



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 • NOVEMBER 14, 2023

Village Hall - Council Chambers

Regular Meeting

7:00 PM

I. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Patrick Noonan	Commissioner	Present	
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	Absent	
Stephen Fedota	Commissioner	Present	
Tim Schubert	Commissioner	Absent	

II. MEETING MINUTES

1. Planning and Zoning Commission - Regular Meeting - Oct 24, 2023 7:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Patrick Noonan, Commissioner
SECONDER:	Stephen Fedota, Commissioner
AYES:	Noonan, Roth-Wurster, Friedman, Wood, Bettenhausen, Kolososki, Fedota
ABSENT:	Cavanaugh, Schubert

III. PUBLIC HEARING

1. 28 W. Michigan Avenue

SU-000077 - 28 W. Michigan Ave.

Notice was published in the Journal & Topics on October 26th, 2023 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. Variation Application
2. Proof of Ownership
3. Plat of Survey
4. Site Plan
5. Deck Plans & Elevations
6. Public Notice

Ms. Bremanis provides background and states the petitioner is proposing to construct a new deck off the rear of the existing home. The proposed deck would be set back approximately 15 feet from rear lot line. The deck height would vary with the grading of the rear yard, ranging from 3.5 to 7 feet above grade. The petitioner is requesting a variation to permit a deck to be 15 feet from the rear lot line instead of the minimum required 25 feet.

Sworn in petitioner: John Slezak - 28 W. Michigan Ave.

Mr. Slezak explains that when he purchased the property, the original building plans included a deck at the back of the home, but it was never constructed. He expresses the intention to add the deck for entertainment and to enhance enjoyment of the backyard, particularly since the home has a second-floor walkout.

Commissioner Kolososki seeks clarification, asking if the deck is intended to be 15 feet to the post.

Mr. Slezak states it would be attached to the house.

Commissioner Kolososki asks if the 15 feet is to the end of the overhang.

Mr. Slezak confirms that is correct.

Chairman Wood seeks information about the adjoining lots in the backyard.

Mr. Slezak states the lots are maintained and believes they would not be built on as there is no access to that area.

Commissioner Bettenhausen asks about access to the deck.

Mr. Slezak states there is only an 8' window and plans on applying for a building permit in the future for a sliding glass door for access to the deck.

Commissioner Kolososki asks about the materials that would be used for the

deck.

Mr. Slezak responds that the deck would be constructed using wolmanized wood.

Ms. Bremanis provides additional info and states the deck is located 15 feet from the side property line instead of the required 25 feet. She states there is heavy sloping in the rear yard and the deck height will vary with the grading of the rear yard. She further states that lot coverage with deck does not exceed the maximum permitted lot coverage or the maximum 10% of the rear yard coverage. Community Services and Engineering departments reviewed and there were no issues identified.

Commissioner Kolososki inquires about the brick patio, asking if it will remain in place.

Mr. Slezak confirms that the brick patio will stay in place.

Commissioner Friedman asks if there are any plans for future development of the rear lots.

Ms. Bremanis responds that currently, there are no plans for future development, but acknowledges that it could be subject to development. She emphasizes that if any development were to proceed, the deck setback would be an existing condition of which they would be aware.

STAFF RECOMMENDATION:

The Petitioner is proposing to construct a new deck off the rear of the existing single-family residence. The proposed deck would be set back approximately 15 feet from the rear lot line, which is comparable to zoning relief granted to a couple other properties in the immediate surrounding area. Staff also notes that the existing residence is non-conforming to the rear, which creates a unique circumstance and limits the size of any addition to the rear of the home. Ultimately, the proposal should not alter the character of the locality. Therefore, Staff recommends approval of the requested Variation, subject to the following condition:

1. The Variation shall substantially conform to the Site Plan and Deck Elevation Plan submitted by the Petitioner, John Slezak, except such plans may be changed to conform to the Village Codes and Ordinances.

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

Commissioner Noonan made a motion to approve subject staff's conditions; seconded by Commissioner Fedota.

DELIBERATIONS:

Commissioner Fedota expresses support for the request, noting that it appears to be a good design.

Commissioner Roth-Wurster acknowledges the unique circumstance of the property backing up to a vista, meeting the standards, and expresses favor for the request.

Chairman Wood also recognizes the unique circumstance that aligns with the standards and expresses support for the request.

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, December 4th, 2023.

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

2. 1 N. Oak Street

RESULT:	CONTINUED [UNANIMOUS]
MOVER:	Cindy Roth-Wurster, Commissioner
SECONDER:	Patrick Noonan, Commissioner
AYES:	Noonan, Roth-Wurster, Friedman, Wood, Bettenhausen, Kolososki, Fedota
ABSENT:	Cavanaugh, Schubert

3. 101 & 103 S. Northwest Highway and 411 E. Glencoe Street

FPD-000073-2023 - 101 & 103 S. Northwest Highway and 411 E. Glencoe Street

Notice was published in the Journal & Topics on October 26th, 2023 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. **Application**
2. **Proof of Ownership**
3. **Plat of Survey**
4. **Plans**
5. **#O-107-16**
6. **#O-62-10**
7. **Public Notice**

Ms. Bremanis provides background on the request and states that the project has been before the commission twice previously and approved but the improvements were not completed within the allotted time frame. The property has since been sold and the new owner is requesting to reinstate the Planned Development following the previous footprint with the exception of changing from a 2-bedroom unit to a 1- bedroom. The petitioner is requesting to allow a mixed-use building with commercial and residential uses.

