. I know the Engineering review comments said that the drainage is something that would have to be taken into consideration and designed. I understand that; I'm an engineer myself, but my home is downhill from this property. There's another new construction right uphill from this as well, as you mentioned.

Our home's sump system is relatively strained. That's not an uncommon problem in Arlington Heights, but for a renovation that maintains the footprint and the width that's there, a wider driveway than is being suggested, then is there a larger roof area than the lot can hold? The practicality of doing proper design on a lot, on a relatively small lot with a big home gives me some concerns with, not necessarily the ability to engineer it and design it on paper, but the practicality of that and what that risk is to my home that's just downhill from it. That's the first one.

The second is just, I guess just a problem I guess presenting the look and feel. This neighborhood obviously has been in this stage of transition for a couple of decades. Since I've lived in the neighborhood the last five years, there's probably been about 10 lots of older, smaller one-story ranch homes similar to this one within about 500 feet that have sold, including this one here. Each one of those have been tear-downs and have created the look and feel of the neighborhood with new construction.

I guess I look at the plans, and having a very wide, as this existing footprint was, a very wide home with over 20-foot peak roof height, very little clearance on either side, and a driveway wider than is otherwise allowed just feels like it's going to create a look and feel that's very inconsistent with the rest of the neighborhood.

ACTING CHAIR SELBKA: Now, just to be clear, from my reading of this

petition, the footprint is going to stay the same, correct, of the house?

MR. RIES: With adding I think 1,600 square-foot to the back or something like that. I think it's more than doubling the footprint of the home.

COMMISSIONER LANAGHAN: So, the house in front stays, they're adding an addition to the back which meets, you know, the setback requirements. So, the existing one is the existing non-conforming.

ACTING CHAIR SELBKA: Oh, okay.

COMMISSIONER LANAGHAN: That they're keeping, and then they're adding some extra space.

MR. RIES: Yes, so the setback distances in and of themselves didn't necessarily cause us a great deal of concern, because the home has the setback distance problems as it is. It's that when those setback distances remain the same and the house goes up significantly higher and goes back, I think the look and feel from the curb is going to look a lot different than what it does today obviously.

COMMISSIONER LANAGHAN: As opposed to the two stories which would be taller and what have you adjacent to it.

MR. RIES: Yes. Yes, exactly.

COMMISSIONER LANAGHAN: Thank you.

MR. RIES: No, thank you.

ACTING CHAIR SELBKA: Any other comments?

MR. JOHNSTONE: Yes. My name is Bill Johnstone, and I'm glad that Jason went first because I think he's got some excellent points.

I've lived in the neighborhood with my wife and my kids for 16 years, settled in Arlington Heights in 1968. The concerns that Jason raised I believe are spot on.

Flooding has become a bear of concern in the 16 years we've lived there. Admittedly, I live in one of those new constructions, well, it was new back in '06, but with each successive home that went from a slab/no basement/one-story to a two-story/basement, seemingly the flooding has increased, okay.

So, when I saw this proposal that basically made the footprint larger, you know, my first thought is it's a house that's too big for that lot. If they had plans to do such things, then they could have bought a lot that would allow for that. So, I think, I don't know if it's poor planning, I don't know, I don't want to speak to what went into that, but it seems to me that we shouldn't make another error based on another error.

So, I think the look and feel that Jason mentioned is a legitimate point. That's, you know, this is what you guys do so you can certainly be the judges of that, but this does seem to potentially be out of step with the other elements that are happening. So, those are my thoughts.

ACTING CHAIR SELBKA: All right.

MR. JOHNSTONE: Thank you.

ACTING CHAIR SELBKA: Does anyone else have a comment?

Sure.

MR. DORTY: My name is Tim Dorthy; I live at 1207 Race. I don't have any direct issues with this development, but probably just reiterating the issues with rainwater runoff. It seems to be just a disregard for handling that in Arlington Heights as we tear down smaller homes and build bigger homes.

They did it right next door at 1201. I reviewed the plans, talked to the

people, they were making the person next to me put in a drain in their backyard that would be pumped, connected to the street drain, which was a nice thought. I talked to whoever the engineer was at the time reviewing that, and I said, you know, that's great, but the water doesn't go to the back of the yard, it goes between the two yards, that's where all the water flows. That was disregarded. They put the drain in the back. All the water flows in between the houses, puddles, sits there.

So, there just seems to be a lack of willingness to address it on the permitting side of an issue that is probably happening in multiple neighborhoods. I'd probably just voice an opinion and say, hey, it's better to be proactive than reactive. It's better to take care of these things ahead of time rather than having people complain about their streets flooding. So, it should be addressed probably across the board.

ACTING CHAIR SELBKA: All right, thank you.

Any other comments?

MRS. JOHNSTONE: I have a question.

ACTING CHAIR SELBKA: Sure.

MRS. JOHNSTONE: I'm Karen Johnstone, my husband Bill just spoke. I agree with everything that was said.

I have a question about the notice for the neighbors. What's commonly required or requested of the person asking for the variance?

ACTING CHAIR SELBKA: Notice should be mailed to all of the neighbors within a given area. There's also a sign that's put in front of the property, alerting the people in the area about the proposed variation.

