

APPROVED

ZONING BOARD

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

OF APPEALS

RE: 2417 EAST GRESHAN COURT - ZBA #24-045

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 10th day of March, 2025 at the hour of
7:00 p.m.

MEMBERS PRESENT:

PETER SIAVELIS, Chairperson
THOMAS DRAKE
JOSEPH SELBKA
MICHAEL O'CONNOR
FRANK PORTERA

ALSO PRESENT:

DEREK MACH, Development Planner

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CHAIRPERSON SIAVELIS: All right, good evening, everyone. Welcome to tonight's meeting for the Zoning Board of Appeals. Tonight is March 10th, 2025. I'm calling this meeting to order.

Derek, roll call, please.

MR. MACH: Chairman Siavelis.

CHAIRPERSON SIAVELIS: Here.

MR. MACH: Mr. Drake.

COMMISSIONER DRAKE: Here.

MR. MACH: Mr. Jaffey.

(No response.)

MR. MACH: Mr. Lanaghan.

(No response.)

MR. MACH: Mr. O'Connor.

COMMISSIONER O'CONNOR: Here.

MR. MACH: Mr. Selbka.

COMMISSIONER SELBKA: Here.

MR. MACH: Mr. Portera.

COMMISSIONER PORTERA: Here.

CHAIRPERSON SIAVELIS: All right, thank you, Derek, very much.

Okay, let's talk about approval of the minutes from the last meeting.

Has everybody had a chance to review the draft minutes? Assuming so, does anybody have any edits or revisions thereto?

(No response.)

CHAIRPERSON SIAVELIS: Okay, do we have a motion to approve the draft minutes?

COMMISSIONER DRAKE: Motion to approve.

CHAIRPERSON SIAVELIS: Second?

COMMISSIONER PORTERA: Second.

CHAIRPERSON SIAVELIS: Thank you, Frank.

All in favor?

(Chorus of ayes.)

CHAIRPERSON SIAVELIS: Any opposed?

(No response.)

CHAIRPERSON SIAVELIS: Hearing none, the motion carries.

Okay, folks, we now move to new business, but before we start going into the new business, we need to discuss hearing procedures, parameters, things of that nature. Some of you have been before us. I see Mr. Flubacker here, he has been before us a number of times so this may sound old and boring to him, but for those of you who haven't, perhaps you'll learn something, perhaps not though.

So, if less than six members are present, a petitioner has the option to continue the meeting, noting that it takes four affirmative votes to approve a variance regardless of the number of Board members in attendance. Okay, so there are five of us here, you need to go four and one on a particular variance for it to carry, okay, and because there's less than six members present, you do have that option to continue. That is solely your option to exercise. If your petition is denied, you cannot reapply for an entire

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year. So, there is a preclusive effect, okay? So, keep that in mind.

COMMISSIONER DRAKE: We didn't do the Pledge of Allegiance.

CHAIRPERSON SIAVELIS: Oh, yes, you're right. I forgot the Pledge of Allegiance, too. Let me pause us in the protocol and let's do the Pledge of Allegiance.

Thank you, Tom, appreciate that.

(Pledge of Allegiance recited.)

CHAIRPERSON SIAVELIS: Good catch, Tom, thank you.

Okay, back to the procedures, there are four elements that you as a petitioner must establish in order for this Board to be able to grant a variation. These are the same four elements that are in the paperwork that you completed and submitted to the Village before tonight's meeting. 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 variation requested is the minimum variation necessary to allow reasonable use of the property.

Keep in mind that a variation shall be permitted only if the evidence, in the judgment of this Board, sustains each of the four conditions enumerated. It is your responsibility as petitioner to touch on and establish each of these elements. It is not our responsibility to do so. We have denied variances in the past where a petitioner has not established an element, okay, or cannot establish an element, either one. So, it is your burden to satisfy, not ours.

Okay, with that in mind, I will open an agenda item and provide some very high-level remarks. From there, Derek as Staff provides an overview of the project and any variances sought. Upon the completion of that, as a petitioner, you will step up to the podium and begin your presentation.

As part of your presentation, you're going to present facts in favor of the zoning relief while addressing the elements, and you do that by way of documents or testimony, okay. We'll swear you in under oath. For those who are speaking tonight, right, that's who gets sworn in, and you need to get signed in at the podium.

I know there was a little bit of a kerfuffle before, you know, a hiccup before we started due to the doors being locked.

Are the folks who intend to speak tonight, have they signed in?

MR. GODWIN: I have not.

CHAIRPERSON SIAVELIS: Bob, did you sign in?

MR. FLUBACKER: Yes. Yes, I've signed in.

MR. FISCHER: I signed in.

CHAIRPERSON SIAVELIS: Okay. All right, so we're two-thirds of the way there. So, we'll pause when it comes time for you, sir, and make sure you sign in, okay, and give you a moment to do that, okay?

MR. GODWIN: Okay.

CHAIRPERSON SIAVELIS: All right.

Okay, so the first item of new business is ZBA Petition #24-045, 2417

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East Greshan Court.

Derek?

MR. MACH: Thank you, Chairman.

