



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 AGENDA • NOVEMBER 13, 2019

Village Hall - Council Chambers

Regular Meeting

7:00 PM

I. CALL TO ORDER

II. APPROVAL OF MINUTES

1. Zoning Board of Appeals - Regular Meeting - Oct 8, 2019 7:00 PM

III. PUBLIC HEARING

1. 455 N. Benton Street

Variation for a freestanding sign to be 73 square feet instead of the maximum fifty (50) feet of gross surface area pursuant to Sec. 8.02 (a)(2) of the Palatine Zoning Ordinance.

2. 572 W. Helen Street

Special Use to permit a side yard setback of 9 feet instead of the minimum required 15 feet, pursuant to Section 10.02 (h) (4) of the Palatine Zoning Ordinance.

Variation to maintain the existing commercial parking lot, related to a previous non-single-family residential use on the property, which exceeds the maximum permitted driveway width of 35 feet pursuant to Section 7.04 (i) (4) of the Palatine Zoning Ordinance.

3. 879 W. Kenilworth Avenue

Variation to allow two air conditioner units in the required front yard pursuant to Section 10.01 (d) (1) of the Palatine Zoning Ordinance.

IV. COMMUNICATIONS

V. ADJOURNMENT



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ZONING BOARD OF APPEALS

MINUTES • OCTOBER 8, 2019

Village Hall - Council Chambers

Regular Meeting

7:00 PM

I. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Brent Larson	Commissioner	Present	
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 Lyn Bremanis

II. APPROVAL OF MINUTES

1. Zoning Board of Appeals - Regular Meeting - Jul 23, 2019 7:00 PM - **Accepted**

Mr. Larson made a motion to accept the minutes from the July 23, 2019 ZBA meeting; seconded by Mr. Dittrich.

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

Minutes Acceptance: Minutes of Oct 8, 2019 7:00 PM (Approval of Minutes)

III. PUBLIC HEARING

1. 879 W. Kenilworth Avenue - **Recommended to Approve**

Notice was published in the Daily Herald on September 23, 2019 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. Application for Variation
2. Proof of Ownership
3. Plat of Survey-Site Plan
4. Fence Elevation
5. Letter of Objection dated 10-6-19
6. Public Notice

Sworn in Staff: Ms. Lyn Bremanis

Sworn in Mr. Richard Sabel 879 W. Kenilworth Ave

Mr. Sabel explained he and his wife have never built a home. He stated they went in front of council and feels this issue should have been reviewed at that time. He spoke to the relief he was granted allowing a 20ft setback on the west side of the home. Mr. Sabel explained they have a first floor walkout suite patio and since he travels often he is concerned with having a master suite porch accessible to anyone walking the streets while he is away. Mr. Sabel stated had the builder brought this to his attention he could have possibly shifted the home east to compensate for the 5ft line to install the fence. He addressed the standards pointing out the fence with the landscaping will enhance the appearance of neighborhood and serve an amazing purpose. He pointed out the house was designed to enhance the neighborhood. Mr. Sabel restated his concern with safety while he is traveling for business asking for the variation to allow the fence to be put 5ft from sidewalk to enclose his porch.

Mr. Pirog asked if the fence was moved by the pool would it block patio
Mr. Sabel stated if the fence only went around the pool the patio would be accessible.

Mr. Pirog clarified the request is for the front yard.
Mr. Sabel explained the legal front yard is off Crescent but with the house rotation it is on Kenilworth.

Mr. Cavanaugh referred to the site plan and clarified the 15.37 is the feet to the proposed fence to the porch.
Ms. Bremanis answered yes. She noted the redline on the site plan explaining if the request is not approved, the red line is where the fence would have to be located due to fencing requirements for the pool.

Mr. Cavanaugh clarified it is not realistic to be at the 20ft. line.

Ms. Bremanis answered yes it would have to be approx. 25 - 30ft. in order to enclose the pool.

Mr. Sabel stated the 20ft line would be exactly on the side of house. He restated the builder did not bring this to their attention.

Ms. Bremanis further explained because it is the legal front yard it would require a 30ft setback but the subject property received a front yard reduction at 20ft.

Mr. Pirog clarified even if this isn't granted they still need a fence around the pool.

Ms. Bremanis answered yes.

Mr. Sabel referred to the site plan slide and explained if this request is not granted the fence would have to go on the red line. He restated he is requesting the fence to enclose the patio and screen the ac units.

Mr. McGinn asked where the driveway is located.

Mr. Sabel referred to the site plan slide. He stated if he knew of the fencing issue he could have trimmed off the drive and moved the house to the east.

Discussion on door locations.

Mr. Sabel expressed his concern is the walkout patio to his bedroom and the safety of his wife while he is out of town.

Mr. Pirog asked why the fence was not in the original construction plans.

Mr. Sabel repeated he was not informed by his builder.

Mr. Pirog asked staff what exactly requires relief.

Ms. Bremanis referred to slide and explained the area of encroachment.

Mr. Luszczak asked about the setback on the front of the house.

Ms. Bremanis referred to the aerial and explained the new layout of the home when the properties were consolidated. She explained the setback relief they were granted included a deed restriction for a building line 27ft back.

Ms. Wood asked if any issues with the home on Brookside that abuts the fence

Mr. Sabel explained John, owner of property to the south at 888 W. Brookside St. has at least 40ft. of visibility from his driveway so there are no issues. He stated he has discussed with him as well as other neighbors and there are no issues.

Ms. Wood read into record the letter of objection from Voula Trakas. She asked if Mr. Sabel has spoken to her.

Mr. Sabel explained he has not spoken to her and pointed out there are a lot of homes with the same scenario.

Mr. Larson asked what the setback would be if it was still the side yard.

Ms. Bremanis stated it would still be 20ft. since the it abuts the neighbors legal front yard.

Ms. Wood asked if the fence could go 10ft. back.

Mr. Sabel stated he would be fine with it being 10ft back. He restated his main concern is to get the porch within the fence.

Discussion on changing the distance of the request and where it is measured from.

Discussion on the sidewalk and why it stops.

Ms. Roth-Wurster asked if they currently occupy the home.

Mr. Sabel answered no not yet. He explained they should have been in there in June but looking to occupy the home within 5 weeks.

Ms. Roth-Wurster asked if he has spoken to the builder to come up with a solution.

Mr. Sabel explained it is impossible because it would require moving the house. He spoke to the problems this whole mess has caused for his family including school admittance.

Mr. Cavanaugh asked Mr. Sabel if he would move the fence back to the patio area.

Mr. Sabel answered yes if allowed to not screen the ac.

Ms. Bremanis gave a brief overview of the request. She referred to the fence elevation slide stating it will be 6ft in height. She pointed out the packet consisted of neighboring addresses with fences provided by the petitioner on corners referring to the existing fence slide to show map locations of these fences.

Ms. Roth-Wurster asked about the style of these fences.

Ms. Bremanis stated there are pictures in the packet.

Ms. Wood asked if 6ft is necessary for security.

Mr. Sabel stated security is the main factor for both the pool and extra security while he travels. He stated he has put security cameras all around his house for security but the fence will help prohibit people from access to his bedroom patio entrance.

Mr. Cavanaugh asked staff about the requirements of fences around pools.

Ms. Bremanis explained they need to be 4-6ft fully enclosed with a minimum 5.5ft height gate.

Ms. Bremanis stated Community Services and Engineering have reviewed the request and did not have any issues.

Sworn in Mr. James Garthwait 882 W Kenilworth Ave

Mr. Garthwait commended the petitioner. He stated they have asked the neighbors for their blessing and opinions. He stated the fence doesn't bother him

and doesn't think it will obstruct anything. Mr. Garthwait stated he understands the safety concerns and speaks for himself and the rest of the neighbors who fully support the request.

Mr. Cavanaugh asked Mr. Garthwait if he had a fence.
Mr. Garthwait answered no but would like one.

Mr. Luszczyk asked Mr. Garthwait if he has any safety concerns.
Mr. Garthwait stated he moved in 2012 and there was a series of break-ins so he too has cameras but would love a fence.

Ms. Bremanis asked the residents in attendance how many agreed with Mr. Garthwait.

Joel Christell, 849 W Kenilworth Avenue and George Borawski, 1025 W Kenilworth Avenue agreed.

STAFF RECOMMENDATION:

The Petitioner is requesting to build a 6-foot solid fence five (5) feet off the front yard property line, with the required landscaping. Through the Petitioner's selected house plan and by combining the previous two lots into one, the lot orientation and zoning yards were changed from the previous subdivision. While fencing is required for the installation of the in-ground swimming pool, it is not required to be placed in this location. The Petitioner has identified other fencing examples in the broader subdivision areas. Per Staff and previous building permit reviews, corner property fencing is not typical along Crescent Avenue. Staff identified fencing 3 examples of corner fencing along Crescent Avenue from Glencoe Road through Ellis Street. One was an existing condition from annexation (W. Hillside Street), one was set back 10 feet from the property line (W. Dorchester Street), and the last example was a small section of decorative fencing at a property corner on W. Hillside Street.

The lot line along Crescent Avenue is the functioning side yard abutting a street, but is the legal front yard per the Zoning Ordinance. Nevertheless, Staff recommends Action at the discretion of the Zoning Board of Appeals of the proposed Special Use subject to the following conditions:

1. The Variation shall substantially conform to the site plan and elevation submitted by the Petitioner, Mr. Sabel and Sabel, submitted 08/14/2019, except as said plans may be changed to conform to the Village Code of Ordinances.
2. The final landscaping/planting plan shall be submitted in a manner acceptable to the Director of Planning & Zoning prior to issuance of a building permit for the fence.

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

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

DELIBERATIONS:

Mr. Dittrich stated the fence on the side is not an eye sore. He pointed out it is a weird property with the new legal front yard once being a side yard. He stated the neighbors have no issues and it protects the pool and the master suite. Mr. Dittrich stated he thinks it meets the standard for unique circumstance.

Mr. McGinn stated it will aid to protect the inhabitants of the property.

Mr. Pirog agrees on protection but the pointed out the neighbors don't have fences. He stated he doesn't think it will enhance the appearance of home.

Ms. Wood expressed her concern that the neighbor who objected will be impacted. She stated the neighborhood has had beautiful transformations and pretty much open on Kenilworth. She pointed out the way the house is oriented the fence isn't really in the front yard and a side yard would be allowed if not for the neighbor.

Ms. Roth-Wurster stated the home is beautiful and the orientation does have a slight elevation and is very close to Crescent Ave and would be split in half by a fence. She pointed out the unique circumstance was created by the petitioner. She spoke to other corner lots that have been approved are a lot of time 4ft or open fences rather than a 6ft. fence. Ms. Roth-Wurster stated she thinks there could be changes like a 10ft setback instead which she would be more favorable of. She stated the home enhances the neighborhood but she doesn't think the fence will.

Mr. McGinn spoke to destroying vistas and safety of driveways pointing out the location of the fence will not affect the neighboring properties.

Discussion on safety of vehicular visibility.

Mr. Cavanaugh pointed out they are required to have 4-6ft fence for the pool.

Discussion on whether this fence meets pool requirements.

Ms. Wood agreed with Ms. Roth-Wurster on the not liking the height at 6ft and the board on board style. She stated she understands their request for safety. She stated she is leaning toward support because it is not in the front but would like to see it back a little further.

Discussion on recommending to be pushed back to 10ft.

Discussion on adding a condition.

The original motion failed

AYES: McGinn, Dittrich

NAYS: Larson. Roth-Wurster, Wood, Luszcak, Cavanaugh, Pirog

Mr. Cavanaugh made a motion to approve with the variation with a setback increased to 10ft and fence length along Crescent Avenue shortened to a location acceptable by the Director of Planning and Zoning; Seconded by Mr. Luszczyk

Ms. Wood summarized that this request has met the standards and was unanimously approved by a vote of 8-0. This item will tentatively go to Village Council on October 14th.

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

2. 838 S. California Avenue - **Recommended to Approve**

Notice was published in the Daily Herald on September 23, 2019 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. Letter from Neighbor dated 8/11/2019
6. Public Notice

Sworn in petitioner Mr. Gregory Drake 838 S California Ave

Mr. Drake stated the house was built 2007 and they purchased it in 2012. He stated he has 5 children. He explained the layout of his 3 car garage, pointing out there is very little room to get in and out. Mr. Drake explained he has to do a 4 point turn to get in and ends up backing into the raised curb. He referred to pictures showing the non-conforming retaining wall and spoke to the water drainage issues that have caused the wall to deteriorate.

Mr. Pirog clarified the water is on the neighbor's property.
Mr. Drake answered yes.

Mr. Luszczyk asked where the property line is.

Mr. Drake referred to the existing conditions slide explaining the retaining wall sits .7 feet from the property line.

Mr. Drake stated 80% of water from driveway flows between the houses instead of draining to the street for the sewer system to handle. He spoke to the letter from the neighbor in support of project but also concerned with the water.

Discussion on the water collection area and the old culvert.

Mr. Pirog asked how the request addresses these issues.

Mr. Drake explained he is looking to get rid of the planter box, add 325 sqft to the drive for future parking spaces for the 5 kids, to aid his wife in backing out and to allow water to run off drive into street. He stated the goal is to help with the water situation, make it look more tasteful, and to make more functional for the family.

Mr. Pirog asked if it will eliminate the 4 point turn.

Mr. Drake answered no but would allow better water clearance. He explained the only way to avoid that is to go right up to the property line. He explained the current setback is .7ft and he is requesting .5ft. He stated he would be happy to keep it as is but would prefer it to be at half a foot. Mr. Drake explained since he won't be able to eliminate the 4 point turn the additional square footage will allow easier access to the driveway if more cars are parked there.

Mr. Pirog clarified if he was happy with staff's recommendations.

Mr. Drake explained he would prefer the parallel line but would be fine keeping it the way it is at .7ft.

Discussion on where the lot line changes from .7 to 1.49ft referring to the slides and how they plan to straighten it out.

Ms. Bremanis explained when calculating the distance anything under 1ft is considered 0ft.

Mr. Drake explained the last request is to make an apron so when the family backs out its uniform. He addressed the standards referring to the reasonable return standard pointing out if the wall gets pushed top 2ft setback he won't be able to access his garage. He stated the current driveway is failing, a nonconforming structure is present, water is an issue and the project will help with the water issue. Mr. Drake spoke to the uniqueness being it is a side load garage and the fact he has 5 kids soon to have additional cars on drive.

Mr. Cavanaugh asked if he is working with an architect or contractor on the wall. Mr. Drake stated he is working with a structural engineer.

Mr. Cavanaugh asked if the structural engineer is preparing the drainage plans. Mr. Drake answered yes.

Discussion and clarification of where it is being extended.

Mr. Pirog asked if the wall is an approved variation now.

Ms. Bremanis explained it is an existing condition with the property being annexed in 2006 and was demolished and rebuilt.

Mr. Pirog asked to replace wall would he be required to get another variation or is it grandfathered in.

Ms. Bremanis explained he can replace as is.

Mr. Drake spoke to the character of the locality pointing out the neighbors to the north all have 30ft driveways. He stated it is conforming with neighborhood, will be tasteful, will assist in garbage tote storage, will help with water drainage and will help access to drive once kids start driving.

Sworn in Mr. Tony Rynearson 595 Buttonwood Cir Naperville, IL Engineer

Mr. Rynearson explained there is a 6 inch curb that will extend all the way to the sidewalk. He explained the grade runs from west to east and the 6 inch curb would convey all the drainage to the street.

Mr. Pirog clarified the sidewalk slants out to the street.

Mr. Rynearson explained the sidewalk is higher so will flow to the street.

Mr. Dittrich pointed out the grassy area that is lower.

Mr. Rynearson stated they did a topography and have elevations established.

Mr. Cavanaugh spoke to the culvert on the neighbor's property and how this will affect the water drainage.

Mr. Rynearson spoke to the slope of the driveway explaining the water will run west to east not toward the neighbor.

Mr. Cavanaugh asked if it will improve the culvert during a big rain or not make things worse.

Mr. Rynearson explained this will decrease the flow.

Mr. Luszczyk clarified the elevations.

Mr. Rynearson explained the back of the drive where the car is 1ft. higher than the sidewalk.

