



VILLAGE OF PALATINE

VILLAGE HALL - COUNCIL CHAMBERS 200 E. WOOD STREET
PALATINE, IL 60067-5339 – (847) 359-9050
<http://www.palatine.il.us>

PLANNING AND ZONING COMMISSION

MINUTES • JANUARY 28, 2025

Village Hall - Council Chambers

Regular Meeting

7:00 PM

I. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Patrick Noonan	Commissioner	Absent	
Cindy Roth-Wurster	Commissioner	Present	
Eric Friedman	Vice Chairperson	Present	
Jan Wood	Chairperson	Present	
Rodney Bettenhausen	Commissioner	Present	
Robert Kolososki	Commissioner	Present	
Kevin Cavanaugh	Commissioner	Present	
Stephen Fedota	Commissioner	Absent	
Tim Schubert	Commissioner	Present	

II. MEETING MINUTES

1. Planning and Zoning Commission - Regular Meeting - Jan 14, 2025 7:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Eric Friedman, Vice Chairperson
SECONDER:	Rodney Bettenhausen, Commissioner
AYES:	Roth-Wurster, Friedman, Wood, Bettenhausen, Kolososki, Cavanaugh, Schubert
ABSENT:	Noonan, Fedota

III. PUBLIC HEARING

1. 15 S Rose Street

SU-000151-2024 – 15 S Rose Street

Notice was published in the Journal & Topics on January 9, 2025 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

- . **Application**
- . **Proof of Ownership**
- . **Plat of Survey**
- . **Site Plan**
- . **Elevations and Floor Plans**
- . **Public Notice**

Background:

The Subject Property is zoned R-3 multi-Family and is approximately 6,050 square feet. The property was annexed into the Village in 1869 and currently consists of a single-family residence with a patio and detached garage in the rear yard.

The Petitioner is proposing to build an addition that encroaches into the required minimum side yard and rear yard setbacks. The Petitioner is requesting a Special Use to permit an addition to be set back 28 feet from the rear lot line, instead of the minimum required 40 feet and approximately 6 feet from the side yard to the south instead of the minimum required 11 feet.

Sworn in Petitioner: DonnaLee Floeter – 3306 Hayes St, Evanston – Architect, hired by the homeowners of 15 S Rose for an addition and remodel.

Ms. Floeter states that the homeowners purchased the property last fall after relocating from Tennessee to be closer to their son and family. The home is a single-story framed house with a basement and a detached garage in poor condition. Their goal is to create a safe and comfortable living space, with an attached garage being a key component. Due to the lot's layout, any placement of an attached garage would require a special use. The proposed plan includes interior remodeling, as outlined in the submitted plans, and an attached garage to provide secure and convenient access to the home, particularly during inclement weather.

Commissioner Kolososki asks when the house was originally built. Ms. Floeter states it was built in the 1950s.

Commissioner Friedman asks if alternative solutions would require the same degree of zoning relief as the proposed plans. Ms. Floeter explains that due to the existing house layout, the most practical placement for the attached garage is on the north side. Any attached garage configuration would require zoning relief. Alternative options placed the garage further forward but obstructed the south-facing windows of the living and dining

rooms. The current design is intended to support aging-in-place, providing ample space for mobility within the home.

Commissioner Kolososki refers to the sliding doors shown on the plan and asks if there will be a patio.

Ms. Floeter confirms that there is an existing patio, which will remain the same size. She also notes that they have hired Bona Consulting, a civil engineering firm, to address grading and drainage concerns, as managing water flow is a critical issue that must be resolved before construction can begin.

Commissioner Roth-Wurster asks if the garage height will match the house. Ms. Floeter states that it will be about the same height or slightly shorter than the house and will remain a single-story structure.

Ms. Bremanis confirms that it is a single-story addition and will comply with the lot coverage code. She explains that there are limited options for placement without encroaching into the setbacks. The proposed lot coverage is at 49%, while the maximum allowable is 50%, meaning it remains within compliance. She also notes that the property is zoned R3, which permits this use, and that the surrounding area includes both single-family and some multi-family residences within the same zoning district.

STAFF RECOMMENDATION:

The Petitioner proposes to construct a home addition to the side and rear of the existing residence. The Subject Property has a non-conforming required rear yard setback and cannot be expanded without zoning relief. Additionally, the existing side yard setback is minimal and incorporating a functional attached garage will also require relief.