The Petitioner is proposing a 196 square-foot gazebo that is approximately 11.5 feet tall located northeast of the residence within the front yard where accessory structures are only permitted in the rear yard.

Therefore, they're requesting a variation from Chapter 28, Section 6.5-2 to allow a gazebo in the front yard where gazebos are only permitted in the rear yard. Thank you.

CHAIRPERSON SIAVELIS: Great, thanks, Derek.

Okay, who is speaking on behalf of this petition? Come on up, sir. All right, we'll start with you and we'll give you a chance to sign in. Let us know when you're done.

MR. GODWIN: Okay.

CHAIRPERSON SIAVELIS: All right, can you identify yourself for the record?

MR. GODWIN: Yes, Christopher Godwin.

CHAIRPERSON SIAVELIS: All right, Christopher, right hand, please. Please raise it.

(Witness sworn.)

CHAIRPERSON SIAVELIS: Okay, please proceed.

MR. GODWIN: Okay, so do you guys have the plans?

CHAIRPERSON SIAVELIS: So, just so everybody understands, we are provided with all the materials that you submitted to the Village, and provided to us electronically. That's why we're all looking at our laptops, so we have everything that you submitted, yes.

MR. GODWIN: Okay, then as far as the positioning in the front yard or the side yard, you know, this is a little bit of an atypical lot, right? So, if you see, the driveway is actually to the left here, so that's the street that we're addressed to, right, and then this is on like a corner here. Then we were happy to put the project on the other side of the plat there, but as you can see, it's infringing on the building line in the back. So, we're open to, you know, reconsidering the position or over here by the deck, but this was just somewhere that we can put it that was inside or not outside of the building line.

CHAIRPERSON SIAVELIS: Okay, so I'm going to stop you for a second.

MR. GODWIN: Yes.

CHAIRPERSON SIAVELIS: When you had the survey up like that, so you're referring to the gazebo that is shown north of the existing house, correct?

MR. GODWIN: Yes. So, where it says the gazebo 14 by 14.

CHAIRPERSON SIAVELIS: Yes. So, it's beneficial if you kind of identify directions, you know, directionals --

MR. GODWIN: Okay, okay.

CHAIRPERSON SIAVELIS: -- because that will make the record nice and clean and concise.

MR. GODWIN: Yes. Yes, so we were willing to put it on the east side of the home over here by the framed deck area coming in that corner if that was a more suitable option, but it would require an easement from that building line on the back of the property.

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So, but it is a 14 by 14 gazebo with a, you know, a framed roof and shingled roof, like fiberglass roofing, and then also windows. So, this is not like a, you know, like a pre-made or like a Costco type thing. This is all, you know, the highest connection points at every turn. If you look at the final page, we're using like wet set anchors, doing the, you know, the best connection points that are available, kind of taking the high road on everything. So, that is one thing that I want to make sure that I point out to you guys.

Then, also just some like comparable projects in the area that were similar, and I actually found some that were actually visible from the street, you know, right here within like a block or two of this same proposed project. I have those addresses available to you if you guys wanted to take like a Google drive-by or like a satellite image.

So, you can see kind of the positioning there. You know, the home is addressed to the street to the right in this photo, or that would be the west side of the house, I believe. Then that would be the front yard, right. Quite a bit of property there to the north.

So, go ahead.

COMMISSIONER DRAKE: Are you done?

MR. GODWIN: No, go ahead, sir.

COMMISSIONER DRAKE: Okay, yes, I have some questions for you. How long have you been in the house; have the residents been in the house?

MR. GODWIN: Twenty years.

COMMISSIONER DRAKE: Twenty years, okay. How many residents live in the house?

MR. GODWIN: Four.

COMMISSIONER DRAKE: Thank you. How about the neighbors, any contact with the neighbors? Any feedback, any concerns from any of the neighbors, support from the neighbors?

MR. GODWIN: We notified them as we were required, but didn't receive any feedback.

COMMISSIONER DRAKE: Okay, we'll see if anyone is here tonight to talk about it one way or the other. There were some comments from our three departments. Have you had a chance to see those? They were posted online.

MR. GODWIN: Okay, could you bring my attention to what comments, sir?

COMMISSIONER DRAKE: Yes. One was Planning and Community Development, it just had to do with the colors complementing the existing houses and surrounding neighborhood. That was their comment. Then Building and Life Safety had no objection to the project, and Engineering had no objection. Their only comment was that you would need an existing and proposed grading plan as part of the permit application.

MR. GODWIN: Okay.

CHAIRPERSON SIAVELIS: Derek, any comments from the public at all in regard to this petition?

MR. MACH: No, I have not received any.

CHAIRPERSON SIAVELIS: Okay.

Go ahead.

COMMISSIONER DRAKE: And you mentioned you had looked at some

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other options, where to place the gazebo, but this is where you are hoping to get approved tonight?

MR. GODWIN: Yes. Go ahead.

CHAIRPERSON SIAVELIS: No, hold up, hold up, hold up.

COMMISSIONER DRAKE: You're going to need to come up and be sworn in if you're going to speak.

CHAIRPERSON SIAVELIS: Yes.

MR. GODWIN: Okay.

CHAIRPERSON SIAVELIS: If you want to speak, which you are entitled to, you'll have to come up to the podium to swear you in, that sort of thing.