Mr. Cavanaugh asked if the water accumulation is causing the wall to fail.

Mr. Rynearson stated it definitely is contributing to it.

Mr. Cavanaugh asked what happens if they replace it and the water still accumulates.

Mr. Rynearson explained it is currently a segmental block and they will be replacing with a concrete wall. He further explained the method of construction.

Mr. Drake stated he was told when the wall was built they didn't take the apron toward the house so the weight of the drive has started to push the wall over.

Mr. Rynearson explained there is a footing that supports it.

Mr. Cavanaugh asked if they are replacing the whole driveway.

Mr. Drake answered yes.

Mr. Luszczyk asked if it will be concrete.

Mr. Drake answered yes.

Mr. Pirog asked if the street floods.

Mr. Drake stated he has seen in flood in 2 major rains.

Discussion on where the water should go.

Ms. Bremanis gave a brief overview explaining the request is for 3 different things including lot coverage relief. She explained they are existing over lot coverage so anything they do requires relief. She referred to the slide to show the areas requiring relief in red. Ms. Bremanis stated they are adding the retaining wall to the lot line which is tied to the setback request. She stated the Village Engineer has reviewed and is recommending leaving the wall where it is. Ms. Bremanis explained the 3rd request is to increase the width of the driveway which is fairly common in the area. She stated Community Services have reviewed and has no issues and Engineering has indicated a drainage plan will be required to address the storm water conditions for the final permit.

Mr. Pirog clarified the shaded toward the street is new.
Ms. Bremanis answered yes explaining that is the widened apron area.

Ms. Wood asked about the property to the south.
Mr. Drake stated that's all part of one property owner.

Mr. Larson clarified if the engineer recommends leaving at the .7ft
Ms. Bremanis explained he recommends it doesn't further encroach into the setback.

Mr. Drake would like to keep it at .7 parallel at the lot line.
Discussion on where the .7 line is located.

Sworn in Mr. Jim Lewandowski 1430 California Ave Rolling Meadows, IL

Mr. Lewandowski stated Mr. Drake has explained to all the neighbors the request and we have no issues. He stated it will improve the look, the water runoff and aid in the storage of his garbage cans. He stated all neighbors are in support.

Mr. Cavanaugh asked Mr. Lewandowski if his driveway or front yard floods
Mr. Lewandowski answered no. He agreed with Mr. Drake that there has been a few times with extreme rain the water accumulates in the street but the water seems to dissipate quickly after the rain has stopped.

Mr. Cavanaugh asked if they leave the wall existing would all drainage plans would still be done.
Ms. Bremanis answered yes.

STAFF RECOMMENDATION:

The Petitioner is requesting to expand the existing driveway, which will encroach into the required 2-foot required setback, exceed maximum width of 25 feet at the lot line and further exceed the maximum lot coverage.

The Petitioner has stated that due to the orientation of the garage there is no way to reconfigure the driveway and allow parking without blocking access to the garage without relief. In addition, the proposed driveway will reduce the need of street parking. The proposed driveway width at the property is consistent with the existing residential driveways to the north.

There is an existing driveway and retaining wall with a significant elevation change. While the Petitioner would like to move the retaining wall closer to the lot line Staff recommends maintaining the existing setback of the retaining wall and driveway and maintaining an approximately 1.5 feet setback for the extension of the wall.

Therefore, Staff recommends denial of the requested 0 foot setback and action at the discretion of the Zoning Board of Appeals for the driveway width, lot coverage and replacing the retaining wall in its current location with a 1.5 foot setback for

the driveway and retaining wall extension. If the ZBA recommends approval, Staff recommends the following conditions:

1. The Variations shall substantially conform to the site plan submitted by the Petitioner, Mr. Drake, on 09/23/2019, except the relocation of the proposed retaining to wall to maintain the existing setbacks shown on the plat of survey. In addition said plans may be changed to conform to the Village Code of Ordinances.
2. If any grading changes are necessary on the neighboring property (830 S. California Avenue), written consent from that property owner shall be provided.
3. As a component of the building permit submission, the engineering plans shall be revised in a manner acceptable to the Village Engineer to accommodate the existing drainage circumstances and adequately address any future storm water concerns, with the proposed improvements.
4. Any storm water or drainage issues, which are created by the retaining wall or driveway extensions and which negatively impact the property to the north (830 S California Avenue) shall either be removed or revised in a manner acceptable to the Village Engineer and the 830 S. California Avenue property owner.

Mr. Pirog clarified the recommendation at 1.5ft and the current setback of .7ft. Ms. Bremanis referred to the slide and explained staff's recommendation is to maintain the current setback on the existing wall and as it goes to lot like they maintain the 1.5ft. setback.

Mr. Pirog asked if the .7 is okay for the rest of it.
Ms. Bremanis stated that would be replacing as is condition.

Mr. Pirog asked why the engineer didn't recommend putting on lot line.
Ms. Bremanis stated she does not have that information but pointed out it is not typical to recommend a 0ft. setback.

Mr. Cavanaugh asked if the request is denied at 0ft.can they still replace the wall as is.
Ms. Bremanis answered yes but explained they could not extend it. She referred to the site plan slide and explained the relief requested.
Greg explained the 8-10 inches makes a difference for turning into the garage so would prefer it at the .7ft. parallel with the lot line.

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

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

DELIBERATIONS:

Mr. Pirog spoke to the standards pointing out the uniqueness. He stated they

didn't build it this way and the extra feet will help. He pointed out the neighbors do not care and it won't alter the character of the locality. Mr. Pirog pointed out it will help with the drainage and flooding.

Ms. Bremanis clarified the request is at .5ft.

Mr. Cavanaugh agreed with Mr. Pirog but pointed out the Village Engineers recommendation. He stated he was leaning to deny the 0ft. setback and approve the rest which still allows them to replace the wall in the existing location.

Ms. Bremanis clarified Mr. Cavanaugh the extension requires a setback.

Mr. Cavanaugh clarified he was recommending essentially what staff recommended.

Mr. Dittrich pointed out the request isn't for that big of a difference. He explained he came from a home of 5 kids and the little extra space will help with maneuvering vehicles.

Mr. Pirog asked if this gets approved can the Village Engineer still deny it. Mr. Bremanis explained one of the conditions is that they need to provide drainage plans that are satisfactory to the Village Engineer.

Ms. Roth-Wurster agreed with Mr. Dittrich. She stated it needs to be redone and is glad the Village Engineer is reviewing. She spoke to lot coverage concerns and the possible issues this will cause the neighbor.

Ms. Wood summarized that this request has met the standards and was approved by a vote of 7-1. This item will tentatively go to Village Council at a to be determined date.

RESULT:	RECOMMENDED TO APPROVE [7 TO 1]
MOVER:	John Pirog, Commissioner
SECONDER:	James Dittrich, Commissioner
AYES:	Larson, Roth-Wurster, Wood, Luszcak, McGinn, Dittrich, Pirog
NAYS:	Cavanaugh

3. 659 N Franklin Avenue - **Recommended to Approve**

Notice was published in the Daily Herald on September 23, 2019 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. Application for Variation
2. Proof of Ownership
3. Plat of Survey/Site Plan
4. Public Notice

Sworn in Mr. Miroslav Poulik 659 N Franklin Ave.

Mr. Poulik stated they built the concrete patio 3 years ago explaining he didn't know he needed a permit. He spoke the area between the bench and the fence being built with stone and concrete that is the requested area of relief.

Mr. Pirog referred to the existing conditions slide clarifying the area where the red arrow points to is the requested relief area.

Ms. Bremanis answered yes.

Mr. Pirog asked if it is part of a continuous cement slab.

Mr. Poulik the area goes from the driveway to the fence.

Ms. Bremanis referred to the site plan slide clarifying the area of the patio and the location to the driveway being built right on the lot line.

Mr. Pirog asked if it was part of the original driveway.

Ms. Bremanis answered no.

Mr. Larson asked if the blue tarped off area is the area in question.

Ms. Bremanis answered yes.

Mr. Poulik explained they tarped it to protect against the weather to keep it in good condition.

Ms. Wood asked how many feet the patio is on the lot line.

Ms. Bremanis stated she does not have the exact number.

Ms. Wood referred to the Plat of survey slide asking if it runs along the whole red line.

Mr. Poulik answered yes.

Ms. Wood asked if the area along fence is needed.

Mr. Poulik explained it is better to clean the leaves.

Ms. Wood asked if the area is poured concrete or stones.

Mr. Poulik explained they are stone pavers and mosaic stones.

Ms. Wood asked if there are any flooding issues when it rains.
Mr. Poulik answered no.

Mr. McGinn asked if he spoke to the neighbors.
Mr. Poulik answered yes they all support.

Ms. Wood asked if the reason to keep is because it is easier to maintain or for aesthetics.
Mr. Poulik explained the whole area is mosaic and stone.

Ms. Bremanis gave a brief overview explaining the property is zoned R-2 Single Family Residential with the patio being approx. 392 sqft. She pointed out the patio is located 0ft. from the side lot line and includes a fireplace, a built in bench and landscaping. She stated the existing driveway does encroach into the 2ft. setback and is an existing condition at least back to 2005 per GIS maps. Ms. Bremanis stated building and lot coverage do meet code. She spoke to additional work that was built without permits but explained the patio is the only work that requires zoning relief. Ms. Bremanis stated the property was cited for adjudication which is going under a separate zoning relief process. She stated Community Services, Engineering and Fire Prevention have reviewed and did not identify any issues.

Mr. Pirog asked if the brick bench is 2ft. away
Mr. Poulik stated it is 2.5 feet

Mr. Pirog clarified if the request is denied the line of brick between the bench and the fence is all that needs to be removed.
Ms. Bremanis answered yes.

STAFF RECOMMENDATION:

The Petitioner constructed a patio in the side yard without a permit that encroaches into the required side lot setback. Staff understands that the existing driveway is paved to the property line. Nevertheless, Staff does not think that the requested relief for the patio complies with the required standards. From the submitted plans, it appears as though the 2-foot setback can be achieved, while still maintaining the other improvements. Also, relief for a patio constructed on the lot line is not something typically supported without specific justification. Therefore, Staff recommends denial of the requested Variation to the Zoning Board of Appeals. If the ZBA recommends approval, Staff recommends the following conditions:

1. The Variation shall substantially conform to the site plan submitted by the Agent, Miroslav Poulik, on 05/06/2019, except as said plans may be changed to conform to the Village Code of Ordinances.
2. In any grading changes are necessary on the neighboring property at 637 N. Franklin Avenue, written consent from the property owner at 637 N. Franklin Avenue shall be provided.
3. Any storm water or drainage issues that are created by the Subject Patio and

which negatively impact the property to the south (637 N. Franklin Avenue) shall either be removed or revised in a manner acceptable to the Village Engineer and the 637 N. Franklin Avenue property owner.

Ms. Wood clarified the “patio constructed” is referring to the pavers.
Ms. Bremanis referred to slide to show the 2ft. area that does not meet code.

Ms. Wood asked if that area is considered patio.
Ms. Bremanis stated yes it is solid surface.

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

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

DELIBERATIONS:

Mr. Luszczyk stated he doesn't see a problem because it is permeable surface.

Mr. Pirog stated he doesn't think it meets the standards even though it seems harmless. He stated he doesn't see the harm in taking out since it is not a continuous paved surface.

Ms. Wood stated the property was annexed in with the existing driveway encroaching into the setback. She pointed out they bought the property thinking things could be built to that lot line so reasonable return is addressed.

Ms. Wood summarized that this request has met the standards and was approved by a vote of 5-3. This item will tentatively go to Village Council on October 21, 2019.

RESULT:	RECOMMENDED TO APPROVE [5 TO 3]
MOVER:	Jerry Luszczyk, Commissioner
SECONDER:	James Dittrich, Commissioner
AYES:	Larson, Wood, Luszczyk, Cavanaugh, Dittrich
NAYS:	Roth-Wurster, McGinn, Pirog

4. 803-805 N. Quentin Road - **Recommended to Approve**

Notice was published in the Daily Herald on September 23, 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 Ms. Khadija Nisar

Ms. Nisar stated she has a restaurant in Chicago on Kimball and wants to open a second branch on Quentin Road in Palatine. She stated she hasn't seen any Halal restaurants in Palatine and the majority of Muslims look to eat at such. Ms. Nisar explained the food is the same as other fast food but Muslims that follow halal require this special preparation which her restaurant will have. She point out her menu has the Halal sign.

Mr. Larson clarified location is where the bagel place used to be.
Ms. Bremanis answered yes.

Mr. Larson asked if it will be sit down and takeout.
Ms. Nisar answered both.

Mr. Larson asked about parking concerns.
Ms. Bremanis stated the center is over parked.

Ms. Nisar spoke to her menu varying from the taco shop.

Ms. Wood clarified the location.
Ms. Bremanis referred to the existing conditions slide to show location explaining it was once Great American Bagel and considered a deli.

Ms. Bremanis gave a brief overview stating the property is zoned planned development and follows the B2 standards. She stated Great American Bagel was allowed without a special use because the planned development has a use list which permitted bakeries and delis. Ms. Bremanis stated the tenant space is 1744 square feet. She spoke to the proposed hours of operation being 10am-11pm daily and will have 4 employees. Ms. Bremanis spoke to the floor plan having 25 seats. She spoke to the parking requirements explaining the center is over parked by 4 spaces. She stated Community Services, Engineering, Fire Prevention, and Environmental Health have reviewed and have not identified any issues.

STAFF RECOMMENDATION:

The Petitioner is proposing to relocate an existing restaurant to this tenant space. The space was previously occupied by Great American Bagel however Great American Bagel did not require a Special Use per the Planned Development. The center is over parked by 4 spaces. While the parking spaces in front of the tenant space are limited, there is adequate parking in the main parking lot. The proposed use will be occupying a vacant tenant space and 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 business plan and floor plan submitted by the Petitioner, Khadija Nisar, on 09/05/2019, except as said plans may be changed to conform to the Village Code of 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. Larson.

Ms. Wood summarized that this request has met the standards and was unanimously approved by a vote of 8-0. This item will tentatively go to Village Council on October 14, 2019.

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

IV. COMMUNICATIONS**V. ADJOURNMENT**

**VILLAGE OF PALATINE
Zoning Board of Appeals**

SCHEDULED 11/13/19 07:00 PM

CASE STAFF STATEMENT (ID # 5638)

455 N. Benton Street

TO: Palatine Zoning Board of Appeals
Jan Wood, Chair

FROM: Lyn Bremanis

PETITIONER: Rev. Timothy J. Fairman, St. Theresa Parish

CASE NUMBER: 19-64

ADDRESS: 455 N. Benton Street

PROPOSAL:

Variation for a freestanding sign to be 73 square feet, instead of the maximum fifty (50) square feet of gross surface area pursuant to Section 8.02 (a)(2) of the Palatine Zoning Ordinance.

<u>LOCATION:</u> 455 N. Benton St. District 2 (Lamerand)	<u>CURRENT ZONING:</u> R-1 Single Family Residential
--	--

SURROUNDING CONDITIONS:

<u>North:</u>	R-2 Single Family Residential
<u>South:</u>	R-1 Single Family Residential
<u>East:</u>	R-2 Single Family Residential
<u>West:</u>	R-2 Single Family Residential

BACKGROUND:

The Petitioner is requesting to replace the existing freestanding signage at the corner of N. Benton Street and W. Northwest Highway that exceeds the maximum square footage. Therefore, the Petitioner is requesting:

Variation for a freestanding sign to be 73 square feet, instead of the maximum fifty (50) feet of gross surface area.

SITE ANALYSIS:

- The Subject Property is zoned R-1 Single Family Residential and contains St. Theresa Church and School. The Subject Property is approximately 15 acres.
- Per Code, an institutional use in a residential area is permitted a freestanding sign not to exceed 50 square feet in gross surface area and 10 feet in height.

- The proposed sign is approximately 72.5 square feet. The main section of the sign meets Code at 50 square feet; however, the architectural cap increases the square footage beyond what is permitted by Code. While there is not any writing or script on the architectural cap, its design meets the definition of a sign and is therefore required to be calculated in the total square footage.
- The proposed sign would be located at the corner of N. Benton Street and W. Northwest Highway setback approximately 5 feet from the sidewalk along Northwest Highway and 7.5 feet from the lot line along Benton Street. If approved, the two existing signs will be removed.
- The proposed sign is 10 feet in height, which meets Code.

