

ZONING BOARD

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

OF APPEALS

RE: 820 NORTH DUNTON AVENUE - ZBA #26-005 (Continuation)

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 11th day of May, 2026 at the hour of  
7:00 p.m.

MEMBERS PRESENT:

TOM DRAKE, Acting Chairperson  
DAVID HOGABOOM  
FRANK PORTERA  
PETER SIAVELIS  
JEFF LANAGHAN  
JOE FOOTLIK  
BENJAMIN JAFFE (Not Present)

ALSO PRESENT:

DAN OSOBA, Planner II  
DARKO BOJIN, Planner I  
BASMAH NADEEM, Planner I

ACTING CHAIRPERSON DRAKE: Okay, hello, everyone. I have 7:00 o'clock. I'm going to go ahead and call the meeting to order, May 11th meeting.

Could Staff please take the roll call?

- MR. OSOBA: Mr. Hogaboom.
- COMMISSIONER HOGABOOM: Here.
- MR. OSOBA: Mr. Footlik.
- COMMISSIONER FOOTLIK: Here.
- MR. OSOBA: Mr. Portera.
- COMMISSIONER PORTERA: Here.
- MR. OSOBA: Mr. Lanaghan.
- COMMISSIONER LANAGHAN: Here.
- MR. OSOBA: Mr. Siavelis.
- COMMISSIONER SIAVELIS: Here.
- MR. OSOBA: Mr. Jaffe.

(No response.)

MR. OSOBA: Acting Chairman Tom Drake.  
ACTING CHAIRPERSON DRAKE: Here.

Okay, next item on the agenda, we're going to do the Pledge of Allegiance. The flag is in the corner. Please stand.  
(Pledge of Allegiance recited.)

ACTING CHAIRPERSON DRAKE: Okay, our next order of business is approval of the minutes from April 13th, 2026, four items from that meeting.

Are there any additions, corrections, comments?

COMMISSIONER LANAGHAN: Move to approve the minutes as presented.

COMMISSIONER SIAVELIS: I'll second.  
ACTING CHAIRPERSON DRAKE: All in favor?

(Chorus of ayes.)

ACTING CHAIRPERSON DRAKE: Opposed?  
(No response.)

ACTING CHAIRPERSON DRAKE: Motion passes.

I'm going to go ahead and read how the hearing is going to work tonight. I'm going to start out with how we vote. If there's less than six members present, petitioners have the option to continue the meeting. 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, we have six people here, it means you need to go four for six tonight.

You need to explain four elements necessary to establish in order for this Board to be able to grant a variation:

1. 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. 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. The proposed variation is in harmony with the spirit and intent of this Chapter.

4. The variation requested is the minimum variation necessary to allow reasonable use of the property.

A variation shall only be permitted if the evidence, in the judgment of the Board of Appeals, sustains each of the four conditions enumerated. Agenda items. I will open each agenda item and Staff will provide introductory remarks.

The applicant presentation. The applicant presents its case in favor of zoning relief by way of documents or testimony. The applicants and any witnesses must be sworn in 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. Anyone who has formally registered in advance of the hearing as an objector should be permitted to speak first. Objectors must complete a form to be provided by the Department of Community Development and submit it to the Director of Community Development no later than 4:30 p.m., five days before the scheduled date of the hearing. A registered objector may cross examine the applicant or the witnesses. Registered objectors are also not restricted to the amount of time for public comment.

Any person who has not formally registered as an objector may speak at the hearing but must limit their comments to three minutes. The Chair, at his or her discretion, may alter the maximum time provided to public comment, provided that the maximum time is provided to all speakers. Getting close to the end here.

The applicant may make a closing statement and present any of the following testimony or evidence. The applicant will rest their case. The Board will deliberate and make a motion to close public testimony by voice vote. The Board will deliberate the vote on the matters. All ZBA final decisions must be in writing. If the agenda packet does not include a draft final order that's acceptable to ZBA, a substantive motion should direct Staff to prepare an appropriate final order for approval at a subsequent meeting.

Last but not least, public comments at the end of the meeting, and then we'll adjourn.

COMMISSIONER SIAVELIS: We have no registered objector, right?

MR. OSOBA: We do not.

COMMISSIONER SIAVELIS: Okay.

ACTING CHAIRPERSON DRAKE: And anyone who wants to speak is signed in; is that true?

MS. NADEEM: Yes.

ACTING CHAIRPERSON DRAKE: Great, thank you.

So, we're going to move to Agenda Item A under Old Business. This is a continuation from last month. This is ZBA #26-005.

MR. BOJIN: The property is zoned R-3 Residential Single-Family District. The Petitioner is proposing to construct a second-story addition and a porch. The Petitioner first brought the request to the Board last month at the April meeting but chose to continue their petition to the May meeting and to make

changes to the request.

I'll also note that there was an error in the last month's Staff report in the April meeting that mistakenly listed the maximum impervious surface coverage allowed at this lot as 50 percent. However, the actual maximum impervious surface coverage for a lot of this size is 55 percent. So, that is reflected in your Staff report for tonight and that is the accurate amount of impervious surface allowed, 55 percent.

The Petitioner revised their plans to reduce the size of the porch and remove a walkway that ran from the front yard to the south side of the house. These changes increased the front setback of the porch to 26.25 feet from the originally proposed 25.3 feet, and reduced the impervious surface coverage to 3,525.39 square feet or 56.4 percent of the lot, from 4,070 square feet or 65.12 percent of the lot. The proposed addition is still 25.34 feet high as it was in the original petition.

Therefore, the Petitioner is requesting the following variations:

- A 5.75-foot variation from Chapter 28, Section 5.1-3.3(a) to allow an addition that is set back 26.25 feet from the front lot line where the required minimum setback is 32 feet;
- An 87.39 square-foot variation from Chapter 28, Section 5.1-3.5(b)(1) to allow an impervious surface coverage of 3,525.39 square feet or 56.4 percent of the lot where the maximum allowed by code is 3,438 square feet or 55 percent; and
- A 0.34-foot variation from Chapter 28, Section 5.1-3.6 to allow a building height of 25.34 feet where the maximum allowed by code is 25 feet.

Thank you.

COMMISSIONER SIAVELIS: Was that building height in the last month's meeting?

MR. BOJIN: Yes, it was.

COMMISSIONER LANAGHAN: It was.

COMMISSIONER SIAVELIS: But it wasn't the focal point of discussion then.

COMMISSIONER LANAGHAN: It was not.

COMMISSIONER SIAVELIS: Yes, all right.

ACTING CHAIRPERSON DRAKE: Thank you.

Okay, could we have the Petitioner come up, please?

MR. NEMETH: Good evening.

ACTING CHAIRPERSON DRAKE: If you could state your name and address for the record?

MR. NEMETH: Yes, Christopher Nemeth, 820 North Dunton Avenue.

(Witness sworn.)

MR. NEMETH: Do you need any refresher on the prior information from last meeting?

ACTING CHAIRPERSON DRAKE: We do. We have a couple of new Board members and I think it would be helpful.

MR. NEMETH: Okay, yes. So, you know, thank you for the

introduction and, you know, from review of the plans, our grand project plan is to do a second-story front addition to the home to create a master bedroom and bathroom. Then, as part of the project, we're trying to update the front porch and expand the footprint, the width of the home, and take it out a little bit towards the street.

You know, my wife and I both work from home and we have two kids. So, you know, the second-story addition is the primary reason for our pursuit of the project. Again, as part of that, we would really like to expand that front porch to be the width of the home, allow for a communal space out in the community so that we can, you know, sit out there, you know, watch our kids hang out with family and friends.

So, that's again the impetus for the project. You know, as was already stated, we did review this last month. After taking consideration from the Board, we did request our architect to revise the front setback and reduce it to 7.5 feet roughly from the initial proposed eight feet. Our reasoning for that was, one of the primary questions was, you know, the Board member not present today was very pressing on is that too large? So, we did go home and we did discuss that, and we felt, you know, that we could probably reduce that to that 7.5 feet that we did agree upon and have proposed today. You know, given the comments from our architect, we felt that, you know, that was the smallest amount that we could bring it back towards the home to make it a usable front porch for us.

Then, in addition, the other, you know, commentary was, you know, how can we remove some of that impervious surface coverage that was extremely, you know, high last time. So, our revised drawings do pull out some of that walkway from the primary walk up to the front steps along the south side of the home, and then we were able to recover through taking off the lean-to, we'll call it shed, on the back side of the garage as well as some additional concrete.

So, as the request was today, I think we're asking for roughly 88-90 square footage variance as well as that, I think it's, what, 5.75 feet on the front setback. So, you know, given the comments from the Board last month, we really took it to heart and figured, you know, where we can recover as much as possible to make this entire improvement, you know, what we were hoping for. So, I think, you know, again the grand totality of the plans with the setback, the impervious, we're very comfortable with what we're proposing today and we're, you know, hoping that the Board will, you know, consider what we're proposing as something that will be good for the community and our location.

COMMISSIONER SIAVELIS: Yes, so Chris, I remember I was the one who was talking to you a lot last meeting.

MR. NEMETH: Yes.

