



VILLAGE OF PALATINE

VILLAGE HALL - COUNCIL CHAMBERS 200 E. WOOD STREET
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ZONING BOARD OF APPEALS MINUTES • DECEMBER 13, 2022

Village Hall - Council Chambers

Regular Meeting

7:00 PM

I. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Cindy Roth-Wurster	Commissioner	Present	
Jan Wood	Commissioner	Present	
Jerry Luszczak	Commissioner	Present	
Theodore McGinn	Commissioner	Present	
Kevin Cavanaugh	Commissioner	Present	
John Pirog	Commissioner	Present	

Staff present: Mr Alex Bradshaw

II. MINUTES APPROVAL

1. Zoning Board of Appeals - Regular Meeting - Oct 25, 2022 7:00 PM

Mr. McGinn made a motion to approve the minutes of October 25, 2022; seconded by Mr Cavanaugh

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Theodore McGinn, Commissioner
SECONDER:	Kevin Cavanaugh, Commissioner
AYES:	Roth-Wurster, Wood, Luszczak, McGinn, Cavanaugh, Pirog

III. PUBLIC HEARING

1. 948 N. Topanga Drive

Notice was published in the Daily Herald on November 28, 2022 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. Application for Variation
2. Proof of Ownership
3. Plat of Survey
4. Site Plan
5. Fence Elevation
6. Public Notice

Sworn in staff: Mr. Alex Bradshaw

Sworn in the petitioner: Mr. Tony Sacketos 948 N. Topanga Dr.

Mr. Sacketos stated they installed a fence and the contractor got the permit. He stated his wife is bipolar so she likes the privacy of the fence. He explained he didn't know the rules and found out after it was installed it was done wrong.

Mr. Bradshaw gave brief overview stating the subject property is just east of Hicks Rd and had an existing fence referring to the site plan slide to show location. He stated they received a permit to replace the fence but the fence was extended to enclose a greater portion of the side yard abutting the street, referring to the site plan slide highlighted in yellow requiring a variation.

Mr. Pirog asked what the variation is for.

Mr. Bradshaw explained it is for the small extension.

Ms. Wood asked if the picture is the old fence or new fence.

Mr. Bradshaw stated the picture is from today.

Mr. Luszczak asked if the work is done already.

Mr. Bradshaw answered yes.

Ms. Roth-Wurster clarified there was already a 6ft fence.

Mr. Bradshaw answered yes pointing out it is the same style and height but it was extended outside of existing which requires the variation.

Mr. Pirog clarified the variation is just for the portion by the street.

Mr. Bradshaw answered yes.

Mr. Bradshaw referred to existing conditions slide pointing out the neighbor has fence that extends out even further. He stated Community Services has reviewed and have no issues and Engineering requested all landscaping be removed

which has been done.

STAFF RECOMMENDATION:

The Petitioner has extended an existing fence along the Subject Property’s side property line abutting E. Reseda Parkway. The fence extension will continue along the same line as the existing fence, with no further encroachment. Additionally, the home across the parkway to the south, 936 N. Topanga, has a similar solid fence along the side property line abutting the street. In response to the comment from the Engineering Department, the Petitioner has since removed the existing shrubs and bushes on the exterior of the fence to alleviate line of sight concerns for pedestrians. Therefore, Staff recommends approval of the Variations, subject to the following condition:

1. The Variations shall substantially conform to the Site Plan and Fence Elevation submitted by the Petitioner, Antonios Sacketos, except as such plans may be changed to conform to Village Codes and Ordinances.

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

Mr. Luszczak made a motion to approve subject staff’s conditions; seconded by Ms. Roth-Wurster

DELIBERATIONS:

Mr. Luszczak stated there is not much change as they are only adding a small section. He stated the neighbor has a fence that extends further so sees no problems.

Ms. Roth-Wurster stated the fence has always been there and the line of site has been addressed. She stated it won’t alter locality.

Mr. McGinn pointed out the intersection is unique with the median in the middle of a busy intersection.

Ms. Wood summarized that this request has met the standards and was unanimously approved by a vote of 6-0. This item will tentatively go to Village Council on January 9, 2023

RESULT:	RECOMMENDED TO APPROVE [UNANIMOUS]
MOVER:	Jerry Luszczak, Commissioner
SECONDER:	Cindy Roth-Wurster, Commissioner
AYES:	Roth-Wurster, Wood, Luszczak, McGinn, Cavanaugh, Pirog

2. 1153 N. Edgewater Court

Notice was published in the Daily Herald on November 28, 2022 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. Application for Special Use
2. Proof of Ownership
3. Plat of Survey/Site Plan
4. Floor Plans & Elevations
5. Public Notice

**Sworn in the petitioner: Paul & Theresa Scaglione 1153 N. Edgewater Court
Mr. Anthony Amadeo Archadeck 395 W. Northwest Hwy**

Mr. Amadeo explained the homeowners are looking to build a screen porch in backyard within the rear yard setback. He stated there is already an addition and wants this added space to enjoy the backyard, extend the seasons and protect against insects. He stated it won't have a negative effect on the property value.

Mr. Scaglione pointed out there is a lot of space between the house and the rear lot lines so the addition won't encroach on the neighbors.

Mr. Pirog asked how big the proposed porch is.

Mr. Amadeo stated it will be 14ft by 18ft with only an extra 4ft into the setback. He explained the porch will be built on an existing patio.

Mr. McGinn asked if they have spoken to neighbors.

Mr. Scaglione answered yes, and no one has been concerned.

Ms. Wood clarified this is going over an existing patio and extending further.

Mr. Amadeo answered yes going 4ft past current patio.

Mr. Scaglione explained they are going 4ft past current addition but not further than patio.

Mr. Amadeo stated the current patio goes 14ft off house and the porch will extend the same.