No issues were identified by Community Services or Engineering. The proposed addition is not anticipated to cause any substantial injury to the value of surrounding properties. Therefore, Staff recommends approval of the requested Special Use, subject to the following condition:

1. The Special Use shall substantially conform to the Site Plan and Elevations submitted by the DonnaLee Floeter, architect dated 12/03/2024, except as such plans may be changed to conform to the Village's Codes and Ordinances.
2. A final drainage plan shall be submitted in a manner acceptable to the Village Engineer, in conjunction with the build permit application. All drainage must exit the property through the front. Directing storm runoff to neighboring properties is strictly prohibited.

There were no further questions. The public hearing was closed.

Commissioner Schubert Made a motion to approve subject staff's conditions; seconded by Commissioner Ruth-Wurster.

DISCUSSION:

Commissioner Schubert states that he likes the design and agrees that bringing the garage forward improves safety while also allowing for more backyard space—calling it a very nice design.

Commissioner Roth-Wurster states that the standards have been met and that the design is a good idea, adding that it will be a great addition to the property.

Chairman Wood notes that the lot is small, substandard, and non-conforming, which limits options. However, the neighborhood will benefit from the project, and it will add value to the area. She emphasizes that the design stays within the lot coverage limits and will enhance the health and safety of the homeowners. She affirms that the standards have been met.

Commissioner Friedman points out that few plans reduce the impervious area on a property, but this proposal achieves that by removing the detached garage. He concludes that it will be a positive addition to the neighborhood.

Chairman Wood summarized that this request has met the standards and was unanimously approved by a vote of 7-0. This item will tentatively go to Village Council on Monday, February 10, 2025.

RESULT:	RECOMMEND TO APPROVE [UNANIMOUS]
MOVER:	Tim Schubert, Commissioner
SECONDER:	Cindy Roth-Wurster, Commissioner
AYES:	Roth-Wurster, Friedman, Wood, Bettenhausen, Kolososki, Cavanaugh, Schubert
ABSENT:	Noonan, Fedota

2. 1101 S Smith Street

SU-000147-2024 – 1101 S Smith St

Notice was published in the Journal & Topics on January 9th, 2025 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

- . Application
- . Proof of Ownership
- . Plat of Survey-Site Plan
- . Elevation
- . Letter of Support
- . Public Notice

Background:

The Subject Property, zoned R-1 Single-Family Residential and is approximately 22,000 square feet (0.5 acres). It was annexed into the Village in 1990 and the attached garage was built in 2021 and met the minimum setback (15 feet) from the side lot line.

The Petitioner subsequently constructed an addition, without a permit, on the south side of the garage, which now encroaches into the required minimum 15-foot side yard setback. The Petitioner is requesting approval for a Special Use to permit an addition to be set back 5 feet from the side yard lot line, instead of the minimum required 15 feet.

Sworn in petitioner: Ken Ligon – 1101 S Smith Street. & Claudette Cooper 1101 S Smith Street

Mr. Ligon states that he was unaware that a permit was required for the shed he built. He explains that the shed is located off the side of the house and is set 7 feet from the property line.

He further explains that he previously built a garage in 2021, replacing an old garage that had a shed attached to it, which was only 2 feet from the property line. He clarifies the property layout and mentions that after removing a fence, his neighbor now has access to move between the back and front of their house.

Mr. Ligon apologizes for not obtaining the necessary permits and states that the shed is used solely for storing lawn furniture. He notes that his large backyard contains a significant amount of outdoor furniture, which he previously covered with a tarp, creating an eyesore and reducing the furniture's longevity. He emphasizes that the shed has no electricity or sewer connections and is not accessible from the garage—it is strictly for storage. He adds that, being on a corner lot, the tarped furniture was highly visible and unsightly, which is why he built the shed.

Chairman Wood asked for clarification about the shed and how long Mr. Ligon had owned the house.

Mr. Ligon responded that they've been there for 38 years. They purchased the home when it was unincorporated Cook County. There was originally a shed in the same location that was built in approximately 1988. He states that his neighbors have remained the same since Mr. Ligon's purchase of the house, although it is now the son and daughter-in-law who own the neighboring property and they are in favor of the shed.

