



VILLAGE OF PALATINE

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

PLAN COMMISSION

AGENDA • OCTOBER 15, 2019

Village Hall - Council Chambers

Regular Meeting

7:00 PM

I. CALL TO ORDER

II. APPROVAL OF MINUTES

1. Plan Commission - Regular Meeting - Sep 17, 2019 7:00 PM

III. PUBLIC HEARING

1. 1008 N. Deer Avenue
Rezoning from R-1 Single Family Residential to R-2 Single-Family Residential

IV. COMMUNICATIONS

V. ADJOURNMENT



VILLAGE OF PALATINE

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

PLAN COMMISSION MINUTES • SEPTEMBER 17, 2019

Village Hall - Council Chambers

Regular Meeting

7:00 PM

I. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Conrad Hansen	Plan Commissioner	Present	
Dennis Dwyer	Chairman	Present	
Jane Robins	Plan Commissioner	Present	
Patrick Noonan	Plan Commissioner	Present	
Teri Williams	Plan Commissioner	Present	
Eric Friedman	Plan Commissioner	Present	
Rodney Bettenhausen	Plan Commissioner	Absent	
Robert Kolososki	Plan Commissioner	Absent	
Stephen Fedota	Plan Commissioner	Late	7:31 PM

Staff present: Ms. Katie Rivard

II. APPROVAL OF MINUTES

1. Plan Commission - Regular Meeting - Aug 20, 2019 7:00 PM - **Accepted**

Mr. Noonan made a motion to approve the minutes of the August 20th Plan Commission meeting; seconded by Mr. Friedman

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Patrick Noonan, Plan Commissioner
SECONDER:	Eric Friedman, Plan Commissioner
AYES:	Hansen, Dwyer, Robins, Noonan, Williams, Friedman, Fedota
ABSENT:	Bettenhausen, Kolososki

Minutes Acceptance: Minutes of Sep 17, 2019 7:00 PM (Approval of Minutes)

III. PUBLIC HEARING

1. 704 E. Dundee Road - Rezoning of an existing single-family residential property from its current Planned Development District designation to the R-2 - Single-family Residential District. - **Recommended to Approve**

Chairman Dwyer read the notice of public hearing that was published in the Daily Herald on September 2, 2019 and mailed to the owners of the surrounding properties.

The following petitioner's exhibits were introduced:

1. Public Notice
2. Petition for Hearing
3. Proof of Ownership
4. Plat of Survey
5. Engineering and Subdivision Plans

Sworn in petitioner Mr. Steve Haramaras

Mr. Haramaras stated the home has always been a single family residential home. He explained the previous owner got approval to change the zoning to Planned Development but never used it as a Planned Development. He explained they are currently selling the house and want it changed back to residential which is what it has been used for.

Mr. Hansen asked if changing the zoning back to residential will help to sell property

Mr. Haramaras stated he is not sure if it matters.

Discussion on zoning of the area.

Sworn in staff Ms. Katie Rivard

Ms. Rivard gave a brief overview explaining the subject property contains a 1-story single family residence on a 20,000 square foot platted lot on the northwest corner of Dundee and Lynda. She spoke to the approved 2005 Plan Development that was never implemented. She explained the Petitioner is seeking to rezone the property from the Planned Development to its previous R-2 zoning in order to maintain its single family use of the property. Ms. Rivard spoke to the surrounding zoning. She explained the property was sold to the Petitioner who never intended on following the Planned Development improvements or operate a real estate office. She spoke to the Comprehensive Plan and the Future Land Use Map recommending commercial redevelopment in a comprehensive manner rather than piecemeal.

Mr. Friedman asked if there is a time period that the Petitioner needed to act on the approved 2005 Planned Development agreement before it becomes null and void

Ms. Rivard answered yes Planned Developments expire after 3 years. She

explained it would need to be re-reviewed at this time even to use as a real estate office.

Mr. Friedman clarified the site improvements would need to be re-reviewed but the Planned Development status does not change.

Ms. Rivard explained once a property is rezoned it stays rezoned but the real estate office would have had to be done within the 3 years.

