



VILLAGE OF PALATINE

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

ZONING BOARD OF APPEALS MINUTES • OCTOBER 25, 2022

Village Hall - Council Chambers

Regular Meeting

7:00 PM

I. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Cindy Roth-Wurster	Commissioner	Present	
Jan Wood	Commissioner	Present	
Jerry Luszczyk	Commissioner	Absent	
Theodore McGinn	Commissioner	Absent	
Kevin Cavanaugh	Commissioner	Present	
John Pirog	Commissioner	Present	

II. MINUTES APPROVAL

1. Zoning Board of Appeals - Regular Meeting - Sep 27, 2022 7:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Kevin Cavanaugh, Commissioner
SECONDER:	Cindy Roth-Wurster, Commissioner
AYES:	Roth-Wurster, Wood, Cavanaugh, Pirog
ABSENT:	Luszczyk, McGinn

III. PUBLIC HEARING

1. 990 S. Cedar Street

Notice was published in the Daily Herald on October 10, 2022 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. Application for Special Use
2. Proof of Ownership
3. Site Plan
4. Floor Plan & Elevations
5. Public Notice

Sworn in staff: Mr. Alex Bradshaw

Sworn in the petitioner: Mr. Robert Gerowitz 990 S. Cedar Street & Ms. Kristin Berryhill Owner of Archadeck 395 W Northwest Hwy

Ms. Berryhill stated they are looking to build a screened-in porch. She stated it would be an open porch with no air-conditioning or insulation and will be located off the back of the house.

Mr. Gerowitz further explained they are looking for setback relief. He stated the existing deck has settled and is unsafe to walk on. Mr. Gerowitz stated this will be a great improvement to the quality of life.

Ms. Wood clarified what is remaining and what is coming down.

Mr. Gerowitz explained the gazebo and deck will come down. He further explained they are not adding any decking but rather using the existing footprint. He pointed out they currently have a deck and a swimming pool.

Ms. Roth-Wurster clarified they are not adding any additional decking.

Mr. Gerowitz answered that is correct.

Mr. Pirog asked if there will be a concrete foundation.

Mr. Gerowitz answered no.

Ms. Wood asked if there was any way to do without relief.

Mrs. Berryhill answered no due to the position of the entrance.

Mr. Bradshaw gave a brief overview stating the subject property is zoned R-2 with a 40ft rear yard setback. He stated the rear yard abuts Birchwood swimming pool referring to the aerial slide. He stated the addition would not encroach in either side yard setback. Mr. Bradshaw spoke to the unique shape of lot pointing out any changes would require relief. He pointed out there is a comparable setback relief granted in 2017 for 991 S. Cedar. Mr. Bradshaw stated Community Services, Engineering, and Fire Prevention reviewed and had no issues.

STAFF RECOMMENDATION:

The Subject Property has an existing deck and gazebo that will be demolished to make space for a sunroom addition off the rear of the home. The proposed sunroom will encroach 8 feet into the rear yard, which abuts the Birchwood Park Community Pool. As there was a Special Use granted to the property across the cul-de-sac, for greater rear yard setback relief, the proposed addition should not negatively impact the surrounding properties. Therefore, Staff recommends approval of the Special Use, subject to the following condition:

1. The Special Use shall substantially conform to the Site Plan, Floor Plan, and Elevation Plans submitted by the Petitioner, Korreen Gerowitz, except as such plans may be changed to conform to Village Codes and Ordinances.

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

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

Mr. Cavanaugh stated it meets the standards for safety and welfare of residents. He pointed out they are not changing the existing footprint just making it more user friendly for the resident.

Ms. Roth-Wurster agreed that it meets the standards. She pointed out they are replacing with similar configuration.

Ms. Wood stated it won’t cause injury to value of property. She pointed out it butts up to Birchwood and the neighbor has similar setback. She stated it will be done professionally and is in favor.

Ms. Wood summarized that this request has met the standards and was unanimously approved by a vote of 4-0. This item will tentatively go to Village Council on November 7, 2022

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

2. 855 E. Palatine Road

Notice was published in the Daily Herald on October 10, 2022 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. Application for Special Use Amendment
2. Proof of Ownership
3. Plat of Survey
4. Business Plan
5. Floor Plan
6. Public Notice

Sworn in the petitioner: Ms. Amanda Arvanitis 855 E. Palatine Rd

Ms. Arvanitis started massage career 10 years ago. She stated she opened a solo practice in Chicago but recently had a baby and moved to the suburbs so wants to move business closer to home.

Ms. Roth-Wurster asked about her business plan.

Ms. Arvanitis explained it is just her. She stated she does everything, except her taxes. Ms. Arvanitis stated she wanted to create a trauma free environment explaining she only does one style of massage being a relaxing deep tissue massage and wanted to create a safe space.