MR. MEINHARDT: I'd be happy to do so, sir. I did sign in here before.

CHAIRPERSON SIAVELIS: You did?

MR. MEINHARDT: I did, yes.

CHAIRPERSON SIAVELIS: Okay, awesome. Identify yourself on the record.

MR. MEINHARDT: William Meinhardt.

CHAIRPERSON SIAVELIS: William, okay, right hand.

(Witness sworn.)

CHAIRPERSON SIAVELIS: Okay, go ahead.

MR. MEINHARDT: Thank you. May I approach the screen to point out to your question?

CHAIRPERSON SIAVELIS: Sure.

MR. MEINHARDT: Okay, I just wanted to, we just, with the Midtown, folks, we just had them do a re-deck on the large deck there that's to the south on the bottom right, the frame right there, exactly. There used to be steps down that actually went past the easement line. We got rid of those so that now the deck is, you know, just to the edge of the easement line.

What we would actually prefer to do is to put the gazebo just to the north of the deck, you know, between, the space between the edge of the house extended and the deck. In that square right there is where we would actually prefer to put the gazebo, right? I can't quite reach there, but yes, this is where the architectural plans were drawn, where we would, if you would come down a little bit? That's where we would prefer to put it, there, you know, three feet away from the home and would fit within the easement line.

We're aware of the fact that it would not fit within the build line which is why our builder suggested that we try the area over on what we would call the side of the house. Arlington Heights mentioned that, from their perspective, that that's the front of the house. Of course we think, personally, over here is the front of the house because this is where the front door is and the garage and everything. We think of that as the side yard, to the north there.

But what we were wanting to do was to put it in the back, and the reason is because there's a pond over here. So, our deck overlooks a large pond over here. Putting it around the side of the house, we'd only be able to see the pond from the door. We were hoping to have it be just off the deck so that we would be able to, you know, see the pretty pond over here. So, that was the original idea.

So, that's what I wanted to say in answer to your question.

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COMMISSIONER DRAKE: All right, we appreciate that.

MR. MEINHARDT: Sure.

COMMISSIONER DRAKE: I think we're here to hear the petition as you presented, unless there's, you know, other concerns or discussions about it. So, thanks for the explanation, it's helpful.

MR. MEINHARDT: Sure.

COMMISSIONER DRAKE: Mr. Chairman, that's all I have right now.

CHAIRPERSON SIAVELIS: So, is it your position, William, that You're, are you formally asking us to revise the petition and move the gazebo? Because you came close to doing that while you were up there pointing at the screen, but you didn't ask us to do that and we can't do that on our own.

MR. MEINHARDT: Fair enough.

CHAIRPERSON SIAVELIS: All right, so you tell us where you stand on this issue, right?

MR. MEINHARDT: Okay, that's fair enough. We had been hoping to have some consultation with our builder here prior to the meeting, but unfortunately that was unable to happen.

But yes, sir, our preference would be, I was thinking, I'm all new to this, I was thinking that we'd have to actually be submitting architectural plans for it to potentially be able to be approved I guess was my concern. But if you would be able to approve it with my verbal commentary, yes, I would actually prefer it to be next to the deck, but that would of course be across the build line and we're aware of that. So, I didn't even know if that was a possibility. That's what I was going to discuss with our builder.

But if we had a preference, that's where we would actually like it to be built. We think it would actually be very pretty and an addition to the environment of the whole neighborhood.

CHAIRPERSON SIAVELIS: So, your preference is to have it move basically to the east side of the house, the back east side of the house instead of where it's currently shown on the drawing, correct?

MR. MEINHARDT: That is correct, sir.

CHAIRPERSON SIAVELIS: Okay.

COMMISSIONER DRAKE: I guess I'd be uncomfortable with that because then we have to, you know, we haven't had our three departments weigh in. I don't know what our Staff people would say.

CHAIRPERSON SIAVELIS: Yes, right. Yes.

COMMISSIONER SELBKA: And the other issue is we haven't had any, the public was not made aware of this changed request for a variance.

CHAIRPERSON SIAVELIS: Sure.

COMMISSIONER SELBKA: So, I think I would prefer to only consider this request for a variance that's in the papers.

CHAIRPERSON SIAVELIS: I totally understand your points. Derek hasn't said anything, and I agree with your points because to the public, it kind of looks like a little bit of a bait and switch.

MR. GODWIN: Sure.

CHAIRPERSON SIAVELIS: We don't want that, right?

MR. MEINHARDT: Yes, I understand.

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CHAIRPERSON SIAVELIS: That's not appropriate.

MR. MACH: Chairman, I was just going to say if he wants to modify the plan, the petition should be continued to --

CHAIRPERSON SIAVELIS: That's exactly right. That's where I was going next.

COMMISSIONER DRAKE: And I asked you about the options only out of, if we had people who objected to what you were doing, we sort of work through this. Sometimes that happens. I wanted at least to have an idea what you might consider, but I don't know if we're in that situation, and I don't think we are.