DEPARTMENTAL REVIEWS:

Community Services	No Issues Identified
Engineering	No Issues Identified
Environmental Health	N/A
Fire Prevention	N/A
Public Works	N/A
Police	N/A

STANDARDS FOR A VARIATION: Standards for a Variation are found in Section 14.03 D (1) and (2) of the Zoning Code. Specifically, the Petitioners must show that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located; that the plight of the owner is due to unique circumstances; and that the variation, if granted, will not alter the essential character of the locality. The Petition for Variation is attached, and the Petitioners have attempted to address the required standards.

STAFF RECOMMENDATION:

The Petitioner is proposing to construct a new freestanding sign, which exceeds the maximum permitted square footage for an institutional use in a residentially zoned property. The Subject Property is unique as it is approximately 15 acres and contains both a church and school. The Church will utilize the sign for both uses; and if approved, the Church plans to remove the 2 existing freestanding signs located at the same corner. Furthermore, without the architectural cap the sign is 50 square feet, which meets Code. Staff has reviewed the sign location to ensure that there is adequate line of sight open for both pedestrian and vehicular traffic. The Parish has 3 frontages along Benton Street, Northwest Highway, and technically a portion of Freemont Street. Additionally, Staff has reviewed other signage in this area and the proposed sign should 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 elevations submitted by the Petitioner, Rev. Timothy J. Fairman, St. Theresa Parish, on 10/04/2019, except as said plans may be changed to conform to the Village Code of Ordinances.

ATTACHMENTS:

- Aerial Map - 455 N. Benton Street - St. Theresa church
- Application
- Plat of Survey
- Site Plan
- Proposed sign elevations
- Public Notice



VILLAGE OF PALATINE

SPECIAL USE & VARIATION APPLICATION

Department of Planning & Zoning
200 E. Wood Street • Palatine, IL • 60067-5339
Telephone: (847) 359-9047 • Fax (847) 963-6247

Office Use Only	Project Planner KR	Zoning Case #
	Filing Fee	Notification Deadline
	ZBA Public Hearing Date	Village Council Date



Background Information	PETITIONER(S) Rev. Timothy J. Fairman		Business Name (if applicable) St Theresa Parish	
	Subject Property Address 455 N Benton St Palatine, IL 60067 (corner of NW Hwy & Benton St)			
	AUTHORIZED AGENT (if applicable) Bill Van Bruggen		Business Name (if applicable) Van Bruggen Signs	
	Address 13401 Southwest Highway		City/State/Zip Code Orland Park, IL 60462	
	Telephone 708-448-0826	Fax 708-448-9092	Email bill@vbsign.com	
	Relationship to Petitioner (contractor, architect, etc.) Contractor			
	TYPE OF APPLICATION (check one) ☐ Special Use ☐ Special Use Amendment ☒ Variation			
	Existing Zoning District R-1	Existing Land Use Church outlot	Proposed Land Use N/A	
	Generally describe your request: Petitioner requests that the cap and cross atop the proposed sign not be included in the square footage calculation prescribed by the ordinance. The cap and cross design, which is set on top of the sign, is an architectural element signifying the religious and educational nature of the church and school.			

Attachment: Application (455 N. Benton Street - VAR Sign)



VARIATION

Required Materials

- ☐ Filing Fee of \$ 240.00
- ☐ Application Form
- ☐ Plat of Survey (must show all current improvements and be sealed by an Illinois certified surveyor)
- ☐ Site Plan & Floor plan (dimension, location, and setbacks of all existing and proposed buildings) – **one 11x17 copy each, electronic version preferred**
- ☐ Real Estate Interest Disclosure Form (see attached)
- ☐ Proof of Ownership or Lease (e.g. Title Insurance Policy, Deed, or Purchase Contract)

Additional Materials (as required by the Village)

- ☐ Elevation Plan (front, side, and rear elevations of a proposed building), and/or Floor Plan (proposed interior layout) – **one 11x17 copy of each plan, electronic versions preferred**
- ☐ Engineering Plans (must indicate existing conditions, topography, storm water management, tree preservation, utility connections, detention calculations, and a cost estimate)
- ☐ Photographs (e.g. ground-level or aerials)
- ☐ Other materials as deemed necessary by the Village

Petitioner Justification

The Petitioner is required to present specific evidence related to each of the following standards to justify the request (paraphrased from Section 14.03 of the Palatine Zoning Ordinance). Answer the items below and attach a separate sheet if necessary. ***If you are applying for a Special Use only, you do not need to answer these items.***

1. That the property cannot yield a reasonable return if used only under the conditions allowed by the regulations governing the zoning district in which it is located

See attached sheet

2. That the plight of the owner is due to unique circumstances

Petitioner is a church and school and the architecture is designed with the cross and cap in order to highlight the unique ecclesiastical nature of the Catholic institution it represents.

3. That the variation, if granted, will not alter the essential character of the locality

This variation is requested in order to fulfill the architectural and readability requirements noted above and would not alter the essential character of the locality. The petitioner feels that the sign would enhance the character of the neighborhood.

4. In order to supplement the above standards, the Zoning Board of Appeals may also consider the following:

- a. The particular surroundings, shape, or topographical conditions of the property
- b. A unique hardship for the property not generally applicable to other properties in the same zoning district
- c. The request is not based on a desire to make more money out of the property
- d. The petitioner has not created the alleged hardship for the property
- e. The request will not be detrimental to the public welfare or other properties in the neighborhood
- f. The request will not impair the supply of light and air to adjacent properties, substantially increase the danger of fire, endanger the public safety, or substantially diminish or impair neighboring property values

The Catholic Community of St. Theresa Parish
455 N. Benton Street
Palatine, Illinois 60067

Phone: 847-358-7760
Fax: 847-202-8941



Our Father does not inspire us to do what cannot be done.
St. Theresa of Lisieux

Answer to page 5 of 9 – Petitioner Justification:

1. The proposed sign was designed to provide critical church and school information that would be readable along Northwest Highway. By including the cap and cross in the calculation of the square footage of the sign, the ordinance would require a 36% reduction in the size of the sign and, in turn, the lettering, making readability more difficult as distance from the sign increases. Furthermore, the sign is a point of reference at Benton St and Northwest Highway that helps pinpoint the church and school buildings which are not easily visible to the general public as they drive along Northwest Highway. The buildings are approximately 450 feet off of Northwest Highway on Benton St.

PLAT OF SURVEY

-OF-

LEGAL DESCRIPTION:

PARCEL 1:
DOCUMENT NO. 15403100 WARRANTY DEED - MATT R. & LUCILE PORTEN TO CATHOLIC BISHOP OF CHICAGO

THAT PART OF THE NORTHWEST QUARTER LYING SOUTH OF THE CENTER LINE OF BALDWIN ROAD, IN SECTION 14, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT THE CENTER LINE OF BENTON STREET AND THE SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 14, WHICH 383.0 FEET EAST OF THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14 AND RUNNING THENCE NORTH AT RIGHT ANGLES TO SAID SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 14, 62.60 FEET TO A POINT OF TANGENCY WITH A CURVE CONVEX NORTHEASTERLY AND HAVE A RADIUS OF 200.0 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE, 337.64 FEET TO A POINT; THENCE NORTHEASTERLY ALONG A LINE TANGENT TO SAID CURVE AT THE LAST DESCRIBED POINT, A DISTANCE OF 173.47 FEET; THENCE NORTHEASTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED LINE 120.0 FEET; THENCE SOUTHEASTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, 14.0 FEET; THENCE NORTHEASTERLY 30.0 FEET MORE OR LESS ON THE SOUTHERLY LINE OF THE NORTHWEST HIGHWAY AS WIDENED AS APPEARSD, 865.70 FEET SOUTHEASTERLY, AS MEASURED ALONG SAID SOUTHERLY LINE OF THE NORTHWEST HIGHWAY AS WIDENED, OF THE INTERSECTION OF SAID SOUTHERLY LINE OF THE NORTHWEST WIDENED AND THE CENTER LINE OF BENTON STREET, (EXCEPTING FOR SAID PARCEL THAT PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14, DESCRIBED AS BEGINNING AT THE CENTER LINE OF BENTON STREET, APPEARSD AND THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, APPEARSD; THENCE EAST ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 14, 350.55 FEET; THENCE NORTH AND PARALLEL WITH THE CENTER LINE OF SAID BENTON STREET, 639.53 FEET WEST AND PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, FOR A DISTANCE OF 340.56 FEET TO THE CENTER OF BENTON STREET; THENCE SOUTH ALONG THE CENTER LINE OF BENTON STREET, FOR A DISTANCE OF 639.53 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

PARCEL 2:
DOCUMENT NO. 20316122 TRUSTEES DEED - EXCHANGE NATIONAL BANK TO CATHOLIC BISHOP OF CHICAGO

THAT PART OF THE NORTHWEST QUARTER OF SECTION 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN LYING SOUTHERLY OF THE SOUTHERLY LINE OF THE NORTHWEST HIGHWAY, AS WIDENED, EAST OF THE CENTER LINE OF BENTON STREET AND WESTERLY OF A LINE DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE SOUTH LINE OF SAID NORTHWEST QUARTER OF SECTION 14, WHICH 383.0 FEET EAST OF THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14 AND RUNNING THENCE NORTH AT RIGHT ANGLES TO SAID SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 14, 62.60 FEET TO A POINT OF TANGENCY WITH A CURVE CONVEX NORTHEASTERLY AND HAVE A RADIUS OF 200.0 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE, 337.64 FEET TO A POINT; THENCE NORTHEASTERLY ALONG A LINE TANGENT TO SAID CURVE AT THE LAST DESCRIBED POINT, A DISTANCE OF 173.47 FEET; THENCE NORTHEASTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED LINE 120.0 FEET; THENCE SOUTHEASTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE, 14.0 FEET; THENCE NORTHEASTERLY 30.0 FEET MORE OR LESS ON THE SOUTHERLY LINE OF THE NORTHWEST HIGHWAY AS WIDENED AS APPEARSD, 865.70 FEET SOUTHEASTERLY, AS MEASURED ALONG SAID SOUTHERLY LINE OF THE NORTHWEST HIGHWAY AS WIDENED, OF THE INTERSECTION OF SAID SOUTHERLY LINE OF THE NORTHWEST WIDENED AND THE CENTER LINE OF BENTON STREET, (EXCEPTING FOR SAID PARCEL THAT PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 14, DESCRIBED AS BEGINNING AT THE CENTER LINE OF BENTON STREET, APPEARSD AND THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, APPEARSD; THENCE EAST ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 14, 350.55 FEET; THENCE NORTH AND PARALLEL WITH THE CENTER LINE OF SAID BENTON STREET, 639.53 FEET WEST AND PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER, FOR A DISTANCE OF 340.56 FEET TO THE CENTER LINE OF BENTON STREET; THENCE SOUTH ALONG SAID CENTER LINE OF BENTON STREET, 639.53 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS.

EXCEPTION PARCEL A:
DOCUMENT NO. 26892082 THE CATHOLIC BISHOP OF CHICAGO TO LASALLE NATIONAL BANK, AS TRUSTEE

AND ALSO EXCEPTING THEREFROM THAT PART OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 14, WHICH IS 383.0 FEET EAST OF THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 14, APPEARSD; THENCE EAST ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER OF SECTION 14, 383.0 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG A CURVED LINE, BEING THE ARC OF A CIRCLE, CONVEX NORTHEASTERLY, TANGENT TO THE LAST DESCRIBED COURSE AND HAVING A RADIUS OF 280.0 FEET, AN ARC DISTANCE OF 277.64 FEET TO A POINT OF TANGENCY; THENCE NORTH 72 DEGREES 10 MINUTES 00 SECONDS WEST TANGENT TO THE LAST DESCRIBED CURVED LINE, 172.47 FEET; THENCE NORTH 16 DEGREES 50 MINUTES 00 SECONDS EAST, 120.0 FEET; THENCE SOUTH 73 DEGREES 10 MINUTES 00 SECONDS EAST, 14.0 FEET; THENCE NORTH 16 DEGREES 50 MINUTES 00 SECONDS EAST, 105.0 FEET TO THE POINT OF BEGINNING OF THE PARCEL, TO BE DESCRIBED; THENCE SOUTH 14 DEGREES 10 MINUTES 00 SECONDS WEST, 14.0 FEET; THENCE NORTH 16 DEGREES 50 MINUTES 00 SECONDS EAST, 299.60 FEET; THENCE SOUTH 45 DEGREES 01 MINUTE 10 SECONDS EAST, 117.34 FEET; THENCE SOUTH 79 DEGREES 09 MINUTES 18 SECONDS EAST, 99.09 FEET; THENCE SOUTH 42 DEGREES 10 MINUTES 00 SECONDS EAST, 103.66 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

EXCEPTION PARCEL B:
DOCUMENT NO. 86158335 PLAT - SMITH - CORCORAN SUBDIVISION

AND ALSO EXCEPT THAT PART OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED BY A LINE DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 14, APPEARSD; THENCE EAST ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER OF SECTION 14, 383.0 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG A CURVED LINE, BEING THE ARC OF A CIRCLE, CONVEX NORTHEASTERLY, TANGENT TO THE LAST DESCRIBED COURSE AND HAVING A RADIUS OF 280.0 FEET, AN ARC DISTANCE OF 277.64 FEET TO A POINT OF TANGENCY; THENCE NORTH 72 DEGREES 10 MINUTES 00 SECONDS WEST TANGENT TO THE LAST DESCRIBED CURVED LINE, 172.47 FEET; THENCE NORTH 16 DEGREES 50 MINUTES 00 SECONDS EAST, 120.0 FEET; THENCE SOUTH 73 DEGREES 10 MINUTES 00 SECONDS EAST, 14.0 FEET; THENCE NORTH 16 DEGREES 50 MINUTES 00 SECONDS EAST, 105.0 FEET TO THE POINT OF BEGINNING OF THE PARCEL, TO BE DESCRIBED; THENCE SOUTH 14 DEGREES 10 MINUTES 00 SECONDS WEST, 14.0 FEET; THENCE NORTH 16 DEGREES 50 MINUTES 00 SECONDS EAST, 299.60 FEET; THENCE SOUTH 45 DEGREES 01 MINUTE 10 SECONDS EAST, 117.34 FEET; THENCE SOUTH 79 DEGREES 09 MINUTES 18 SECONDS EAST, 99.09 FEET; THENCE SOUTH 42 DEGREES 10 MINUTES 00 SECONDS EAST, 103.66 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

DOCUMENT NO. 86272819 CATHOLIC BISHOP OF CHICAGO TO COMMERCIAL NATIONAL BANK

LOT 1 IN SMITH - CORCORAN SUBDIVISION, BEING A SUBDIVISION OF PART OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

LEGEND OF SYMBOLS

	TRAFFIC SIGN		FENCE
	UTILITY POLE		CONCRETE
	PEDESTAL		BITUMINOUS PAVEMENT
	LIGHT POLE		

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

COMPARE YOUR POINTS BEFORE BUILDING BY THE SAME AND REPORT ANY DIFFERENCES IMMEDIATELY.

CHECK LEGAL DESCRIPTION WITH DEED AND REPORT ANY DISCREPANCY IMMEDIATELY. REFER TO TITLE POLICY OR VILLAGE ZONING CODE FOR POSSIBLE ADDITIONAL EASEMENTS OR BUILDING LINES NOT SHOWN HEREON.