Ms. Wood asked if she will be the only employee.

Ms. Arvanitis answered yes.

Ms. Wood asked how many patients at one time.

Ms. Arvanitis answered one. She explained she spaces her patients out to give time to cleanup and talk in between. She stated she will have approx. 4 clients a day and is in a building full of healthcare professionals.

Ms. Wood asked if the space was vacant.

Ms. Arvanitis stated she thinks it used to be a dental office.

Mr. Bradshaw gave a brief overview stating the subject property is zoned R-1 single family and was granted a special use in 1970 that permitted a medical office building to be constructed solely for medical and dental professionals. He spoke to the business plan outlined in the packet including square footage, hours, and employees. He stated the parking requirement will remain the same. Mr. Bradshaw stated Community Services and Police have reviewed and had no issues.

STAFF RECOMMENDATION:

The proposed massage therapy office will occupy a vacant tenant space within an office building designated for professional medical and dental offices. The Petitioner is a licensed Massage Therapist with the State of Illinois, and Police

had no issues that were identified following their review. Lastly, the parking requirements do not change for this use. Therefore, Staff recommends approval of the Special Use subject to the following condition:

- 1. The Special Use shall substantially conform to the floor plan and the business plan submitted by the Petitioner, Ms. Amanda Arvanitis, except as such plan may be changed to conform to Village Codes and Ordinances.

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

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

DELIBERATIONS:

Mr. Cavanaugh stated she is a medical practitioner in a medical office so it's a perfect use for space.

Ms. Roth-Wurster stated it meets the standards.

Ms. Wood agreed.

Ms. Wood summarized that this request has met the standards and was unanimously approved by a vote of 4-0. This item will tentatively go to Village Council on November 7, 2022

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

3. 550 W. Wood Street #300

Notice was published in the Daily Herald on October 10, 2022 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. Application for Special Use Amendment
2. Proof of Ownership
3. Plat of Survey / Site Plan
4. Business Plan
5. Floor Plan
6. Public Notice

Sworn in the petitioner: Ms. Katy Cushing 550 W. Wood Unit 300

Ms. Cushing stated they opened their original location in 1994, out grew the space and moved training to 550 W Wood. She stated space has become available for whole facility to be moved under one roof. She stated the goal is to have all together relocating the programs currently on Northwest Hwy.

Ms. Wood asked if they are taking up the entire building.

Ms. Cushing answered no referring to the plat of survey slide.

Ms. Wood asked about the effect on parking and noise on other tenants.

Ms. Cushing stated the other tenants are Concept Plumbing and Brian Edwards Landscaping.

Ms. Wood asked about noise concerns.

Ms. Cushing stated they have measures in place to control barking. She explained they have a smaller dog to staff ratio for daycare and smaller social groups. Ms. Cushing spoke to the noise concerns explaining they are moving daycare to be inside and adding extra sound proofing. She spoke to the indoor potty system that will be installed that will prevent the need to go outside to go to the bathroom.

Ms. Wood asked about times they will take dogs outside.

Ms. Cushing stated only when the owners drop them off and pick up. She stated occasionally owners ask for their dogs to be walked which would be one handler and one dog. Ms. Cushing explained currently they have an area in the back for bathroom and when outside is used there is a 3 dog rotation.

Ms. Wood asked if classes are with owners.

Ms. Cushing answered yes.

Ms. Wood asked about parking.

Ms. Cushing stated there is free commuter parking along Wood Street. She stated she is unsure how many spots are allotted for her business. She stated the group classes have up to 15 and don't hold more than one class at a time.

Ms. Cushing stated the private sessions or evaluations are approx. 5 at a time.

Ms. Wood asked if they hold classes now.

Ms. Cushing answered yes.

Ms. Wood asked where they park now.

Ms. Cushing explained in the lot. She stated additional parking will not be needed.

Ms. Wood asked if there are any current parking concerns.

Mr. Bradshaw answered no. He explained the majority of the space is warehouse which is calculated at a lower rate and they have space to grow.

Mr. Pirog asked what the max dogs is.

Ms. Cushing explained currently it is 35-40 and proposed 70. She stated they can house 120 dogs currently with summer being the busiest for boarding.

Mr. Pirog asked with expansion how many max.

Ms. Cushing explained currently 80 and 120 will be max total.

Ms. Wood asked if there will be 3 tenants total in building.

Ms. Cushing answered yes.

Mr. Pirog asked if they have the experience to handle that many dogs in one location.

Ms. Cushing answered yes.

Mr. Pirog asked about the outside staff ratio.

Ms. Cushing explained 1 person is always stationed outside and 1 brings the dogs out.

