

APPROVED

ZONING BOARD

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

OF APPEALS

RE: 1128 NORTH KENNICOTT BOULEVARD - ZBA #25-045

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 8th day of December, 2025 at the hour of
7:00 p.m.

MEMBERS PRESENT:

BENJAMIN JAFFE, Chairman
FRANK PORTERA
PETER SIAVELIS
JEFF LANAGHAN
TOM DRAKE

ALSO PRESENT:

DAN OSOBA, Planner II

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CHAIRPERSON JAFFE: Let's call this month's meeting, the Zoning Board of Appeal's meeting to order.

Roll call.

MR. OSOBA: Mr. Selbka.

(No response.)

MR. OSOBA: Mr. Portera.

COMMISSIONER PORTERA: Yes.

MR. OSOBA: Mr. O'Connor.

(No response.)

MR. OSOBA: Mr. Lanaghan.

COMMISSIONER LANAGHAN: Yes.

MR. OSOBA: Mr. Drake.

COMMISSIONER DRAKE: Here.

MR. OSOBA: Mr. Siavelis.

(No response.)

MR. OSOBA: Chair Jaffe.

CHAIRPERSON JAFFE: Here.

Okay, next, please join me in reciting the Pledge of Allegiance. If you could stand and face the rear of the room?

(Pledge of Allegiance recited.)

CHAIRPERSON JAFFE: Let the record show that Mr. Siavelis has arrived.

Approval of minutes.

Did everyone have a chance to review last month's minutes? Any errors, edits?

(No response.)

CHAIRPERSON JAFFE: Is there a motion to approve?

COMMISSIONER DRAKE: Move to approve.

COMMISSIONER LANAGHAN: Second.

CHAIRPERSON JAFFE: All in favor?

(Chorus of ayes.)

CHAIRPERSON JAFFE: All opposed?

(No response.)

CHAIRPERSON JAFFE: Okay, let's briefly go over the hearing procedures.

First, I had mentioned earlier the quorum. So, if less than six members are present, there is an option to the petitioner to continue the meeting as it takes four affirmative votes to approve a variance regardless of the number of Board members in attendance. If denied, a petitioner cannot reapply for a whole year. So, tonight, you have five, so you have that option if you so choose.

Again, you need to state the four elements necessary to establish order for this Board to be able to grant a variation. Those are the four elements that you completed in the form that you submitted which we reviewed in the packet online. Those are, as a reminder:

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

2. That the plight of the owner is due to unique circumstances which may include the length of time the subject property has been vacant as zoned;
3. That the proposed variation is in harmony with the spirit and intent of this Chapter; and
4. That the variation request is the minimum variation 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. As a reminder, our expectation is that you are proactive in explaining all four of these elements. You are effectively asking for an exception to Village Code, so please keep that in mind.

The agenda item of order. The Chairperson will open the agenda item and provide any introductory remarks, which will be followed by the Staff presentation, including a brief overview of the project and the requested variance.

The applicant presentation. The applicant will present its case here in favor of zoning relief. The applicant and any witnesses testifying must be sworn under oath and must state and spell their respective names for the record.

Public comment. Members of the public may speak on the application. Speakers must be sworn under oath and state and spell their name clearly.

Do we have any objectors tonight?

MR. OSOBA: We do not.

CHAIRPERSON JAFFE: Any person who is not formally registered as an objector may speak at the hearing but must limit their comments to three minutes. The Chair may, in his discretion, alter the maximum time provided to public commenters provided that the maximum time is applied to all speakers.

We will then close it down for Board deliberation. The Board will make a motion to close public testimony. The Board will deliberate and vote on the matter.

All ZBA final decisions must be in writing. If the agenda packet does not include a draft final order that is acceptable to the ZBA, the substantive motion should be to direct Staff to prepare an appropriate final order for approval at a subsequent meeting, at which point there will be public comments and then this meeting will adjourn.

So, with that being said, we will move on from, without any old business, we will move directly to new business which is 1128 North Kennicott Avenue, ZBA Case #25-045.

Good evening.

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

CHAIRPERSON JAFFE: State your address.

MR. PURDOM: 1128 Kennicott.

CHAIRPERSON JAFFE: Raise your right hand.

(Witness sworn.)

MR. OSOBA: The project is at 1128 North Kennicott and is zoned R-3 Residential Single-Family District.

The Petitioner is proposing an unenclosed, covered porch addition in the rear yard. The existing single-family home is located 33.67 feet from the rear property line, and the existing patio is located 19.33 feet from the rear property line. The existing at-grade porch is to be demolished and a new two-foot raised deck is proposed in level with the first floor of the home. The one-story roof is proposed to be extended westward

towards the rear of the property to cover this proposed deck. This proposed addition is centrally located on the property approximately 40 feet from either side of the property line. This addition will encroach 11 feet into the required 30-foot rear yard setback.

Therefore, the Petitioner is requesting the following variation:

- An 11-foot variation from Chapter 28, Section 5.1-1.3(d), *Required Minimum Yards; Rear Yard*, to allow a building addition set back 19 feet from the rear property line where 30 feet is required.

MR. PURDOM: All right. So, our homeowners are a couple who are looking to enjoy some outdoor space that's covered. Jim is here, he has MS and he really has trouble going up and down the stairs. So, they have an existing patio but he never gets to use it. So, we're proposing to raise up a deck that's in line with the first floor of the house and then have a covering over.