MRS. JOHNSTONE: Okay, that's what I kind of thought. There is no sign in front. There is another property on Wilke, just right around the corner from this house, that house does have a sign for today's meeting date. This house hasn't had that sign. We got the letter, and I checked with six other neighbors, they did not get the letter. So, they didn't have an opportunity, until I contacted them today, to say what's going on.

ACTING CHAIR SELBKA: Derek, they have to post the sign?

MR. MACH: They do have to post the sign. We did receive an affidavit stating that they posted the sign and completed the notification requirements.

MRS. JOHNSTONE: I have a picture, but not that it matters. I'm just saying it's not there.

MR. MACH: Okay, sure, sure. I think this petition could be continued to ensure that notification is --

ACTING CHAIR SELBKA: Yes. Although one of the issues I've got is that, and this is a question for you, Engineering noted that the addition which could clearly cause all this possible flooding is in compliance. They can do the addition without a variance. The variance applies to the existing non-conforming lot; is that correct?

MR. MACH: Right. It applies to the, yes, the existing non-conforming footprint, because they're expanding the height, they're increasing the non-conforming situation. Therefore, they need the variances to the north and the south for that side yard setback for where the existing home is.

It is exceeding building lot coverage by 250 square feet. It is meeting overall impervious surface coverage which is 50 percent but, however, building lot coverage max allowed is 35 percent being a one-story home which is contributing to that increase, as well as the proposed driveway.

ACTING CHAIR SELBKA: Right.

Could the Petitioner come up for a sec?

MR. VALENZANO: Absolutely.

ACTING CHAIR SELBKA: Did you post the sign?

MR. VALENZANO: Yes.

ACTING CHAIR SELBKA: So, there should be a sign that's supposed to be in front of the house.

MR. VALENZANO: Yes, we had both of them, for Design Commission and for this meeting today --

ACTING CHAIR SELBKA: Okay.

MR. VALENZANO: -- and I believe we also sent the picture of the sign as well when it was posted.

ACTING CHAIR SELBKA: Was it just taken down or do you know?

MR. VALENZANO: I haven't been to the property so I wouldn't know.

ACTING CHAIR SELBKA: Okay, you haven't been to the property today or when were you last there?

MR. VALENZANO: The last I was at the property was when I posted the signs I believe, but I have not taken down any of the zoning signs or anything like that --

ACTING CHAIR SELBKA: Okay.

MR. VALENZANO: -- and the letters also have been mailed out. I have, I can pull the receipt from when we went to the UPS. They have those stamped and mailed.

COMMISSIONER LANAGHAN: And, Derek, 250-foot is the dimension around the lot?

MR. MACH: Correct.

COMMISSIONER LANAGHAN: So, the neighbors within 250 feet of the lot are supposed to be notified. If your neighbors are outside of that, they wouldn't be. It's just the way the zoning is set up for variance --

MR. VALENZANO: I also believe we sent the list of addresses to whom we mailed the letters as well.

ACTING CHAIR SELBKA: All right, that was the only question I had for the Petitioner.

Follow-up questions, does anyone have any follow-up question?

COMMISSIONER LANAGHAN: No. I mean, again, the two things that are kind of speaking to me here, I recognize the existing house has existing non-conforming attributes. Tearing down that portion of the house makes no sense to me. The expansion is creating an addition 250 square-foot above and beyond the maximum impervious area, or maximum lot coverage, excuse me. So, that has a concern for me, as does the drive as I already mentioned.

MR. VALENZANO: Absolutely.

COMMISSIONER LANAGHAN: So, those are kind of the two that I have some issue with personally.

MR. VALENZANO: And I did also want to add, so, thank you for everyone's comments for the property and we'd be more than willing to discuss any additional engineering assurances essentially that would show that we're wanting to make sure we're not causing problems to anybody else because, I mean, if they're flooding, that means

we're flooding. So, we don't want to create floods for ourselves either.

ACTING CHAIR SELBKA: Would you agree to a continuance of this to talk this out with your neighbors? Ordinarily, I wouldn't do that, but given the situation we're in here since we have a really short time, would you be open to that?

MR. VALENZANO: Yes, of course. I mean, really we're just, the main goal is to get it resolved and make sure everybody is kind of on the same page. So, if that's what we have to do, then absolutely.

ACTING CHAIR SELBKA: Is anybody open for a continuance to next month?

(Commissioners express agreement.)

ACTING CHAIR SELBKA: Is there a motion to continue?

MR. MACH: If you could please make it date specific. The next meeting would be May 13th; therefore, the Petitioner would not be required to resend the letters. We'd ask that they update the sign on the property to the May 13th date.

MR. VALENZANO: We'll just get a new one, yes, if it's not there now.

ACTING CHAIR SELBKA: Okay, then why don't we do that?

COMMISSIONER LANAGHAN: So, I move that we continue this to the May 13th ZBA meeting.

ACTING CHAIR SELBKA: Second?

COMMISSIONER O'CONNOR: Second.

ACTING CHAIR SELBKA: All in favor?

(Chorus of ayes.)