Chairman Dwyer asked about the future use on the plats on the north side of Dundee Road and what the Village's intent is.

Ms. Rivard explained the goal is to see a more comprehensive commercial redevelopment.

Mr. Friedman asked if the current designation encumbers the selling of the home. Ms. Rivard stated she is unsure and deferred to the Petitioner.

STAFF RECOMMENDATIONS:

The Petitioners are requesting to rezone the property to R-2 Single-Family Residential to allow the continued operation of a single-family residential dwelling at the subject property. While the property was rezoned to Planned Development in 2005 to allow a professional office use with related improvements, the property continued its use as single-family home. The Future Land Use Map recommends a commercial designation for the subject property and adjacent residential lots on the north side of Dundee between Rand and Hicks. The Dundee Road Sub-Area recommendations and the Village Council policy direction, provided through denying a previous piecemeal commercial development proposal, reinforce the comprehensive redevelopment recommendation. Based upon the unimplemented Planned Development and consistent single-family residential use of the Subject Property, Staff recommends approval of the rezoning to R-2 single-family residential to maintain the current and continuous use as a single-family home.

Mr. Hansen asked if the Petitioner agreed with staff recommendations. Mr. Haramaras answered yes.

Mr. Noonan made a motion to close the public hearing; seconded by Ms. Robins.

Mr. Friedman pointed out it is already being used as a single family home so why would it not stay the same. He stated this seems like an unnecessary step.

Chairman Dwyer spoke to past requests that have gone through review.

Mr. Noonan made a motion to approve the request; seconded by Mr. Hansen

Chairman Dwyer summarized that this request has met the standards and was unanimously approved by a vote of 6-0. This item will tentatively go to

the Community and Economic Development Committee of the Village Council on October 7, 2019.

RESULT:	RECOMMENDED TO APPROVE [UNANIMOUS]
MOVER:	Patrick Noonan, Plan Commissioner
SECONDER:	Conrad Hansen, Plan Commissioner
AYES:	Hansen, Dwyer, Robins, Noonan, Williams, Friedman
ABSENT:	Bettenhausen, Kolososki, Fedota

2. Text amendments to Article 3 - Rules and Definitions and Article 10 - Residential Districts - Section 10.01 - General Requirements of all residential districts of the Village of Palatine Zoning Ordinance - **Recommended to Approve**

Chairman Dwyer read the notice of public hearing that was published in the Daily Herald on September 2, 2019 and mailed to the owners of the surrounding properties.

The following petitioner's exhibits were introduced:

1. Public Notice
2. Draft language for refuse cart text amendment

Ms. Rivard gave a brief overview of the proposed text amendments

Mr. Hansen asked if there would be any penalties if residents do not comply. Ms. Rivard explained the Village Code Enforcement process that starts with a notice to the homeowner. She further explained if it comes to it the Village has an adjudication process.

Mr. Friedman asked if there was any discussion permitting the totes in the front yard if properly screened pointing out in his neighborhood there are enclosures that are designed to screen the totes.

Ms. Rivard stated it was not an option in the communities they surveyed. She explained the goal is to keep the garbage cans out of the front of the house and garage.

Chairman Dwyer stated it is possible to add the screenage verbiage to the motion. He pointed out the difficulty in concealing the totes depending how the properties are positioned.

Discussion on wording.

Chairman Dwyer asked what the word required in paragraph one section one is referring to.

Ms. Rivard explained it will be required for single-family and 2-flat properties. Chairman Dwyer stated the word "applicable" may be more clearly understood than required.

Chairman Dwyer pointed out Points A and B refer to yard waste as well as recycling. He suggested it should read "all yard waste and Village approved refuse and recycling carts".

STAFF RECOMMENDATIONS:

Staff recommends approval of the proposed Text Amendment to Article 10 - Residential Districts- Section 10.01 - General Requirements of all residential districts of the Palatine Zoning Ordinance.

Mr. Noonan made a motion to close the public hearing; seconded by Ms. Williams.

Mr. Friedman asked how to approach the concept of allowing in the front or side yard with screening.

Chairman Dwyer pointed out some properties the cart won't be visible and other yards they will be clearly visible.

