



AGENDA
ZONING BOARD OF APPEALS
Buechner Room, 1st Floor
Arlington Heights Village Hall, 33 S. Arlington Heights Rd.
Arlington Heights IL 60005
June 9, 2025
7:00 PM

- I. CALL TO ORDER
 - II. ROLL CALL OF MEMBERS
 - III. APPROVAL OF MINUTES
 - A. Minutes 5/12/25
 - B. Findings 4/14/25 - 1103 N. Drury Ln.
 - C. Findings 5/12/25 - 2417 E. Greshan Ct.
 - D. Findings 5/12/25 - 1223 E. Mayfair Rd.
 - E. Findings 5/12/25 - 1146 N. Mitchell Ave.
 - F. Findings 5/12/25 - 418 N. Beverly Ln.
 - G. Findings 5/12/25 - 108 S. Highland Ave.
 - IV. OLD BUSINESS
 - A. 130 S. Kennicott Ave. - ZBA25-006 (continued from 4/14/25)
 - V. NEW BUSINESS
 - A. 1106 W. Rand Rd. & 60 W. Revere Dr. - Shalom Memorial Cemetery - ZBA24-049
 - B. 109 N. Stratford Rd. - ZBA25-010
 - C. 118 S. Mitchell Ave. - ZBA25-015
 - D. 308 N. Patton Ave. - ZBA25-016
 - VI. OTHER BUSINESS
 - VII. PUBLIC COMMENT
- Anyone wishing to speak on a subject not on the Agenda may speak at this time. Please limit your comments to three minutes.
- VIII. ADJOURNMENT

Persons with disabilities requiring auxiliary aids or services, such as an American Sign Language interpreter or written materials in accessible formats, should contact the Health & Human Services Department, at 33 S. Arlington Heights Road, Arlington Heights, IL 60005, healthmail@vah.com or 847/368-5760.

ZONING BOARD

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

OF APPEALS

RE: 1223 EAST MAYFAIR ROAD - ZBA #25-009

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 12th day of May, 2025 at the hour of
7:00 p.m.

MEMBERS PRESENT:

PETER SIAVELIS, Acting Chairman
TOM DRAKE
JEFFREY LANAGHAN
FRANK PORTERA

ALSO PRESENT:

DEREK MACH, Development Planner
DANIEL OSOBA, Planner I
DARKO BOJIN, Assistant Planner

ACTING CHAIRPERSON SIAVELIS: Welcome, everyone. Tonight is May 12th, 2025. Welcome to the Zoning Board of Appeals meeting. I'll call the meeting to order at this point. Let's do roll call.

MR. OSOBA: Mr. Siavelis.

ACTING CHAIRPERSON SIAVELIS: Yes.

MR. OSOBA: Mr. Drake.

COMMISSIONER DRAKE: Here.

MR. OSOBA: Chairman Jaffe.

(No response.)

MR. OSOBA: Mr. Lanaghan.

COMMISSIONER LANAGHAN: Here.

MR. OSOBA: Mr. O'Connor.

(No response.)

MR. OSOBA: Mr. Selbka.

(No response.)

MR. OSOBA: Mr. Portera.

COMMISSIONER PORTERA: Yes.

ACTING CHAIRPERSON SIAVELIS: All right, thank you.

Pledge of Allegiance is next with the flag there.

(Pledge of Allegiance recited.)

ACTING CHAIRPERSON SIAVELIS: Okay, next item of business is approval of the minutes from the April meeting. Has everybody, Board members, have you had a chance to review the draft minutes? Assuming so, are there any corrections, revisions, adders, anything of that nature?

(No response.)

ACTING CHAIRPERSON SIAVELIS: Do we have a motion to approve the minutes in the format circulated to us?

COMMISSIONER DRAKE: Motion to approve as submitted.

COMMISSIONER LANAGHAN: Second.

ACTING CHAIRPERSON SIAVELIS: Thank you very much. Before I ask for a voice vote, right, I'll abstain because I was not here at the April meeting.

So, all in favor?

(Chorus of ayes.)

ACTING CHAIRPERSON SIAVELIS: Any opposed?

(No response.)

ACTING CHAIRPERSON SIAVELIS: Hearing none, motion granted.

Okay, all right, folks, we're going to do some hearing procedures right now. We have five petitions tonight, five. So, we need to be judicious with our time, make sure we hit the necessary showings, address the necessary showings. I'll talk about that in a little bit greater detail in a minute, but these procedures are very similar to what you've seen in the papers that have been submitted if not exactly the same.

First off, on the issue of quorum and voting, if less than six members are present, a petitioner has the option to continue the meeting to June or later, all right. It takes four affirmative votes to approve a variance regardless of the number of Board members in attendance. So, do the math, right, there's four of us. You've got to go 4 and

0 on each variance sought, okay. If the petition or variance is denied, the petitioner cannot reapply for a whole year, so there is a preclusive effect, okay, so keep that in mind.

There are four elements necessary to establish in order for the Board to be able to grant a variation, okay. Those four elements 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.

These are the same elements that are in the papers that a petitioner submitted so they should come as no surprise. Also keep in mind that a variation is permitted only if the evidence, in the judgment of this Board of Appeals, sustains each of the four elements that I just read to you. Also keep in mind that it is your responsibility as a petitioner to touch on each of the four elements and establish them. It is not our responsibility as a Board to pull out testimony sufficient or pertaining to a particular element. We have in the past denied variations and denied petitions when a petitioner is unable to establish an element, and I anticipate us being, you know, doing that again going forward, okay? So, again, it is your responsibility as the petitioner, not ours.

Okay, additional agenda items and procedures. I open the agenda item and provide some introductory remarks. Basically, I reference the petition number and identify the address. From there, the Staff provides an overview of the project and the variance requested. Then, the petitioner or whoever is going to speak in regards to that petition approaches the podium and provides testimony in regards to that petition and with particularity on the four elements, okay?

The applicant or petitioner presents its case, or excuse me, its case in favor of zoning relief by way of documents or testimony, including the materials that you already submitted to the Village, and any supplemental materials. But keep in mind, if you present us with supplemental materials like pictures, they come into the record, okay, so you lose possession of them.

The applicant and any witness' testimony must be sworn under oath and must state and spell your name for the record. The court reporter is taking accurate transcription or transcription of your testimony, so it's imperative that you speak clearly and concisely and that we don't talk over each other and interrupt each other. That makes the reporter's job much more difficult if that happens, and we may have to back up and repeat some testimony, okay?

Okay, public comment. There is no --

MR. MACH: No, there's no formal objectors at this meeting.

ACTING CHAIRPERSON SIAVELIS: Awesome, great. All right, thank you very much. All right, so we can begin.

Old Business, all right. First item up is a petition that has carried over or held over from the April meeting and was formally Petition A, or actually it may not be Petition A. I'll call it by its ZBA number, ZBA #24-045, 2417 East Greshan Court.

MR. MACH: Thank you, Chairman.

All right, in the March 10th Board meeting, the Petitioner requested that the Zoning Board continue the hearing until May 12th, 2025. The Petitioner explained that they'd like to modify the location of the proposed gazebo. Previously, the gazebo was proposed in the front yard; however, the Petitioner has shifted the gazebo further south and is now proposing the gazebo in the side yard.

Per Chapter 28, gazebos must be located in the rear yard. Therefore, the Petitioner is requesting a variation from Chapter 28, Section 6.5-2 to allow a gazebo in the side yard where gazebos are only permitted in the rear yard.

Thank you, Chairman.

ACTING CHAIRPERSON SIAVELIS: Great.

All right, who's speaking on behalf of this petition?

MR. MEINHARDT: Our builder was who is not here yet, I'm terribly sorry.

ACTING CHAIRPERSON SIAVELIS: Do you wish to be pushed to the back of the call? The end of the call?

MR. MEINHARDT: Yes, that would be great. Thank you very much; I appreciate it.

ACTING CHAIRPERSON SIAVELIS: You got it. He hasn't opened any testimony, we haven't begun, so we don't need another motion to continue or delay? Right, okay, that was quick. One down, four to go. No, I'm just teasing you.

Next item, it's the first item of New Business, it's ZBA Petition #25-009, 1223 East Mayfair. Staff presentation to start.

MR. OSOBA: Thank you, Chair.

The subject property is zoned R-3 One Family Dwelling District. The house at 1223 East Mayfair Avenue consists of two platted parcels and, currently, the parcels function as one zoning lot. Therefore, the front yard of the property is on the frontage along Carlyle Place.

The Petitioner is proposing a new fence on the east, south, and west sides of the property. The proposed fence is within the front and exterior side yards and is a four-foot high aluminum fence where the maximum height is three feet. The fence is also encroaching into a visibility triangle adjacent to the intersection of the driveway and the property line in the front yard.

Therefore, the Petitioner is requesting the following variations:

- A one-foot variation from Chapter 28, Section 6.13-3.a to allow a four-foot tall fence within the front yard where the maximum height is three feet;
- A one-foot variation from Chapter 28, Section 6.13-3.b.2 to allow a four-foot tall fence within the corner side and rear yard within five feet of the property line where the maximum height is three feet, and to waive the requirement for landscaping, a minimum of three-foot high and spaced a maximum of 48 inches on center, to be provided on the street side of the fence; and
- A variation from Chapter 28, Section 6.13-3.b.3 to allow a fence greater than 36 inches in height to be constructed within 9.4 feet of the intersection of the driveway and the South Carlyle Place right-of-way where 12 feet is required.

It should be noted that the Engineering Department provided an updated comment response letter today that can be included in the record, I have copies upon request, with no objection to the visibility variation as requested.

ACTING CHAIRPERSON SIAVELIS: Has the Petitioner seen that

response?

MR. OSOBA: Yes, correct.

ACTING CHAIRPERSON SIAVELIS: The Petitioner has seen that

response?

MR. OSOBA: Correct.

ACTING CHAIRPERSON SIAVELIS: Okay, do you know what prompted that, you know, issuance today? Like what transpired in light of this happening today?

MR. OSOBA: The Engineering Department took another look at the petition and realized that there was no sidewalk that's going to impact the visibility triangle, that's the imperative of the visibility triangle at this location, and the fence is going to be set back from the actual curb.

ACTING CHAIRPERSON SIAVELIS: Okay, so does that effectively eliminate one of the variations sought?

MR. OSOBA: A variation is still required, but the Engineering Department does not have any objection to it.

ACTING CHAIRPERSON SIAVELIS: Okay, I got you.

All right, come on up. You're the first contestant.

MS. ROBERTS: Well, I hope the price is right.

ACTING CHAIRPERSON SIAVELIS: Have you signed in?

MS. ROBERTS: I did not.

ACTING CHAIRPERSON SIAVELIS: Okay, please do sign in. Okay, can you identify, are you done signing in?

MS. ROBERTS: Yes, I am.

ACTING CHAIRPERSON SIAVELIS: All right, can you identify yourself on the record, please?

MS. ROBERTS: Yes. Sherrey Roberts, S-h-e-r-r-e-y, Roberts, R-o-b-e-r-t-s.

ACTING CHAIRPERSON SIAVELIS: Okay, Sherrey, please raise your right hand and repeat after me, I'll swear you in.

(Witness sworn.)

ACTING CHAIRPERSON SIAVELIS: Okay, great. You have the floor.

MS. ROBERTS: Okay, so I want to make sure I hit on your four points. So, what we're doing is we're actually just making sure that we have a fence because we have two large dogs, so we just want to make sure we can keep them safe. One thing that's nice is we are doing a six-foot wooden fence between all of the property lines, but we did not want to ruin any of the aesthetics, because if you've ever been in Stonegate, it's on this beautiful corner lot and you can really see all the way through. So, we didn't want that view to be imposed or, you know, compromised for anybody, so we are literally just doing a beautiful, decorative metal fence so that people can still see throughout the property, because we have people walking over there all the time and we want to make sure that was there.

So, it will be very aesthetic as far as with the neighborhood. Obviously, it's a 1929 Tudor, so it's going to be beautiful and decorative. Even the wood part, we're going to have like little nice decorative things on them. We're going to make sure it's beautiful. Again, we're just going to make sure that the dogs will be safe. We want to make sure that we're doing the minimum possible, and we were being so

conscious about making sure that it be aesthetic so the neighborhood would not be compromised.

As a matter of fact, my next-door neighbor, where her property line is, we're starting metal right there, like we're not even going to go wood to the front. We're going to make sure that from the second her property is there, that she can see through it as well with the metal.

So, it should be a beautiful addition to the neighborhood.

ACTING CHAIRPERSON SIAVELIS: Okay, so how many people live in this home presently?

MS. ROBERTS: There will be three of us.

ACTING CHAIRPERSON SIAVELIS: Three of us, and two dogs?

MS. ROBERTS: Yes. Two big dogs.

ACTING CHAIRPERSON SIAVELIS: Two big dogs, okay, and that's the need? The dogs, the larger dogs?

MS. ROBERTS: Yes, right. Eventually, we think that, if we ever want to put a pool in or something, so we were going to make sure it was there, period. So, we do know, we just think it's probably a good thing to have it, but right now, yes, it's definitely for the dogs.

ACTING CHAIRPERSON SIAVELIS: Okay, how long have you folks lived in this home?

MS. ROBERTS: We actually have owned it since December but we moved from right down the street. So, we are selling our current home, so we are kind of in both homes right now.

ACTING CHAIRPERSON SIAVELIS: Okay, Derek, wasn't this home or this property not the subject of a petition a couple of years ago?

MS. ROBERTS: Yes.

MR. MACH: That's correct, yes.

MS. ROBERTS: Mike McGraw used to own the property.

ACTING CHAIRPERSON SIAVELIS: I'm sorry?

MS. ROBERTS: Mike McGraw used to own the property. He no longer does. Now, so that was part of like, when they were saying it was a front yard, it's actually a side yard. We've got a beautiful picture to show it's definitely a side yard. So, luckily, because at one point he wanted to sell that as a separate lot, and luckily we bought the whole thing together, because it should be together.

ACTING CHAIRPERSON SIAVELIS: Okay, understood, yes. I remember that situation.

MS. ROBERTS: Correct.

ACTING CHAIRPERSON SIAVELIS: We can refer to it in that manner. I do want to commend you on your submissions. You took a lot of really good pictures to help explain like the uniqueness of your lot and your property.

MS. ROBERTS: Yes, it is a very funky lot.

ACTING CHAIRPERSON SIAVELIS: Yes.

MS. ROBERTS: And I have more pictures and videos if you guys would care to see them.

ACTING CHAIRPERSON SIAVELIS: I don't need to see them. I don't know if any other Board members need to see them? No, that's okay at this juncture. Let me

ask you, have you talked to your neighbors?

MS. ROBERTS: Absolutely. I had to send out 81 letters. Actually, I had four neighbors reach out to me saying that they would be here to support me. So, we've just, luckily, I think everyone knows that we're going to go above and beyond, like we're spending three times as much for the metal fence. But we would never put a wooden fence there because I think that, for one, looks isolationistic, but two, it's just a beautiful, I mean, it's I think the most beautiful lot in Stonegate. So, we want to make sure we share that with everybody.

ACTING CHAIRPERSON SIAVELIS: Okay, did you get any opposition from any of the neighbors?

MS. ROBERTS: Not one.

ACTING CHAIRPERSON SIAVELIS: Okay, good to hear.

Derek, was there anything submitted? I apologize, now I'm having download problems on top of my computer problems on power. So, I'm looking over at Jeff's to double check his download, his screen.

There were no other comments, were there, submitted on this?

MR. OSOBA: No.

ACTING CHAIRPERSON SIAVELIS: Okay, you can take a seat. We're going to go to Board deliberations --

MS. ROBERTS: Sure.

ACTING CHAIRPERSON SIAVELIS: -- and if we have any questions, we will come back to you, okay?

MS. ROBERTS: Absolutely, thank you. Could I make one more comment?

ACTING CHAIRPERSON SIAVELIS: You may.

MS. ROBERTS: Dan and Nanci have been so exceptionally amazing that I really want to commend them, because I think sometimes people can get, you know, a hard rep about, you know, all this stuff, and I'm just, they were so incredibly professional and wonderful, and I'm very proud of the work that they did with me. So, I'm very happy to be in the Village. Thank you.

COMMISSIONER LANAGHAN: While we got you up there, I'm going back and reading some of the comments.

MS. ROBERTS: Okay.

COMMISSIONER LANAGHAN: I'm assuming you saw the Life Safety comment about the fence not being installed within the utility easement?

MS. ROBERTS: Oh, yes.

COMMISSIONER LANAGHAN: I'm assuming that's okay?

MS. ROBERTS: Yes, we actually had JULIE come out and meet with our contractor as well. So, they definitely know exactly where they can and cannot --

COMMISSIONER LANAGHAN: Identify some of that.

MS. ROBERTS: Yes, absolutely.

COMMISSIONER LANAGHAN: Okay, thank you for that.

MS. ROBERTS: Certainly.

ACTING CHAIRPERSON SIAVELIS: Okay, so deliberations. I can start on this. This seems pretty straightforward. It is a funky lot, you know, a non-conventional, not a rectilinear lot. I understand exactly the comments --

MR. OSOBA: Excuse me, Chair?

ACTING CHAIRPERSON SIAVELIS: Yes?

MR. OSOBA: I think we need to open it up for public comment before deliberations.

ACTING CHAIRPERSON SIAVELIS: Oh, that's true, I'm sorry.

Is there any public comment, anybody in the audience who wishes to speak in regards to the petition that's before us right now?

(No response.)

ACTING CHAIRPERSON SIAVELIS: Okay, hearing none, now we'll shift back to Board deliberations.

So, I just reiterate, I appreciate the fact that the fence that they selected and the careful steps that they're trying to take here to innovate this fence, because it is a tricky lot to deal with. They have neighbor support, no neighbor opposition.

COMMISSIONER LANAGHAN: And Engineering basically, you know, agreed that they had taken extraordinary steps with the visual impact.

ACTING CHAIRPERSON SIAVELIS: Right, and removed one of the hurdles that was present before.

COMMISSIONER LANAGHAN: Right.

ACTING CHAIRPERSON SIAVELIS: All right, any other comments from Board members?

COMMISSIONER PORTERA: No.

ACTING CHAIRPERSON SIAVELIS: Tom, you're good?

COMMISSIONER DRAKE: No, I'm good.

ACTING CHAIRPERSON SIAVELIS: Okay, so in certain situations, petitioners will come back up to address any comments, right, like a rebuttal.

MS. ROBERTS: Would you like me to?

ACTING CHAIRPERSON SIAVELIS: You don't have to. There was nothing problematic that was said, but you're certainly entitled to it. It's your call.

MS. ROBERTS: No, I trust you, gentlemen. I think we're on the same page. Thank you.

ACTING CHAIRPERSON SIAVELIS: All right, sounds good, thank you.

Do we have a motion?

COMMISSIONER DRAKE: Motion to approve this petition as presented.

ACTING CHAIRPERSON SIAVELIS: Do we have a second?

COMMISSIONER LANAGHAN: Second.

COMMISSIONER PORTERA: Second.

ACTING CHAIRPERSON SIAVELIS: All right, vote.

MR. OSOBA: Mr. Portera.

COMMISSIONER PORTERA: Yes.

MR. OSOBA: Mr. Lanaghan.

COMMISSIONER LANAGHAN: Yes.

MR. OSOBA: Mr. Drake.

COMMISSIONER DRAKE: Yes.

MR. OSOBA: Acting Chairman Siavelis.

ACTING CHAIRPERSON SIAVELIS: Yes.

Congratulations.

MS. ROBERTS: Woo-hoo, thanks.

ACTING CHAIRPERSON SIAVELIS: Petition is granted.
(Whereupon, the public hearing on the above-mentioned
petition was adjourned at 7:15 p.m.)

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 12th day of May, 2025 at the hour of
 7:15 p.m.

MEMBERS PRESENT:

PETER SIAVELIS, Acting Chairman
 TOM DRAKE
 JEFFREY LANAGHAN
 FRANK PORTERA

ALSO PRESENT:

DEREK MACH, Development Planner
 DANIEL OSOBA, Planner I
 DARKO BOJIN, Assistant Planner

ACTING CHAIRPERSON SIAVELIS: All right, is that, I can go off order now. This is Old Business Petition A, right. So, this is, the gentleman you were waiting has arrived?

MR. MEINHARDT: Yes. Yes, thank you.

ACTING CHAIRPERSON SIAVELIS: Okay, all right.

COMMISSIONER DRAKE: You're free to leave, too.

ACTING CHAIRPERSON SIAVELIS: Yes, yes. You're right.

MS. ROBERTS: Thank you. Thank you, gentlemen.

ACTING CHAIRPERSON SIAVELIS: Right, and I'll just make that, I'll make that comment on the record so everybody understands. You do not have to stay. You will not hurt our feelings if you leave after the petition that you care about is called. Hopefully, you have other things to do and can get to them. You don't have to wait for us.

Okay, with that being said, I will call back ZBA #24-045, 2417 East Greshan. Do we need to, I don't think we need to have Staff overview again, right? We can cut right to it.

So, come on up, whoever is going to speak in regards to 2417 East Greshan Court. I remember you sir, we swore you in last time, but --

MR. GODWIN: Yes.

ACTING CHAIRPERSON SIAVELIS: -- let's still go through the procedures because it's been a little bit.

MR. GODWIN: Sure, okay.

ACTING CHAIRPERSON SIAVELIS: Let us know when you're signed in.

MR. GODWIN: Okay, I'm signed in.

ACTING CHAIRPERSON SIAVELIS: Okay, sir, identify yourself on the record, please.

MR. GODWIN: Chris Godwin, Midtown Home Improvements.

ACTING CHAIRPERSON SIAVELIS: Okay, Chris, right hand, please. Raise your right hand.

(Witness sworn.)

ACTING CHAIRPERSON SIAVELIS: Okay, please proceed.

MR. GODWIN: All right, so we were talking about doing a gazebo enclosure in the backyard at 2417 Greshan Court, comparable to some other projects that we had found in the area. It's very respectful and consistent with the architecture of the area. We're doing a, you know, a quality job. It's all been stamped by a structural engineer, architects, all of that, with the, you know, best connection points. So, we've spared no quality here in terms of like the windows, the roofing that we'll be using, it's all consistent with the neighborhood. Then, you know, we're doing a, you know, footing base, stand-up post base, you know, everything passes for shear.

We did, in light of our last meeting, moved the structure behind the side wall of the home. It was kind of out more to the right there and it kind of lined up with the deck in the corner of the house to reduce visibility and to put it in, if this was a traditional lot, what would be the backyard, right, behind what we consider, you know, the back of the house.

ACTING CHAIRPERSON SIAVELIS: Okay, Tom?

COMMISSIONER DRAKE: I have two questions.

MR. GODWIN: Yes, sir.

COMMISSIONER DRAKE: Have you talked to the neighbors again with the change from the last meeting?

MR. GODWIN: Yes, and we sent out the necessary written notification that you guys asked us to do. We got no response.

COMMISSIONER DRAKE: No feedback, no response?

MR. GODWIN: Right.

COMMISSIONER DRAKE: Okay, there were a couple of comments that were made by our Staff here. One was the Planning Department about the color combinations, mentioning the house and the neighborhood.

Are you aware of that?

MR. GODWIN: No.

COMMISSIONER DRAKE: Okay, well, that were comments that they made. Then Engineering, likewise, made a comment about the grading and how the drop-off from the deck, there's a drop-off from the deck to the pond. You could handle that grading I'm sure when you go through the permit process, but --

MR. GODWIN: Okay.

COMMISSIONER DRAKE: -- be aware of those comments.

MR. GODWIN: Okay.

ACTING CHAIRPERSON SIAVELIS: Both instances, right, Tom? Both instances you're saying?

COMMISSIONER DRAKE: Yes.

MR. GODWIN: And what was the comment about the color match to the home?

COMMISSIONER DRAKE: I'm just going to read it directly: The colors of the gazebo should be selected to complement the existing house and surrounding neighborhood. Pretty straightforward.

MR. GODWIN: Okay, I think we can accommodate that pretty realistically.

COMMISSIONER DRAKE: I don't have any further questions. I think they accomplished what we asked them to take a look at.

ACTING CHAIRPERSON SIAVELIS: Do you have anything further to add?

MR. GODWIN: No, just if you guys did want them, I had found some other, you know, structures in the area that were virtually identical, right there in the adjacent subdivision. I don't know if that's something that you guys need to consider or not.

ACTING CHAIRPERSON SIAVELIS: Let's hold that and see if we have any public commentary that's in opposition, and to the extent necessary, then you can rebut with those --

MR. GODWIN: Okay.

ACTING CHAIRPERSON SIAVELIS: -- if necessary.

COMMISSIONER LANAGHAN: I have one quick question for you. Just looking at the aerial, there are some, it looked like fairly mature trees in approximately the area that the gazebo is going. Are you keeping those or are those coming down? How are you addressing the existing trees?

MR. GODWIN: I would ask Bill what he's wanting to do there.

MR. MEINHARDT: I need to sign in if I'm responding.

ACTING CHAIRPERSON SIAVELIS: We remember you from last time. Identify yourself first.

MR. MEINHARDT: William Meinhardt.

ACTING CHAIRPERSON SIAVELIS: Okay, right hand.

(Witness sworn.)

ACTING CHAIRPERSON SIAVELIS: Okay, go ahead.

MR. MEINHARDT: Our plan is to keep the tree. I mean, trees are wonderful.

COMMISSIONER LANAGHAN: Yes, and I think they're very nice and mature. For sure, I was hopeful --

MR. MEINHARDT: It's really just the one tree that's off to the right of the, well, the picture went away. There's one tree. We took down one tree that was right next to the home because that's where the gazebo was going to be. Then there was one tree off closer to the sidewalk and we were going to leave that tree.

COMMISSIONER LANAGHAN: Got you, okay. Thank you.

MR. MEINHARDT: You're welcome.

ACTING CHAIRPERSON SIAVELIS: And your house, just so the record is clear on the visual that we're seeing, your house is there, the one designated by that blue circle area right at the mouth of the cul-de-sac in the east side?

MR. MEINHARDT: Yes, yes. What we think of as the front of our home is to the left of the picture because that's the cul-de-sac that we're on. Then, one big street comes through the entire subdivision and that's Russetwood, and then the pond is of course off to the right. We specifically moved the gazebo idea very close and right to the back of our home instead of it being out where, you know, first we are hearing it was what was being called the front yard, we certainly think of it as the side yard, that's why we put it right behind the home.

ACTING CHAIRPERSON SIAVELIS: And you will now have a view of the pond; is that correct?

MR. MEINHARDT: Oh, we still have a view of the pond, I'm sorry.

ACTING CHAIRPERSON SIAVELIS: With the new gazebo?

MR. MEINHARDT: Oh, it's a little bit closer to the pond, yes. It's even closer because we moved it to the south.

ACTING CHAIRPERSON SIAVELIS: Okay, yes, I understand your point, okay.

MR. MEINHARDT: Right. It's essentially right between the deck and the back of the house now, so they're sort of a three-sided thing, from the back of the house to the gazebo south to the deck. Okay, and that's a good picture of it right there. So, before it was farther to the north and that's why I think, you know, people were saying it was in the front yard, so that's why we tucked it so it's completely behind the home there.

ACTING CHAIRPERSON SIAVELIS: Okay, great. Thank you very much. I should say anything else?

MR. MEINHARDT: No, no, thank you very much.

ACTING CHAIRPERSON SIAVELIS: Okay, any comments from the public here in regards to, attendees, in regards to this petition and this petition only?

(No response.)

ACTING CHAIRPERSON SIAVELIS: Okay, hearing none, we can go to deliberations.

COMMISSIONER DRAKE: I'm in favor of this petition. I think they have

done a good job of relocating the gazebo. There is no real Staff pushback on it. I think it will accommodate your neighbors nicely and give you the kind of project you want, you've still got a view of that pond, and we didn't hear any objections from any of your neighbors. So, it seems like it fits nicely on your lot.

ACTING CHAIRPERSON SIAVELIS: Any other comments, Board members?

(No response.)

ACTING CHAIRPERSON SIAVELIS: Okay, you would have an opportunity of course to, well, rebut, but that was in the context of the public. At this point, there's really nothing to rebut. So, is there a motion in regards to this petition?

COMMISSIONER DRAKE: I move that we approve this petition as presented.

ACTING CHAIRPERSON SIAVELIS: Do we have a second?

COMMISSIONER LANAGHAN: Second.

MR. MACH: Mr. Drake.

COMMISSIONER DRAKE: Yes.

MR. MACH: Mr. Lanaghan.

COMMISSIONER LANAGHAN: Yes.

MR. MACH: Mr. Portera.

COMMISSIONER PORTERA: Yes.

MR. MACH: Acting Chair Siavelis.

ACTING CHAIRPERSON SIAVELIS: Yes.

Congratulations, granted.

MR. MEINHARDT: Thank you.

MR. GODWIN: Thank you.

ACTING CHAIRPERSON SIAVELIS: Sure.

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

ZONING BOARD

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

OF APPEALS

RE: 1146 NORTH MITCHELL AVENUE - ZBA #25-011

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 12th day of May, 2025 at the hour of
7:26 p.m.

MEMBERS PRESENT:

PETER SIAVELIS, Acting Chairman
TOM DRAKE
JEFFREY LANAGHAN
FRANK PORTERA

ALSO PRESENT:

DEREK MACH, Development Planner
DANIEL OSOBA, Planner I
DARKO BOJIN, Assistant Planner

ACTING CHAIRPERSON SIAVELIS: Okay, the next item of business is, we're shifting back to the New Business, it's ZBA Petition #25-011, 1146 North Mitchell Avenue.

Staff?

MR. OSOBA: The subject site is zoned R-3 One Family Dwelling District, and the Petitioner is proposing a one-story building addition in the rear of the property to expand the kitchen and add a family room. The 446 square-foot addition encroaches into the required exterior side yard setback to match the existing exterior side wall of the home.

Therefore, the Petitioner is requesting the following variations:

- A 10.8-foot variation from Chapter 28, Section 5.1-3.3.c to allow an addition with an exterior side yard setback of 3.5 feet instead of the required 14.3 feet, and an additional 1.7 feet for the eave; and
- A 2.4-foot variation from Chapter 28, Section 6.6-5.1 to allow a window well to be set back 0.6 foot from the exterior side yard where 3.0 feet is required.

Thank you.

ACTING CHAIRPERSON SIAVELIS: Great, thank you very much.

Okay, who is speaking in regards to this petition? All right, Kevin, come on up.

MR. PURDOM: I'm Kevin Purdom with JRC Design Build.

ACTING CHAIRPERSON SIAVELIS: Did you sign in, Kevin?

MR. PURDOM: Yes, I did.

ACTING CHAIRPERSON SIAVELIS: All right, you came prepared. All right, right hand.

(Witness sworn.)

ACTING CHAIRPERSON SIAVELIS: All right, please proceed.

MR. PURDOM: So, I'm here representing John Binotti and his wife. They are doing a kitchen and family room off the back of their house. We wanted to keep in line with the existing edge of the house. If you could go to the site plan?

So, it's a unique condition where the existing house is already into the side yard setback, but we are still 26 feet from the street. So, in order to build anything in line with the existing building, we would have to get a variance of what we're requesting.

It's the minimum requested because we're not going anything further past the existing. We're just trying to keep in line because we're expanding the kitchen and we want that wall to line up so that you're not jutting in from the existing portion to the new version. If we push that, if we were to conform with the setback, the kitchen portion would just be cut up into two areas.

It's unique because it's a non-conforming condition. We're just trying to match that line. All other zoning and code requirements are met. There is no sidewalk along that side street, so it doesn't actually encroach into the side yard as much when you're out on the property. I actually think it will look better in line versus if we tried to push it back.

Then, it's in harmony with the spirit and intent of this chapter for the zoning because all the other aspects are met and we're just trying to match an existing condition.

The homeowner has talked to seven of the surrounding, actually he

got signatures of seven of the surrounding properties, all in favor, all in support of the property. No opposition. The adjacent --

ACTING CHAIRPERSON SIAVELIS: No opposition in writing or no opposition whatsoever?

MR. PURDOM: We haven't heard any opposition in writing or in verbal.

ACTING CHAIRPERSON SIAVELIS: Okay, is that --

MR. PURDOM: Not that I've heard.

ACTING CHAIRPERSON SIAVELIS: Okay, have you provided a copy of those signatures?

MR. PURDOM: Yes, or no, I just got it today from the owner. I can put it in the record.

The homeowner has been there for six years and there's two people living in the house, and that is my presentation.

ACTING CHAIRPERSON SIAVELIS: Okay, Frank?

COMMISSIONER PORTERA: All right, you pretty much answered all the questions I had. Have you taken a look at the comments from our Village Staff?

MR. PURDOM: Yes.

COMMISSIONER PORTERA: The Planning and Community Development has a requirement for continuous landscaping along the new addition.

MR. PURDOM: Yes.

COMMISSIONER PORTERA: And then Building and Life Safety, the exterior wall is required to have a one-hour fire-resistance rating.

MR. PURDOM: Yes, we will address that in the permit process.

COMMISSIONER PORTERA: All in the permit process.

MR. PURDOM: Yes.

COMMISSIONER PORTERA: Okay, I have no further questions.

ACTING CHAIRPERSON SIAVELIS: All right, understood.

I don't have any other questions.

Tom, Jeff?

COMMISSIONER DRAKE: I don't.

COMMISSIONER LANAGHAN: No, I mean, nothing further. I have kind of a general comment. The last one, this one, we're seeing this kind of corner side yards, or these, I kind of call it, you know, end caps of blocks that are all having this kind of problems because of the setbacks that are coming in from both sides. I don't know if there's a way to ever address that, Staff, but that seems to be what we're seeing a lot here.

ACTING CHAIRPERSON SIAVELIS: Which is something we account for.

COMMISSIONER LANAGHAN: No, absolutely.

ACTING CHAIRPERSON SIAVELIS: It's part of our analysis.

COMMISSIONER LANAGHAN: Absolutely.

ACTING CHAIRPERSON SIAVELIS: Right, okay. Take a seat, Kevin.

All right, anybody in the audience wishing to speak on behalf of this petition and this petition only?

(No response.)

ACTING CHAIRPERSON SIAVELIS: Okay, sorry, I've been ignoring you folks over there, over the podium. You're good? Okay, great.

All right, deliberations, any further deliberations?

COMMISSIONER PORTERA: I can do it. I'll just say that this is an existing non-conforming use, that they're being thoughtful about extending that line and not doing too much. It's nice that we don't have any neighbor opposition. So, I'm in favor of these variances.

ACTING CHAIRPERSON SIAVELIS: Great, thank you.

Any other comments?

COMMISSIONER DRAKE: No, just good job in the presentation.

COMMISSIONER LANAGHAN: Yes, agreed.

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

COMMISSIONER PORTERA: I move to approve both of these variances as presented.

ACTING CHAIRPERSON SIAVELIS: Thanks, Frank.

Do we have a second?

COMMISSIONER DRAKE: Second.

ACTING CHAIRPERSON SIAVELIS: Thank you, Tom.

MR. OSOBA: Mr. Portera.

COMMISSIONER PORTERA: Yes.

MR. OSOBA: Mr. Lanaghan.

COMMISSIONER LANAGHAN: Yes.

MR. OSOBA: Mr. Drake.

COMMISSIONER DRAKE: Yes.

MR. OSOBA: Acting Chairman Siavelis.

ACTING CHAIRPERSON SIAVELIS: Yes.

Congratulations, petition granted.

MR. PURDOM: Thank you.

(Whereupon, the public hearing on the above-mentioned petition was adjourned at 7:32 p.m.)

ZONING BOARD

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

OF APPEALS

RE: 418 NORTH BEVERLY LANE - ZBA #25-013

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 12th day of May, 2025 at the hour of
7:32 p.m.

MEMBERS PRESENT:

PETER SIAVELIS, Acting Chairman
TOM DRAKE
JEFFREY LANAGHAN
FRANK PORTERA

ALSO PRESENT:

DEREK MACH, Development Planner
DANIEL OSOBA, Planner I
DARKO BOJIN, Assistant Planner

ACTING CHAIRPERSON SIAVELIS: All right, moving right along, next item up is ZBA Petition #25-013, 418 North Beverly.

MR. BOJIN: Thank you.

The subject property is zoned R-3 Residential Single-Family District. The Petitioner is proposing to construct a 450 square-foot addition to the west face of the building, which will encroach into the required rear yard setback. The proposed addition is set back 26.2 feet where 30 feet is required.

Therefore, the Petitioner is requesting the following variation:

- A 3.8-foot variation from Chapter 28, Section 5.1-3.3b to allow an addition with a rear yard setback of 26.2 feet instead of the required 30 feet, and an additional two feet for the eave.

Thank you.

ACTING CHAIRPERSON SIAVELIS: Great, thank you very much.

Who's speaking in regards to this petition?

MR. SMITH: I am.

ACTING CHAIRPERSON SIAVELIS: Come on up.

MR. SMITH: I still need to sign in.

ACTING CHAIRPERSON SIAVELIS: Oh, you need to sign in?

MR. SMITH: Yes.

ACTING CHAIRPERSON SIAVELIS: Go ahead.

MR. SMITH: One second. All right.

ACTING CHAIRPERSON SIAVELIS: Okay, identify yourself, please, on the record.

MR. SMITH: I'm Jereme Smith; I'm the architect.

ACTING CHAIRPERSON SIAVELIS: Okay, thanks, Jereme. Right hand.

(Witness sworn.)

ACTING CHAIRPERSON SIAVELIS: Okay, please proceed.

MR. SMITH: Thank you for the information there. I've just got a few notes so I'd be clear but also quick.

I'm representing the homeowners, Andrij and Christine Pundy, and as well as myself showing support for the hardship and the conditions with the lot and the addition for the potential variance. They are an older retired couple, and they do have some mobility issues. That's at the heart of the issue where we're doing this master suite addition. Long story short, they need some extra room now but also for potentially in the future if they need a walker or wheelchair, turning radiuses, et cetera.

Again, with the mobility, they need to move the first-floor laundry up as opposed to in the basement, as well as storage on the first-floor and not in the basement so they can mitigate stairs. This is also why we ruled out doing a second-floor addition. They really need the ranch.

We thought the site blended itself nicely with its unique pie-shape that widens as it goes back, you know, where we have this room to the west, but also maintaining their nice views and yard. They do need some extra storage for guest rooms for the kids, grandkids. In our humble opinion, we think the design does fit well with the lot, the neighborhood, the subdivision vernacular.

It's very private, virtually unseen from the front street on Beverly. It's of course a rear addition and we've set it back, really nestled behind the L shape of the

current home.

Just a few extra points here. There are some trees and bushes for some privacy. We've had no objections, written or verbal, from any of the neighbors.

Just a final note, they've been there since 1979. They love the neighborhood as you've probably heard many times, with some of my past experiences, but yes, they wanted to stay and, you know, they love where they're at. So, this is kind of their forever home, and I think that's about it.

ACTING CHAIRPERSON SIAVELIS: Okay, I had just one or two quick questions. Okay, so can you go back to the, there, actually go right there. Sorry, I was scanning through my, scrolling through my screen.

Can you just explain whether you gave some thought to positioning the addition, instead of the west side of the L, to the east side of the L? So, basically, switch it around. Okay, so it wouldn't encroach in the rear setback?

COMMISSIONER LANAGHAN: Or even the north side.

ACTING CHAIRPERSON SIAVELIS: Or even the north side. If you did, what were the considerations for why you chose what we see here on the screen?

MR. SMITH: Yes, that's a great question. The owners know, we did quite a few iterations where we tried to fit the puzzle in like that.

ACTING CHAIRPERSON SIAVELIS: Bit of a Tetris type of set of pieces here, right.

MR. SMITH: Right. There are some options that those were some of our first thoughts. But they've got beautiful picture windows, so the light, vent, views, their grandchildren playing in that courtyard and yard were very important to them, and privacy, to maintain that central, almost like courtyard. So, that got ruled out quickly.

COMMISSIONER LANAGHAN: Okay, so I understand why you didn't go to the east. What prevented you from potentially going to the north?

MR. SMITH: Well, similarly, there's a bedroom and office on the north side.

COMMISSIONER LANAGHAN: So, you'd have to go through a bedroom or whatever to get to the new space?

MR. SMITH: Right. It would have created a non-efficient corridor, and again the views from that office and bedroom.

COMMISSIONER LANAGHAN: Yes, that helps, thank you.

ACTING CHAIRPERSON SIAVELIS: Yes, and I'll say this, the aerial, that's what I was quickly looking at, the aerial photos show the true scale of the existing structure, right. When you look at this drawing that we see here on the screen, that courtyard, that gap is considerably larger here than it appears in reality in the picture. So, I can see now why the Petitioner was shaking his head and why you couldn't move and use that courtyard. It's just not feasible for the desired functionality you're getting; is that correct?

MR. SMITH: Correct.

ACTING CHAIRPERSON SIAVELIS: Yes, the desired functionality you're seeking, correct?

MR. SMITH: Yes, a 100 percent.

COMMISSIONER DRAKE: Was that a cost issue as well?

MR. SMITH: It would have cost more, yes, to box all that in and take up all that paving and, you know, again with all the windows and we would have to try to add

skylights. It would have definitely been more.

COMMISSIONER DRAKE: Sure, okay.

MR. SMITH: At least 25 percent more.

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

Jeff?

COMMISSIONER LANAGHAN: No, he's answered my question there. It helps. Thank you for kind of explaining the interior layout a little better.

ACTING CHAIRPERSON SIAVELIS: And I actually have one. Any feedback from the neighbors including anything negative?

MR. SMITH: No, we got no objections, written or verbal. We sent out all the required mailers.

ACTING CHAIRPERSON SIAVELIS: Okay, you did say that earlier; I apologize.

MR. SMITH: Yes, no problem.

ACTING CHAIRPERSON SIAVELIS: Okay, I don't have anything else to ask or to seek information on. So, you can take a seat and we'll see if there's anybody in the audience who wishes to speak in regards to this petition and this petition only.

MS. PUNDY: I would just comment on my house.

ACTING CHAIRPERSON SIAVELIS: Wait, wait, we can't.

MS. PUNDY: Oh, you don't want it from us?

ACTING CHAIRPERSON SIAVELIS: Well, I will say this to you. Your architect has done a really good job. Okay, if there is something salient that you want to add that you don't think he covered, you're certainly entitled to do that. But at this juncture, he's covered every one of our questions and he's done a good job.