COMMISSIONER SIAVELIS: I appreciate the significant revisions you've done to your plans and proposal. You've come down pretty dramatically on the impervious coverage, down from 65 percent to 56.4. So, you're withing a rounding error on the 55, right, so that's greatly appreciated. You're also now asking for 5.75 on the front setback, right?

MR. NEMETH: Yes.

COMMISSIONER SIAVELIS: Because you've just basically shaved

a half a foot.

MR. NEMETH: Yes, not as much as, but again, to be able to, you know, make it a usable front porch, you know, we feel that, you know, if we're going to do the project to our vision, you know, going any smaller doesn't even make us, you know, go ahead and pursue that. So, I appreciate your commentary and, you know, we're certainly willing to --

COMMISSIONER SIAVELIS: Yes, I would say at eight feet, I think you were still within reason.

MR. NEMETH: Okay.

COMMISSIONER SIAVELIS: Okay, so you've shaved a half a foot off, okay, great. That's fine.

MR. NEMETH: Sure.

COMMISSIONER LANAGHAN: It helps to reduce the impervious surface as well.

COMMISSIONER SIAVELIS: Yes, it was about 40 feet --

COMMISSIONER LANAGHAN: Yes, yes.

COMMISSIONER SIAVELIS: 40 feet times half a foot is --

COMMISSIONER LANAGHAN: I understand.

MR. NEMETH: Pretty small, but it's something else.

COMMISSIONER LANAGHAN: I appreciate the effort to get it down.

COMMISSIONER SIAVELIS: So, yes, 57.5 instead of 56.5 percent.

So, anyway, I think you've done enough at least to gain my vote here. We appreciate you being flexible and then listening to us, right?

MR. NEMETH: Yes.

COMMISSIONER SIAVELIS: Because you were in a predicament last month.

MR. NEMETH: You know, we didn't really know what we were in for. Again, you know, given what happens around the town, I don't know numbers but, you know, I appeal to the Board in that, you know, you are here for a reason and I don't think that, you know, my wife and I are asking for anything that's, you know, egregious or far more than, you know, what we have intended. So, again, I'm comfortable with the numbers and, you know, I trust that you'll make the decision that you feel is right. So, I appreciate your time, yes.

COMMISSIONER SIAVELIS: Yes, you're good at this point. Let's see if there's any other Board members that have questions.

ACTING CHAIRPERSON DRAKE: Anyone else? Questions?

COMMISSIONER SIAVELIS: No, no. Not yet. Board members.

MR. NEMETH: Okay.

ACTING CHAIRPERSON DRAKE: I just have one.

MR. NEMETH: Yes?

ACTING CHAIRPERSON DRAKE: I can't recall from the last meeting, did you talk to the neighbors? Did you talk to the neighbors about these changes or the original plans?

MR. NEMETH: I had, you know, posted. We obviously went through the channels of distributing all of our materials. We've had conversations with, you know, our direct neighbors. So, yes, we have discussed the plans with them.

COMMISSIONER SIAVELIS: Any opposition voiced to you?

MR. NEMETH: Going into last meeting, no. But there was a comment of concern about impervious on, today is Monday, correct? So, on Saturday. But I didn't really have a chance to vet that or have any, you know, further discussion about major concerns, but yes.

ACTING CHAIRPERSON DRAKE: Okay, no other questions from the Board?

(No response.)

COMMISSIONER SIAVELIS: Thank you.

MR. NEMETH: Yes, thank you.

ACTING CHAIRPERSON DRAKE: If there's anyone in the audience that would like to make a comment, this is your chance. Just state your name, sir. Hello.

MR. FREDIAN: Yes, my name is Mike Fredian. I live on Dunton, 900 block of Dunton just north of this subject property.

I just have a question; I want to be clear. From the drawings, I'm not entirely clear on this point. So, is the porch itself going to be across the building line or is it just the steps? Maybe that's a question for you.

MR. NEMETH: What do you, when you're referring by building line, is that --

MR. FREDIAN: Well, you're asking for a five-foot variance so, or 5.75.

ACTING CHAIRPERSON DRAKE: If you guys are going to go back and forth, could you come back up to the podium? Because we're taking minutes and notes here.

MR. NEMETH: Sure, absolutely. The front setback, to my knowledge, the porch would go beyond the front setback that currently exists to my knowledge. Is that the question?

MR. FREDIAN: Yes. I mean, I guess on your drawing, where is the building line on that drawing? Is it equal with the front edge of the porch, or is it -- okay, somebody is indicating that.

So, the building line is somewhat close to the front edge of the porch?

MR. BOJIN: So, we measured the setback to the porch on the stairs, so that setback, the variance is being requested because the porch encroaches a little bit into the required front yard but not the stairs. The steps aren't included in that setback.

MR. FREDIAN: All right, and so the encroachment of the porch is the 5.75?

MR. BOJIN: Correct.

MR. FREDIAN: Okay. All right, if that's the case, I would object to this as a neighbor living in the neighborhood. I think that's going to really just stick out. I think it's going to be very noticeable. If you look down the row of houses on Dunton there, they're all lined up along the property line. I just think this would look super odd and detract from the neighborhood, to have one house that's sticking out six feet beyond the rest of them.

COMMISSIONER SIAVELIS: Did the Village do an analysis on the neighboring properties to see their position with respect to the front setback?

MR. BOJIN: The front yard, the required setback is the average of the entire block.

COMMISSIONER SIAVELIS: Okay, it's the average, right?

MR. BOJIN: It's just the average, that's right.

COMMISSIONER SIAVELIS: So, that average takes into account those that are in front of it and those that are behind it, right?

MR. BOJIN: Just the ones on the block.

COMMISSIONER SIAVELIS: That's right, on the block.

MR. BOJIN: Correct.

MR. FREDIAN: So, anyway, I'm not, I think they've done a nice job on the impervious coverage. We do have drainage issues along Dunton, but I think they're, as you stated in the, you know, it's so close as to be insignificant, but I think the almost six feet on the porch is significant. I think it would detract from the neighborhood. I'd prefer not to see it.

ACTING CHAIRPERSON DRAKE: Okay, thank you for your comments.

MR. FREDIAN: Thank you.

ACTING CHAIRPERSON DRAKE: Is there anyone else that would like to comment?

State your name, ma'am.

MS. HILL: My name is Megan Hill, and I live at 824 North Dunton Avenue. So, I am the adjacent neighbor, and I have concerns with the impervious surface situation and I also have issues with the grandiose nature of the porch. All the other front porches are smaller than 100 square feet and stick out less than six feet from their existing homes. So, I do feel as though, on all the other 50-wide lots in that block, no other front porch is going to be that big and I do feel as though it will stick out and take away from the general aesthetic of the neighborhood.

My problem with the impervious surface is the fact that, and I would like, if anything is granted, I would like to make a request. Sorry, I couldn't see that but now I can see this. I do feel as though the overall, I mean, the addition is a true hardship. I'm the next-door neighbor, I'm going to lose a little natural light, but that is a hardship and I'm all for that variance. But the plan to collect the runoff from what they have, the roof area of the house, and directing it through the gutters and downspouts into the front yard makes an area that is already very tight and runs to, the lowest spot on the block is right next door. All 50 percent of the water from the roof will run out the gutters and right down into an already existing standing water situation.

So, unless, I do think that something that could be done would be for pits to be dug into the front yard so that they can create a drainage system so that they don't put a hardship on the rest of the neighbors in the neighborhood. Because as it is, that water will just run down and collect right in front of their next-door neighbor's house, which we all, you know, we all walk down the sidewalk. So, that would, I would like to see and request if the, let me find myself here, if the Zoning Board would include a written condition in any approval requiring the

Engineering Department to size and approve a dry well based on the actual water volume when permitted plans are submitted, when the current plans are submitted.

COMMISSIONER SIAVELIS: Okay, so we don't tell the Engineering Department, just so we're clear, we do not tell the Engineering Department what to do.

MS. HILL: I understand that, but there could --

COMMISSIONER SIAVELIS: So, we're not going there, right, on this one.

MS. HILL: Okay.

COMMISSIONER SIAVELIS: There's just no way we're going to entertain that type of discussion and instruct the Engineering Department. That's not, that's well outside the purview that we're charged with as a board, flat out, okay?

ACTING CHAIRPERSON DRAKE: There may be something that we'll suggest to the homeowner in our discussion, we'll see.

MS. HILL: Well, this was suggested to me by a local architect, so I think that is something that could --

COMMISSIONER SIAVELIS: That's irrelevant to us.

MS. HILL: It does take place.

COMMISSIONER SIAVELIS: No, we're not going to tell our Engineering Department what to do.

MS. HILL: Okay, thank you for letting me know.

COMMISSIONER LANAGHAN: Engineering has its own set of rules that they have to review --

MS. HILL: I understand.

COMMISSIONER LANAGHAN: -- and make sure those work.

MS. HILL: It's just a suggestion of good faith in saying like, hey, we want a front porch, and it's like they're not taking into consideration the other people that are directly impacted by it.