Mr. Cavanaugh asked if they will use the outside in the new space.

Ms. Cushing explained the goal with adding the indoor potty areas is to not need the outside area.

Ms. Roth-Wurster asked about overnight care noise.

Ms. Cushing explained they currently have overnight and dogs are typically exhausted and sleep through the night so no issues.

Ms. Roth-Wurster asked if someone stays there overnight or is it monitored.

Ms. Cushing stated it is monitored and have had no issues.

Mr. Bradshaw spoke to the history of complaints for noise that were brought to the Village's attention with the most recent being in February of 2022 which the petitioner has worked through. He stated staff reached out to the residents with issues regarding the expansion meeting and they all were grateful for the steps A Closer Bond has made to rectify the issues and had no issues with the expansion. Mr. Bradshaw spoke to the business plan that consists of group,

private, and in-residency training for on leash and off leash training as well as behavior problem solving such as house training. He stated they were approved for a special use in 2014 and later amended in 2017 to include the turf area. Mr. Bradshaw spoke to the business plan outlined in the packet including, staff count, hours of operation and class times. He stated there is no plan to expand outside area rather adding indoor bathroom area with K9 turf and a drainage system connected to the sanitary sewer for the building eliminating the need for an outdoor enclosure.

Mr. Pirog asked if there is a commitment to eliminate outdoor space.

Mr. Bradshaw stated it is part of the business plan.

Ms. Cushing explained the plan was always to have everything inside but they had a bad builder who took all the money and left her with half a building so needed the space outside. She explained with the additional space they will be able to build the dog potties inside. Ms. Cushing explained the outdoor space will remain intact in case of an emergency. She stated they won't use outdoor areas for potty break.

Ms. Wood asked when the proposed area will be completed.

Ms. Cushing stated they are hoping 3 months.

Ms. Wood asked when they will expect to move.

Ms. Cushing stated once completed.

Mr. Pirog asked staff if condition #4 is concern with possible barking.

Mr. Bradshaw answered yes pointing out it is similar to the original special use. He explained he will explain during the recommendation.

STAFF RECOMMENDATION:

The Petitioner is proposing to expand their existing floor plan into the 4,000 square foot adjoining tenant space to the south. This expansion will provide adequate space for *A Closer Bond* to begin the process of consolidating all business operations to a single location. As the majority of the operations will continue to take place inside the building, there should not be any injury to the value of the surrounding properties. Therefore, Staff recommends approval of the requested Special Use Amendment with the following conditions:

1. The Special Use Amendment shall substantially conform to the conditions set by the original Special Use (O-74-14), and the Floor Plan and Business Plan submitted by the Petitioner, Katy Cushing, except as such plans may be changed to conform to the Village Codes and Ordinances.
2. The Petitioner shall install baffles within the expansion tenant space to further reduce any noise generation from the dog training use, in a manner acceptable to the Village of Palatine.
3. Any expansion of the fenced-in outdoor space, east of the building, shall require additional Village review.

4. *A Closer Bond* shall be subject to a three-month and nine-month Staff review. Following *A Closer Bond's* expansion and ongoing operations, if determined to be necessary by the Staff review, an additional review will take place before the Village Council. If additional review by the Village Council is necessary, the Village Council reserves the right to impose any additional conditions on the Special Use without further public hearing, at such time of the three-month and nine-month review. Nothing shall preclude the Village from any other enforcement and/or compliance actions afforded under the Code of Ordinances.

Ms. Wood asked when the time starts for 3 months review.

Mr. Bradshaw explained it will start after CO is issued.

Discussion on condition #4 wording.

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

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

Mr. Cavanaugh stated they have been in business for years and have addressed all complaints quickly so residents are happy. He stated the expansion is in line with what the area needs and what the standards require.

Ms. Roth-Wurster agreed with Mr. Cavanaugh and understands why they want to consolidate. She spoke to the improvements being made and stated they won't cause substantial injury to the property in area.

Mr. Pirog expressed concern but thinks with their experience it should be okay and meet standards.

Ms. Wood understands Mr. Pirog's concern with the amount of dogs but thinks it should be easier to manage in one area. She pointed out there is no parking complaints and it is reassuring that no residents are in attendance with concerns or complaints. Ms. Wood pointed out it is not abutting a residential area so noise with conditions should not be a concern. She pointed out they have been operating for years and is experienced. She expressed concern with overnight boarding without staff but pointed out it is common in other businesses and there are no concern or problems.

Ms. Wood summarized that this request has met the standards and was unanimously approved by a vote of 4-0. This item will tentatively go to Village Council on November 14, 2022

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

IV. COMMUNICATIONS

V. ADJOURNMENT

1. Motion to Adjourn

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