MS. PUNDY: Okay.

ACTING CHAIRPERSON SIAVELIS: Okay? All right, so with that in mind, is there any other members of the audience who are not the Petitioners who wish to speak in regards to this petition?

(No response.)

ACTING CHAIRPERSON SIAVELIS: Okay, hearing none, deliberations on this. I can start since I asked the most questions.

I think, at first glance, I didn't really get the fundamentals of why this variance is being sought, but the architect has done a really good job explaining why it's necessary and the functionality of it, and then why the courtyard doesn't make sense. So, I appreciate that and I think that the four elements have been established; thus, I'm in support of granting the petition.

Any other comments?

(No response.)

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

COMMISSIONER LANAGHAN: Move to approve the variance as presented.

ACTING CHAIRPERSON SIAVELIS: Second?

COMMISSIONER DRAKE: Second.

ACTING CHAIRPERSON SIAVELIS: All right, thank you, Tom.
Vote.

MR. BOJIN: Mr. Drake.

COMMISSIONER DRAKE: Yes.

MR. BOJIN: Mr. Lanaghan.

COMMISSIONER LANAGHAN: Yes.

MR. BOJIN: Mr. Portera.

COMMISSIONER PORTERA: Yes.

MR. BOJIN: Acting Chairman Siavelis.

ACTING CHAIRPERSON SIAVELIS: Yes.

Congratulations, petition granted.

MR. SMITH: Thank you, gentlemen.

ACTING CHAIRPERSON SIAVELIS: Certainly.

(Whereupon, the public hearing on the above-mentioned petition was adjourned at 7:41 p.m.)

ZONING BOARD

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

OF APPEALS

RE: 108 SOUTH HIGHLAND AVENUE - ZBA #25-014

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 12th day of May, 2025 at the hour of
7:41 p.m.

MEMBERS PRESENT:

PETER SIAVELIS, Acting Chairman
TOM DRAKE
JEFFREY LANAGHAN
FRANK PORTERA

ALSO PRESENT:

DEREK MACH, Development Planner
DANIEL OSOBA, Planner I
DARKO BOJIN, Assistant Planner

ACTING CHAIRPERSON SIAVELIS: All right, last but certainly not least is ZBA Petition #25-014, 108 South Highland.

Staff overview.

MR. OSOBA: The property is zoned R-4 Two-Family Dwelling District. The Petitioner is proposing a new home on an existing vacant lot that is substandard in lot size and lot width. Additionally, the Petitioner is proposing impervious surface coverage that exceeds the maximum of 50 percent of the total lot area.

Therefore, the Petitioner is requesting the following variations:

- A 1,772.1 square-foot variation from Chapter 28, Section 5.1-4.1.a to allow a lot size of 6,977.9 square feet within the R-4 Two-Family Dwelling District where 8,750 square feet is required;
- A 20-foot variation from Chapter 28, Section 5.1-4.2.a to allow a lot width of 50 feet where 70 feet is required; and
- A 863.8 square-foot variation from Chapter 28, Section 5.1-4.5.b.2 to allow a 4,352.8 square feet of impervious surface coverage where 3,489 square feet is allowed.

Thank you.

ACTING CHAIRPERSON SIAVELIS: Great, thank you very much.

All right, who is speaking on behalf of this petition? All right, come on up, sign in, and then let us know when that's completed.

MS. ZARI: All right. All right, ready.

ACTING CHAIRPERSON SIAVELIS: Okay, can you identify yourself on the record, please?

MS. ZARI: Sure, my name is Gina Zari.

ACTING CHAIRPERSON SIAVELIS: Okay, Gina, right hand, please.

(Witness sworn.)

ACTING CHAIRPERSON SIAVELIS: All right, you have the floor.

MS. ZARI: Okay, great. Thank you all. As I said, my name is Gina. I'm representing the potential new owners of the vacant lot at 108 South Highland. I say potential new owners because their contingency period of the sale has been extended through tonight's meeting because we really hope to garner feedback from you all on whether or not the Village is going to deem this lot buildable.

The proposal is to put a single-family residence on this lot and it is, as you can see from the site plan, 50 feet wide. We can't change that inherited dimension but we do know that there was once a residential structure on the lot, so we're really just hoping to restore the urban character of the existing block.

So, I want to touch on the four points. I do not believe that the proposal will alter the character of the neighborhood. Right now, the neighbor, the lot is immediately adjacent to two residential houses that are both two stories and they have garages at the back of the lot. Then, across the street on the other side of Highland, it's primarily two-story single-family structures which have detached garages accessed via paved drives on the side of the lot. So, I really don't think the proposal is all that different from the context. I think that it is in keeping with the neighborhood.

I do believe also that the proposal respects the FAR requirements, the height and the setbacks. In developing the massing, trying to stay respectful to the more diminutive scale of the neighborhood and the fact that we're in the denser part of

town, the lots are smaller, so we sloped the roofs away from the streets so that it might appear a quainter sort of house.

As far as the unique circumstances, like I said, this small lot is currently vacant and we cannot change the fact the original house cannot be added to. What was once presumed to be an existing driveway is no longer there. So, we can't really add on to anything and we have inherited these unique conditions.

We did test in the early stages a bunch of different site arrangements, attached garages, detached garages, garage on the front of the street, and just with 50 feet, there is not a ton of room to accommodate a single-family home. If we put the two-car garage on the front of the street, it would really detract from the quality of the block. I think it would really hinder the urban character of the street, so that's why we chose to put it at the back of the lot for now.

Then, as far as the minimum variance requested, it's the minimum necessary to offer reasonable use of the property, reasonable use being the important part here. I think you could get this done if you had an attached garage, but like I said, it would really detract if it was on the front of the building. If it was on the back of the building, it would impact the FAR too much because the owners, or hopefully new owners, would like to age in place here. They really want to have a ground floor primary suite, so we are not able to accommodate that, plus the normal functions that would be found on a first-floor if we were to have an attached garage.

Then, I know probably the most contentious point of this is the paving. I do feel like, again, the detached, the choice to make the garage detached was a conscious one. I do think that just aesthetically, the look of permeable pavers will really add to the neighborhood as opposed to asphalt or concrete.

Then, I know that Engineering is against these permeable pavers and that the variance is for impervious coverage, but this really isn't impervious. Right now, the square footage increase that I've asked for is that's assuming that the whole driveway is paved with asphalt and it's inclusive of the steps of the patio, of all the roof square footage. But if Engineering was able to evaluate it for what it is which is pavers with open joints and gravel below, it's able to manage a 100 percent of the stormwater. Even if you don't count that area at a 100 percent, even if you just count it as 50 percent stormwater management, we're still under the allowable 50 percent coverage. If the lot was 70 feet and we put a home this size on it, we would be well under the 50 percent coverage.

So, I do hope that we'll have a good discussion tonight about the pros and cons of this proposal. Just personally, like the potential owners are my parents, surprise, and my dad grew up in Arlington Heights, and I spent time with my grandparents walking to town, going to the, you know, get ice cream and walk around. Just to think that we could have this full circle moment and have my parents move back here, grow old here, and have my daughter walk the same town that I did as a kid, would really be quite special for a family. So, I really hope that we can make this happen. Thank you all.

COMMISSIONER LANAGHAN: All right, let me jump in and ask a few questions. So, two people will be living here, assuming it gets built, correct?

MS. ZARI: Yes.

COMMISSIONER LANAGHAN: And they've been residents of Arlington Heights for approximately how long?

MS. ZARI: They live; my dad grew up here. He spent all his childhood here,

but right now they live in Elk Grove Village. So, they've been trying to, they've tried several times to move back to Arlington Heights and the sales had fallen through.

COMMISSIONER LANAGHAN: Got you, okay. You've seen the comments obviously, so Life Safety and Planning and Community Development seem to be in favor. As you've correctly identified, the impervious surface is the biggest question mark.

So, one of the questions that Engineering throws out there is, you know, is there a maintenance plan in place, or how do you maintain the permeability of those pavers?

MS. ZARI: Yes. I think they know that because they're used in a lot of municipal buildings in the city, like they are at the police station, the same, you know, company. So, I have a sample maintenance plan that I can provide via e-mail. I didn't bring it tonight; I just have the sample detail, but basically, you just have to make sure there is no debris in the open joints. It basically means you just have to sweep every so often, and then I think every couple of years you have to do something, like a power washing, but it's very low maintenance and they look quite beautiful.

COMMISSIONER LANAGHAN: Yes, and I've seen it before. I don't disagree; I think they look nice. So, some of the testimony you've provided kind of calls out that, and I don't know if this is true or not, I'll maybe look to Staff, when Engineering calculated this, do you guys know how Engineering calculated the impervious, out of curiosity?

MR. MACH: So, anything that's going to be manmade counts towards impervious surface.

COMMISSIONER LANAGHAN: Whether or not it's pervious?

MR. MACH: Correct, yes.

COMMISSIONER LANAGHAN: Okay, so the driveway which is the largest portion of impervious surface per the calculation, other than the house itself, is actually being counted as impervious.

MS. ZARI: It's being counted as asphalt, yes.

COMMISSIONER LANAGHAN: Got it, okay. Do you know off the top of your head, or have you done the, I assume you probably have done the calculations, how much is that area that is being presented there?

MS. ZARI: Yes. It's like 1,492. So, if you count that as 50 percent stormwater management, we would be at 3,408 square feet of coverage which is under the 50 percent, but I have in writing from Unilock that the product is supposed to manage a 100 percent of stormwater management, so we would actually be another 700 square feet below.

COMMISSIONER LANAGHAN: So, there is actually storage underneath the driveway?

MS. ZARI: You can. So, it's basically, you put a foot and a half of compressed gravel and that makes the water kind of dissipate and go back into the ground as if it was lawn.

COMMISSIONER LANAGHAN: Sure.

MS. ZARI: You can make it even better by doing like a perforated drain tile and diverting the water into like a rain garden with some natural plantings near the driveway, but I can't connect to the storm sewer because there isn't a public one, but --

COMMISSIONER LANAGHAN: Correct.

MS. ZARI: -- I totally appreciate this rule, I'm glad it's in the code because as an architect, I deal with stormwater all the time. The plan in this proposal is to responsibly manage stormwater. I just hope that the permeable pavers can be a way to do that.

COMMISSIONER LANAGHAN: Got you.

ACTING CHAIRPERSON SIAVELIS: You hope or you know?

MS. ZARI: I'm hoping we get the chance.

ACTING CHAIRPERSON SIAVELIS: So, you are an architect. Do you have your own firm? I noticed, I was looking at the drawings and I may have missed it actually.

MS. ZARI: I do not have my own firm. I work full time for a firm in Chicago and I am helping my parents out from the 8:00 to 10:00 p.m. hours.

ACTING CHAIRPERSON SIAVELIS: Okay, so this is like --

MS. ZARI: Yes.

ACTING CHAIRPERSON SIAVELIS: All right, okay. So, that's what I was curious about, is this like a side project for you since it's your parents?

MS. ZARI: Yes.

ACTING CHAIRPERSON SIAVELIS: Okay, and do you typically do, in your primary job, do you typically do residential properties? Are you doing commercial properties? Are you doing a mix?

MS. ZARI: A mix. I used to do institutional buildings, libraries, college campuses, that kind of thing. I recently switched to affordable housing in the City of Chicago, so I'm familiar with residential codes and all that.

ACTING CHAIRPERSON SIAVELIS: And when did you make that switch?

MS. ZARI: Two years ago.

ACTING CHAIRPERSON SIAVELIS: Two years ago, and in those two years that you started doing residential housing, have you had the opportunity to work on a project with substantially similar considerations or facts?

MS. ZARI: Honestly, yes. I just finished my own house in Chicago; we're on a 25-foot wide lot. We have an existing building, so very tight setbacks. Stormwater was a concern. We are doing permeable pavers and gravel on the sides of our house. We installed drain tiles just like we want to do now because our basement was taking on water.

So, I'm very for managing stormwater. I'm not trying to shove it off on to my neighbors' lawns. We want to manage it responsibly.

ACTING CHAIRPERSON SIAVELIS: And when was that project completed?

MS. ZARI: My house?

ACTING CHAIRPERSON SIAVELIS: Yes.

MS. ZARI: TBD, it's still --

ACTING CHAIRPERSON SIAVELIS: Okay, so you don't know how successful will that be.

MS. ZARI: Oh, the landscaping is not done yet, but the drain tiles on the sides and the gravel, those are installed and they're functioning.

ACTING CHAIRPERSON SIAVELIS: Okay, when were they installed and functional?

MS. ZARI: Last year.

ACTING CHAIRPERSON SIAVELIS: Okay, when last year?

MS. ZARI: I don't remember, I'm sorry.

ACTING CHAIRPERSON SIAVELIS: Do you have an approximate time or date? Like did you come through like the typical heavy rains that we get in the summer or the fall?

MS. ZARI: Oh, yes. Yes, yes, yes.

ACTING CHAIRPERSON SIAVELIS: Okay, that's where I'm going, right.

MS. ZARI: Yes.

ACTING CHAIRPERSON SIAVELIS: So, have you had a season or a year's worth of experience looking at this particular issue?

MS. ZARI: Yes, but this would be different because I brought the stormwater into the house, we manage it through an injector pit. That wouldn't be the problem here. We would keep it outside the building.

ACTING CHAIRPERSON SIAVELIS: Okay.

COMMISSIONER DRAKE: Are there any flooding issues at any of those adjacent properties to this lot?

MS. ZARI: No, not that we know of. My parents did reach out obviously via the letters, but then discussed with the neighbors across the street. The sellers obviously know about it, and then did touch base briefly with the other neighbors. We haven't heard any written or verbal opposition.

ACTING CHAIRPERSON SIAVELIS: And where are the sellers with respect to the subject property?

MS. ZARI: Right next door. They're 110 maybe.

ACTING CHAIRPERSON SIAVELIS: North or south?

MS. ZARI: South. They have the permeable paver existing driveway.

ACTING CHAIRPERSON SIAVELIS: That abuts the property line in question?

MS. ZARI: Correct.

ACTING CHAIRPERSON SIAVELIS: Okay, Jeff, any further questions?

COMMISSIONER LANAGHAN: No further questions from me at this point in time.

ACTING CHAIRPERSON SIAVELIS: And you, I just want to double check just a couple of things you said earlier in the presentation, Gina. You made mention of the fact that there is a contingency on the sale of this, the purchase of this house, or this property, excuse me?

MS. ZARI: Yes. Yes, because the seller, whoever they try to sell to is going to have to do the same. It's not buildable whatever way you slice it. Wherever we put the garage, wherever, however you want to pave your driveway, so someone is going to have to appeal to you again. So, we wanted to make sure we did our due diligence before we actually go through the sale to see if we can actually put a nice house on this lot, because right now it's just sitting empty.

ACTING CHAIRPERSON SIAVELIS: So, then there's no structure that could be built on this house, or this property, excuse me, that does not require the assistance of the Zoning Board or a variation?

MS. ZARI: That's right, because the lot is always going to be 50 feet wide.

COMMISSIONER LANAGHAN: It's going to be a substandard lot.

ACTING CHAIRPERSON SIAVELIS: Yes, right.

COMMISSIONER LANAGHAN: It's the pervious or impervious that's the issue.

ACTING CHAIRPERSON SIAVELIS: Right, that's what I wanted to hear.

MS. ZARI: Yes.

ACTING CHAIRPERSON SIAVELIS: I'm going to ask Staff for just confirmation of that point because I think that's a significant fact or factor in regards to this property. So, gentlemen, any one of you can answer that, do you agree with that representation by Petitioner's representative?

MR. MACH: Yes, the lot is substandard in width and area per the zoning code in the R-4 Zoning District.

ACTING CHAIRPERSON SIAVELIS: It's actually 49.96 feet wide, right? So, 4/100ths off.

MR. OSOBA: The minimum is 70 feet.

ACTING CHAIRPERSON SIAVELIS: Right, but we're talking about a 50-foot lot, so I was making the comment that it's just a tick or a hair under 50 feet.

MR. OSOBA: Correct.

ACTING CHAIRPERSON SIAVELIS: Okay.

COMMISSIONER LANAGHAN: A lot of people here.

ACTING CHAIRPERSON SIAVELIS: Yes, let's shift to them. All right, go ahead, Gina, take a seat if you don't mind.

MS. ZARI: Okay, thank you all.

ACTING CHAIRPERSON SIAVELIS: Let's let any members of the public who are here in attendance, if you want to speak in regards to this petition, now is your chance.

MR. OSOBA: Excuse me, Chair?

ACTING CHAIRPERSON SIAVELIS: Yes?

MR. OSOBA: Planning Staff received a letter from a member of the public that they'd like to be included in the record. They couldn't make the meeting tonight, so we received this e-mail on Friday after the packet was released. We can certainly go through public comment first, but if you'd like we can either read it into the record or I can pass it down to anyone who would like to read it.

ACTING CHAIRPERSON SIAVELIS: Wait, wait, and that person who sent you that e-mail is not here today?

MR. OSOBA: They could not make it tonight. They'd like it to be read into the record or included in the record.

ACTING CHAIRPERSON SIAVELIS: How lengthy is that e-mail? Okay, go ahead, read it in.

MR. OSOBA: Members of the Zoning Board of Appeals: I am unable to attend the meeting on March 12th as I will be traveling out of town. In light of that, I would appreciate that my following comments on the above-referenced petition be made available to each member of the Board and become part of the minutes/public record in the meeting.

First, as a general comment on the variance request, the unknowing approval of variance requests that do not meet the standards of practical difficulties or a

particular hardship only serve to diminish the intended purpose of the code/statute. One ends up with a mismatched set of rules and a community fabric that is completely misaligned with what is intended in the code.

Second, a comment on each variation request. It is 1,772.1 square-foot variation on minimum lot size, the lot size is 79 percent of the required square footage; a 28-foot variance on lot width, 50 feet where 70 feet is required, the lot is 71 percent of the required width; a 665.5 square-foot variation in the impervious surface coverage, the variance requested is 19 percent of the above-required area. All three requests could certainly be deemed as egregious. Furthermore, be reminded that a variation shall be permitted only if the evidence in the judgment of the Zoning Board of Appeals sustains each of the four conditions enumerated:

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 properties if the variations were granted;
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 this chapter; and
4. That the variance request is the minimum variance necessary to allow reasonable use of the property.

I urge you to deny all three variance requests. Thank you for your consideration on this matter. Keith Allen.

ACTING CHAIRPERSON SIAVELIS: Great, thank you very much.

Derek, do you know how long the subject property has been vacant without a house or without a structure on it?

MR. MACH: I do not.

ACTING CHAIRPERSON SIAVELIS: You're going to get your chance to answer that question. Okay, the Village doesn't know at least informally at this point.

MR. MACH: I do not.

COMMISSIONER DRAKE: Mr. Chairman, I have a question. I may have missed it, the letter you just read, do we know where that objection is coming from? Where does that resident live in conjunction with this property? Maybe I missed it.

ACTING CHAIRPERSON SIAVELIS: Do you have multiple copies of that?

MR. OSOBA: I do, yes.

ACTING CHAIRPERSON SIAVELIS: Okay, go ahead, circulate it to us.

Okay, yes, we do. It's on the back page, Tom.

COMMISSIONER DRAKE: Okay.

MR. ROJEK: I believe he's on the northwest corner of Chestnut and Sigwalt.

ACTING CHAIRPERSON SIAVELIS: I'm sorry, let's get you signed in.

MR. ROJEK: Yes, I'm signed in.

ACTING CHAIRPERSON SIAVELIS: You are? Awesome. Okay, I don't have to swear him in. You can identify yourself for the record.

MR. ROJEK: Yes, Edward Rojek, R-o-j-e-k. I'm the homeowner of 104 South Highland.

ACTING CHAIRPERSON SIAVELIS: So, you are the property --

MR. ROJEK: North.

ACTING CHAIRPERSON SIAVELIS: Directly north.

MR. ROJEK: Yes.

ACTING CHAIRPERSON SIAVELIS: Adjacent to the north.

MR. ROJEK: Yes.

ACTING CHAIRPERSON SIAVELIS: Okay, go ahead, sir.

MR. ROJEK: The e-mail covered a number of things that I wanted to say, so I'll make it shorter. The 1,772 square feet that is between the current lot size and the 8,750 that's required is 20 percent less than what it should be. The 20-foot variation from the required 70-foot to only 50 feet would lead to less privacy and negatively affects our property value.

The lot is only 71 percent of the required width, which means the home will be at, if the requirement is 8,750 and your permitted building coverage is 35 percent, the home is going to be a little over 3,000 square feet, 3,062. So, you're going to squeeze a 3,000 square-foot home in a 7,000 square-foot piece of property. The height of the building would no longer have any southern exposure.

Then, addressing 5.1-4.5, the driveway, the patio, the roof will all prevent water from soaking into the ground, which would lead to increased runoff and potential flooding issues on the south side of my house. In the packet, we're told that the proposed Unilock permeable pavers, it drains a 100 percent of the water just like a bathtub, but with the little ground exposed that remains, it will drain a lot slower and it will be more like a powder room sink.

The proposed under-drain below the driveway may also add to that excess water flow. The Village engineers have pointed out that there is no storm sewer on the side of our street, nor any connection will be available to combine to this sewer be allowed. We don't have the packet but on the fourth page of the appeals packet, you'll see that after the teardown, the property was built up and it drains to our house already. So, we already have a small problem. I didn't catch it until years later, walking on the east side of the street with my dog and seeing the trees slope downward right into my yard.

ACTING CHAIRPERSON SIAVELIS: So, I'm going to interrupt you for a second. I just want to make sure the record is real clear on this one point. So, are you saying water drains south to north towards your property?

MR. ROJEK: Yes, it does. Nothing grows there now but moss.

ACTING CHAIRPERSON SIAVELIS: How long have you been in your property, sir?

MR. ROJEK: Oh, I'm sorry, I failed to mention that. We've been in Arlington since '83. We've been in that home since '88.

ACTING CHAIRPERSON SIAVELIS: '88, okay.

MR. ROJEK: Yes.

ACTING CHAIRPERSON SIAVELIS: In its current configuration since '88?

MR. ROJEK: Yes.

ACTING CHAIRPERSON SIAVELIS: And you're at 104?

MR. ROJEK: Correct. I could use new steps but, and finally, if you look on the overhead drawings, it shows that the air conditioners are going to be installed at our bedroom windows.

ACTING CHAIRPERSON SIAVELIS: How close is your property, the

southern edge of your house to the property line?

MR. ROJEK: We have got the five feet exposed. They have the shrubbery. So, their landscapers have access to our emptiness to trim the bushes, but I have no access to, say my roof with a ladder because of the tall bushes.

ACTING CHAIRPERSON SIAVELIS: So, you're not, are you saying you're not using a ladder to access the southern edge of your roof?

MR. ROJEK: Correct, yes.

ACTING CHAIRPERSON SIAVELIS: With the bushes there. It may not be the worst thing for you in your health and wellbeing, right?

MR. ROJEK: But I don't have access, and to painting, you know, stuff up there, the stucco.

ACTING CHAIRPERSON SIAVELIS: Are you saying you have to clean your gutters in the fall, is that where you're going with that?

MR. ROJEK: Yes. Yes, all that stuff.

COMMISSIONER DRAKE: Have you had conversations with the Petitioner about your concerns?

MR. ROJEK: We never see them. Oh, the Petitioner? No, I have not spoken with them. I didn't realize I could have gotten in contact with them.

COMMISSIONER DRAKE: Well, they attempted to reach out to you?

MR. ROJEK: Yes, I got the letter and, again, I must have missed them.

COMMISSIONER DRAKE: Beyond the letter, did anybody knock on your door?

MR. ROJEK: No, no one knocked on my door.

MS. CANNISTRA: Yes, but excuse me --

MR. CANNISTRA: We spoke to him.

MS. CANNISTRA: We spoke to him.

MR. CANNISTRA: We spoke to him in-person.

MR. ROJEK: Very briefly, and they got back in the car and left.

ACTING CHAIRPERSON SIAVELIS: All right, we're not going to have comments from the gallery like that. It totally muddies up the record, we can't have that. You will have your chance to come up and rebut, okay?

Let's just clarify this. That property, 108, is currently owned by the folks at 110, right?

MR. ROJEK: Yes.

ACTING CHAIRPERSON SIAVELIS: And you have no interest in, you're at 104 and you have no interest in the property at 108; is that correct?

MR. ROJEK: Correct. It wouldn't make sense. My back is to the building. That was an old frame home that they bought because they got rid of the ex-felons and the drug folks. So, they actually gave up their beach house to, rather than buying a beach house, they bought the property and tore down the home.

ACTING CHAIRPERSON SIAVELIS: Okay, so let me ask you, when was that house torn down approximately?

MR. ROJEK: I would say about 15 years ago.

ACTING CHAIRPERSON SIAVELIS: So, like 2010-ish?

MR. ROJEK: Yes. No, more than that. Probably 18-20 years.

ACTING CHAIRPERSON SIAVELIS: '05-ish.

MR. ROJEK: Yes.

ACTING CHAIRPERSON SIAVELIS: '07-ish.

MR. ROJEK: Yes.

ACTING CHAIRPERSON SIAVELIS: Okay, well, I have a feeling we're going to hear the exact date or something really close to the exact date very shortly.

COMMISSIONER LANAGHAN: I have one just clarifying question. You might have mentioned it earlier and I missed it. How big is your lot? What size is your lot currently?

MR. ROJEK: 50 by 125.

COMMISSIONER LANAGHAN: So, approximately the same size; is that correct? I'd do the math but I was just curious if you knew. So, 50 by 125 would be 6,250 feet; does that sound right?

ACTING CHAIRPERSON SIAVELIS: Square feet.

COMMISSIONER LANAGHAN: Square feet.

MR. ROJEK: Yes.

COMMISSIONER LANAGHAN: Okay, no, I'm just curious. Okay, thank you.

ACTING CHAIRPERSON SIAVELIS: Okay, anyone else in the audience wishes to be heard in regards to this petition and this petition only?

MR. CANNISTRA: I guess to respond to --

MS. ZARI: I can do it.

MR. CANNISTRA: Oh, you got it? Okay, she's got it.

MS. ZARI: Should I come up, or --

ACTING CHAIRPERSON SIAVELIS: Well, I would say this. If there's other people in the audience who wish to be heard, now is the time, okay, because we will shut that phase down, and then the Petitioner's representative, which would be Gina, and I apologize, Gina, your last name, I'll just say Gina will then have a chance to address these comments.

(No response.)

ACTING CHAIRPERSON SIAVELIS: Okay, so Gina? Approach.

MS. ZARI: So, I just want to clarify. They did try to reach out to everyone around them. They rang all the doorbells within the area. I know there was conversation that was had, and none of the grievances were aired at that time, so I think it would have been better to address them prior.

But as far as the points that were made, the lot is exactly the same size, if you look in the aerial, as every single house on this side of Highland and most of the houses on the west side. We're not asking for a size increase, an FAR increase, a height increase. We are trying to build a respectful, modest, single-family dwelling on this lot.

As I stated, we will be managing stormwater responsibly. We will correct grading. There should be no grading towards their neighbors. I didn't realize the air conditioners were a problem, so we can work with neighbors on that.

We are not trying to stir the pot. We are not trying to ask to put a tower here. We're trying to build a house similar to everyone else on this block.

This is one of the oldest parts of the Village. We are in the downtown. It makes sense that the lots are denser here. I think it would be kind of a sad

urban condition if this lot were to continue to sit vacant.

If someone else is able to come up with a design on this lot that you all would consider buildable, I would applaud that person, but I really have tried my best to make this proposal as amenable as possible. I have a passion for historic preservation, traditional or vernacular architecture. I would do my best if given the chance to make this a house that Arlington could be proud of. I know my parents, if they were able to live here, would be good neighbors and they would, as to the community, they spend their free time volunteering in an area, delivering food to the elderly, and they want to be part of this community.

ACTING CHAIRPERSON SIAVELIS: Well, I'd say that's certainly admirable, and I will commend you, Gina. You've done a really good job with your presentation and the cohesiveness of your presentation. You're in a tough spot though, I'm just going to tell you that, at least from my perspective, right?

You have Engineering Department who's a hard no, right. You saw the response from the Engineering Department.

MS. ZARI: I did, but I don't think they're evaluating the proposal fairly, truly.

ACTING CHAIRPERSON SIAVELIS: That's a fair point. That's a fair rebuttal point from you, but we still have to take note of what they said. Then, we have a directly adjacent neighbor, okay, who also is, based on his testimony, they're a hard no.

This Board, historically or, you know, in the recent past, we give a fair amount of weight to the other departments in the Village and what they provide on a petition, and what the neighbors, especially the adjacent neighbors, have to say and what their testimony is. So, kind of read the tealeaves here, okay, you're in a tough spot here.

MS. ZARI: I understand. I just, I don't know why you would expect to have a vacant lot next to you. You typically, in a suburb like this, would have a neighbor and would, there should have been a house there, you know. There was a house there in the past. So, I don't think we're trying to do anything other than restore the character of the traditional block.

ACTING CHAIRPERSON SIAVELIS: I hear you on that, but of course the code has changed, right? Right, so that's something we have to manage and deal with.

COMMISSIONER LANAGHAN: The fact that there's only four of us up here makes it tougher for you.

ACTING CHAIRPERSON SIAVELIS: Yes.

COMMISSIONER LANAGHAN: And the fact that you're up against a deadline on the other side makes it tougher as well.

ACTING CHAIRPERSON SIAVELIS: Right, you're right. There's a lot of factors here that make it tougher on you. Like Jeff was just saying, you're up against a contingency deadline, right? Correct?

MS. ZARI: That's correct.

ACTING CHAIRPERSON SIAVELIS: All right.

COMMISSIONER DRAKE: Is that contingency deadline negotiable?

MS. ZARI: No, the sale will fall through, and then, I mean, that's, the current owner, the same problem will happen again. Whoever is next will have to come to you all.

ACTING CHAIRPERSON SIAVELIS: Yes, I hear you on that, but I mean, that's one factor in this tricky puzzle, right? So, I'm going to do something a little bit unorthodox and ask the members in the audience, you two folks, right, are you the current

owners of the property that is the subject of the sale?

MS. ZARI: No, they're the potential owners.

MS. CANNISTRA: We're the buyers.

ACTING CHAIRPERSON SIAVELIS: Oh, you are the potential buyers, okay.

MS. ZARI: The seller's agent is here.

COMMISSIONER PORTERA: Is there any positive feedback at all from the surrounding neighbors?

MS. ZARI: I know obviously the seller is excited. The people across the street were --

MS. CANNISTRA: The people across the street were --

ACTING CHAIRPERSON SIAVELIS: Wait, wait, hold on. We can't have you on from the cheap seats --

MS. CANNISTRA: Sorry.

ACTING CHAIRPERSON SIAVELIS: -- and I apologize, because I invited it, but if you want to come up to the podium, you can speak, all right, because I think the situation warrants it.

You, ma'am, are the realtor?

AUDIENCE MEMBER: I'm their realtor. Sarah is the seller's realtor.

MS. ZARI: Should I stay here or leave? I don't --

ACTING CHAIRPERSON SIAVELIS: All right, we're going to give you a chance.

MS. CANNISTRA: Do I sign in?

ACTING CHAIRPERSON SIAVELIS: Yes, please. We're going to give you a chance, Gina, to rebut, and you, sir, since you had the opening opposition.

COMMISSIONER LANAGHAN: And if you would like to say something as well.

ACTING CHAIRPERSON SIAVELIS: Yes, right, I apologize. You, ma'am, as well.

MS. CANNISTRA: I just want to say we did try all of the, ringing on all the doors around.

ACTING CHAIRPERSON SIAVELIS: Let's --

MS. CANNISTRA: Debbie Cannistra.

ACTING CHAIRPERSON SIAVELIS: Okay, great. Thanks, Debbie.

MS. CANNISTRA: And I would be the purchaser if possible, and my husband Peter. We did try, in addition to sending out all the letters that we had to send out, we also rang the doorbells at everyone's doors. We could only reach a couple of people.

We did speak with this gentleman. He was leaving, he was going hunting the day we spoke with him. It was raining but we did talk with him. We did explain that we were trying to be the purchasers. We had a very nice conversation. He did not voice any issues at that time, but granted, we were in the rain, so, you know, giving all benefit to the situation, it was very casual. We had no other way to reach him, so we did just approach him that way.

We did speak with the people across the street, directly across the street from the property. They were very nice people. They were very, they said we have

no issue, we would not appeal, we won't show up at the meeting, we have no problem with building a home in the neighborhood.

So, those were the two people we were able to reach, but --

ACTING CHAIRPERSON SIAVELIS: Thank you.

MS. CANNISTRA: -- we did not get any letters back or have any calls to our home or anything.

ACTING CHAIRPERSON SIAVELIS: Okay, thank you very much.

MS. ANDERSON: Hi.

ACTING CHAIRPERSON SIAVELIS: Hello, can you identify yourself on the record?

MS. ANDERSON: I'm Sarah Anderson with @Properties. I am the seller's agent for 108 South Highland Avenue.

ACTING CHAIRPERSON SIAVELIS: Okay, all right.

MS. ANDERSON: I was not planning on speaking. I was just here to give feedback as to what happened at the meeting.

ACTING CHAIRPERSON SIAVELIS: Is that right? And I apologize.

MS. ANDERSON: That's okay.

ACTING CHAIRPERSON SIAVELIS: This is not the conventional approach, this is the unconventional situation I think we're in right here. So, how long have you been representing the sellers for this particular property?

MS. ANDERSON: I mean, it's been since February or March I want to say. I've known them for a year though. They tore that house down in 2009.

ACTING CHAIRPERSON SIAVELIS: There we go, that was where I wanted to go. Thank you.

MS. ANDERSON: They tore 110, their current house down in 2002 and built in 2003. Their house is, what, 60 percent according to Engineering. Theirs is 60 percent, so I'm not sure when this rule changed, somewhere between 2003 and now? But, yes, so I'm representing the sellers.

We had a few offers on this property and we went with them because their daughter was an architect and he did want to move to Arlington Heights. Just having that kind of emotional, you know, support and also having someone who knows how to do their job was very important to the sellers because there were investors that we got offers from that I did not feel confident knew what they were doing and didn't want the deal to fall through. We did have to push back this meeting until now because we were going to close earlier, we did have to push it back, the contingency date, because we wanted them to do their due diligence to make sure that they felt comfortable purchasing the lot and building what they wanted.

I understand the Engineering Department's, not issue, but worry I guess, and the surrounding neighbors, but I also know that Gina knows what she's doing and has been doing it. I believe they will do what's best not only for them but also for the Village, for the surrounding neighbors and for the community, because I believe they've been looking for at least two years to buy and build a house in the area. Again, we had a few offers on this part of land and that's why we went with them.

ACTING CHAIRPERSON SIAVELIS: Okay, thank you. That's very helpful. So, if the petition is denied; take us through that scenario.

MS. ANDERSON: If the petition is denied, my sellers are, we haven't really

spoken about it. He might take it off the market. I mean, before we even listed, I went to upstairs to talk to Steve Hautzinger, being like, okay, I know it's non-conforming, I know it is this, this and this. What do I need to do on my end to get it listed to make sure that anyone who buys it feels comfortable buying it, knowing that it is buildable? We did the soil testing to know that, okay, there is a variance that's going to, you know, have to happen.

124 South Vail right next door, 124 South Vail, an even smaller lot of land just built a single-family home with a detached garage, sold for \$1.495 million. I mean, it's a great, great opportunity to build a house and to have an over-million-dollar listing over there. So, I do work with another builder in the area, was talking to him about it today, and he's like, yes, that's a great location and, you know, he would have bought it but he was tied up with other projects.

ACTING CHAIRPERSON SIAVELIS: So, do the folks at 110, do they live there full time?

MS. ANDERSON: They do. They do, and they're finishing a house in Wisconsin right now, a lake house, but they do live there full time.

ACTING CHAIRPERSON SIAVELIS: Okay, any other comments from Board members?

MS. ANDERSON: Yes, we're not causing, I'm not causing trouble. Like I said, I was just here to like really --

ACTING CHAIRPERSON SIAVELIS: Yes, I understand that. I get that, nobody is accusing you of causing trouble. We totally, we understand that.

MS. ANDERSON: I'm representing clients here.

ACTING CHAIRPERSON SIAVELIS: Jeff, are you, do you have a follow-up question? I see your wheels are turning.

COMMISSIONER LANAGHAN: Well, I'm just trying to figure it out. I mean, I'm looking at this site that, you know, has very similar lots. In general, they're all roughly 7,000 square feet. There's a couple that meet the code at 8,750, but the ones that meet the code in this area are kind of few and far in-between.

MS. ANDERSON: And I did do a spreadsheet. I have them in my computer.

COMMISSIONER LANAGHAN: Not that we take that into consideration. It's all, you know --

MS. ANDERSON: Before listing, I did a spreadsheet and I looked at all those houses. Granted, a lot of them were built in 1925 or around that 100 years, right, but they are this similar size house on 7,000 square-foot lots. I was told, not by Steve, but someone else in the Village when I called, and they said that changed in about 1971-1972, and then obviously, they built theirs and it was approved in 2003. Then, somewhere in between now and then, it's changed again.

COMMISSIONER LANAGHAN: There's been a lot of rain between now and then which has caused a lot of changes to Engineering Department's take on that.

MS. ANDERSON: And, again, like I said, we believe that Gina knows what she's doing. She's helping her parents out. It's nice that everyone is connected in this and trying to make it work, and we're not trying to hurt any neighbors.

ACTING CHAIRPERSON SIAVELIS: Right, we get that. We get all that, but again, like I said, we have Engineering Department with strong opinions in the

negative, and we have a directly adjacent neighbor with similar negative opinions, which are two really large factors for a number of us on this Board.

Derek?

You can go ahead and take your seat unless there's anything else, Sarah, that you want to raise that you haven't yet?

MS. ANDERSON: No.

ACTING CHAIRPERSON SIAVELIS: Okay, Derek, is there anything that was just said you want to comment on or the Village wants to comment on regarding accuracy of that?

MR. MACH: I'll defer to Dan.

MR. OSOBA: To my knowledge, that was all accurate.

ACTING CHAIRPERSON SIAVELIS: Okay, good. Thanks, Dan.

Okay, where is Gina? There you are. All right, Gina, come back up.

COMMISSIONER LANAGHAN: Wait, wait. There's somebody else waiting.

ACTING CHAIRPERSON SIAVELIS: Oh, right, I'm sorry. I apologize, ma'am, I'm so sorry.

MRS. ROJEK: Good evening. I'm Gabriela Rojek, 104 South Highland. That's my husband.

ACTING CHAIRPERSON SIAVELIS: Okay, speak into the microphone so that we can catch you.

COMMISSIONER LANAGHAN: And sign up here.

ACTING CHAIRPERSON SIAVELIS: Right.

MRS. ROJEK: I'm Gabriela Rojek, 104 South Highland. My husband spoke earlier. I haven't had the pleasure to meet the Petitioners, and I just wanted to clarify one thing for my understanding.

We received the letter that you were supposed to give all the neighbors. Perhaps it was my misunderstanding that I didn't realize we were supposed to reply to them directly. I thought our opportunity would be here tonight. So, we waited, we looked up the code, and I tried to get clarification from the Village Staff and from the Public Works just to educate myself about what the variances were. I thought that this would be our opportunity, I really did not know that we had to reply to you directly first.

ACTING CHAIRPERSON SIAVELIS: Let me correct something, or just clarify something, not correct but clarify. This is a perfectly good opportunity for you to appear and state your views and opinions because you waited until now, that's not a problem, right, that's why we have the public comment segment in every petition.

MRS. ROJEK: Right. I just wanted, just to give my perspective on the comment that they tried to, you know, that we didn't comply with a response earlier.

ACTING CHAIRPERSON SIAVELIS: Yes, I don't think it was made with malice.

MS. CANNISTRA: I was just answering the question.

MRS. ROJEK: Sure, sure.

ACTING CHAIRPERSON SIAVELIS: Yes, that point wasn't made with any malice. I think it was just off the cuff. So, go ahead.

MRS. ROJEK: And just from my perspective, my concern is, I know this is a very desirable place. We've been here for a long time. We've seen the Village grow; we've seen all the development. As much as I would appreciate getting neighbors, I think

Brad and Lisa waited, you know, took the opportunity to make a great investment in buying that lot when they did and just holding on to it. Perhaps they had plans for it and it didn't work out, and this is an opportune time to be able to, you know, to sell with everything that's going on. So, the concern about how long the lot has been vacant, I think that was a very prudent choice on their part to hold on to this investment property until the time was right.

My concern is really losing, it's the height of the home, and I don't want to be dictating your choices of how you want to build your home, but we would be losing a lot of sunlight, the property right next. The previous old, old home that was there, had the driveway adjacent to our home, so there was a lot more space. Then, 110 had their driveway, so the house that was there had two driveways and it was a smaller home. So, if it was a smaller structure, I perhaps would not be standing up here giving my comments.

ACTING CHAIRPERSON SIAVELIS: Smaller structure meaning what, overall footprint or height?

MRS. ROJEK: Probably both. It was a two-story but it was an older two-story home, so I don't think it was as high as what is being proposed. So, because there was the two driveways on both sides of the house, the 110 driveway and then the 108 driveway was just left to us, there seemed to be a little bit more space between the homes. So, but thank you for listening.

COMMISSIONER LANAGHAN: Thank you.

ACTING CHAIRPERSON SIAVELIS: Thank you.

Okay, Gina, we'll give you a chance to briefly rebut and address their comments.

MS. ZARI: All right, could you flip to the elevations? I don't know if you have the plans or not, but I just want to address the concerns about the height and adjacency to the neighbors.

So, I tried to break down the mass of the building so it would respect the small scale of the existing conditions. You can see that like the primary mass of the building is actually quite small where it's two stories, and the pitch of the roof is centered in the mass so that from the street it appears shorter, much shorter than the next one. Then the full wing on the back is only one story, and the part that's on the, like right in the center, what would be like a covered porch, that's also one story with a roof that slopes away from the neighbors. So, everything that I did in the design of the building is to try to get as much sunlight to the neighbors.

So, if you go back to the site plan, I show the outline of the house. Their house extends, and the garage is the smaller square, the two-story residence is the thicker line. So, there is still plenty of daylight that would get to their building.