COMMISSIONER SIAVELIS: I don't know if that's necessarily true. The Engineering Department did come back and raise an issue on the front yard encroachment, and I want to make sure the Petitioner has seen that, about the pervious versus the impervious pavers. So, when your neighbor is done up here, we want to make sure we touch on that comment and see if you would address that, okay?

MR. NEMETH: Okay.

COMMISSIONER SIAVELIS: Because that ties in to what your neighbor is commenting on.

ACTING CHAIRPERSON DRAKE: You'll have a chance to respond if there's no one else after this individual.

COMMISSIONER LANAGHAN: Actually, Engineering had no comment on this one.

COMMISSIONER SIAVELIS: The Chairman handed me the paperwork, the wrong paperwork initially. Okay, fine.

ACTING CHAIRPERSON DRAKE: They gave no comments. Sorry, Peter.

COMMISSIONER SIAVELIS: That's okay, Tom, no problem. No comments, right? Yes, so just you're clear, the Engineering Department --

MS. HILL: I've seen it. I had a conversation with the people there.

COMMISSIONER SIAVELIS: Okay, so for the record, the Engineering Department has no comment.

MS. HILL: They've rubber-stamped it, correct. Oh, sorry, sorry.

COMMISSIONER SIAVELIS: Hold on, hold on. Hold on a second. Let's not characterize it as rubber-stamping.

MS. HILL: Okay.

COMMISSIONER SIAVELIS: You're not aware of what their process is.

MS. HILL: You're correct.

COMMISSIONER SIAVELIS: Let me finish. You're not aware of what their process is. You don't understand exactly what they evaluate, the pros or cons of it. So, the record indicates that the Engineering Department has considered this and they put a comment back that said No Comment. So, they do provide extensive comments when there is something.

MS. HILL: Okay, wonderful.

COMMISSIONER SIAVELIS: So, we're not even going there, to my prior point, about instructing the Engineering Department. So, if you have something else to say, that's fine, go ahead.

MS. HILL: I think I've touched upon all of my concerns as the person who lives directly next door. Also, if you grant them and they max out their impervious surface, I am the person who lives right next door to that driveway, and car doors can't fully open and sometimes people get out without them stepping into my yard, and I'm okay with that, but it kind of says like there's no chance that that will ever change. I've lived in my house for 28 years, and it's just, it would be nice if the homeowner left some wiggle room so that at some point in time something could be done to alleviate that pressure.

ACTING CHAIRPERSON DRAKE: Have you had this discussion with the Petitioner before tonight?

MS. HILL: No, I was never shared the plans with either, nor was my husband. My husband was here at the last meeting. So, the first time he saw the plans was when you pulled them up here. I was never, they were never communicated with me about the plans, never offered. I even did ask to see the plans and they were not shared.

COMMISSIONER SIAVELIS: The signage was out though, correct?

MS. HILL: Yes, the signage was out, but --

COMMISSIONER SIAVELIS: Okay, I just want to make sure of it.

MS. HILL: -- you don't get to see anything until they're posted the Friday before. So, yes, we were, I was surprised.

ACTING CHAIRPERSON DRAKE: Okay, thank you very much. Appreciate it.

Any other comments on this petition?

(No response.)

ACTING CHAIRPERSON DRAKE: Can we have the Petitioner come

back up? Do you want to respond to any of this?

MR. NEMETH: I do appreciate the commentary. As a member of the community, I certainly will do and work with our, you know, architects and ensure that any sort of runoff is routed for the correct, you know, away from the home and away from, you know, neighboring homes. I mean, the addition of the front porch and that increased amount of impervious square footage is again on the front of the home and we'll do everything we can to redirect it directly towards Dunton. You know, the removal is predominantly on the, you know, south side of the home which is the opposite direction of 824. You know, I do know that there's been impervious square footage variances granted in excess of our 90 over the course of the last few years on pretty related properties.

So, again, I think we're well within our, you know, right to at least ask the Board and to petition the Board to see if we can make this project come to fruition.

COMMISSIONER SIAVELIS: Do you happen to know the dimensions of the front porch and the backyard of the house that's just to your south, your neighbor to your south?

MR. NEMETH: I don't know the dimensions. I know that it does come off roughly 7.5 feet from the very frontmost brick portion of the home. It does span a pretty large footprint as well. You know, that property in question again is at the very lowest point, so I understand.

COMMISSIONER SIAVELIS: Lowest point meaning for the water drainage?

MR. NEMETH: For water drainage, correct, yes. So, that portion of the intersection between 816 and I think 812, not intersection but that portion of Dunton again is the low collection point when it does rain. So, but yes, to their dimensions, I don't know exactly, but it does go, you know, roughly 7-7.5 feet off of that front, you know, brick portion of the home.

ACTING CHAIRPERSON DRAKE: Any other questions from the Board for the Petitioner?

(No response.)

ACTING CHAIRPERSON DRAKE: Okay, sir, thank you.

MR. NEMETH: Thank you.

ACTING CHAIRPERSON DRAKE: If there's no other comments to be made, could we have a motion so that we could close the testimony and go into Board discussion?

COMMISSIONER SIAVELIS: I'll move to close.

COMMISSIONER LANAGHAN: Second.

ACTING CHAIRPERSON DRAKE: All in favor?

(Chorus of ayes.)

COMMISSIONER SIAVELIS: All right, so I guess I can start, right, to the two new guys. So, this is somewhat of a tricky situation, right? This is a narrow lot, a 50-foot lot. The Petitioner came back, you read the tea leaves properly from the last meeting, right, because you were in a little bit of a predicament last meeting. You probably would have passed, probably, but I mean, it's not, without certainty. You have neighbor opposition here but it's a manageable opposition.

So, my thought process is that I would vote to approve all three variances sought. That third variance is nominal, right, it's like a rounding error on the 0.34 feet for the building height. You have, there are a number of two-story houses within a stone's throw of your house.

Okay, with that said, I think you should be very aware of your neighbor concerns. Keep your neighbors apprised of developments on your project, and when you work with your general contractor, think about creative ways for water management, okay? Because you yourself explained how the neighbor to your south is at a low point, right? So, like if you want to be a good neighbor after this project, or during the course of this project and after the project is done, it's in your best interest, it behooves you to keep the neighbors aware and think about water management, even if that means spending a little bit more money.

MR. NEMETH: Sure.

COMMISSIONER SIAVELIS: Okay, that's just the reality of a lot of us who live here in the Village, right, who have water issues here.

MR. NEMETH: Yes.

COMMISSIONER SIAVELIS: So, with that in mind, I will vote to approve, but I will not attach a condition to that approval because Engineering Department didn't indicate the absolute need for that, okay? That's how we typically have voted in the past. If we have some sort of comment from another department in the Village, we will attach that to the vote or to the motion, okay, to the variances sought. So, that's where I land.

ACTING CHAIRPERSON DRAKE: Okay, other comments?

COMMISSIONER LANAGHAN: Yes, I'll throw it out there. I mean, from looking at the street, it appears that houses are in and out a little bit. There's a fairly close line for the ones north of there. The ones to the south seem like they kind of hop, and maybe the ones to the north are a little further. So, I'm guessing that's where that average comes from.

You know, as such, there are some bigger porches on the street now; I'll acknowledge that. I think the Petitioner has done a really good job on cutting back on the impervious surface from where they were. They were better than 6,000 feet before and now they're barely over, you know, barely need a variance.

So, based on the work they've done, I'm certainly hearing what your responses and concerns are, I think they've done a good job, and based on Engineering's review, considering they had no comments, I think we're okay.

COMMISSIONER SIAVELIS: They're at 87.39 feet.

COMMISSIONER LANAGHAN: Correct, yes. Which came down from, I forgot what the other one was, but it was several hundred and a thousand feet.

ACTING CHAIRPERSON DRAKE: I'm always disappointed when we get to the point where we have people living next door to each other that somehow haven't had a discussion before now, but I understand that happens. I appreciate the neighbors coming in and expressing their concerns. You've got a lot of skin in the neighborhood.

But I, like Peter, rely on what the professionals here tell us in

each of these departments. For all three of the departments that weigh in on this, this petition has passed muster from last time.

To the Petitioner, thank you for making those adjustments. You were close last time. So, I'm in favor of it as well.

If there are no other comments, is there a motion?

COMMISSIONER SIAVELIS: I'll move.

ACTING CHAIRPERSON DRAKE: Is there a second?

COMMISSIONER SIAVELIS: On all three. All three variances.

ACTING CHAIRPERSON DRAKE: All three, okay.

COMMISSIONER PORTERA: Second.

MR. BOJIN: Mr. Hogaboom.

COMMISSIONER HOGABOOM: Yes.

MR. BOJIN: Mr. Footlik.

COMMISSIONER FOOTLIK: Aye.

MR. BOJIN: Mr. Portera.

COMMISSIONER PORTERA: Yes.

MR. BOJIN: Mr. Lanaghan.

COMMISSIONER LANAGHAN: Yes.

MR. BOJIN: Mr. Siavelis.

COMMISSIONER SIAVELIS: Yes.

MR. BOJIN: Acting Chair Drake.

ACTING CHAIRPERSON DRAKE: Yes.