Chairman Wood asked if, before the shed was built, there would have been another place on the property to build the shed without encroaching on the setback.

Mr. Ligon explained that it was the perfect place to build the shed due to the outdoor furniture in both the front and back yards, making it the most convenient location.

Commissioner Friedman asks if there is another shed on the property and he wonders if a better solution would have been to rotate it 90 degrees and built it off the back of the garage.

Mr. Ligon states there is a maple tree and it may have been able to be placed at the corner, but the tree branches would overhang.

Commissioner Roth-Wurster notes that the garage built in 2021 required a 15' set back and wonders why there was confusion on a permit for the shed and the setback requirements?

Mr. Ligon states he didn't realize because, in his mind, it was just a shed holding furniture.

Commissioner Schubert asks if the driveway was constructed after the shed was built or if it was always like that. Mr. Ligon states it was always there.

Commissioner Bettenhausen asks if they thought about tearing down the shed in the back corner of the lot and getting a bigger shed. Mr. Ligon states that the shed houses his lawn equipment and snow blowers, and the lawn furniture is too heavy to be moved to the back of the yard.

Chairman Wood states it is more of a convenience factor. Mr. Ligon states that is correct and they just wanted to get the furniture off the patio in the winter months. Chairman Wood views the site plan again and works to determine if there would have been any other solution. Mr. Ligon believes the solution he has works best for him.

Commissioner Cavanaugh questions the driveway and asks if the apron was part of the garage build and approved? Ms. Bremanis states it was and approved. Originally, they wanted a 3-car detached garage, but it was denied as it was too close to the lot line. She goes on to explain that the garage is now attached to the house – a single primary structure, not a detached garage. The shed is attached and goes into the 15' setback.

Commissioner Cavanaugh states the garage is 15' from the setback and we allowed the driveway apron to go over. Ms. Bremanis explains that driveways can encroach into the setback as long as they meet the requirements for maximum width and a 2' setback from the lot line, which the plans did. Commissioner Cavanaugh states it's a large, odd-shaped driveway, and if we approved the driveway, he can understand how the homeowner may have been confused.

Ms. Bremanis clarifies that the driveway didn't need approval or relief – they only needed a building permit.

Mr. Ligon states that the previous shed had no space between the shed and the property line next to them for 35 years. He believes the new shed is a better solution, noting that the neighbor wasn't able to walk from the backyard to the front yard and now he can ride his lawn mower around the house. He added the shed at the end of the summer.

Commissioner Kolososki asks if the permit process was difficult. Mr. Ligon states the garage permit was difficult because they didn't get what they wanted.

Commissioner Kolososki asks how he came up with the shed size. Mr. Ligon states that he measured his furniture and built the shed so it would all fit.

Ms. Bremanis further states that lot coverage is well under what is permitted. Height meets the height requirement.

Sworn in: Mary Ann Chiro-White – 172 W Bryant Avenue. She states that her house faces their patio. She has been here for over 40 years and these owners have done a lot of work to improve the property and is in support of their request. She states it's a beautiful structure and a beautiful house.

STAFF RECOMMENDATION:

The Petitioner constructed an addition to the existing attached garage, without obtaining the required building permit. The addition encroaches over 9 feet into the required side yard setback. The property, however, could accommodate a detached shed of the same size elsewhere in the rear yard and comply with all of the zoning requirements. Therefore, Staff recommends denial of the proposed Special use. If the Planning and Zoning Commission recommends approval, Staff recommends the following condition:

1. The Special Use shall substantially conform to the site plan submitted by the petitioner dated 12/06/2024 and elevation submitted by the Petitioner except as such plans may be changed to conform to Village Codes and Ordinances.
2. A building permit will be required to ensure that the completed addition

complies with applicable codes.

Commissioner Schubert asks if the request is approved and the building permit is issued, what will happen if the footings are not compatible and do not meet code. Would they have to tear it down? Ms. Bremanis states it would have to be corrected, and the structure would have to meet building code. Commissioner Schubert states that it may have to be removed to comply.

Commissioner Roth-Wurster asks how this came to the zoning committee and how the village was notified about this substandard structure. Ms. Bremanis states it was noted during a new roof inspection for a roofing permit.

There were no further questions. The public hearing was closed.