As far as I know, we're meeting, we're exceeding the setbacks that are required by code on that side of the lot. I think we're only required five feet and we are, I can't read my dimensions now, but eight, seven? So, with the tight constraints, with getting a narrow driveway, we're trying our best to be respectful neighbors. I guess I'll leave it at that.

ACTING CHAIRPERSON SIAVELIS: Okay, so I think you should take just a little bit more time to explain the setbacks and the various structures between the proposed design and the neighbors to the north there.

MS. ZARI: Okay, do you have like a pointer?

ACTING CHAIRPERSON SIAVELIS: We do have a pointer. We used to have a pointer.

What happened to our laser point, Derek?

MR. MACH: Well, he can use the mouse.

MS. ZARI: Okay.

ACTING CHAIRPERSON SIAVELIS: Okay, yes, start on the left. I'm asking you to do this exercise because, often, in contentious situations, contentious petitions, there is something lost in translation, right? The neighbors who are opposing don't understand the full scope of the project or the design being contemplated, like perhaps maybe they didn't see the drawings ahead of time. When they see actually what is going to be built or what is proposed to be built, their positions change and/or, and that's the part that I emphasize, and/or the petitioner adjusts his or her design in view of the commentary from the neighbors, or updated commentary from the neighbors as they're walking through the process.

MS. ZARI: Understood. So, the, sorry, I'm really short, but like the thick black line above the property line, which would be the neighbor's house, that L-shaped dash line, no, left, left -- can I just have the mouse? Would that be easier?

MR. OSOBA: Sure, it would be easier.

ACTING CHAIRPERSON SIAVELIS: Derek, for our unspent budgetary funds, I would request to have a laser pointer, because I thought we had one before.

MS. ZARI: Yes. Okay, so this is a one-story garage here. This mass here is the neighbor's house which is really a cute Craftsman sloped roof, and it has a dormer here, but if you look at -- so this is the primary mass of their house. The two-story portion of this house is only this portion. This is the only thing that's two stories that would be close to their house.

This is a one-story living room. This is a one-story garage. This is a covered porch where the low point of the slope is here and it slopes up, so it will be further out to allow more light.

I guess if you want to look at the site per the aerial photos, maybe that would be the clearest.

ACTING CHAIRPERSON SIAVELIS: Wait, wait, wait. Stay there for a second. I just want to make sure I'm clear and the record is abundantly clear. If you don't mind just dragging your mouse across the perimeter of where the two-story structure would be?

MS. ZARI: This is the two-story structure right here in this square, and there's a little groove here. So, if you go to elevations, I don't know how to do that because of the mouse. This is the part that would be closest to the neighbors, so their house extends up to like here. It's a pretty small mass to be honest, and like I said, that's that one-story living room.

This is what I'm talking about, so this is sort of the Craftsman sloped roof, this is that one dormer. So, it's really that one second-story window here. The rest is looped. So, if we can go to the aerial, you can see what I'm talking about.

Here is the, right here, here is the primary building, and then the rest is one story. I'm not sure what kind of house you can put here that wouldn't limit sunlight in some ways than we're seeing, but we're trying to work with all the factors. So, I did try to

minimize the mass as much as possible.

ACTING CHAIRPERSON SIAVELIS: Okay, thank you very much.

I don't know, for other Board members, Tom, do you have a question on there to follow-up?

Jeff?

COMMISSIONER LANAGHAN: No.

ACTING CHAIRPERSON SIAVELIS: Frank?

COMMISSIONER PORTERA: No.

ACTING CHAIRPERSON SIAVELIS: Okay.

MS. ZARI: Anything else?

ACTING CHAIRPERSON SIAVELIS: No, I'm going to ask you to take your seat for a second, and I'm going to ask the neighbors to the north at 104, in view of that explanation from Gina, which I thought was quite helpful, right? It explained the layout and the massing, does her explanation of the proposed design, does that alter your views or the extent of your opposition?

MR. ROJEK: It still does.

ACTING CHAIRPERSON SIAVELIS: Wait, my question was does it affect or does it change the extent of your opposition. You said yes, it still does. Are you saying --

MR. ROJEK: All right, I'm sorry.

ACTING CHAIRPERSON SIAVELIS: Yes, but you still maintain an objection, is that the headline of your answer?

MR. ROJEK: I'd like to explain where I stand with it. The property that she's proposing, if you look at the dormer here on the left, that's one bathroom, below it is a second bathroom, and then to the east is a bedroom.

ACTING CHAIRPERSON SIAVELIS: Street-side, forward to the street?

MR. ROJEK: Yes.

ACTING CHAIRPERSON SIAVELIS: Okay.

MR. ROJEK: So, those rooms would be in the dark, and then there is the bedroom. The other thing, too, first and foremost, is you'll be able to see into our bathrooms, and we're going to be able to see into whatever they've got because, again, where the red line is, where the grading in between that black line and the red line is going to be their home. So, that's going to be the 10 feet, so we'll be able to look into one another's, there will be far less privacy.

Then, it doesn't go down, it doesn't, their structure doesn't go into the first-floor until, you know, the very back end of the house and then the garage.

ACTING CHAIRPERSON SIAVELIS: I think it steps down actually earlier than that because there's a one-story living room in the back, right?

MR. ROJEK: Yes, but I mean, that's one room.

MRS. ROJEK: Three-quarters of our house is going to probably be affected.

ACTING CHAIRPERSON SIAVELIS: Go back, yes, go back to that other one, okay?

So, your first name is Edward, is it not?

MR. ROJEK: Yes.

ACTING CHAIRPERSON SIAVELIS: Okay, Edward, so where, if you're looking at the north elevation drawings, so that's the drawing on the bottom, where do you

think your house would, the main portion of your house would end, okay?

MR. ROJEK: Right there.

ACTING CHAIRPERSON SIAVELIS: Okay, so splitting the second window or bisecting the living room with the second living room window; is that right, approximately?

MR. ROJEK: About there, yes.

ACTING CHAIRPERSON SIAVELIS: Okay, so the tricky thing here, the problem is that you're five feet from the property line. There is basically no house that can be built on this vacant lot that doesn't require assistance from the Zoning Board or variance from the Zoning Board, at least one, here in this instance three. This is a tough situation all around, right. There is no clear-cut winner, and this is unlike the four other petitions you saw today in front of us, right?

MR. ROJEK: As my wife said, we would love to have neighbors.

ACTING CHAIRPERSON SIAVELIS: Yes, but I think that that's not really a viable task, unfortunately, given the state of affairs, the value of real estate in our community now, and especially in that location. Anybody who's going to buy that property is going to have to put up a house on there that is going to be rather substantial, right, and likely cause issues for you' otherwise, they're going to get no nominal return on that house in the future should they choose to sell it.

So, this is a real predicament, a real tight position to be in here. I mean, short of you buying that lot, right, and doing what you want on it, whether it's building, expanding your house, or doing nothing and basically putting a large, having a large side lot, I think we'd be back here each time.

MR. ROJEK: The other neighbors weren't allowed to put anything out there. They weren't allowed to put a garage --

ACTING CHAIRPERSON SIAVELIS: Wait, wait, the existing seller?

MR. ROJEK: Yes.

MRS. ROJEK: Yes. They wanted to put a pool, many, many years ago, they wanted to put a pool in that lot and the Village said no.

MR. ROJEK: And then they wanted to put a garage, they wanted to move the garage around. No, you can't, you couldn't do anything. Then the first bidder on the house, or on that property, the Village said no because it's a single property, you can't sell off the piece of property.

ACTING CHAIRPERSON SIAVELIS: You can't parse it?

MR. ROJEK: Yes, and that was the original --

MR. OSOBA: Chair, it's because they were two separate lots by themselves and there wouldn't be a principal use out in that lot. It would just be a pool by itself and you'd have to have, that would just be an accessory use to nothing. You'd need a principal use.

COMMISSIONER LANAGHAN: So, you had to put the two lots together to create a single lot before you could do that.

MR. OSOBA: Correct.

ACTING CHAIRPERSON SIAVELIS: And the owners of 104 at that point in time didn't want to do that, is that --

MRS. ROJEK: They just want to make money.

COMMISSIONER DRAKE: On a scale of one to 10, how strong is your

opposition, 10 being absolutely against it, the ask?

ACTING CHAIRPERSON SIAVELIS: Yes, now that you've seen the size and design and the way that, you heard Gina's explanation, where are you at on that? That's a great question, Tom.

MR. ROJEK: How big is the actual house itself?

MS. ZARI: It's like 3,000 square feet, and I will say that the prior bedroom was just a one-story of course and there's no walls, so you would be getting light to that part of your lot.

MR. ROJEK: So, my math was right.

ACTING CHAIRPERSON SIAVELIS: Pretty close, yes, right. Can you answer Mr. Drake's question then?

MR. ROJEK: Six-seven.

COMMISSIONER DRAKE: Okay, thank you. That helps me.

MR. ROJEK: Anything else?

ACTING CHAIRPERSON SIAVELIS: No, not from you. Thank you, sir.

Okay, Gina, come back up here. I'm going to ask you two quick questions. Now, I apologize for putting you through this, but we haven't had a petition like this in years.

MS. ZARI: This is my first petition, so I think they're all like this.

ACTING CHAIRPERSON SIAVELIS: No, no, they're more like the first four you heard tonight. Very straightforward, very succinct, very easy. This is not easy.

COMMISSIONER DRAKE: It's a teaching moment, so I'd say it's --

ACTING CHAIRPERSON SIAVELIS: Yes.

MS. ZARI: Yes, for sure.

ACTING CHAIRPERSON SIAVELIS: And you are facing a conundrum because you have to go 4 and 0 or you have to ask for a continuance.

MS. ZARI: Yes, where are the owners?

ACTING CHAIRPERSON SIAVELIS: This is a voluntary position, too, so --

MS. ZARI: I know.

ACTING CHAIRPERSON SIAVELIS: It does that to you. So, how wed are you to this design such that would you consider scaling it down a bit to take seeking a continuance, getting time to potentially reduce the size, work with the neighbors at 104, add in his wife Gabriela, right, okay, and considering it that way and going back to the sellers? Because, frankly, the sellers are in as big a predicament as you are, right, and I highly doubt, if this deal falls through for you, I highly doubt that the next buyer is going to put forth an architect who does as good a job as you do and as you've done tonight, okay?

MS. ZARI: Thanks, that's very nice.

ACTING CHAIRPERSON SIAVELIS: I will tell you that with pretty good certainty. So, that's where I stand on this, and I'm not sure, Tom and Jeff and Frank, where you're at on this.

COMMISSIONER DRAKE: Well, a continuance, it would be contingent on you getting the seller to be able to give you more time. I thought I heard that can't be done, or maybe it can?

MS. ZARI: I mean, I don't, the attorney review period is certainly over. I don't know if, we were hoping to come out of this meeting with an understanding of whether or not this lot is buildable in Arlington Heights' point of view, but --

ACTING CHAIRPERSON SIAVELIS: Well --

COMMISSIONER DRAKE: -- if you don't get all four votes, it's definitely a no.

MS. ZARI: I know.

ACTING CHAIRPERSON SIAVELIS: And this current design is --

COMMISSIONER LANAGHAN: And then you can't come back for a year.

ACTING CHAIRPERSON SIAVELIS: And you can't, exactly, that's what I was talking about in the beginning.

MS. ZARI: I know.

ACTING CHAIRPERSON SIAVELIS: The preclusive effect of a year, right, with this design.

Derek, you guys are chomping at the bit over there.

MR. OSOBA: Yes, the Zoning Board and the Village have seen lots that go through for a buildable area and lot size where they get the variation or apply for the variation and have been granted the variation for the lot size and the buildable lot area, and then come back in with either a code-compliant house or further variations in addition to what they've already received. That's a potential option I suppose, because we have three variation requests currently, and for the buildable lot size and the lot width are the ones that would allow the lot for a home to be built that is code-compliant.

MR. MACH: So, in the past, the Zoning Board has evaluated requests for substandard lots without a plan for a home. So, they could come forward and request that this be a buildable lot, and then come forward with a code-compliant home at a later date which could be a two-story home and five feet from the property line. I just want to bring that to the attention of the Zoning Board. There are two issues here, whether or not it's a buildable lot, and then whether or not the Zoning Board supports the impervious surface coverage variance.

ACTING CHAIRPERSON SIAVELIS: Which is tied to the current design presented in the papers.

MR. MCDONNELL: Correct. Yes.

MS. ZARI: That's true. I mean, if I wanted to be by the books and not have to ask you about the impervious coverage, I could redesign this home to be five feet from the neighbors, two feet the entire north-side, and that would be code-compliant, but we are trying to go above and beyond with the setbacks, with the massing. The decision to do the detached garage --

COMMISSIONER LANAGHAN: And a garage that would face the street so that the, yes.

MS. ZARI: Yes, you just basically see a front door and two driveways. I mean, I think from, if this is a discussion about zoning and urban conditions, I think you could do a lot worse if a builder or an investor were to take over this lot. A lot worse by the Village and a lot worse by the individual neighbors.

COMMISSIONER DRAKE: The flipside of this is you could stand pat and play poker, you may get all four votes. I don't think anybody knows right now what's going to happen.

ACTING CHAIRPERSON SIAVELIS: Yes, yes.

COMMISSIONER LANAGHAN: Right.

COMMISSIONER DRAKE: I mean, I think she just needs to understand

that.

ACTING CHAIRPERSON SIAVELIS: Yes, that's a fair point, but the point that Gina just made is also a fair point, but I want to give Derek and the Village, you know, the team over there, now you have a team, it used to just be you, Derek, you were a one-man band for years but now we have, you know, backup singers with you now. So, where do you, I mean, put a little bit more on that point, put a finer tip on that point basically. Could one of these variations that is being sought be removed from the discussion right now such that the buildable lot variations proceed to a vote? Is that feasible, and is that where you were going?

MR. MACH: I'm just saying that the Zoning, well, first, the Zoning Board could vote on each variance separately, whether or not it's a buildable lot and then whether or not the square feet request for impervious surface coverage, I just wanted to point out there's kind of two issues going on. The Zoning Board has evaluated requests for lots that are substandard, whether or not they're buildable in the past.

COMMISSIONER LANAGHAN: A side question just popped into my head. How wide is your driveway at this point in time? You're 11.5 feet to the property line. I don't know how far off the property line you are.

MS. ZARI: 10 feet. 10 feet, I think.

COMMISSIONER LANAGHAN: Is there any way, and this is just a question, you could shrink that a little bit to maybe pull the house a tad bit away?

MS. ZARI: Yes.

COMMISSIONER LANAGHAN: I don't know that that helps or doesn't.

MS. ZARI: I mean, I might hit the corner.

COMMISSIONER LANAGHAN: But, you know, again, the neighbors again -

MS. ZARI: We can't get under the threshold for the impervious coverage.

COMMISSIONER LANAGHAN: I understand, I understand.

MS. ZARI: We can't, but yes, I can trim that down. Yes.

COMMISSIONER LANAGHAN: It would reduce the amount of impervious; it would give potentially a tad bit more room on the north side to the neighbors.

MS. ZARI: Sure, we can look at that. Also, like the use of impervious is very harsh because it is a product that will be managed.

COMMISSIONER LANAGHAN: It is pervious by design.

MS. ZARI: Yes.

ACTING CHAIRPERSON SIAVELIS: Right, pervious by design, and frankly, this Board has considered that issue independently and separately in its own purview numerous times over these years now, right?

COMMISSIONER LANAGHAN: Several times here, yes, for sure.

COMMISSIONER DRAKE: Right.

ACTING CHAIRPERSON SIAVELIS: We have taken that issue up ourselves, and frankly, this is the first time that I can recollect that we've seen an official paper or a submission from the supplier/manufacturer of that permeable paver, in this instance Unilock.

MS. ZARI: It's from me.

ACTING CHAIRPERSON SIAVELIS: I know that, that's my point.

MS. ZARI: Oh, okay.

ACTING CHAIRPERSON SIAVELIS: That this is the first time we've seen that sort of detail on the permeable paver and the notes in there and the explanations, okay, which is good.

MS. ZARI: Oh, got you.

ACTING CHAIRPERSON SIAVELIS: It's nice to see that instead of just hearing testimony about it. Here, this is the document from the manufacturer from 10 years ago. It's from March of 2015, so I was curious to see how long this has been in effect, and I went and looked earlier today, and this still holds.

All right, so Jeff, where were you going with your prior point?

COMMISSIONER LANAGHAN: I was just trying to; it would address a couple of things in my mind that I'm struggling with. One, the neighbor to the north losing some of the light which I completely understand. Anything that gets built there, you'd probably lose some light. To Gina's point, you know, somebody else comes in and if they get approval, if, you know, they'd be five-foot away, not 6.5 feet away.

But even having said that, you know, if we can move it another foot, make it 7.5 feet, a little more breathing room, it's not perfect, a little more breathing room, and it also reduces the amount of impervious surface, or pervious surface, depending on how we want to identify it, but it was just scrambling through, trying to come up with a compromise here.

MS. ZARI: Yes. I think that's a good one.

ACTING CHAIRPERSON SIAVELIS: So, is that something you're willing to do?

MS. ZARI: Yes, I was just trying to get my, you know, we need it to be so wide, but yes, I think we could cut out a little space from the driveway, yes.

COMMISSIONER LANAGHAN: Most parking lots are nine-foot, so that's why I was thinking nine-foot should probably be in there okay.

MS. ZARI: Yes.

ACTING CHAIRPERSON SIAVELIS: Parking spots are nine feet, right, yes.

COMMISSIONER LANAGHAN: Right, correct.

COMMISSIONER DRAKE: How many cars will be needed in the home? How many drivers, how many cars?

MS. ZARI: At least two, if not three.

COMMISSIONER DRAKE: Three?

MS. ZARI: They wouldn't be absolutely housing that many, but yes, there could be a fuller --

ACTING CHAIRPERSON SIAVELIS: But then that driveway is long enough to accommodate a considerable number of cars like at Thanksgiving and Easter or a holiday, whatever it is.

MS. ZARI: Yes.

MRS. ROJEK: Excuse me?

ACTING CHAIRPERSON SIAVELIS: So, do you, is that a condition for your support if the submitted plan is modified to shrink it, essentially to shrink the driveway a foot such that the entire house shifts a foot south?

COMMISSIONER LANAGHAN: Let me --

MRS. ROJEK: I'm sorry, I don't know the procedure. I just thought of something.

MS. ZARI: You need to come up, I'm sorry. Then, we're going to wrap up public comment.

COMMISSIONER LANAGHAN: Yes, we've got to finish this.

MRS. ROJEK: Just a quick question. I know that we're talking about rain and water and absorption. What would be my recourse as an owner if these pavers don't do what is hoped that they would do and it creates, you know, a situation with water and runoff and whatnot? What is my recourse and what happens to me as a homeowner being affected by that? I know that it's, you know, just like they're hoping it will work, what's my recourse if it doesn't? So, that's another concern that just came to my mind.

ACTING CHAIRPERSON SIAVELIS: That is a very good question. I don't have a direct answer to that. Derek, I don't know, but does the Village -- okay, Gina, come back up in a second. Does the Village field complaints like that? I mean, where does that stand short of a homeowner taking legal action against another homeowner?

MR. MACH: I can't advise on that.

ACTING CHAIRPERSON SIAVELIS: Yes, I wasn't sure if in your experience in the Village you've dealt with that issue.

MR. MACH: No, I have not. I mean, the Petitioner, if the Zoning Board is supportive of variances, the Petitioner would have to satisfy all building permit requirements which could --

ACTING CHAIRPERSON SIAVELIS: And the comments from the Engineering Department, right, and obviously forthcoming permits, right?

MR. MACH: Correct.

COMMISSIONER LANAGHAN: And the grading plans and everything else. The only other question that we haven't asked you yet, Gina, that the Engineering Department kind of addressed more on the pervious/impervious surface is the bluestone. Would there be any flexibility in switching that to a pervious paver?

MS. ZARI: Yes.

COMMISSIONER LANAGHAN: Which was kind of their other, if you approve it, please make these pervious as well.

MS. ZARI: Yes. I think that's logical.

ACTING CHAIRPERSON SIAVELIS: Okay, so we're modifying here on the fly a little bit, right? So, bluestone is out, correct?

MS. ZARI: If that gets us where we need to be.

ACTING CHAIRPERSON SIAVELIS: Let me say this a little bit. Not bluestone is out, bluestone would be switched as per the request of the Engineering Department.

MS. ZARI: Sure.

MR. ROJEK: Can I ask a question?

MRS. ROJEK: Just clarify where the bluestone?

MR. ROJEK: Where the bluestone will be, yes.

MS. ZARI: The patio. Yes, the open one.

MR. ROJEK: And then what would it be?

MS. ZARI: Same as the driveway, or gravel.

ACTING CHAIRPERSON SIAVELIS: Same as the driveway.

MR. ROJEK: Can I ask a question?

ACTING CHAIRPERSON SIAVELIS: Yes.

MR. ROJEK: What's the width over there?

MS. ZARI: It's just --

MR. ROJEK: 70 feet or something?

MS. ZARI: Yes, it's like 80 square feet.

MR. ROJEK: Is that not going to affect the calculation in terms of less than 50 percent?

MS. ZARI: It's still --

MR. ROJEK: Because I want pavers in the patio.

MS. ZARI: It's still closer to the 50 percent threshold.

ACTING CHAIRPERSON SIAVELIS: Yes, it gets you closer. It's like every little bit helps.

MS. ZARI: I think it would appease the Engineering Department.

ACTING CHAIRPERSON SIAVELIS: Right. That, so again, like I said earlier, we give a lot of deference to the Engineering Department, the professionals in the Engineering Department. When you're close, and you are beyond close, you look up close in the dictionary and this is close, right? So, we're trying to work with you, because oftentimes, something like this doesn't get passed, right, or there's concessions made on both sides, let's just say that.

MR. ROJEK: Thank you.

ACTING CHAIRPERSON SIAVELIS: Okay, and Gina, you were talking about the patio area on the left side of the screen as is currently on the west patio, right, because the other one is covered?

MS. ZARI: That's right. The other two are covered so they already count. Changing them would have no bearing on the calculation.

COMMISSIONER LANAGHAN: Right.

ACTING CHAIRPERSON SIAVELIS: Thank you for confirming that, that's right.

Derek, you agree with that? Right, that since they're covered, they don't impact the calculation? You guys would agree with that?

MR. OSOBA: Yes.

ACTING CHAIRPERSON SIAVELIS: Derek and the team.

Okay, Jeff, Tom, Frank, anything else? You're awfully quiet, Frank, I just wonder.

COMMISSIONER PORTERA: Spinning my wheels thinking.

ACTING CHAIRPERSON SIAVELIS: Okay, Tom?

COMMISSIONER DRAKE: No, nothing.

ACTING CHAIRPERSON SIAVELIS: Okay, you can take a seat, Gina. Thank you.

All right, so we're at Board deliberations now. Given everything we've heard, Jeff, we'll let you start it off and give you the great honor.

COMMISSIONER LANAGHAN: Okay, I appreciate it. I guess let me, before we go into deliberation, Gina, we'll give you one last chance. Do you want it continued or do you want to go ahead and plow through this thing?

MS. ZARI: I mean, we really need an answer before the contingency, so yes.

COMMISSIONER LANAGHAN: I understand.

ACTING CHAIRPERSON SIAVELIS: Do you need an answer to the entirety of the three questions or the two questions as Derek kind of framed them, whether it's a buildable lot versus whether it's buildable with this design, right? Because that's the second prong where there's the biggest hang-up.

MS. ZARI: I don't know how to answer that without feedback from the seller and purchaser.

ACTING CHAIRPERSON SIAVELIS: Well, I get that, but we are under our own time constraints, too, seeing as it's approaching 9:00 o'clock tonight. So, it's a calculated risk.

So, Gina, to answer Jeff's question then, you want us to consider the variances as presented in the papers plus what was discussed, meaning reducing it by one foot or bringing the entire house one foot south, and then the change to the west patio? Is that what you're --

MS. ZARI: Yes.

ACTING CHAIRPERSON SIAVELIS: Okay, because we have to be clear what the motion could be covering, what the scope of the motion is before we even get to a vote, okay?

MS. ZARI: Okay.

COMMISSIONER LANAGHAN: So, let me walk through the different variances in my own mind here and where I stand on them. So, the first one, and great points raised, I mean, this is a fairly sizeable variance request on both the lot size, the lot width, and then the surface area, fairly significant.

The first two being the lot size and the width, I would be on board with accepting in that I look at the neighborhood, I've looked at various lots around there, even the neighbor to the north has basically said they're on a 50-foot lot. So, you know, I think this is very much in keeping with where this was developed back in the time. The zoning has changed, the lot requirements have changed, but these are remnants of that previous time. So, I do think that it would behoove the Village to be able to have a lot here, and I'd be in favor of supporting those first two.

The variance for the impervious surface is one that, again, has changed over the years due to the rainfall and what we're experiencing. So, that's very much a concern. You know, the fact that we have an impervious driveway, they're willing to change the bluestone paver to the west, which is not under cover, to another pervious surface and even shift the building away to reduce the impervious more and, therefore, give the neighbors a little bit more breathing room, I think shows a willingness to be a good neighbor and a good advocate I guess is the right word to say it. This is certainly a way more sensitive design than I would expect to see on most proposals, and towards that end, you know, with the modifications I have identified, I think I'd be willing to support this.

ACTING CHAIRPERSON SIAVELIS: Okay, thank you, Jeff. Very well said, very well stated.

Tom?

COMMISSIONER DRAKE: I would agree all of that. Just a couple of other comments. I mean, I'm a little disappointed that the gun is to everybody's head with timing, the 12th and tomorrow would be the 13th, but it is what it is. Everybody has kind of worked through that.

That neighborhood, those homes are over a 100 years old. We can't

expect a home that's going up today, tomorrow or next week to be like the homes that are there now. As I look at that aerial view, those lots are very, very similar looking up and down the street.

ACTING CHAIRPERSON SIAVELIS: Yes, and let's not forget, and it wasn't an equivalent radius, in Scarsdale, Stonegate, there are 50-foot lots throughout, right? So, I think that's something we also need to, you know, keep in mind as we make this discussion or evaluate this situation, 50 versus 70, right? So, that's not a deviation, a significant deviation or a significant issue, at least in my eyes as to the lot designation.

So, go ahead, Tom, I apologize for interrupting you.

COMMISSIONER DRAKE: That's okay. You know, we had two objections which we had to listen to in the report. The one objection that came by e-mail, the resident was actually, in my calculation, not close to this petitioned property that we're looking at. So, I didn't take a lot of weight in that other than in support and at least be open-minded. I think Edward's comment, I did put you on the spot a little bit with the numerical, you know, give us a number kind of thing. I thought you'd say 10, when you said six to seven, it seemed that maybe you could live with this property being developed if there were some other modifications, and I think that's happening here.

So, I hope it turns out to be a win-win. I'm in favor of it based on what Jeff was saying.

ACTING CHAIRPERSON SIAVELIS: As summarized by Jeff?

COMMISSIONER DRAKE: As summarized by Jeff.

ACTING CHAIRPERSON SIAVELIS: Frank?

COMMISSIONER PORTERA: I would agree with both Commissioners, and I will also add that it's pretty impractical to think that nothing could be built here. The opposition said that they wanted neighbors here. I think that these neighbors really care and want to be back in the Village, and they've put together a really good design. You know, the door is open now for you guys to work together and kind of, you know, be good neighbors. So, the conversations we've had, I appreciate them, their willingness to work with us and bring the measurements down to something we're more comfortable with and the willingness to give I think bodes well.

ACTING CHAIRPERSON SIAVELIS: So, are you in support?

COMMISSIONER PORTERA: I'm in support.

ACTING CHAIRPERSON SIAVELIS: Okay, so I'll be quick because we are after 9:00 o'clock here.

I think this is an extremely difficult situation for all parties. The neighbors directly to the north, the buyers, and frankly the nature, the contractual nature with this contingency period, it was unfortunate and in certain regards foolish, but I understand, we are where we are, right, and hindsight is always 20-20.

I look at this in two different ways, right, but at the end of the day, the potential buyers, the Petitioner's willingness to compromise in the points that we talked about, and the very nuanced, it's beyond careful, this nuanced design that Gina put together and how she's addressing these points tips the scale in Petitioner's favor ever so slightly in my mind. I do think also, frankly as a long-time resident here, 25 years coming up on for me, I think that to see a lot in this location be undeveloped for this long is a rarity. A potential different buyer, we could find ourselves in a situation like this, if this deal falls through and these variances fall through, that would present a more horrific picture for

Edward and Gabriela from a design standpoint, and I don't think that's that far off of a reality given where the market is here in Arlington Heights at this juncture, and especially this location, this neighborhood.

So, I would be in support as modified, not as originally presented.

MR. MACH: Chair, just to clarify. You said that's, for the footprint, one foot south for the two-story portion?

MS. ZARI: The whole thing.

ACTING CHAIRPERSON SIAVELIS: The whole thing.

MR. MACH: The whole thing, okay. That's what I wanted to clarify. Then, the patio, open-air patio area in the north, that would become pervious pavers?

COMMISSIONER LANAGHAN: Correct.

MR. MACH: Thank you.

MRS. ROJEK: Can I just say one thing?

ACTING CHAIRPERSON SIAVELIS: No, we're done. We're done with public commentary.

MRS. ROJEK: Okay.

COMMISSIONER LANAGHAN: So, are we ready for a motion?

ACTING CHAIRPERSON SIAVELIS: Yes, do we have a motion? We need that.

COMMISSIONER LANAGHAN: So, I move to approve the variances to allow the variance in the minimum lot size and the variance in the minimum lot width as proposed, and then to approve the plan with the modification that the driveway be reduced by one foot and the house be slid to the south one foot, and along with the open-air patio receiving pervious pavers.

I think that covers everything, correct?

ACTING CHAIRPERSON SIAVELIS: I think so.

COMMISSIONER DRAKE: Second.

ACTING CHAIRPERSON SIAVELIS: Thank you, there's a second?

COMMISSIONER DRAKE: Second.

ACTING CHAIRPERSON SIAVELIS: Right. Did you get the motion as tailored?

MR. OSOBA: I did, yes.

ACTING CHAIRPERSON SIAVELIS: Perfect. There is our second.

MR. OSOBA: Mr. Portera.

COMMISSIONER PORTERA: Yes.

MR. OSOBA: Mr. Lanaghan.

COMMISSIONER LANAGHAN: Yes.

MR. OSOBA: Mr. Drake.

COMMISSIONER DRAKE: Yes.

MR. OSOBA: Acting Chair Siavelis.

ACTING CHAIRPERSON SIAVELIS: Yes.

Okay, congratulations. I want to thank everybody for their time and their patience. This was a marathon session, probably our longest in the last four or five years.

COMMISSIONER LANAGHAN: Thank you for coming in and sharing your thoughts. That was really important for us to here, and that was the right time. So, thank

you for that.

ACTING CHAIRPERSON SIAVELIS: Not yet, hold on, let's do our thing here. Public comments. So, we are done with the petitions. There is a very brief, and I emphasize the word brief, public comments section of the meeting for items and issues not listed on the agenda, so for items not on a petition, or on the agenda.

MR. MCDONNELL: Oh, this is not for the house, sorry. I thought you were already done with that.

COMMISSIONER LANAGHAN: It's done.

ACTING CHAIRPERSON SIAVELIS: We are done.

MR. MCDONNELL: Oh, yes. I mean, I'll be really quick.

ACTING CHAIRPERSON SIAVELIS: Okay.

MR. MCDONNELL: All right, now I didn't sign it, but I can.

ACTING CHAIRPERSON SIAVELIS: Sign in quickly.

MR. MCDONNELL: All right, I'm Matthew McDonnell, resident of Arlington Heights for the last 12 years. I have four children that go to the local school districts. I'm also part of the Foundation for 214.

I'm here to recommend for a stop sign on Kensington and Windsor. Recently, on Tuesday the April 1st, there was a major car accident that hit directly where the students stand. The safety guard actually had to jump out of the way. This has been an issue in the past, 20 plus years ago, I was not here, but a student was severely injured and, in some form, handicapped for the rest of his life, as well as we've tried seven years ago to put up road barriers in the center of road, which our neighbor did. They were driven over and destroyed multiple times and then finally removed. So, it's always been a consistent issue going from Stonegate area to Windsor School.

I have been in contact with the superintendent who also said that he was talking with Public Works, with Daniel Hoscilo. I also talked with our PTA president, my wife was a part of PTA for a long time, and Vicky Holmeck is also working on it. I've heard that it is a state road and not a Village road, so I don't know if there's issues there. But I am willing to get a much larger position from many of the local residents on either side of the road as well as anything else that needs to be done. So, I just wanted to --

ACTING CHAIRPERSON SIAVELIS: Okay, thank you very much. That's largely and entirely outside the purview of this Board.

MR. MCDONNELL: Oh, I was told to come to this meeting specifically by someone on the PTA, so maybe that's different.

ACTING CHAIRPERSON SIAVELIS: Yes.

MR. MCDONNELL: I just didn't know.

MR. OSOBA: There was a Committee of the Whole Meeting tonight that went through --

MR. MCDONNELL: Okay, upstairs? Oh, I went to the wrong room.

COMMISSIONER LANAGHAN: It may still be on.

MR. MCDONNELL: So, where is that? Because they said --

COMMISSIONER LANAGHAN: It's upstairs. Boardroom on the third floor, right?

MR. MCDONNELL: All right, thank you. You guys should have stopped me right away.

ACTING CHAIRPERSON SIAVELIS: That's why we were getting you to

sign up.

Okay, do we have a motion to adjourn?

COMMISSIONER DRAKE: Motion to adjourn.

ACTING CHAIRPERSON SIAVELIS: All in favor?

(Chorus of ayes.)

ACTING CHAIRPERSON SIAVELIS: Any opposed?

(No response.)

ACTING CHAIRPERSON SIAVELIS: Hearing none, we are adjourned. Off the record. Thank you, everyone. Have a good night, drive safely.

(Whereupon, the public hearing on the above-mentioned petition was adjourned at 9:10 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.

SUBSCRIBED AND SWORN TO
 BEFORE ME THIS _____ DAY OF
 _____, A.D. 2025.

 NOTARY PUBLIC

VILLAGE OF ARLINGTON HEIGHTS, ILLINOIS
ZONING BOARD OF APPEALS
PUBLIC HEARING
APRIL 14, 2025
FINDINGS OF FACT, DECISION AND ORDER

Agenda Item: Bertolini Residence

Applicant: 1103 N. Drury Ln.

Zoning Relief Requested:

- A 3.8 foot variation from Chapter 28, Section 5.1-3.3.a (Required Minimum Yards) to allow an addition with a front yard setback of 26.4 feet instead of the required 30.2 feet and an additional 1.0 feet for the eave.
- A 8.3 foot variation from Chapter 28, Section 5.1-3.3.c (Required Minimum Yards) to allow an addition with an exterior side yard setback of 22.7 feet instead of the required 31.0 feet and an additional 1.0 feet for the eave.

Date of Publication: 3/29/25

Manner of Publication: Daily Herald

Zoning Board of Appeals ("ZBA") Members Present:

Drake, Jaffe, Selbka, Portera

Having heard and considered the testimony and evidence at the public hearing of April 14, 2025, the ZBA makes the following findings of fact:

The Petitioner is proposing an interior renovation and addition to make it a three-bedroom, two and a half bath residence with a three car attached garage. The existing dwelling is approximately 1,775.8 square-feet, including the two-car garage. The proposed dwelling is approximately 3446.0 square-feet, including the new three-car garage. The renovation and building addition are compliant with floor area ratio, building lot coverage, and impervious surface coverage code requirements on the 16,071 square-foot lot; however, the building additions encroach into the required front and exterior side yard. The setback requirements for these required yards are established by the average setback of existing homes on that same frontage. The required front yard setback is 30.2 feet and the building addition is proposed at 26.5 feet. The required exterior side yard setback is 31.0 feet and the building addition is proposed at 22.7 feet.

For Variation Requests:

(Pursuant to Chapter 6, Article II, Section 6-202(e)(2)(c), in consideration of the standards of practical difficulties or particular hardship, the ZBA shall require evidence of the below.)

The ZBA finds that evidence of the following was presented at the public hearing (check all that apply with an "X"):

- X The proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property; and
- X The plight of the owner is due to unique circumstances, which may include the length of time the subject property has been vacant as zoned; and
- X The proposed variation is in harmony with the spirit and intent of this Chapter; and
- X The variance requested is the minimum variance necessary to allow reasonable use of the property.

Does the ZBA Find in Favor of the Applicant for Relief Requested?

Relief Granted (if any):

- A 3.8 foot variation from Chapter 28, Section 5.1-3.3.a (Required Minimum Yards) to allow an addition with a front yard setback of 26.4 feet instead of the required 30.2 feet and an additional 1.0 feet for the eave.
- A 8.3 foot variation from Chapter 28, Section 5.1-3.3.c (Required Minimum Yards) to allow an addition with an exterior side yard setback of 22.7 feet instead of the required 31.0 feet and an additional 1.0 feet for the eave.

Reason for Determination:

The Zoning Board commented that the petitioner explored options for a code compliant addition. The Zoning Board of Appeals finds that the petitioner has established the necessary elements for the granting of a variance.

Based on the information contained in the application and the testimony and evidence presented at the public hearing, the ZBA voted on the approval of these findings of fact, decision and order and the requested application resulting in the following vote:

 4 ayes 0 nays 3 absent 0 abstain

Date: April 14, 2025

Benjamin Jaffe, Acting Chair
Zoning Board of Appeals
Village of Arlington Heights

Pursuant to Chapter 6, Article II, Section 6-202(e)(3), in exercising the enumerated powers of the Zoning Board of Appeals, the ZBA may reverse, affirm, or modify the order, requirement, decision, or determination appealed from and to that end shall have all the powers of the Administrative Officer from whom the appeal is taken.

VILLAGE OF ARLINGTON HEIGHTS, ILLINOIS

ZONING BOARD OF APPEALS

PUBLIC HEARING

MAY 12, 2025

FINDINGS OF FACT, DECISION AND ORDER

Agenda Item: Meinhardt Residence

Applicant: 2417 E. Greshan Ct.

Zoning Relief Requested:

- A variation from Chapter 28, Section 6.5-2 to allow a gazebo (accessory structure) in the front yard where gazebos are only permitted in the rear yard.

Date of Publication: 4/26/25

Manner of Publication: Daily Herald

Zoning Board of Appeals ("ZBA") Members Present:

Siavelis, Drake, Lanaghan, Portera

Having heard and considered the testimony and evidence at the public hearing of May 12, 2025, the ZBA makes the following findings of fact:

At the March 10, Zoning Board meeting the petitioner requested that the Zoning Board continue the hearing until the May 12, 2025 meeting. The petitioner explained that they would like to modify the location of the proposed gazebo. Since the March Zoning Board hearing, the petitioner has shifted the gazebo further south and is proposing the gazebo in the side yard. The subject property is approximately 12,968 square feet and the property is zoned R-3, One Family Dwelling District. The petitioner is proposing a 196 square foot gazebo that is approximately 11'-6" tall located northeast of the residence within the side yard where accessory structures are only permitted in the rear yard.

For Variation Requests:

(Pursuant to Chapter 6, Article II, Section 6-202(e)(2)(c), in consideration of the standards of practical difficulties or particular hardship, the ZBA shall require evidence of the below.)

The ZBA finds that evidence of the following was presented at the public hearing (check all that apply with an "X"):

X The proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property; and

X The plight of the owner is due to unique circumstances, which may include the length of time the subject property has been vacant as zoned; and

- X The proposed variation is in harmony with the spirit and intent of this Chapter; and
- X The variance requested is the minimum variance necessary to allow reasonable use of the property.

Does the ZBA Find in Favor of the Applicant for Relief Requested?

Relief Granted (if any):

- A variation from Chapter 28, Section 6.5-2 to allow a gazebo (accessory structure) in the side yard where gazebos are only permitted in the rear yard.

Reason for Determination:

The Zoning Board commented that the homeowner modified the plan so that the gazebo is in the side yard and not the front yard. The Zoning Board also commented that the lot is generous in size and the gazebo abuts open space that is comprised of a pond.

Based on the information contained in the application and the testimony and evidence presented at the public hearing, the ZBA voted on the approval of these findings of fact, decision and order and the requested application resulting in the following vote:

 4 ayes 0 nays 3 absent 0 abstain

Date: May 12, 2025

Peter Siavelis, Acting Chair
Zoning Board of Appeals
Village of Arlington Heights

Pursuant to Chapter 6, Article II, Section 6-202(e)(3), in exercising the enumerated powers of the Zoning Board of Appeals, the ZBA may reverse, affirm, or modify the order, requirement, decision, or determination appealed from and to that end shall have all the powers of the Administrative Officer from whom the appeal is taken.

VILLAGE OF ARLINGTON HEIGHTS, ILLINOIS
ZONING BOARD OF APPEALS
PUBLIC HEARING
MAY 12, 2025
FINDINGS OF FACT, DECISION AND ORDER

Agenda Item: Martino/Roberts Residence

Applicant: 1223 E. Mayfair Rd.

Zoning Relief Requested:

- A 1.0 foot variation from Chapter 28, Section 6.13-3.a (Front Yard) to allow a 4 foot tall fence within the front yard where the maximum height is 3 feet.
- A 1.0 foot variation from Chapter 28, Section 6.13-3.b.2 (Corner Lot) to allow a 4 foot tall fence within the corner side and rear yard within 5 feet of the property line where the maximum height is 3 feet and to waive the requirement for landscaping, a minimum of three-foot high and spaced a maximum of 48 inches on center, to be provided on the street side of the fence.
- A variation from Chapter 28, Section 6.13-3.b.3 (Visibility) to allow a fence greater than 36 inches in height to be constructed within 9.4 feet of the intersection of the driveway and the S. Carlyle Place right-of-way where 12 feet is required.

Date of Publication: 4/26/25

Manner of Publication: Daily Herald

Zoning Board of Appeals ("ZBA") Members Present:

Siavelis, Drake, Lanaghan, Portera

Having heard and considered the testimony and evidence at the public hearing of May 12, 2025, the ZBA makes the following findings of fact:

The Petitioner is proposing a new fence located on the east, south and west sides of the property. The proposed fence outside of the front (east) yard and outside of the exterior side (north) yard is a 6 foot high board on board wooden fence with a cap. The proposed fence within the front and exterior side yards is a 4 foot high aluminum fence that is considered an open style fence, where the maximum fence height is 3 feet. The fence is also encroaching into a visibility triangle adjacent to the intersection of the driveway and the property line in the front yard.