CHAIRPERSON SIAVELIS: So, no, I don't think we are either. We've reached a fork in the road where basically it seems to me that the appropriate fork to take is you request a continuance such that you have time to amend your filings, your papers to show where you want the gazebo at. Then it goes through a second round of review with the Village departments, and the public has a chance to weigh in on that. Who knows? You may have a neighbor object then, or neighbor support, right? These things happen.

But as Mr. Drake and Mr. Selbka made mention, we're not comfortable amending this one on the fly.

MR. MEINHARDT: I understand. That makes perfect sense.

COMMISSIONER O'CONNOR: I'd agree.

CHAIRPERSON SIAVELIS: Gentlemen?

COMMISSIONER PORTERA: Yes, I agree. We'd have to have the three departments weigh in as well.

CHAIRPERSON SIAVELIS: Okay, so now, actually just procedure-wise, let's make sure. I just want to make sure of something.

COMMISSIONER DRAKE: Do we need to find out if anyone would object to the continuance?

CHAIRPERSON SIAVELIS: Well, hold on. He hasn't even formally asked yet.

COMMISSIONER DRAKE: No, I know, but if he does.

CHAIRPERSON SIAVELIS: Okay, so we're going to close the Board discussion. Applicant gets a closing position to state, okay? Did you hear me?

MR. MEINHARDT: I'm sorry?

CHAIRPERSON SIAVELIS: Okay, so we're going to close Board discussion.

MR. MEINHARDT: Okay.

CHAIRPERSON SIAVELIS: We'll see if there's any comment from the public on this. Then Applicant gets a closing statement, and at that point in time is when we suggest that you move for a continuance, or request a continuance.

COMMISSIONER SELBKA: Unless you want us to consider the variance as presented.

COMMISSIONER DRAKE: In which case if we don't approve it, you would have to wait a year to come back, correct?

CHAIRPERSON SIAVELIS: Okay, so choose wisely.

Okay, so we're going to close down Board discussion. We will now ask any members of the audience if they want to speak in regards to this petition and this petition only.

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(No response.)

CHAIRPERSON SIAVELIS: Okay, hearing none, we now move to Applicant's closing.

MR. MEINHARDT: May I take about one minute to discuss?

CHAIRPERSON SIAVELIS: You may.

MR. MEINHARDT: Thank you.

CHAIRPERSON SIAVELIS: We're on the clock.

(Slight pause.)

CHAIRPERSON SIAVELIS: Don't say anything else. You can come up. I'm just going to tell you that Derek advised that the April slot and the April agenda is basically full. So, that puts you into May, okay? With that in mind, go ahead, closing statement.

MR. GODWIN: Okay, yes, so after talking to my client, yes, we would like to try to see if we can move it to the east side of the property --

CHAIRPERSON SIAVELIS: So, are you requesting --

MR. GODWIN: -- and we're going to request a continuance and we're going to amend the plan.

MR. MACH: We'd recommend that the Zoning Board then make a motion to continue it to the May --

CHAIRPERSON SIAVELIS: Yes, we're going there.

MR. MACH: -- and then the date, that's the second one.

CHAIRPERSON SIAVELIS: No, don't worry about that.

COMMISSIONER DRAKE: Would they continue or just withdraw the petition?

MR. MACH: They would continue I think to a date specific. They don't have to re-notify.

CHAIRPERSON SIAVELIS: Yes, that's why. Okay, do you have anything else to add? I'm sorry, go ahead.

MR. GODWIN: Yes, I want to ask about the colors and the grading plan.

CHAIRPERSON SIAVELIS: Okay, that's not with us. I mean, that's, when you re-file your papers, address that with Derek.

MR. GODWIN: Just so that I can have all that corrected, you know, for one smooth visit.

CHAIRPERSON SIAVELIS: Again, that's not with us. You can coordinate with Derek, and Derek can help point you in the right direction, okay?

MR. GODWIN: Okay.

CHAIRPERSON SIAVELIS: Okay, so with that in mind, do we have a motion to continue to the May meeting?

MR. MACH: The 12th, May 12th.

CHAIRPERSON SIAVELIS: May 12th meeting? Do we have a motion?

COMMISSIONER SELBKA: Motion to continue.

CHAIRPERSON SIAVELIS: Do we have a second?

COMMISSIONER DRAKE: Second.

CHAIRPERSON SIAVELIS: Derek, roll or just voice? Let's do roll.

MR. MACH: Let's make sure for the record.

CHAIRPERSON SIAVELIS: Yes, let's do roll. Did we have the motion

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framed out; did you catch that? Because we were talking over each other.

Okay, Derek?

MR. MACH: Mr. Drake.

COMMISSIONER DRAKE: Yes.

MR. MACH: Mr. O'Connor.

COMMISSIONER O'CONNOR: Yes.

MR. MACH: Mr. Portera.

COMMISSIONER PORTERA: Yes.

MR. MACH: Mr. Selbka.

COMMISSIONER SELBKA: Yes.

MR. MACH: Chairman Siavelis.

CHAIRPERSON SIAVELIS: Yes.

Motion to continue granted.

MR. GODWIN: Okay, thank you, guys.

CHAIRPERSON SIAVELIS: See you in May.

MR. GODWIN: Okay, thank you, guys.

(Whereupon, the public hearing on the above-mentioned
petition was adjourned at 7:19 p.m.)