Chairman Dwyer asked if discussed.

Ms. Rivard answered explained that other municipalities surveyed didn't have landscaping requirements. She pointed out it is hard to implement landscaping requirements when most already keep the totes in their interior side yard or garage. Ms. Rivard stated it leads to code enforcement issues. She stated staff can look into but it was not a component considered upon their review.

Discussion on screening or landscaping and wording to add as Letter C to the motion.

Mr. Noonan asked if the Village receives calls on recycling bins.
Ms. Rivard stated it is uncommon.

Ms. Robins stated she thinks if they allow screening it may become a much bigger discussion.

Mr. Friedman asked if the new refuse bins will be required.

Ms. Rivard stated residents will have an option to have smaller size not sure about the entire Groot contract. She explained the goal was to help with things such as animals getting into the bags and its more efficient for Groot.

Mr. Friedman stated he understands the benefits but pointed out it may be a burden to residents to find a place to store them.

Mr. Noonan stated it is common sense to not store in front to detract from the look of their home. He stated he has had both totes for years and it is tough to find a spot to put them both.

Discussion on the garbage bin program.

Chairman Dwyer suggested point one read "on all properties for which this article is applicable".

Discussion on allowing in front yard if appropriately screened.

Mr. Friedman made a motion to add C to include "may only be placed in a front yard if visually screened from the nearby public right of way".

Ms. Robins asked for clarification on the word screened.

Discussion on wording and how it is determined if the screening is acceptable and the difficulty of enforcement.

Ms. Rivard spoke to certain circumstances when a department head can grant some kind of exceptions. She stated adding the verbiage upon Village review would be appropriate. She pointed out the required front yard setback required for fencing.

Discussion on verbiage for Point C.

Mr. Fedota asked how front yard is determined.

Ms. Rivard read the definition of a front yard per the Village's Zoning Ordinance.

Discussion on front yard and required front yard.

Ms. Rivard referred to the aerial slide showing acceptable locations for refuse containers.

Mr. Friedman asked what prohibits the carts from being on the driveway on the corner house in the slide.

Ms. Rivard explained staff did not include anything to allow in side yard abutting a street. She stated it reads as interior side yard and rear yard only.

Discussion on location of bin storage and the ease of bringing them to the curb from such locations.

Clarification that condition C reads "may be placed elsewhere subject to Village review and approval".

Mr. Friedman made a motion to approve the text amendments with the recommended Point C and board recommended wording changes; seconded by Mr. Noonan.

Chairman Dwyer summarized that this request has met the standards and was unanimously approved by a vote of 7-0. This item will tentatively go to the Community and Economic Development Committee of the Village Council on October 7, 2019

RESULT:	RECOMMENDED TO APPROVE [UNANIMOUS]
MOVER:	Eric Friedman, Plan Commissioner
SECONDER:	Patrick Noonan, Plan Commissioner
AYES:	Hansen, Dwyer, Robins, Noonan, Williams, Friedman, Fedota
ABSENT:	Bettenhausen, Kolososki

IV. COMMUNICATIONS

Ms. Rivard stated the following:

- Lexington on the Lake townhome proposal - 1150 W. Euclid Avenue - was denied by Village Council.
- Planet Fitness and Napleton was approved by Village Council.

V. ADJOURNMENT

Minutes Acceptance: Minutes of Sep 17, 2019 7:00 PM (Approval of Minutes)

VILLAGE OF PALATINE
Plan Commission

SCHEDULED 10/15/19 07:00 PM

CASE STAFF STATEMENT (ID # 5575)

1008 N. Deer Avenue

CASE NUMBER: 19-57

PETITIONER: John Siegmeier

LOCATION: 1008 N. Deer Avenue

PROPOSAL: Rezoning from R-1 Single-Family Residential to R-2 Single-Family Residential

ZONING AND LAND USE: R-1 Single-Family Residential

SURROUNDING CONDITIONS:

North:	R-1 Single-Family Residential
South:	Planned Development (Single-Family Residential)
East:	R-1 Single-Family Residential
West:	R-2 Single-Family Residential