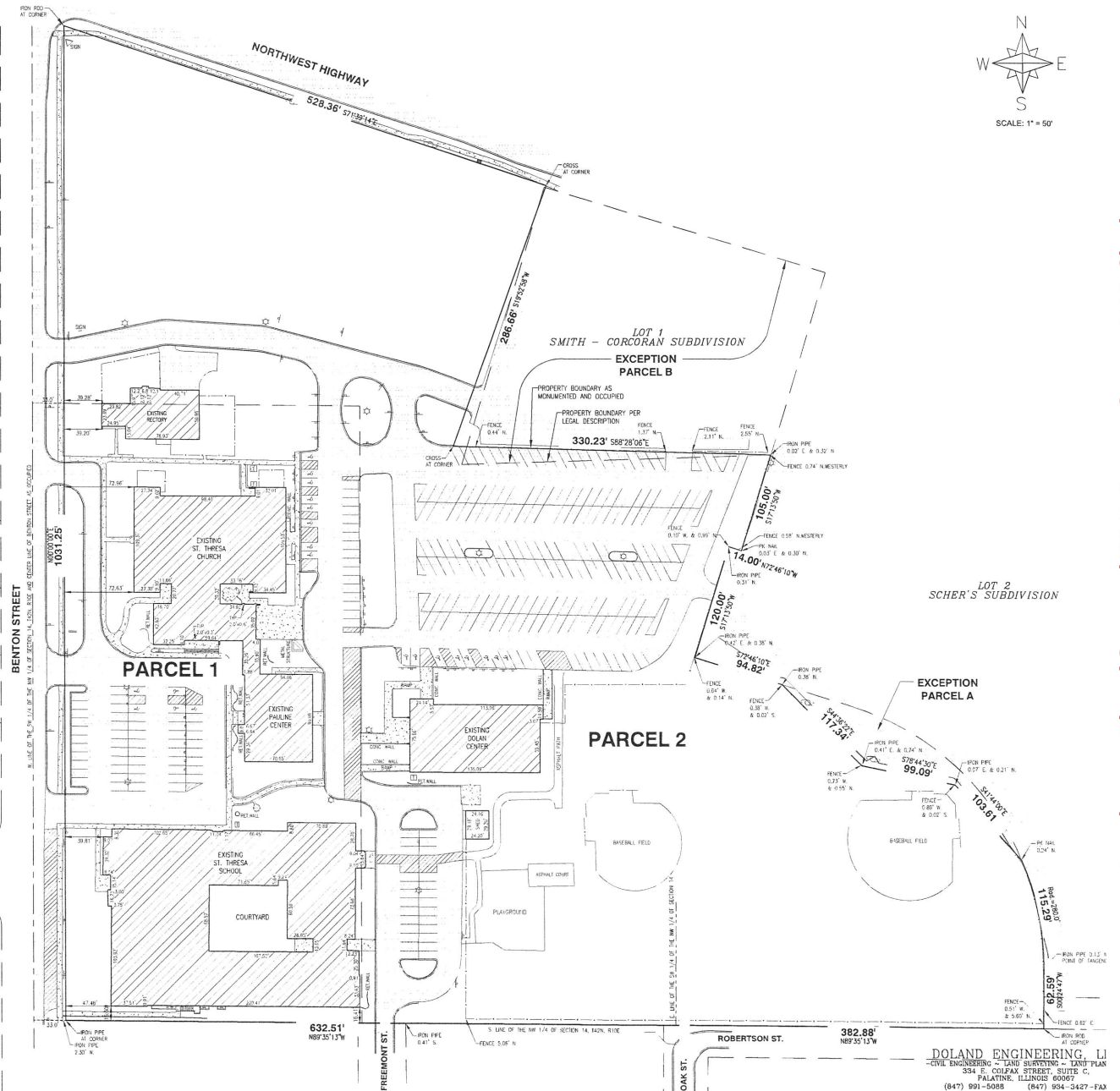
STATE OF ILLINOIS
COUNTY OF COOK

I, JASON P. DOLAND, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE ABOVE DESCRIBED PROPERTY HAS BEEN SURVEYED, UNDER MY SUPERVISION, IN THE MANNER REPRESENTED ON THE PLAT HEREON DRAWN.

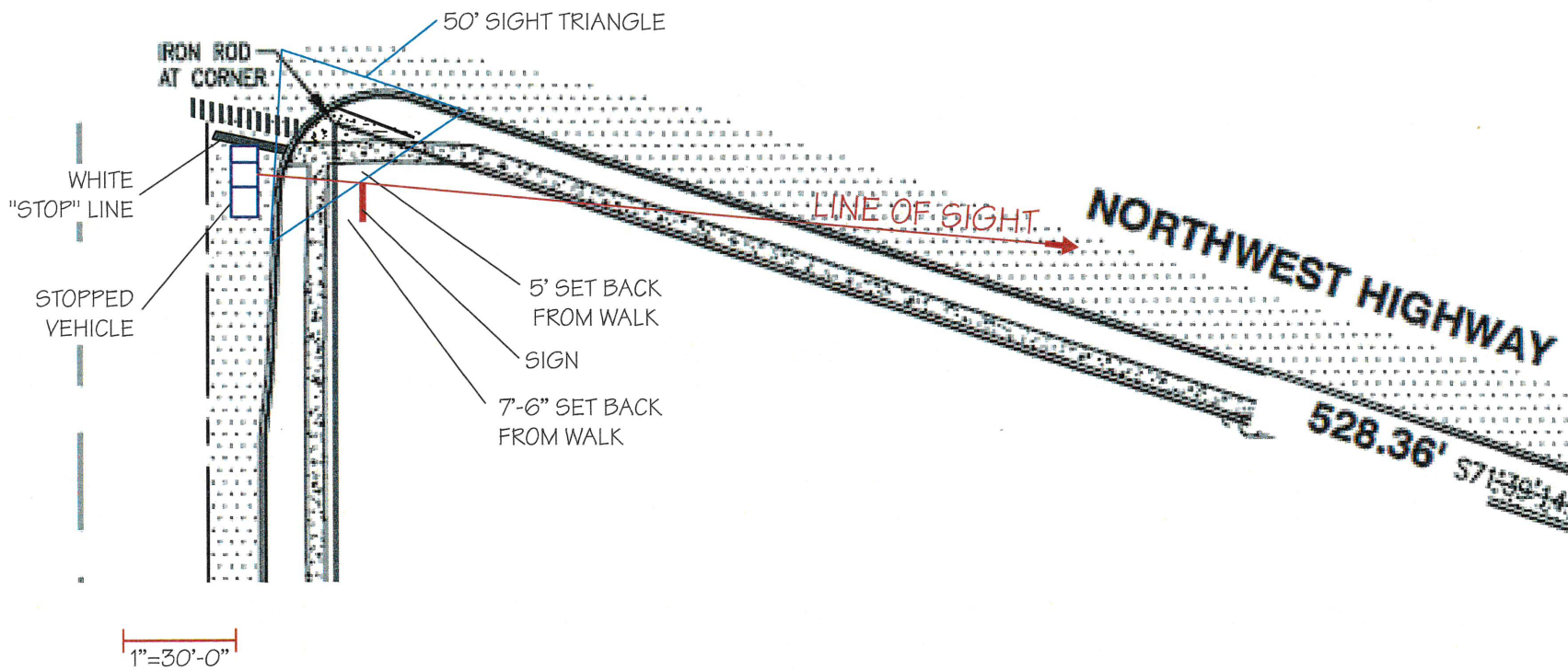
DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

DATED AT PALATINE, ILLINOIS 01/27/15

ILLINOIS PROFESSIONAL LAND SURVEYOR



DOLAND ENGINEERING, L.L.C.
CIVIL ENGINEERING - LAND SURVEYING - LAND PLANNING
354 E. COLEMAN STREET, SUITE C
PALATINE, ILLINOIS 60067
(847) 991-5008 (847) 994-3427 FAX



Attachment: Site Plan (455 N. Benton Street - VAR Sign)



Attachment: Proposed sign elevations (455 N. Benton Street - VAR Sign)

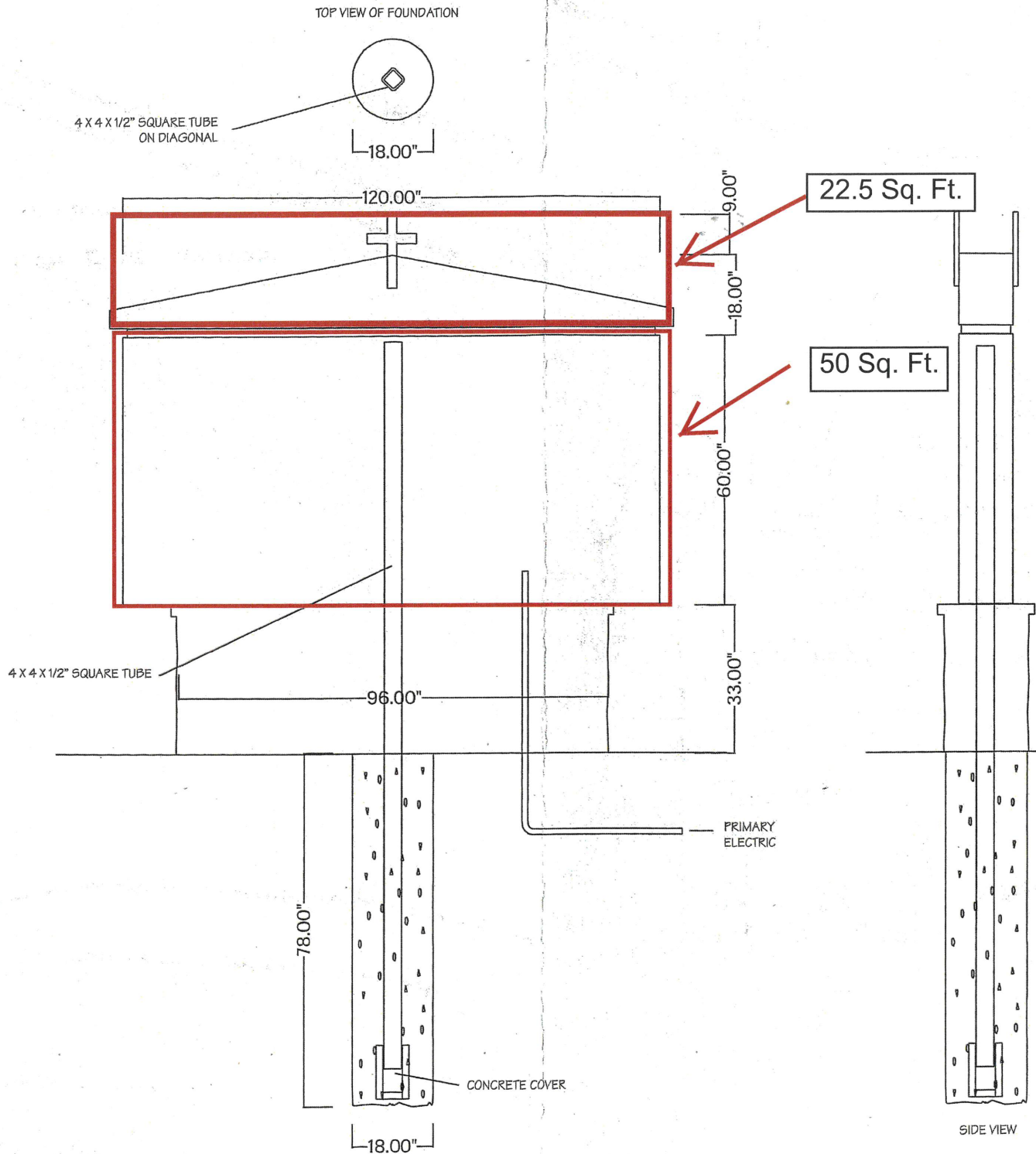


13401 SOUTHWEST HWY.
ORLAND PARK, ILLINOIS

708-448-0826 FAX 708-448-9092

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This rendering is the exclusive property of Van Bruggen Signs, Inc.,
for the sole purpose of consideration to purchase a sign or design from
Van Bruggen Signs, Inc. Any unauthorized use of this drawing will result
in a compensation fee of \$500.00 for the time and effort entailed in
creating these drawings.

Approved	Scale N.T.S.	Title ST. THERESA PARISH
Date	Date 4-10-19	Description D/F MONUMENT SIGN
	Drawn By D.S.	Revisions By D.S. D.S. 6-7 7-15
		Date 19-0811C



Attachment: Proposed sign elevations (455 N. Benton Street - VAR Sign)

SINCE 1925

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 in a compensation fee of \$500.00 for the time and effort entailed in
 creating these drawings.

ST. THERESA CATHOLIC

PUBLIC NOTICE
A public hearing will be held before the Palatine Zoning Board of Appeals on Wednesday, November 13, 2019 at 7:00 PM, in the Village Council Chambers in the Palatine Village Hall, 200 E. Wood Street, relative to a request for the following:

Variation for a freestanding sign to be 73 square feet instead of the maximum fifty (50) feet of gross surface area pursuant to Sec. 8.02 (a)(2) of the Palatine Zoning Ordinance.

The property is commonly known as 455 N. Benton Street (02-14-101-028).

The Petitioner is proposing to install a freestanding sign on the corner of N. Benton Street and E. Northwest Highway.

The above petition has been filed by Rev. Timothy J. Fairman, St. Theresa Parish and is available for examination in the office of the Village Clerk, 200 E. Wood Street.

FILE #: 19-64
VILLAGE OF PALATINE

Jan Wood, Chair
Palatine Zoning Board of Appeals

DATED: This 28th day of October, 2019
Published in Daily Herald
October 28, 2019 (4534639)

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

Daily Herald

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **DAILY HERALD**. That said **DAILY HERALD** is a secular newspaper and has been circulated daily in the Village(s) of Algonquin, Antioch, Arlington Heights, Aurora, North Aurora, Bannockburn, Barrington, Barrington Hills, Lake Barrington, North Barrington, South Barrington, Bartlett, Batavia, Buffalo Grove, Burlington, Campton Hills, Carpentersville, Cary, Crystal Lake, Deerfield, Deer Park, Des Plaines, Elburn, East Dundee, Elgin, South Elgin, Elk Grove Village, Fox Lake, Fox River Grove, Franklin Park, Geneva, Gilberts, Glenview, Grayslake, Green Oaks, Gurnee, Hainesville, Hampshire, Hanover Park, Hawthorn Woods, Highland Park, Highwood, Hoffman Estates, Huntley, Inverness, Island Lake, Kildeer, Lake Bluff, Lake Forest, Lake in the Hills, Lake Villa, Lake Zurich, Libertyville, Lincolnshire, Lindenhurst, Long Grove, Melrose Park, Montgomery, Morton Grove, Mt. Prospect, Mundelein, Niles, Northbrook, Northfield, Northlake, Palatine, Park Ridge, Prospect Heights, River Grove, Riverwoods, Rolling Meadows, Rosemont, Round Lake, Round Lake Beach, Round Lake Heights, Round Lake Park, Schaumburg, Schiller Park, Sleepy Hollow, St. Charles, Streamwood, Sugar Grove, Third Lake, Tower Lakes, Vernon Hills, Volo, Wadsworth, Wauconda, Waukegan, West Dundee, Wheeling, Wildwood, Wilmette

County(ies) of Cook, Kane, Lake, McHenry

and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

I further certify that the DAILY HERALD is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published 10/28/2019 in said DAILY HERALD.

IN WITNESS WHEREOF, the undersigned, the said PADDOCK PUBLICATIONS, Inc., has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC.
DAILY HERALD NEWSPAPERS

BY

Authorized Agent

Control # 4534639

Attachment: Public Notice (455 N. Benton Street - VAR Sign)

**VILLAGE OF PALATINE
Zoning Board of Appeals**

SCHEDULED 11/13/19 07:00 PM

CASE STAFF STATEMENT (ID # 5639)

572 W. Helen Street

TO: Palatine Zoning Board of Appeals
Jan Wood, Chair

FROM: Lyn Bremanis

PETITIONER: Anna Pozniak

CASE NUMBER: 19-59

ADDRESS: 572 W. Helen Road

PROPOSAL:

Special Use to permit a side yard setback of 9 feet instead of the minimum required 15 feet, pursuant to Section 10.02 (h) (4) of the Palatine Zoning Ordinance.

Variation to maintain the existing commercial parking lot, related to a previous non-single-family residential use on the property, which exceeds the maximum permitted driveway width of 35 feet pursuant to Section 7.04 (i) (4) of the Palatine Zoning Ordinance.