ACTING CHAIR SELBKA: Opposed?

(No response.)

ACTING CHAIR SELBKA: Hearing no nays, this matter is continued to May 13th.

MR. VALENZANO: Thank you.

ACTING CHAIR SELBKA: For those of you who are objecting, I would ask that you talk with the Petitioner, see if there is some way that you can come to an agreement where they can deal with your concerns. If there is, that would be great. We want our neighbors to get along with each other. So, please do so. If you can't, you're free to come next month and object and have the whole Board make a determination as to whether to grant this variance or not, okay?

MR. VALENZANO: Thank you.

(Whereupon, the public hearing on the above-mentioned petition was continued to the May 13th ZBA meeting at 7:33 p.m.)

ZONING BOARD

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

OF APPEALS

RE: 1227 NORTH WILKE ROAD - ZBA #24-010

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 8th day of April, 2024 at the hour of
7:33 p.m.

MEMBERS PRESENT:

JOSEPH SELBKA, Acting Chairperson
JEFFREY LANAGHAN
FRANK PORTERA
MICHAEL O'CONNOR

ALSO PRESENT:

DEREK MACH, Development Planner
DAN OSOBA, Planner I

ACTING CHAIR SELBKA: Okay, let's call Petition D, 1227 North Wilke,
#24-010.

Does somebody, is there a Petitioner available?

MR. RAMOTOWSKI: Yes, I am here.

ACTING CHAIR SELBKA: Okay.

MR. RAMOTOWSKI: Hello, my name is Robert Ramotowski. I am the
owner of this property.

ACTING CHAIR SELBKA: You're going to be testifying alone, sir?

MR. RAMOTOWSKI: Yes.

ACTING CHAIR SELBKA: Would you raise your right hand?
(Witness sworn.)

ACTING CHAIR SELBKA: Okay, please, Derek, would you?

MR. MACH: Thank you, Chairman.

The Petitioner is proposing to reconstruct the attached garage with a
six-foot expansion towards the front property line. The attached garage is encroaching
into the required side yard setback.

Therefore, they're requesting a 3.8-foot variation from Chapter 28,
Section 5.1-3.3b to allow an addition with a side yard setback of 2.8 feet instead of the
required 6.6 feet and an additional one foot for the eave.

Thank you, Chairman.

ACTING CHAIR SELBKA: Okay, please present your petition.

MR. RAMOTOWSKI: So, this garage is already non-conforming and I want
to add like a second floor to my existing house. To do this, I will now rebuild the garage
because it doesn't have any foundation now. It's only a ceiling, just on a slab. It's how
them built them in the 50's. I'm going to use these walls to base the second floor on it.
Also, I want to add like six feet extension on the front of this garage so this will allow me to
park two cars in this garage and use the rest of the garage like storage for my tools and
other stuff.

This house doesn't have any basement. I'm doing this remodeling; I
want to keep most of the portion like bathroom and other stuff. So, I literally cannot move
this, there is like no room to move this garage, move over and create even for one single
garage. There is no room for stairs or there's other small or big issue like construction
issue. That's the way how the house was built is just this garage has to be rebuilt in
exactly the same spot to keep full functionality of this house.

ACTING CHAIR SELBKA: Have you spoken to your neighbors about this?

MR. RAMOTOWSKI: Yes, I spoke with my neighbors, with Fred who is the
neighbor on this side. He kind of wanted to do the same in the close future. He's also
already close to the line. This is how it was built in those years, yes. He didn't have any
objections. He also said if I need him to like come and testify, he would welcome to come
and say it.

ACTING CHAIR SELBKA: Does anybody else have questions?

COMMISSIONER LANAGHAN: Just a couple of quick ones. How long
have you been in the house approximately?

MR. RAMOTOWSKI: I've lived eight years in this house; in Arlington
Heights, I'm 17 years.

COMMISSIONER LANAGHAN: Excellent, thank you. The other question I had, the Engineering, I think it's the Engineering Department, had a couple of comments about the project.

MR. RAMOTOWSKI: Yes, I saw those.

COMMISSIONER LANAGHAN: Yes, you've seen those and you're aware of what they said?

MR. RAMOTOWSKI: Yes, the fire rate, and also my architect saw this. I don't know if it's on the screen, but he also, he said you want fire rated one-hour resistant fire wall with all the materials that's supposed to be used to make, hold fire.

COMMISSIONER LANAGHAN: Excellent. So, you're aware of it.

MR. RAMOTOWSKI: Yes, I am aware of it.

COMMISSIONER LANAGHAN: And you're willing to do that.

MR. RAMOTOWSKI: Yes.

COMMISSIONER LANAGHAN: Very good. Last question I had, how many people in the house?

MR. RAMOTOWSKI: So far, it's four people, family. My son is in college, but we're going to take care about my mom probably next year and she's going to live with us. So, it's going to be five people in the house. This is kind of why we need to do this, want to do this, to expand this house.

COMMISSIONER LANAGHAN: Got you.

MR. RAMOTOWSKI: It's just a little house with small bedrooms, and this will kind of fix it.

COMMISSIONER LANAGHAN: No further questions here.