For Variation Requests:

(Pursuant to Chapter 6, Article II, Section 6-202(e)(2)(c), in consideration of the standards of practical difficulties or particular hardship, the ZBA shall require evidence of the below.)

The ZBA finds that evidence of the following was presented at the public hearing (check all that apply with an "X"):

- X The proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property; and
- X The plight of the owner is due to unique circumstances, which may include the length of time the subject property has been vacant as zoned; and
- X The proposed variation is in harmony with the spirit and intent of this Chapter; and
- X The variance requested is the minimum variance necessary to allow reasonable use of the property.

Does the ZBA Find in Favor of the Applicant for Relief Requested?

Relief Granted (if any):

- A 1.0 foot variation from Chapter 28, Section 6.13-3.a (Front Yard) to allow a 4 foot tall fence within the front yard where the maximum height is 3 feet.
- A 1.0 foot variation from Chapter 28, Section 6.13-3.b.2 (Corner Lot) to allow a 4 foot tall fence within the corner side and rear yard within 5 feet of the property line where the maximum height is 3 feet and to waive the requirement for landscaping, a minimum of three-foot high and spaced a maximum of 48 inches on center, to be provided on the street side of the fence.
- A variation from Chapter 28, Section 6.13-3.b.3 (Visibility) to allow a fence greater than 36 inches in height to be constructed within 9.4 feet of the intersection of the driveway and the S. Carlyle Place right-of-way where 12 feet is required.

Reason for Determination:

The petitioner testified as to hardship, unique lot configuration and shape, and the character of the locality. Based on the evidence submitted, the Zoning Board of Appeals finds that the petitioner has established the necessary elements for the granting of variances.

Based on the information contained in the application and the testimony and evidence presented at the public hearing, the ZBA voted on the approval of these findings of fact, decision and order and the requested application resulting in the following vote:

 4 ayes 0 nays 3 absent 0 abstain

Date: May 12, 2025

Peter Siavelis, Acting Chair
Zoning Board of Appeals
Village of Arlington Heights

Pursuant to Chapter 6, Article II, Section 6-202(e)(3), in exercising the enumerated powers of the Zoning Board of Appeals, the ZBA may reverse, affirm, or modify the order, requirement, decision, or determination appealed from and to that end shall have all the powers of the Administrative Officer from whom the appeal is taken.

VILLAGE OF ARLINGTON HEIGHTS, ILLINOIS

ZONING BOARD OF APPEALS

PUBLIC HEARING

MAY 12, 2025

FINDINGS OF FACT, DECISION AND ORDER

Agenda Item: Martino/Roberts Residence

Applicant: 1146 N. Mitchell Ave.

Zoning Relief Requested:

- A 10.8 foot variation from Chapter 28, Section 5.1-3.3.c (Required Minimum Yards) to allow an addition with a exterior side yard setback of 3.5 feet instead of the required 14.3 feet and an additional 1.7 feet for the eave.
- A 2.4 foot variation from Chapter 28, Section 6.6-5.1 (Table of Permitted Obstructions) to allow a window well to be setback 0.6 feet from the exterior side yard where 3.0 feet is required.

Date of Publication: 4/26/25

Manner of Publication: Daily Herald

Zoning Board of Appeals ("ZBA") Members Present:

Siavelis, Drake, Lanaghan, Portera

Having heard and considered the testimony and evidence at the public hearing of May 12, 2025, the ZBA makes the following findings of fact:

The Petitioner is proposing a one-story building addition in the rear of the property to expand the kitchen and add a family room. The 446 square-foot addition encroaches into the required exterior side yard setback to match the existing exterior side wall of the home. The required exterior side yard setback is established by the average setback of existing homes on that same frontage (W. Clarendon St). The required exterior side yard setback is 14.3 feet and the building addition is proposed at 3.5 feet. Additionally, the proposed window well encroaches 2.4' into the exterior side yard where a 3.0' setback is required.

For Variation Requests:

(Pursuant to Chapter 6, Article II, Section 6-202(e)(2)(c), in consideration of the standards of practical difficulties or particular hardship, the ZBA shall require evidence of the below.)

The ZBA finds that evidence of the following was presented at the public hearing (check all that apply with an "X"):

- X The proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property; and

- X The plight of the owner is due to unique circumstances, which may include the length of time the subject property has been vacant as zoned; and
- X The proposed variation is in harmony with the spirit and intent of this Chapter; and
- X The variance requested is the minimum variance necessary to allow reasonable use of the property.

Does the ZBA Find in Favor of the Applicant for Relief Requested?

Relief Granted (if any):

- A 10.8 foot variation from Chapter 28, Section 5.1-3.3.c (Required Minimum Yards) to allow an addition with a exterior side yard setback of 3.5 feet instead of the required 14.3 feet and an additional 1.7 feet for the eave.
- A 2.4 foot variation from Chapter 28, Section 6.6-5.1 (Table of Permitted Obstructions) to allow a window well to be setback 0.6 feet from the exterior side yard where 3.0 feet is required.

Reason for Determination:

The petitioner testified as to hardship, existing conditions, the character of the locality, and efforts to minimize the variance request. Based on the evidence submitted, the Zoning Board of Appeals finds that the petitioner has established the necessary elements for the granting of variances.

Based on the information contained in the application and the testimony and evidence presented at the public hearing, the ZBA voted on the approval of these findings of fact, decision and order and the requested application resulting in the following vote:

 4 ayes 0 nays 3 absent 0 abstain

Date: May 12, 2025

Peter Siavelis, Acting Chair
Zoning Board of Appeals
Village of Arlington Heights

Pursuant to Chapter 6, Article II, Section 6-202(e)(3), in exercising the enumerated powers of the Zoning Board of Appeals, the ZBA may reverse, affirm, or modify the order, requirement, decision, or determination appealed from and to that end shall have all the powers of the Administrative Officer from whom the appeal is taken.

VILLAGE OF ARLINGTON HEIGHTS, ILLINOIS

ZONING BOARD OF APPEALS

PUBLIC HEARING

MAY 12, 2025

FINDINGS OF FACT, DECISION AND ORDER

Agenda Item: Pundy-Neczwid Residence

Applicant: 418 N. Beverly Ln.

Zoning Relief Requested:

- A 3.8-foot variation from Chapter 28, Section 5.1-3.3b (Required Minimum Yards) to allow an addition with a rear yard setback of 26.2 feet instead of the required 30.0 feet and an additional 2.0 feet for the eave.

Date of Publication: 4/26/25

Manner of Publication: Daily Herald

Zoning Board of Appeals ("ZBA") Members Present:

Siavelis, Drake, Lanaghan, Portera

Having heard and considered the testimony and evidence at the public hearing of May 12, 2025, the ZBA makes the following findings of fact:

The subject property is zoned R-3 – Residential Single-Family District and the property has a total land area of 10,873 square feet. The petitioner is proposing to construct a 450 square foot addition on the west face of the building. The proposed addition is set back 26.2 feet; however, per code, a rear yard setback of 30 feet is required.

For Variation Requests:

(Pursuant to Chapter 6, Article II, Section 6-202(e)(2)(c), in consideration of the standards of practical difficulties or particular hardship, the ZBA shall require evidence of the below.)

The ZBA finds that evidence of the following was presented at the public hearing (check all that apply with an "X"):

X The proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property; and

X The plight of the owner is due to unique circumstances, which may include the length of time the subject property has been vacant as zoned; and

- X The proposed variation is in harmony with the spirit and intent of this Chapter; and
- X The variance requested is the minimum variance necessary to allow reasonable use of the property.

Does the ZBA Find in Favor of the Applicant for Relief Requested?

Relief Granted (if any):

- A 3.8-foot variation from Chapter 28, Section 5.1-3.3b (Required Minimum Yards) to allow an addition with a rear yard setback of 26.2 feet instead of the required 30.0 feet and an additional 2.0 feet for the eave.

Reason for Determination:

The Zoning Board commented that the variance is minimal and that the addition is necessary due to health reasons.

Based on the information contained in the application and the testimony and evidence presented at the public hearing, the ZBA voted on the approval of these findings of fact, decision and order and the requested application resulting in the following vote:

 4 ayes 0 nays 3 absent 0 abstain

Date: May 12, 2025

Peter Siavelis, Acting Chair
Zoning Board of Appeals
Village of Arlington Heights

Pursuant to Chapter 6, Article II, Section 6-202(e)(3), in exercising the enumerated powers of the Zoning Board of Appeals, the ZBA may reverse, affirm, or modify the order, requirement, decision, or determination appealed from and to that end shall have all the powers of the Administrative Officer from whom the appeal is taken.

VILLAGE OF ARLINGTON HEIGHTS, ILLINOIS

ZONING BOARD OF APPEALS

PUBLIC HEARING

MAY 12, 2025

FINDINGS OF FACT, DECISION AND ORDER

Agenda Item: Cannistra Residence

Applicant: 108 S. Highland Ave.

Zoning Relief Requested:

- A 1772.1 square-foot variation from Chapter 28, Section 5.1-4.1.a (Minimum Lot Size) to allow a lot size of 6,977.9 square-feet within the R-4 Two Family Dwelling District where 8,750 square-feet is required.
- A 20.0 foot variation from Chapter 28, Section 5.1-4.2.a (Minimum Lot Width at Building Line) to allow a lot width of 50.0 feet where 70 feet is required.
- A 863.8 square-foot variation from Chapter 28, Section 5.1-4.5.b.2 (Maximum Impervious Surface Coverage) to allow 4,352.8 square-feet of impervious surface coverage where 3,489 square-feet is allowed.

Date of Publication: 4/26/25

Manner of Publication: Daily Herald

Zoning Board of Appeals ("ZBA") Members Present:

Siavelis, Drake, Lanaghan, Portera

Having heard and considered the testimony and evidence at the public hearing of May 12, 2025, the ZBA makes the following findings of fact:

The Petitioner is proposing a new home on an existing lot that is substandard in lot size and lot width. The existing lot size is 6,977.9 square-feet and the existing lot width is 50 feet, which does not meet the minimum 8,750 square-foot lot size or 70 foot lot width. Additionally, the Petitioner is proposing impervious surface coverage that exceeds the maximum of 50% of the lot area.

For Variation Requests:

(Pursuant to Chapter 6, Article II, Section 6-202(e)(2)(c), in consideration of the standards of practical difficulties or particular hardship, the ZBA shall require evidence of the below.)

The ZBA finds that evidence of the following was presented at the public hearing (check all that apply with an "X"):

- X The proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property; and
- X The plight of the owner is due to unique circumstances, which may include the length of time the subject property has been vacant as zoned; and
- X The proposed variation is in harmony with the spirit and intent of this Chapter; and
- X The variance requested is the minimum variance necessary to allow reasonable use of the property.

Does the ZBA Find in Favor of the Applicant for Relief Requested?

Relief Granted (if any):

- A 1772.1 square-foot variation from Chapter 28, Section 5.1-4.1.a (Minimum Lot Size) to allow a lot size of 6,977.9 square-feet within the R-4 Two Family Dwelling District where 8,750 square-feet is required.
- A 20.0 foot variation from Chapter 28, Section 5.1-4.2.a (Minimum Lot Width at Building Line) to allow a lot width of 50.0 feet where 70 feet is required.
- A 863.8 square-foot variation from Chapter 28, Section 5.1-4.5.b.2 (Maximum Impervious Surface Coverage) to allow 4,352.8 square-feet of impervious surface coverage where 3,489 square-feet is allowed.
 - o Relief granted to Chapter 28, Section 5.1-4.5.b.2 (Maximum Impervious Surface Coverage) upon the condition recommended by Commissioner Lanaghan to reduce the driveway width by 1-foot, shift the proposed house 1-foot to the south, and for the open-air patio to be constructed of pervious pavers instead of bluestone pavers.

Reason for Determination:

The petitioner testified as to hardship, the character of the neighborhood as similar lot widths and lot sizes to the requested variance, the unique circumstances of the existing lot with no option to acquire additional adjacent land to make the lot conform to the R-4 District, and the minimizing and mitigation of the variance requests through the use of permeable pavers. Based upon the evidence submitted, the Zoning Board of Appeals finds that the petitioner has established the necessary elements for the granting of a variance.

Based on the information contained in the application and the testimony and evidence presented at the public hearing, the ZBA voted on the approval of these findings of fact, decision and order and the requested application resulting in the following vote:

 4 ayes 0 nays 3 absent 0 abstain

Date: May 12, 2025

Peter Siavelis, Acting Chair
Zoning Board of Appeals

Village of Arlington Heights

Pursuant to Chapter 6, Article II, Section 6-202(e)(3), in exercising the enumerated powers of the Zoning Board of Appeals, the ZBA may reverse, affirm, or modify the order, requirement, decision, or determination appealed from and to that end shall have all the powers of the Administrative Officer from whom the appeal is taken.



VILLAGE OF
ARLINGTON HEIGHTS
— INC. 1887 —

Zoning Board of Appeals
6/9/2025

Item: 130 S. Kennicott Ave. - ZBA25-006 (continued from 4/14/25)

Department: Planning & Community Development

Item Description:

REQUEST

A 554-square foot variance from Chapter 28, Section 6.5-7 (Accessory Structures) to allow an accessory structure with a size of 854 square feet instead of the maximum of 300 square feet.

ATTACHMENTS:

1. 6-9-25 Exhibits_130 S Kennicott Ave
2. 4-14-25 Exhibits_130 S Kennicott Ave

MEMORANDUM

To: Chairman Jaffe and Members of the Zoning Board of Appeals

From: Derek Mach, Staff Liaison

Date: June 4, 2025

Re: Albarello/Himelman Petition – ZBA 25-006

At the April 14, 2025, Zoning Board meeting, a motion was made to continue the hearing for 130 S. Kennicott to the June 9, 2025 meeting. Since the April hearing, the petitioner has provided an amended petition (attached). The petitioner is requesting the following variation:

- A 554 square foot variance from Chapter 28, Section 6.5-7 (Accessory Structures) to allow an accessory structure with a size of 854 square feet instead of the maximum of 300 square feet.

Attached is the staff analysis and minutes from the April meeting. Please feel free to contact me with any questions at (847) 368-5232.

C: *Dan Osoba, Planner*
ZBA File 25-006

HAROLD HIMELMAN & MARGHERITA M. ALBARELLO
130 S. KENNICOTT AVENUE, ARLINGTON HEIGHTS, IL 60005

May 23, 2025

Hand-Delivered to Planning & Community
Development Department
Mr. Derek Mach, PLA
Landscape Planner
Village of Arlington Heights, IL 60005

Re: ZBA25-006; PIN: 03-31-107-042; Hearing Date: Monday, June 9, 2025, 7 p.m.

Dear Derek:

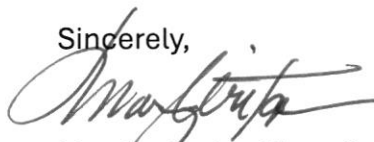
Thank you for allowing us to deliver this Petition to you today, May 23.

The enclosures contain:

1. Petitioners' Application to Zoning Board of Appeals; and
2. Petitioners' Petition; and
3. Exhibit A to the Petition; and
4. Group Exhibit 1 through Exhibit 4 to Exhibit A to the Petition.

Per your instructions, we have included only one (1) copy of the above. If you need anything further from us or have questions, please let us know and we will provide you with what you need.

Sincerely,



Margherita M. Albarello

Enclosures: Items 1-4, above

PETITIONER'S APPLICATION
ZONING BOARD OF APPEALS, VILLAGE OF ARLINGTON HEIGHTS

Application Date: May 21, 2025

ZBA Case #: 25-006

Subject Property Address: 130 S. Kennicott Avenue, Arlington Heights, IL 60005

Subject Property PIN: 03-31-107-042

REQUEST:

Variation from Chapter 28, Section 6.5-7 of the Arlington Heights Municipal Code

Brief statement of Variation Request: A 421.10* sq. foot variance from Chapter 28, Section 6.5-7 (Accessory Structures)
to allow an accessory structure (2 pavilions with pergola) with a size of 721.10 sq. feet instead of
the maximum 300 square feet. The additional square footage is located on the canopy of
the pergola; the canopied pergola consists of a non-impervious slat design connecting the two pavilions that lets in light, air, and other natural elements.

*The "as-built" accessory structure (2 pavilions with proposed pergola) is 721.10 sq. feet, not the 854 sq. feet shown in the ZBA Request dated 4/14/2025, making the variance 421.10 and not 554 sq. feet.

PETITIONER/CONTACT INFORMATION

Name: Harold Himelman/Margherita M. Albarello

Signature: *Margherita M. Albarello*

Address: 130 S. Kennicott Ave.

City, State, Zip: Arl. Hts., IL 60005

Phone #: [REDACTED]

Fax #: N/A

Email Address: [REDACTED]

OWNER INFORMATION (IF DIFFERENT FROM PETITIONER)

Name: _____

Signature: _____

Address: _____

City, State, Zip: _____

Phone #: _____

Fax #: _____

Email Address: _____

IT IS ESSENTIAL TO COMPLETE THE FOLLOWING QUESTIONS:

- HAVE YOU EVER APPLIED FOR A VARIANCE FOR THIS PROPERTY? YES ☐ NO ☒
- IF YES, WHAT WAS THE VARIANCE FOR? _____
- DATE YOU APPEARED BEFORE THE ZONING BOARD: _____
- WAS THE VARIANCE: APPROVED ☐ DENIED ☐

VILLAGE OF ARLINGTON HEIGHTS - 33 SOUTH ARLINGTON HEIGHTS ROAD
DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT
ARLINGTON HEIGHTS, ILLINOIS 60005
PHONE: (847) 368-5200
FAX: (847) 368-5988

PETITION

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

PETITION

NOW COMES the Petitioner Harold Himelman and Margherita M. Albarello

being the owner of the property commonly known as: 130 S. Kennicott Ave., Arl. Hts., IL 60005

and appeals to the Zoning Board of Appeals of the Village of Arlington Heights for a Variation from Section 12 (Zoning Board of Appeals)

Chapter 28, of the Arlington Heights Municipal Code, in order to: Receive a 421.10 square foot variance from Chapter 28, Section 6.5-7

(Accessory Structure)

I hereby state that the proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property if the variation(s) were granted (please explain): See

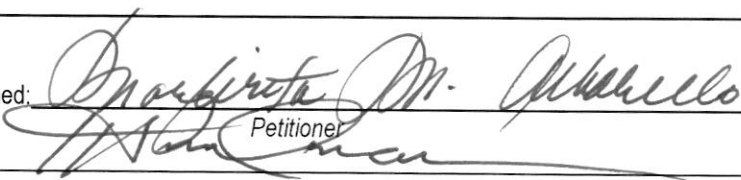
Exhibit A, made a part of this Petition.

I hereby state that the plight of the owner is due to unique circumstances, which may include the length of time the subject property has been vacant as zoned (please explain): See Exhibit A, made a part of
this Petition.

I hereby state that the proposed variation is in harmony with the spirit and intent of this Chapter (please explain): See Exhibit A, made a part of this Petition.

I hereby state that the variance requested is the minimum variance necessary to allow reasonable use of the property (please explain): See Exhibit A, made a part of this Petition.

Signed:


Petitioner

Date: 05/21/2025

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS
PETITIONERS: HAROLD HIMELMAN & MARGHERITA M. ALBARELLO
130 S. KENNICOTT AVENUE, ARLINGTON HEIGHTS, IL 60005
ZBA25-006; PIN: 03-31-107-042
EXHIBIT A TO PETITION with Group Exhibit 1 through Exhibit 9

1. I hereby state that the proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property if the variation(s) were granted (please explain):

Yes, we hereby state as such.

Petitioners/owners have lived in the home since 1992.

Petitioners are not altering the use of the home. This will remain a single-family ranch home that is its original and intended use.

The proposed structure is aesthetically pleasing and complements the ranch house. The proposed structure – a pergola composed of slats seamlessly attaching the two approved and existing pavilions (Pavilion 1 to the south and Pavilion 2 to the north; see **Group Exhibit 1, p. 1**, STAMPED–Site Plan–ALBARELLO.REV. 3.7.13_v1(1).pdf, with “Reviewed for Code Compliance Village of Arlington Heights Digital Stamp”) - do not add height to the structures. The slat design also allows the entry of light and the circulation of air. The proposed structure does not cast shadows on neighboring properties. The proposed structure does not block natural light or airflow to neighboring properties. A vast amount of open space remains in the rear yard. The pergola impacts nothing and no one.

Group Exhibit 1, pp. 2 – 9, are photographs of the project, including the shed, the two pavilions, and the current street view of 130 S. Kennicott and the two houses across the street from 130 S. Kennicott. As you can see, Petitioner’s home maintains the single-family ranch-style character of the neighborhood.

Additionally, we have received numerous compliments from neighbors regarding the structures built thus far and with knowledge of what the proposed variance looks like.

For example, Petitioners’ neighbors behind them at 127 S. Patton (Judith and Hugh Thompson) find it “heartwarming to see our backyard neighbors put so much pride and care into updating and improving their property. This project is exactly what older neighborhoods in AH need to stay relevant. That said, we are totally in favor of the homeowners’ changes/updates to their property.” See **Exhibit 2** to this Exh. A, April 13, 2025 email of Judith Thompson to Derek Mach, Planner.

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

Yes, we hereby state as such.

A. The Village approved the plans showing the pergola was not structurally attached to the house and Petitioners' contractor did hardscaping and electrical work based on the Village's approval and before the Village issued a stop work order. See Timeline, below.

2024

May 29	Petitioners submit their permit application for all accessory structures.
June 13	Village asks Petitioners to "indicate on the plan location of the proposed pavilion with dimensions. Provide proposed pavilion structure's farming [sic] plan, elevations, height, distance from the existing house, depth of the 12-inch sono-tube below grading and spacing." See Exhibit 3 to this Ex. A, "Permit Corrections Report" dated June 13, 2024.
July 13	Petitioners' contractor, Verdi Designs, submits 3d revision of accessory structures plan showing that the pergola is not structurally attached to the house. See Group Ex. 1, p. 1 to this Ex. A.
August 1	Village approves the permit application.
August 2 -10	Hardscaping in the form of pavers, etc. is installed; footings for pavilion are poured and placed; trenching is completed for electrical conduit to be run below-grade to Pavilion 1 (the south pavilion), electrical work is done to run electric to Pavilion 1 pavilion, other hardscaping done.
August 13	Village puts Stop Work Order on property as to "Shed." See Exhibit 4 to this Ex. A. Village of A. Hts. Stop Work Order.

The slat design is functional, not only aesthetic. The pavilions and the pergola were designed to (1) have electric sourced to Pavilion 1 (the south pavilion) and (2) run the sub-grade electric from Pavilion 1 run to Pavilion 2 (the north pavilion) through the slatting of the pergola with the slatting supporting the electrical connections from Pavilion 1 to Pavilion 2.

Page 2/4

Based on the Village's August 1, 2024 permit approval, Petitioners did sub-grade electric only for Pavilion 1. Petitioners will incur significant expense if the variance is not approved; non-approval will require re-design, demolition, and reconstruction if Petitioners cannot run the electric from Pavilion 1 to Pavilion 2 through the proposed pergola slatting.

Importantly, Petitioners have done everything the Village asked it to do. It is inequitable that Petitioners not be granted the proposed variance considering the Village granted the permit despite plans showing that the pergola is not structurally attached to the house. And, again, the pergola impacts nothing and no one.

B. If Petitioners were to structurally attach the pergola to the house, it would create a hardship to the Petitioners.

Structurally attaching the pergola to the house would have the following negative impacts:

1. Roof replacement. Structurally attaching the pergola to the house would interfere with the Petitioner's ability to tear off the current roof of the house and put on a new roof.
2. Roof damage. We are all familiar with the high winds and microbursts in Arlington Heights. These forces of nature could result in the pergola tearing off part of the roof of the house. A rebuild of the roof would again be subject to the same damage.
3. Additionally, the eastern end of the slatted pergola practically abuts the house such that the pergola and the house result in a nearly contiguous whole.

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

Yes, we hereby state as such.

The proposed variation stays in harmony with the spirit and intent of the Chapter as it maintains the character of the home as well as the neighborhood.

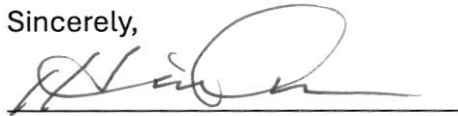
Additionally, the eastern end of the slatted pergola practically abuts the house such that the pergola and the house result in a nearly contiguous whole.

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

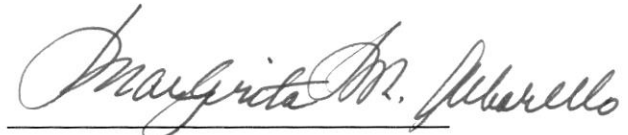
Yes, we hereby state as such.

We are seeking the minimum variance necessary to complete the structure functionally and aesthetically by bridging the two existing pavilions with the slatted pergola.

Sincerely,

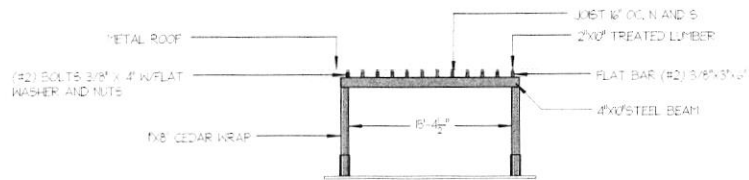


Harold Himelman

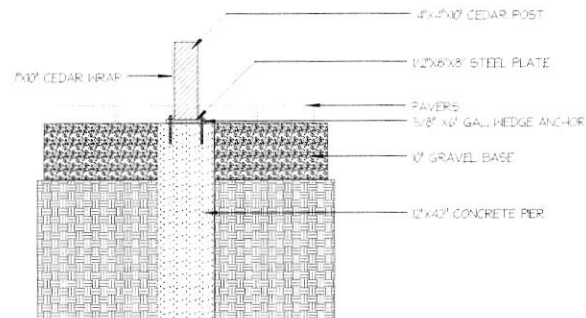


Margherita M. Albarello

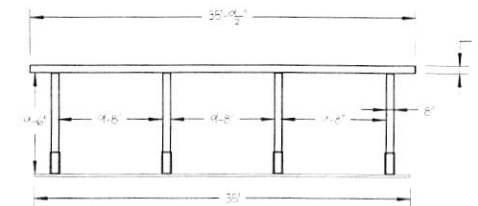
May 21, 2025



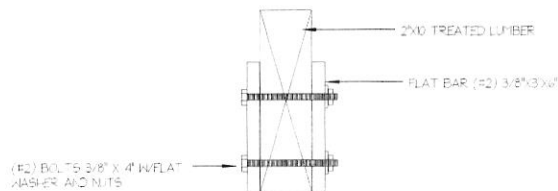
PAVILION SIDE ELEVATION



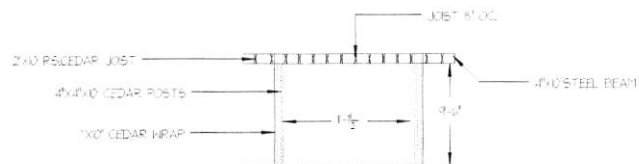
CONCRETE PER DETAILS



PAVILION FRONT ELEVATION



JOIST CONNECTION DETAIL

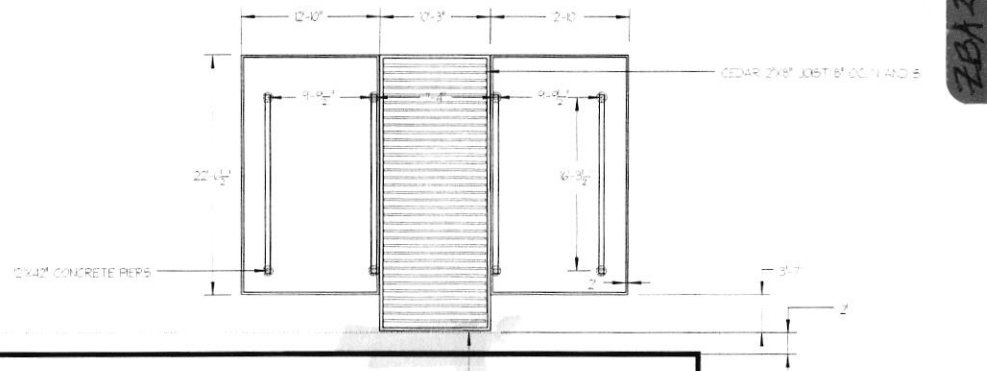


SHED FRONT ELEVATION

Reviewed For Code Compliance
Village of Arlington Heights
Digital Stamp



ZBA 25-006
Exhibit
GROUP EX-1, p. 1



RESIDENCE

PERGOLA 24\"/>

PAVILION TOP VIEW

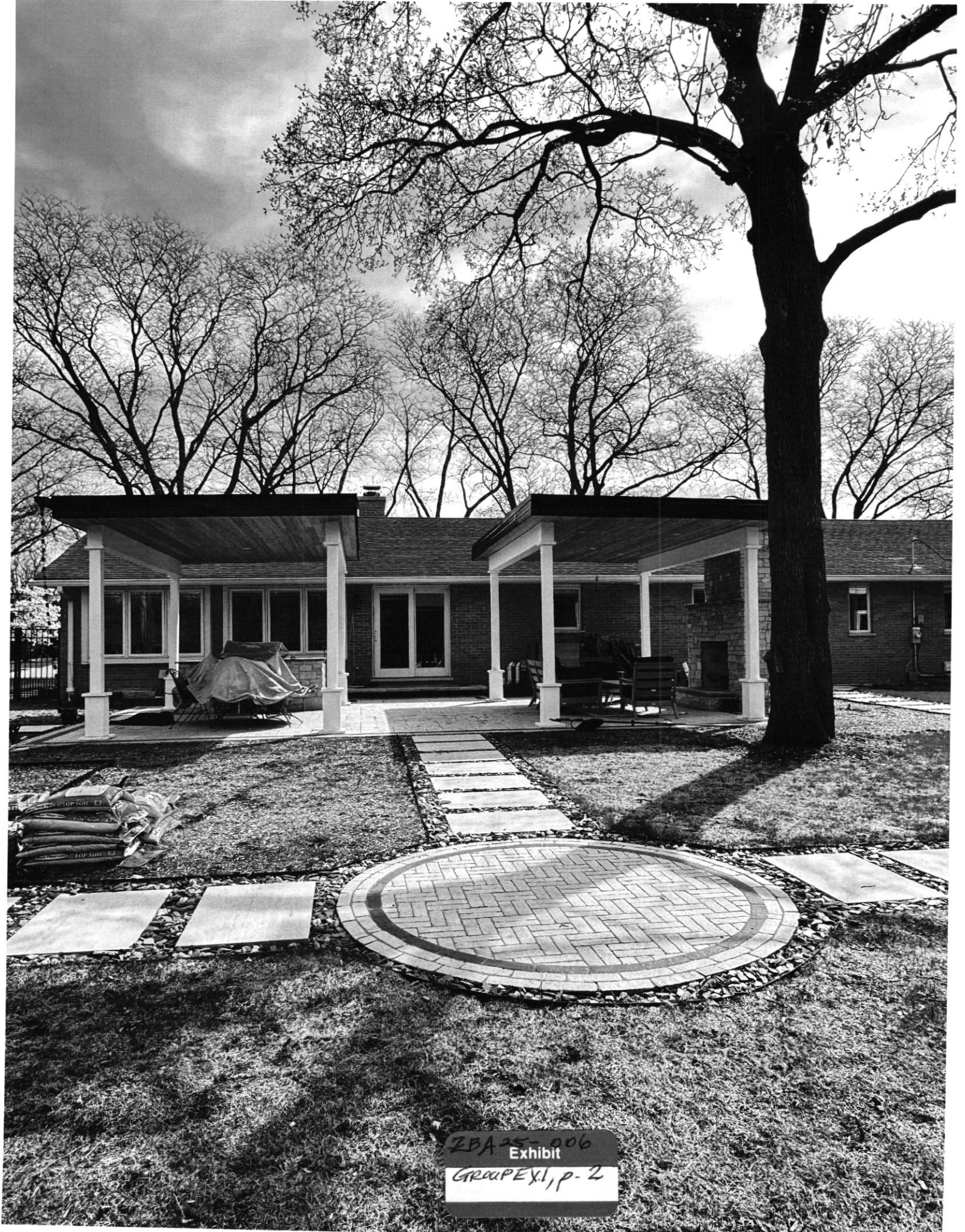
ALBARELLO AND HIRSHMAN
RESIDENCE
180 S. KENNICOTT
ARLINGTON HTS., IL
60005



STAMPED - Site Plan -
ALBARELLO - REV. 3.7.13 - v1 (1).pdf

#1

Facing (Looking) East



ZBA 35-006
Exhibit
GROUP EX. 1, p. 2

#8

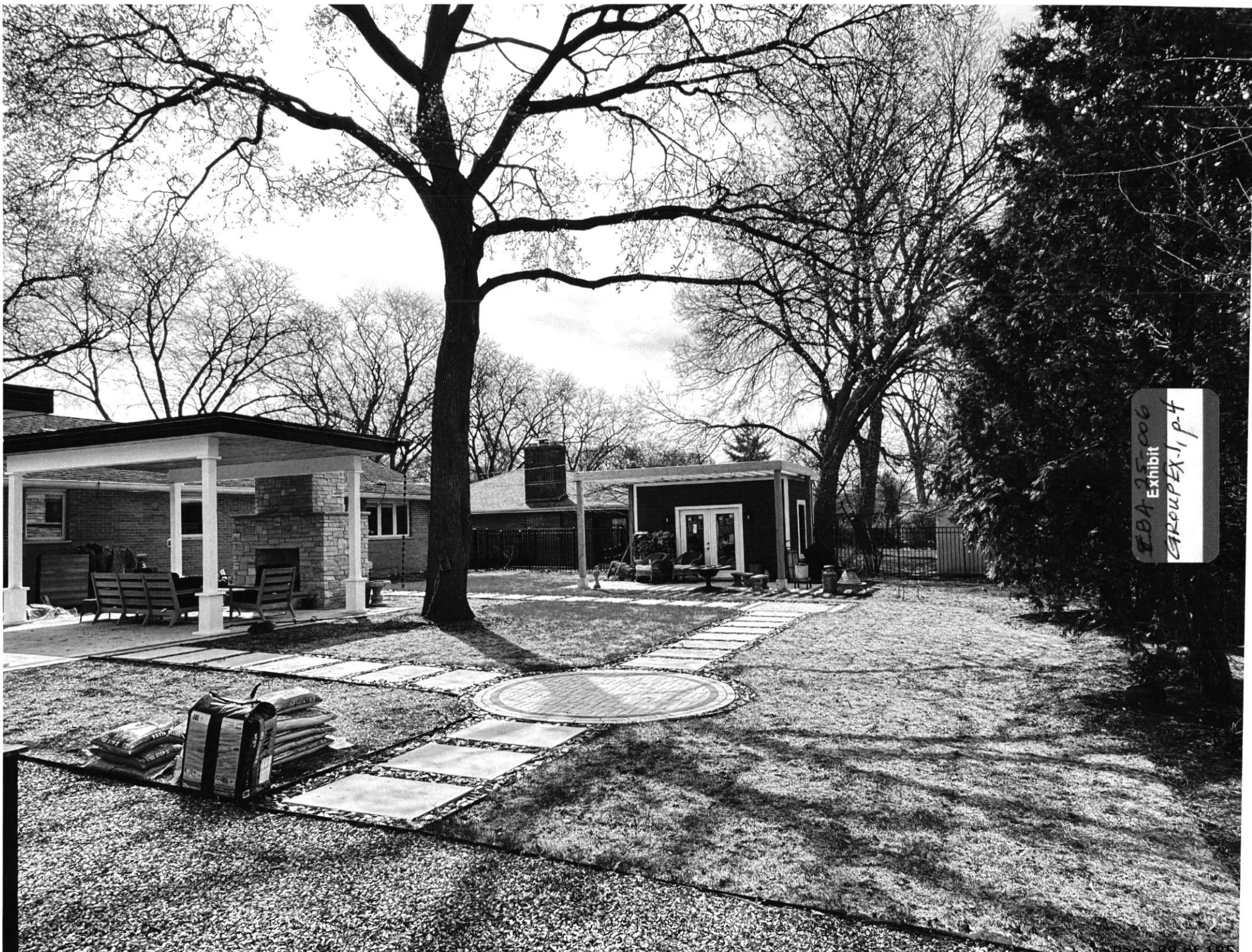
East



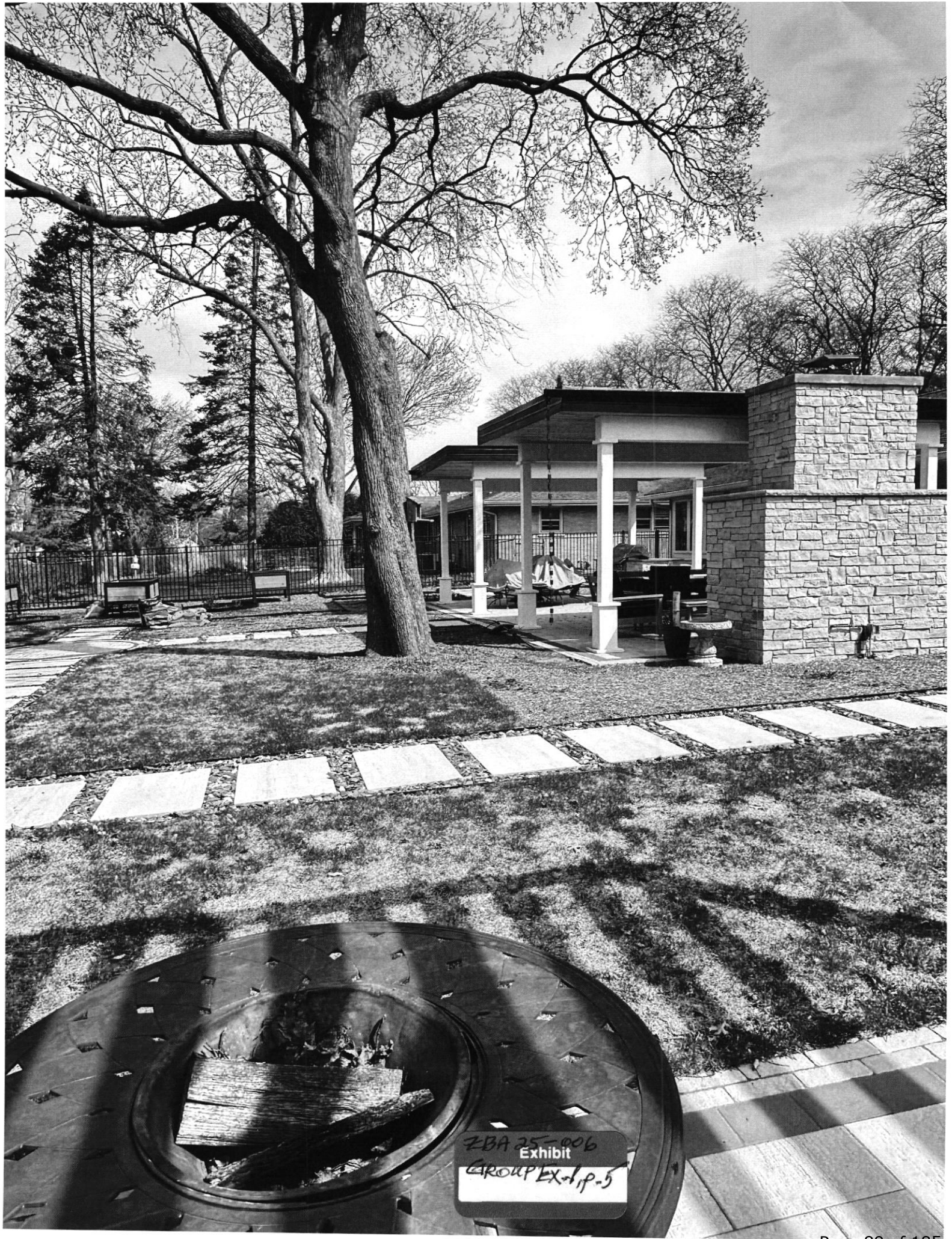
ZBA 25-006
Exhibit
GROUP EX-1, p-3

#6

South East



FBA 25006
Exhibit
GROUP EX-1, p.4



#15 Looking West

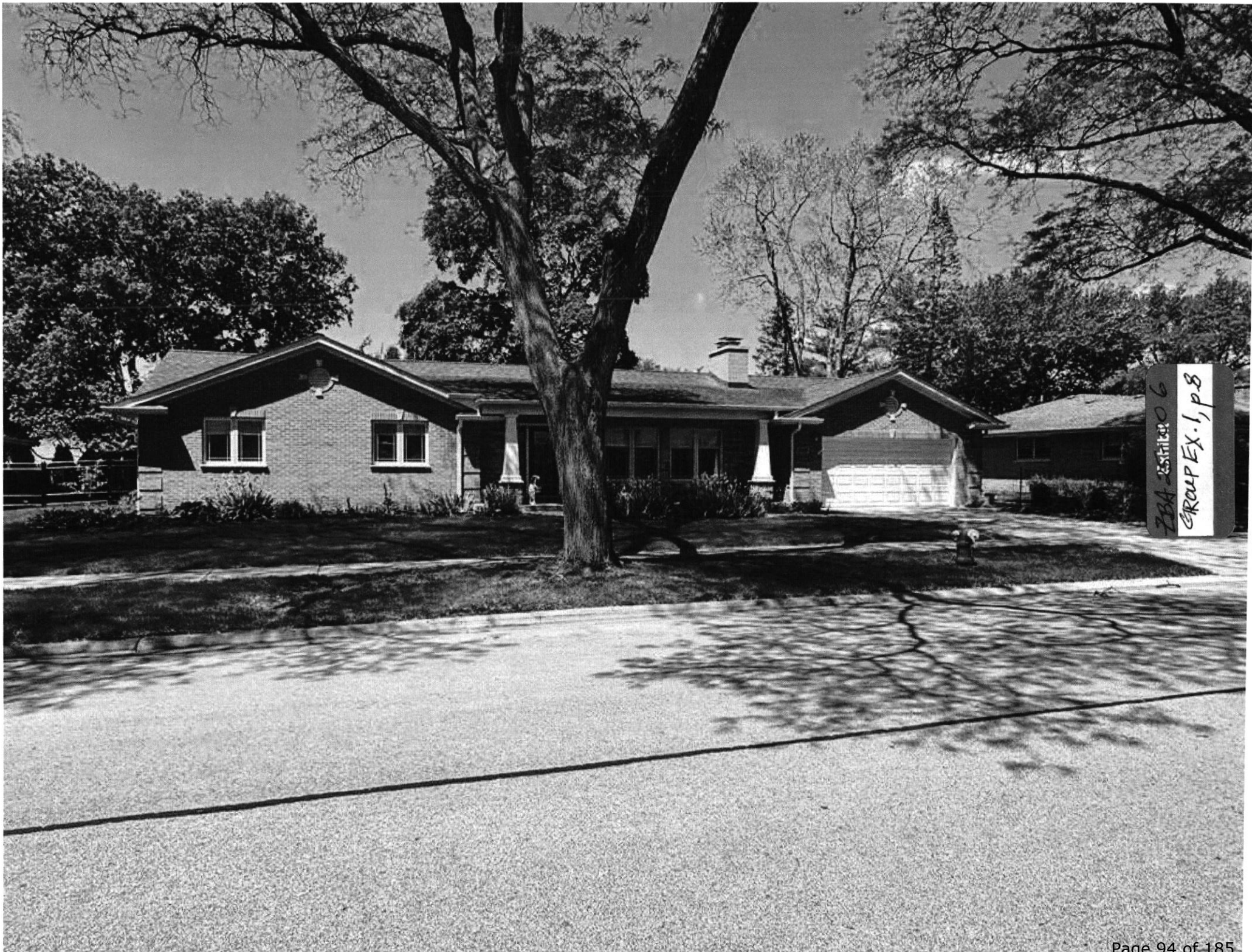


ZPA 25,006
Exhibit
GROUP EX 1, P-6



~~17~~

Homes on East side Kennicott



78A-25111-06
GROUP EX. 1, p. 8



----- Forwarded message -----

From: Judith Thompson [REDACTED]
Date: Sat, Apr 19, 2025 at 12:09 PM
Subject: Fwd: Notice of Public Hearing - 130 South Kennicott Ave., AH
To: Harold & Margareet Himelman <[REDACTED]>

FYI

Begin forwarded message:

From: Judith Thompson <[REDACTED]>
Subject: Notice of Public Hearing - 130 South Kennicott Ave., AH
Date: April 13, 2025 at 3:03:54 PM CDT
To: "dmach@vah.com" <dmach@VAH.com>

Mr. Derek Mach, Planner:

We received the Hearing Notice for the home at 130 S. Kennicott Avenue which is directly behind our property. Unfortunately, we have plans for that evening, otherwise we would be in attendance to support the homeowners.