COMPREHENSIVE PLAN: Current/Future: Single-Family Residential

BACKGROUND:

The Subject Property, approximately 17,400 square feet, is currently one single-family zoned lot improved with one single-family residence. The Petitioner, homeowner, is seeking to rezone the property from R-1 Single-Family Residential to R-2 Single-Family Residential. The Subject Property will maintain the existing residence. Therefore, the Petitioner is seeking approval of the following:

- 1. Rezoning from R-1 Single-Family Residential to R-2 Single-Family Residential**

ANALYSIS:

- The Subject Property was platted in 1926, and the lot size is substandard per the current R-1 standards. The current R-1 standards require a minimum lot size of 20,000 square feet.
- In the future, the Petitioner intends to construct a garage addition, which as indicated, would encroach into the required R-1 setbacks.
- The setback requirements for an R-1 zoned parcel are more significant than an R-2 zoned parcel. The proposed rezoning would allow less stringent setbacks and would allow for the proposed addition to meet the required R-2 front yard setback.
- The Subject Property is located near the Northwest Sub-Area Plan (adopted in 2006), which specifically indicates that certain properties to the north may be developed within the R-2 zoning standards. Nevertheless, the Sub-Area Plan does not include or provide any zoning recommendations for this property.
- The property directly west of this site has similar lot dimensions as the Subject Property and was granted a rezoning from R-1 to R-2 in 2011.
- In 2002, Amend Terrace Resubdivision, located directly northwest of the Subject Property was granted a subdivision and rezoning to R-2 for the construction of 3 new single-family homes. Directly north of Amend Terrace Resubdivision is Amend 3 Lot Subdivision, which was subdivided and rezoned to R-2 in 2003 for the construction of 3 new single-family homes. Other nearby subdivisions include Newport Resubdivision and Deer Avenue Subdivision, which received subdivision approval in 2000 and are zoned R-2.
- The property directly north is owned and used by the Sikh Temple.
- The proposal would allow setbacks of 30' from Deer Avenue, 20' from Poplar Street, 40' from the rear (west lot line), and 10' from the interior side (north lot line). Under the R-1 classification the required setback would be 40' from Deer Avenue, 40' from the Poplar Street, 50' from the rear yard (west lot line), and 15' from the interior side yard (north lot line).

RECOMMENDATION

The Petitioner has indicated a rezoning from R-1 to R-2 will allow for the construction of a garage addition in the future without seeking zoning relief for setbacks. The Subject Property is substandard per the current R-1 zoning standards, and the proposal conforms to the zoning designation of the recently developed nearby properties. There are several different single-family zoning districts surrounding the Subject Property (R-2,

R-1, and P). Also, the rezoning from R-1 to R-2 does not increase the potential for a further subdivision or allow or create allow an opportunity for a 2-lot by-right subdivision. Any contemplated further subdivision of this property would require significant relief from the Code (lot widths and lot area) and would be directly inconsistent with the bulk standards of the other subdivisions in the area.

Nevertheless, for the proposed rezoning, Staff recommends approval of the Rezoning to R-2 single-family residential.

ATTACHMENTS:

- Aerial 1008 N. Deer Avenue
- Application
- Plat of Survey
- VOP Current Zoning Map
- Northwest Sub-Area Plan Map
- Public Notice 1008 N. Deer Avenue

1008 N. Deer Avenue

3.1.a



VILLAGE OF PALATINE

REZONING

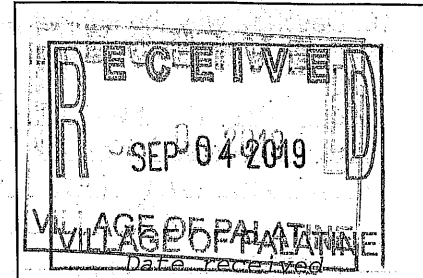
Department of Planning & Zoning

200 E. Wood Street • Palatine, IL • 60067-5339

Telephone: (847) 359-9047 • Fax (847) 963-6247

www.palatine.il.us

Office Use Only	Project Planner KR	Zoning Case # 19-57
	Filing Fee \$360	Notification Deadline