ACTING CHAIR SELBKA: Same there? Okay, if you could have a seat for a moment, sir?

MR. RAMOTOWSKI: Okay, thank you.

ACTING CHAIR SELBKA: Does anybody from the public wish to comment on this proposed variance?

(No response.)

ACTING CHAIR SELBKA: Hearing none, I close the matter down for Board deliberation.

What do you say, gentlemen? It seems fairly straight-forward. I don't see any objection to it.

COMMISSIONER PORTERA: Yes, no neighbor opposition, especially to the one most affected. Non-conformance already.

ACTING CHAIR SELBKA: Okay, with that, I will close down Board deliberation.

Do I have a motion?

COMMISSIONER PORTERA: I move to approve this variance as presented.

ACTING CHAIR SELBKA: Okay, second?

COMMISSIONER O'CONNOR: Second.

MR. MACH: Mr. Lanaghan.

COMMISSIONER LANAGHAN: Yes.

MR. MACH: Mr. O'Connor.

COMMISSIONER O'CONNOR: Yes.

APPROVED

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MR. MACH: Mr. Portera.

COMMISSIONER PORTERA: Yes.

MR. MACH: Acting Chair Selbka.

ACTING CHAIR SELBKA: Yes.

All right, your variance is granted. Thank you.

MR. RAMOTOWSKI: Thank you very much.

(Whereupon, the public hearing on the above-mentioned
petition was adjourned at 7:38 p.m.)

ZONING BOARD

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

OF APPEALS

RE: 446 SOUTH ARLINGTON HEIGHTS ROAD - ZBA #24-011

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 8th day of April, 2024 at the hour of
7:38 p.m.

MEMBERS PRESENT:

JOSEPH SELBKA, Acting Chairperson
JEFFREY LANAGHAN
FRANK PORTERA
MICHAEL O'CONNOR

ALSO PRESENT:

DEREK MACH, Development Planner
DAN OSOBA, Planner I

ACTING CHAIR SELBKA: All right, with that, we're going to go to 446 South Arlington Heights Road.

Petitioner, can you step up please?

MR. WILHELM: Hello.

ACTING CHAIR SELBKA: Your name?

MR. WILHELM: My name is Jason Wilhelm. This is my wife Samantha Wilhelm.

ACTING CHAIR SELBKA: Are you going to both be testifying?

MRS. WILHELM: No, I'm here for moral support.

MR. WILHELM: Yes, so just me.

(Witness sworn.)

ACTING CHAIR SELBKA: Okay, Derek, would you please do the -- oh, yes, sorry.

MR. MACH: It would be Dan.

MR. OSOBA: Not a problem.

ACTING CHAIR SELBKA: Okay, you've got a pinch hitter.

MR. MACH: Yes.

MR. OSOBA: The Petitioner is proposing a new six-foot tall privacy fence along the southern property line which is adjacent to the East Park Street right-of-way. The proposed privacy fence is located one foot from the property's perimeter. Additionally, the Petitioner is proposing to continue this fence north along the driveway to the garage to enclose the lot. This proposed privacy fence is at the intersection of East Park Street right-of-way and the driveway setback is set at six feet as proposed.

Therefore, the following requests are: a fence variation from Chapter 28, Section 6.13-3(b)(2) and Section 6.13-3(c)(1) to allow a six-foot privacy fence to be constructed one foot from the property line instead of the required five feet; and a fence variation from Chapter 28, Section 6.13-3(b)(3) to allow a six-foot privacy fence to be constructed six feet from the intersection of East Park Street and the driveway on 446 South Arlington Heights Road instead of the required 12 feet.

Staff has concerns regarding the variance request to reduce the visibility setback from 12 feet to six feet to perpetuate a non-compliant condition due to the reduced visibility and safety concerns.

Thank you.

MR. WILHELM: So, the first part, we don't currently have any security around our house. Everything is open, and those trees were there when we bought the house. They weren't maintained very well by the previous owner, so they're very large and overtaking the sidewalk and part of our driveway, and we don't have much of a backyard.

The main purpose is to add security and safety and privacy for my family since we live on a busy street and a busy intersection. So, it's about 15 feet from the side of my house to the sidewalk, so if I lose five feet of that, the cost of installing a privacy fence is not cheap these days, so the one foot, if I have to lose five feet of that space, it's not going to be worth it for me to install the fence. That's the most important.

Secondly is the angle. My driveway is only about 18 feet, so the 12 feet is taking up two-thirds up my driveway. So, I'm just hoping that you guys might be

able to compromise a little bit, instead of having it be 12 feet, to have it be six feet where the angle is, because again, I'll be losing quite a bit of the inside area of my yard at 12 feet.

So, again, the whole purpose is to add safety and security for my family.

MRS. WILHELM: And the community.

MR. WILHELM: And the community. Right now, there is zero visibility, so what I'm proposing is adding visibility and it's going to, you know, add property value and it's going to look better and add privacy and security.

ACTING CHAIR SELBKA: You're saying because of the trees, there's zero visibility?

MR. WILHELM: There's zero visibility.

MRS. WILHELM: Yes, they're very fat near the bottom.