As backyard neighbors to the Petitioners, we find the improvements they have made to their property attractive. As we look out our lower level family room, we are very pleased with the updated view.

We moved into our home at 127 South Patton Ave in AH in 1970. As you can well imagine, many changes have taken place. It is heartwarming to see our backyard neighbors put so much pride and care into updating and improving their property. This project is exactly what older neighborhoods in AH need to stay relevant. That said, we are totally in favor of the homeowners' changes/updates to their property.

Judith & Hugh Thompson
127 South Patton Avenue
Arlington Heights, IL 60005

ZBA 25-006
EX. 2



PERMIT CORRECTIONS REPORT (BLDR2024-01002) FOR VILLAGE OF ARLINGTON HEIGHTS

PERMIT ADDRESS: 130 S KENNICOTT AVE
ARLINGTON HEIGHTS, IL 60005
PARCEL: 03311070420000

APPLICATION DATE: 05/29/2024 SQUARE FEET: 1,100.00 DESCRIPTION: 1. BRICK PAVER PATIO AND STEPPERS
EXPIRATION DATE: VALUATION: \$90,000.00 2. OUTDOOR KITCHEN
3. PERGOLA STRUCTURE
4. GAS FIREPLACE
5. ELECTRIC AND GAS

CONTACTS	NAME	COMPANY	ADDRESS
Applicant	Tuno Ruiz	VERDI DESIGNS CO	2426 W. ROSE AVENUE LAKE ZURICH, IL 60047
Contractor	Tuno Ruiz	VERDI DESIGNS CO	2426 W. ROSE AVENUE LAKE ZURICH, IL 60047
Owner	MARGHERITA AND HAROLD ALBARELLO AND HIMELMAN		

Building Review - Residential Flatwork

REVIEW ITEM	STATUS	REVIEWER
Engineering Residential v.1	Requires Re-submit	Richard Beiza Ph: 847-368-5274 email: rbeiza@vah.com

Correction: _General - Richard Beiza (6/12/24) - Not Resolved
Comments: 1. Shed must be at least 3 feet from the side lot line.
2. Height of shed must not exceed 15 feet.

Residential Building v.1	Requires Re-submit	Nusrat Jahan Ph: 847-368-5573 email: njahan@vah.com
--------------------------	--------------------	---

Correction: _General - Nusrat Jahan (6/12/24) - Not Resolved
Comments: 1. Clearly identify each proposed items (fireplace, firepit, kitchen, item marked as F) with labels on a enlarge plan of the rear part of the property.
2. Provide paver manufacturers installation instructions indicating that proposed 3/4 inch base material and 1/4-inch bedding material are permitted.
3. Verify what the letter F indicates on the patio area. Provide manufacturer specification for the gas fire-pit. The distance is determined by the gas burner appliance manufacturer's installation instructions. The gas burner shall be third party tested and approved. Submit cut sheets of burner showing the listing requirements.
4. Indicate on the plan location of the proposed pavilion with dimensions. Provide proposed pavilion structure's farming plan, elevations, height, distance from the existing house, depth of the 12-inch sono-tube below grade and spacing.
5. Indicate the proposed fireplace on the plan with size and material. Provide a section through the fireplace and chimney with piers locations size and depth min. 42 inches below grade. Indicate on the plan the concrete pad shall be 4 inches thick.
6. Indicate on the plan the fireplace hearth dimensions.
7. The proposed clay flue liner shall be installed in accordance of ASTM C1283 and shall follow 2018 IRC., Section R1003.12. Indicate on the plan the chimney flue liner shall have minimum 4-inch thick.
7. Indicate on the plan the fireplace and chimney shall have minimum 2-inch clearance from any combustible materials.
8. Provide a cross section detail through any seatwall and outdoor kitchen counter which specifies all materials to be used and all dimensions (height, layer thickness), base etc.
9. Indicate on the plan the dimension of the concrete pad for the proposed shed (if any)
10. Indicate on the plan location of the heater. Also indicate that the heater shall be listed for exterior use.
11. Indicate on the plans the type, size and burial depth (minimum 18 inches) of the gas piping.
12. Normac fittings shall be provided for the gas pipe.
13. Indicate on the plans a yellow, 18 AWG tracer wire with insulation listed for direct burial shall be installed with the gas pipe.
14. Indicate on the plans the gas pipe trench shall be backfilled with a minimum of 12 inches of sand after the underground inspection has been approved. - Per 2018 IRC G2415.12.1.

Submit a complete set of plans along with a written response corresponding to each comment.

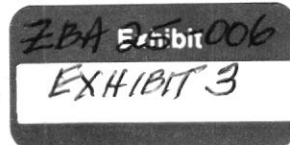
Residential Electrical v.1	Requires Re-submit	Brian Allen Ph: 847-368-5593 email: ballen@vah.com
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Correction: _General - Brian Allen (6/13/24) - Not Resolved
Comments: 1. The electrical contractor doing the work shall submit an electrical permit application and provide a copy of their license.
2. Indicate on the plans all work shall be done per the 2017 NEC and local amendments.
3. Provide an electrical plan showing receptacle and lighting locations.
4. All receptacles to be GFCI protected.

Zoning Review v.1	Requires Re-submit	Hailey Nicholas Ph: 847-368-5212 email: hnicholas@vah.com
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Review conducted by the planning and zoning department

Correction: Shed height - Hailey Nicholas (6/12/24) - Not Resolved



PERMIT CORRECTIONS REPORT (BLDR2024-01002)

Comments: Please provide information on the proposed height of the shed, as measured from ground to the peak of the roof. Sheds cannot exceed a maximum height of 15'.

Correction: Shed setback - Hailey Nicholas (6/12/24) - Not Resolved

Comments: The proposed shed shall be a minimum of 5 feet from the rear property line, and a minimum of 3 feet from the side property line.

Correction: Coverage calculations - Hailey Nicholas (6/12/24) - Not Resolved

Comments: Please provide site Impervious Surface Coverage and Building Lot Coverage calculations shown on a to-scale site plan. You should provide an itemized list of all impervious surfaces on the lot and their area in square feet. This should include anything on the lot that is not grass/permeable. The impervious surface coverage shall not exceed 50% of the lot area. The building lot coverage shall not exceed 35% of the lot area. The building lot coverage includes any roofed structure on the lot (home, shed, pergolas, etc.).

Correction: Method of anchorage - Hailey Nicholas (6/12/24) - Not Resolved

Comments: Please provide info on the proposed method of anchorage for the shed.

Correction: _General - Hailey Nicholas (6/12/24) - Not Resolved

Comments: Please provide the height, size, and setbacks of the proposed pergolas. The maximum height permitted is 15ft, measured from the ground to the highest point of the roof. The maximum size is 300sf. The pergolas should be setback a minimum of 3ft from the side property lines and 5ft from the rear property line.

Correction: _General - Hailey Nicholas (6/12/24) - Not Resolved

Comments: Please indicate the setbacks for the fire pit and outdoor kitchen. Both must be setback a minimum of 10ft from the side property lines.

ZBA 25-006
EX 3



VILLAGE OF ARLINGTON HEIGHTS
BUILDING & LIFE SAFETY DEPARTMENT
847-368-5560

STOP WORK ORDER

ADDRESS:

1305 KENNICOTT

DESCRIPTION

OF WORK:

SHED

DATE:

8/13/2024

This construction is in violation of the building code.
Contact the BUILDING & LIFE SAFETY DEPARTMENT at
the Village Hall for details

WARNING

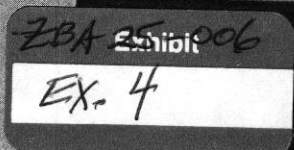
This notice shall be removed ONLY by permission of the:
BUILDING & LIFE SAFETY DEPARTMENT
Penalty if removed by others

Inspector:

2.0 AD

Authorized by:

847-368-5575



ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Derek Mach, Planner
Hearing Date: April 14, 2025
Date Prepared: April 9, 2025
Project Title: Albarello/Himelman Residence
Address: 130 S. Kennicott Ave.

Background Information

Petition Number: ZBA #25-006
Petitioner: Tuno Ruiz – Verdi Designs
Address: 2426 W. Rose Ave.
Lake Zurich, IL 60047

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

Requested Action/Background Information

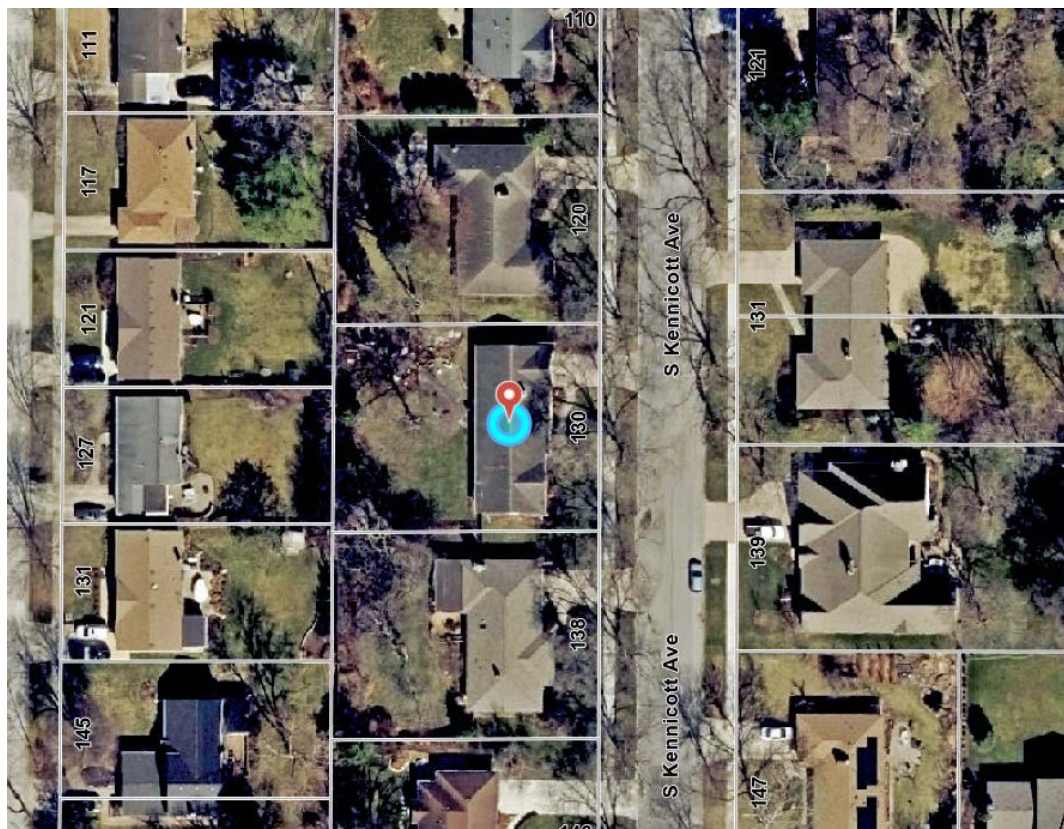
The subject site is zoned R-2, One Family Dwelling District and the petitioner is proposing a covered patio that exceeds the allowable 300 square feet. The property has a total land area of 12,824 square feet. In the spring/summer of 2024, the petitioner installed two code compliant accessory structures above the patio per an approved building permit. The two structures have a solid roof and are each 290 square feet. The petitioner is proposing to connect the two structures with a pergola which creates a single 854 square foot structure. Therefore, the petitioner is requesting the following variation:

- A 554 square foot variance from Chapter 28, Section 6.5-7 (Accessory Structures) to allow an accessory structure with a size of 854 square feet instead of the maximum of 300 square feet.

Variation Review Standards

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

Map of General Vicinity



Items required to be Submitted 15 Days Prior to Public Hearing

<u>Item</u>	<u>Provided</u>	<u>Dated</u>	<u>Remarks</u>
1. Notification Affidavit	✓	3/27/25	
2. List of Property Owners Within 250 feet of Subject Property	✓	3/27/25	
3. Letter that was Mailed	✓	3/27/25	
4. Photographs of Sign on Property	✓	3/27/25	

Photographs of Existing Structure



NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held on Monday, April 14, 2025 at 7:00 P.M. in the Buechner Room, 1st Floor of the Arlington Heights Village Hall, 33 S. Arlington Heights Road, Arlington Heights, Illinois, at which time the Zoning Board of Appeals will consider a request for:

• A 554 square foot variance from Chapter 28, Section 6.5-7 (Accessory Structures) to allow an accessory structure with a size of 854 square feet instead of the maximum of 300 square feet.

Any person who also desires to formally register as an objector, with the right to cross-examine others at the hearing, must complete and file an appearance form with the Village Director of Planning and Community Development, no later than 4:30 pm five days before the date of the hearing. Forms are available by contacting the Department of Planning and Community Development at 847-368-5200 or planning-mail@vgh.com.

At the public hearing, the Zoning Board of Appeals will accept and consider all testimony and evidence pertaining to the application, and will consider any zoning actions or relief that may be necessary or convenient to allow development of the type described in this notice, or development that is less dense than the type described in this notice, including, without limitation, variations or other special approvals on the property legally described as:

Lot four (4) in Craig's Addition to Arlington Manor in the northwest quarter (1/4) of Section 31, Township 42 North, Range 11, East of the Third Principal Meridian, according to the Plat thereof registered in the Office of the Registrar of Titles of Cook County of Illinois, on March 22, 1967 as Document No. 1729087.

Commonly known as: 130 S. Kennicott Avenue, Arlington Heights IL 60005

Persons with disabilities requiring auxiliary aids or services, such as an American Sign Language Interpreter or written materials in accessible formats, should contact Health & Human Services at 33 S. Arlington Heights Road, Arlington Heights, Illinois 60005, (847) 368-5760 (Voice), (847) 368-5980 (Fax) or healthmail@vgh.com.

Peter Siavelis, Chairman

Zoning Board of Appeals

Derek Mach (847) 368-5232

Planning and Community Development

Published in the Daily Herald March 29, 2025 (285051)

CERTIFICATE OF PUBLICATION

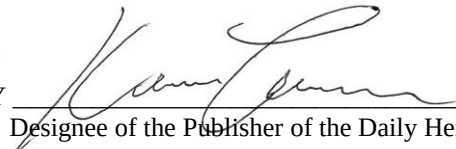
Paddock Publications, Inc.

Northwest Suburbs Daily Herald

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **Northwest Suburbs DAILY HERALD**. That said **Northwest Suburbs DAILY HERALD** is a secular newspaper, published in Arlington Heights, Cook County, State of Illinois, and has been in general circulation daily throughout Cook County, continuously for more than 50 weeks prior to the first Publication of the attached notice, and a newspaper as defined by 715 ILCS 5/5.

I further certify that the **Northwest Suburbs DAILY HERALD** is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published 03/29/2025 in said **Northwest Suburbs DAILY HERALD**. This notice was also placed on a statewide public notice website as required by 5 ILCS 5/2.1.

BY


Designee of the Publisher of the Daily Herald

Control # 285051



Village of Arlington Heights



To: Tuno Ruiz / Verdi Designs
From: Derek Mach
Department: Department of Planning and Community Development
File Number: ZBA 25-006
Project: 130 S. Kennicott Ave.
Date: April 7, 2025

ZONING COMMENTS:

The zoning comments below for your use and consideration. If you have any questions, please contact dmach@vah.com:

Planning and Community Development

No comments.

Building and Life Safety

BLS has no objections to the ZBA application.

Engineering

The proposed variance is to install a pergola over an existing brick paver patio to connect the two roofs of the existing accessory structures. The Engineering Division has no objection to a 554 square foot variance from Chapter 28, Section 6.5-7 (Accessory Structures) to allow an accessory structure with a size of 854 square feet instead of the maximum of 300 square feet.

PETITION

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

PETITION

NOW COMES the Petitioner Margherita Albarello and Harold Himelman
being the owner of the property commonly known as: 130 S. Kennicott
and appeals to the Zoning Board of Appeals of the Village of Arlington Heights for a
Variation from Section 12
Chapter 28, of the Arlington Heights Municipal Code, in order to: Receive a variation

I hereby state that the proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property if the variation(s) were granted (please explain): "Although the proposed structure (pergola) is slightly larger than allowed by the zoning ordinance, we confidently state the proposed use will not alter the essential character of the residential neighborhood due to its design and location"

I hereby state that the plight of the owner is due to unique circumstances, which may include the length of time the subject property has been vacant as zoned (please explain): N/A

I hereby state that the proposed variation is in harmony with the spirit and intent of this Chapter (please explain): Essentially the pergola addition to the pavillion structure fits seamlessly with whats already there, without causing any disruption or discord. The proposed addition adds pleasing aesthetics and is in harmony with the overall aesthetics of the exsisting pavilion structure.

I hereby state that the variance requested is the minimum variance necessary to allow reasonable use of the property (please explain): Yes we are seeking the minimum variance necessary to complete the structure thats already there to bridge the two pavilions together and make it one complete structure.

Signed: Tuno Ruiz Date: 2/12/2025
Petitioner

PLAT OF SURVEY
OF

LOT 4 IN CRAIG'S ADDITION TO ARLINGTON MANOR IN THE NORTHWEST 1/4 OF SECTION 31, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF REGISTERED IN THE OFFICE OF THE REGISTRAR OF TITLES OF COOK COUNTY, ILLINOIS, ON MARCH 22, 1957, AS DOCUMENT NUMBER 1729097.

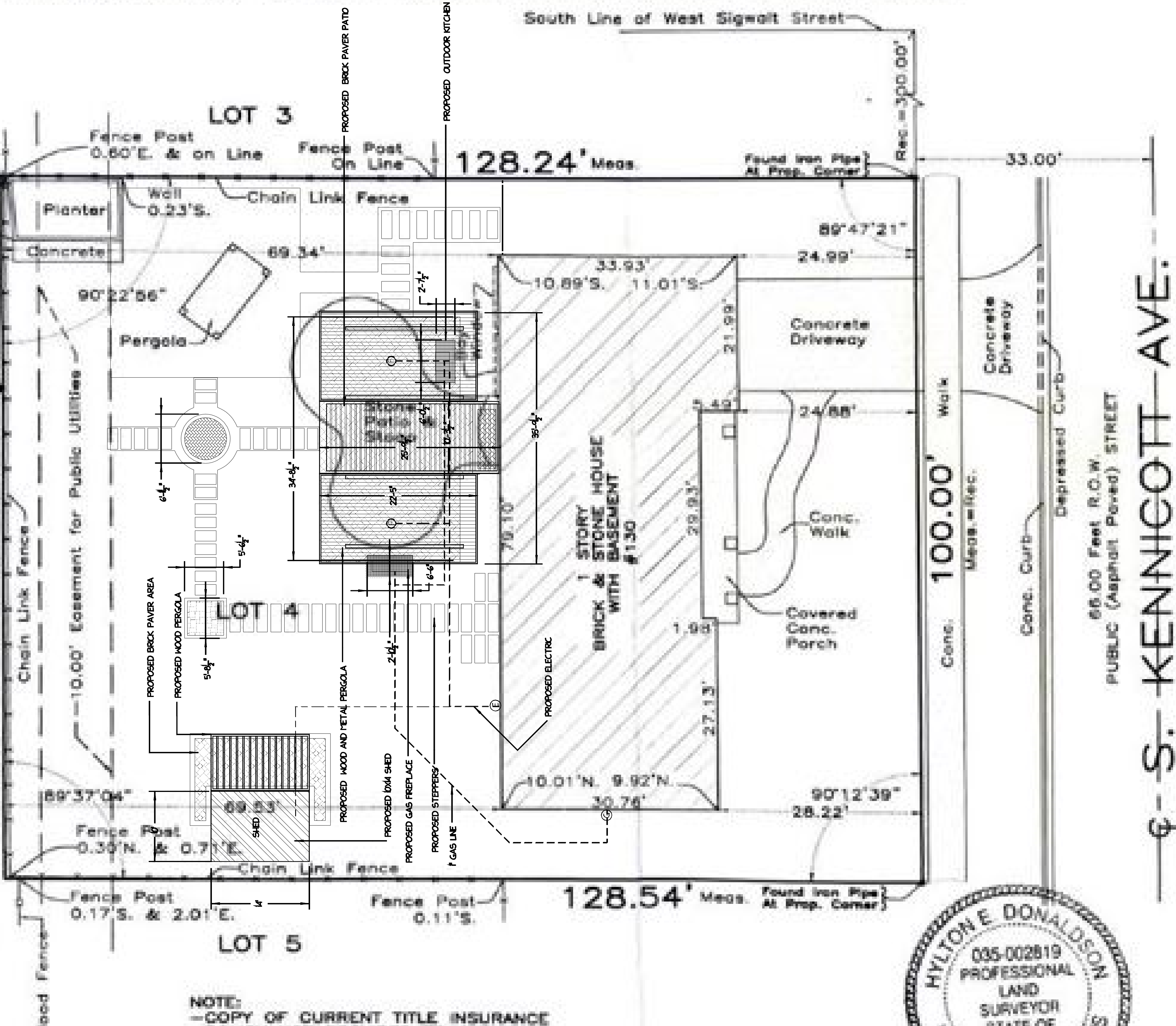
LAND TOTAL AREA: 12,839 SQ.FT. = 0.295 ACRES.

COMMONLY KNOWN AS: 130 SOUTH KENNICOTT AVENUE, ARLINGTON HEIGHTS, ILLINOIS.



MINNECI'S ARLINGTON
HEIGHTS RESUBDIVISION

SCRIPTION SHOWN ON THE PLAT HEREON
COPY OF THE ORDER, AND FOR ACCURACY
IMPAIRED WITH THE TITLE OR DEED.
RE NOT TO BE ASSUMED FROM SCALING.
ES AND EASEMENTS ARE SHOWN ONLY WHERE
RECORDED IN THE MAPS, OTHERWISE REFER TO
R ABSTRACT.



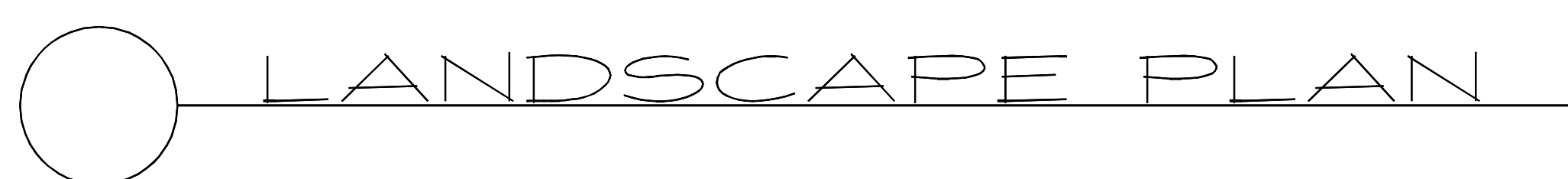
THIS PROFESSIONAL SERVICE CONFORMS TO THE ILLINOIS MINIMUM STANDARDS FOR A BOUNDAR
THIS SURVEY HAS BEEN ORDERED FOR SURFACE
DIMENSIONS ONLY, NOT FOR ELEVATIONS.
THIS IS NOT AN ALTA SURVEY.

COMPARE ALL POINTS BEFORE BUILDING BY SAs
AT ONCE REPORT ANY DIFFERENCE.

State of Illinois
County of Cook

We, PROFESSIONALS ASSOCIATED SURVEY INC
certify that we have surveyed the above described property
to the best of our knowledge, the plat hereon drawn is an
representation of said survey.
Date: 11 / 11 / 2021



Page 107 of 185



VILLAGE OF
ARLINGTON HEIGHTS
— INC. 1887 —

Zoning Board of Appeals
6/9/2025

Item: 1106 W. Rand Rd. & 60 W. Revere Dr. - Shalom Memorial
Cemetery - ZBA24-049

Department: Planning & Community Development

Item Description:

REQUEST

- A fence variation from Chapter 28, Section 6.13-3(a) (Location of Fences, Front Yard) to allow an 8-foot tall solid fence to be constructed in the front yard (Rand Road frontage), where fencing in the front yard shall not exceed a height of 36-inches and must be open in style.
- A variation from Chapter 28, Section 6.13-3(b) (Location of Fences, Side & Rear Yards), to allow an 8-foot fence to be constructed along the rear property line, where fencing in the rear yard shall not exceed a height of 6-feet.

ATTACHMENTS:

1. Exhibits_1106 W Rand Rd & 60 W Revere Rd

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Dan Osoba, Planner
Hearing Date: June 9, 2025
Date Prepared: June 4, 2025
Project Title: Shalom Memorial/Randhill Cemetery
Address: 1106 W. Rand Rd. & 60 W. Revere Dr.

Background Information

Petition Number: ZBA #24-049
Petitioner: Monica Shamass / Schoenberg Finekl Beederman Bell Glazer LLC
Address: 300 S. Wacker Dr, Suite 1500
Chicago IL 60606

Existing Zoning: R-1 – Residential Single-Family District
M-1 – Research, Development & Light Manufacturing District

Requested Action/Background Information

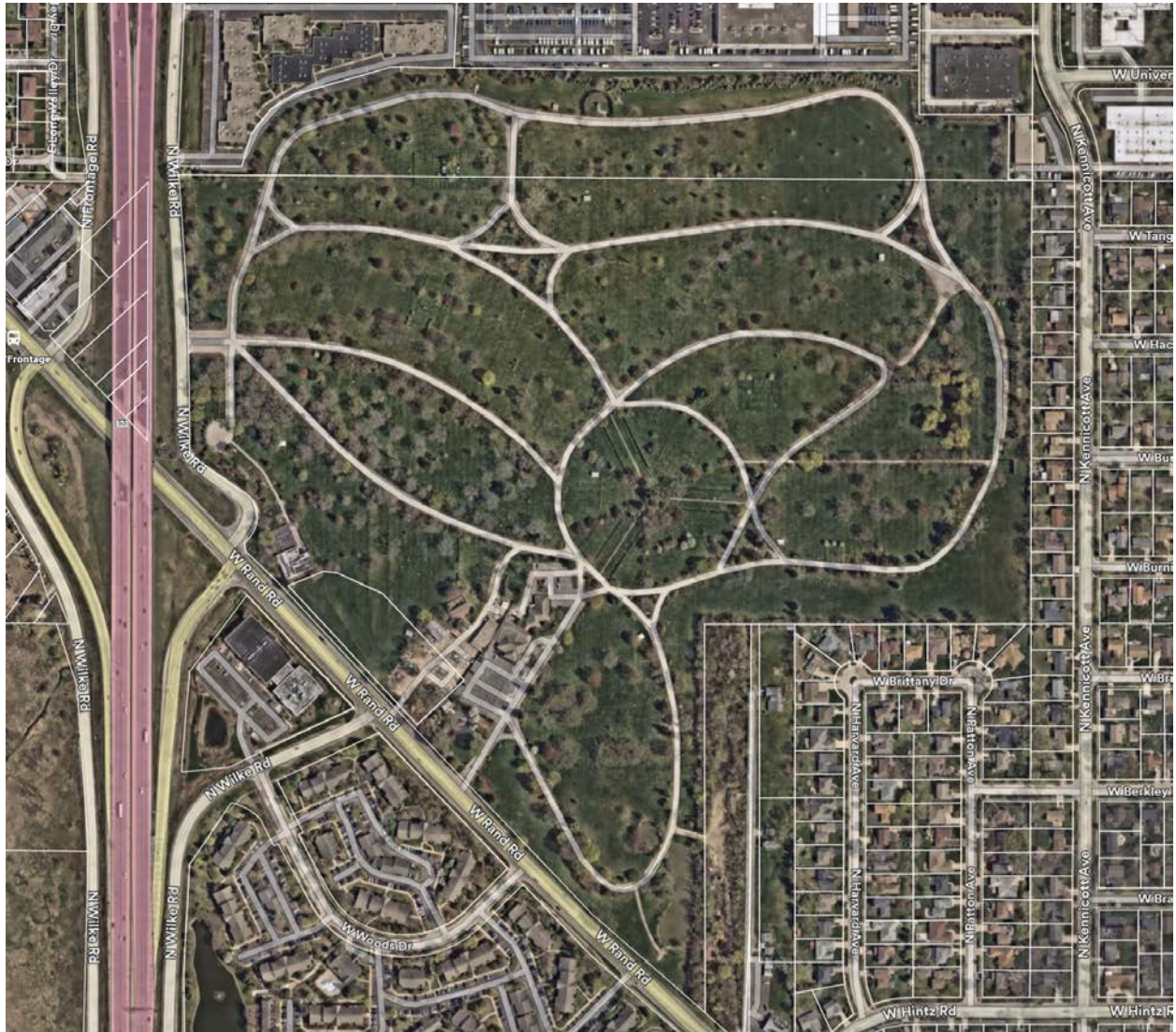
The portions of the property with the Village of Arlington Heights are zoned R-1 One Family Dwelling District and M-1 Research, Development & Light Manufacturing District. The majority of the property is located within unincorporated Cook County and does not fall within the jurisdiction of the Zoning Board of Appeals of the Village of Arlington Heights. The petitioner is proposing an 8 foot high brown vinyl fence around the property for added security where code limits the maximum height of fences in the front yard to 36-inches and such fences must be open in style. Additionally, code limits the height of fences in the rear yard to 6-feet. Therefore, the petitioner is requesting the following variations:

- A fence variation from Chapter 28, Section 6.13-3(a) (Location of Fences, Front Yard) to allow an 8-foot tall solid fence to be constructed in the front yard (Rand Road frontage), where fencing in the front yard shall not exceed a height of 36-inches and must be open in style.
- A variation from Chapter 28, Section 6.13-3(b) (Location of Fences, Side & Rear Yards), to allow an 8-foot fence to be constructed along the rear property line, where fencing in the rear yard shall not exceed a height of 6-feet.

Variation Review Standards

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

Map of General Vicinity



Items required to be Submitted 15 Days Prior to Public Hearing

<u>Item</u>	<u>Provided</u>	<u>Dated</u>	<u>Remarks</u>
1. Notification Affidavit	✓	5/23/25	
2. List of Property Owners Within 250 feet of Subject Property	✓	5/21/25	
3. Letter that was Mailed	✓	5/21/25	
4. Photographs of Sign on Property	✓	5/23/25	

Photographs of Existing Structure



Village of Arlington Heights



To: Monica Shamass – Schoenberg Finkel Beederman Bell Glazer LLC
From: Dan Osoba
Department: Department of Planning and Community Development
File Number: ZBA 24-049
Project: 1106 W. Rand Rd. & 60 W. Revere Dr.
Date: June 2, 2025

ZONING COMMENTS:

The zoning comments below for your use and consideration. If you have any questions, please contact dosoba@vah.com:

Planning and Community Development

1. Staff acknowledges that a relatively small portion of this property is within Arlington Heights. However, for a more attractive appearance, Staff encourages the petitioner to consider a decorative open style black metal fence combined with landscaping, in lieu of the proposed 8' tall solid vinyl fence.

Building and Life Safety

1. Has no objections to the variance.

Engineering

1. The Engineering Division has no objection to the request for a fence variation from Chapter 28, Section 6.13-3(a) (Location of Fences, Front Yard) to allow an 8-foot tall solid fence to be constructed in the front yard (Rand Road frontage), where fencing in the front yard shall not exceed a height of 36-inches and must be open in style. A variation from Chapter 28, Section 6.13-3(b) (Location of Fences, Side & Rear Yards), to allow an 8-foot fence to be constructed along the rear property line. The proposal is to replace the existing 6-foot tall fence with an 8-foot tall fence in the same location.

PETITION

NOW COMES the Petitioner, **Shalom Memorial Park Cemetery**, being the owner of the property commonly known as: **1700 W Rand Road, Arlington Heights, IL 60004**, and appeals to the Zoning Board of Appeals of the Village of Arlington Heights for a **Variation from Section 6.13**, Chapter 28, of the Arlington Heights Municipal Code, in order to: **increase the allowable fence height from six feet to approximately eight feet (98 inches) for enhanced safety and security**. The total installation will be roughly 2,302 feet of walnut brown Sherwood fence, standing eight feet tall, as per the attached specifications. The fence will feature steel-enforced posts, post caps, and four, 5 inch cap square brackets per section (two on each side). The posts will be set in 42-inch-deep footings filled with wet-soaked concrete, with dirt spoils. The specific sections of the fence to be installed are as follows:

- **Rand Hill Mausoleum: 182 feet**
- **Rand Road East: 979 feet, including tree box out**
- **West Rand to Mausoleum: 482 feet**
- **Mausoleum West: 260 feet**
- **North Berm: 399 feet**

I hereby state that the proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property if the variation(s) were granted. **The surrounding area includes both residential and commercial properties, many of which have fencing or natural barriers for similar reasons. Increasing the height of the cemetery fence is a logical extension of existing land use and will not detract from the visual character or functionality of the neighborhood.**

I hereby state that the plight of the owner is due to unique circumstances. **The cemetery has experienced increased safety and security concerns in recent years, including unauthorized access and vandalism. Given the sensitive nature of the property as a final resting place, it is critical to take these necessary measures to protect the sanctity of the grounds. This is a unique use compared to other properties in the area, warranting an additional level of security.**

I hereby state that the proposed variation is in harmony with the spirit and intent of this Chapter. **The Arlington Heights Municipal Code recognizes the need to balance safety and aesthetics in zoning matters. By approving this variance, the village will be supporting both the security of the property and the peace of mind for families with loved ones at Shalom Memorial Park Cemetery.**

I hereby state that the variance requested is the minimum variance necessary to allow reasonable use of the property. **The requested height of approximately eight feet (98 inches) is the least necessary to effectively prevent further security incidents. This modest increase in height strikes an appropriate balance between providing enhanced security and maintaining the visual harmony of the surrounding community.**

(Signature on following page)

Signed : _____
Petitioner, or agent of Petitioner

Date: _____

Name: _____

CHICAGOLAND SURVEY COMPANY INC.

PROFESSIONAL DESIGN FIRM LICENSE NO. 184-005282 EXPIRES 04/30/2025

6501 W. 65TH STREET CHICAGO, ILLINOIS 60638 (773) 271-9447
CHICAGOLANDSURVEYS@GMAIL.COM

PLAT OF SURVEY
OF

PARCEL 1:

LOT "A" (EXCEPT THAT PART TAKEN FOR RAND ROAD AND FRONTAGE ROAD) IN RANDHILL PARK CEMETERY ASSOCIATION SUBDIVISION OF LOTS 1 TO 4 IN GEORGE KIRCHOFF ESTATE SUBDIVISION OF PARTS OF SECTIONS 12 AND 13, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE 3RD PRINCIPAL MERIDIAN AND PARTS OF SECTIONS 7 AND 18, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE 3RD PRINCIPAL MERIDIAN, EXCEPT THEREFROM THAT PART OF SAID LOT "A" DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT "A", NORTHEASTERLY AT 90 DEGREES TO THE LAST DESCRIBED COURSE 17.0 FEET TO THE POINT OF BEGINNING OF LAND HEREIN DESCRIBED; THENCE NORTHWESTERLY PARALLEL WITH SAID SOUTHWESTERLY LINE OF LOT "A", 151.23 FEET; THENCE NORTHEASTERLY ALONG A LINE FORMING AN INTERIOR ANGLE OF 153 DEGREES 03 MINUTES 00 SECONDS WITH THE LAST DESCRIBED COURSE, 44.11 FEET; THENCE SOUTHEASTERLY ALONG A LINE FORMING AN INTERIOR ANGLE OF 158 DEGREES 43 MINUTES 50 SECONDS WITH THE LAST DESCRIBED COURSE, 144.77 FEET; THENCE SOUTHEASTERLY ALONG A LINE FORMING AN INTERIOR ANGLE OF 159 DEGREES 31 MINUTES 40 SECONDS WITH THE LAST DESCRIBED COURSE, 239.96 FEET; THENCE NORTHEASTERLY AT 90 DEGREES TO THE LAST DESCRIBED COURSE, 115.30 FEET; THENCE SOUTHWESTERLY AT 90 DEGREES TO THE LAST DESCRIBED COURSE, 202.04 FEET TO THE NORTHEASTERLY LINE OF RAND ROAD; THENCE NORTHWESTERLY ALONG THE NORTHEASTERLY LINE OF RAND ROAD, 114.89 FEET TO A BEND; THENCE NORTHWESTERLY ALONG THE NORTHEASTERLY LINE OF RAND ROAD, 300.24 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 2:

LOTS "C", "D" AND "E" (EXCEPT THAT PART OF LOT "C" TAKEN FOR FRONTAGE ROAD) AS SHOWN ON THE PLAT OF ADDITION TO RANDHILL PARK CEMETERY ADDITION ASSOCIATION, BEING A SUBDIVISION OF THAT PART OF LOTS 2 AND 3 OF GEORGE KIRCHOFF ESTATE SUBDIVISION OF PARTS OF SECTIONS 12 AND 13, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE 3RD PRINCIPAL MERIDIAN AND SECTIONS 7 AND 18, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE 3RD PRINCIPAL MERIDIAN LYING NORTH OF THE NORTH LINE OF LOT "A" IN RANDHILL PARK CEMETERY ASSOCIATION SUBDIVISION, AFORESAID, AS RECORDED AS DOCUMENT NO. 8699088; ALSO THAT PART OF LOT 3 OF GEORGE KIRCHOFF ESTATE SUBDIVISION, AFORESAID, LYING SOUTH OF THE EAST 957.0 FEET OF SAID LOT "A" IN RANDHILL PARK CEMETERY ASSOCIATION SUBDIVISION, AFORESAID; ALSO THAT PART OF LOT 4 IN GEORGE KIRCHOFF ESTATE SUBDIVISION, AFORESAID, LYING EAST OF THE EAST LINE OF LOT "A" IN RANDHILL PARK CEMETERY ASSOCIATION SUBDIVISION, AFORESAID, IN COOK COUNTY, ILLINOIS.

PARCEL 3:

THAT 33.0 FOOT RIGHT OF WAY LYING EAST OF AND ADJOINING LOTS "A", "C" AND "D", AFORESAID, AS VACATED WITHIN DOCUMENT NO. 11464675, IN COOK COUNTY, ILLINOIS. THAT PART OF THE 33.0 FOOT RIGHT OF WAY LYING NORTH OF AND ADJOINING SAID LOT "C" AS VACATED WITHIN DOCUMENT NO. 10073758, WHICH LIES SOUTH OF THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 7.

