



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 • NOVEMBER 27, 2018

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 Luszcak	Commissioner	Present	
Theodore McGinn	Commissioner	Present	
Kevin Cavanaugh	Commissioner	Present	
James Dittrich	Commissioner	Present	
John Pirog	Commissioner	Present	

Staff present: Ms. Katie Rivard and Ms. Lyn Bremanis

II. APPROVAL OF MINUTES

1. Zoning Board of Appeals - Regular Meeting - Nov 13, 2018 7:00 PM

Mr. Luszcak made a motion to approve the minutes of November 13, 2018; seconded by Mr. Dittrich.

Sworn in staff: Ms. Katie Rivard and Ms. Lyn Bremanis

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

III. PUBLIC HEARING

1. 1299 N. Arbor Lane

Notice was published in the Daily Herald on November 12, 2018 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 and Floor Plan
6. Public Notice

Sworn in petitioner Mr. Carl Fielder 600 Morris Ave Schaumburg, IL-contractor

Mr. Fielder stated they are asking to build a 4 seasons room where presently there is a wood deck. He stated it would be slid over slightly and the added concrete patio would be encroaching on the rear yard setback by approx. 15ft. Mr. Fielder stated it sticks out about same as deck. He stated they have spoken to the neighbors and there were no objections.

Mr. Cavanaugh asked if there is currently anything in the easement like landscaping

Mr. Fielder stated they won't go into easement but there is slight vegetation and grass.

Ms. Bremanis referred to slides to show location.

Ms. Wood asked staff if the existing deck needed a variation

Ms. Bremanis stated there was nothing on file.

Ms. Wood asked how long the deck was there

Mr. Fielder stated as long as the survey.

Sworn in Amab Malik 1299 N Arbor Ln Owner

Mr. Malik stated they bought the property in 1998 and the deck was already there.

Ms. Bremanis gave a brief summary of the request explaining the sunroom will be setback the same as the existing deck. She stated they are adding a patio that meets the building code so will not require relief. She explained the sun room is a one story addition that meets height code and they are under in lot coverage at 33%. Ms. Bremanis referred to the slides to show existing conditions. She stated community services and engineering have reviewed and have no comments.

Mr. Cavanaugh asked about the 40 ft setback being from easements
Ms. Bremanis stated no it is from the property line

STAFF RECOMMENDATION:

The existing residence has a rear yard setback of approximately 40 feet. Any addition would require a setback reduction. The proposed single story addition will be located in place of an existing deck and would still be under the maximum building and lot coverage. In addition there are homes in the area that currently do not meet the rear yard setbacks and this should not change or alter the character of the neighborhood. Therefore, Staff recommends approval for the Special Use, subject to the following condition:

1. The Special Use shall substantially conform to the site and elevation plans submitted by the architect, Carl Fielder on 10/30/18, 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. McGinn made a motion to approve subject staff's conditions; seconded by Ms. Roth-Wurster.

DELIBERATIONS:

Mr. McGinn stated it is a straight forward request and the neighbors have no objections. He stated both building and lot coverage meets code so should not cause any problems with flooding. He spoke to the standards pointing out it will not alter the neighborhood.

Ms. Wood agreed with Mr. McGinn stating it will not have a negative impact and will not have issues with public health safety and welfare.

Ms. Wood summarized that this request has met the standards and was unanimously approved by a vote of 7-0. This item will go to Village Council on December 10, 2018.

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

2. 235 W. Northwest Highway

Notice was published in the Daily Herald on November 12, 2018 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. Floor Plan
6. Business Plan
7. Public Notice

Sworn in petitioners:

Mr. Adam Stein, architect, 802 N. 109th St. Milwaukee, WI

Ms. Lisa Fisher 376 Toccoa Lane, Volo, IL

Mr. David Keiser, Manager of Design Construction, Milwaukee, WI

Ms. Fisher stated Team Rehab is a group of clinician owned outpatient orthopedic physical therapy clinics. She stated they will have approximately 3 employees with a maximum patient of about 8.

Ms. Rivard gave a brief summary of request explain the property is zoned B-2 and contains a multi-tenant building with Subway and Dunkin Donuts currently there. She stated the request will occupy approximately 3100 sq. ft. She spoke to the proposed hours being Monday-Thursday 7am-7pm, Friday 7am-5pm with peak hours being 7am-9am, 11am-1pm and 4pm-6pm. Ms. Rivard stated they require appointments. She referred to the slides to show the floor plan. She referred to the site plan slide and spoke to the parking calculations and how it will not be an issue. Ms. Rivard referred to the slides to show the existing conditions. She stated there were no concerns identified by any of the departments.

STAFF RECOMMENDATION:

The proposed physical therapy clinic will occupy the 2 remaining vacant tenant spaces within the subject multi-tenant center. The previously approved use for the subject tenant space was a pizza restaurant, which required a parking variation of 1 space. The required parking for medical uses is 1 parking space per 300 square feet. Based on this calculation, the center is over parked by 9 parking spaces. Additionally, Staff took into consideration the amount of parking that would be required if the maximum number of employees and patients were present at one time. For instance, if there were 3 employees and 8 patients with the potential for an additional 8 patients in the waiting room, 55 parking spaces would be required, which meets Code. The clinic has indicated their peak hours of operation will be 3 2-hour windows in the morning, lunch, and evening. Dunkin' Donuts, at 2,000 square feet, is the largest tenant in this building, with their busiest customer times in the morning times and more drive-through centric in

use. Furthermore, Subway's busiest hours are typically lunch and evenings. With that being said, Staff does not have any parking concerns related to the proposed use. Therefore, Staff recommends approval of the Special Use and Variation subject to the following condition:

1. The Special Use shall substantially conform to the floor plan prepared by DA Logic Design and Architecture, Inc., dated 10/16/2018, and the business plan prepared by the Scott Detiveaux (Team Rehabilitation Physical Therapy, dated 10/23/18, 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. Cavanaugh made a motion to approve subject staff's conditions; seconded by Mr. Luszczak

DELIBERATIONS:

Mr. Cavanaugh stated it is straightforward with a space that has been vacant for a while. He stated he has no issues and thinks it meets the standards for special use and will be a good addition to the space.

Ms. Roth-Wurster agreed with Mr. Cavanaugh stating it looks like it will be a good use for the space

Ms. Wood spoke to the challenges of anything in the space in the early morning because of traffic. She stated she doesn't think it will conflict because of the drive thrus, Subways in and out service and their clientele will be spaced out throughout the day.

Ms. Wood summarized that this request has met the standards and was unanimously approved by a vote of 7-0. This item will go to Village Council on December 10, 2018.

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

IV. COMMUNICATIONS

Village Council approved the dyslexia center at 123 N. Plum Grove Road.

The next meeting is Tuesday, December 11, 2018. There are two items on the agenda.

V. ADJOURNMENT

1. Motion to Adjourn

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

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

