



VILLAGE OF PALATINE

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

ZONING BOARD OF APPEALS MINUTES • DECEMBER 10, 2019

Village Hall - Council Chambers

Regular Meeting

7:00 PM

I. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Brent Larson	Commissioner	Absent	
Cindy Roth-Wurster	Commissioner	Present	
Jan Wood	Commissioner	Present	
Jerry Luszczak	Commissioner	Present	
Theodore McGinn	Commissioner	Late	7:07 PM
Kevin Cavanaugh	Commissioner	Absent	
James Dittrich	Commissioner	Present	
John Pirog	Commissioner	Present	

Staff present: Ms. Lyn Bremanis

II. APPROVAL OF MINUTES

1. Zoning Board of Appeals - Regular Meeting - Nov 13, 2019 7:00 PM

Mr. Dittrich made a motion to approve the minutes of the November 13, 2019 ZBA meeting; seconded by Mr. Pirog.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	James Dittrich, Commissioner
SECONDER:	John Pirog, Commissioner
AYES:	Roth-Wurster, Wood, Luszczak, McGinn, Dittrich, Pirog
ABSENT:	Larson, Cavanaugh

III. PUBLIC HEARING

1. 203 N. Benton Street

Notice was published in the Daily Herald on November 25, 2019 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
4. Site Plan
5. Elevations
6. Public Notice

Sworn in staff: Ms. Lyn Bremanis

Sworn in the petitioner: Mr. Dan Johnston 203 N Benton

Mr. Johnston explained they are looking to redo the stoop in the front of the house as part of an addition to add curb appeal. He stated along with updating the stoop they would like to add a small peaked roof to cover and protect people in doorway and to give home depth in appearance. Mr. Johnston stated this will hopefully add to the neighborhood and enhance the home not cause it to stick out. He stated they would like to blend in and have nice curb appeal.

Mr. Pirog asked if it will be a big oversized front porch.

Mr. Johnston referred to site plan showing the area in red that shows the new porch.

Ms. Bremanis explained its 6ft. by 7ft.

Ms. Wood asked Mr. Johnston if he looked onto any line of site issues.

Mr. Johnston stated they spoke to the neighbor to the north who's home also extends out and they have no issues.

Mr. Luszczak asked if the gable will be even with the home next door.

Mr. Johnston state it will be pretty much even.

Ms. Roth-Wurster clarified they are just covering the stoop.

Mr. Johnston answered yes.

Ms. Bremanis gave a brief overview explaining the property is zoned R-2 with a setback of 30ft. She further explained the home is currently nonconforming at 22ft. She referred to the slide showing almost the entire block is nonconforming. Ms. Bremanis stated the request would be just about even with the home to the north. She referred to the slide showing the elevations of the home explaining it would be approx. 7ft. by 6ft. wide at 42 square feet. Ms. Bremanis stated both building and lot coverage meet code. She referred to the existing conditions

slides to show the neighboring properties setbacks.

STAFF RECOMMENDATION:

The Petitioners are proposing to install a covered front porch. The first floor principal structure is existing non-conforming and the proposed porch will encroach farther into the required front yard. This area is unique as all the homes on the block have setbacks ranging from 12 feet to 23 feet, including the Subject Property. The addition of the porch should not negatively impact the surrounding property owners or alter the essential character of the neighborhood. Therefore, Staff recommends approval of the Special Use subject to the following condition:

1. The Special Use shall substantially conform to the site plan and elevation plan submitted by the Petitioner on 11/1/2019 except as such plans may be changed to conform to Village Codes and Ordinances.

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

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

DELIBERATIONS:

Ms. Roth-Wurster stated it meets the standards. She stated she drove past the home to take a look at the neighborhood setbacks and thinks the improvements will look great. She spoke to the standards stating it will be operated in a manner consistent with the public health safety and welfare and won't have negative impact on the value of surrounding properties.

Mr. Luszczak agreed with Ms. Roth-Wurster.