PLEASE TYPE OR PRINT IN INK:

1. Name of Petitioner(s): John Siegmeyer

2. Authorized Agent of Petitioner (if different):

Name: _____

Address: _____

Telephone No. _____ Business No. _____

Relationship to Petitioner: _____

3. Property Interest of Petitioner(s): 1008 N. Deer Ave Palatine
Owner, Lessee, Contract Purchaser, etc.

4. Address of the property for which this application is being filed:

1008 N. Deer Ave Palatine

5. This petition is for: (check one)

- ☒ Rezoning of currently incorporated property (within Village limits)
☐ Rezoning of currently unincorporated property, in conjunction with annexation

6. All existing land use(s) on the property are: Single Family

7. The proposed use(s) on the property, if this petition is approved is (are):

8. Current zoning of property: R-1 Size of the Property: 1/3 acres

9. Proposed new zoning classification: R-2

PETITIONER JUSTIFICATION:

The Petitioner is required to present specific evidence, not opinions, to justify the proposed rezoning. Please respond to the following questions, attaching a separate sheet if necessary:

10. Describe why the subject property cannot be reasonably developed in accordance with the existing zoning classification.

To add in the future a garage in front the
Set back could be 30' to 40', Now with
the zoning its 40'

11. Is the proposed zoning classification similar to or harmonious with the existing zoning of surrounding properties? Explain.

Yes - surrounding houses are 30' set back and
Zone R1

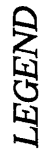
12. Does the proposed zoning classification conflict with the Village's Comprehensive Plan? Explain.

no I don't think so

13. Will any of the uses permitted under the proposed zoning classification have an injurious effect on the value and/or the use and enjoyment of surrounding properties?

NO

LOT 3 IN BLOCK 17 IN PERCY WILSON'S FOREST VIEW HIGHLANDS, A SUBDIVISION IN THE WEST 1/2 OF SECTION 9, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 23, 1926 AS DOCUMENT 9349722, IN COOK COUNTY, ILLINOIS.



(R/M) — RECORD / MEASURED
L — ARC LENGTH
R — RADIUS
CH — CHORD

AREA = 17,334 SQ. FT.
MORE OR LESS

MORE OR LESS

PREPARED FOR: DOUGLAS WORRELL, LTD (ATTORNEYS AT LAW)
 JOB ADDRESS: 1008 N. DEER AVENUE, PALATINE, IL
 SELLER/BUYER: FRIDONO TRUST / SIEGMEIER & KUBON
 JOB NO.: 19-08-0173

JOB NO.: 19-08-0173

NEKOLA SURVEY, INC.

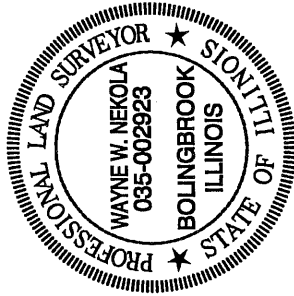
PROFESSIONAL LAND SURVEYING SERVICES
WWW.NEKOLASURVEY.COM

400 N. SCHMIDT RD., STE. 203
BOLINGBROOK, ILLINOIS 60440

(630) 226-1530 PHONE (630) 226-1430 FAX

☒ - "X" IN BOX INDICATES THE HEREON DRAWN PLAT WAS ORDERED AS A NON MONUMENTED SURVEY.

☐ O IMPROVEMENTS SHOULD BE MADE ON THE BASIS OF THIS PLAT **ALONE**. FIELD MONUMENTATION OF CRITICAL POINTS SHOULD BE ESTABLISHED PRIOR TO COMMENCEMENT OF ANY AND ALL CONSTRUCTION. FOR BUILDING LINES, EASEMENTS AND OTHER RESTRICTIONS NOT SHOWN HEREON REFER TO YOUR DEED, ABSTRACT, TITLE POLICY, CONTRACTS AND LOCAL BUILDING AND ZONING ORDINANCES.



