



PLANNING AND ZONING COMMISSION

SEPTEMBER 9, 2025 AT 7:00 PM

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

MINUTES

REGULAR MEETING

7:00 PM

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF MINUTES

- A. Planning and Zoning Commission — Regular Meeting — August 26, 2025

IV. PUBLIC HEARING

- A. 204 S Ashland Avenue

1. To be continued to the September 23, 2025 Planning and Zoning Commission Meeting

RESULT:	CONTINUED TO SEPTEMBER 23RD, 2025
MOVER:	Kevin Cavanaugh
SECONDER:	Cindy Roth Wurster
AYES:	Jan Wood, Cindy Roth Wurster, Tim Schubert, Kevin Cavanaugh, Eric Friedman, Patrick Noonan, Rodney Bettenhausen, Robert Kolososki
NAYES:	None

- B. 255 N. Bothwell Street -

1. Variation to allow the total lot coverage to be 55%, instead of the maximum allowable 45%

VAR-000207-2025 – 255 N Bothwell Street

Notice was published in the Journal & Topics on August 21st, 2025 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. **Application**
2. **Site & Deck Plans**
3. **Real Estate Disclosure**
4. **Proof of ownership**
5. **Public notice**

Background:

Mr Vyverberg provides background – states The Subject Property is zoned R-2, Single-family District and the lot area is 8,712 SF. The property is currently improved with a single-family residential home and detached garage in the rear yard. The Petitioners are seeking Variation to exceed the maximum lot coverage in the R-2 district. The current lot coverage exists at approximately 53%. The Petitioner would like to add a deck to the rear of the home. As part of the plan to add the deck, the Petitioners also intend to remove certain impervious surfaces, including a set of concrete steps and approximately 42-foot deep sidewalk, leading east into the rear yard. With the exception of the total coverage relief, the deck would comply with all the other zoning and setback requirements of the code. The deck is approximately 240 square feet and would lead from the rear of the home onto a landing/stairs into the rear of the yard. The Petitioner is requesting a Variation to permit the total lot coverage to be 55%, instead of the maximum allowable 45%. The current lot coverage is 53%, as an existing condition. The Subject Property is currently zoned: R-2 Single Family Residential District.

Sworn in petitioner:

Norman and Merry Ellen Malcolm – 255 N Bothwell Street

Mr. Malcolm stated they have resided at the property for 45 years. The home, one of the oldest in Palatine, was built in 1870. He explained that the original porch lift had been removed, and they are requesting approval to build a deck. The first floor sits 6 feet above grade, and a deck would provide better access to the garage and driveway. While some hard surfaces would be removed to reduce lot coverage, the property would still be slightly above the required amount.

Commissioner Bettenhausen asked if the existing patio would be removed.

Mr. Malcolm responded that they would prefer to keep it.

Commissioner Roth-Wurster asked if any neighbors had been contacted.

Mr. Malcolm stated that both adjacent neighbors have decks and they have no objections.

Commissioner Kolososki asked if the stairway to the deck was included in the square footage calculation.

Mr. Malcolm stated he was not certain.

Mr. Vyverberg confirmed the stairway is included in the calculation.

Mr. Vyverberg explained that, given the existing circumstances, reuse and removal of some items are feasible. He referred to the existing condition site plan and lot coverage calculations, noting that all the lot sizes in this area are substandard to the current requirements and the property also has a detached garage that adds

impervious surface. He stated it is a reasonable request to add the deck and that the Petitioner is also removing sections of existing impervious surfaces. The deck exceeds the required 25 feet of rear yard setback.

Chairman Wood asked if there were any issues with flooding in the area.

Mr. Vyverberg responded that engineering reviewed the site and found no history of flooding or complaints. He added that the proposed deck would increase lot coverage by 2%, of which the Village Engineer does not have any specific concerns.

STAFF RECOMMENDATION:

As an existing circumstance, the home exceeds the maximum lot coverage in the R-2 zoning district. This is in large part due to the narrower lot size, detached garage, and existing improvements. Although the Petitioners are proposing to add a new deck to the rear of the home, there will also be existing impervious areas removed from the property. The proposed improvements should not impact the surrounding properties or alter the essential character of the neighborhood. Therefore, staff recommends approval of the Variation, subject to the following conditions:

1. The Variation shall substantially conform to the site and deck plans, including the impervious surface removal, prepared by the Petitioners, and attached hereto as Exhibit 'A', except where revisions are necessary to comply with Village Codes and Ordinances.