MR. WILHELM: Yes.

COMMISSIONER O'CONNOR: And so, you're saying you're going to remove the trees?

MR. WILHELM: Trees are going to be removed, yes. So, if you look into, there's a proposed diagram where you can see, essentially this one. So, this is the front of the house. This is where the fence would start, and I want to go within one foot of the property line because it's only about 15 feet, so essentially if five feet it's just not worth it. This is where my driveway, instead of the 12 feet, I'm just asking if we could reduce that to six feet so it would still have this angle for the visibility.

Make sense?

ACTING CHAIR SELBKA: Yes. Yes, it does.

MR. WILHELM: And then it would go all the way around, so then we would have a secure yard, because right now we have our house, we have a deck, and these trees right here. There's really not much of a yard. So, we want --

ACTING CHAIR SELBKA: Is it 12 feet going this way?

MR. WILHELM: Yes, so the ordinance is 12 feet. So, it would start somewhere like here.

ACTING CHAIR SELBKA: Okay.

MR. WILHELM: So, I'm just asking if we can reduce that to six feet. Oh, and those pictures, I was just trying to show you what 12 feet is. It's a lot.

ACTING CHAIR SELBKA: Right.

MR. WILHELM: I think it's a little excessive given the layout.

MRS. WILHELM: Even like somewhere between six and 12, sorry.

MR. OSOBA: If you're going testify, sorry, you'll have to raise your hand.

MR. WILHELM: So, yes, if you have any questions? I've talked to all my neighbors. Everyone is in agreeance with me. They wished me luck here today. So, yes, I'm hoping, you know, we really want to have a secure yard, especially for our pets and our potential future kids. Arlington Heights Road is very busy and we'd like to have a secure area for our pets and family to play safely.

MRS. WILHELM: And there's a school down the street, so there are kids --

MR. WILHELM: Yes, there's kids walking down that street daily.

ACTING CHAIR SELBKA: So, the 12 feet would cut into the existing yard, not into your --

MR. WILHELM: Yes, the 12 feet, it would just, it would take away just some of the yard. So, I'm trying to maximize the space.

COMMISSIONER LANAGHAN: So, it would be something like that.

ACTING CHAIR SELBKA: Yes.

MR. WILHELM: Yes. It's like 72 square feet. Yes, so I'm just trying to maximize our space here.

ACTING CHAIR SELBKA: Right.

MR. WILHELM: I know that might not seem like a lot, but every little bit helps when it's \$15,000 plus to install the fence.

ACTING CHAIR SELBKA: All right, does anybody have, oh, you've spoken to your neighbors?

MR. WILHELM: Yes.

ACTING CHAIR SELBKA: Does anybody have any other questions on this petition?

(No response.)

ACTING CHAIR SELBKA: Okay, if you could sit down for a moment.

Any comments?

(No response.)

ACTING CHAIR SELBKA: Okay, we'll close it down for Board deliberation.

What do you all think? I don't have a problem with the first variance. I understand that Arlington Heights is pretty busy and there is a need for a fence there.

My concern, we take it very seriously when Engineering says there is a safety concern. So, from Planning, so you noted there were some concerns, Dan.

What do you think of this issue?

MR. OSOBA: So, generally speaking for this requirement in particular, we lean on Engineering to set the standard for those setbacks. A lot of them stem from traffic manuals that they implement throughout the city. So, a lot of what generally staff's concern is just stemming from that Engineering comment.

ACTING CHAIR SELBKA: What do you think, guys?

COMMISSIONER LANAGHAN: I mean, I'm reading what Engineering's comment is which is, you know, they have a problem with it being six-foot from the intersection of East Park and the driveway. I don't kind of argue with that personally, but as a homeowner being that there's about a 15-foot right-of-way there, you've got a pretty good vision angle. Now, of course Park can be expanded and then you right in where Engineering's concern is --

ACTING CHAIR SELBKA: Right.

COMMISSIONER LANAGHAN: -- so, you know, I understand their concern.

ACTING CHAIR SELBKA: Right.

COMMISSIONER LANAGHAN: The reality is you are 15 feet off of the road, when you come around the corner, you have six-foot plus the 15 feet to see.

ACTING CHAIR SELBKA: What do you think, Mike?

COMMISSIONER O'CONNOR: I think with the trees the way they are now, that's, you know, if you're a pedestrian walking on the sidewalk --

ACTING CHAIR SELBKA: It's worse.

COMMISSIONER O'CONNOR: -- it's worse than what's they're proposing.

ACTING CHAIR SELBKA: Right.

COMMISSIONER O'CONNOR: So, I agree with you. I think there probably is enough for vehicles, but also this would help with the pedestrian safety as well.

ACTING CHAIR SELBKA: Frank?

COMMISSIONER PORTERA: I think the residents have made a good case for security and safety purposes for their own home. I understand Engineering's comments as far as visibility goes, but I agree with the other Commissioners in that there's enough room to see from the corner to the intersection.

ACTING CHAIR SELBKA: What would you say of nine?

COMMISSIONER LANAGHAN: I think that would be, you know, again, I understand Engineering has got to look at it is as, hey, this right-of-way is actually used some day.