So, the motion carries. Your project is approved. Thanks to everybody for coming in, we appreciate it.

MR. NEMETH: Thank you.

ACTING CHAIRPERSON DRAKE: No need to stay if this is the petition you're here for. You're welcome to stay, but there's no need to stay.

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

ZONING BOARD

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

OF APPEALS

RE: 933 NORTH RIDGE AVENUE - ZBA #26-007

REPORT OF PROCEEDINGS had before the Village of  
Arlington Heights Zoning Board of Appeals taken at the Arlington Heights  
Village Hall, 33 South Arlington Heights Road, 1st Floor, Buechner Room,  
Arlington Heights, Illinois on the 11th day of May, 2026 at the hour of  
7:32 p.m.

MEMBERS PRESENT:

TOM DRAKE, Acting Chairperson  
DAVID HOGABOOM  
FRANK PORTERA  
PETER SIAVELIS  
JEFF LANAGHAN  
JOE FOOTLIK  
BENJAMIN JAFFE (Not present)

ALSO PRESENT:

DAN OSOBA, Planner II  
DARKO BOJIN, Planner I  
BASMAH NADEEM, Planner I

ACTING CHAIRPERSON DRAKE: Okay, we're going to move on to Section V. New Business. The first petition up is Item A, 933 North Ridge Avenue. That's ZBA #26-007.

Hello.

MR. CHAMBERS: More talk about front porches and impervious surfaces.

ACTING CHAIRPERSON DRAKE: Okay, let us know who you are first.

MR. CHAMBERS: Hi, my name is Frank Chambers. I'm the owner and resident at 933 North Ridge, I'm representing myself. We've lived there since September of 2017, me, my wife and our two children.

ACTING CHAIRPERSON DRAKE: Hold on, I'm going to swear you in first.

MR. CHAMBERS: Oh, sorry. All right.

COMMISSIONER SIAVELIS: That part isn't immediate.

MR. OSOBA: Yes, you can swear him in and then we'll go to the Staff.

ACTING CHAIRPERSON DRAKE: I'm the Acting Chairman here, right.

MR. CHAMBERS: Okay, no, that's fine.

COMMISSIONER SIAVELIS: That's okay. You've done that to me when I was the Chairman.

ACTING CHAIRPERSON DRAKE: I know, I know. Why don't you raise your hand?

(Witness sworn.)

ACTING CHAIRPERSON DRAKE: Thank you very much.

Now we can get to Staff report. Sorry.

MS. NADEEM: The property is zoned R-3 and has a total land area of approximately 6,250 square feet. The Petitioner is proposing to construct a porch in the front yard and a second-story addition. The second-story addition and other exterior modifications has received administrative Design Commission approval. This proposed porch addition is set back 23.75 feet from the front lot line. Due to the porch addition, the impervious surface percentage coverage is proposed to be 57.58 percent.

Therefore, the Petitioner is requesting the following variations:

- A 7.13-foot variation from Chapter 28, Section 5.1-3.3(a), *Required Minimum Yards*, to allow an addition that is setback 23.75 feet from the front lot line where the required minimum setback is 30.88 feet; and
- A 160.74-foot variation from Chapter 28, Section 5.1-3.5(b)(1), *Maximum Impervious Surface Coverage*, to allow an impervious surface coverage of 3,598.24 square feet or 57.58 percent of the lot where the maximum allowed by code is 3,437.50 square feet or 55 percent.

ACTING CHAIRPERSON DRAKE: Thank you.

MR. CHAMBERS: All right, again, Frank Chambers, resident at 933 North Ridge. I've lived there since September of 2017, it's me, my wife and two children. We've got multiple neighbors we're very close with. We're getting

embedded in the school system. Our family is getting bigger and the house is not getting bigger, so the goal for the second story obviously is to gain some more room for our family. It just feels like we're kind of bursting at the seams.

We've been inspired to do this by a couple of homes on our block directly across the street north. One house, they had done a second-story addition approximately 20 years ago. There's two houses next to each other, one of them is a carpenter, Nick Sicala, who's actually hopefully going to work on this project with me. So, yes, we were kind of inspired by them and their project, and even their front porch comes into play as well.

In regard to the criteria that we wanted to talk about, regarding the first criteria, it will not alter the essential character, the porch is residential in nature. I don't know if we want to see it or if you've seen enough of these plans. If you can see it; what we're hoping to accomplish. So, that would be the front porch on the right side. It's obviously residential in nature. We're trying to be consistent with the surrounding neighborhoods, particularly on our block, any houses that are a new build or do have a second-story addition. A lot of homes obviously feature like enhanced entryways like this as well.

The porch, the size of it alone is providing a safer transition from that doorway to that usable space on the porch as well. So, should we shorten the width of that porch, we're starting to lose walkway space obviously going from the doorway into that porch area.

COMMISSIONER SIAVELIS: You have a nook in that area, right?

MR. CHAMBERS: We have a nook, yes. So, it bumps back, and right now as it stands, I think it's a 36 to 40-inch opening with that porch, the design as it is. So, to set it back would obviously kind of really destroy that walkway between those two spots.

The overall impact we felt is minimal in terms of visibility, traffic noise, drainage, all of that we think would be pretty minimal with this.

In regard to the talking point about this being a unique circumstance; it's kind of the configuration of the home kind of forces our hands. So, it's a unique configuration, it kind of limits our ability to create a functional space there. So, that's why we need that setback adjustment, and any smaller porch would really not be usable. We want to use it; we have kids playing in the front yard. Two of our children's best friends live next door. It would be great to be out there and be able to have useful covered space like for, you know, inclement weather, for, you know, tough weather, hot days, stuff like that.

The proposed variation is in harmony with the spirit and intent of this Chapter. I know the spirit of the zoning ordinance is to preserve neighborhood character, orderly development and protect adjacent property neighbors, and we think this will do that and it shouldn't affect that. It improves the appearance and functionality of the home. It ties the home together. We obviously want this addition to look like it was there. We don't just want a box on top of a box, and we think that that porch really helps tie that together. We don't want it to undermine any zoning regulations because we do think it's consistent with the residential nature of the visual character of the area.

The fourth condition, the variance requested is the minimum

variance necessary, I've kind of talked about the depth of that porch. It's approximately nine feet from the house to the front of that porch. That kind of gives you adequate walking room, room for seating and actual usable space, not just a non-functioning front porch that just ties the building together.

COMMISSIONER LANAGHAN: So, I'm sorry, you said that's a nine-foot depth?

MR. CHAMBERS: I think it's about nine feet, yes.

COMMISSIONER LANAGHAN: That's the one thing I couldn't figure out in the plans. There's no dimensions on the drawings --

MR. CHAMBERS: Yes. Nine feet from --

COMMISSIONER LANAGHAN: -- the height, but not the width.

MR. CHAMBERS: It's not on there. If you look at the plan with the footings and stuff, it kind of --

COMMISSIONER LANAGHAN: Yes, I didn't see it there either, but okay.

MR. CHAMBERS: No, it's nine. I've been staring at it all day. Not that one, there's, above you, a straight-down view that probably shows, or that should show.

COMMISSIONER LANAGHAN: We maybe blocked that out for some reason.

MR. CHAMBERS: Yes, okay.

COMMISSIONER LANAGHAN: We didn't get it in any of the other ones.

MR. CHAMBERS: So, it's approximately nine feet.

COMMISSIONER LANAGHAN: I was struggling to figure out how deep this was.

MR. CHAMBERS: Yes, and then that kind of shows that bump-out, too, of the house there as well.

COMMISSIONER LANAGHAN: Sure, that's all down. So, your door is --

MR. CHAMBERS: Yes, so any shorter, that walkway really starts to get tight, and then I just think that that's almost unusable then at that point.

COMMISSIONER LANAGHAN: Do you know what that dimension is? How deep is that bump-out there?

MR. CHAMBERS: I think it's three feet.

COMMISSIONER SIAVELIS: 3.02 feet.

MR. CHAMBERS: 3.02 feet, okay.

COMMISSIONER LANAGHAN: I think it's shown on the, oh, there you go. Yes, it's on this, okay. Got it, okay.

MR. CHAMBERS: And then I think that opening is 36 right now as it stands, it might be closer to 40. So, that I hope covers the talking points.

One thing I wanted to point out from a numbers perspective, and sorry if this gets a little crazy, but when I was doing the measurements from the sidewalk for setbacks on my block, I noticed there was a difference between, I don't think our sidewalk is in line with the true setback or property lines of all the properties. So, what I did with my architect was we found, I measured 31.33 feet

from my sidewalk to my further step out front point, so a 31.33 setback. My plat of survey shows 29.83, so we're off by about 1.5 feet on those measurements.

Now, if we take that measurement, that 1.5-foot measurement and remove that from my measurements and every other property and we take 911 on our street which is a 98-plus-foot setback on that home, the average on the street comes out to approximately 25 feet. So, we're asking for a setback of 23, sorry, 23.75 feet on an average that I think it truly closer to 25 if you would consider not including that 911 address on our block which is a house that --

COMMISSIONER LANAGHAN: Is that on a corner?

MR. CHAMBERS: No, it's the third house in, fourth house in, yes, south of us.