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

Commissioner Cavanaugh Made a motion to approve subject staff's conditions, seconded by Commissioner Noonan.

DISCUSSION:

Commissioner Friedman stated that properties in this area have no concerns with flooding. By increasing the impervious surface and removing some of the existing hard surface, the request is less of a concern regarding impervious area and is logical for this property.

Commissioner Roth-Wurster stated that the request does not alter the condition of the locality and has addressed the removal of impervious surface to accommodate the project.

Chairman Wood stated that the request meets the standards for health, safety, and welfare, does not impact the value of surrounding properties, and has been appropriately addressed.

Chairman 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 6, 2025.

RESULT:	APPROVED
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MOVER:	Kevin Cavanaugh
SECONDER:	Patrick Noonan
AYES:	Jan Wood, Cindy Roth Wurster, Tim Schubert, Kevin Cavanaugh, Eric Friedman, Patrick Noonan, Rodney Bettenhausen, Robert Kolososki
NAYES:	None

C. 1480 W. Poplar Street

1. Special Use to permit a fence in a front yard

SU-000125-2024 – 1480 W Poplar Street

Notice was published in the Journal & Topics on August 21st, 2025 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. **Special Use Application**
2. **Proof of Ownership**
3. **Plat of Survey**
4. **Site Plan**
5. **Fence Elevation**
6. **O-46-02 PUD**
7. **PZC Minutes 10/22/2024**
8. **PZC Minutes 5/23/2023**
9. **Public Notice**

Background:

Ben provides The Petitioner is seeking Special Use approval for a 5-foot tall open-style aluminum fence along the east side of the property and gate and now moved 2' to the west as per previous requests. The petitioner is requesting a Special Use to permit a fence in a front yard.

Sworn in petitioner: Victor Baranovici – 1480 W Poplar St.

Mr. Baranovici explains that he has had to call 911 numerous times regarding people accessing his driveway, which is the reason for the fencing and gate request. Palatine police have been contacted on many occasions due to safety concerns, with cars driving into his property to check out the area or to see if there is access to the lake. He cites incidents where property was almost damaged and expresses concern for the safety of his children. He notes that 911 has been his resource to address trespassers. He reiterates his need for the fencing and gate requested in this petition.

Chair Wood asks if the road is private or public and refers to the site plan for

verification.

Mr. Baranovici explains that the area at the light pole is private.

Mr. Vyverberg states there are two homes to the north, and that a license agreement had previously been in place and was approved with the subdivision.

Mr. Baranovici states he owns and maintains the property, including grass and trees, even in areas not technically his responsibility.

Commissioner Schubert comments that many properties within Palatine do not have gates and asks the Petitioner to explain the features and intentions of the proposed gate.

Mr. Baranovici responds that his gate is motion-sensor activated. He explains that there had been concerns from the fire department regarding access to the property in emergencies, but explains that the gate is designed to allow access for all vehicles and has a motion sensor and will open for emergency use. His goal is not to prevent access to his house, but to deter trespassing and add safety for his family.

Commissioner Bettenhausen asks if there will be reflective materials on the fence for nighttime visibility.

Mr. Baranovici responds that reflective signage could be added if the village deems necessary. He explains that most drivers go slowly as the asphalt is already difficult to see.

Commissioner Schubert asks if vehicles are able to turn around at the gate easily.

Mr. Baranovici states there is room for a comfortable U-turn and space for approximately two and a half cars.

Commissioner Schubert asks where garbage is placed on pickup day.

Mr. Baranovici states he has to take his trash to the corner of Poplar & Palos Avenues

Mr. Vyverberg provides background on the original license agreement, noting the limited number of cars that use the area and the unique nature of the site.

Mr. Baranovici states that fencing is proposed near the pond and around the house.

Mr. Vyverberg explains the circumstances regarding fencing on these lots.