It will be the same area that the patio is now. It's going to be open so it won't be too massive in the backyard. We're not trying to expand to either way; we're just trying to stay inline with that patio.

The design is matching all existing materials so that it flows with the rest of the houses in the neighborhood. But basically, we're just trying to give him some outdoor space where he can enjoy because he has a big backyard but it is rather a shallow lot that actually the existing house is just barely at the setback. So, in order to raise where that patio is, we'll have to ask for this variation.

The couple has lived there for 10 years. It's just the two that live in the house right now. They've talked to their rear neighbor and the two side yard neighbors, and all the talk has been positive and there's no objections. We've sent out all the letters and haven't heard from anyone else.

CHAIRPERSON JAFFE: So, I get the footprint is the same which means that the existing patio is encroaching into the rear yard setback.

MR. PURDOM: Yes, because patios are allowed to be in the rear yard setback, but because it's now going to be covered, that's why we're asking for the variance.

CHAIRPERSON JAFFE: Okay.

COMMISSIONER SIAVELIS: I'm sorry, Kevin, did you say you have received neighbor feedback or have not?

MR. PURDOM: They have talked to the two neighbors directly on left and right, and the one directly behind them, and it's all been positive feedback.

COMMISSIONER SIAVELIS: Okay, so, no negative feedback.

MR. PURDOM: No negative feedback.

CHAIRPERSON JAFFE: To clarify, north and south and to their west?

MR. PURDOM: So, if you're looking at the house from the front yard, the neighboring left and right, and then the house directly behind them. So, the one sharing the backyard property line.

CHAIRPERSON JAFFE: So, to their west.

MR. PURDOM: Correct.

CHAIRPERSON JAFFE: Okay, thank you.

COMMISSIONER LANAGHAN: So, the patio area is the same and then you have a couple of steps down in which you need to access it for anyone else?

MR. PURDOM: Yes.

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COMMISSIONER LANAGHAN: Got it, okay.

COMMISSIONER SIAVELIS: And when you say covered, you just mean the roof, not enclosed?

MR. PURDOM: It's just the roof, yes.

COMMISSIONER LANAGHAN: Not enclosed.

CHAIRPERSON JAFFE: Frank?

COMMISSIONER PORTERA: No.

CHAIRPERSON JAFFE: Tom?

COMMISSIONER DRAKE: No.

CHAIRPERSON JAFFE: Okay, thank you.

MR. PURDOM: Thank you.

CHAIRPERSON JAFFE: Anybody present who wishes to comment on this petition?

(No response.)

CHAIRPERSON JAFFE: Okay, none being heard, we'll close it down for Board deliberation.

I mean, I think it's a simple, straightforward request. I wasn't aware of the distinction between a patio and an enclosure, that's why I asked the question I did about its current proximity to the rear yard setback. So, seeing how that's moot, I don't have any concerns or issues.

COMMISSIONER SIAVELIS: Yes, I agree with you, and I think it's worth noting, too, that we have a demonstrated need here. We also have seen in the Village a significant uptick, anecdotally an uptick in the number of covered patios in backyards and even maybe in the side yards depending on lot orientation. This looks to be very well done so I think it fits with the character of the neighborhood to satisfy that problem there as well.

So, I would be in support of it, Ben, or Mr. Chairman.

CHAIRPERSON JAFFE: Ben is fine.

Any other comments?

COMMISSIONER DRAKE: I agree. No pushback from any neighbors, no comments from the Staff people of three departments. So, I'm in favor of it as well.

CHAIRPERSON JAFFE: Is there a motion?

COMMISSIONER SIAVELIS: I move to approve.

COMMISSIONER LANAGHAN: Second.

MR. OSOBA: Mr. Portera.

COMMISSIONER PORTERA: Yes.

MR. OSOBA: Mr. Lanaghan.

COMMISSIONER LANAGHAN: Yes.

MR. OSOBA: Mr. Drake.

COMMISSIONER DRAKE: Yes.

MR. OSOBA: Mr. Siavelis.

COMMISSIONER SIAVELIS: Yes.

MR. OSOBA: Chair Jaffe.

CHAIRPERSON JAFFE: Yes.

Congratulations, your variance has been approved.

MR. PURDOM: Thank you.

CHAIRPERSON JAFFE: Merry Christmas, Happy Holidays. Good luck to

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the project.

COMMISSIONER LANAGHAN: Good luck on the project, yes.

CHAIRPERSON JAFFE: Do we have other business this evening?

MR. OSOBA: We do not.

CHAIRPERSON JAFFE: Is there anybody present who wishes to comment publicly about anything?

(No response.)

CHAIRPERSON JAFFE: Is there a motion to adjourn?

COMMISSIONER SIAVELIS: I move to adjourn.

COMMISSIONER LANAGHAN: Second.

CHAIRPERSON JAFFE: All in favor?

(Chorus of ayes.)

CHAIRPERSON JAFFE: All opposed?

(No response.)

CHAIRPERSON JAFFE: Hearing none, I think we're done. We are adjourned.

(Whereupon, the public hearing on the above-mentioned petition was adjourned at 7:11 p.m.)

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STATE OF ILLINOIS)
) SS.
COUNTY OF KANE)

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

RONALD LeGRAND, JR.

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

NOTARY PUBLIC