<u>LOCATION:</u> 572 W. Helen Road District 2 (Lamerand)	<u>CURRENT ZONING:</u> R-1 Single Family Residential
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SURROUNDING CONDITIONS:

<u>North:</u>	R-2 Single Family Residential
<u>South:</u>	R-1 Single Family Residential
<u>East:</u>	R-1 Single Family Residential
<u>West:</u>	R-1 Single Family Residential

BACKGROUND:

The Petitioner is seeking to construct an addition that would connect two existing buildings and be used as one single-family residence. Once the building addition is completed and after connecting the now two structures, the principal structure will not meet the minimum required side yard setback in the R-1 district. In addition, the existing parking lot is being reduced in size but will still exceed the maximum driveway width requirement for single-family residential properties. Therefore, the Petitioner is requesting:

Special Use to permit a side yard setback of 9 feet instead of the minimum required 15 feet.

Variation to maintain the existing commercial parking lot, related to the previous non-single-family residential use on the property, which exceeds the maximum permitted driveway width of 35 feet.

SITE ANALYSIS:

- The Subject Property is zoned R-1 Single Family. The property was annexed into the Village in 1994, with the then existing daycare center. The property contained two buildings and an associated parking lot. That use was approved in unincorporated Cook County and continued until the previous operator abandoned both the use and any legal non-conforming status for the day care.
- The Petitioner is proposing to build an addition connecting the two buildings to convert it into one single-family residence. The building addition will complete a 4-car garage addition for the property.
- The existing accessory structure is located at approximately 9 feet 10 inches which meets the accessory structure setback of 5 feet. However, once it is connected to the primary residence, the required setback must meet the minimum required 15-foot setback for a principal structure. This requires a Special Use.
- The Subject Property has an existing parking lot in front of the structures. The parking lot was associated with the former daycare center at this location. With the cessation of the day care, the conversion back to a single-family home requires both the removal of the previously existing wheel stops and a reduction of the width of the existing pavement. This will allow the driveway to function as a circular driveway. However, it would still exceed the maximum permitted 35-foot width; thus, requiring a Variation.
- The proposed addition includes a side load garage that where additional driveway is being added in place of existing gravel to meet code.
- The proposed building and lot coverage are approximately 7%, and 15 % respectively, which meet code.

DEPARTMENTAL REVIEWS:

Community Services	The final floorplan for the use of the existing building shall be submitted in a manner acceptable to the Directors of Planning and Zoning and Community Services.
Engineering	No Issued Identified
Environmental Health	N/A
Fire Prevention	N/A

Public Works	N/A
Police	N/A

STANDARDS FOR SPECIAL USE: Since this Petition is not for a use publicly operated or traditionally affected with the public interest, those standards under Section 14.05 D (2) and (3) are applicable. Specifically, the Petitioners must show that the Special Use, if granted, will be operated in a manner consistent with the public health, safety, and welfare, and that the Special Use will not have a negative impact on the value of surrounding properties. The Petition for a Special Use is attached, and the Petitioners have attempted to address the required standards.

STANDARDS FOR A VARIATION: Standards for a Variation are found in Section 14.03 D (1) and (2) of the Zoning Code. Specifically, the Petitioners must show that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located; that the plight of the owner is due to unique circumstances; and that the variation, if granted, will not alter the essential character of the locality. The Petition for Variation is attached, and the Petitioners have attempted to address the required standards.

STAFF RECOMMENDATION:

The Subject Property is zoned R-1 single-family residential. It previously operated as a daycare facility in unincorporated Cook County and included two buildings and a parking lot. The previous daycare facility ceased operating in 2016 and the Petitioner purchased the property in April 2019, with the intent to connect the two existing buildings to be used as one single-family residence. Under the current R-1 zoning, the addition and connection of the building would result in the residence being setback less than the required 15 feet. The proposed addition should not change the impact of the existing setback from the western side lot line. The existing parking lot does not meet the residential driveway standards and was never intended to function as a residential driveway. While the Petitioner is removing a section of the asphalt into order to have a more traditional circular driveway, the remaining area still exceeds the maximum allowable width per Code. The proposed plans call for a new 4-car garage to connect both of the existing structures.

This property is unique as it previously operated as a daycare facility, but it maintains a single-family residential zoning and is located in a single-family residential neighborhood. The proposed improvements do not change the existing setbacks and the pavement configuration is reduced in width, in attempting to further restore the residential use of the property. Lastly, the use of the property as a single-family residence aligns with the existing conditions and characteristics of the surrounding neighborhood. Therefore, Staff recommends approval of the Special Use and Variation, subject to the following conditions.

1. The Special Use and Variation shall substantially conform to the site plan, submitted by the Petitioner's Architect Robert Wcislo, on 10/16/2019, except as said plans may be revised to conform to the Village Code of Ordinances.
2. The final floorplan for the use of the existing building shall be submitted in a manner acceptable to the Directors of Planning and Zoning and Community Services.

ATTACHMENTS:

- Aerial map - 572 W. Helen Road
- Application
- Plat of Survey
- Site Plan
- Elevations
- Floor Plan
- Public Notice

3.2.a



VILLAGE OF PALATINE

SPECIAL USE & VARIATION APPLICATION

Department of Planning & Zoning
200 E. Wood Street • Palatine, IL • 60067-5339
Telephone: (847) 359-9047 • Fax (847) 963-6247

Office Use Only	Project Planner <u>LB</u>	Zoning Case #
	Filing Fee <u>\$360 + 60 = \$420</u>	Notification Deadline
	ZBA Public Hearing Date	Village Council Date

date received

Background Information	PETITIONER(S)		Business Name (if applicable)	
	<u>ANNA POZNIAK</u>			
	Subject Property Address <u>572 W HELEN RD PALATINE IL</u>			
	AUTHORIZED AGENT (if applicable)		Business Name (if applicable)	
	Address		City/State/Zip Code	
	Telephone	Fax	Email	
	Relationship to Petitioner (contractor, architect, etc.)			
	TYPE OF APPLICATION (check one)			
	☐ Special Use ☐ Special Use Amendment ☐ Variation			
	Existing Zoning District		Existing Land Use	
Generally describe your request:				
<u>ATTACH A GARAGE TO EXISTING BUILDING</u> <u>LEAVE THE DRIVEWAY AS IS & AS DETERIORATES</u> <u>MAKE IT SMALLER & MORE EVEN</u> <u>ALLOW DRIVEWAY TO BE AT PROPERTY LINE FOR</u> <u>SAFE ACCESS TO THE GARAGE</u>				

Attachment: Application (572 W. Helen St - SU setback VAR driveway)

Required Materials

- ☐ Filing Fee of \$ _____
- ☐ Application Form
- ☐ Plat of Survey (must show all current improvements and be sealed by an Illinois certified surveyor)
- ☐ Site Plan & Floor plan (dimension, location, and setbacks of all existing and proposed buildings) – **one 11x17 copy each, electronic version preferred**
- ☐ Real Estate Interest Disclosure Form (see attached)
- ☐ Proof of Ownership or Lease (e.g. Title Insurance Policy, Deed, or Purchase Contract)
- ☐ Business Plan (if applicable; including, but not limited to nature of business, hours of operation, number of employees, and menu)

Additional Materials (as required by the Village)

- ☐ Elevation Plan (front, side, and rear elevations of a proposed building), and/or Floor Plan (proposed interior layout) – **one 11x17 copy of each plan, electronic versions preferred**
- ☐ Engineering Plans (must indicate existing conditions, topography, storm water management, tree preservation, utility connections, detention calculations, and a cost estimate)
- ☐ Photographs (e.g. ground-level or aerials)
- ☐ Other materials as deemed necessary by the Village

Petitioner Justification

The Petitioner is required to present specific evidence related to each of the following standards to justify the request (paraphrased from Section 14.05 of the Palatine Zoning Ordinance). Answer the items below and attach a separate sheet if necessary. ***If you are applying for a Variation only, you do not need to answer these items.***

1. The use is deemed necessary for the public convenience at that location

SEE ATT. SHEET

2. The use is designed, located, and proposed to be operated that the public health, safety and welfare will be protected

3. The use will not cause substantial injury to nearby property values

4. With respect to live entertainment uses, the use shall not:
- a. Produce noise levels so great as to constitute an unreasonable interference for persons outside the confines of the establishment
 - b. Impose undue health, sanitation or safety burdens on the village
 - c. Create excessive demands on the Village of Palatine Police Department
 - d. Be of a nature otherwise prohibited by law or village ordinance
5. For fence standards, see Section 14.05 of the Palatine Zoning Ordinance



VARIATION

Required Materials

- ☐ Filing Fee of \$ _____
- ☐ Application Form
- ☐ Plat of Survey (must show all current improvements and be sealed by an Illinois certified surveyor)
- ☐ Site Plan & Floor plan (dimension, location, and setbacks of all existing and proposed buildings) – **one 11x17 copy each, electronic version preferred**
- ☐ Real Estate Interest Disclosure Form (see attached)
- ☐ Proof of Ownership or Lease (e.g. Title Insurance Policy, Deed, or Purchase Contract)

Additional Materials (as required by the Village)

- ☐ Elevation Plan (front, side, and rear elevations of a proposed building), and/or Floor Plan (proposed interior layout) – **one 11x17 copy of each plan, electronic versions preferred**
- ☐ Engineering Plans (must indicate existing conditions, topography, storm water management, tree preservation, utility connections, detention calculations, and a cost estimate)
- ☐ Photographs (e.g. ground-level or aerials)
- ☐ Other materials as deemed necessary by the Village

Petitioner Justification

The Petitioner is required to present specific evidence related to each of the following standards to justify the request (paraphrased from Section 14.03 of the Palatine Zoning Ordinance). Answer the items below and attach a separate sheet if necessary. ***If you are applying for a Special Use only, you do not need to answer these items.***

1. That the property cannot yield a reasonable return if used only under the conditions allowed by the regulations governing the zoning district in which it is located

SEE ATT. SHEET

2. That the plight of the owner is due to unique circumstances

3. That the variation, if granted, will not alter the essential character of the locality

4. In order to supplement the above standards, the Zoning Board of Appeals may also consider the following:
 - a. The particular surroundings, shape, or topographical conditions of the property
 - b. A unique hardship for the property not generally applicable to other properties in the same zoning district
 - c. The request is not based on a desire to make more money out of the property
 - d. The petitioner has not created the alleged hardship for the property
 - e. The request will not be detrimental to the public welfare or other properties in the neighborhood
 - f. The request will not impair the supply of light and air to adjacent properties, substantially increase the danger of fire, endanger the public safety, or substantially diminish or impair neighboring property values

Special use

1. This property will be used as a residence for a single family, not as previously used as a child care facility. Residents in the area used to complain about heavy traffic especially in morning and evening hours.
2. Structure of subject is already built on the property and located so it is encroaching side set back and it use to serve as a classroom for child care. The main house is located several feet from detached structure. Proposed garage addition is to be located in between those two and to connect them both into one residence. The location of this addition will serve the residents and will have no impact on the public health, safety and welfare of the neighborhood.
3. By eliminating heavy traffic and converting both detached structures into one residential use by adding attached garage to both of the properties will keep and even increase property values in the area.
4. This property will become as a single-family residence and part of community to follow all the laws and ordinances of Village of Palatine.
5. No new fence is to be constructed.

Variance

1. Existing driveway will be modified to increase width without causing any conditions restricting car to follow circular driveway. Widening the driveway near new proposed garage will easing up way to park a car without backing out and it will provide safer way to park a car in the garage.
2. The owner purchased this property as is (previously used as Child Care with parking stalls in front) and found himself in plight where existing driveway is oversized and too wide for residential purposes according to municipal codes.
3. Granted variation will have no alteration to essential character to the neighborhood. Owner planted some evergreens in front of the driveway and created a natural screen, by doing so making it to be hard to notice the wider driveway from the street or adjacent properties.
4. A.
 - a. Property will be used as a single-family residence
 - b. Property used to serve as a Child Care, surrounding properties are single family residence
 - c. Property owners desire is to bring this property into single-family home to serve them as their primary residence.
 - d. Property was purchased as built which served as Child Care facility, owner wants to turn it in to single family residence.

- e. Conversion of Child Care facility into single family residence will serve the community and the public welfare.
- f. New garage addition will not impair the supply of natural light and fresh air to adjacent properties, as well as not increasing the danger of fire or endangering public safety and will not diminish and impair neighboring property value.

PLAT OF SURVEY

-OF-

LOT 10 IN BLOCK 5 IN ARTHUR T. McINTOSH & COMPANY'S
NORTHWEST ACRES UNIT No. 2, A SUBDIVISION IN THE SOUTH HAMBURG
THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 42 NORTH,
RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO
THE PLAT THEREOF, RECORDED JANUARY 30, 1951 AS DOCUMENT No.
15001095, IN COOK COUNTY, ILLINOIS.

APPROVED
7/29/08 BY *cm*
PLANNING & ZONING

STATE OF ILLINOIS)
COUNTY OF LAKE) SS

I, WILLIAM C. DOLAND, AN ILLINOIS PROFESSIONAL LAND SURVEYOR,
DO HEREBY CERTIFY THAT THE ABOVE DESCRIBED PROPERTY HAS BEEN
SURVEYED, UNDER MY SUPERVISION, IN THE MANNER REPRESENTED ON
THE PLAT HEREON DRAWN.

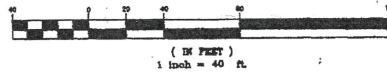
DIMENSIONS ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF.

DATED AT LONG GROVE, ILLINOIS THIS 18th DAY OF OCTOBER, 2008

William C. Doland
ILLINOIS PROFESSIONAL LAND SURVEYOR No. 1746



GRAPHIC SCALE



-LEGEND-

	BITUMINOUS PAVEMENT
	CONCRETE
	FENCE
	BUILDING
	TRASH ENCLOSURE

W.C. DOLAND ENGINEERING CO.
2560 LINCOLN AVENUE
LONG GROVE, ILLINOIS 60047
(847) 438-4836
(312) 368-0097

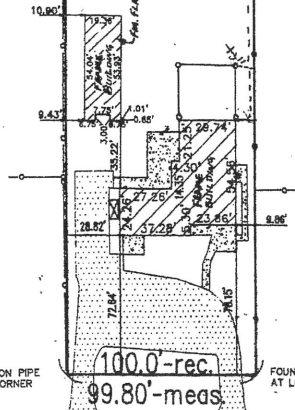
FOUND IRON PIPE
11.81' W. OF LOT
CORNER

100.00'

FOUND IRON PIPE
AT LOT CORNER

754.62'-meas.
754.0'-rec.

754.0'-rec.
753.38'-meas.