COMMISSIONER LANAGHAN: Okay, I just know a lot of corner lots, because of being on a corner lot, is --

MR. CHAMBERS: Yes, just that one really kind of throws that average off, too.

Impervious surface, I understand the concern there, and I understand we're going over that 55 percent minimum.

COMMISSIONER SIAVELIS: You saw the Engineering Department's comment?

MR. CHAMBERS: I did, and I was curious if they were referring to the walkway, or if that --

COMMISSIONER LANAGHAN: Push on the patio.

COMMISSIONER SIAVELIS: Read the comment.

COMMISSIONER LANAGHAN: Yes, I mean, so as opposed to the last in which Engineering had no comments on, so obviously they either don't have water issues or they have fewer water issues in that area maybe than here. This one they do have concerns with the impervious surface. You're not adding much other than your patio, and based on your comments you don't really see a way to reduce that any.

MR. CHAMBERS: Right.

COMMISSIONER LANAGHAN: So, the question kind of becomes, the question I have is, is that concrete walkway that you're kind of building the new stairs, is that staying? Is that, what are you going to do with that?

MR. CHAMBERS: I mean, my thought was it would stay, but if there is a permeable option that Engineering suggests, I'm completely open to exploring that, too.

COMMISSIONER LANAGHAN: My thought, and you know, this is just me talking, you know, removing that concrete walkway in front of your driveway over to that area would probably come up to pretty close to 160 feet. We obviously don't have dimensions, right?

MR. CHAMBERS: Right.

COMMISSIONER LANAGHAN: But, you know, make that a pervious surface which is basically, you know, there are pervious pavers that you can walk on and they're very attractively actually, but they allow water to get through them.

MR. CHAMBERS: Okay, yes. If that's what they were referring to, I'm totally open to that.

COMMISSIONER SIAVELIS: So, what they said verbatim was if the variance for impervious surface coverage is granted, it is recommended that the Petitioner, that will be you, be required to use permeable pavers that allows for detention for a portion of the patio to offset the increase in impervious surface.

So, what Jeff is telling you is maybe you address that general concern by the front walk, switching from concrete to permeable.

COMMISSIONER LANAGHAN: Right. I don't see where you do anything in the back area.

COMMISSIONER SIAVELIS: Yes, but to facilitate Engineering review and permitting, you would probably want to address that, okay?

MR. CHAMBERS: Okay.

COMMISSIONER SIAVELIS: But, and the tricky thing is, if you caught what I said on the impervious.

MR. CHAMBERS: If it's, correct.

COMMISSIONER SIAVELIS: No, don't worry about that. Right, we're going to assume, you have to play through that. For a portion of the patio to offset the increase in the impervious surface, that portion is not specified. So, you're going to, the Petitioner can work with the Village when it comes to permitting time and final approval, right, so he can get Engineering to sign off so he knows what the threshold is, right, because a portion is ambiguous. He doesn't know what that number is.

MR. CHAMBERS: I don't.

ACTING CHAIRPERSON DRAKE: We could condition that and leave it blank, correct, and let the experts work it out?

MR. CHAMBERS: Now, if they give me a number that I need to hit and I have other pieces of property that are impervious, am I open to removing those other pieces of property? Like, for my understanding, south of the garage here, that's brick pavers where that box is outlined, that was used in that calculation, just south of the garage.

COMMISSIONER LANAGHAN: Yes, yes.

MR. CHAMBERS: So, this section is also 100 square feet of brick pavers that I was told was used, we have no problem with moving that over to something permeable. It's in a variance, my shed in the back, I know, where it's on a variance because of the old lot lines.

COMMISSIONER LANAGHAN: Yes, you've got a couple of brick patios.

MR. CHAMBERS: Brick, yes, like, so if I removed those, does that hit their threshold? Are they more comfortable with that? Therefore --

MR. OSOBA: So, if you're removing impervious surface, you may not need a variance because the variance, what is the number?

MS. NADEEM: 160.74.

MR. OSOBA: 161, I mean, what they want to keep, but if you remove impervious surface, you're going to reduce the variance that's needed. If the Zoning Board approves the variance right now, that reduction would still be okay as long as Engineering is okay with how that reduction works --

MR. CHAMBERS: Okay.

MR. OSOBA: -- either if you're removing it or, based on their comment, changing out some of the existing impervious or new impervious with potentially --

MR. CHAMBERS: Yes, I'm just thinking for ease of construction standpoint here, too. So, I don't know how much permeable brick pavers are or anything.

COMMISSIONER SIAVELIS: Are you opposed to removing that, is it concrete or brick, just to the south of the garage?

MR. CHAMBERS: It's brick.

COMMISSIONER SIAVELIS: Or the ones farther back?

MR. CHAMBERS: Then I would take that brick patio, though I don't believe that the section to the east is included on that lot line because that's technically an easement back there. So, from my understanding, anyone outside of the easement wasn't included, it's only what's within the easement, but I would take out that whole brick patio there like yesterday.

COMMISSIONER LANAGHAN: Behind the garage you're talking about?

MR. CHAMBERS: Yes, I have no problem taking that out. Then it's also brick that my architect, brick pavers on the south side of the garage just below that.

COMMISSIONER SIAVELIS: Because grass won't grow there.

MR. CHAMBERS: No, I would put rock or something in there. I mean, I'm really trying to keep it as economical as possible, too.

COMMISSIONER SIAVELIS: Would that give him the 160 feet or real close?

MR. OSOBA: We would have to do the math essentially.

COMMISSIONER SIAVELIS: Yes. So, as long as you're indicating a willingness --

MR. CHAMBERS: Absolutely.

COMMISSIONER SIAVELIS: -- to make a couple of minor adjustments to satisfy the Engineering Department's concern, you put yourself in a better position with us, because we'll structure a motion in that regard.

MR. CHAMBERS: Okay, yes. I'm absolutely willing to take that into consideration.

ACTING CHAIRPERSON DRAKE: Is his assumption about the easement correct?

MR. OSOBA: It is correct.

MR. CHAMBERS: Is that correct? Okay.

MR. OSOBA: This, I don't know if you can see over here, this thicker dark line here is the actual property line, and this is a situation that's in the Village often where this was an unimproved alley. These improvements are technically in that unimproved alley and the impervious surface calculation is only for his lot, not any portion out there.

COMMISSIONER LANAGHAN: So, you mean the brick patio inside the lot line; it's not divided in half there?

MR. OSOBA: No, so the only portion of this brick patio that exists

that counts towards that impervious surface is the portion that's on his lot.

MR. CHAMBERS: That's probably pretty small. That's probably --

COMMISSIONER LANAGHAN: Well, eyeballing, it's probably four-foot by 20 feet, so there's 80 feet.

MR. CHAMBERS: Yes.

COMMISSIONER LANAGHAN: So, that could be half of your variance right there. You know, your walkway to the north is probably around, I'm guesstimating 70 to 75 feet?

MR. CHAMBERS: Yes, that's probably it.

COMMISSIONER LANAGHAN: Between the two, you're probably pretty darn close to having your variance not required.

MR. CHAMBERS: Yes, and I'm open to that.

COMMISSIONER LANAGHAN: Yes, and then I don't know about that other brick patio.

MR. CHAMBERS: That's not there anymore. That was some old --

COMMISSIONER LANAGHAN: So, was that calculated in?

MR. CHAMBERS: It was I believe. It's pretty small.

COMMISSIONER LANAGHAN: In the impervious? Do we know?

MS. NADEEM: It is calculated in, yes.

MR. CHAMBERS: It was, yes.

COMMISSIONER LANAGHAN: So, I mean, if that's gone already and you can take out the patio behind the garage which you're planning on getting rid of anyway, and you can get rid of the brick walkway and convert maybe the walkway, it sounds like the only thing you actually need, convert that to a pervious, you probably don't need a variance for impervious surface coverage.

MR. CHAMBERS: Okay, yes, I'm definitely open to that.

COMMISSIONER LANAGHAN: Am I stating anything, Staff, that is incorrect here?

MR. OSOBA: No. The only clarifying point, Chair, through you is the permeable pavers or the permeable surface will still technically count towards impervious surface. It will just mitigate the potential effects better than concrete or asphalt.

MR. CHAMBERS: Now, if I had mulch or an attempt at grass or something that's not --

MR. OSOBA: Yes, that's fine, yes.

COMMISSIONER LANAGHAN: And then the stuff on the south side of the garage, you said that was --

MR. CHAMBERS: I believe that was calculated in per my architect, and that's just brick pavers. So, and that's something I have no problem, and that was about four by 25 feet, so that's 100 feet right there.

COMMISSIONER LANAGHAN: That's a 100 feet there between all of these things, if you can pull out some of this brick, yes, it says brick walk over there on this one, so if you pull those out and change them either to just a loose gravel would probably be a pervious surface, correct?

COMMISSIONER SIAVELIS: Permeable.

COMMISSIONER LANAGHAN: Or permeable surface. If you don't

need it, just get rid of it.

MR. CHAMBERS: Yes. Yes.

COMMISSIONER LANAGHAN: And make it a lot simpler.