Commissioner Cavanaugh Made a motion to approve subject staff's conditions; seconded by Commissioner Schubert.

DISCUSSION:

Commissioner Kolososki acknowledges that the owner didn't realize the permit was needed. While not condoning the oversight, he expresses understanding that this happens often. He mentions that the shed doesn't look obnoxious and is in favor of the request.

Commissioner Cavanaugh states that he can see both sides of the situation. He acknowledges that, having been through the process before, the owner should have been aware of the permit requirement. However, he is also confused by the driveway, as it appears to encroach as well. He mentions that if the owner had come beforehand with pictures and an explanation for why the placement made sense, it might have been more clear. He points out that the shed matches the house and garage, and he understands the practicality of having it in the large backyard. Given that the furniture is heavy, he is inclined to support the request, though he remains on the fence.

Chairman Wood states that if the owner had come before the commission earlier, she would have understood the reasoning behind the shed's placement, given the heavy furniture and the convenience of having it closer to the furniture location. She suggests that maybe placing the shed behind the garage could have been a solution that conformed to the regulations. However, she notes that there was a shed there previously, which existed in a non-conforming location for many years. Since the neighbors don't object, the situation makes sense, but she questions whether the location is ultimately the right one. She remains undecided.

Commissioner Ruth-Wurster states that after considering all the factors, she

acknowledges the need for the shed. However, she notes that she would have approved the request if it were located at a different spot on the property. She believes that with a different placement, it would have been more in line with the zoning requirements and regulations.

Commissioner Friedman states that there are other solutions that would have been code-compliant. While he appreciates the hardship of the situation, he questions whether the shed would have been approved if it had not already been built. He points out that the property was part of Cook County when the original shed was built and notes that Cook County also had building codes and setbacks, so it is unclear whether the shed would have met their codes either. Commissioner Bettenhausen expresses difficulty with the request because the entire shed is within the setback. He believes there were other options available for placing the shed, especially given the large lot. He suggests that there were other places on the property where the shed could have been located without encroaching on the setback.

Chairman Wood summarized that this request has met the standards and was approved by a vote of 4-3. This item will tentatively go to Village Council on Monday February 10, 2025.

RESULT:	RECOMMEND TO APPROVE [4 TO 3]
MOVER:	Kevin Cavanaugh, Commissioner
SECONDER:	Tim Schubert, Commissioner
AYES:	Wood, Kolososki, Cavanaugh, Schubert
NAYS:	Roth-Wurster, Friedman, Bettenhausen
ABSENT:	Noonan, Fedota

3. 783 N Quentin Road - SU Restaurant w Liquor

SU-000149-2024 – 783 N Quentin Rd

Notice was published in the Journal & Topics on January 9, 2025 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

- . **Application**
- . **Proof of Ownership**
- . **Plat of Survey**
- . **Floor Plan**
- . **Business Plan**
- . **Public Notice**

Background:

The Subject Property, zoned B-1 Shopping Center District, is located within the North Quentin Plaza shopping center. The proposed restaurant will occupy the space previously occupied by Oak Alley (which has been vacant since 2022). The other tenants in the building include Mira's Dance Studio, Shear Candy Salon, Palatine Township Republican Organization, Mirk Group, and ProHealth Drugs. The Petitioner is proposing to open a restaurant, with liquor service. The Petitioner is requesting approval for a Special Use to permit a restaurant with liquor service and a Variation to permit 81 parking spaces instead of the required 82 spaces.

Sworn in petitioner: Gus Tselos – 450 W Wilshire Drive, Hoffman Estates, IL

Mr. Tselos states that he is the owner of the shopping center. The previous tenants vacated the space, and although he hoped to lease the space, it has remained vacant since 2021. He has now decided to update the space and open a restaurant. With 47 years of experience in the restaurant business and ownership of two restaurants in Mt. Prospect, IL, he has been in the industry since 1978. He mentions that the interior is outdated, and he has submitted plans to the building department for updates, ensuring they will meet all building code requirements. Mr. Tselos explains that the establishment will be similar to its previous use as a sports bar/pizza restaurant, offering pizza, appetizers, drinks, and televisions for sports' entertainment.

Chairman Wood clarifies that Mr. Tselos is the owner of the shopping plaza, which Mr. Tselos confirms.