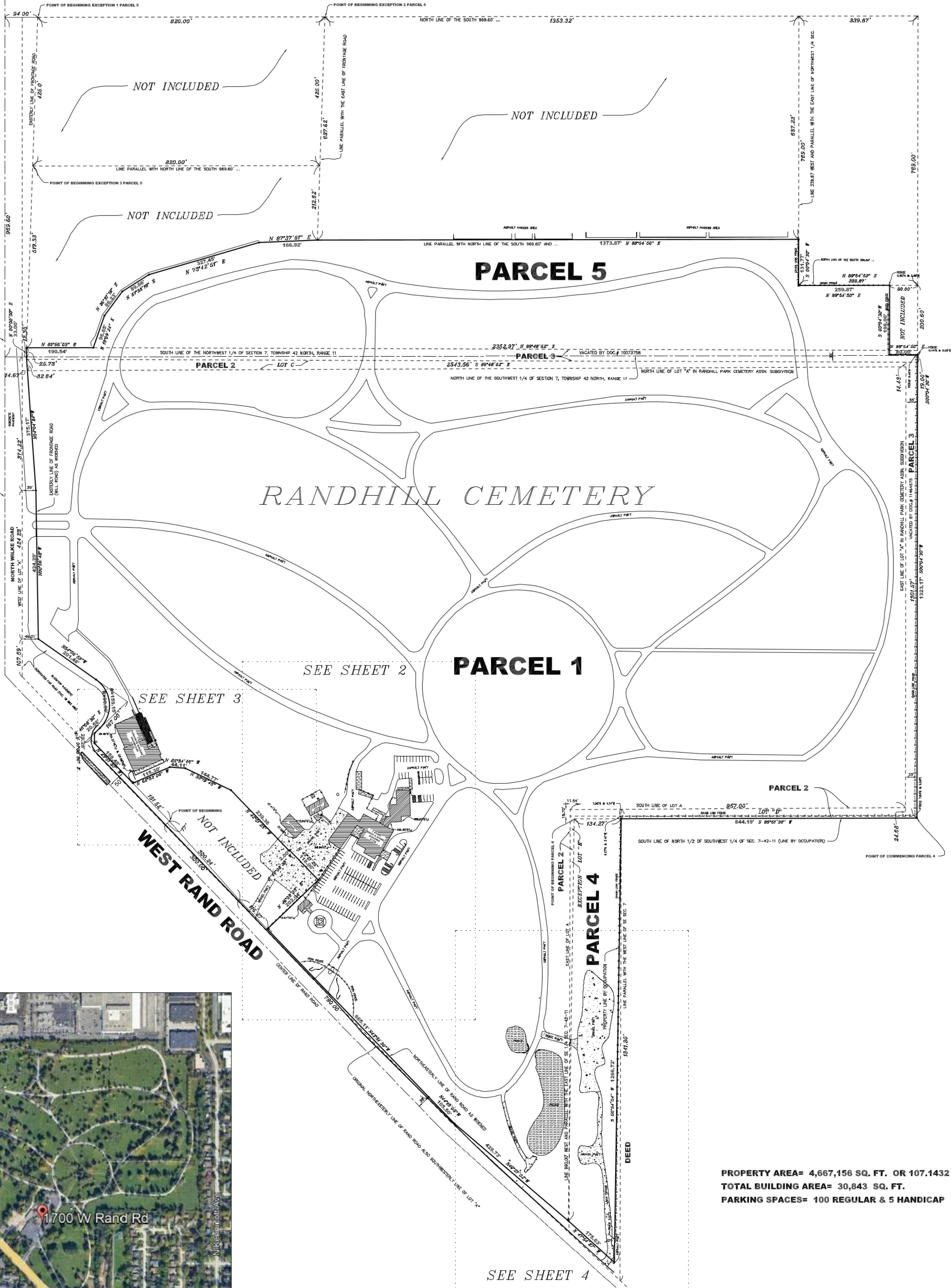
PARCEL 4

THAT PART OF SECTION 7, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE 3RD PRINCIPAL MERIDIAN, DESCRIBED MORE PARTICULARLY AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 7; RUNNING THENCE WEST ON THE NORTH LINE OF THE SAID SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, AFORESAID, FOR A DISTANCE OF 980.0 FEET FOR A POINT OF BEGINNING; THENCE SOUTH ALONG A LINE FOR A DISTANCE OF 1223.80 FEET TO THE CENTERLINE OF RAND ROAD; THENCE SOUTHEASTERLY ALONG THE CENTERLINE OF RAND ROAD, FOR A DISTANCE OF 173.40 FEET; THENCE NORTH AND PARALLEL WITH THE EAST LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 7, FOR A DISTANCE OF 1341.30 FEET TO A POINT ON THE NORTH LINE OF THE SAID SOUTHEAST 1/4 OF THE SOUTHWEST 1/4; THENCE WEST ALONG THE LAST DESCRIBED LINE FOR A DISTANCE OF 135.81 FEET TO THE PLACE OF BEGINNING, EXCEPT THEREFROM THAT PART OF THE ABOVE PARCEL DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 7 AND RUNNING THENCE WEST ON THE NORTH LINE OF SAID SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, AFORESAID, FOR A DISTANCE OF 980.0 FEET FOR A POINT OF BEGINNING; THENCE SOUTH ALONG A LINE FOR A DISTANCE OF 1223.80 FEET TO THE CENTERLINE OF RAND ROAD; THENCE NORTHEASTERLY ALONG A LINE FOR A DISTANCE OF 1223.79 FEET TO A POINT ON THE NORTH LINE OF THE SAID SOUTHEAST 1/4 OF THE SOUTHWEST 1/4; THENCE WEST ALONG THE LAST DESCRIBED LINE FOR A DISTANCE OF 11.54 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 5:

THE SOUTH 969.60 FEET OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE 3RD PRINCIPAL MERIDIAN (EXCEPT PARTS TAKEN FOR FRONTAGE ROAD, ALSO EXCEPT THE EAST 339.87 FEET OF THE NORTH 769.0 FEET THEREOF, AND ALSO EXCEPT THAT PART DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF SAID SOUTH 969.60 FEET AND THE EASTERLY LINE OF FRONTAGE ROAD; THENCE EASTERLY ALONG THE NORTH LINE OF SAID SOUTH 969.60 FEET, 820.0 FEET; THENCE SOUTHERLY PARALLEL WITH EASTERLY LINE OF SAID FRONTAGE ROAD, 425.0 FEET; THENCE WESTERLY PARALLEL WITH THE NORTH LINE OF SAID SOUTH 969.60 FEET TO THE EASTERLY LINE OF SAID FRONTAGE ROAD; THENCE NORTHERLY ALONG THE EASTERLY LINE OF SAID FRONTAGE ROAD, 425.0 FEET TO THE POINT OF BEGINNING, AND ALSO EXCEPT THAT PART THEREOF DESCRIBED AS FOLLOWS: BEGINNING ON THE NORTH LINE OF SAID SOUTH 969.60 FEET, 820.0 FEET EAST OF THE EAST LINE OF FRONTAGE ROAD, THENCE SOUTH PARALLEL WITH THE EAST LINE OF FRONTAGE ROAD 637.82 FEET; THENCE EASTERLY PARALLEL WITH THE NORTH LINE OF SAID SOUTH 969.60 FEET, 1373.87 FEET TO A POINT ON A LINE 339.87 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID NORTHWEST 1/4 THENCE NORTH ALONG THE LINE 339.87 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF SAID NORTHWEST 1/4, 637.23 FEET TO THE NORTH LINE OF SAID SOUTH 969.60 FEET; THENCE WEST ALONG THE NORTH LINE OF SAID SOUTH 969.60 FEET TO THE POINT OF BEGINNING, AND ALSO EXCEPT THAT PART THEREOF DESCRIBED AS FOLLOWS: BEGINNING ON THE EASTERLY LINE OF FRONTAGE ROAD AT A POINT 425.0 FEET SOUTHERLY (AS MEASURED ALONG THE EASTERLY LINE OF FRONTAGE ROAD FROM THE NORTH LINE OF SAID SOUTH 969.60 FEET); THENCE EASTERLY PARALLEL WITH THE NORTH LINE OF SAID SOUTH 969.60 FEET, 820.0 FEET; THENCE SOUTHERLY PARALLEL WITH THE EASTERLY LINE OF SAID FRONTAGE ROAD, 212.62 FEET; THENCE SOUTHWESTERLY, ALONG A LINE FORMING AN INTERIOR ANGLE OF 94 DEGREES 18 MINUTES 48 SECONDS WITH THE LAST DESCRIBED COURSE 166.82 FEET; THENCE SOUTHWESTERLY ALONG A LINE FORMING AN INTERIOR ANGLE OF 103 DEGREES 05 MINUTES 00 SECONDS WITH THE LAST DESCRIBED COURSE, 327.45 FEET; THENCE SOUTHWESTERLY ALONG A LINE FORMING AN INTERIOR ANGLE OF 158 DEGREES 10 MINUTES 33 SECONDS WITH THE LAST DESCRIBED COURSE, 89.66 FEET; THENCE SOUTHWESTERLY ALONG A LINE FORMING AN INTERIOR ANGLE 200 DEGREES 55 MINUTES 00 SECONDS WITH THE LAST DESCRIBED COURSE, 86.23 FEET; THENCE SOUTHWESTERLY ALONG A LINE FORMING AN INTERIOR ANGLE OF 197 DEGREES 27 MINUTES 54 SECONDS WITH THE LAST DESCRIBED COURSE, 96.65 FEET; THENCE WESTERLY PARALLEL WITH THE NORTH LINE OF SAID SOUTH 969.60 FEET, 190.54 FEET TO A POINT ON THE EASTERLY LINE OF FRONTAGE ROAD, SAID POINT BEING 25.73 FEET NORTH FROM THE SOUTH LINE OF SAID NORTHWEST 1/4 OF SECTION 7; THENCE NORTHERLY ALONG SAID EASTERLY LINE OF FRONTAGE ROAD 519.33 FEET TO THE POINT OF BEGINNING, AND ALSO EXCEPTING THE EAST 80.0 FEET OF THE NORTH 196.0 FEET OF THE SOUTH 200.0 FEET OF THE NORTHWEST 1/4 OF SAID SECTION 7) ALL IN COOK COUNTY, ILLINOIS.

ILLINOIS ROUTE 53



VICINITY MAP
NOT TO SCALE

FIELD WORK COMPLETED 08/19/2024



ORDERED BY: BEN DRAFFAL
FILE NO.: 36-29/C SHEET 1 OF 4



STATE OF ILLINOIS } S.S.
COUNTY OF COOK

THIS IS TO CERTIFY THAT THIS PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE BY ME, OR BY PERSONS UNDER MY DIRECT SUPERVISION AND CONTROL. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.
DATED THIS 28 TH. DAY OF AUGUST, 2024.

BY: *Thomas R. Krohn*
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3384

PROPERTY AREA= 4,667,156 SQ. FT. OR 107.1432 ACRES
TOTAL BUILDING AREA= 30,843 SQ. FT.
PARKING SPACES= 100 REGULAR & 5 HANDICAP

PROFESSIONAL DESIGN FIRM LICENSE NO. 114-002707 EXPIRES 04/30/2025
6501 W. 65TH STREET CHICAGO, ILLINOIS 60638 (773) 271-9447
CHICAGOLANDSURVEYS@GMAIL.COM

[illegible][illegible][illegible]

VICINITY MAP
NOT TO SCALE



ORDERED BY: BEN DRAFULL



STATE OF ILLINOIS } SS

THIS IS TO CERTIFY THAT THIS PLAT AND T-F SURVEY ON WHICH IT IS BASED
WAS MADE BY ME, OR BY SOMEONE UNDER MY DIRECT SUPERVISION, AND
THAT WE THEREFORE ASSUME RESPONSIBILITY FOR THE CURRENT LINES
MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

DAVID T-F 28 TH. DAY OF AUGUST 2024.

David T-F

B* PLAT PROFESSIONAL LAND SURVEYOR NO. 3334

PROPERTY AREA= 4,667,156 SQ. FT. OR 107.1432 ACRES
TOTAL BUILDING AREA= 30,843 SQ. FT.
PARKING SPACES= 100 REGULAR & 5 HANDICAP

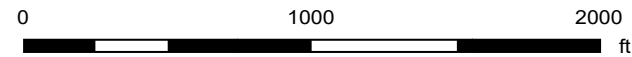
PROPOSED 8' HIGH
FENCE WITHIN AH
BOUNDARY

PROPOSED 8' HIGH
FENCE OUTSIDE
OF VILLAGE
BOUNDARY

PROPERTY AREA= 4,667,156 SQ. FT. OR 107.1432 ACRES
TOTAL BUILDING AREA= 30,643 SQ. FT.
PARKING SPACES= 100 REGULAR & 5 HANDICAP



Legend



Print Date: 2/10/2025

Notes

Disclaimer: The GIS Consortium and MGP Inc. are not liable for any use, misuse, modification or disclosure of any map provided under applicable law. This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently confirm for accuracy. The map does not constitute a regulatory determination and is not a base for engineering design. A Registered Land Surveyor should be consulted to determine precise location boundaries on the ground.

Bufftech®

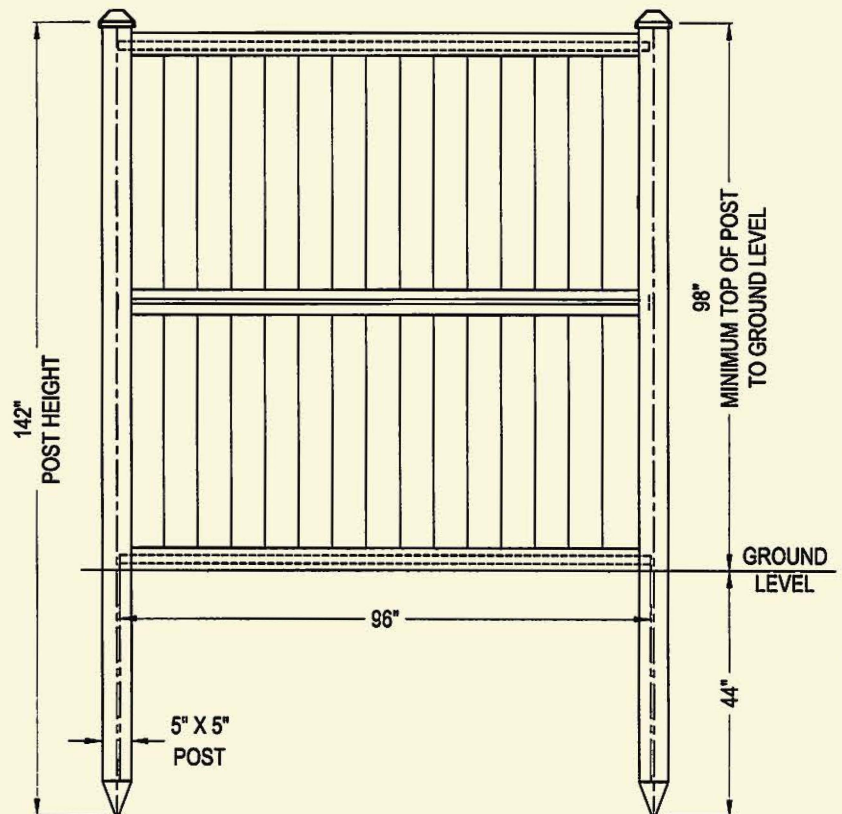
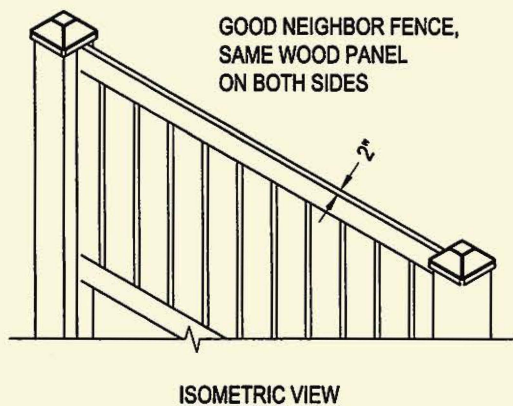
CERTAINTEED FENCE
DECK AND RAIL DIVISION
231 SHIP CANAL PARKWAY
BUFFALO, NY 14218
TOLL FREE: 1-800-333-0569
PHONE: (716) 823-3023
FAX: (716) 823-2843
www.certaiteed.com

☒ SELECT DESIRED SIZE:

☐ 8' HEIGHT X 8' WIDE (TWO STACKED PANELS)

☒ SELECT DESIRED COLOR:

☐ DARK GRAY OAK
☐ WALNUT BROWN
☐ NANTUCKET GRAY
☐ RED CEDAR



SPECIFICATIONS

FINISH: MADE WITH LINEAR LOW DENSITY
POLYETHYLENE PLASTIC (LLDPE)

ACTUAL PANEL DIMENSIONS: 48" H X 94.25" W

PANEL WEIGHT: 60 LBS

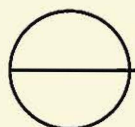
TOLERANCES: ± .5"

MANUFACTURER NOTES:

1. US PATENTS 7,478,797 / 7,635,114 FOREIGN PATENTS PENDING.

NOTES:

1. INSTALLATION TO BE COMPLETED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS.
2. DO NOT SCALE DRAWING.
3. THIS DRAWING IS INTENDED FOR USE BY ARCHITECTS, ENGINEERS, CONTRACTORS, CONSULTANTS AND DESIGN PROFESSIONALS FOR PLANNING PURPOSES ONLY. THIS DRAWING MAY NOT BE USED FOR CONSTRUCTION.
4. ALL INFORMATION CONTAINED HEREIN WAS CURRENT AT THE TIME OF DEVELOPMENT BUT MUST BE REVIEWED AND APPROVED BY THE PRODUCT MANUFACTURER TO BE CONSIDERED ACCURATE.
5. CONTRACTOR'S NOTE: FOR PRODUCT AND COMPANY INFORMATION VISIT www.CADdetails.com/info AND ENTER REFERENCE NUMBER 035-112.



PRIVACY FENCING

(BUFFTECH) SHERWOOD FENCE PANEL - 8' H X 8' W (TWO STACKED PANELS)

Performance

SimTek's molded fencing — manufactured by Barrette Outdoor Living — is made with a proprietary blend of polyethylene plastic and is reinforced with galvanized steel. Our extremely durable fence systems are designed to create privacy and security without compromising aesthetics.



Wind Code

SimTek Fencing is engineered for use in high wind and hurricane conditions, as approved by Miami-Dade County NOA #22-0616.10.* Recognized as the most stringent standards in the country, Miami-Dade test protocols include dynamic wind load testing up to 115 mph.

**Miami-Dade County-approved NOA #22-0616.10, for exceptional performance in high wind conditions. To comply with Wind Code performance, additional items are needed for installation. Expires 4/4/2028.*



Pool Code

SimTek Fencing meets requirements of the ASTM and includes styles that comply with local codes for swimming pool applications. Check with your local building code official as local codes may vary.



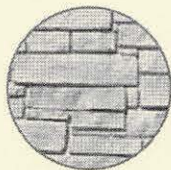
Sound Resistance

SimTek Fencing panels block 98% of direct sound. The Allegheny line has a sound transmission class (STC) of 26 and the Sherwood line has a STC of 23 to create quiet spaces.

Textures and colors

SimTek Fencing products set the standard for the latest innovations in decorative privacy. From our proprietary manufacturing process to our vibrant colors, SimTek Fencing is the undisputed industry leader in color and texture. With finishes that are molded from real wood and stone to deliver an authentic look and feel, SimTek Fencing is virtually maintenance-free and never requires staining or painting.

Ecostone



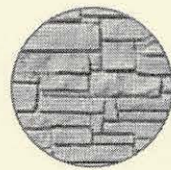
Beige Granite



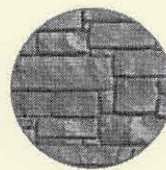
Brown Granite



Dark Brown Granite

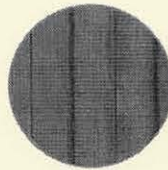


Gray Granite

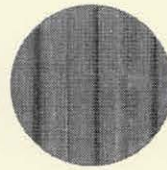


Dark Gray Granite

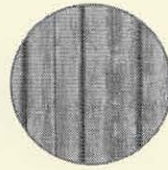
Sherwood



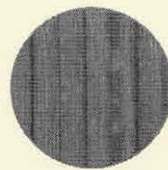
Walnut Brown



Red Cedar

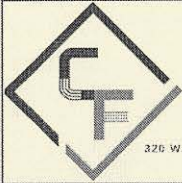


Nantucket Gray



Dark Gray Oak

*Colors throughout this brochure are simulated.
Consult product color samples before making final selection.*



**COMPLETE
FENCE**

326 W. LINCOLN HWY, CORTLAND, IL 60112

PROPOSAL

Prepared For:

Shalom Memorial

Project:

Ben Drafall

1700 West Rand Road, Arlington Heights, 60004

Submitted By: Ken Lombardo

Phone: 847-401-8329

Email: klombardo@cnifence.com

Date: 8/6/2024

Quote #: 76318

Complete Fence agrees to install labor and materials for the following:

DESCRIPTION

EXTENDED

Composite Fencing:

266,765.00

Complete Fence agrees to furnish and install approx. 2,302' of 8'h walnut brown Sherwood fence. Fence to utilize 5x5" steel enforced posts, post caps, and (4) 5" cap square brackets per section (2 on each side). Posts set in 42" deep footings filled with wet soaked concrete. Dirt spoils spread on site. Customer to provide clear fence.

Rand Hill Mausoleum: 182'

Rand Road East: 979' including tree box out

West Rand to Mausoleum: 482'

Mausoleum West: 260'

North Berm: 399'

Base Bid Total: 266,765.00

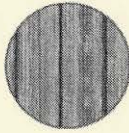
Sherwood



Walnut Brown



Red Cedar



Nantucket Gray



Dark Gray Oak

Exclusions: Project is bid for one mobilization and assumes normal digging conditions. Any grounding, core drilling, vacuum drilling, son- a-tubes, digging through stone, or digging in winter/frozen conditions may incur extra charges. Bid assumes site is accessible for concrete trucks. Dirt to be spread on site, excludes haul away. Price excludes any tree or shrub removal, and any survey or landscape repair. Excludes clearing, grubbing, fence removal, surveying, grading, private locates, automation, potholing. Permit by others. Stamped drawings/engineering/BIM excluded. Price is good for 14 days. All excluded items or changes due to inaccurate assumptions will require change orders.

Sales Rep: Ken Lombardo

Signature: **Ken Lombardo**

Date: 8/6/2024

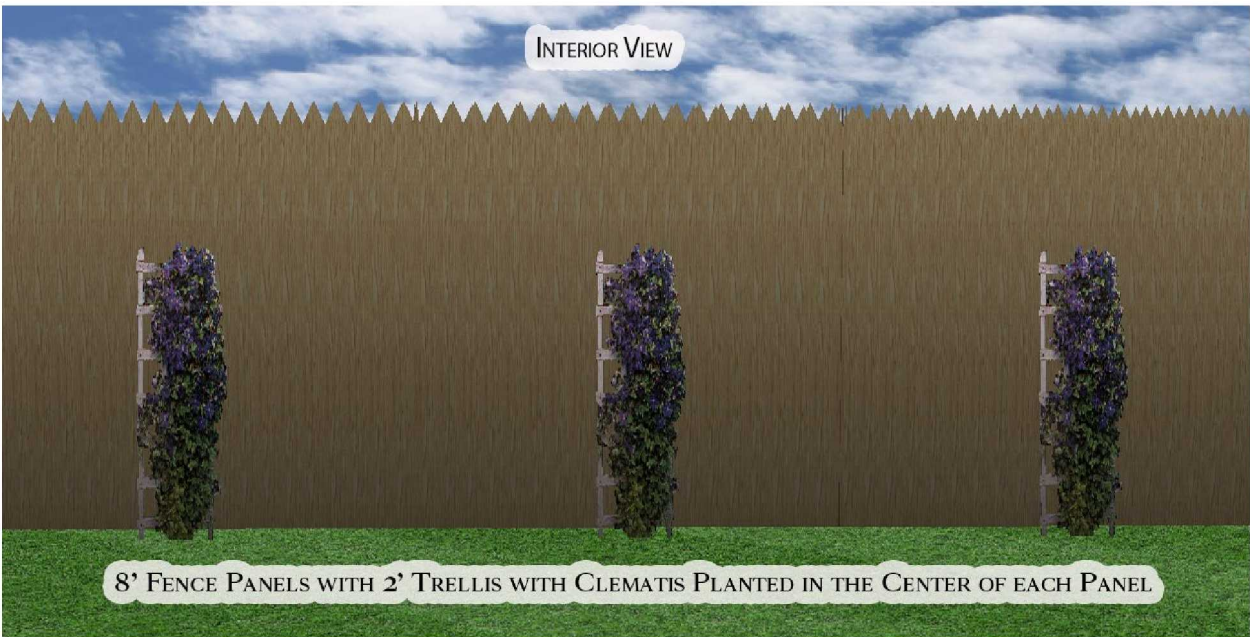
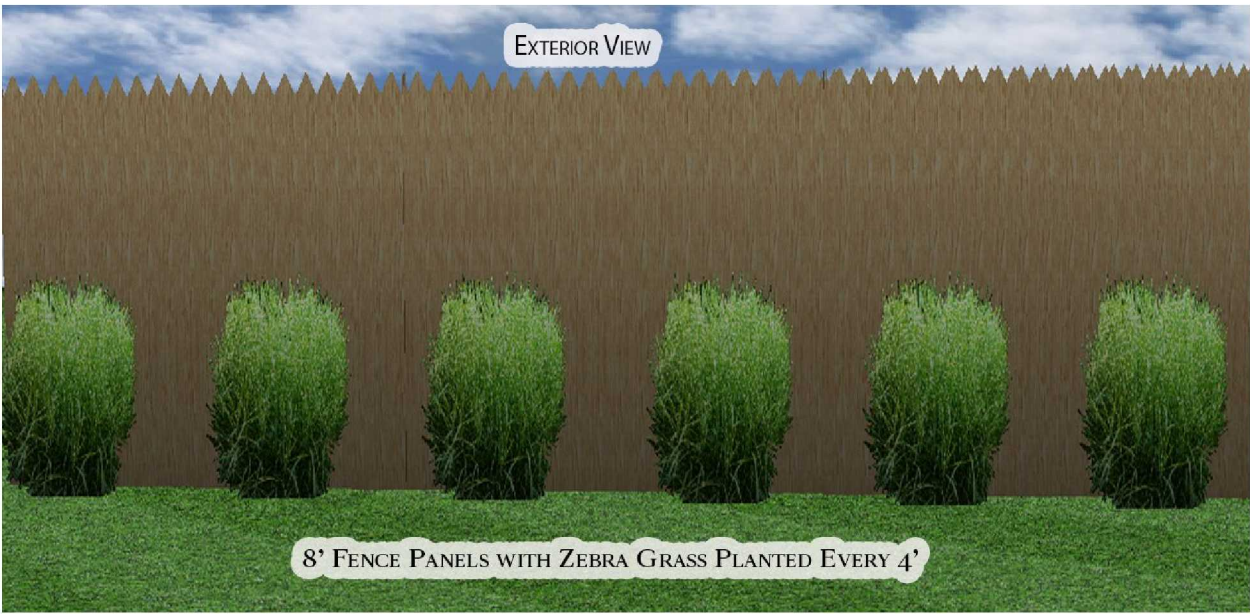
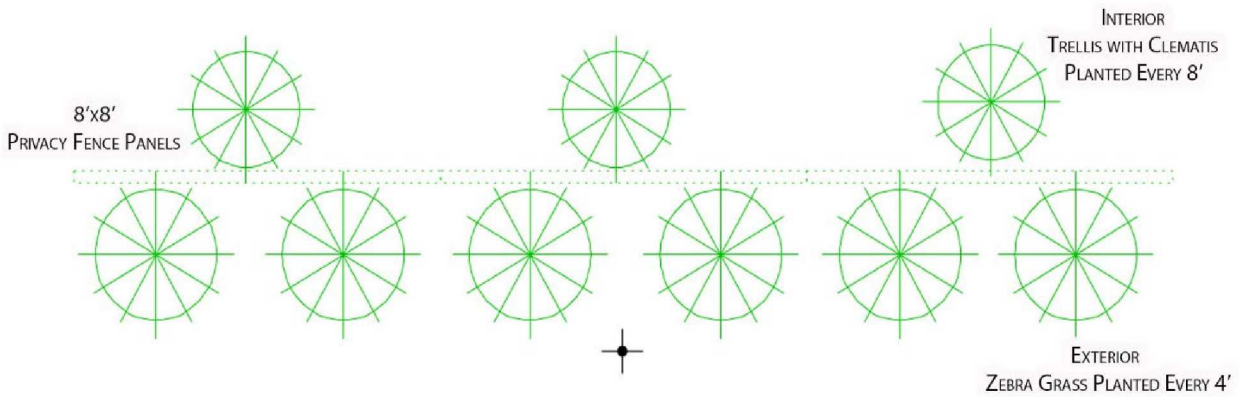
Approved By:

Signature: _____

Date: _____

Thank you for your business!

RANDHILL PARK/SHALOM MEMORIAL FENCE PLANTINGS



1) North Berm – Arlington Heights

400 linear ft run with a setback from curbline between 26 ' to 60'

Exterior planting:

- 25 Miscanthus Sinensis 'Zebrensis'

Spaced to fill any gaps in large quantity of existing plant material

Interior Planting:

- 15 Clematis 'Elsa Spath'
- Spaced to fill any gaps in existing plant material inside fence

Notes: Minimal plant material will be removed





2) Rand Rd East – Cook County

966 linear ft run with a setback from curbline between 11' to 18'

Exterior planting:

- 245 Miscanthus Sinensis 'Zebrensis'
- 4 ft spacing when installed

Interior Planting:

- 121 Clematis 'Elsa Spath'
- 8 ft spacing when installed

Notes: The existing bush line will be removed to allow for fence installation



3) Rand Hill Mausoleum - Cook County

182 linear ft run with a setback from curbline between 14' to 20'

No additional landscape.

Existing landscape to cover.

Notes: Minimal plant material will be removed



4) West Rand Road - Cook County

490 linear ft run with a setback from curblane between 23' to 25'

Exterior planting:

- 123 Miscanthus Sinensis 'Zebrensis'
- 4ft spacing when installed

Interior planting:

- 62 Clematis 'Elsa Spath'
- 8 ft spacing when installed

Notes: There is no plant material currently in place therefore, none will be removed



5) Mausoleum West - Cook County

260 linear ft run with a setback from curblane ~ 15'

Exterior planting:

- 65 Miscanthus Sinensis 'Zebrensis'
- 4 ft spacing when installed

Interior planting:

- 33 Clematis 'Elsa Spath'
- 8 ft spacing when installed



Notice is hereby given that a public hearing will be held on Monday, June 9, 2025, 7:00 P.M. in the Buechner Room, 1st Floor of the Arlington Heights Village Hall, 33 S. Arlington Heights Road, Arlington Heights, Illinois, at which time the Zoning Board of Appeals will consider a request for:

- A variation from Chapter 28, Section 6.13-3(b) (Location of Fences, Side & Rear Yards), to allow an 8-foot fence to be constructed along the rear property line.

Any person who also desires to formally register as an objector, with the right to cross-examine others at the hearing, must complete and file an appearance form with the Village Director of Planning and Community Development, no later than 4:30 pm five days before the date of the hearing. Forms are available by contacting the Department of Planning and Community Development at 847-368-5200 or planningmail@vgh.com.

At the public hearing, the Zoning Board of Appeals will accept and consider all testimony and evidence pertaining to the application, and will consider any zoning actions or relief that may be necessary or convenient to allow development of the type described in this notice, or development that is less dense than the type described in this notice, including, without limitation, variations or other special approvals on the property legally described as:

PARCEL 1:
LOT "A" (EXCEPT THAT PART TAKEN FOR RAND ROAD AND FRONTAGE ROAD) IN RANDHILL PARK
CEMETERY ASSOCIATION SUBDIVISION OF LOTS 1 TO 4 IN GEORGE KIRCHOFF ESTATE SUBDIVISION
OF PARTS OF SECTIONS 12 AND 13, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE 3RD PRINCIPAL
MERIDIAN AND PARTS OF SECTIONS 7 AND 18, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE 3RD
PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL 2:
LOTS "C", "D" AND "E" (EXCEPT THAT PART OF LOT "C" TAKEN FOR FRONTAGE ROAD) AS SHOWN ON THE PLAT OF ADDITION TO RANDHILL PARK CEMETERY ADDITION ASSOCIATION, BEING SUBDIVISION OF THAT PART OF LOTS 2 AND 3 OF GEORGE KIRCHOFF ESTATE SUBDIVISION OF PARTS OF SECTIONS 12 AND 13, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE 3RD PRINCIPAL MERIDIAN AND SECTIONS 7 AND 18, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE 3RD PRINCIPAL MERIDIAN LYING NORTH OF THE NORTH LINE OF LOT "A" IN RANDHILL PARK CEMETERY ASSOCIATION SUBDIVISION OF LOTS 2, 3 AND 4 OF GEORGE KIRCHOFF ESTATE SUBDIVISION, AFORESAID, AS SUBDIVISION OF SAID LOTS 2, 3 AND 4 OF GEORGE KIRCHOFF ESTATE SUBDIVISION, AFORESAID, LYING SOUTH OF THE EAST 957.0 FEET OF SAID LOT "A" IN RANDHILL PARK CEMETERY ASSOCIATION SUBDIVISION, AFORESAID; ALSO THAT PART OF LOT 4 IN GEORGE KIRCHOFF ESTATE SUBDIVISION, AFORESAID, LYING EAST OF THE EAST LINE OF LOT "A" IN RANDHILL PARK CEMETERY ASSOCIATION SUBDIVISION, AFORESAID, IN COOK COUNTY, ILLINOIS.

PARCEL 3:
THAT 33.0 FOOT RIGHT OF WAY LYING EAST OF AND ADJOINING LOTS "A", "C" AND "D", AFORESAID,
AS VACATED WITHIN DOCUMENT NO. 11464675, IN COOK COUNTY, ILLINOIS, THAT PART OF THE 33.0
FOOT RIGHT OF WAY LYING NORTH OF AND ADJOINING SAID LOT "C" AS VACATED WITHIN DOCU-
MENT NO.10873758, WHICH LIES SOUTH OF THE NORTH LINE OF THE SOUTH 1/2 SECTION 7,
SECTION 7,

PARCEL # 4:
THAT PART OF SECTION 7, TOWNSHIP 42 NORTH, RANGE 11 EAST OF THE 3RD PRINCIPAL MERIDIAN, DESCRIBED MORE PARTICULARLY AS FOLLOWS: COMMENCING AT THE NORTH CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 7; RUNNING THENCE WEST ON THE NORTH LINE OF THE SAID SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, AFORESAID, FOR A DISTANCE OF 980.0 FEET FOR A POINT OF BEGINNING; THENCE SOUTH ALONG A LINE FOR A DISTANCE OF 1223.80 FEET TO THE CENTERLINE OF RAND ROAD; THENCE SOUTHEASTERLY ALONG A CURVE CONTAINING ONE HUNDRED ROAD, FOR A DISTANCE OF 179.40 FEET; THENCE NORTH AND PARALLEL WITH THE EAST LINE OF RAND ROAD, FOR A DISTANCE OF 11.54 FEET; THENCE SOUTHWEST ALONG A LINE FOR A DISTANCE OF 11.54 FEET TO A POINT ON THE NORTH LINE OF THE SAID SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, AFORESAID, FOR A DISTANCE OF 1223.80 FEET TO THE PLACE OF BEGINNING, EXCEPTING THEREFROM THAT PART OF THE ABOVE PARCEL DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 7 AND RUNNING THENCE WEST ON THE NORTH LINE OF SAID SOUTHEAST 1/4 OF THE SOUTHWEST 1/4, AFORESAID, FOR A DISTANCE OF 980.0 FEET FOR A POINT OF BEGINNING; THENCE SOUTH ALONG A LINE FOR A DISTANCE OF 1223.80 FEET TO THE CENTERLINE OF RAND ROAD; THENCE NORTHEASTERLY ALONG A LINE FOR A DISTANCE OF 1223.79 FEET TO A POINT ON THE SOUTH LINE OF THE SAID SOUTHWEST 1/4 OF THE SOUTHWEST 1/4, AFORESAID, FOR A DISTANCE OF 11.54 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 5:
THE NORTH 969.60 FEET OF THE NORTHWEST 1/4 OF SECTION 7, TOWNSHIP 42 NORTH, RANGE 1E, E. 1892 MINORS
OF THE 3RD PRINCIPAL MERIDIAN (EXCEPT PARTS TAKEN FOR FRONTAGE ROAD, ALSO EXCEPT
THE EAST 339.87 FEET OF THE NORTH 769.0 FEET THEREOF, AND ALSO EXCEPT THAT PART THEREOF
DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF SAID SOUTH
969.60 FEET AND THE EASTERLY LINE OF FRONTAGE ROAD; THENCE EASTERLY PARALLEL WITH THE
NORTH LINE OF SAID SOUTH 969.80 FEET, 820.0 FEET; THENCE SOUTHERLY PARALLEL WITH THE EAST-
ERLY LINE OF SAID FRONTAGE ROAD, 425.0 FEET; THENCE WESTERLY PARALLEL WITH THE NORTH
LINE OF SAID SOUTH 969.60 FEET TO THE EASTERLY LINE OF SAID FRONTAGE ROAD;
THENCE NORTHERLY ALONG THE EASTERLY LINE OF SAID FRONTAGE ROAD, 425.0 FEET TO THE
POINT OF BEGINNING, AND ALSO EXCEPT THAT PART THEREOF DESCRIBED AS FOLLOWS: BEGIN-
NING ON THE NORTH LINE OF SAID SOUTH 969.60 FEET, 820.0 FEET EAST OF THE EAST LINE OF
FRONTAGE ROAD, THENCE SOUTH PARALLEL WITH THE EAST LINE OF FRONTAGE ROAD 637.62
FEET; THENCE EASTERLY PARALLEL WITH THE NORTH LINE OF SAID SOUTH 969.60 FEET, 337.87 FEET
TO A POINT ON THE LINE 339.87 FEET WEST OF AN EARLIER LINE OF SAID SOUTH 969.60 FEET,
WEST 1/4 THENCE NORTH ALONG THE LINE 339.87 FEET WEST OF AN EARLIER LINE OF SAID SOUTH
969.60 FEET, 437.23 FEET TO THE NORTH LINE OF SAID SOUTH 969.60 FEET;
THENCE WEST ALONG THE NORTH LINE OF SAID SOUTH 969.60 FEET TO THE POINT OF BEGINNING,
AND ALSO EXCEPT THAT PART THEREOF DESCRIBED AS FOLLOWS: BEGINNING ON THE EASTERN
LINE OF FRONTAGE ROAD AT A POINT 425.0 FEET SOUTHERLY (AS MEASURED ALONG THE EAST-
ERLY LINE OF FRONTAGE ROAD FROM THE NORTH LINE OF SAID SOUTH 969.60 FEET); THENCE
EASTERLY PARALLEL WITH THE NORTH LINE OF SAID SOUTH 969.60 FEET, 820.0 FEET; THENCE
SOUTHERLY PARALLEL WITH THE EASTERLY LINE OF SAID FRONTAGE ROAD, 425.0 FEET TO A
THENCE SOUTHWESTERLY, ALONG A LINE FORMING AN INTERIOR ANGLE OF 94 DEGREES 18
MINUTES 48 SECONDS WITH THE LAST DESCRIBED COURSE 166.92 FEET; THENCE SOUTHWESTERLY
ALONG A LINE FORMING AN INTERIOR ANGLE OF 193 DEGREES 55 MINUTES 80 SECONDS WITH THE
LAST DESCRIBED COURSE, 327.45 FEET; THENCE SOUTHWESTERLY ALONG A LINE FORMING AN
INTERIOR ANGLE OF 196 DEGREES 10 MINUTES 33 SECONDS WITH THE LAST DESCRIBED COURSE,
89.66 FEET; THENCE SOUTHWESTERLY ALONG A LINE FORMING AN INTERIOR ANGLE 200 DEGREES
55 MINUTES 00 SECONDS WITH THE LAST DESCRIBED COURSE, 86.23 FEET; THENCE SOUTHWEST-
ERLY ALONG A LINE FORMING AN INTERIOR ANGLE OF 197 DEGREES 27 MINUTES 54 SECONDS
WITH THE LAST DESCRIBED COURSE, 96.65 FEET; THENCE WESTERLY PARALLEL WITH THE NORTH
LINE OF SAID SOUTH 969.60 FEET, 90.54 FEET TO A POINT ON THE EASTERLY LINE OF FRONTAGE
ROAD, SAID POINT BEING 25.73 FEET
NORTH FROM THE SOUTH LINE OF SAID NORTHWEST 1/4 OF SECTION 7; THENCE NORTHERLY
ALONG SAID EASTERLY LINE OF FRONTAGE ROAD 519.33 FEET TO THE POINT OF BEGINNING, AND
ALSO EXCEPT THE EAST 80.0 FEET OF THE NORTH 198.0 FEET OF THE SOUTH 200.68 FEET OF THE
NORTHWEST 1/4 OF SAID SECTION 7) ALL IN COOK COUNTY, ILLINOIS.

Persons with disabilities requiring auxiliary aids or services, such as an American Sign Language interpreter or written materials in accessible formats, should contact Health & Human Services at 33 S. Arlington Heights Road, Arlington Heights, Illinois 60005, (847) 368-5760 (Voice), (847) 368-5980 (Fax) or healthmail@vgh.com.
Benjamin Jaffe, Chairman
Zoning Board of Appeals

(Published in the Daily Herald in Arlington Heights, on Saturday, May 24, 2025) 291503

Paddock Publications, Inc.

Northwest Suburbs

Daily Herald

the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **Northwest Suburbs DAILY HERALD**. That said **Northwest Suburbs DAILY HERALD** is a secular newspaper, published in Arlington Heights, Cook County, State of Illinois, and has been in general circulation daily through Cook County, continuously for more than 50 weeks prior to the first publication of the attached notice, and a newspaper as defined by 715 ILCS 5/5.

to further certify that the **Northwest Suburbs DAILY HERALD** is a newspaper as defined in an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a

notice of which the annexed printed slip is a true copy,

ROAD, ALSO EXCEPT
EXCEPT THAT PARO
was published 05/24/2025

STEIN said on **Northwest Suburbs DAILY HERALD**. This notice was also placed on a statewide public notice website as required by 5 ILCS 5/2.1.

BY Deshaun D. Williams
 DEPUTY MANAGER OF THE PUBLISHER OF THE DAILY HERALD





VILLAGE OF
ARLINGTON HEIGHTS
— INC. 1887 —

Zoning Board of Appeals
6/9/2025

Item: 109 N. Stratford Rd. - ZBA25-010
Department: Planning & Community Development

Item Description:

REQUEST

- A 3.25-foot variation from Chapter 28, Section 6.5-2 (Accessory Structures) to permit a tool shed to be setback 1.75 feet from the rear property line where accessory structures are required to be setback 5 feet from the rear property line.