MR. CHAMBERS: Yes.

ACTING CHAIRPERSON DRAKE: And not knowing whether we're going to have a neighbor coming behind you who has something to say, you're open to doing that?

MR. CHAMBERS: Absolutely, yes.

ACTING CHAIRPERSON DRAKE: Okay.

COMMISSIONER LANAGHAN: No further questions here.

ACTING CHAIRPERSON DRAKE: Any other questions from the

Board?

(No response.)

ACTING CHAIRPERSON DRAKE: Okay, sir, thank you.

MR. CHAMBERS: All right, thank you.

ACTING CHAIRPERSON DRAKE: Is there anyone in the audience who'd like to speak on this petition?

(No response.)

ACTING CHAIRPERSON DRAKE: None, okay.

Can we have a motion to close public testimony?

COMMISSIONER SIAVELIS: Motion, so moved.

COMMISSIONER LANAGHAN: Second.

ACTING CHAIRPERSON DRAKE: All in favor?

(Chorus of ayes.)

ACTING CHAIRPERSON DRAKE: Okay, Jeff, do you want to start us off?

COMMISSIONER LANAGHAN: Yes, I'd love to start. I don't have a problem with this patio in front. I do recognize the nook. When I first looked at it, I thought it was fairly deep, not recognizing that there was a nook by the door.

COMMISSIONER SIAVELIS: The porch you mean?

COMMISSIONER LANAGHAN: The porch, yes. That pushes that out so they really need to have a little more depth to get down through there. So, I'm okay with the porch.

As far as the impervious, it certainly sounds like there is a solution here via removing some existing brick and/or converting it to a more pervious surface. So, I'm in favor of this, we'll just have to figure out how to phrase this in the motion.

COMMISSIONER SIAVELIS: Concur.

ACTING CHAIRPERSON DRAKE: Okay, would you like to make the motion?

COMMISSIONER LANAGHAN: I would love to make the motion. I move to approve the -- give me one second here so I'm actually addressing this properly.

I move to approve the 7.13-foot variance from Chapter 28 for the required front yard setback, and Petitioner has offered to remove the brick pavers and either replace it with an impervious surface, or excuse me, replace it

with a permeable surface in order to not need the second variance. So, based upon his working with Engineering to come up with a permeable surface replacement for the various brick patios and walkways that are currently shown, I think that's it I guess.

COMMISSIONER SIAVELIS: That's your motion now.

COMMISSIONER LANAGHAN: That's my motion, I've got to stop now.

ACTING CHAIRPERSON DRAKE: I think you've got it. Do we have a second?

COMMISSIONER SIAVELIS: Do you want to second, Frank, or do you want to me to do it?

COMMISSIONER PORTERA: I'll second. Thanks, Peter.

MR. OSOBA: And, Chair, just so that we can make sure that we have the motion correct as we're writing it up, that the condition was to remove the brick pavers as the Petitioner stated, replace them with a permeable solution that's acceptable to Engineering, and that surface replacement work would happen at the time of building permit.

COMMISSIONER LANAGHAN: Correct. You said it much better than I did. Thank you.

ACTING CHAIRPERSON DRAKE: You both did a good job.

COMMISSIONER SIAVELIS: Yes.

ACTING CHAIRPERSON DRAKE: Take the roll call, please.

MS. NADEEM: Mr. Hogaboom.

COMMISSIONER HOGABOOM: Yes.

MS. NADEEM: Mr. Footlik.

COMMISSIONER FOOTLIK: Yes.

MS. NADEEM: Mr. Portera.

COMMISSIONER PORTERA: Yes.

MS. NADEEM: Mr. Lanaghan.

COMMISSIONER LANAGHAN: Yes.

MS. NADEEM: Mr. Siavelis.

COMMISSIONER SIAVELIS: Yes.

MS. NADEEM: Acting Chair Drake.

ACTING CHAIRPERSON DRAKE: Yes.

Motion carries.

MR. CHAMBERS: Thank you.

ACTING CHAIRPERSON DRAKE: Congratulations. Good luck with your project.

MR. CHAMBERS: I'm assuming they'll follow up then with next steps?

ACTING CHAIRPERSON DRAKE: Staff will be back in touch with you on how all this works.

MR. CHAMBERS: Thank you.

ACTING CHAIRPERSON DRAKE: Okay, and you're welcome to leave, you're welcome to stay.

MR. CHAMBERS: Appreciate it. Thank you.

(Whereupon, the public hearing on the above-mentioned petition was adjourned at 7:53 p.m.)

ZONING BOARD

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

OF APPEALS

RE: 802 EAST JENNIFER COURT - ZBA #26-008

REPORT OF PROCEEDINGS had before the Village of  
Arlington Heights Zoning Board of Appeals taken at the Arlington Heights  
Village Hall, 33 South Arlington Heights Road, 1st Floor, Buechner Room,  
Arlington Heights, Illinois on the 11th day of May, 2026 at the hour of  
7:53 p.m.

MEMBERS PRESENT:

TOM DRAKE, Acting Chairperson  
DAVID HOGABOOM  
FRANK PORTERA  
PETER SIAVELIS  
JEFF LANAGHAN  
JOE FOOTLIK  
BENJAMIN JAFFE (Not Present)

ALSO PRESENT:

DAN OSOBA, Planner II  
DARKO BOJIN, Planner I  
BASMAH NADEEM, Planner I

ACTING CHAIRPERSON DRAKE: Okay, New Business Item B, 802 East Jennifer Court.

Have you signed in?

MR. SENOPOLE: Yes.

ACTING CHAIRPERSON DRAKE: Okay, would you state your name and address?

MR. SENOPOLE: Kevin Senopole, 802 East Jennifer Court.  
(Witness sworn.)

ACTING CHAIRPERSON DRAKE: Okay, could we have the Staff report, please?

MS. NADEEM: Yes. The Petitioner is proposing a six-foot privacy fence set back zero feet from the exterior side yard's property line, facing North Beverly Lane. The fence line is proposed to be behind the vision triangle, at least 12 feet from the intersecting property lines on North Beverly Lane and East Charles Street to provide sight lines for pedestrians and drivers. As the fence will be located on the property line, the Applicant is not proposing to place the required landscaping on the outside perimeter of the fence of the exterior side yard.

Therefore, the Applicant is requesting the following variation:

- A five-foot variance from Chapter 28, Section 6.13-3(c)(1) to allow a six-foot fence set back zero feet from the exterior side lot line with no landscaping on the street side of the fence, where the required setback is five feet from the exterior side lot line with a minimum of three-foot-high landscaping spaced a maximum of four feet on center, to be provided on the street side of the fence.

ACTING CHAIRPERSON DRAKE: Okay.

MR. SENOPOLE: That's pretty accurate.

ACTING CHAIRPERSON DRAKE: I would hope so. All right, you're on.

MR. SENOPOLE: Okay, as for point one, proposed use will not alter the essential character of the locality, for that, I would say that the existing landscape is mature, above 10 feet along Beverly. So, I don't feel like it will be an eyesore with just a fence. There's quite a bit of landscaping there and trees in the parkway. So, I feel like it's good in the local setting.

For point number two, the plight of owner due to unique circumstances, for that I have a couple of points. We have a lot of trash that seems to land in our bushes, beer bottles. I have three kids, and they find beer bottles, and we have a new pot shop at the end of the corner and I find that --

COMMISSIONER SIAVELIS: A new what?

MR. SENOPOLE: A pot shop, a dispensary --

COMMISSIONER SIAVELIS: Okay.

MR. SENOPOLE: -- and that is trash in my yard that I am finding now pretty frequently. The fence would help keep that out of my yard and away from my dog as well and children. So, between the beer bottles and that, that's something, yes.

In addition, there's been quite a few instances where we've had to call 911 for homeless individuals along Charles Street and Beverly where they've been peeking through the fence and on the Beverly section where they've been hiding in the property gap right now. Right now, the fence is half the distance from the building to the sidewalk, and that open gap area, they've been loitering and lingering. We find quite a few amount of things in that area.

As for point number three, the proposed variation is in harmony with the spirit and intent of this Chapter. For that, I guess just a reasonable request for the six-foot fence at the property line, again, with the landscaping mature. It sounds like I'm repeating myself, sorry.

Then, point number four, the variance requested is the minimum variance necessary to allow reasonable use of the property. So, for this one, my property is a bit unique. It's a peninsula, I'm surrounded by three streets. So, in that case, it creates additional setback and fencing limitations not applicable to interior lots. So, it limits the usage of yard space and creates an irregular fenced area compared to other lots.

All three of my kids play multiple sports and we like to do baseball together. They're on the Cardinals baseball team, all three of them. So, we like to do pitching and we're on the side of the property and kind of we're constantly chasing balls around because the current inside area is not big enough for us to do the pitching inside. So, we'd like to be able to use all of the property within that area of the fence.

So, I'd say that's about it in terms of my arguments.

ACTING CHAIRPERSON DRAKE: Okay, I have a few questions. The fence that we're seeing in the photographs that were submitted --

MR. SENOPOLE: Yes?

ACTING CHAIRPERSON DRAKE: -- is that fence coming down?