Chairman Wood asks if Mr. Tselos is aware of any past noise complaints.

Mr. Tselos responds that there have never been complaints and that he has a good relationship with the surrounding neighbors. He adds that the business is located in a nice neighborhood, and he plans to run a reputable business with

quality clientele. He states that he has a good reputation at his other restaurants and does not foresee any issues.

Chairman Wood inquires about parking.

Mr. Tselos explains that he doesn't anticipate large crowds. He notes that the other tenants in the center do not generate a significant parking demand. Additionally, he mentions that lunch hours will not be very busy, and during the anticipated busy dinner hour, the other tenants will be closed.

Chairman Wood asks if the high fencing at the back will remain and whether deliveries will cause noise issues.

Mr. Tselos confirms that deliveries will be made to the front of the restaurant, as the trucks cannot fit in the alleyway, and assures that this will not impact the surrounding neighbors. He also states that the fence will be maintained.

Commissioner Schubert asks if any options were considered to increase the parking from 81 to 82 spaces to meet code.

Mr. Tselos notes that there is an extra parking space at the dumpster area but did not plan to open it for parking. He mentions that, in the future, they may be able to open another entrance in that area for access off of Northwest Highway, but this is just an idea at the moment.

Commissioner Cavanaugh asks if there is a sign restricting the left hand turn into the parking lot off of Quentin.

Mr. Tselos states there is no sign.

Commissioner Kolososki asks if there will be any electronic games.

Ms. Tselos states only if the village allows.

Ms. Bremanis states that the village currently does not allow any additional video gaming permits at this time.

Commissioner Friedman notes that parking is based on seat count and inquired about the floorplan and seating count.

Mr. Tselos states that the floor plan may be deceiving, but they will only have what was applied for and what meets the code. He adds that the maximum capacity is 140, but they will not have that many people at any given time.

Ms. Bremanis gave an overview that the hours of operation and seating count stating that both are reduced from the previous Oak Alley tenant.

Commissioner Friedman asks if he is aware of any prior complaints regarding parking. Ms. Bremanis states the previous restaurant had no formal complaints that she's aware of.

STAFF RECOMMENDATION:

The Petitioner proposes opening a new restaurant, with liquor service, in an existing tenant space, which also previously had a restaurant and liquor service and operated similarly. The requested parking variation requires relief for one

parking space. Given the non-conflicting peak hours of operation for the other tenants in the shopping center, Staff believes that the proposed parking variation is manageable. Additionally, the total number of proposed seats for the restaurant is reduced from the prior use. Therefore, Staff recommends approval of the requested Special Use and Variation, subject to the following condition:

1. The Special Use and Variation shall substantially conform to the floor plan dated 9/6/2024 and the business plan submitted by the Petitioner, except as such plans may be changed to conform to Village Codes and Ordinances.

There were no further questions. The public hearing was closed.

Commissioner Cavanaugh Made a motion to approve subject staff's conditions; seconded by Commissioner Ruth-Wurster.

DISCUSSION:

Commissioner Cavanaugh states that it is the same use as before and will be a good use of the space. He does not anticipate any parking issues.

Commissioner Ruth-Wurster states that the standards have been met. It is a similar use and notes that the property owner has many years of experience.

Chairman Wood states that the property owner has experience in the business and staffing. She believes he has come up with a good solution to bring life back to the space. She adds that adding a family restaurant to that side of town, which is underserved, should be successful. It meets the standards, will increase the value, and she has no issue with the one parking spot. She does not believe this will have an impact on surrounding businesses. As the owner, he will have the interest of his tenants in mind.

Chairman Wood summarized that this request has met the standards and was unanimously approved by a vote of 7-0. This item will tentatively go to Village Council on February 10, 2025.

RESULT:	RECOMMEND TO APPROVE [UNANIMOUS]
MOVER:	Kevin Cavanaugh, Commissioner
SECONDER:	Cindy Roth-Wurster, Commissioner
AYES:	Roth-Wurster, Friedman, Wood, Bettenhausen, Kolososki, Cavanaugh, Schubert
ABSENT:	Noonan, Fedota

IV. COMMUNICATIONS

Meeting for 2/11/25 has been cancelled.

Items from previous Planning & Zoning meeting will be on the Village Council agenda for this Monday 2/3/25.

V. ADJOURNMENT