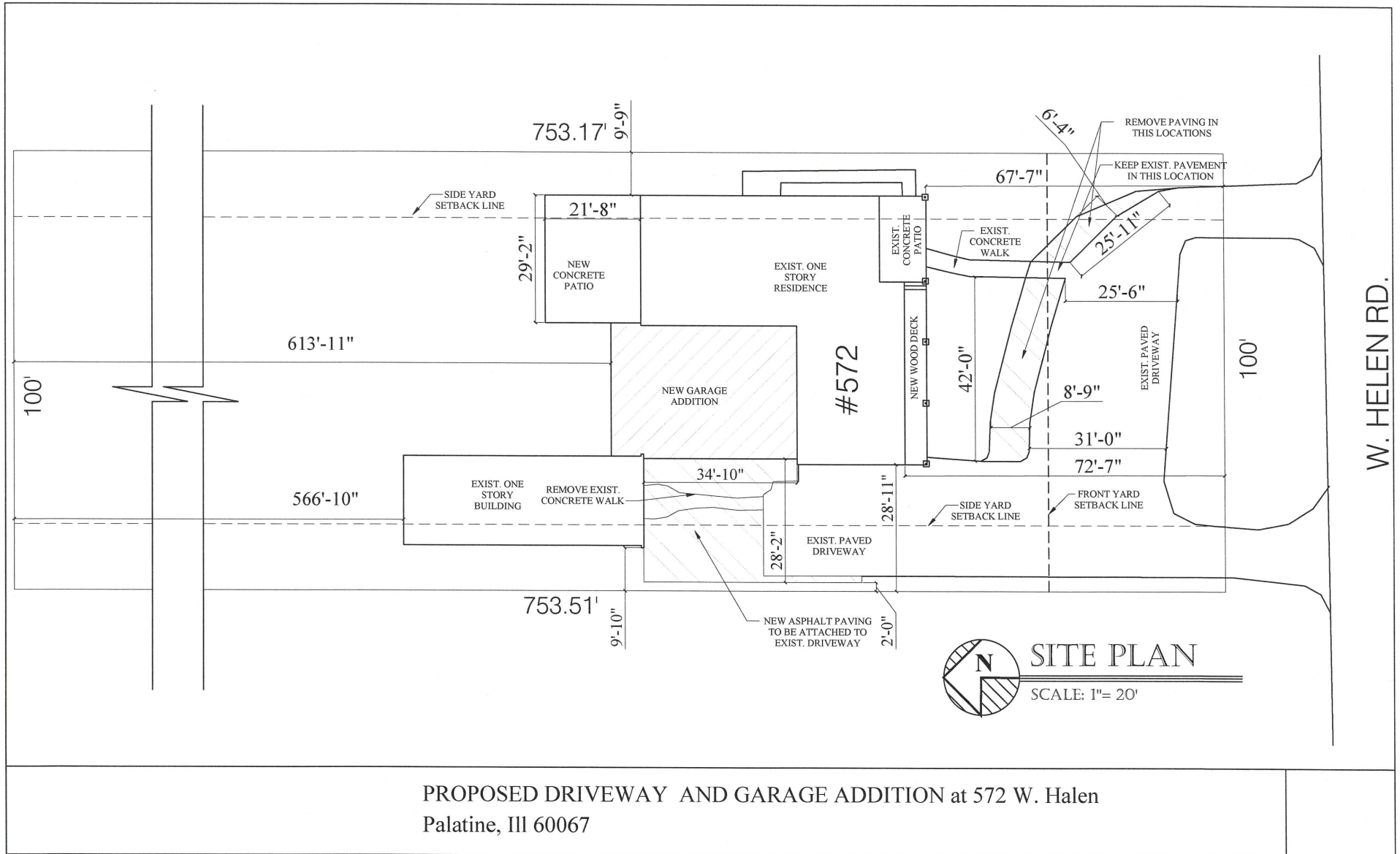


FOUND IRON PIPE
AT LOT CORNER

HELEN ROAD

FOUND IRON PIPE
AT LOT CORNER

Attachment: Plat of Survey (572 W. Helen St - SU setback VAR driveway)



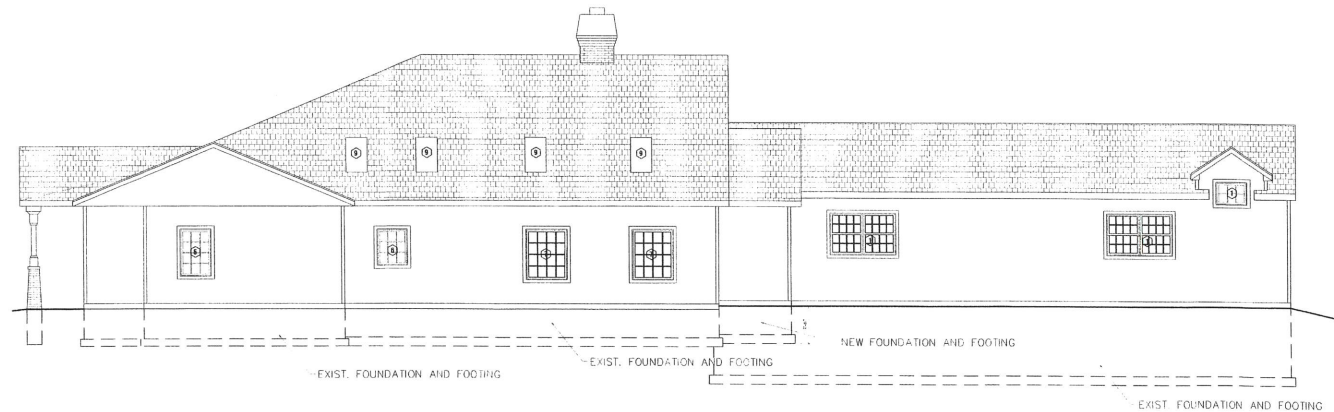
PROPOSED GARAGE ADDITION AND BUILDING ALTERATIONS

572 Helen Rd. Palatine, IL 60074



WEST ELEVATION

SCALE 3/16" = 1'-0"



EAST ELEVATION

SCALE 3/16" = 1'-0"

GEORGE SIMOUL
ARCHITECT
700 NORTH KENILWORTH
CHICAGO, IL 60654
TEL 773-299-9144



GEORGE W. SIMOUL
REGISTERED ARCHITECT #001-001137
LICENSE EXP. 11/30/20

Rev. No.	Date	Description
1	08/02/19	ISSUES & REVISIONS

Project:

PROPOSED GARAGE ADDITION
AND BUILDING ALTERATIONS

Address:
572 Helen Rd.
Palatine, IL 60074

Sheet Title:
ELEVATIONS

Date:	Proj. No.:
08/02/19	123

Drawn:	Sheet No.:
TCM AUGUSTOWSKI	A5

Checked:

Approved:
GEORGE SIMOUL

Attachment: Elevations (572 W. Helen St - SU setback VAR driveway)

PROPOSED GARAGE ADDITION AND BUILDING ALTERATIONS

572 Helen Rd. Palatine, IL 60074

ROOF CONSTRUCTION

235# ASPHALT SHINGLES
2 LAYERS 15# FELT WITH GRACE ICE AND
WATER SHIELD FROM THE FASCIA TO 2
FOOT INSIDE THE INTERIOR LINE OF THE
EXTERIOR WALL, MINIMUM.
1/2" OSB ROOF SHEATHING RATED FOR 16"
SPAN
R - 49 INSULATION WITH V.B. (SEE SECTION
ON A2)
2X ROOF RAFTERS (SEE FRAMING PLAN FOR
DET.)
HOLD-DOWN TIES TO EACH RAFTER.

OVERHANG CONSTRUCTION

1 X WOOD FASCIA, ALUM CLAD
WOOD EAVES TO BLEND WITH EXISTING
AND TO HAVE CONT. EAVE VENTING
ALUMINUM GUTTERS & DOWN SPOUTS TO
CONCRETE SPLASH BLOCK OR HARD
SURFACE

1ST FLOOR CONSTRUCTION

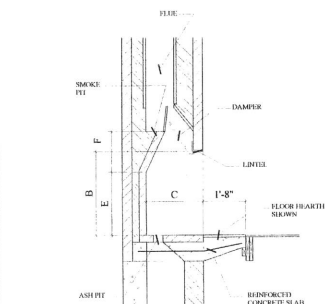
1ST FLOOR CONSTRUCTION
3/4" PLYWOOD UNDERLAYMENT (INSTALL
ADDITIONAL 1/4" UNDERLAYMENT AT
CERAMIC TILE FLOOR AREAS)
2 X (SEE A-8) FLOOR JOISTS (40psf LIVE
LOAD + 10psf DEAD LOAD)
R-30 INSULATION AT FLOOR RIM JOISTS

1ST FLOOR WALL
CONSTRUCTION EXIST.

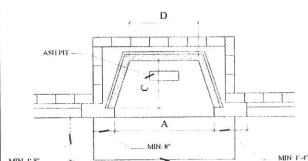
CONSTRUCTION EXIST:
VINYL SIDING
TYVEK WRAP OR EQUIV. HOUSE WRAP
1/2" CDX SHEATHING
2x4 STUDS @ 16" O.C.
R-15 INSULATION WITH VAPOR BARRIER
1/2" SHEETROCK GLD., NLD., SCRWD.

1ST FLOOR WALL
CONSTRUCTION NEW

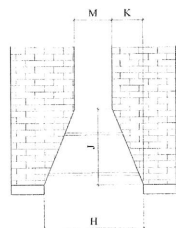
CONSTRUCTION NEW
VINYL SIDING
TYVEK WRAP OR EQUIV. HOUSE WRAP
1/2" CDX SHEATHING
2x6 STUDS @ 16" O.C.
R-21 INSULATION WITH VAPOR BARRIER
1/2" SHEETROCK G.L.D., N.L.D., SCRWD.



SECTION

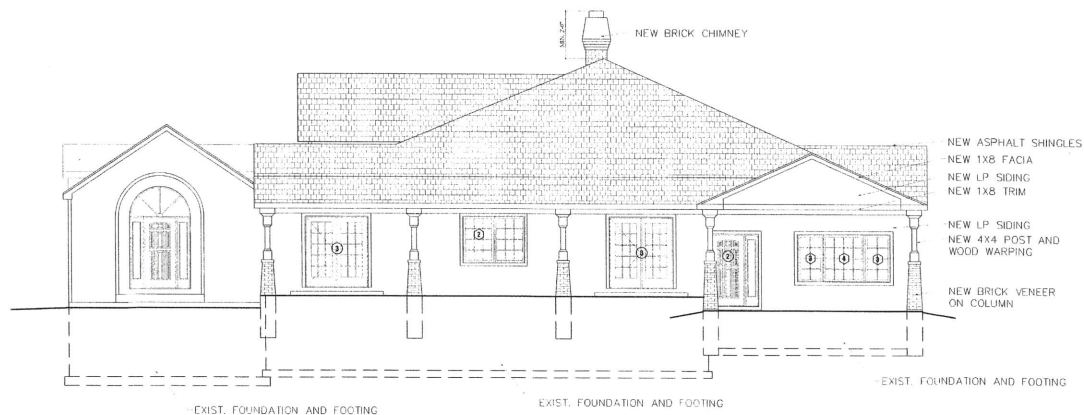


PLAN

SMOKE CHAMBER
SECTION

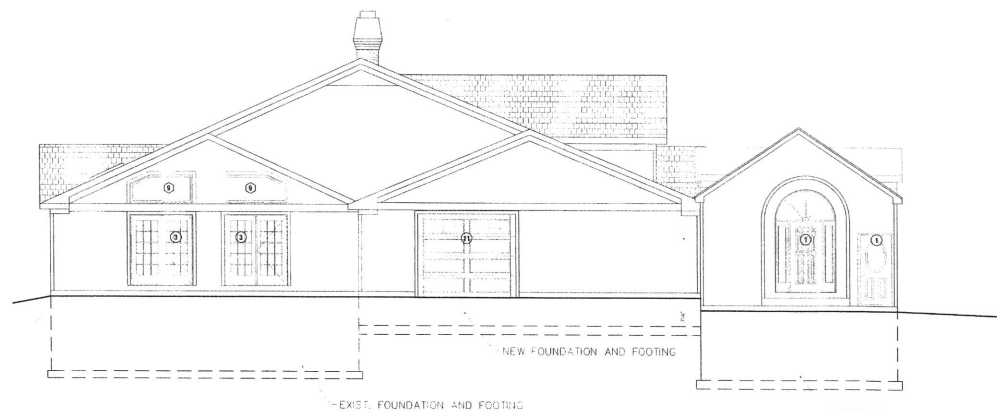
FINISHED FIREPLACE OPENING										ROUGH BRICK FRONT AND FLUE SIZES								
										NEW SIZES*				OLD SIZES				ST. AGL.
A	B	C	D	E	F	G	H	I	J	K	L	M	R	K	L	M	N	ST. AGL.
24	24	16	11	14	18	7	3	2	10	11	8	12	8	12	15	5.5	8.5	A-36
28	28	16	11	14	18	7	3	2	10	11	8	12	8	12	15	5.5	8.5	A-36
28	24	16	11	14	18	7	3	2	10	12	8	14	8	12	15	5.5	8.5	A-36
30	28	16	11	14	18	7	3	2	10	13	12	12	8	12	15	5.5	8.5	A-36
32	28	16	11	14	18	7	3	2	10	14	12	12	8	12	15	5.5	8.5	A-36
32	28	16	11	14	18	7	3	2	10	14	12	12	8	12	15	5.5	8.5	A-36
36	28	16	11	14	18	7	3	2	10	16	12	12	8	12	15	5.5	8.5	A-36
36	28	16	11	14	18	7	3	2	10	16	12	12	8	12	15	5.5	8.5	A-36
42	32	16	11	14	18	7	3	2	10	18	16	12	8	12	15	5.5	8.5	A-36
42	32	16	11	14	18	7	3	2	10	18	16	12	8	12	15	5.5	8.5	A-36
48	32	16	11	14	18	7	3	2	10	20	16	12	8	12	15	5.5	8.5	A-36
54	32	16	11	14	18	7	3	2	10	22	16	12	8	12	15	5.5	8.5	A-36
60	32	16	11	14	18	7	3	2	10	24	16	12	8	12	15	5.5	8.5	A-36
60	40	22	16	11	14	18	7	3	2	26	16	12	8	12	15	5.5	8.5	A-36
72	40	22	16	11	14	18	7	3	2	28	16	12	8	12	15	5.5	8.5	A-36
84	40	22	16	11	14	18	7	3	2	30	20	16	12	12	15	5.5	8.5	A-36
96	40	22	16	11	14	18	7	3	2	32	20	16	12	12	15	5.5	8.5	A-36
96	40	22	16	11	14	18	7	3	2	32	20	16	12	12	15	5.5	8.5	A-36

* NEW FLUE SIZES CONFORM TO MODULAR DIMENSIONAL SYSTEM.
SIZES SHOWN ARE NOMINAL. ACTUAL SIZE IS 1/2" LESS 4" DIMENSION AND 1/4" LESS 8" DIMENSION.
DIMENSIONS LISTED BY "IN" = 1/8" IN 1/4" IN 3/8" IN 1/2" IN 5/8" DIMENSIONS.



SOUTH ELEVATION

SCALE 3/16"= 1'-0"



NORTH ELEVATION

SCALE 3/16" = 1'-0"

**GEORGE SIMOUL
ARCHITECT**
7555 NORTH KEDLER,
SKOKIE, IL 60076,
TEL. 773-299-9616

2



GEORGE W. SIMOULIS
REGISTERED ARCHITECT #001-01113
LICENSE EXP. 11/30/2005

Rev. No.	Date	Description
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ISSUES & REVISIONS

Project:

PROPOSED GARAGE ADDITION
AND BUILDING ALTERATIONS

Address:
572 Helen Rd.
Palatine, IL 60074

Sheet Title:

ELEVATIONS

Date:	Proj.
08/02/19	No: 123

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Drawn:	Sheet No:
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TOM
AUGUSTOWSKI

Checked:

Checked: **Λ6**

AG

Approved:	
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GEORGE

PROPOSED GARAGE ADDITION AND BUILDING ALTERATIONS

572 Helen Rd. Palatine, IL 60074

GEORGE SIMOULI
ARCHITECT

1100 N. WILSON AVE.
BLOOMINGDALE, IL 60010
TEL: 815.226.9666

LIGHT AND VENT SCHEDULE

ROOM DESCRIPTION	FLOOR	VENT AREA SQ. FT.	CLASS	AIR SUPPLY CFM	AIR EXHAUST CFM	MECHANICAL VENTILATION	NATURAL LIGHT AREA SQ. FT.	CLASS	AIR SUPPLY CFM	AIR EXHAUST CFM	MECHANICAL VENTILATION	EXHAUST UNIT NO.	FURNACE UNIT	REMARKS
FINISHED BASEMENT	523	-	-	194	194	-	-	-	200	200	-	-	A	
RECREATION ROOM	171	-	-	64	64	-	-	-	75	75	-	B	A	
CRAWL SPACE	770	-	-	-	-	5.1	-	-	-	-	-	-	-	CRAWL SPACE VENTS 1/150
1ST FLOOR														
KITCHEN/FAMILY ROOM	870	69.6	34.8	437.3	437.3	39.9	49.3	450	450	A	B	BROAN UNIT 200 CFM		
DINING ROOM	300	24.00	12.00	143	143	22.7	40.0	150	150	B	B	BROAN UNIT 12" 60 CFM		
POWDER ROOM	29	-	-	50	50	4.6	7.3	50	50	D	B	BROAN UNIT 12" 60 CFM		
MASTER BEDROOM	232	19	9.5	110	110	20.2	47.3	150	150	A	A	BROAN UNIT 12" 60 CFM		
MASTER BATHROOM	92	7.36	-	44	44	-	21.0	100	100	B	A	BROAN UNIT 12" 60 CFM		
BATH #1	46	4	-	25	25	-	12.2	50	50	C	A	BROAN UNIT 12" 60 CFM		
BEDROOM #2	139	11.6	5.8	61	61	45.1	47.9	100	100	A	A			
BEDROOM #3	138	11.6	5.8	61	61	45.1	47.9	100	100	A	A			
HALL	73	-	-	42.7	42.7	-	-	-	100	100	A			
ATTIC-MAN	2600	-	-	-	-	9.7	-	-	-	-	-	-	-	CONT. EAVE & RIDGE VENTS 1/100