MR. SENOPOLE: Yes, that fence would come down.

ACTING CHAIRPERSON DRAKE: Okay, how high is that fence right now?

MR. SENOPOLE: That's five feet.

ACTING CHAIRPERSON DRAKE: Five feet, okay. What about your neighbors? Have you talked to the neighbors around you?

MR. SENOPOLE: I have. We're pretty close with all of our neighbors actually. It's a really good area, and none of them have had an issue with it. I've actually gotten text messages of them joking around, saying like do you need me to come and advocate for you or come and support you? I said no, it's fine.

ACTING CHAIRPERSON DRAKE: Good, that's great then.

COMMISSIONER SIAVELIS: Did any of them voice opposition?

MR. SENOPOLE: No.

ACTING CHAIRPERSON DRAKE: Okay, did you have a chance to see the comments on the website from the three different departments?

MR. SENOPOLE: Yes, there was no comments from the departments on this.

ACTING CHAIRPERSON DRAKE: That's another good thing for you, okay. How long in the home?

MR. SENOPOLE: I'd say --  
 ACTING CHAIRPERSON DRAKE: How long have you lived in the home?

MR. SENOPOLE: 11 years now, 10 years.  
 ACTING CHAIRPERSON DRAKE: Family of five, is that what you said?

MR. SENOPOLE: Yes.  
 ACTING CHAIRPERSON DRAKE: Okay, that's all I have.  
 Anybody, questions, comments?

COMMISSIONER FOOTLIK: I have a question. Along Charles Street, it looks like that fence is curving off your property line. Are you planning on replacing that fence in the same fashion, not on your property line?

MR. SENOPOLE: Sorry, yes, because in the plat I highlighted the picket where it curves. I am not planning on that; I'm planning on keeping it straight. I just noticed that actually as I was looking at it now. I am not planning on following the split rail fence that is highlighted in yellow. I am planning on following the property line where the fence currently exists right now.

COMMISSIONER FOOTLIK: Okay, appreciate the fact, it looks like you're chamfering the corner there just to keep sight lines open coming from Charles Street?

MR. SENOPOLE: Yes, because, the point of that is the obstruction of view. I didn't want to encroach in that. If you guys want to throw that in there, I'm more than happy to, but I felt like that might be pushing the envelope so I left the 12-foot there.

COMMISSIONER FOOTLIK: I think it's a great idea to chamfer it like that.

COMMISSIONER LANAGHAN: Agree.

MR. SENOPOLE: Yes. No arguments.

COMMISSIONER LANAGHAN: I'm looking at one picture where your son is in the backyard and he's got a soccer ball and you've got the fence, and then there's a row of arborvitae or something outside of that. Is that on Charles? Is that on Beverly? It's down at the bottom actually.

MR. SENOPOLE: Sorry, didn't bring my glasses.

COMMISSIONER LANAGHAN: Right there. What am I, which direction am I looking at here?

MR. SENOPOLE: Okay, yes, this is Beverly.

COMMISSIONER LANAGHAN: That's Beverly on that side?

MR. SENOPOLE: Yes. So, these are the arborvitaes that I was talking about, the mature landscaping.

COMMISSIONER LANAGHAN: And where, I'm a little confused as to where that is in relationship to, are you putting the fence outside of that I guess?

MR. SENOPOLE: Correct.

COMMISSIONER LANAGHAN: Or inside of that? It's going on the outside those trees?

MR. SENOPOLE: It would go on the outside of this current view, on the right-hand side.

COMMISSIONER LANAGHAN: Okay, and that would be at the property line then?

MR. SENOPOLE: Yes.

COMMISSIONER LANAGHAN: Got it, okay. Yes, I was trying to figure out where --

ACTING CHAIRPERSON DRAKE: Okay, yes, I was looking at the same picture.

Any other comments?

COMMISSIONER HOGABOOM: My only comment, I walk my dog past that. I've never met this gentleman before but I walk my dog past the back of this house. The amount of traffic that goes through there is crazy.

COMMISSIONER SIAVELIS: Are we talking about pedestrian traffic?

COMMISSIONER HOGABOOM: No, car traffic. I don't know if it's a cut-through.

MR. SENOPOLE: Nice meeting you, by the way.

COMMISSIONER HOGABOOM: Your dog yells at my dog sometimes.

MR. SENOPOLE: He's a new puppy.

COMMISSIONER HOGABOOM: Yes.

MR. SENOPOLE: You know, he's saying hi to everyone. It is a well-trafficked area. I actually get comments very frequently of what you just said of, oh, well, we love walking that route. So, that's, you know, one of the things where we wanted to move to a privacy fence is because we're making eye contact as heads bob along the way on the current five-foot fence and then you can see in between the slats. So, we wanted to move to a privacy style, six-foot.

COMMISSIONER HOGABOOM: With just the number of traffic, I'm sure there's garbage being thrown out. For that neighborhood, it's just amazing.

MR. SENOPOLE: Yes.

COMMISSIONER SIAVELIS: Are you one of those folks throwing blueberry banana --

COMMISSIONER HOGABOOM: No, but I'm going to go try it.

COMMISSIONER SIAVELIS: -- in his yard, because that's what the record shows. You can see it right here. So, I'm not sure if we've vetted the new members --

COMMISSIONER HOGABOOM: Yes, I know. No.

MR. SENOPOLE: He seems like he'd be more of the Miller Lite bottles that I'm finding.

COMMISSIONER SIAVELIS: All right, fair enough. Cameras, I suggest you install them.

MR. SENOPOLE: Yes, that Ring doorbell is apparently not enough.

ACTING CHAIRPERSON DRAKE: Any other questions, comments?

(No response.)

ACTING CHAIRPERSON DRAKE: Okay, sir, thank you very much.

Anyone in the audience who would like to comment on this? Once? Twice?

(No response.)

ACTING CHAIRPERSON DRAKE: Okay, could we have a motion to close down the public testimony?

COMMISSIONER LANAGHAN: So moved.

COMMISSIONER SIAVELIS: Second.

ACTING CHAIRPERSON DRAKE: Voice vote, everybody in favor?  
(Chorus of ayes.)

ACTING CHAIRPERSON DRAKE: Okay, I'll start off. I think the Petitioner has satisfied all the requirements. There is no neighbor push-back or support. All three of our departments have no comments. I understand completely what he's trying to do in terms of safety and protecting his lot. So, I'm in favor of this.

COMMISSIONER SIAVELIS: Concur.

ACTING CHAIRPERSON DRAKE: Do we have a motion?

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

COMMISSIONER SIAVELIS: Second.

ACTING CHAIRPERSON DRAKE: Staff, could we have roll call?

MS. NADEEM: Mr. Hogaboom.

COMMISSIONER HOGABOOM: Yes.

MS. NADEEM: Mr. Footlik.

COMMISSIONER FOOTLIK: Yes.

MS. NADEEM: Mr. Portera.

COMMISSIONER PORTERA: Yes.

MS. NADEEM: Mr. Lanaghan.

COMMISSIONER LANAGHAN: Yes.

MS. NADEEM: Mr. Siavelis.

COMMISSIONER SIAVELIS: Yes.

MS. NADEEM: Acting Chair Drake.

ACTING CHAIRPERSON DRAKE: Yes.

Motion passes, thank you.

MR. SENOPOLE: Thank you all.

ACTING CHAIRPERSON DRAKE: Good luck on your project, sir.

MR. SENOPOLE: Thank you.

(Whereupon, the public hearing on the above-mentioned petition was adjourned at 8:03 p.m.)

ZONING BOARD

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

OF APPEALS

RE: 1213 W EUCLID AVENUE - ZBA #26-009

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 11th day of May, 2026 at the hour of  
8:03 p.m.

MEMBERS PRESENT:

TOM DRAKE, Acting Chairperson  
DAVID HOGABOOM  
FRANK PORTERA  
PETER SIAVELIS  
JEFF LANAGHAN  
JOE FOOTLIK  
BENJAMIN JAFFE (Not Present)

ALSO PRESENT:

DAN OSOBA, Planner II  
DARKO BOJIN, Planner I  
BASMAH NADEEM, Planner I

ACTING CHAIRPERSON DRAKE: Okay, last item under New Business, 1213 West Euclid.

Hi. Signed in?

MR. GINNODO: Right.

ACTING CHAIRPERSON DRAKE: I figured you would. Could you raise your hand?

MR. GINNODO: I can.

ACTING CHAIRPERSON DRAKE: Tell us who you are?

MR. GINNODO: Keith Ginnodo, Kingsley Ginnodo Architects.

(Witness sworn.)

ACTING CHAIRPERSON DRAKE: Okay, could we have the Staff report?

MR. BOJIN: The property is zoned R-3 Residential Single-Family District, and the Petitioner is proposing to construct an addition to the rear of the house. The proposed addition expands the existing and non-conforming side yard setback along the east of the property, and the side yard setback to the west is also existing non-conforming.