Ms. Wood summarized that this request has met the standards and was unanimously approved by a vote of 6-0. This item will go to Village Council on January 6, 2020.

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

2. 2377 N Hicks Road

Notice was published in the Daily Herald on November 25, 2019 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
4. Business Plan
5. Menu
6. Floor Plan
7. Public Notice

**Sworn in the petitioner: Mr. Terry Yormark II owner of Lake Cook Commons 16 Vandenberg Drive South Barrington, IL
Mr. Binh Nguyen Owner of restaurant 2377 N. Hicks**

Mr. Yormark II stated he purchased the center 3 years ago which was an eye sore at the time. He spoke to the improvements he has made including new roof, parking lot, back doors, façade, lights, landscaping, and pylons. He stated he thought after all the work he would get tenants immediately but unfortunately has not happened. Mr. Yormark II stated he started his own laundry business to occupy a unit and pay the taxes. He stated the requested space was previously a Pakistani restaurant referring to the slide to show the floor plan explaining to change layout to accommodate anything other than a restaurant would cost a considerable amount of money. He stated Mr. Nguyen has 2 other locations in Norridge and Libertyville so he has experience. Mr. Yormark II stated he is requesting approval of a use that the space was previously used for.

Ms. Roth-Wurster asked how about the number of employees and hours of operation.

Mr. Nguyen explained they will start with 7-10 employees with the hours being 11am-9pm every day.

Ms. Bremanis gave a brief overview of the request stating 50% of their business will be take out. She stated the floor plan indicates 100 seats with a tenant space of 4800sqft. She spoke to the parking requirement explaining the center is over parked. Ms. Bremanis stated the petitioner understands any signage will need to meet code. She stated the center is a planned development following the B-2 which requires a special use for a restaurant. Ms. Bremanis stated Community Services, Environmental Health and Fire Prevention have review and had no issues.

Ms. Roth-Wurster clarified you can go to the juice bar and pick up bubble tea.

Mr. Nguyen answered yes

STAFF RECOMMENDATION:

The Petitioner is proposing to open a new restaurant in a vacant tenant space previously occupied by a restaurant. The proposed restaurant would maintain the number of seats from the previous restaurant. Lake Cook Commons Shopping Center is over parked by 31 spaces; therefore, Staff does not have any parking concerns. The Petitioner currently owns two restaurants in Illinois and the proposed location will be their third restaurant. As the proposed use would be occupying a vacant tenant space previously occupied by another restaurant, it should not have a negative impact on the surrounding properties. Therefore, Staff recommends approval of the Special Use subject to the following conditions:

1. The Special Use shall substantially conform to the floor plan and business plan submitted by the petitioner on 10/28/2019, except as such plan may be changed to conform to Village Codes and Ordinances.

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

Mr. McGinn made a motion to approve subject staff's conditions; seconded by Mr. Dittrich.

DELIBERATIONS:

Mr. McGinn stated it is straight forward replacing a previous restaurant so there should be no adverse impact on the surrounding properties. Mr. McGinn pointed out the petitioner has experience in owning other restaurants so will be operated in a manner consistent with public health safety and welfare.

Ms. Wood stated adding another tenant to the plaza would be a wonderful thing. She stated there is a lot of traffic in that area so this use would be a huge plus for Palatine. She stated the business compliment the center and she thinks this is the perfect business for that location.

Ms. Wood summarized that this request has met the standards and was unanimously approved by a vote of 6-0. This item will go to Village Council on January 6, 2020.

RESULT:	RECOMMENDED TO APPROVE [UNANIMOUS]
MOVER:	Theodore McGinn, Commissioner
SECONDER:	James Dittrich, Commissioner
AYES:	Roth-Wurster, Wood, Luszczak, McGinn, Dittrich, Pirog
ABSENT:	Larson, Cavanaugh

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, Dittrich, Pirog
ABSENT:	Larson, Cavanaugh