EXHAUST A 200 CFM DIRECT TO EXTERIOR
EXHAUST B 150 CFM DIRECT TO EXTERIOR
EXHAUST C 50 CFM DIRECT TO EXTERIOR
EXHAUST D 40 CFM DIRECT TO EXTERIOR

A-BASEMENT HVAC
B-1ST FLOOR HVAC

DOOR SCHEDULE

NO.	TYPE	SIZE	MATERIAL	DOOR	FRAME	THICK- NESS	REMARKS
1	SWING	VARIES	WD	WD	WD	1.34	1, 3, 5, 6, 7, 8, 9
2	SWING	2'-4" X 6'-8"	WD	WD	WD	1.34	1, 3, 5, 6, 7, 8, 9
3	SLIDING	6'-0" X 6'-8"	WD	WD	WD	1.34	1, 5, 6, 4, 12
4	SWING	2'-4" X 6'-8"	WD	WD	WD	1.38	EXIST. 5, 6
5	SWING	2'-4" X 6'-8"	WD	WD	WD	1.38	1, 6
6	SWING	2'-4" X 6'-8"	HM	WD	WD	1.38	EXIST. 2, 6
7	POCKET	2'-0" X 6'-8"	WD	WD	WD	1.38	1, 6
8	SWING	2'-2" X 6'-8"	WD	WD	WD	1.38	1, 6, 5
9	SWING	2'-0" X 6'-8"	WD	WD	WD	1.38	1, 2, 9
10	SWING	3'-0" X 6'-8"	WD	WD	WD	1.38	1, 5, 6, 7, 15
11	OVERHEAD	9'-0" X 8'-0"	WD	WD	WD	1.34	1, 7, 16
12	OVERHEAD	16'-0" X 8'-0"	WD	WD	WD	1.34	1, 7, 16
13	SWING	2'-0" X 6'-8"	WD	WD	WD	1.34	1, 6

- STYLE BY OWNER
- INTEGRAL PULL
- SPECIAL WALL
- TEMP & INSUL. GLAZING
- INT. PULLS & PRIVACY LOCKS, SINGLE ACTION
- PULL STYLE BY OWNER
- INSULATED DOOR
- METAL THRESHOLD
- SIDELIGHT WINSUL & TEMP GLAZE
- BRONZE WEATHER STRIP
- STORM DOOR
- W/SCREEN DOOR
- RABBITED FRAME
- W/DOOR
- 20 MIN. DOOR
- W/ALTO DOOR OPENER FED GOV. APPROVED
- LOUVERED DOOR SINGLE ACTION
- TEMPERED SHOWER DOOR OWNERS STYLE & SIZE
- B LABEL
- TEMP GLAZING

WINDOW SCHEDULE

NO.	TYPE	SIZE	LIGHT VENT	R.O.	EXISTING	REMARKS
1	EXIST. DH	-	-	-	EXISTING	
2	CM 2-35x53	19.2	23.2	CHECK MAN. SPECS	2	
3	CM 20x55	7.6	9.5	CHECK MAN. SPECS	-	
4	FIXED 47x53	13.4	-	CHECK MAN. SPECS	-	
5	CM 35x53	9.6	11.4	CHECK MAN. SPECS	-	
6	CM 39x41	11	8.9	CHECK MAN. SPECS	-	
7	CM 47x57	14.8	17.1	CHECK MAN. SPECS	-	
8	FIXED 71x38	7.2	-	CHECK MAN. SPECS	-	
9	FIXED 71x40	15.8	-	CHECK MAN. SPECS	2	
10	FIXED 71x38	7.2	-	CHECK MAN. SPECS	-	
11	CM 2-29x25	6.2	8.6	CHECK MAN. SPECS	1	
12	CM 2-29x25	6.2	8.6	CHECK MAN. SPECS	-	
13	CM 35x53	9.6	11.6	CHECK MAN. SPECS	-	
14	SKYLIGHT 22x45	4.7	-	CHECK MAN. SPECS	-	

WINDOW NOTES

- SAFETY GLAZING SHALL BE INSTALLED IN THIS LOCATION.
- PROVIDE MIN. ONE EGRESS WINDOW.
- METAL FRAME.

MINIMUM WINDOW EGRESS OPENINGS

WINDOWS MARKED "EXIT" SHALL MEET 2009 IBC FOR FIRE EVACUATION.

5.7 SF NET AREA MIN 24" EGRESS HEIGHT MIN
20" EGRESS WIDTH MIN 44" ABOVE FLOOR MAX

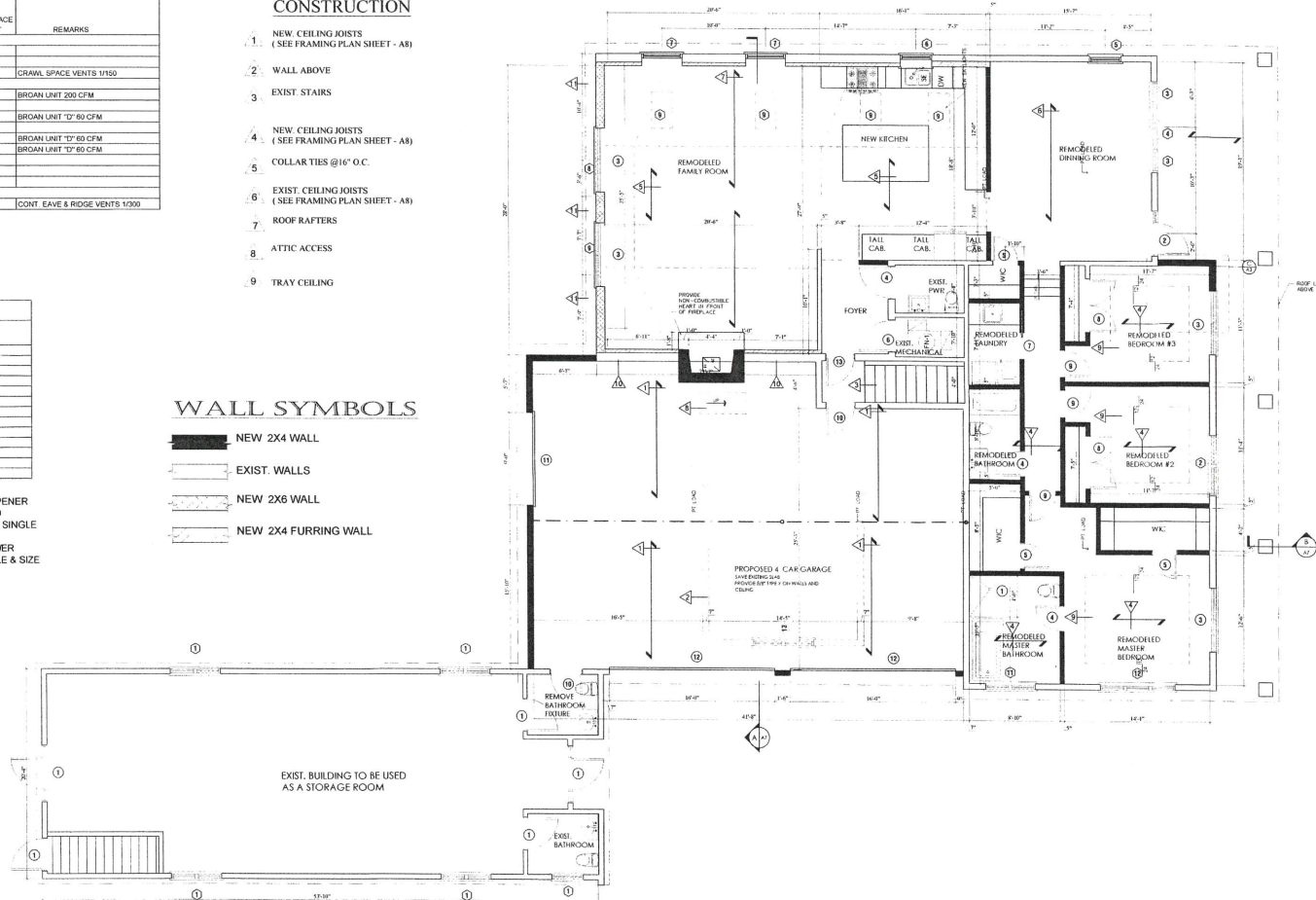
SEE ELEVATIONS FOR WINDOW SIZE - WINDOW SHOWN ON DRAWINGS TO BE WOOD CASSETT WINDOW.
WINDOW SIZE SHOWN ON DRAWINGS ARE PELLA OR APPROVED EQUAL.
- ALTERNATE WINDOW SUPPLIER TO PROVIDE WINDOWS EQUAL TO PELLA WITH WINDOW SIZE COMPARABLE TO SIZE INDICATED ON DRAWINGS.
MAXIMUM GLAZING U-FACTOR TO BE 0.32
MAXIMUM GLAZING U-FACTOR FOR SKYLIGHT TO BE 0.55 OR LESS

1ST FLOOR CONSTRUCTION

- NEW CEILING JOISTS (SEE FRAMING PLAN SHEET - A8)
- WALL ABOVE
- EXIST STAIRS
- NEW CEILING JOISTS (SEE FRAMING PLAN SHEET - A8)
- COLLAR TIES @ 16" O.C.
- EXIST CEILING JOISTS (SEE FRAMING PLAN SHEET - A8)
- ROOF RAFTERS
- ATTIC ACCESS
- TRAY CEILING

WALL SYMBOLS

- NEW 2X4 WALL
- EXIST. WALLS
- NEW 2X6 WALL
- NEW 2X4 FURRING WALL



1ST FLOOR PLAN
SCALE: 3/16" = 1'-0"



GEORGE W. SIMOULI
REGISTERED ARCHITECT #001-01117

LICENSE EXP. 11/20/20

Rev. No. Date Description
ISSUES & REVISIONS

Project:

PROPOSED GARAGE ADDITION
AND BUILDING ALTERATION

Address:
572 Helen Rd.
Palatine, IL 60074

Sheet Title:
1ST FLOOR PLAN

Date:
08/02/19

Proj.
No: 123

Drawn:
TOM AUGUSTOWSKI

Sheet No:

Checked:

A4

Approved:
GEORGE SIMOULI

Attachment: Floor Plan (572 W. Helen St - SU setback VAR driveway)

PUBLIC NOTICE
A public hearing will be held before the Palatine Zoning Board of Appeals on Wednesday, November 13, 2019 at 7:00 PM, in the Village Council Chambers in the Palatine Village Hall, 200 E. Wood Street, relative to a request for the following:

Special Use to permit a side yard setback of 9 feet instead of the minimum required 15 feet, pursuant to Section 10.02 (h) (4) of the Palatine Zoning Ordinance. Variation to maintain the existing commercial parking lot, related to a previous non-single-family residential use on the property, which exceeds the maximum permitted driveway width of 35 feet pursuant to Section 7.04 (l) (4) of the Palatine Zoning Ordinance. The property is commonly known as 572 W. Helen Road (02-22-114-011).

The Petitioner is proposing to complete a building addition that will connect the two existing buildings for use as a single-family residential home. The building addition will maintain the existing side yard setback of 9 feet. The Petitioner will be removing sections of the driveway and the existing wheelstops, but the remaining driveway width exceeds the maximum allowed.

The above petition has been filed by Anna Pozniak and is available for examination in the office of the Village Clerk, 200 E. Wood Street.

FILE #: 19-39
VILLAGE OF PALATINE
Jan Wood, Chair
Palatine Zoning Board
of Appeals

DATED: This 28th day of October, 2019
Published in Daily Herald
October 28, 2019 (4534640)

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

Daily Herald

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **DAILY HERALD**. That said **DAILY HERALD** is a secular newspaper and has been circulated daily in the Village(s) of Algonquin, Antioch, Arlington Heights, Aurora, North Aurora, Bannockburn, Barrington, Barrington Hills, Lake Barrington, North Barrington, South Barrington, Bartlett, Batavia, Buffalo Grove, Burlington, Campton Hills, Carpentersville, Cary, Crystal Lake, Deerfield, Deer Park, Des Plaines, Elburn, East Dundee, Elgin, South Elgin, Elk Grove Village, Fox Lake, Fox River Grove, Franklin Park, Geneva, Gilberts, Glenview, Grayslake, Green Oaks, Gurnee, Hainesville, Hampshire, Hanover Park, Hawthorn Woods, Highland Park, Highwood, Hoffman Estates, Huntley, Inverness, Island Lake, Kildeer, Lake Bluff, Lake Forest, Lake in the Hills, Lake Villa, Lake Zurich, Libertyville, Lincolnshire, Lindenhurst, Long Grove, Melrose Park, Montgomery, Morton Grove, Mt. Prospect, Mundelein, Niles, Northbrook, Northfield, Northlake, Palatine, Park Ridge, Prospect Heights, River Grove, Riverwoods, Rolling Meadows, Rosemont, Round Lake, Round Lake Beach, Round Lake Heights, Round Lake Park, Schaumburg, Schiller Park, Sleepy Hollow, St. Charles, Streamwood, Sugar Grove, Third Lake, Tower Lakes, Vernon Hills, Volo, Wadsworth, Wauconda, Waukegan, West Dundee, Wheeling, Wildwood, Wilmette

County(ies) of Cook, Kane, Lake, McHenry

and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

I further certify that the DAILY HERALD is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published 10/28/2019 in said DAILY HERALD.

IN WITNESS WHEREOF, the undersigned, the said PADDOCK PUBLICATIONS, Inc., has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC.
DAILY HERALD NEWSPAPERS

BY

Authorized Agent

Control # 4534640

Attachment: Public Notice (572 W. Helen St - SU setback VAR driveway)

**VILLAGE OF PALATINE
Zoning Board of Appeals**

SCHEDULED 11/13/19 07:00 PM

CASE STAFF STATEMENT (ID # 5640)

879 W. Kenilworth Avenue

TO: Palatine Zoning Board of Appeals
Jan Wood, Chair

FROM: Lyn Bremanis

PETITIONER: Rich Sabel

CASE NUMBER: 19-50

ADDRESS: 879 W. Kenilworth Avenue

PROPOSAL:

Variation to allow two air conditioner units in the required front yard pursuant to Section 10.01 (d) (1) of the Palatine Zoning Ordinance.

<u>LOCATION:</u> 879 W. Kenilworth Ave. District 1 (Millar)	<u>CURRENT ZONING:</u> R-2 Single Family Residential
--	---

SURROUNDING CONDITIONS:

<u>North:</u>	R-2 Single Family Residential
<u>South:</u>	R-1 Single Family Residential
<u>East:</u>	R-2 Single Family Residential
<u>West:</u>	R-2 Single Family Residential

BACKGROUND:

The Petitioner is requesting to maintain 2 air conditioner units that were installed in the required front yard. Therefore, the Petitioner is requesting the following:

A Variation to allow two air conditioner units in the required front yard

SITE ANALYSIS:

- The Subject Property is zoned R-2, Single Family Residential.
- The Petitioner went through a plat of consolidation process, which rearranged the legal front yard to Crescent Avenue. The home faces Kenilworth Avenue and the functional side yard abutting a street would be along Crescent Avenue. The Petitioner was approved for a front yard setback reduction to 20 feet along Crescent Avenue but as part of that relief, a deed restriction was required for the setback along Kenilworth Avenue to be 27 feet.

- In addition, the Petitioner requested zoning relief to allow a 6-foot solid fence in the front yard. This request will be presented to the Village Council in conjunction to this request.
- During construction, 2 air conditioner units were installed in the front yard, outside of the building permit review. Per Code, air conditioner units are not contemplated as permitted obstructions in either the required front yard or side yard abutting a street. They are only permitted in the rear or interior side yard.
- The units are set back approximately 15 feet from the lot line. If the proposed fence is approved they will be effectively screened. Nevertheless, if the requested fence is not approved, additional screening should be provided, if the units are permitted to remain.