ACTING CHAIR SELBKA: Right.

COMMISSIONER LANAGHAN: In which case, then you won't have that visibility. The reality is today, and I don't know if there's any plans for Park to be expanded but, you know, it could happen at some point in time.

MR. WILHELM: Please don't.

MRS. WILHELM: No, never. Please don't like put that into --

MR. WILHELM: Yes, don't put that into existence.

COMMISSIONER LANAGHAN: I know, but that's what we have to think about.

COMMISSIONER O'CONNOR: That's kind of like the one last in Central, right? Last meeting, in Central where they took that space, right.

ACTING CHAIR SELBKA: Would you be good with nine as opposed to six?

MR. WILHELM: It's better than 12. What about eight?

ACTING CHAIR SELBKA: I'd be up for, I'd go for nine.

MR. WILHELM: All right, it's better than 12, so it's a compromise.

ACTING CHAIR SELBKA: All right, with that, I'll close down Board deliberation.

Motion?

COMMISSIONER LANAGHAN: Let me get that thing up here so I can actually do it. I move that we approve the fence variation to allow a six-foot privacy fence constructed one foot from the property line instead of the required five-foot, and a fence variance to allow a six-foot privacy fence to be constructed nine feet from the intersection of East Park and the driveway on 446 South Arlington Heights Road instead of the required 12 feet.

ACTING CHAIR SELBKA: Okay.

COMMISSIONER O'CONNOR: Second.

MR. OSOBA: Mr. Lanaghan.

COMMISSIONER LANAGHAN: Yes.

MR. OSOBA: Mr. O'Connor.

COMMISSIONER O'CONNOR: Yes.

MR. OSOBA: Mr. Portera.

COMMISSIONER PORTERA: Yes.

MR. OSOBA: Chair Selbka.

ACTING CHAIR SELBKA: Yes.

All right.

MR. WILHELM: Thank you very much. Much appreciated.
(Whereupon, the public hearing on the above-mentioned
petition was adjourned at 7:49 p.m.)

ZONING BOARD

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

OF APPEALS

RE: 421 EAST ORCHARD STREET - ZBA #24-012

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 8th day of April, 2024 at the hour of
7:49 p.m.

MEMBERS PRESENT:

JOSEPH SELBKA, Acting Chairperson
JEFFREY LANAGHAN
FRANK PORTERA
MICHAEL O'CONNOR

ALSO PRESENT:

DEREK MACH, Development Planner
DAN OSOBA, Planner I

ACTING CHAIR SELBKA: All right, with that, we'll go to 421 East Orchard.

All right, Mr. Ginnodo, will you be the only person who'll be testifying?

MR. GINNODO: I am.

ACTING CHAIR SELBKA: Okay, raise your right hand.

(Witness sworn.)

ACTING CHAIR SELBKA: Okay, Derek?

MR. MACH: Thank you.

The Petitioner is proposing to add a front porch addition to the existing home. The proposed front porch is 8.5 feet deep by 51.9 feet in width, and the proposed front yard setback is 39.5 feet; however, per code, the required setback is 50 feet.

Therefore, they're requesting a 10.5-foot variation from Chapter 28, Section 5.1-0.3a to allow a front porch with a front yard setback of 39.5 feet instead of the required 50 feet and an additional 0.4 foot for the eave.

Thank you, Chairman.

ACTING CHAIR SELBKA: Okay, Mr. Ginnodo, the floor is yours.

MR. GINNODO: All right, Derek, would you mind putting up the site plan, please?

MR. MACH: Sure.

MR. GINNODO: So, the first thing to consider here is that the building line established on the plat is 44 feet, and we're, you know, in front of that by a hair. So, that kind of puts us, you know, six or eight inches out of whack to begin with. The other thing to consider is the distance between the property line on the bottom side of that drawing and the edge of the street, not to mention there it's about 26 feet. So, the house is set well back on the lot and is in pretty close conformance to the other houses and their setbacks as well.

So, the porch on the front of it does expand it across the whole facade, but that's actually for the purpose of being able to use the porch. Almost all of the traffic from the home goes either into the garage or through the front door, and they strongly desire to have an opportunity to walk from the driveway through the porch to the front door for guests and for their own uses as well.

We've worked very hard to kind of meet the other requirements of the Zoning Board in terms of impervious surface coverage and just being smart about the size and place to work the driveways. So, we just feel like in order to get a porch that matches the character and scale of the house and for, you know, usability, that the projection of the building is the right spot.

Could it be more? It would be more generous if we could take the wings to the side and get another foot or so out of them, but this is about as skinny as you can go and actually get a porch that works for usability as well as, you know, the appearance of the house.

So, the criteria that I'm trying to accomplish here, it doesn't alter the character of the neighborhood. There's other houses of large scale that have this kind of expanse on the front of their house. It's set back like most of the other houses. In fact, this is a big improvement over the existing porch which is kind of Fred Flintstone stones and, you know, just kind of thrown up and they're falling down, the structure. That's one of the impetuses of doing this is to kind of build it right this time. So, we're there.