ATTACHMENTS:

1. Exhibits_109 N Stratford Rd
2. Resident Objection

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Dan Osoba, Planner
Hearing Date: June 9, 2025
Date Prepared: June 4, 2025
Project Title: Murphy Residence
Address: 109 N. Stratford Rd.

Background Information

Petition Number: ZBA #25-010
Petitioner: Jeff Warden / Tonto Construction
Address: 4 Big Oaks Rd.
Trout Valley, IL 60013

Existing Zoning: R-3 – One Family Dwelling District

Requested Action/Background Information

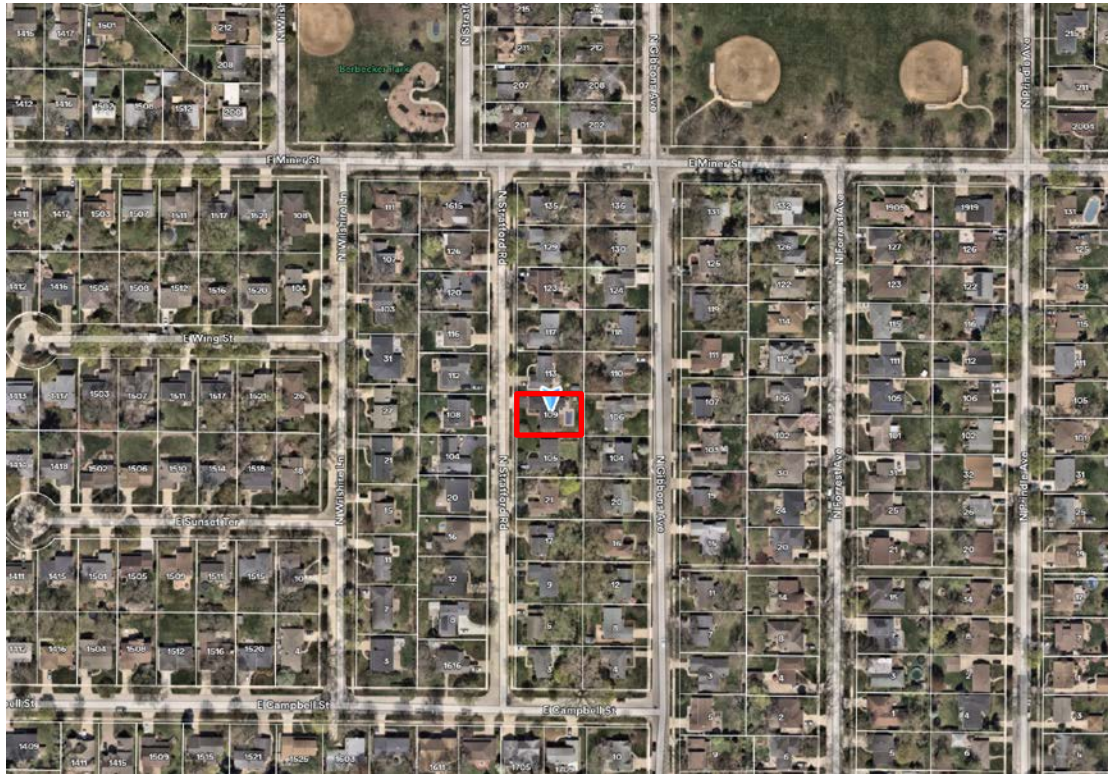
The property is zoned R-3 One Family Dwelling District. The petitioner has constructed a 8 foot tall, 72 square-foot utility shed without a Village permit 3.25 feet from the side (north) property line and 1.75 feet from the rear (east) property line where a shed requires a setback of at least 3 feet from the side property line and 5 feet from the rear property line. The shed is also within the 5 foot public utility easement adjacent to the rear property line. The petitioner has obtained encroachment approval letters from the utility companies that have equipment within the utility easement (see agenda packet for details). Therefore, the petitioner is requesting the following variation:

- A 3.25 foot variation from Chapter 28, Section 6.5-2 (Accessory Structures) to permit a tool shed to be setback 1.75 feet from the rear property line where accessory structures are required to be setback 5 feet from the rear property line.

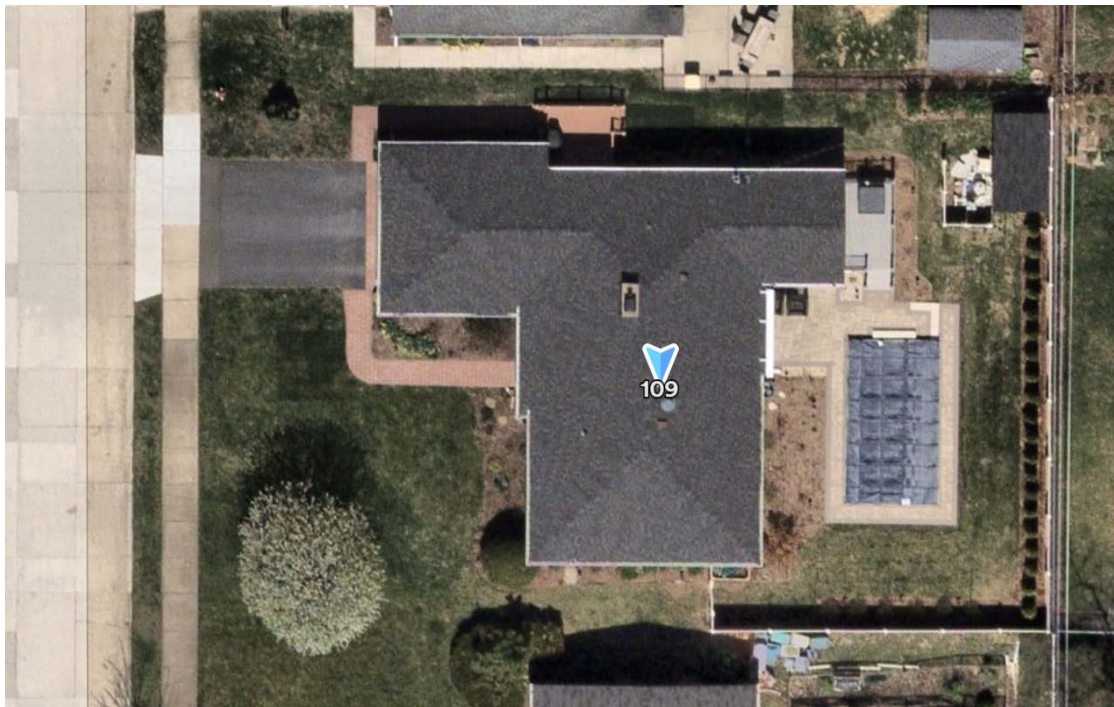
Variation Review Standards

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

Map of General Vicinity



Property Aerial Photo



*Aerial Imagery Dated April 24, 2025

Items required to be Submitted 15 Days Prior to Public Hearing

<u>Item</u>	<u>Provided</u>	<u>Dated</u>	<u>Remarks</u>
1. Notification Affidavit	✓	5/20/25	
2. List of Property Owners Within 250 feet of Subject Property	✓	5/20/25	
3. Letter that was Mailed	✓	5/20/25	
4. Photographs of Sign on Property	✓	5/20/25	

Photographs of Existing Structure



Village of Arlington Heights



To: Jeff Warden / Tonto Construction
From: Dan Osoba
Department: Department of Planning and Community Development
File Number: ZBA 25-010
Project: 109 N. Stratford Rd.
Date: June 2, 2025

ZONING COMMENTS:

The zoning comments below for your use and consideration. If you have any questions, please contact dosoba@vah.com:

Planning and Community Development

1. No Comments

Building and Life Safety

1. Upon approval by the utility companies, Building & Life Safety can approve this ZBA application.

Engineering

1. The Engineering Division is NOT IN FAVOR of the requested variance to allow an accessory structure variation from Chapter 28, Section 6.5-2 (Accessory Structures) to permit a tool shed to be setback 1.75 feet from the rear property line where accessory structures are required to be setback 5 feet from the rear property line. The shed was placed within an easement without a Village permit, blocking the drainage swale that directs runoff to a drainage structure located at the southeast corner of 105 N Stratford.

PETITION

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

PETITION

NOW COMES the Petitioner GAIL & CHRISTINE MURPHY
being the owner of the property commonly known as: 109 N. STRATFORD RD.
and appeals to the Zoning Board of Appeals of the Village of Arlington Heights for a
Variation from Section 6.5-2
Chapter 28, of the Arlington Heights Municipal Code, in order to: POSITION A
SMALL (72 ft²) TOOL SHED WITHIN THE 5 FT. REAR YARD
SETBACK AREA.

I hereby state that the proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property if the variation(s) were granted (please explain): THE SHED IS OF SIMILAR SIZE
AND CONSTRUCTION TO OTHER SHEDS IN NEIGHBORING YARDS. TWO
LOTS TO THE NORTH ANOTHER SHED IS LOCATED WITHIN THE 5' SETBACK.

I hereby state that the plight of the owner is due to unique circumstances, which may include the length of time the subject property has been vacant as zoned (please explain): BORN OUT OF THE ISOLATION OF COVID, THE OWNERS DESIRED TO CREATE
A REAR YARD WHERE FAMILY & FRIENDS CAN GATHER, BUILDING A SUNROOM, DECK AND
SWIMMING POOL. POSITIONING THE SHED ELSEWHERE SIGNIFICANTLY RESTRICTS SUCH USE.

I hereby state that the proposed variation is in harmony with the spirit and intent of this Chapter (please explain): THE CHAPTER RECOGNIZES THE NEED FOR, AND
UTILITY, OF A SMALL SHED TO STORE TOOLS, ETC. THIS PETITION IS FOR SUCH
A SHED, IT IS LOCATED WITHIN THE FENCED REAR YARD.

I hereby state that the variance requested is the minimum variance necessary to allow reasonable use of the property (please explain): THE SHED IS NO LARGER THAN
IS NECESSARY TO STORE POOL-SERVICING TOOLS & OTHER ITEMS
CONSISTENT WITH THE USE & ENJOYMENT OF THE REAR YARD.

Signed: Charm A. Murphy
Petitioner

Date: 3-20-2025



Scale: 1" = 20'

PLAT OF SURVEY WITH TOPOGRAPHY

LOT 14 IN ARLINGTON COURT SUBDIVISION, BEING A RESUBDIVISION OF LOT 6 TOGETHER WITH PARTS OF LOTS 5 AND 7 IN A.J. MCINTOSH'S ARLINGTON HEIGHTS FARM SUBDIVISION, A SUBDIVISION OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 42 NORTH, RANGE 11 AND EAST OF THAT SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 11, 1961 AS DOCUMENT NUMBER 18059112, IN COOK COUNTY, ILLINOIS.

1	Sanitary Manhole 1 RIM = 670.61' N 8" Clay = 663.29' S 8" Clay = 663.31'
2	Sanitary Manhole 2 RIM = 669.90' N 8" Clay = 664.59' S 8" Clay = 664.61'

Drafted By : ER	Field Work : KJ
Drawing Revisions	Date
REVISION	

Field Work Completed: 6-26-2023	Date: 6-28-2023
Scale: 1" = 20'	Site Address:
	109 N. Stratford Road
	Arlington Heights, Illinois

Land Surveying Services, Inc.

1182 Heather Drive
Lake Zurich, Illinois 60047
Ph. (847)847-1079 Fax. (847)847-1279
Professional Design Firm License No. 184-003632

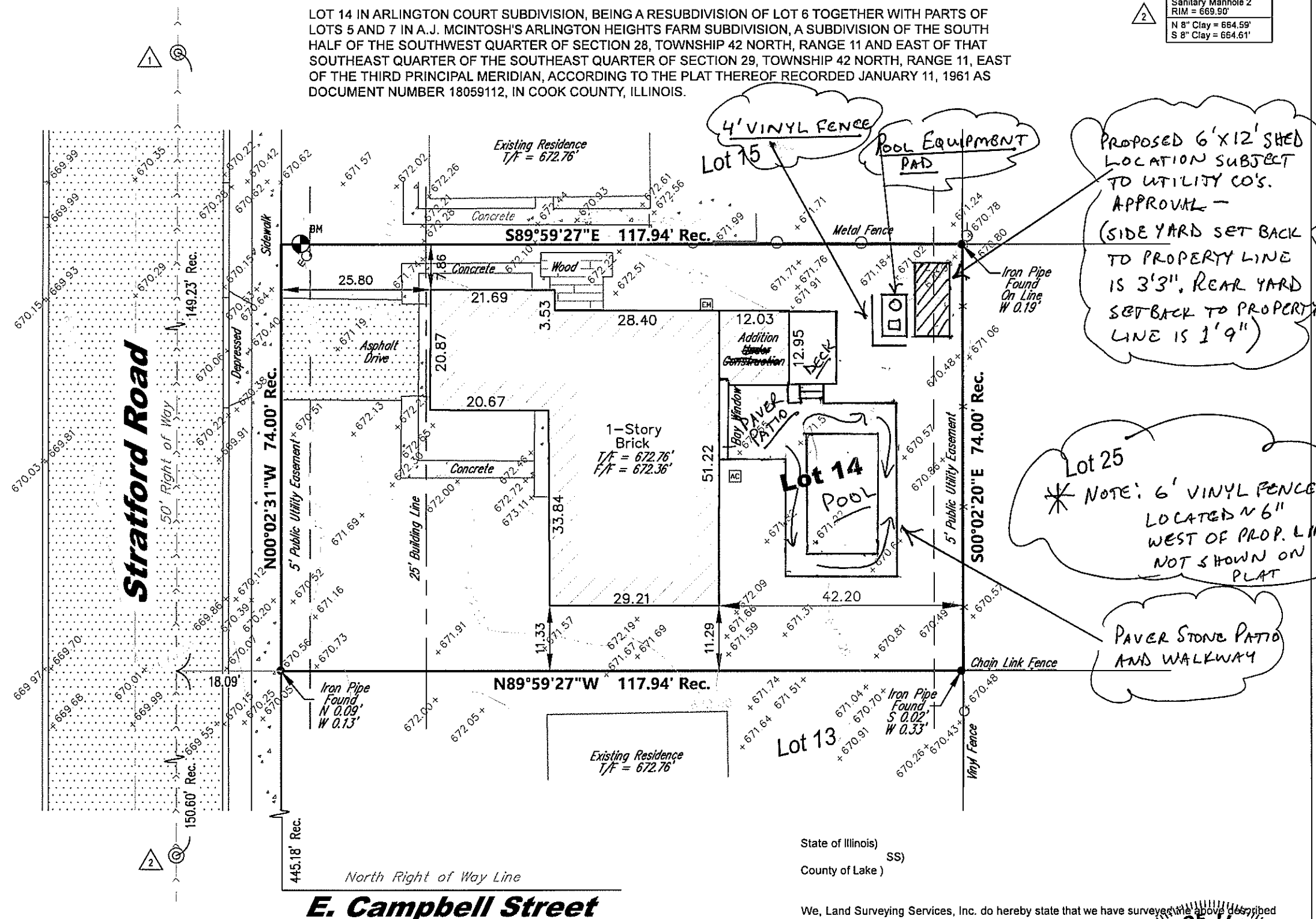
Job Number	LS100371-2
Sheet Name	PLAT OF SURVEY
Sheet Number	SURVEY

LEGEND

- FOUND IRON PIPE
- ⊙ FIRE HYDRANT
- ⊙ SANITARY MANHOLE
- ⊙ CLEANOUT
- ⊙ ELEC. METER
- ⊙ UTILITY POLE
- ⊙ AIR CONDITIONER
- SANITARY LINE

Surveyor Notes:

- Field Work Completed on 3-25-2022
- Prepared for Tonto Construction.
- Site Address: 109 North Stratford Road, Arlington Heights, IL 60004
- Pin No.: 03-28-313-007
- The easements shown hereon are provided from the recorded subdivision plat. No search of the records for easements or encumbrances was made as part of this survey.
- Compare deed description and site conditions with the data given on this plat and report any discrepancies to the surveyor at once.
- No boundary corners were set at time of field survey of the subject property by client agreement.
- This plat was prepared without the aid of a title commitment. Refer to a current title commitment for any building lines or easements not shown on this plat.
- The utilities as shown on this drawing were developed from the information available. This is not implied nor intended to be the complete inventory of utilities in this area. It is the clients responsibility to verify the location of all utilities (whether shown or not) and protect said utilities from any damage.
- All building dimensions and ties are to the current siding material and not to the foundation.
- Bearings are assumed.
- Benchmark - On Site
- BM Northeast bolt on fire hydrant located near the northwest corner of the property (as shown on survey).
Elevation = 672.30' (NAVD88)
- Benchmark - Off Site
- BM Disk at southwest corner of E. Miner Street and N. Windsor Drive, also being the northeast corner of Windsor Elementary School.
Elevation = 671.61' (NAVD88)



State of Illinois)
County of Lake)

We, Land Surveying Services, Inc. do hereby state that we have surveyed the above described property and that this is the Plat that represents the conditions found at the time of said survey.

Given under my hand and seal this 28th day of June, A.D. 2023 in Lake Zurich, Illinois.
Gloria Jean Koter, an agent for Land Surveying Services, Inc.

Illinois Professional Land Surveyor Number 3323
License Expiration Date 11-30-24

This professional service conforms to the current Illinois minimum standards for a preliminary survey.

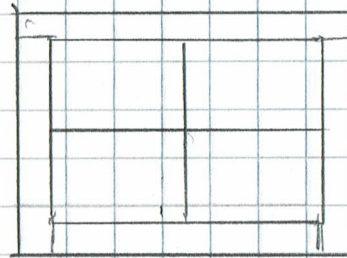


SHED FOR GAIL &
CHRIS MURPHY
109 STRATFORD

$\frac{1}{2}" = 1ft$

- ASPHALT SHINGLES OVER 30# FELT

- ROOF 2"x4" RAFTERS 16" O.C. w/ FORCEFIELD PLYWOOD



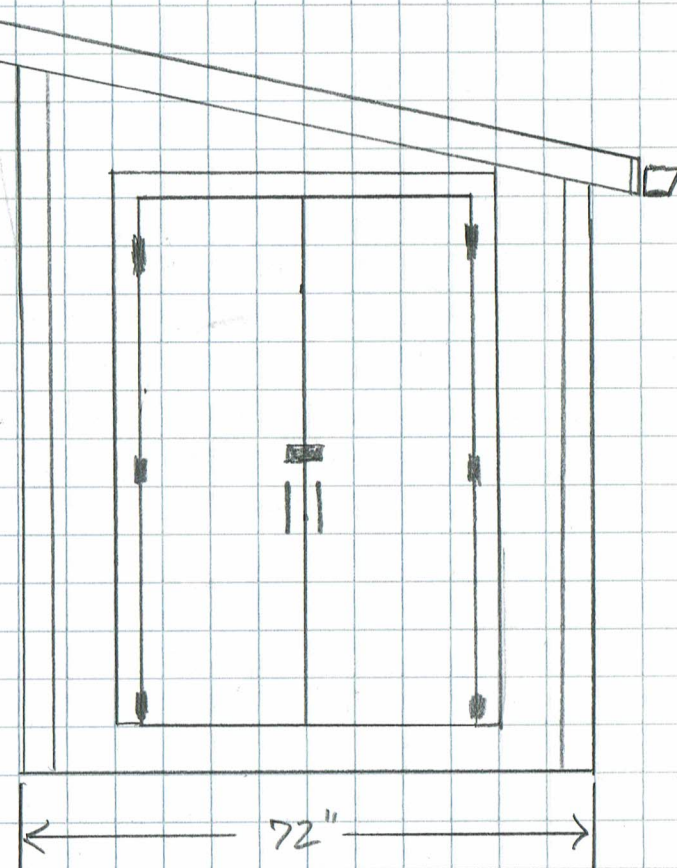
WINDOW
DIMENSIONS
30"W X 24"H.

- WALLS 2"x3" STUDS, 16" O.C.
- LP 3/8" SMART SIDING EXTERIOR
- 3/4" PVC TRIM & FASCIA

- BASE PLATFORM 2"x6" P.T. LUMBER 16" O.C.
- 1/2" PLYWOOD OVER BASE FRAMING

144"

96"



SITE BUILT DOUBLE DOOR
DIMENSIONS 42"W X 70"H.

- SHED TO BE ANCHORED w/ GROUND ANCHERS AT 4 CORNERS
- SHED TO HAVE GUTTER ON REAR FASCIA w/ DISPERSAL TO OWNERS' YARD & PLANTINGS

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held on Monday, June 9, 2025, 7:00 P.M. in the **Buechner Room, 1st Floor of the Arlington Heights Village Hall, 33 S. Arlington Heights Road, Arlington Heights, Illinois**, at which time the Zoning Board of Appeals will consider a request for:

• **An accessory structure variation from Chapter 28, Section 6.5-2 (Accessory Structures) to permit a tool shed to be setback 1.75 feet from the rear property line where accessory structures are required to be setback 5 feet from the rear property line.**

Any person who also desires to formally register as an objector, with the right to cross-examine others at the hearing, must complete and file an appearance form with the Village Director of Planning and Community Development, no later than 4:30 pm five days before the date of the hearing. Forms are available by contacting the Department of Planning and Community Development at 847-368-5200 or planningmail@vgh.com.

At the public hearing, the Zoning Board of Appeals will accept and consider all testimony and evidence pertaining to the application, and will consider any zoning actions or relief that may be necessary or convenient to allow development of the type described in this notice, or development that is less dense than the type described in this notice, including, without limitation, variations or other special approvals on the property legally described as:

Lot 14 in Arlington Court Subdivision, being a Resubdivision of Lot 6 together with parts of Lots 5 and 7 in A.J. McIntosh's Arlington Heights Farms Subdivision, a Subdivision of the South ½ of the Southwest ¼ of Section 28, Township 42 North, Range 11, and East of that Southeast ¼ of the Southeast quarter of Section 29, Township 42 North, Range 11, East of the Third Principal Meridian, according to the plat thereof recorded January 11, 1961 as document number 18059112, in Cook County, Illinois.

Commonly known as: 109 N. Stratford Rd, Arlington Heights IL 60004

Persons with disabilities requiring auxiliary aids or services, such as an American Sign Language interpreter or written materials in accessible formats, should contact Health & Human Services at 33 S. Arlington Heights Road, Arlington Heights, Illinois 60005, (847) 368-5760 (Voice), (847) 368-5980 (Fax) or healthmail@vgh.com.

Benjamin Jaffe, Chairman

Zoning Board of Appeals

(Published in the Daily Herald in Arlington Heights, on Saturday, May 24, 2025) 291502

CERTIFICATE OF PUBLICATION

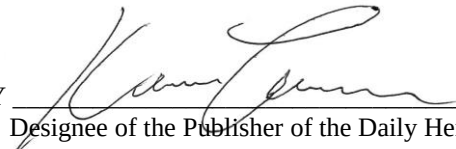
Paddock Publications, Inc.

**Northwest Suburbs
Daily Herald**

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **Northwest Suburbs DAILY HERALD**. That said **Northwest Suburbs DAILY HERALD** is a secular newspaper, published in Arlington Heights, Cook County, State of Illinois, and has been in general circulation daily throughout Cook County, continuously for more than 50 weeks prior to the first Publication of the attached notice, and a newspaper as defined by 715 ILCS 5/5.

I further certify that the **Northwest Suburbs DAILY HERALD** is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published 05/24/2025 in said **Northwest Suburbs DAILY HERALD**. This notice was also placed on a statewide public notice website as required by 5 ILCS 5/2.1.

BY


Designee of the Publisher of the Daily Herald

Control # 291502



On Thu, May 29, 2025 at 5:14 PM [REDACTED] wrote:

Hello Mr. Osoba,

I would not like to register as a formal objector. I just want the Zoning Board to review my thoughts on the situation before they make a decision.

As for material I'd like to share with the board, here are my concerns, with photos:

The shed at 109 N. Stratford Rd. was built in December 2024. The placement of the shed has not followed the "setback requirements" that the Village of Arlington Heights has written in their permit guide for residential accessory structures, which is 3 feet from the side lot line, and 5 feet from the rear lot line. The shed is 11 inches from the fence, and the roof edge of the shed is about 6 inches from the fence. The shed type is a "lean to shed" meaning the roof slants only to one side, which is directed to my property.

My concerns are:

- 1.) A problem with lean to sheds is drainage issues from water runoff, creating dampness and pools of water which lead to soil erosion. As the shed is now, the runoff water is directed onto my property, and this will create a future soil erosion problem. I would think the roof should be slanted towards their property, not mine.
- 2.) When I researched how far the space should be between a shed and a fence, I found the consensus was at least 3' between the two, for proper air circulation and easy access for maintenance. As the fence is now, 11" between the shed and the fence is not adequate space. This 11" space is a dark, inviting area for animals and insects, since there will be no disturbance. Additionally, poor air circulation creates dampness, which promotes mold growth, which could spread to the soil on our side since the yards are connected. Dampness will also contribute to weed overgrowth - including remnants of buckthorn shrubs, which were not fully removed before completion of the fence.
- 3.) Animals, including opossums, skunks, chipmunks, and raccoons, are regularly seen in the area. The next door neighbor to the north, 113 N. Stratford Rd., has had a shed for several years. It looks like they had the correct setback requirements (3' side, 5' rear). Despite placing the shed correctly, they have still had animal problems in the past going under the shed. They needed to put chicken wire around the bottom of it to keep the animals out. Also, weeds are growing at the shed's

base. However since the shed was placed correctly, the residents have enough space to access and maintain the shed.

I also have another issue for the Zoning Board to consider, relating to another recent project that 109 N. Stratford completed:

Pool - Summer 2023

Fence - October 2023

Shed - December 2024

On November 7, 2023, I asked the building department if Arlington Heights allows double fences. Alexander Zaborowski (VAH building inspector) said that the village allows back-to-back (double) fences. I know that other communities do not allow this. Although Arlington Heights does allow it, the reality is that it causes several practical problems costing time and money for the people living with it. In our experience, the 8" space between fences has to be cleared of weed overgrowth two to three times per year, and the double fences make it very difficult to reach. Since residents can't build fences on the property line itself, the 8" space created by the double fence is a shared space. But the responsibility for keeping it weed-free is all mine, because their privacy fence prevents them from accessing the weeds. If Arlington Heights allows back-to-back fences, I think the person who puts up the second fence - creating the double fence problem - should at least offer to take down the first person's existing fence, as a neighborly gesture.

Joan Popp



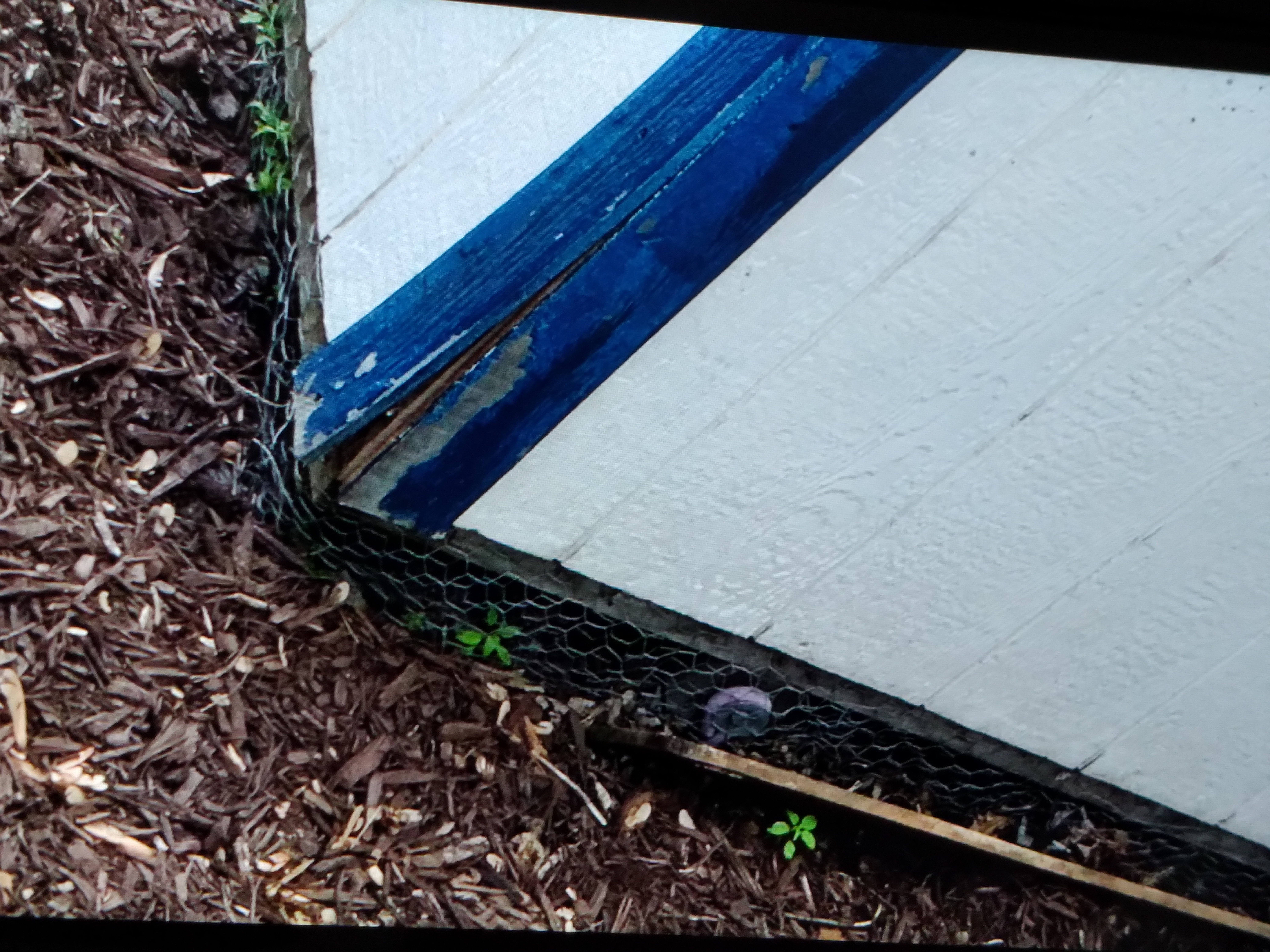




























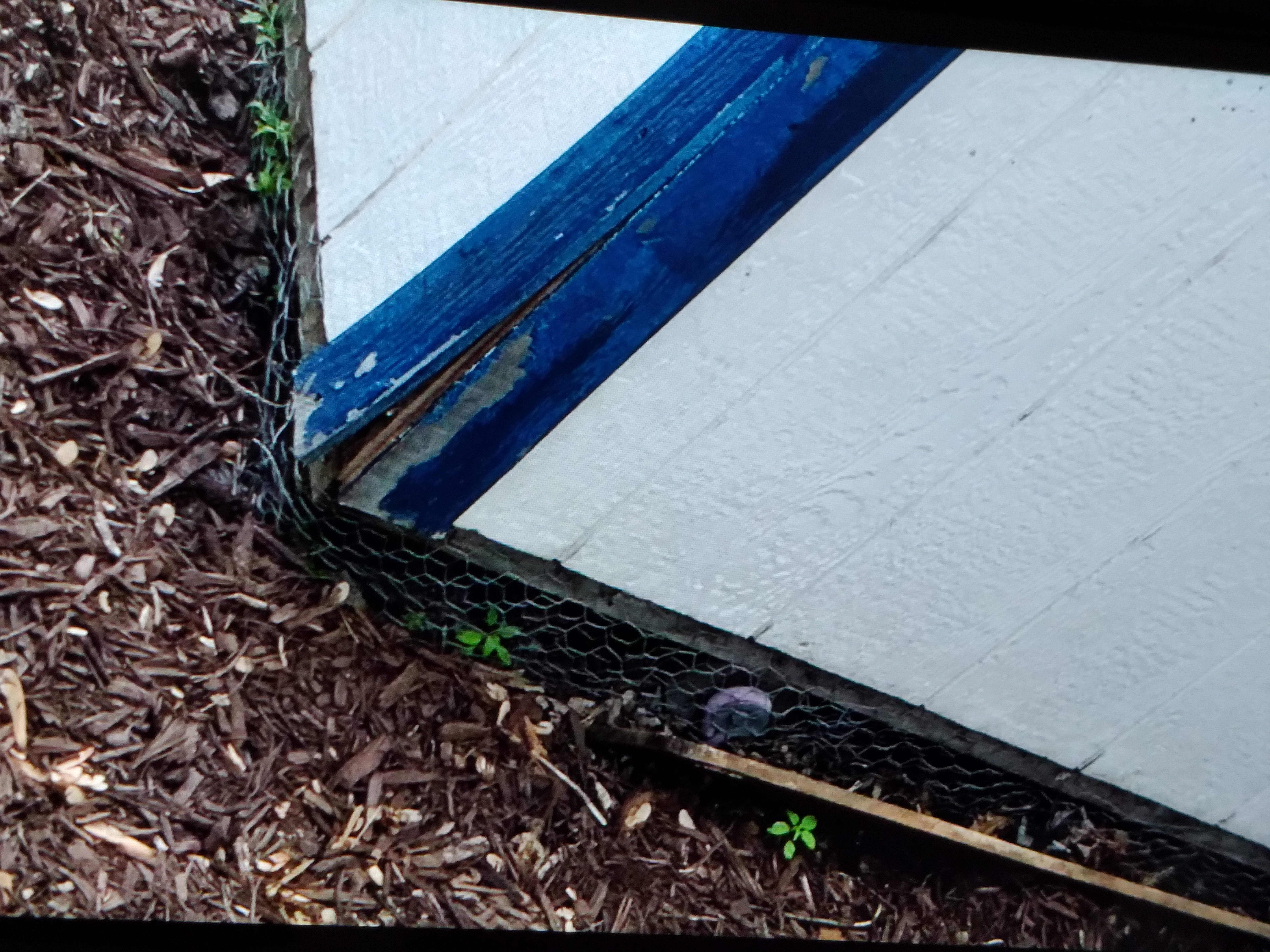




























VILLAGE OF
ARLINGTON HEIGHTS
INC. 1887

Zoning Board of Appeals
6/9/2025

Item: 118 S. Mitchell Ave. - ZBA25-015
Department: Planning & Community Development

Item Description:
REQUEST

A 317.2 square foot variation from Chapter 28, Section 5.1-3.5(b).1. to allow impervious surface equal to 3,617.2 square feet instead of the required 3,300.0 square feet.

A variation from Chapter 28, Section 10.2-11.1(d). to allow an 8-foot-wide driveway and overhanging projection over the driveway where a 9-foot-wide driveway is required and overhanging projections over the driveway are prohibited.

ATTACHMENTS:

1. Exhibits_118 S Mitchell Ave

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Darko Bojin, Assistant Planner
Hearing Date: June 9, 2025
Date Prepared: June 4, 2025
Project Title: Contreras Residence
Address: 118 S. Mitchell Ave.

Background Information

Petition Number: ZBA #25-015
Petitioner: Dan & Katherine Contreras
Address: 118 S. Mitchell Ave.
Arlington Heights IL 60005

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

Requested Action/Background Information

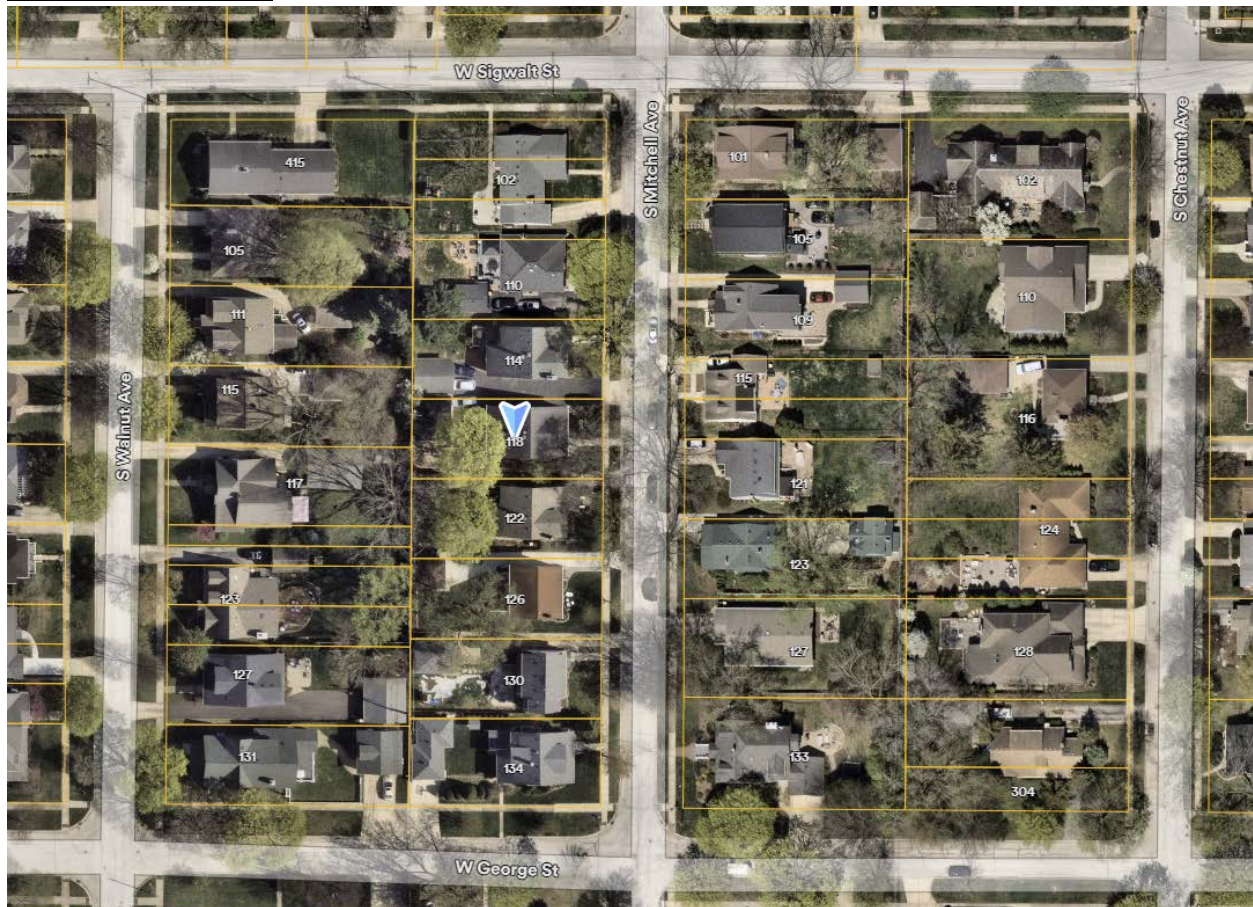
The property is zoned R-3 and has a total land area of 6,000 square feet. The petitioner is proposing to construct a new awning extending 3 feet over the driveway on the north face of the building, expand a portion of the existing driveway by 1 foot 5.5 inches to a total width of 8 feet, construct a set of entryway stairs on the west face of the building, and install additional pavers in the rear yard. Overhanging projections are not permitted over driveways, and driveways are required to be a minimum of 9 feet in width. Furthermore, the proposed work will increase the impervious surface of the lot to 3,617.2 square feet where the 3,300 square feet is the maximum permitted by code. Therefore the petitioner is requesting the following variations:

- A 317.2 square foot variation from Chapter 28, Section 5.1-3.5(b).1. to allow impervious surface equal to 3,617.2 square feet instead of the required 3,300.0 square feet.
- A variation from Chapter 28, Section 10.2-11.1(d). to allow an 8 foot wide driveway and overhanging projection over the driveway where a 9 foot wide driveway is required and overhanging projections over the driveway are prohibited.

Variation Review Standards

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

Map of General Vicinity



Items required to be Submitted 15 Days Prior to Public Hearing

<u>Item</u>	<u>Provided</u>	<u>Dated</u>	<u>Remarks</u>
1. Notification Affidavit	✓	5/22/25	
2. List of Property Owners Within 250 feet of Subject Property	✓	5/22/25	
3. Letter that was Mailed	✓	5/22/25	
4. Photographs of Sign on Property	✓	5/22/25	

Photographs of Existing Structure



Village of Arlington Heights



To: Daniel Contreras
From: Darko Bojin
Department: Department of Planning and Community Development
File Number: ZBA 25-015
Project: 118 S. Mitchell Ave.
Date: June 2, 2025

ZONING COMMENTS:

The zoning comments below for your use and consideration. If you have any questions, please contact dbojin@vah.com:

Planning and Community Development

1. No Comments

Building and Life Safety

1. Has no objection to this application.

Engineering

1. The Engineering Division has no objection to the request for a 32.6 sf increase in impervious surface coverage from Section 5.1-3.5b (Maximum Impervious Surface Coverage) to allow for minor modifications to the driveway and back walkway.

PETITION

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

PETITION

NOW COMES the Petitioner Daniel and Katherine Contreras

being the owner of the property commonly know as: 118 South Mitchell Ave.

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

Variation from Section Section 5.1-3.5b (Maximum Impervious Surface Coverage)

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

Revise the paver walks in the rear yard to incorporate a rear egress door via a proposed deck/stairs, and expand the existing driveway in the front yard by 17.5" to the south to allow for ingress / egress of vehicles onto paved area, instead of the grass/snow while also not blocking the shared driveway to be used by neighbor to the north. The total requested increase in impervious surface to the existing impervious area is 32.6 sf or 0.6% of Lot Area.

I hereby state that the proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property if the variation(s) were granted (please explain): _____

The proposed modifications will not alter the existing character of the neighborhood and will be compatible with existing uses and zoning of the area. The materials used will match what was previously used and the south offset of the driveway width from the driveway apron would be similar and more symmetrical to how it is currently on the north edge.

I hereby state that the plight of the owner is due to unique circumstances, which may include the length of time the subject property has been vacant as zoned (please explain): _____

Due to the existing nonconforming conditions of this smaller lot, and the existing size of the home with a rear detached garage, most of the impervious area is taken up by the existing shared driveway and footprint of the buildings. The lot depths for a typical home on the west side of the 100s block of S Mitchell avenue are smaller than typical lots in this area, with the difference being added to the lot depth of the rear neighboring homes (east side of Walnut). The overall block depth is typical, and had the block been divided equally as most other blocks in this neighborhood, this project would not require a variance. This reduced lot depth presents an unusual hardship to provide the typical amenities of other homes in the neighborhood.

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

The proposed variation will be in harmony with the existing intent of the zoning code, allowing for uniformity of home sizes and amenities in the neighborhood. The additional driveway width would allow for the front yard grass area adjacent to the driveway to not be damaged during normal use of the driveway.