Commissioner Bettenhausen asks if the proposed fence will end at the fire hydrant.

Mr. Baranovici states it will be installed to code.

Mr. Vyverberg provides additional clarification. He explains that questions had previously been raised regarding fill on the property and did not find any violations for unnecessary fill and did not find any specific engineering violations. The village Engineer and I further inspected the site, but after walking the site, no violations were found. The proposed fence line was adjusted 2 feet to the west will further open the area and, to address utility concerns have been eliminated. If the final fencing plan location is acceptable to both Fire and Planning & Zoning. If recommended by Planning & Zoning and the Village Council, there would need additional detail provided by the petitioner. He notes that the fence was originally proposed as a solid 5–6' structure but has since been changed to an open fence with a gate, which is acceptable to staff and moving it 2' is acceptable to staff.

STAFF RECOMMENDATION:

The Petitioner has amended the most recent request and proposed to move the fence approximately 2 feet from the lot line. This dimension would avoid the potential

for utility conflicts and also should not interfere with any existing landscaping along the shared lot line. The final proposed gate location will have to be submitted in a manner acceptable to the Fire Marshal. Therefore, Staff recommends approval of the proposed Special Use for a fence in the front yard, subject to the following conditions:

1. The Special Use shall substantially conform to the Site Plan and Fence Elevation submitted by the Petitioner, Victor Baranovici, except as such plans may be changed to conform to Village Codes and Ordinances.
2. The final fencing site plan and fencing location shall be revised in a manner acceptable to the Director of Planning and Zoning and in compliance with the Planned Development Ordinance (#O-46-02) requirements, including tree preservation and landscaping for Clearwater subdivision.
3. The final gate and its manual open operations' plan shall be submitted in a manner acceptable to the Fire Marshall. The manual open gate shall not be locked to allow for emergency service access.
4. The proposed fencing shall not be located in the rear yard, nor extend beyond the existing rear building line for the residence of the subject property.
5. A Hold Harmless shall be submitted in a manner acceptable to the Village Engineer, and shall be recorded with the property. The Village shall have no responsibility to replace the fence.

Commissioner Friedman requests clarification of Item #3, stating that it references a manual gate twice while the plan indicates an automatic gate. He notes that if the gate is automated and malfunctions, emergency vehicles would still need access through a manual mechanism.

Mr. Vyverberg states that is correct, and the final gate plans will need to be approved by the Fire Marshal.

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

Commissioner Noonan Made a motion to approve subject staff's conditions, seconded by Commissioner Ruth-Wurster.

DISCUSSION:

Commissioner Kolososki states that the new request looks better, noting that the petitioner has taken care of the property and invested significant money into it. He states that it meets the standards.

Commissioner Roth-Wurster states this has been a long process, as this is the third time the petitioner has come before the commission. She notes that when reviewing the standards for special use, the homes and lakefront property with the public/private road leading up to the house presents a unique circumstance. She explains that the standards for special use relating to health, safety, and welfare have been addressed. The open fence and automated gate provide safety and deterrence, as people are often curious and trespass onto the property. She states this request meets the standards.

Chairman Wood states that some people believe gates are a good solution and

others do not, making it subjective. She explains that in this case, the petitioner has demonstrated the need for it. She notes that after back and forth with staff and several changes, the request addresses health, safety, and welfare, does not reduce property values, and achieves the petitioner's objectives. She states it is a great solution and hopes it accomplishes the petitioner's goals.

Chairman 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 6, 2025.

RESULT:	APPROVED
MOVER:	Patrick Noonan
SECONDER:	Cindy Roth Wurster
AYES:	Jan Wood, Cindy Roth Wurster, Tim Schubert, Kevin Cavanaugh, Eric Friedman, Patrick Noonan, Rodney Bettenhausen, Robert Kolososki
NAYES:	None

V. PUBLIC COMMENT

VI. ADJOURNMENT

RESULT:	APPROVED
MOVER:	Patrick Noonan
SECONDER:	Tim Schubert
AYES:	Jan Wood, Cindy Roth Wurster, Tim Schubert, Kevin Cavanaugh, Eric Friedman, Patrick Noonan, Rodney Bettenhausen, Robert Kolososki
NAYES:	None