The unique circumstances I already hit on was the setback of the house, the proximity to the, or the distance between the property line and the street edge. It's just, you know, it's a situation that this doesn't do any damage to the community.

Is it in harmony with the code? Yes, in terms of it's an open porch on the front of the house. It's just that to be able to use it, we have to pull it forward a handful of feet just to kind of get it to work.

I've already discussed the minimum size necessary just to get it to work in that situation.

ACTING CHAIR SELBKA: Have you heard the homeowners talk to any of the neighbors?

MR. GINNODO: I have not, and I haven't heard of any. They've done all the proper notification.

ACTING CHAIR SELBKA: There's been no objection to your knowledge?

MR. GINNODO: Not that I've heard, no.

ACTING CHAIR SELBKA: Okay, does anybody else have questions?

COMMISSIONER LANAGHAN: I had a couple. You have an existing porch out there currently. You're basically matching it on the front but expanding it to the sides, am I reading that correctly?

MR. GINNODO: It's coming out in the front as well, yes.

COMMISSIONER LANAGHAN: It is coming out on the front as well?

MR. GINNODO: Yes, so there's, actually, if you look at the A-0 sheet -- is it okay if I approach?

COMMISSIONER LANAGHAN: Certainly.

MR. GINNODO: Okay, so I'll put this, it's hard to see it, guys. Have you done that? Oh, you have to go down the next sheet or so. There you go. Yes, that's the existing.

COMMISSIONER LANAGHAN: That's the old one.

MR. GINNODO: Yes.

COMMISSIONER LANAGHAN: So, this is kind of where I was like, okay, this looks to me approximately the same as what you are proposing.

MR. GINNODO: Keep going.

COMMISSIONER LANAGHAN: I think it's actually the other direction. In our packet anyway. Probably not in your drawing but in our packet.

MR. GINNODO: There you go. So, this lightly toned area, if you guys can see it, right by the entry area, that is what's permitted by code, by the Zoning Ordinance. We are scooching out a handful of, I'm illustrating in a drawing that doesn't show what you're asking, coming forward in the front.

COMMISSIONER LANAGHAN: Yes, what I was looking at is this one being your existing.

MR. GINNODO: Yes, we're coming out in the front.

COMMISSIONER LANAGHAN: Eyeball, it looks to be about the same, but you're saying you're coming out in the front.

MR. GINNODO: A little bit more, yes, yes.

COMMISSIONER LANAGHAN: Okay.

MR. GINNODO: Yes, so I think, and it's clear five feet in the current porch, it's going to be clear seven feet, something like that.

APPROVED

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COMMISSIONER LANAGHAN: Got you, okay. Thank you.

I don't have any further questions.

ACTING CHAIR SELBKA: Anyone else have any further questions?

(No response.)

ACTING CHAIR SELBKA: Okay, any comments?

MR. TONY: I do.

ACTING CHAIR SELBKA: Sure, come on up.

MR. TONY: Tony.

ACTING CHAIR SELBKA: Tony?

MR. TONY: I'm over on Bristol, neighbor of the Murrays. I have a porch that's very similar to their design, and I think what they're doing is terrific. I think it's a beautiful idea, not only for the house, I think the house will actually look better with this gentleman's design and the Murrays, not to mention the value of the property, what it brings to the community and their family.

We have it, guys, and I think I spend more time on my front porch with my family and kids because it's a very walkable neighborhood, a very inviting neighborhood. Just the waves along and just the capacity it brings to the house I think is wonderful. So, I wanted to say I think it's a great idea and what they're doing is I think beautiful, for the family, the house, and the neighborhood.

ACTING CHAIR SELBKA: Okay, great. Thank you.

MR. TONY: Thank you.

ACTING CHAIR SELBKA: Anyone else?

(No response.)

ACTING CHAIR SELBKA: Hearing none, I'll close it down for Board deliberation.

It seems relatively minimal to me, it's a nice design. I'd be in favor of this.

COMMISSIONER LANAGHAN: No, I agree. I agree with Tony, I live in the neighborhood also. There's plenty of porches out there and they're used a lot. So, I understand the need to be a little deeper to actually be able to sit out there.

ACTING CHAIR SELBKA: All right, with that I'll close Board deliberation, and could I have a motion?

COMMISSIONER LANAGHAN: I move to approve the variance as presented.

COMMISSIONER O'CONNOR: I second.

ACTING CHAIR SELBKA: All right.

MR. MACH: Mr. Lanaghan.

COMMISSIONER LANAGHAN: Yes.

MR. MACH: Mr. O'Connor.

COMMISSIONER O'CONNOR: Yes.

MR. MACH: Mr. Portera.

COMMISSIONER PORTERA: Yes.

MR. MACH: Acting Chair Selbka.

ACTING CHAIR SELBKA: Yes.

Okay, thank you.

MR. GINNODO: Thank you very much.

APPROVED

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(Whereupon, the public hearing on the above-mentioned petition was adjourned at 7:57 p.m.)

ZONING BOARD

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

OF APPEALS

RE: 124 SOUTH VAIL AVENUE - ZBA #24-007

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 8th day of April, 2024 at the hour of
7:57 p.m.