Mr. Bradshaw clarified the location of the proposed porch and patio location.

Ms. Roth-Wurster asked of there was a way to stay within the setback standards.

Mr. Amadeo stated 10ft by 18ft is kind of a waste of space once the walls are constructed.

Mr. Bradshaw gave a brief overview pointing out the neighboring properties at 1161 and 1606 have comparable rear yard setbacks, and are existing nonconforming the way they are situated. He stated Community Services and Engineering have reviewed and have no issues.

STAFF RECOMMENDATION:

The Petitioner is proposing to construct a new porch addition off the rear of their existing home. The proposed addition will encroach 4 feet into the rear yard of the Subject Property, thus will be set back 36 feet from the rear lot line. The addition should not negatively impact the surrounding properties, as the proposed setback is comparable to the directly adjacent properties to the north and west, where their rear yard setbacks are approximately 30 feet. Therefore, Staff recommends approval of the Special Use, subject to the following condition:

1. The Special Use shall substantially conform to the Site Plan, Floor Plan, and Elevation Plans submitted by the Petitioner, Paul & Terri Scaglione, except as such plans may be changed to conform to Village Codes and Ordinances.

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

Mr. Cavanaugh made a motion to approve subject staff's conditions; seconded by Ms. Roth-Wurster

DELIBERATIONS:

Mr. Cavanaugh stated it meets the standards and has less encroachment to property than the property to the north. He stated they have a big odd shaped backyard and a small encroachment should be allowable.

Ms. Roth-Wurster stated it meets the standards. She stated the lots are unique and the contractor makes sense on size needed to best utilize the space.

Ms. Wood agreed it meets standards. She stated it's a nice addition and there is plenty of room.

Ms. Wood summarized that this request has met the standards and was unanimously approved by a vote of 6-0. This item will tentatively go to Village Council on January 9, 2023

RESULT:	RECOMMENDED TO APPROVE [UNANIMOUS]
MOVER:	Kevin Cavanaugh, Commissioner
SECONDER:	Cindy Roth-Wurster, Commissioner
AYES:	Roth-Wurster, Wood, Luszczak, McGinn, Cavanaugh, Pirog

3. 126 N. Elmwood Ave

Notice was published in the Daily Herald on November 28, 2022 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. Application for Variation
2. Proof of Ownership
3. Plat of Survey
4. Site Plan
5. Garage Elevations
6. Public Notice

Sworn in the petitioner: Ms. Anna Trujillo 126 N. Elmwood Avenue

Ms. Trujillo explained they want to extend the existing garage by 15ft by 22ft because they cannot fit their existing vehicles in the current garage and want extra space to house grills, lawn mowers and sporting equipment.

Ms. Wood asked if it is possible to meet code and stay within the 700 sqft.

Ms. Trujillo stated this addition would prevent them from having to add a shed. She stated the site line is clean and addition won't be visible from the front.

Ms. Wood asked about how the square footage is calculated.

Mr. Bradshaw explained the relief is for total accessory structure sqft and explained floor area calculations.

Mr. Luszczak asked about lot coverage.

Mr. Bradshaw stated lot and building coverage meet code.

Ms. Wood asked if they would be able to add shed if they built a 700 sqft addition.

Mr. Bradshaw answered no they would be maxed out.

Ms. Trujillo stated the current home is 1500sqft.

Ms. Roth-Wurster asked if they spoke to neighbors.

Ms. Trujillo answered yes both neighbors to north and south and 2 to the east.

Mr. Bradshaw gave a brief overview. He referred to an aerial slide showing starred properties with comparable garages making it not out of place in neighborhood, where people turn to a bigger garage due to smaller homes. He stated the proposed garage addition will not encroach into any required setbacks. Mr. Bradshaw stated both Community Services and Engineering have reviewed and did not identify any issues.

STAFF RECOMMENDATION:

The Petitioner is proposing to expand their existing detached garage so they can

adequately store their personal vehicles and lawn maintenance equipment. As there are other comparable detached garages in the surrounding neighborhood, the proposal to increase the size of their existing detached garage to 770 square feet will not alter the essential character of the locality. Therefore, Staff recommends approval of the Variation, subject to the following condition:

1. The Variation shall substantially conform to the Site Plan and Elevation Plans submitted by the Petitioner, Anna Trujillo, except as such plans may be changed to conform to Village Codes and Ordinances.

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

Mr. Cavanaugh made a motion to approve subject staff’s conditions; seconded by Mr. Pirog

DELIBERATIONS:

Mr. Cavanaugh stated it meets standards. He stated it is unique shaped lot being not wide but long. He stated it makes more sense than adding an additional structure.

Ms. Wood stated it won’t alter locality and won’t have line of site issues going back to rear lot line. She stated she is in favor.

Ms. Roth-Wurster stated the petitioner has given a lot of thought.

Ms. Wood summarized that this request has met the standards and was unanimously approved by a vote of 6-0. This item will tentatively go to Village Council on January 9, 2023

RESULT:	RECOMMENDED TO APPROVE [UNANIMOUS]
MOVER:	Kevin Cavanaugh, Commissioner
SECONDER:	John Pirog, Commissioner
AYES:	Roth-Wurster, Wood, Luszczak, McGinn, Cavanaugh, Pirog

IV. COMMUNICATIONS

V. ADJOURNMENT

1. Motion to Adjourn

Ms. Roth-Wurster made a motion to adjourn; seconded by Mr. Luszczak

RESULT:	MOTION CARRIED BY VOICE VOTE [UNANIMOUS]
MOVER:	Cindy Roth-Wurster, Commissioner
SECONDER:	Jerry Luszczak, Commissioner
AYES:	Roth-Wurster, Wood, Luszczak, McGinn, Cavanaugh, Pirog