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ZONING BOARD

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

OF APPEALS

RE: 507 EAST EUCLID AVENUE - ZBA #25-003

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 10th day of March, 2025 at the hour of
7:19 p.m.

MEMBERS PRESENT:

PETER SIAVELIS, Chairperson
THOMAS DRAKE
JOSEPH SELBKA
MICHAEL O'CONNOR
FRANK PORTERA

ALSO PRESENT:

DEREK MACH, Development Planner

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CHAIRPERSON SIAVELIS: Okay, next item up for business, ZBA #25-003, 507 East Euclid Avenue.

Derek?

MR. MACH: Thank you.

The Petitioner is proposing a new driveway expansion and a porch addition. The property will have 4,215 square feet of impervious surface coverage which exceeds the maximum allowed. In addition, the driveway exceeds the allowable width near the detached garage. The proposed expansion is 25.8 feet where the maximum allowed is 22 feet.

Therefore, they're requesting a 60-foot variation from Chapter 28, Section 5.1-3.5b to allow 4,215 square feet of impervious surface coverage where 4,155 square feet is allowed. In addition, they're requesting a 3.8-foot variation from Chapter 28, Section 10.2-11.1b to allow a driveway that is 25.8 feet wide where the maximum allowed is 22 feet. Thank you.

CHAIRPERSON SIAVELIS: Great, thanks, Derek.

Okay, Bob, you've signed in?

MR. FLUBACKER: Yes.

CHAIRPERSON SIAVELIS: Right hand.

(Witness sworn.)

CHAIRPERSON SIAVELIS: All right, please proceed.

MR. FLUBACKER: This is a very interesting project. There was an addition to the rear of the building that was started in I believe 2012 that was then abandoned shortly afterwards and has been left unfinished since then. We are completing that addition. Internally, we're re-cladding the house, we're upgrading the home. The only addition we're adding to the house is a screen porch off the front porch that's on the west side of the home.

This is always an interesting conundrum to me. It's an elevated porch with open ground below, so how that counts as impervious, I'm not quite sure, but that's part of the additional impervious.

There is a small bay we're adding. We are modifying the existing detached garage. It currently has a very strange configuration. It has a one-car door but the garage itself is two cars wide. So, we're actually cutting off the front of the garage a couple of feet, putting in a new two-car garage door and making it a usable two-car garage.

The existing home has a very narrow nine-foot asphalt driveway that goes along the side of the house back to the detached garage. We're asking to widen that to 12 feet. Then the width of the driveway that's in the request is because we're trying to create a backup turnaround space behind the house directly out of that two-car garage because they are on Euclid.

CHAIRPERSON SIAVELIS: And that's, Bob, is that where the, that particular location is where the 25.8-foot dimension is taken?

MR. FLUBACKER: Yes. Yes, it's that turnaround just to the north of the garage there, but still behind the house.

CHAIRPERSON SIAVELIS: Okay, please keep going.

MR. FLUBACKER: That's it. The uniqueness of the circumstance is

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obvious. It's a 100-year-old home. It's on Euclid with a detached garage, so the driveway is always an issue getting back to those. So, widening your drive and getting some more maneuvering space for the cars becomes important, and egress and access to the house. Also, that turnaround, the wide space to the driveway is so they can actually turn the car around before backing out on Euclid so they can pull out on Euclid front-wise instead of backing on Euclid.

CHAIRPERSON SIAVELIS: Bob, how many folks live in this home?

MR. FLUBACKER: It will be four, I believe.

CHAIRPERSON SIAVELIS: Four? How many drivers would you say; do you know?

MR. FLUBACKER: Probably two right now. They have young kids --

CHAIRPERSON SIAVELIS: Okay.

MR. FLUBACKER: -- and I apologize, my client wasn't able to be here tonight. So, if that creates an issue, then I'll need to ask for a continuance.

CHAIRPERSON SIAVELIS: Because you see how the protocol is, right?

MR. FLUBACKER: Which I'm fully aware of how to do.

CHAIRPERSON SIAVELIS: Okay, cool. All right, how long have your clients lived in this?

MR. FLUBACKER: They have not yet.

CHAIRPERSON SIAVELIS: Oh, this is --

MR. FLUBACKER: They just recently bought it and are going through the renovations now.

CHAIRPERSON SIAVELIS: Okay, and they identified the driveway as being of concern, right, and the idea of backing out onto Euclid Road?

MR. FLUBACKER: Yes. Right, right.

CHAIRPERSON SIAVELIS: Euclid Avenue. Okay --

MR. FLUBACKER: And --

CHAIRPERSON SIAVELIS: I'm sorry, go ahead.

MR. FLUBACKER: Well, one more thing about the Engineering comment. It mentions about a footing sump discharging on the driveway. It is not a new sump pump, that is the existing sump pump that for the last decade has not had a pump in it. So, we are actually putting a pump in that sump pump, but the basement has never flooded, so I don't think that --

CHAIRPERSON SIAVELIS: So, it's a sump without a pump?

MR. FLUBACKER: Right. Again, the project was abandoned halfway through, but because water has never gotten into the basement, there's obviously not a lot of groundwater there that's going to be pumped. So, I don't foresee that being a problem.