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

The proposed variation is minimized as much as possible to allow for a reasonable and modest use of the rear egress and front driveway while utilizing the existing paved areas, and minimizing the damage to the front yard grassy area under normal use.

Signed:  Date: 4/25/25

Petitioner

Revised 1/14/25

LEGEND

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

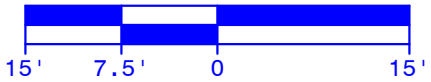
	= CHAIN LINK FENCE
	= WOOD FENCE
	= METAL FENCE
	= VINYL FENCE
	= EASEMENT LINE
	= SETBACK LINE
	= INTERIOR LOT LINE

PLAT OF SURVEY
OF

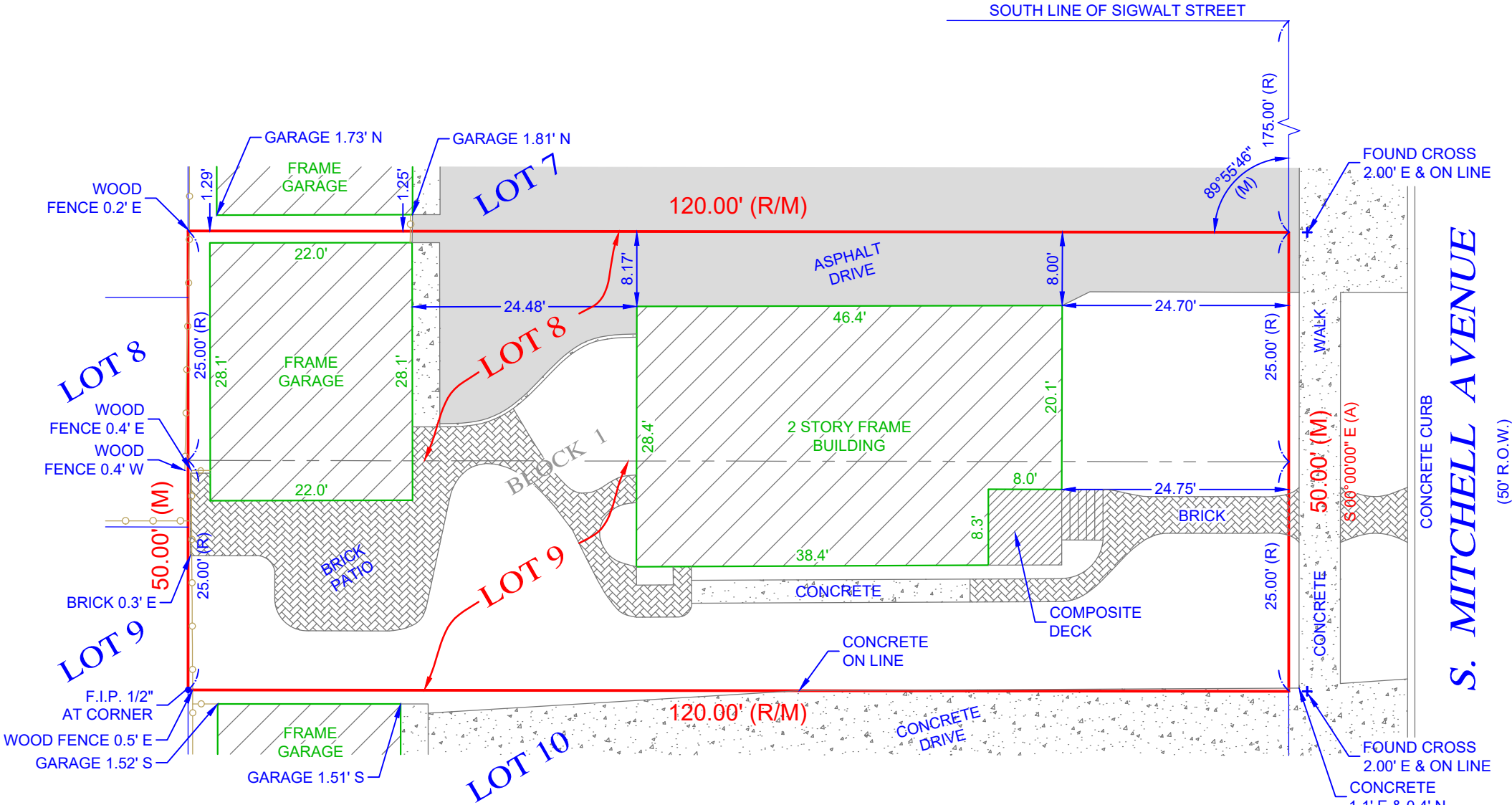
LOTS 8 AND 9 IN BLOCK 1 IN WEST VIEW ADDITION TO ARLINGTON HEIGHTS, BEING A SUBDIVISION OF THE EAST 805.9 FEET OF THE NORTH 405 FEET OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

AREA OF SURVEY:

"CONTAINING 6000.0 SQ. FT. OR 0.14 ACRES MORE OR LESS"



BASIS OF BEARING:
WEST LINE OF S. MITCHELL AVENUE AS FOUND
MONUMENTED AND OCCUPIED PER RECORD
SUBDIVISION.
S 00°00'00" E (A)



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

STATE OF ILLINOIS }SS
COUNTY OF DUPAGE

I, THE UNDERSIGNED, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT "THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY," AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY.

DATED, THIS 22ND DAY OF JUNE, A.D., 2017,
AT LISLE, ILLINOIS.

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-2317
LICENSE EXPIRATION DATE NOVEMBER 30, 2018
ILLINOIS BUSINESS REGISTRATION NO. 184-001245



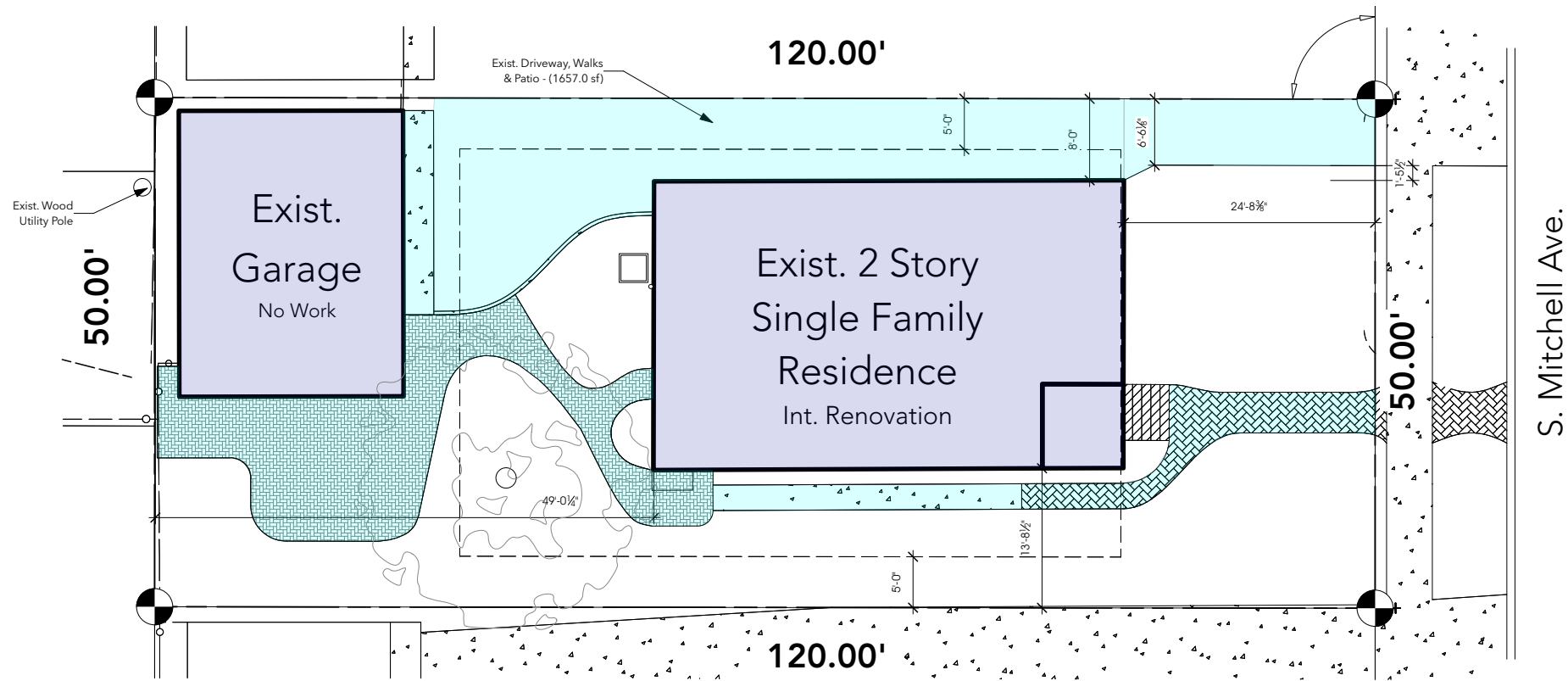
NOTE:

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

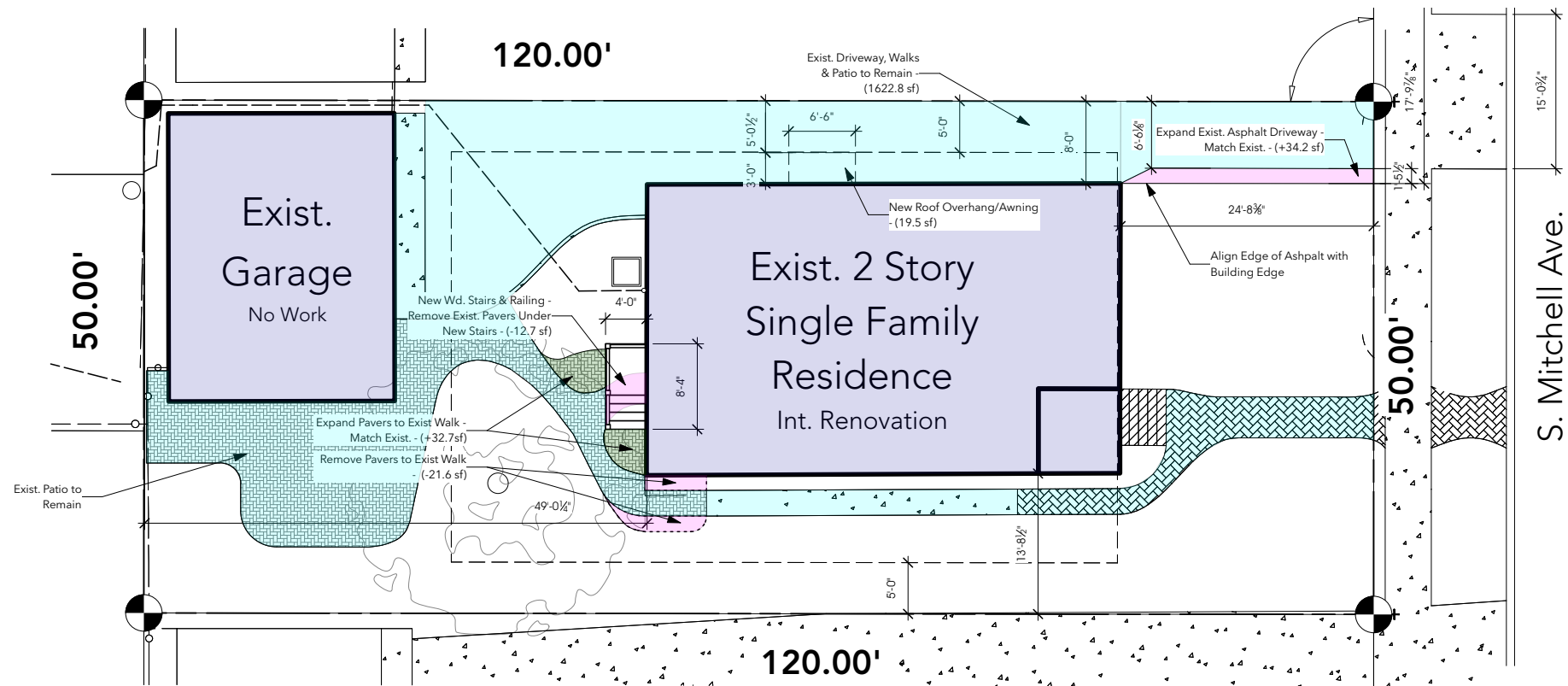
ADDRESS COMMONLY KNOWN AS 118 S. MITCHELL AVENUE
ARLINGTON HEIGHTS, ILLINOIS

CLIENT DROST KIVLAHAN MCMAHON & O'CONNOR LLC

FIELDWORK DATE (CREW) 06/21/2022 (DS/VB)
DRAWN BY: R.S. REVISED: JOB NO. 22-05-0595



3 Site Plan - Existing
Scale: 1/16" = 1'-0"



4 Site Plan - Proposed
Scale: 1/16" = 1'-0"

Zoning Data

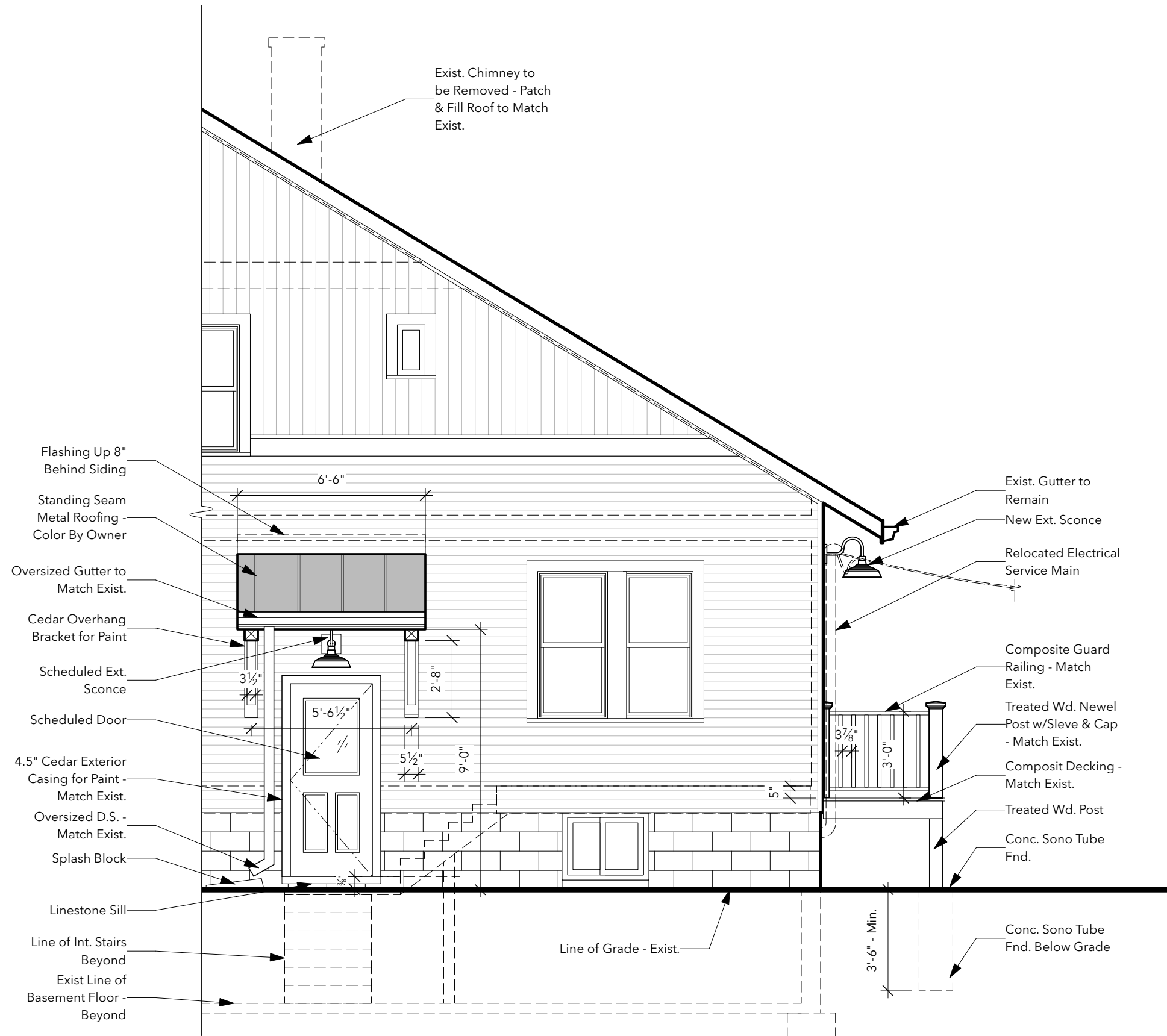
Zoning District	R3: Single Family Residential		
	Req'd/ Max	Existing	Proposed
Min. Lot Area	8,750.0 s.f.	6,000.0 s.f.	No Change
Min. Lot Width	70'0"	50'0"	No Change
Min. Front Yard Setback	25'0"	24'8 3/8"	No Change
Min. Side Yard Setback (South)	5'0"	13'7 1/4"	No Change
Min. Side Yard Setback (North)	5'0"	8'0"	No Change
Min. Rear Yard Setback	30'0"	49'0 1/4"	No Change
Max. Building Height	25'0"	25'0"	No Change
1st Floor Area		1,237.3 s.f.	No Change
2nd Floor Area		833.2 s.f.	No Change
Detached Garage		619.3 s.f.	No Change
Max. F.A.R. (45%)	2,700.0 s.f.	2,689.8 s.f.	No Change
Building Footprint		1,308.2 s.f.	No Change
Detached Garage		619.3 s.f.	No Change
Maximum Building Lot Coverage (35%)	2,100.0 s.f.	1,927.5 s.f.	No Change
Impervious Surface Coverage Calculations:			
	Footprint	1,308.2 s.f.	No Change
	Conc. Walks	75.4 s.f.	No Change
	Paver Walks	626.7 s.f.	625.2 s.f.
	Driveway	954.8 s.f.	989.1 s.f.
	Front & Rear Wood Stoop	0.0 s.f.	0.0 s.f.
	Garage	619.3 s.f.	No Change
Maximum Impervious Surface Coverage (55%)	3,300.0 s.f. 55.0%	3,584.4 s.f. 59.7%	3,617.2 s.f. 60.3%
Front Yard Max. Impervious Surface (50%)	619.0 s.f.	271.8 s.f.	306.0 s.f.

Renovation for
CONTRERAS RESIDENCE
118 South Mitchell Ave.
Arlington Heights, IL

Site Plan



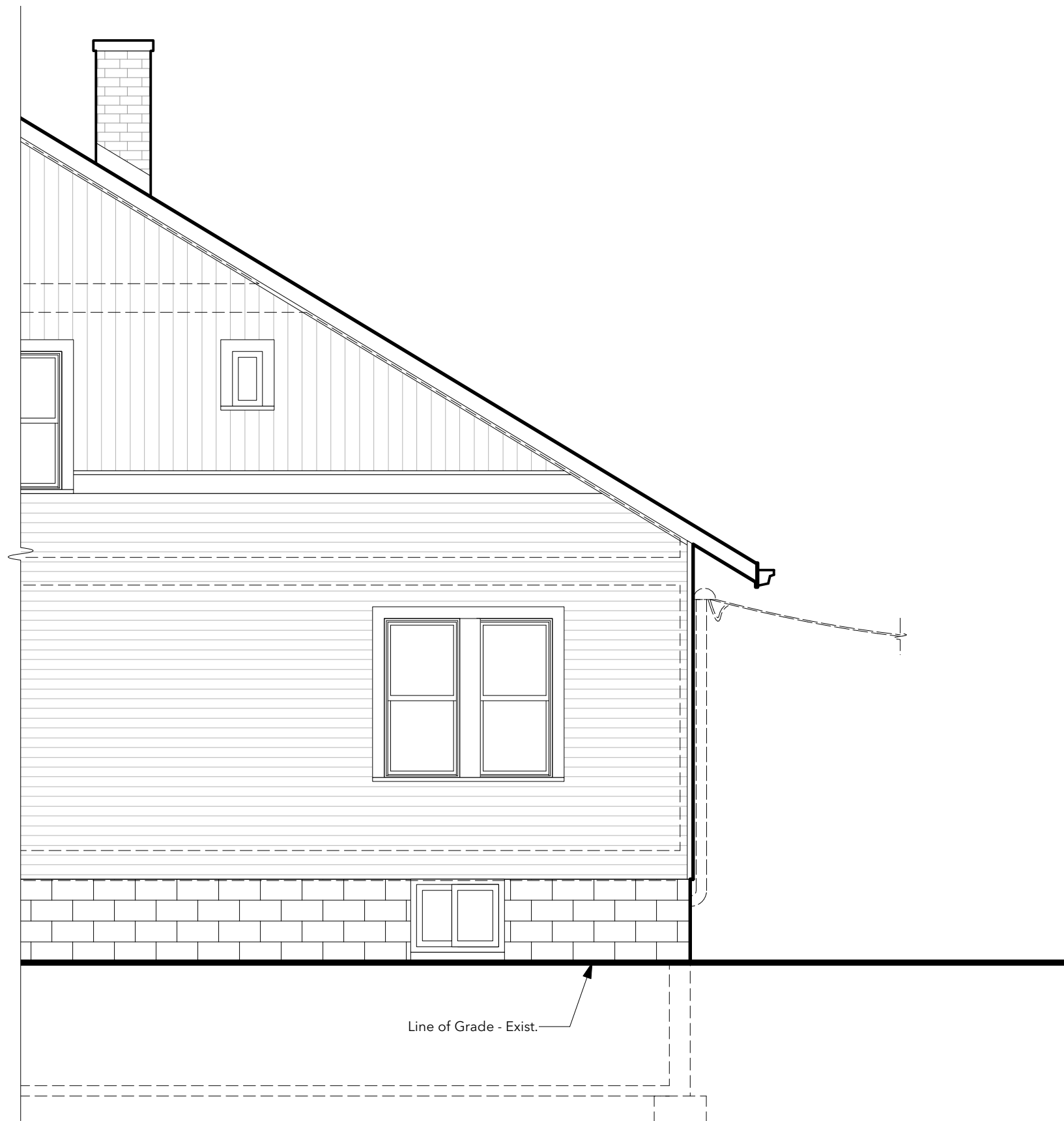
DAN CONTRERAS
ARCHITECT



2 North Elevation
Scale: 1/4" = 1'-0"

Renovation for
CONTRERAS RESIDENCE
118 South Mitchell Ave.
Arlington Heights, IL
Proposed Elev.





2	North Elevation
Scale: 1/4" = 1'-0"	

Renovation for
CONTRERAS RESIDENCE
118 South Mitchell Ave.
Arlington Heights, IL
Exist. Elev.



NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held on Monday, June 9, 2025, 7:00 P.M. in the Buechner Room, 1st Floor of the Arlington Heights Village Hall, 33 S. Arlington Heights Road, Arlington Heights, Illinois, at which time the Zoning Board of Appeals will consider a request for:

- A 317.2 square foot variation from Chapter 28, Section 5.1-3.5.b.1. to allow impervious surface equal to 3,617.2 square feet instead of the required 3,300.0 square feet.
- A variation from Chapter 28, Section 10.2-11.1.d. to allow an 8 foot wide driveway and overhanging projection over the driveway where a 9 foot wide driveway is required and overhanging projections over the driveway are prohibited.

Any person who also desires to formally register as an objector, with the right to cross-examine others at the hearing, must complete and file an appearance form with the Village Director of Planning and Community Development, no later than 4:30 pm five days before the date of the hearing. Forms are available by contacting the Department of Planning and Community Development at 847-368-5200 or planningmail@vgh.com.

At the public hearing, the Zoning Board of Appeals will accept and consider all testimony and evidence pertaining to the application, and will consider any zoning actions or relief that may be necessary or convenient to allow development of the type described in this notice, or development that is less dense than the type described in this notice, including, without limitation, variations or other special approvals on the property legally described as:

Lots 8 and 9 in Block 1 in Westview Addition to Arlington Heights, being a subdivision of the east 805.9 feet of the north 405.0 feet of the northeast quarter of Section 31, Township 42 North, Range 11, East of the Third Principal Meridian, in Cook County, Illinois.

Commonly known as: 118 S. Mitchell Avenue, Arlington Heights IL 60005

Persons with disabilities requiring auxiliary aids or services, such as an American Sign Language interpreter or written materials in accessible formats, should contact Health & Human Services at 33 S. Arlington Heights Road, Arlington Heights, Illinois 60005, (847) 368-5760 (Voice), (847) 368-5980 (Fax) or healthmail@vgh.com.

Benjamin Jaffe, Chairman

Zoning Board of Appeals

(Published in the Daily Herald in Arlington Heights, on Saturday, May 24, 2025) 291504

CERTIFICATE OF PUBLICATION

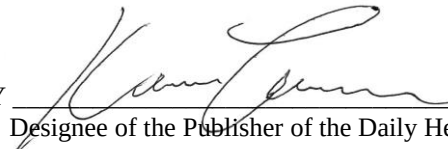
Paddock Publications, Inc.

Northwest Suburbs Daily Herald

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **Northwest Suburbs DAILY HERALD**. That said **Northwest Suburbs DAILY HERALD** is a secular newspaper, published in Arlington Heights, Cook County, State of Illinois, and has been in general circulation daily throughout Cook County, continuously for more than 50 weeks prior to the first Publication of the attached notice, and a newspaper as defined by 715 ILCS 5/5.

I further certify that the **Northwest Suburbs DAILY HERALD** is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published 05/24/2025 in said **Northwest Suburbs DAILY HERALD**. This notice was also placed on a statewide public notice website as required by 5 ILCS 5/2.1.

BY


Designee of the Publisher of the Daily Herald

Control # 291504





VILLAGE OF
ARLINGTON HEIGHTS
— INC. 1887 —

Zoning Board of Appeals
6/9/2025

Item: 308 N. Patton Ave. - ZBA25-016

Department: Planning & Community Development

Item Description:

REQUEST

A variation from Chapter 28, Section 6.5-2 to allow a gazebo in the side yard where accessory structures are prohibited in the side yard.

ATTACHMENTS:

1. Exhibits_308 N Patton Ave

ARLINGTON HEIGHTS ZONING BOARD OF APPEALS

Staff Analysis

Prepared By: Darko Bojin, Assistant Planner
Hearing Date: June 9, 2025
Date Prepared: June 4, 2025
Project Title: Cruz Residence
Address: 308 N. Patton Ave.

Background Information

Petition Number: ZBA #25-016
Petitioner: Richard Cruz
Address: 308 N. Patton Ave.
Arlington Heights IL 60005

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

Requested Action/Background Information

The property is zoned R-3 and has a total land area of 7,240 square feet. The petitioner is proposing to construct a gazebo that is 15 feet by 15 feet and 13 feet high in the side yard. Accessory structures such as gazebos are not permitted in the side yard. Therefore, the petitioner is requesting the following variation:

- A variation from Chapter 28, Section 6.5-2 to allow a gazebo in the side yard where accessory structures are prohibited in the side yard.

Variation Review Standards

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

Map of General Vicinity



Items required to be Submitted 15 Days Prior to Public Hearing

<u>Item</u>	<u>Provided</u>	<u>Dated</u>	<u>Remarks</u>
1. Notification Affidavit	✓	5/19/25	
2. List of Property Owners Within 250 feet of Subject Property	✓	5/19/25	
3. Letter that was Mailed	✓	5/19/25	
4. Photographs of Sign on Property	✓	5/19/25	

Photographs of Existing Structure



Village of Arlington Heights



To: Daniel Contreras
From: Darko Bojin
Department: Department of Planning and Community Development
File Number: ZBA 25-016
Project: 308 N. Patton Ave.
Date: June 2, 2025

ZONING COMMENTS:

The zoning comments below for your use and consideration. If you have any questions, please contact dbojin@vah.com:

Planning and Community Development

1. No Comments

Building and Life Safety

1. Has no objection to this application.

Engineering

1. The Engineering Division has no objection to the requested variation from Chapter 28, Section 6.5-2 to allow a gazebo in the side yard over an existing patio where accessory structures are prohibited in the side yard.

PETITION

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

PETITION

NOW COMES the Petitioner Richard Cruz

being the owner of the property commonly known as: 308 N. Patton Ave. Arlington Heights
and appeals to the Zoning Board of Appeals of the Village of Arlington Heights for a
Variation from Section 6.52

Chapter 28, of the Arlington Heights Municipal Code, in order to: obtain a zoning variation to build a pavilion to provide shade over an existing back patio located on my residential property

I hereby state that the proposed use will not alter the essential character of the locality and will be compatible with existing uses and zoning of nearby property if the variation(s) were granted (please explain): The pavilion will be over an already existing patio and adjacent to an already existing covered patio that is attached to my home. It will be compatible with current uses and nearby properties.

I hereby state that the plight of the owner is due to unique circumstances, which may include the length of time the subject property has been vacant as zoned (please explain): My home was built in accordance to existing zoning laws at the time it was built. The pavilion would be compatible with the original design of my home and neighbor's properties.

I hereby state that the proposed variation is in harmony with the spirit and intent of this Chapter (please explain): The location of the pavilion will not literally follow the current definition of a back yard, but would adhere to the purpose and underlying principles of the current definition.

I hereby state that the variance requested is the minimum variance necessary to allow reasonable use of the property (please explain): The pavilion is reasonable by providing needed shade. The location of the pavilion is reasonable and will not negatively burden neighbors or the community.

Signed: _____

Rick Cruz
Petitioner

Date: 7 May 25

Revised 1/14/25



MURRY AND MOODY, LTD.

Land Surveyors

933 S. Plum Grove Road
Suite 101
Palatine, Illinois 60067

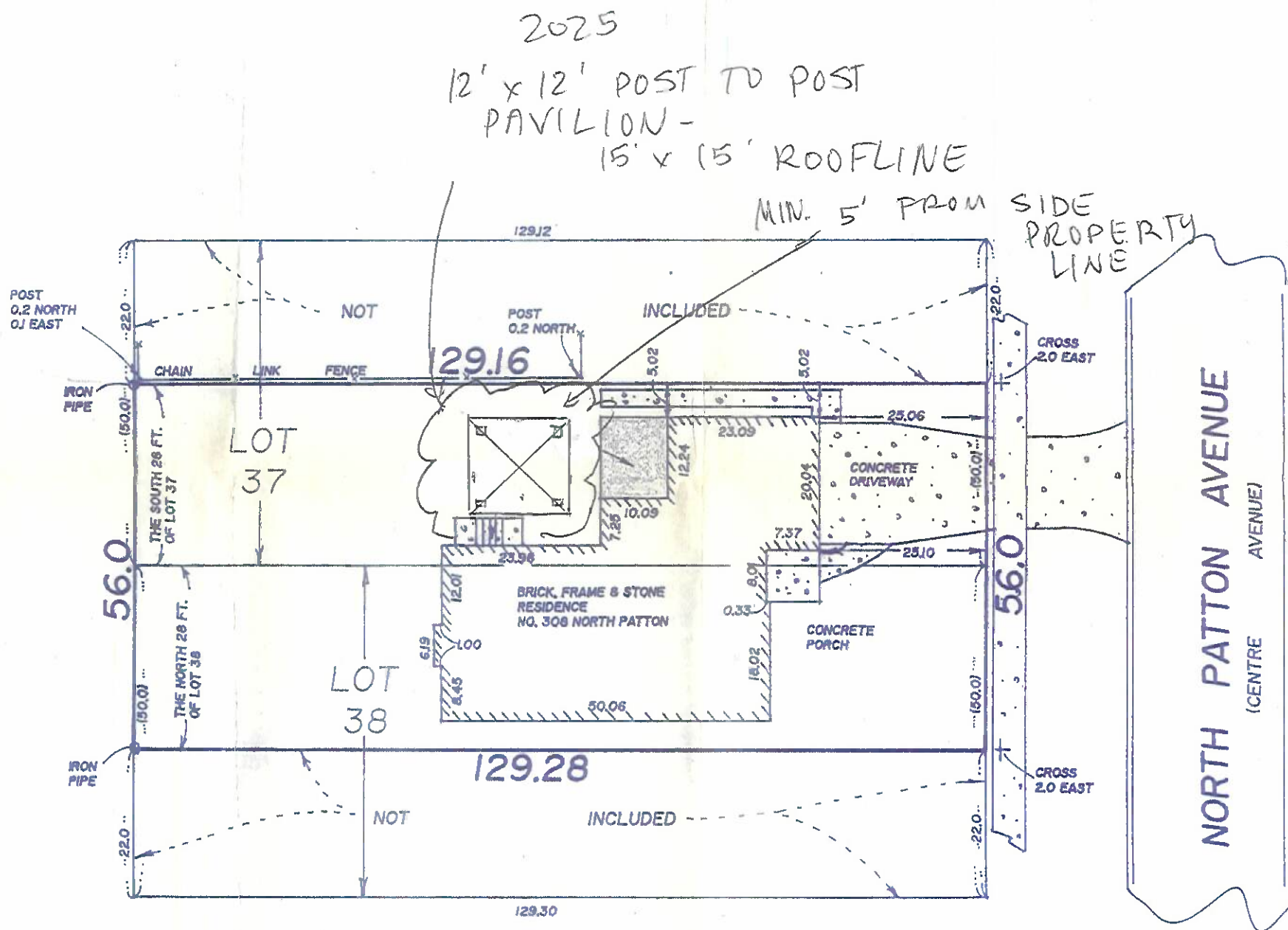
11015 A Route 47
P.O. Box 608
Huntley, Illinois 60142

Phone: (708) 358-5960

PLAT OF SURVEY

OF

THE SOUTH 28 FEET OF LOT 37 AND THE NORTH 28 FEET OF LOT 38 IN FASSETT'S ARLINGTON PARK, BEING A SUBDIVISION OF LOT 1 (EXCEPT THE NORTH 330 FEET AND EXCEPT THE SOUTH 5 ACRES THEREOF) IN BLOCK 1 IN HOBIZ ADDITION TO ARLINGTON HEIGHTS, IN THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 30, TOWNSHIP 42 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

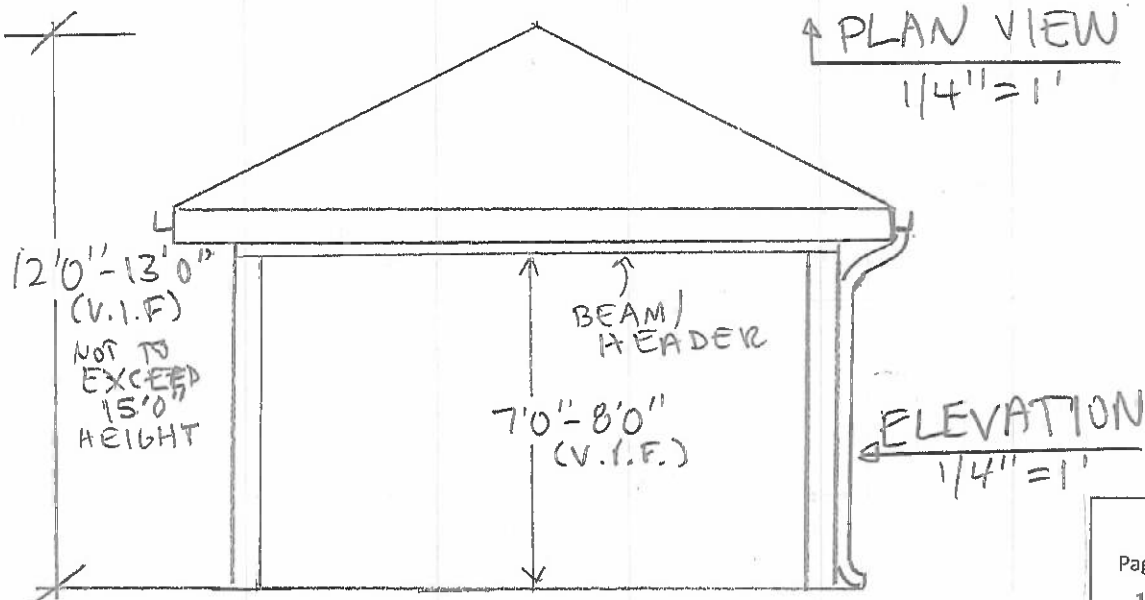
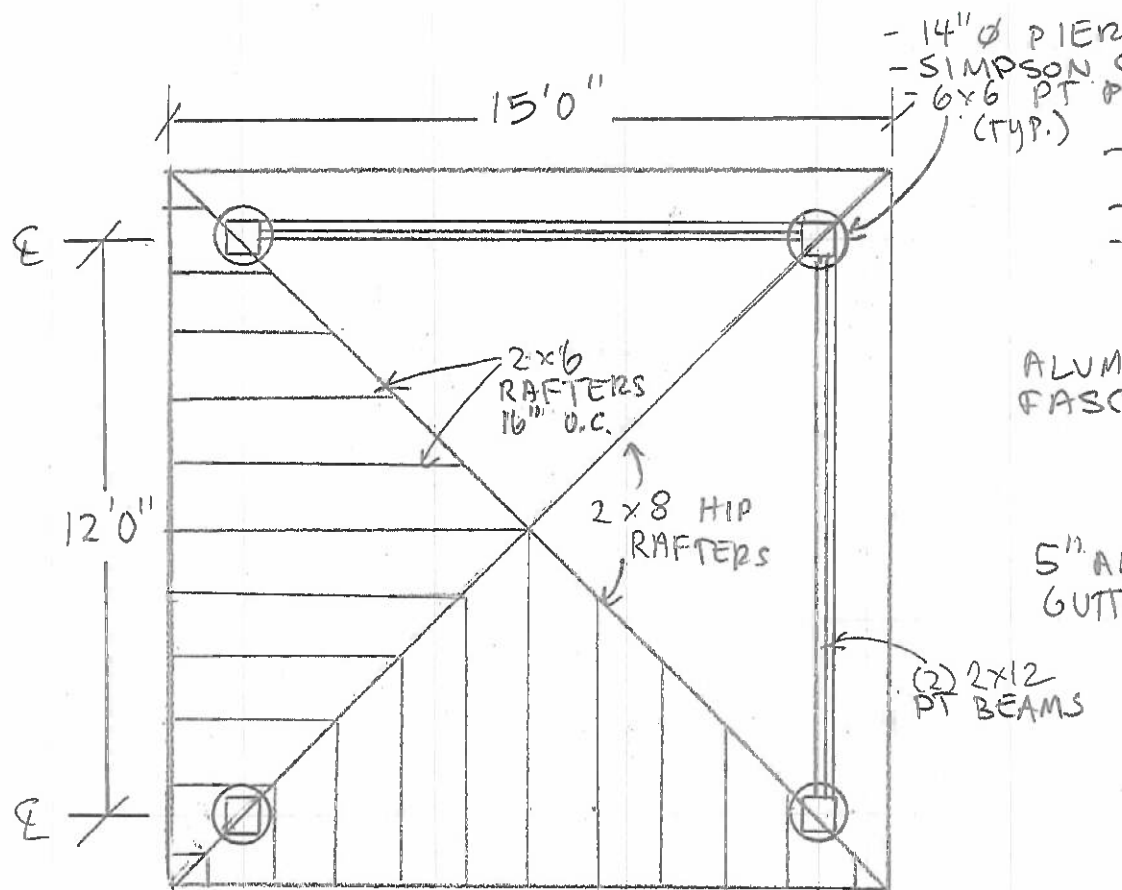


NOTE: ON-GRADE/LOW GRADE IMPROVEMENTS (ie SERVICE WALKS, PATIOS, ETC.), IF ANY, NOT SHOWN DUE TO SNOW COVER.

Dimensions shown thus: 50.25 are feet and decimal parts thereof.
Dimensions shown thus: 50'-3" are feet and inches.

STATE OF ILLINOIS }
COUNTY OF McHENRY } ss.

I, Thomas M. Sheets an Illinois Professional L
hereby certify that I have surveyed the above de
and that the above plat is a correct representati



- 14" Ø PIER x 42" DEEP
- SIMPSON CB66Z BRACKET
- 6x6 PT POST (TYP.)

- 15/32" SHEATHING
- 15# FELT
- ASPHALT SHINGLES TO MATCH HOUSE

ALUM. FASCIA

5" ALUM. GUTTER

VENTED ALUM. SOFFIT

2x8/2x6 RAFTERS

(2) 2x12 PT BEAM W/ 1x CEDAR WRAP & 2x4 TOP PLATE

2x6 COLLAR TIES @ TOP 1/3

2x FRAMING FOR ALUM. CEILING
ALUM. CEILING TO MATCH PORCH

6x6 PT POST w/ 8" VERSA WRAP SLEEVE

SECTION
1/2" = 1'

SIMPSON CB66Z BRACKET POURED INTO CONCRETE

14" Ø x 42" D. CONC. PIERS

NOTICE OF PUBLIC HEARING

Notice is hereby given that a public hearing will be held on Monday, June 9, 2025, 7:00 P.M. in the **Buechner Room, 1st Floor of the Arlington Heights Village Hall, 33 S. Arlington Heights Road, Arlington Heights, Illinois**, at which time the Zoning Board of Appeals will consider a request for:

- A variation from Chapter 28, Section 6.5-2 to allow a gazebo in the side yard where accessory structures are prohibited in the side yard.

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The south 28 feet of Lot 37 and the north 28 feet of Lot 38 in Fassett's Arlington Park, being a subdivision of Lot 1 (except the North 330 feet and except the South 5 acres thereof) in Block 1 in Hoelz Addition to Arlington Heights, in the East ½ of the Southwest ¼ of Section 30, Township 42 North, Range 11, East of the Third Principal Meridian, in Cook County, Illinois.

Commonly known as: 308 N. Patton Avenue, Arlington Heights IL 60005

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Benjamin Jaffe, Chairman

Zoning Board of Appeals

(Published in the Daily Herald in Arlington Heights, on Saturday, May 24, 2025) 291505

CERTIFICATE OF PUBLICATION

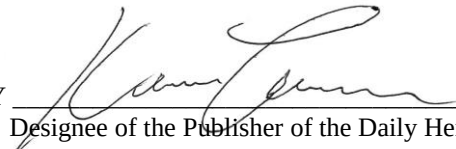
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BY


Designee of the Publisher of the Daily Herald

Control # 291505