Therefore, the Petitioner is requesting the following variances:

- A one-foot variation from Chapter 28, Section 5.1-3.3(b) to allow an addition that is set back 6.6 feet from the west side lot line where the required minimum setback is 7.6 feet; and
- A 1.85-foot variation from Chapter 28, Section 5.1-3.3(b) to allow an addition that is set back 5.75 feet from the east side lot line where the required minimum setback is 7.6 feet.

Thank you.

COMMISSIONER LANAGHAN: So, just before we get started, this second variance is on the east side, not the west side; is that correct?

MR. BOJIN: Yes, that's correct.

COMMISSIONER LANAGHAN: Okay, thank you.

ACTING CHAIRPERSON DRAKE: You want to take it on, Frank?

COMMISSIONER PORTERA: Yes, do you want to go ahead and --

MR. GINNODO: Sure, I have a few things I could say here.

ACTING CHAIRPERSON DRAKE: Yes, sorry about that.

MR. GINNODO: No, all very good.

ACTING CHAIRPERSON DRAKE: Learning on the job.

MR. GINNODO: That's cool, it's very cool, and welcome to the new Commissioners.

We're actually really only asking for one variation, and the Planning Department has thrown in this other one which doesn't have anything to do with our project. I'm happy to accept another variation but if that hangs anything up, I'd like to ignore it. We're only asking for a variation on the east side of the property. Our building is extending the existing building line to the south and it's just that area, 12-and-a-quarter inches of encroachment on the east side yard setback.

We don't believe it will have any deleterious effect on the essential character. The property probably precedes the criteria of the Zoning Ordinance, that's why it's currently non-conforming because maybe it was zoned after the building was already in place.

In harmony with the spirit of the neighborhood, we're just extending the existing house that has the same character. The depth that we're encroaching is negligible and it's just an extension of the existing side yard setback.

COMMISSIONER PORTERA: Okay, thank you. Any neighbor opposition, any neighbor feedback?

MR. GINNODO: No negative, right. In fact, there should be in the record several petitions that support it. Did you get anything like that?

MR. BOJIN: Prior to --

COMMISSIONER PORTERA: I don't think there were any in our packet either.

MR. GINNODO: Okay, so did you get some, some people signed up and said --

MRS. THOMPSON: We have, yes, all our neighbors we had sign --

MR. GINNODO: Okay, if we need it, we can get that document.

COMMISSIONER SIAVELIS: So, Keith, you basically on the south side of this, the southern edge of this structure, it's existing non-conforming, right, in the side yard setback?

MR. GINNODO: Yes, the east side.

COMMISSIONER SIAVELIS: Oh, east side, I'm sorry.

MR. GINNODO: Yes, north is to the right. Sorry about that.

COMMISSIONER SIAVELIS: Yes, yes, yes, okay. Yes, east side.

COMMISSIONER LANAGHAN: West side they're not touching and it's also existing non-conforming.

COMMISSIONER SIAVELIS: Yes, exactly, but you're just essentially continuing that one wall along.

MR. GINNODO: Yes.

COMMISSIONER SIAVELIS: Okay, yes.

ACTING CHAIRPERSON DRAKE: If this were to pass, would those e-mails make any difference after the fact?

MR. OSOBA: They can be provided for the record, but --

ACTING CHAIRPERSON DRAKE: They're not necessary.

MR. OSOBA: -- it doesn't matter either way.

ACTING CHAIRPERSON DRAKE: Right, okay.

MR. GINNODO: Yes, so I'm still trying to understand why we need a variance. I don't want a variance for that, but these guys have kind of gone through it and figured out --

COMMISSIONER LANAGHAN: Well, you have an existing non-conforming.

MR. GINNODO: Yes.

COMMISSIONER LANAGHAN: So, your existing building doesn't conform so you need a variance to basically keep the wall where it's at.

MR. GINNODO: And if it weren't approved, I would have to remove

that?

COMMISSIONER LANAGHAN: Yes, I don't know the --

MR. GINNODO: Okay, this is the first time it's happened where this has occurred.

COMMISSIONER LANAGHAN: Yes, I know.

MR. GINNODO: So, I don't want to throw anybody under the bus, I just want to understand it.

COMMISSIONER LANAGHAN: But that's usually a pretty good hardship actually. It already exists that way and, you know, you can't tear it down.

MR. GINNODO: All right, so you've already been in the process of making non-conforming buildings conform even though it's not part of the project that I'm associated with.

COMMISSIONER SIAVELIS: Not directly part of it, right.

MR. GINNODO: Right, okay. I'm all good with that, and thanks, we got an extra variation. That's all I had.

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

Thank you.

ACTING CHAIRPERSON DRAKE: Anyone else?

COMMISSIONER FOOTLIK: Is that existing building considered legal non-conforming?

MR. BOJIN: It is, and it's a technicality in the code where any expansion of the building triggers that because you're enlarging the entire principal building which includes that existing non-conforming. So, yes, you're not expanding in that direction but you're touching the building, so any changes to the building would probably have to come to compliance.

MR. GINNODO: All right, so we'll anticipate that from now on. Thank you; appreciate it.

COMMISSIONER SIAVELIS: Duly noted?

MR. GINNODO: Duly noted, exactly.

ACTING CHAIRPERSON DRAKE: Okay, anyone else, questions?

(No response.)

ACTING CHAIRPERSON DRAKE: Okay, thanks, Keith.

Anyone in the audience who wants to speak on this?

(No response.)

ACTING CHAIRPERSON DRAKE: Okay, could we --

COMMISSIONER SIAVELIS: I motion.

ACTING CHAIRPERSON DRAKE: Motion.

Do we have a second?

COMMISSIONER LANAGHAN: Second.

ACTING CHAIRPERSON DRAKE: To close public testimony.

Okay, Frank?

COMMISSIONER PORTERA: Great. This is a pretty straightforward one. If anything, a learning and teaching moment for us to figure out when, you know, both sides of the house are triggered for variance purposes. But totally reasonable ask, no neighbor opposition, just extending the existing non-conforming use. So, I'm in favor for both of these variances as presented.

ACTING CHAIRPERSON DRAKE: Any comments? Is there a motion?

COMMISSIONER PORTERA: I move to approve both variances.

COMMISSIONER SIAVELIS: I second.

COMMISSIONER LANAGHAN: Do we need to have a note in there that, because the package says both of them are on the west side when actually say one is on the east side, do we need to address that?

COMMISSIONER SIAVELIS: Can't they --

COMMISSIONER LANAGHAN: Is that a Staff adjustment?

COMMISSIONER SIAVELIS: Yes, correct it.

MR. OSOBA: We can correct it, yes, to make sure that it's understood that --

COMMISSIONER LANAGHAN: Okay, I just wanted to make sure it was out there.

COMMISSIONER SIAVELIS: That correction does not impact your motion; does it?

COMMISSIONER PORTERA: It does not, no.

COMMISSIONER LANAGHAN: Perfect. I'm good with that.

ACTING CHAIRPERSON DRAKE: So, that was a typo basically?

COMMISSIONER SIAVELIS: That's right.

MR. BOJIN: That's correct.

ACTING CHAIRPERSON DRAKE: All right, could we have roll call, please?

MR. BOJIN: Mr. Hogaboom.

COMMISSIONER HOGABOOM: Yes.

MR. BOJIN: Mr. Footlik.

COMMISSIONER FOOTLIK: Yes.

MR. BOJIN: Mr. Portera.

COMMISSIONER PORTERA: Yes.

MR. BOJIN: Mr. Lanaghan.

COMMISSIONER LANAGHAN: Yes.

MR. BOJIN: Mr. Siavelis.

COMMISSIONER SIAVELIS: Yes.

MR. BOJIN: Acting Chair Drake.

ACTING CHAIRPERSON DRAKE: Yes.

Motion passes.

MR. GINNODO: Thank you.

ACTING CHAIRPERSON DRAKE: Thank you.

Okay, Item VI. Other Business. Do we have any other business?

(No response.)

ACTING CHAIRPERSON DRAKE: Item VII. Public Comment. Anyone from the public who wish to comment? Anybody from the public out there?

COMMISSIONER SIAVELIS: Cheap seats.

ACTING CHAIRPERSON DRAKE: I don't think so. I'm from the public; I'd like to make a comment. Welcome to Joe.

COMMISSIONER FOOTLIK: Thank you.

ACTING CHAIRPERSON DRAKE: Welcome to Dave. Glad to have you on the Board.

COMMISSIONER HOGABOOM: Thank you.

ACTING CHAIRPERSON DRAKE: Thanks for joining us.

COMMISSIONER FOOTLIK: Cool to see how this gets going.

COMMISSIONER SIAVELIS: There'll be a little something extra in your paycheck. A little, very little.

COMMISSIONER LANAGHAN: As in non-existent.

ACTING CHAIRPERSON DRAKE: All right, do we have a motion to adjourn?

COMMISSIONER LANAGHAN: So moved.

COMMISSIONER SIAVELIS: Second.

ACTING CHAIRPERSON DRAKE: All in favor?

(Chorus of ayes.)

ACTING CHAIRPERSON DRAKE: Motion carries.

(Whereupon, the public hearing on the above-mentioned petition was adjourned at 8:12 p.m.)

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. 2026.

\_\_\_\_\_  
NOTARY PUBLIC