Sworn in petitioners:

Yi Young Sook - 6701 N Milwaukee Ave - Niles, IL - Owner

Sung Choy - 6701 N Milwaukee Ave - Niles, IL - Owner

Jong Hyun An - 105 S Wick --Arlington Hts, IL - Attorney for Petitioners

Mr. An states that previous owner was approved for the mixed use but did not complete. He provides a site plan to show the current building and explains where the business and living area are located.

Mr. Choy states he would like to have his residence at the location. He expresses that it would be convenient to live and work within the same location.

Chairman Wood comments that the current residential area is not in good condition.

Ms. Bremanis explains that to address this, the property would need to go through a building permit process. She further clarifies that a fire wall would be required between the business and the residence as part of this process.

Chairman Wood asks if the cabinet business is the sole occupant of the building. Ms. Choy confirms that the cabinet business is the only business in the building.

Commissioner Friedman seeks clarification on whether the cabinet business occupies the entire space.

Mr. Choy states that the 101 building consists of both a warehouse and showroom, and their cabinet business occupies the entire space. There are no other businesses at this location.

Commissioner Kolososki seeks clarification on whether the garage drawing includes dimensions and, if so, what those dimensions are.

Mr. Choy responds that he doesn't have the actual dimensions but suggests that the garage may be able to accommodate three cars.

Commissioner Kolososki concludes that garage dimensions would be determined during the permit process.

Commissioner Kolososki asks if there would be a tenant in the residential space. Mr. Choy states that they, as owners, would be residing at the location. The property would not be rented.

Commissioner Fedota asks if there is a Certificate of Occupancy currently for the property.

Ms. Bremanis responds that there is currently no Certificate of Occupancy for the residential section of the property.

Commissioner Bettenhausen inquires about the adequacy of the existing parking for the business.

Ms. Bremanis explains that all parking is currently within the right of way and clarifies that this is an existing condition that will remain unchanged.

Commissioner Fedota raises questions about the parking requirements for the mixed-use property.

Ms. Bremanis responds, indicating that the residential component would necessitate two parking spots, which would be accommodated within the garage.

Commissioner Fedota further queries whether approval today is contingent upon obtaining a building permit for the residential aspect.

Ms. Bremanis clarifies that approval today would enable them to proceed with obtaining a permit to convert 411 into a residential unit. She emphasizes that the code mandates two interior parking spaces for the residential unit.

Commissioner Friedman asks if the Village Code mandates allocated parking spaces for the commercial portion.

Ms. Bremanis reiterates that all parking for the business is currently situated in the right of way, emphasizing that this is an existing condition.

Commissioner Fedota points out that this location lacks allocated parking per square footage for the business property.

Ms. Bremanis acknowledges this, explaining that it is indeed the case due to the

existing condition.

STAFF RECOMMENDATION:

The Petitioner is requesting to reinstate a previously approved Planned Development, which has expired. The proposed plans include a mixed-use building (2 commercial spaces) and one residential. The residential unit is proposed at the east end of the property directly adjacent to residential properties and provides two garage parking spaces. The residential proposal does not conflict with the existing businesses. Therefore, Staff recommends approval with the following conditions:

1. The Planned Development shall substantially conform to the floor plan provided by Sang Inc. Architects except as such plans may be changed to conform to Village Codes and Ordinances.
2. The residential unit may be occupied by the building owner or operator of a commercial tenant space within the building. Any other proposed tenant of the residential unit requires Village Council Review.
3. All future commercial uses of the property shall conform to the B-2 General Business District Standards.

Commissioner Fedota inquires about the Village's ability to ascertain if the residential unit were to be rented and expresses concern about monitoring potential breaches of this condition.

Commissioner Friedman responds, suggesting that it would rely on an honor system, highlighting that the village lacks a mechanism for monitoring such situations.

Ms. Bremanis adds that if the unit were to be rented, it would necessitate returning to the council for approval as a rental property, implying a formal process for seeking approval in such cases.

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

Commissioner Noonan made a motion to approve subject staff's conditions; seconded by Commissioner Kolososki.

DELIBERATIONS:

Commissioner Friedman states making improvements to that end of the property would benefit the surrounding community, considering its current condition. He sees it as an opportunity for the property to integrate better into the neighborhood.

Commissioner Kolososki agrees, stating that it would be a positive use of the property.

Commissioner Roth-Wurster notes that the business/residential situation has previously met standards twice and sees the proposed changes as an improvement.

Chairman Wood adds that the property is currently in a state of disrepair, and making improvements through the building permit process would enhance the overall condition of the property.

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 December 4th, 2023.

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

IV. COMMUNICATIONS

Communications:

Village Council Meeting:

Quentin Rd Planned Development was approved

Tobacco Shop on NW Highway approved

Greeley set back reduction approved

Fence on Laurel was denied.

The next Planned and Zoning Commission meeting is cancelled - The next meeting is scheduled for Tuesday 12/12/23.

V. ADJOURNMENT