COMMISSIONER DRAKE: Bob, you may not know this, are there other homes in that area that have turnaround driveways in the back? Do you have any idea?

MR. FLUBACKER: I do not have an idea of that, no.

CHAIRPERSON SIAVELIS: It's probably kind of hard to see, right, if it's in the back?

COMMISSIONER DRAKE: Yes, yes.

MR. FLUBACKER: Yes.

CHAIRPERSON SIAVELIS: Unless you're a nosy neighbor.

COMMISSIONER DRAKE: Also, this is a busy street.

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CHAIRPERSON SIAVELIS: Right, or if you've walked down those projects.

COMMISSIONER O'CONNOR: I live in the area. A number of them do.

CHAIRPERSON SIAVELIS: Do they?

COMMISSIONER O'CONNOR: Yes.

CHAIRPERSON SIAVELIS: It makes sense, right, either in the front or the back because --

COMMISSIONER SELBKA: That is not a place you want to be backing out.

CHAIRPERSON SIAVELIS: Yes. Euclid is a disaster from 3:00 o'clock to like 6:00 o'clock, especially right there.

COMMISSIONER SELBKA: Yes, right here on Arlington Heights Road.

MR. FLUBACKER: And then I understand next year they're redoing it and redoing all the utilities in Euclid. That should be really interesting.

COMMISSIONER SELBKA: Right.

CHAIRPERSON SIAVELIS: Okay, I don't have, does anybody else have any other questions of Bob? Frank, you're good?

COMMISSIONER PORTERA: I'm good.

CHAIRPERSON SIAVELIS: Okay, Derek, anything you want to add on this?

MR. MACH: No. No comments.

CHAIRPERSON SIAVELIS: Bob, were there any neighborhood --

MR. FLUBACKER: There's a couple of neighbors right here that live close by.

CHAIRPERSON SIAVELIS: Did they submit paperwork?

Derek, did you receive?

MR. MACH: No, none. Nothing at all.

CHAIRPERSON SIAVELIS: Okay, you don't have to speak if you don't want to. This is really straight-forward and logical, but we're not going to deny you your right to speak if you want.

MS. MEINHEIT: I signed in; I can just say a couple of things if that's all right?

CHAIRPERSON SIAVELIS: Come on up. Okay, identify yourself for the record, please.

MS. MEINHEIT: I'm Marian Meinheit.

CHAIRPERSON SIAVELIS: Marian, okay. Do we need to swear her in? I don't need to swear her in, she's not a petitioner or affiliate of the Petitioner.

Okay, go ahead, Marian.

MS. MEINHEIT: Okay, we've been in the neighborhood since 1979. We started at 409 East Euclid, knocked down a little one, we're immediately to the west of that block where --

MR. FLUBACKER: They're at the corner of Haddow.

MS. MEINHEIT: Right, now we're at 413. We put a turnaround driveway in the back of our house at 409. When we bought 413, Bob did the house for us and we were able to put the garage off the side street, off Haddow for that same suicidal reason of Euclid.

What I want to say about 507 East Euclid, we're thrilled that Bob is

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working on it, that it's being fixed up. It has been a disaster, and these are really nice people that we've met and who have bought it and are putting a big investment into it. We're thrilled.

CHAIRPERSON SIAVELIS: So, was that house kind of an eyesore for a while?

MS. MEINHEIT: Yes, and lots of animal smells and just --

CHAIRPERSON SIAVELIS: So, you're in favor?

MS. MEINHEIT: You bet. Thanks.

CHAIRPERSON SIAVELIS: Okay, thank you very much.

MS. MEINHEIT: Thank you.

CHAIRPERSON SIAVELIS: Appreciate it.

Okay, any further comments from the public?

(No response.)

CHAIRPERSON SIAVELIS: Hearing none, we can move to deliberations.

I think this is really straightforward, and it sounds from the neighbor testimony, not only is it straight-forward, it's necessary. So, I'm in support. I'm not sure what others are on this petition but now is your chance.

COMMISSIONER O'CONNOR: I'm supportive. It seems like it makes sense from a safety perspective, and it's nice to get it updated as well.

CHAIRPERSON SIAVELIS: The rear turnaround is, any turnaround is essential, I would admit --

COMMISSIONER SELBKA: I agree.

CHAIRPERSON SIAVELIS: Okay, do we have a motion?

COMMISSIONER SELBKA: Motion to approve.

COMMISSIONER O'CONNOR: Second.

CHAIRPERSON SIAVELIS: All right.

Derek?

MR. MACH: Mr. Drake.

COMMISSIONER DRAKE: Yes.

MR. MACH: Mr. O'Connor.

COMMISSIONER O'CONNOR: Yes.

MR. MACH: Mr. Portera.

COMMISSIONER PORTERA: Yes.

MR. MACH: Mr. Selbka.

COMMISSIONER SELBKA: Yes.

MR. MACH: Chairman Siavelis.

CHAIRPERSON SIAVELIS: Yes.

Congratulations.

MR. FLUBACKER: Great. Thank you, all.

CHAIRPERSON SIAVELIS: Granted.