DEPARTMENTAL REVIEWS:

Community Services	No issues identified
Engineering	No issues identified
Environmental Health	N/A
Fire Prevention	N/A
Public Works	N/A
Police	N/A

STANDARDS FOR A VARIATION: Standards for a Variation are found in Section 14.03 D (1) and (2) of the Zoning Code. Specifically, the Petitioners must show that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located; that the plight of the owner is due to unique circumstances; and that the variation, if granted, will not alter the essential character of the locality. The Petition for Variation is attached, and the Petitioners have attempted to address the required standards.

STAFF RECOMMENDATION:

The Petitioner is in the process of constructing a new residence. While the building permits were approved, they did not include the location of the air conditioner units. The HVAC inspections have not been completed, as of yet. The Contractor installed the units in the required front yard along Crescent, which is not permitted (as a permitted obstruction), per code. The Petitioner is requesting to keep the units in their current location. While there are examples of air conditioner units in side yards abutting a street in the area, they are located outside of the required side yard abutting a street setback and are permitted by Code. Staff understands the units have already been installed,

however being located in the required front yard is not consistent with the neighborhood and does not comply with the Code requirements. There are other compliant locations in which the units could be placed.

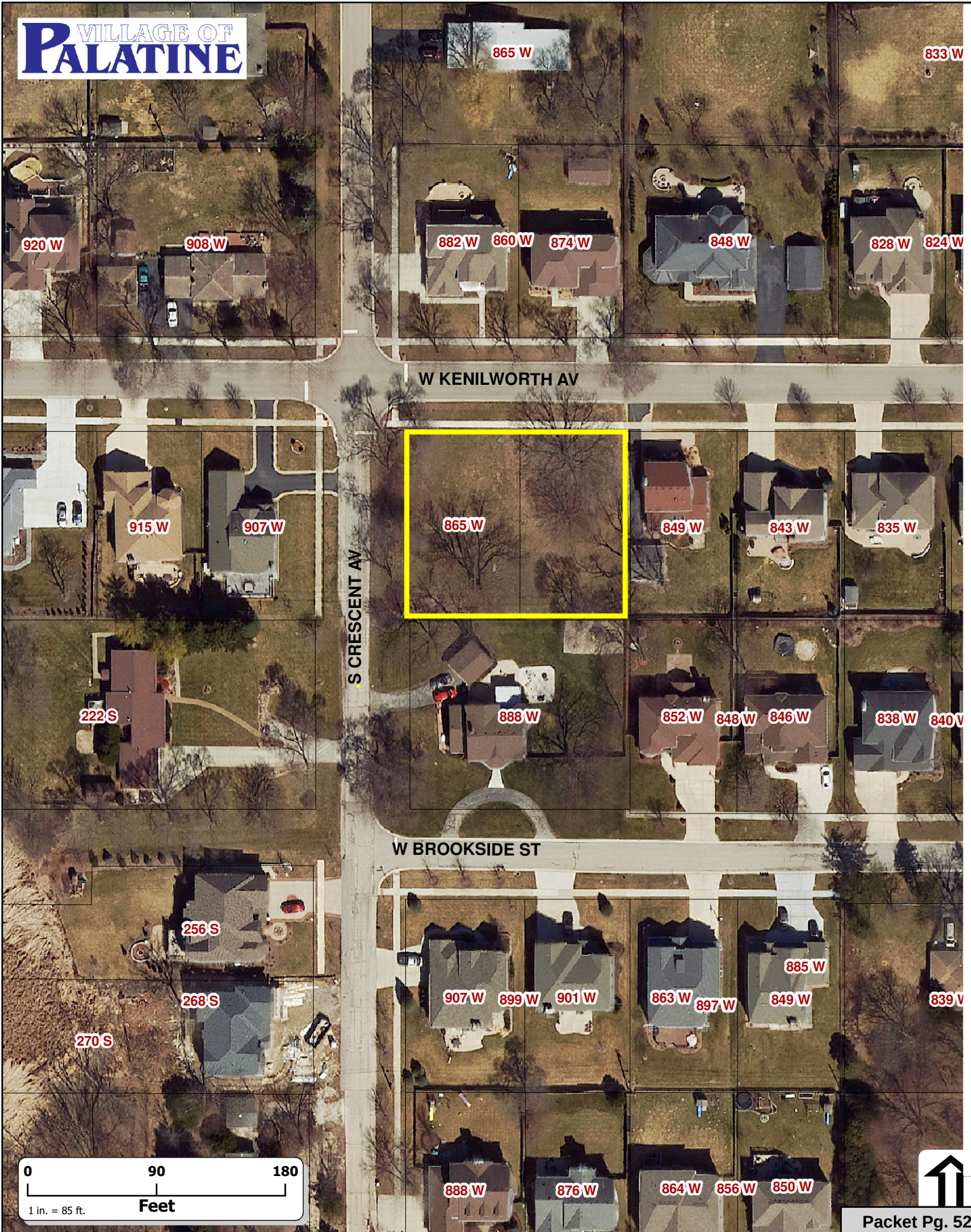
Staff does not believe that there is justification for the Variation and recommends denial of the request. If the ZBA recommends approval, Staff recommends the following conditions:

1. The Variation shall substantially conform to the site plan submitted by the Petitioner, Richard Sabel, on 10/25/2019, except as said plans may be changed to conform to the Village Code of Ordinances.
2. A final screening plan for the air conditioner units shall be submitted in a manner acceptable to the Director of Planning & Zoning, prior to issuance of a building permit.

ATTACHMENTS:

- Aerial
- Application
- Site Plan
- Existing Conditions
- Photo submitted by Petitioner
- Public Notice

VILLAGE OF
PALATINE



Attachment: Aerial (879 W. Kenilworth Ave. - VAR ac units)

VILLAGE OF PALATINE

SPECIAL USE & VARIATION APPLICATION

Department of Planning & Zoning
200 E. Wood Street • Palatine, IL • 60067-5339
Telephone: (847) 359-9047 • Fax (847) 963-6247

Office Use Only	Project Planner	Zoning Case #
	Filing Fee	Notification Deadline
	ZBA Public Hearing Date	Village Council Date

date received

Background Information	PETITIONER(S) Richard T. Sabel		Business Name (if applicable) BOS LLC		
	Subject Property Address 879 W. Kenilworth Ave				
	AUTHORIZED AGENT (if applicable) Richard T. Sabel		Business Name (if applicable) BOS LLC		
	Address 1575 W. Rue James Pl		City/State/Zip Code Palatine, IL. 60067		
	Telephone [REDACTED]	Fax [REDACTED]	Email [REDACTED]		
	Relationship to Petitioner (contractor, architect, etc.)				
	TYPE OF APPLICATION (check one) ☐ Special Use ☐ Special Use Amendment ☒ Variation				
	Existing Zoning District		Existing Land Use		Proposed Land Use
	Generally describe your request: To allow AC units to be placed on west sideyard of property enclosed by a fence. _____ _____ _____ _____ _____ _____				

Attachment: Application (879 W. Kenilworth Ave. - VAR ac units)



VARIATION

Required Materials

- ☐ Filing Fee of \$ _____
- ☐ Application Form
- ☐ Plat of Survey (must show all current improvements and be sealed by an Illinois certified surveyor)
- ☐ Site Plan & Floor plan (dimension, location, and setbacks of all existing and proposed buildings) – **one 11x17 copy each, electronic version preferred**
- ☐ Real Estate Interest Disclosure Form (see attached)
- ☐ Proof of Ownership or Lease (e.g. Title Insurance Policy, Deed, or Purchase Contract)

Additional Materials (as required by the Village)

- ☐ Elevation Plan (front, side, and rear elevations of a proposed building), and/or Floor Plan (proposed interior layout) – **one 11x17 copy of each plan, electronic versions preferred**
- ☐ Engineering Plans (must indicate existing conditions, topography, storm water management, tree preservation, utility connections, detention calculations, and a cost estimate)
- ☐ Photographs (e.g. ground-level or aerials)
- ☐ Other materials as deemed necessary by the Village

Petitioner Justification

The Petitioner is required to present specific evidence related to each of the following standards to justify the request (paraphrased from Section 14.03 of the Palatine Zoning Ordinance). Answer the items below and attach a separate sheet if necessary. ***If you are applying for a Special Use only, you do not need to answer these items.***

1. That the property cannot yield a reasonable return if used only under the conditions allowed by the regulations governing the zoning district in which it is located

AC units have been placed in the beginning stages. I was unaware of this until recently, requesting approval for fence to block units.

2. That the plight of the owner is due to unique circumstances

I was not involved until the recent past. These would be located in the side yard which used to be the front yard.

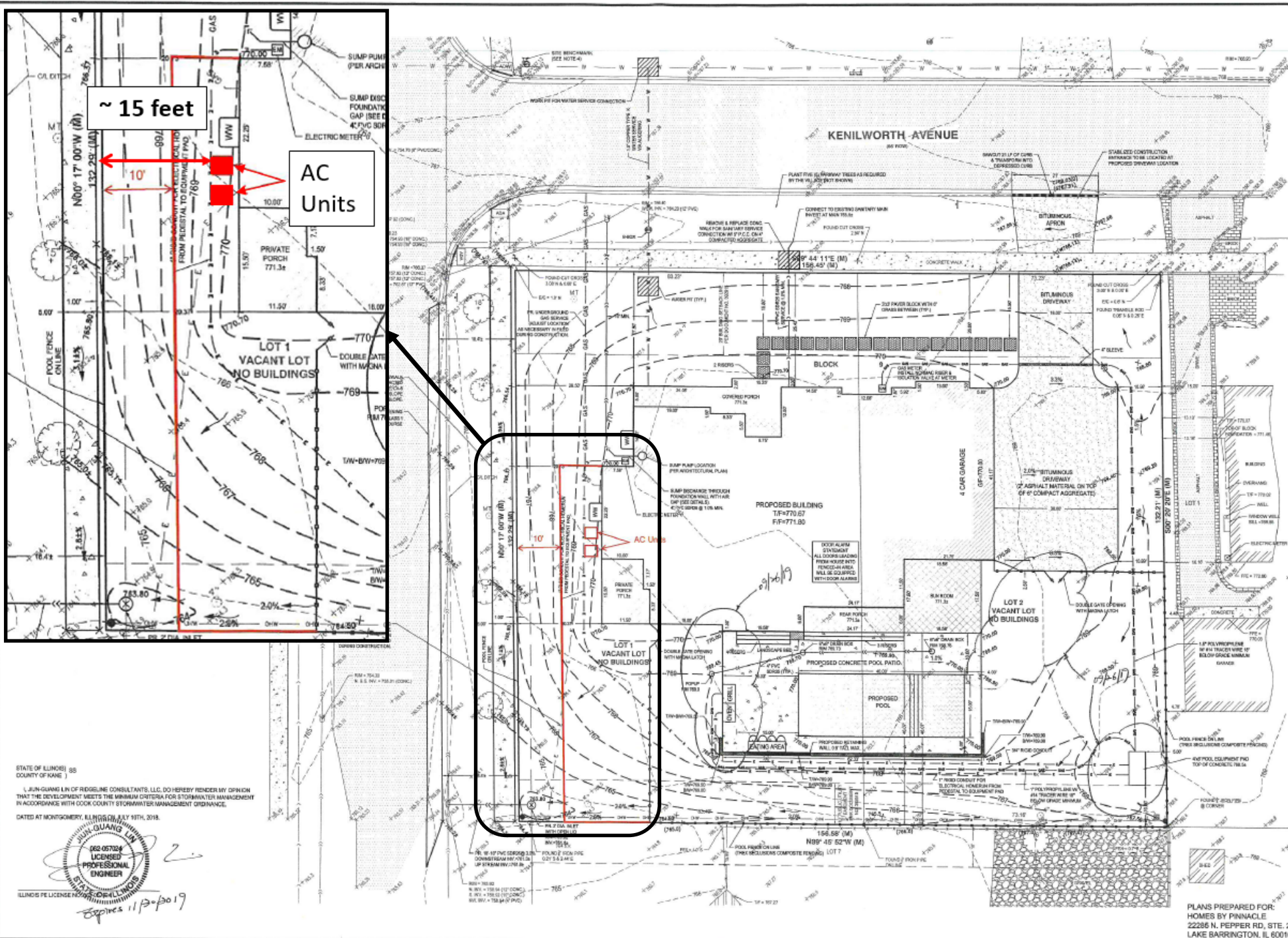
3. That the variation, if granted, will not alter the essential character of the locality

The units will not alter the character of the locality. Upon approval of the Trex fence requested the AC units will be covered.

4. In order to supplement the above standards, the Zoning Board of Appeals may also consider the following:

- a. The particular surroundings, shape, or topographical conditions of the property
- b. A unique hardship for the property not generally applicable to other properties in the same zoning district
- c. The request is not based on a desire to make more money out of the property
- d. The petitioner has not created the alleged hardship for the property
- e. The request will not be detrimental to the public welfare or other properties in the neighborhood
- f. The request will not impair the supply of light and air to adjacent properties, substantially increase the danger of fire, endanger the public safety, or substantially diminish or impair neighboring property values

These units will be within a fence placement therefore they will not visually be seen.



879 W. Kenilworth Avenue



Attachment: Existing Conditions (879 W. Kenilworth Ave. - VAR ac units)

Existing Conditions of AC Units along Crescent Avenue



PUBLIC NOTICE
A public hearing will be held before the Palatine Zoning Board of Appeals on Wednesday, November 13, 2019 at 7:00 PM, in the Village Council Chambers in the Palatine Village Hall, 200 E. Wood Street, relative to a request for the following:

Variation to allow two air conditioner units in the required front yard pursuant to Section 10.01 (d) (1) of the Palatine Zoning Ordinance.

The property is commonly known as 879 W. Kenilworth Ave. (02-21-410-003).

The Petitioner is proposing to have two air conditioner units located in the required front yard along S. Crescent Avenue.

The above petition has been filed by Richard Sabel and is available for examination in the office of the Village Clerk, 200 E. Wood Street.

FILE #: 19-50

VILLAGE OF PALATINE
Jan Wood, Chair
Palatine Zoning Board of Appeals

DATED: This 28th day of October, 2019
Published in Daily Herald
October 28, 2019 (4534641)

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

Daily Herald

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **DAILY HERALD**. That said **DAILY HERALD** is a secular newspaper and has been circulated daily in the Village(s) of Algonquin, Antioch, Arlington Heights, Aurora, North Aurora, Bannockburn, Barrington, Barrington Hills, Lake Barrington, North Barrington, South Barrington, Bartlett, Batavia, Buffalo Grove, Burlington, Campton Hills, Carpentersville, Cary, Crystal Lake, Deerfield, Deer Park, Des Plaines, Elburn, East Dundee, Elgin, South Elgin, Elk Grove Village, Fox Lake, Fox River Grove, Franklin Park, Geneva, Gilberts, Glenview, Grayslake, Green Oaks, Gurnee, Hainesville, Hampshire, Hanover Park, Hawthorn Woods, Highland Park, Highwood, Hoffman Estates, Huntley, Inverness, Island Lake, Kildeer, Lake Bluff, Lake Forest, Lake in the Hills, Lake Villa, Lake Zurich, Libertyville, Lincolnshire, Lindenhurst, Long Grove, Melrose Park, Montgomery Morton Grove, Mt. Prospect, Mundelein, Niles, Northbrook, Northfield, Northlake Palatine, Park Ridge, Prospect Heights, River Grove, Riverwoods, Rolling Meadows, Rosemont, Round Lake, Round Lake Beach, Round Lake Heights, Round Lake Park, Schaumburg, Schiller Park, Sleepy Hollow, St. Charles, Streamwood, Sugar Grove, Third Lake, Tower Lakes, Vernon Hills, Volo, Wadsworth, Wauconda, Waukegan, West Dundee, Wheeling, Wildwood, Wilmette

County(ies) of Cook, Kane, Lake, McHenry

and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

I further certify that the DAILY HERALD is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published 10/28/2019 in said DAILY HERALD.

IN WITNESS WHEREOF, the undersigned, the said PADDOCK PUBLICATIONS, Inc., has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC.
DAILY HERALD NEWSPAPERS

BY

Laurel Baetz
Authorized Agent

Control # 4534641

Attachment: Public Notice (879 W. Kenilworth Ave. - VAR ac units)