MEMBERS PRESENT:

JOSEPH SELBKA, Acting Chairperson
JEFFREY LANAGHAN
FRANK PORTERA
MICHAEL O'CONNOR

ALSO PRESENT:

DEREK MACH, Development Planner
DAN OSOBA, Planner I

ACTING CHAIR SELBKA: All right, let's call the last variance of the evening, 124 South Vail Avenue.

Your name please?

MR. BUDZIK: Thom Budzik, architect.

MR. ERICKSEN: Mark Ericksen, owner.

ACTING CHAIR SELBKA: And you're both going to testify?

MR. ERICKSEN: Yes.

ACTING CHAIR SELBKA: Okay, both raise your right hand.

(Witnesses sworn.)

ACTING CHAIR SELBKA: Okay, Derek?

MR. MACH: Thank you.

The Petitioner is proposing to demolish the existing residence and detached two-car garage to allow construction for a new two-story residence, excuse me, with a new detached two-car garage. The site is zoned R-4, Two-Family Dwelling District. The property has a total land area of 6,600 square feet. The proposed house and garage comply with all R-4 zoning requirements; however, the subject property is located in the R-4 Zoning District where the minimum required lot size is 8,750 square feet, and the minimum required lot width is 70 feet. The subject property is 6,600 square feet and 50 feet in width which does not meet the minimum requirements for a building permit to be issued.

Therefore, the Petitioner is requesting --

MR. OSOBA: The Petitioner is requesting a variation from Chapter 28, Section 5.1-4.1 to allow a lot with an area of 6,600 square feet to be buildable where 8,750 square feet is required, and a variation from Chapter 28, Section 5.1-4.2 to allow a lot with a width of 50 feet to be buildable where 70 feet is required.

ACTING CHAIR SELBKA: Thank you.

Please present your petition.

MR. BUDZIK: Okay, so this is basically, as the Board probably knows, kind of an artifact to the R-4 district in this area on Vail and Highland. The majority of the lots here are non-conforming. We're planning to tear down a home and build a new home on what is right now a legal lot of record.

We did last month go through the Design Commission to get approval for the demolition of the existing structure and the design of the new structure. We've gone through the same variance process on 129 South Vail and 129 South Highland as well.

ACTING CHAIR SELBKA: Okay, Derek, did you say that there were some objections?

MR. MACH: At Design Commission, there were people that spoke I think in opposition or out of concern for the existing home.

ACTING CHAIR SELBKA: But nobody has sent anything to the Zoning Board?

MR. MACH: No. There was a neighbor who indicated they were, but they never did send a --

MR. ERICKSEN: Yes, I talked to the neighbors and they were all fine after we explained what we were doing.

ACTING CHAIR SELBKA: Okay, good.

Does anybody else have questions?

(No response.)

ACTING CHAIR SELBKA: Okay, hearing none, I'll close it down for public comment. Looking out at the empty chairs, doesn't look like there's going to be any public comment. Hearing none, I'll close it down for Board deliberation.

This is a non-conforming lot. The only way to build on it is to get a variance. The design looks nice to me. I'm in favor of the variance.

Anybody else?

COMMISSIONER LANAGHAN: Yes, I agree with you.

ACTING CHAIR SELBKA: Okay, closing Board deliberation, can I have a motion?

COMMISSIONER O'CONNOR: Motion to approve.

COMMISSIONER LANAGHAN: Second.

MR. MACH: Mr. Lanaghan.

COMMISSIONER LANAGHAN: Yes.

MR. MACH: Mr. O'Connor.

COMMISSIONER O'CONNOR: Yes.

MR. MACH: Mr. Portera.

COMMISSIONER PORTERA: Yes.

MR. MACH: Acting Chair Selbka.

ACTING CHAIR SELBKA: Yes.

Okay, with that, thank you. Oh, yes, you can leave unless you want to make up for --

MR. ERICKSEN: You guys scared us. We went from first to last, you know, I appreciate it, thank you.

ACTING CHAIR SELBKA: All right, anybody who wants to make a public comment can. There's nobody from the public here.

Any Commissioner want to say anything?

(No response.)

ACTING CHAIR SELBKA: You do not. All right, with that, can I have a motion to adjourn?

COMMISSIONER LANAGHAN: So moved.

COMMISSIONER O'CONNOR: Second.

ACTING CHAIR SELBKA: All in favor?

(Chorus of ayes.)

ACTING CHAIR SELBKA: All right, have a nice trip, Mike.

COMMISSIONER O'CONNOR: Thanks.

(Whereupon, the public hearing on the above-mentioned petition was adjourned at 8:01 p.m.)

APPROVED

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STATE OF ILLINOIS)
) SS.
COUNTY OF KANE)

I, RON LeGRAND, JR., depose and say that
I am a digital court reporter doing business in the State of
Illinois; that I reported verbatim the foregoing proceedings and
that the foregoing is a true and correct transcript to the best of
my knowledge and ability.

RON LeGRAND, JR.

SUBSCRIBED AND SWORN TO
BEFORE ME THIS _____ DAY OF
_____, A.D. 2024.

NOTARY PUBLIC