(Whereupon, the public hearing on the above-mentioned petition was adjourned at 7:30 p.m.)

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ZONING BOARD

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

OF APPEALS

RE: 236 EAST MAGNOLIA STREET - ZBA #25-004

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 10th day of March, 2025 at the hour of
7:30 p.m.

MEMBERS PRESENT:

PETER SIAVELIS, Chairperson
THOMAS DRAKE
JOSEPH SELBKA
MICHAEL O'CONNOR
FRANK PORTERA

ALSO PRESENT:

DEREK MACH, Development Planner

CHAIRPERSON SIAVELIS: Okay, next item up for business is ZBA Petition #25-004, 326 East Magnolia Street.

Derek?

MR. MACH: Thank you, Chairman.

The Petitioner is proposing an addition to the existing one-story home. The proposed addition is encroaching into the required 30-foot rear yard setback.

Therefore, they're requesting a 9.3-foot variation from Chapter 28, Section 5.1-1.3d to allow an addition with a rear yard setback of 20.7 feet instead of the required 30 feet, and an additional one foot for the eave. Thank you.

CHAIRPERSON SIAVELIS: Great.

Okay, sir, identify yourself on the record.

MR. FISCHER: Andrew Fischer; I'm the homeowner of 326.

CHAIRPERSON SIAVELIS: Okay, Andrew, right hand?

(Witness sworn.)

CHAIRPERSON SIAVELIS: Please proceed.

MR. FISCHER: Okay, so just to give a little background, I was here a few months ago, asked for a continuance essentially and changed the plan to be what I feel like is less intrusive to the neighborhood and stay in character with the neighborhood. I'll kind of walk through these points and then add a few additional comments to each.

In terms of, you know, not altering the essential character, we feel, so the streets are on the east and south side of the property. We feel the addition being built on the west side or northwest side has the least visual impact from either street and is the farthest away from the neighbors' houses in that location. There's a house directly to the north that's along the east side of the property. So, there's like a pool and a detached garage on the side that we want to build the addition.

That kind of falls in line with our last plan. We were going to build a detached garage that was going to be very close to the neighbor to the north property line. So, this allows this to kind of fall back to where it's less invasive to her property we feel like.

Yes, architecturally, if you can go to, yes, this page? The addition, you can see the top, it's only a foot and a half higher than the existing roofline. That's the view from the front. The view from the side, from the east street, there's trees, there's fences. It should have very minimal impact to the view from the street or neighbors' houses from that direction.

Next, unique circumstances. So, we are going over the rear yard, it's actually the side yard. The property currently does, it runs about halfway through the garage you can see there. This addition will not go any farther west into that setback. It will stay in line as you can see there.

So, the main reason we also want to build on this side of the house, you can see it kind of juts off the back of the house. There's about an extra, I don't know, five feet where it says back door, like right there. So, the roofline runs north-south in that direction. It allows us to build an addition kind of in line. In terms of ease of construction and feasibility of construction, it's a lot less than trying to build on the other side where an addition off the other side of the backyard where it's running east-west. That allows us to actually complete this addition from a cost perspective.

I'll add to that, this property was rented for 20 years. I have a few

neighbors here. I think it's an eyesore compared to the rest of the neighborhood. Siding, driveway, landscaping, everything is just kind of not up to par. It's kind of hard to tell in these pictures, but it's an older house that was rented for 20 years and not a lot of upgrades.

Building this addition allows us, we're going to redo the whole siding, upgrade the yard, everything. This allows us to go ahead with those improvements as well, new windows. So, we think it will really have a positive impact on the neighbors and the neighborhood overall and the character of the neighborhood.

Yes, the home was constructed in 1950 before the boundary lines were determined. So, that's why we're asking for this exception.

Harmony with the spirit and intent of this chapter, again, it's the least intrusive to the neighbors, has the least visual impact being in that northwest corner, no structures nearby.

Then, minimal variance, we're not going any farther west than the existing property line. I think that's all I have for now.

COMMISSIONER PORTERA: Do you currently live in the house?

MR. FISCHER: I do, yes.

COMMISSIONER PORTERA: And how many residents in the house?

MR. FISCHER: Two.

COMMISSIONER PORTERA: Two?

MR. FISCHER: Yes.

COMMISSIONER PORTERA: And what were the plans previously that you came before us with?

MR. FISCHER: Yes, so I don't have them. I wish I had them on me. Basically, I was going to build a detached garage in the very northeast corner of the property, kind of it's at that wood fence. There's a house, I don't know, maybe 10 feet to the north right there. So, the garage would have been really close to that property. Then we were going to move the garage, the existing garage we were going to convert to like a master bedroom.

We got feedback, I forgot who, from one of the departments basically who said like, okay, having a detached garage on the side of the house here, no one else has that, you know, it doesn't really fall in line with the rest of the neighbors in our neighborhood. We took that into consideration. I think that was in November, so we've been thinking about this for a while, trying to, you know, keep in mind those.

COMMISSIONER PORTERA: Okay, yes, I recall that. I recall that petition now. Then as far as the neighborhood feedback, those I know that you probably took into account, your neighborhood, and talked to a few of them. Any opposition that you know of?

MR. FISCHER: Not that I know of. I know a few neighbors are here today, the neighbor directly to the north and directly to the east. So, pretty much the two closest properties.

COMMISSIONER PORTERA: The two most affected?

MR. FISCHER: Yes. The neighbor to the west, they didn't give any feedback. They're also pretty close, but I think they just bought the property and they were upgrading it as well. So, we didn't hear anything from them, no.

COMMISSIONER PORTERA: Okay.

CHAIRPERSON SIAVELIS: So, after this addition, this house is going to be three bedrooms; is that right?

MR. FISCHER: Correct. It's only two right now, two really small bedrooms.

CHAIRPERSON SIAVELIS: Yes, looks like it.

MR. FISCHER: Yes.

COMMISSIONER PORTERA: There was a comment from the Engineering Department about the existing drainage pattern from west to east and a swale at the northern limits of the property. So, at permit, you ought to take that into account as well.

MR. FISCHER: Yes, and my architect is actually here, too. We were just talking about that. There's enough room between the north end of the new addition and the property line, soil to still allow for the drainage to go west to east. So, it should be okay there.

CHAIRPERSON SIAVELIS: And you're on the west side of the existing house, so you're basically going straight, you're staying aligned with that west edge of that --

MR. FISCHER: West and east like where it juts out a little bit.

CHAIRPERSON SIAVELIS: Yes, right, that notch area right there by the back door.

MR. FISCHER: Yes, but that west wall, yes, will be exactly even. We plan to put a fence, it's not there yet, it's chainlink. We're going to put up like a, you know, wood fence. So, in that south corner of the property, the neighbor also has a wood fence that runs north-south. So, if you're coming, if you're driving from the west to east on Magnolia, there's wood fences there. You should really not be able to see this except that little bit of roof above it.

CHAIRPERSON SIAVELIS: Does this house have a basement?

MR. FISCHER: No, crawl space only.

CHAIRPERSON SIAVELIS: Yes, are you putting a basement in with the addition?

MR. FISCHER: No. No, not planning on that. Basically, just a bedroom with some office space in the back.

CHAIRPERSON SIAVELIS: And closet.

MR. FISCHER: Yes, closet, too.

CHAIRPERSON SIAVELIS: Anything else, Frank?

COMMISSIONER PORTERA: I don't have any other questions.

CHAIRPERSON SIAVELIS: All right, so you can take a seat.

At this point, we'll ask if there's any comments from the public in regards to this petition and this petition only. This does seem pretty straight-forward and pretty reasonably designed in my eyes, but if you have a comment, you may proceed up and provide it. If none, we'll move to deliberations.

(No response.)

CHAIRPERSON SIAVELIS: Hearing none, we will move to deliberations.

Go ahead, Frank, you may start.

COMMISSIONER PORTERA: Yes, I appreciate the Petitioner coming back to us here after a few months of taking into account our comments and the neighborhood's feelings as well. It seems that this is very well thought out and kind of accomplishes his goals as well. So, I'm in favor of this petition.

CHAIRPERSON SIAVELIS: Thanks, Frank.

Anyone else?

(No response.)

CHAIRPERSON SIAVELIS: Well, I'll say I agree with what Frank is raising. I think this is a moderate, reasonable addition. This is a good-sized lot. We've certainly seen people push; other residents push the envelope far further. So, I can support this and, frankly, it sounds like it's needed.

So, with that in mind, do we have a petition, or excuse me, a motion?

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

CHAIRPERSON SIAVELIS: Okay, thanks, Frank.

Do we have a second?

COMMISSIONER DRAKE: Second.

CHAIRPERSON SIAVELIS: Thank you, Tom.

MR. MACH: Mr. Drake.

COMMISSIONER DRAKE: Yes.

MR. MACH: Mr. O'Connor.

COMMISSIONER O'CONNOR: Yes.

MR. MACH: Mr. Portera.

COMMISSIONER PORTERA: Yes.

MR. MACH: Mr. Selbka.

COMMISSIONER SELBKA: Yes.

MR. MACH: Chairman Siavelis.

CHAIRPERSON SIAVELIS: Yes.

Congratulations, variance granted, petition granted.

MR. FISCHER: Thank you.

CHAIRPERSON SIAVELIS: Okay, with that in mind, we move to the public comment phase of tonight's meeting where the public can provide any comment, comments on any issue. You are limited of course to three minutes and three minutes only. If there are no such comments, we are in position to adjourn.

(No response.)

CHAIRPERSON SIAVELIS: All right, we have nobody looking to make a public comment.

So, do we have a motion to adjourn?

COMMISSIONER DRAKE: Motion to adjourn.

CHAIRPERSON SIAVELIS: Do we have a second?

COMMISSIONER O'CONNOR: Second.

CHAIRPERSON SIAVELIS: All in favor?

(Chorus of ayes.)

CHAIRPERSON SIAVELIS: Any opposed?

(No response.)

CHAIRPERSON SIAVELIS: Hearing none, motion to adjourn granted.

(Whereupon, the public hearing on the above-mentioned petition was adjourned at 7:42 p.m.)

STATE OF ILLINOIS)
) SS.
 COUNTY OF KANE)

I, RON LeGRAND, SR., 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, SR.

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