(STATE OF ILLINOIS)
(COUNTY OF WILL) SS

NEKOLA SURVEY INC. DOES HEREBY CERTIFY THAT IT HAS SURVEYED THE TRACT OF LAND ABOVE DESCRIBED, AND THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

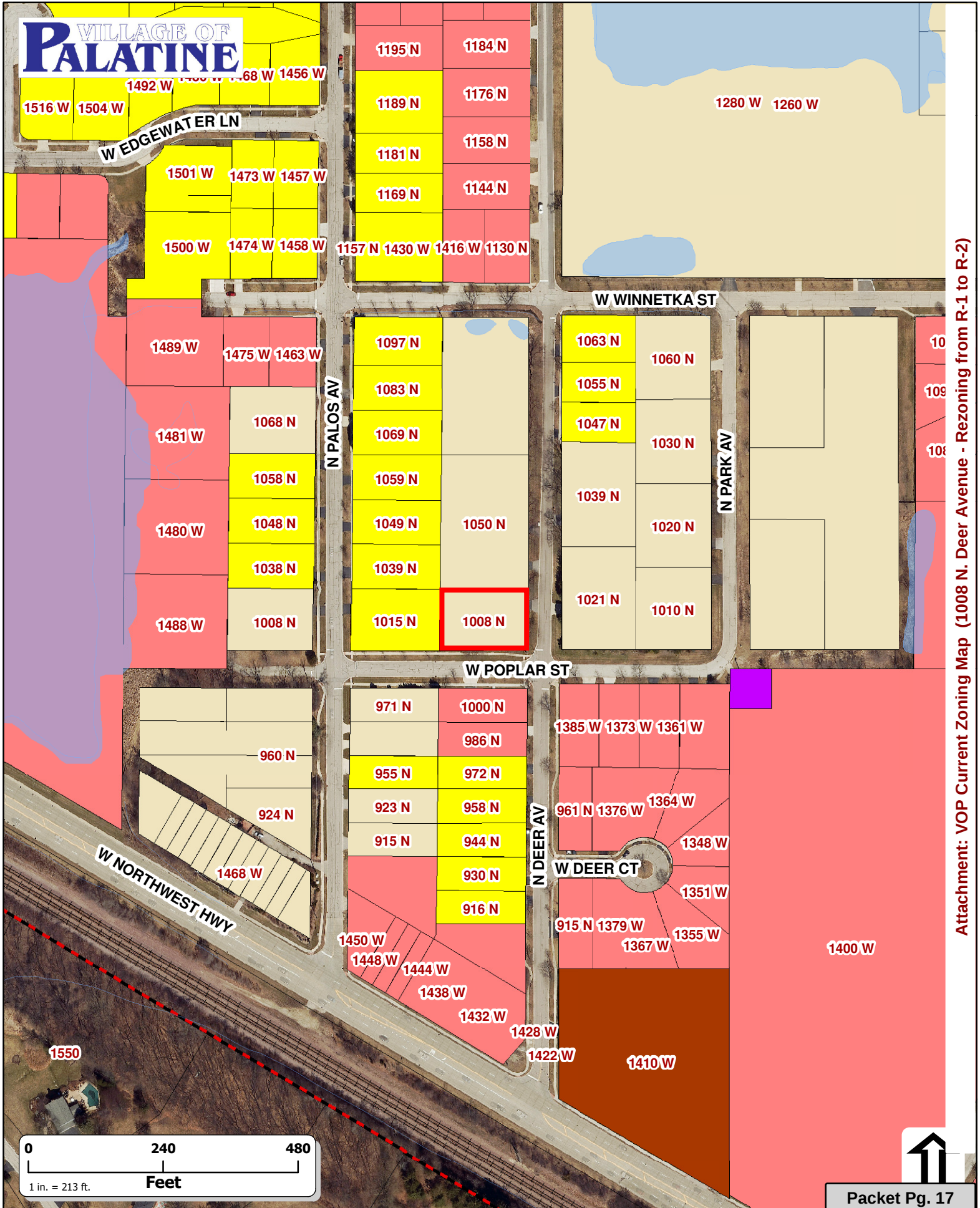
DATED THIS 9TH DAY OF SEPTEMBER, 2019.

DAY OF SEPTEMBER, 2019.

PLS No. 2923

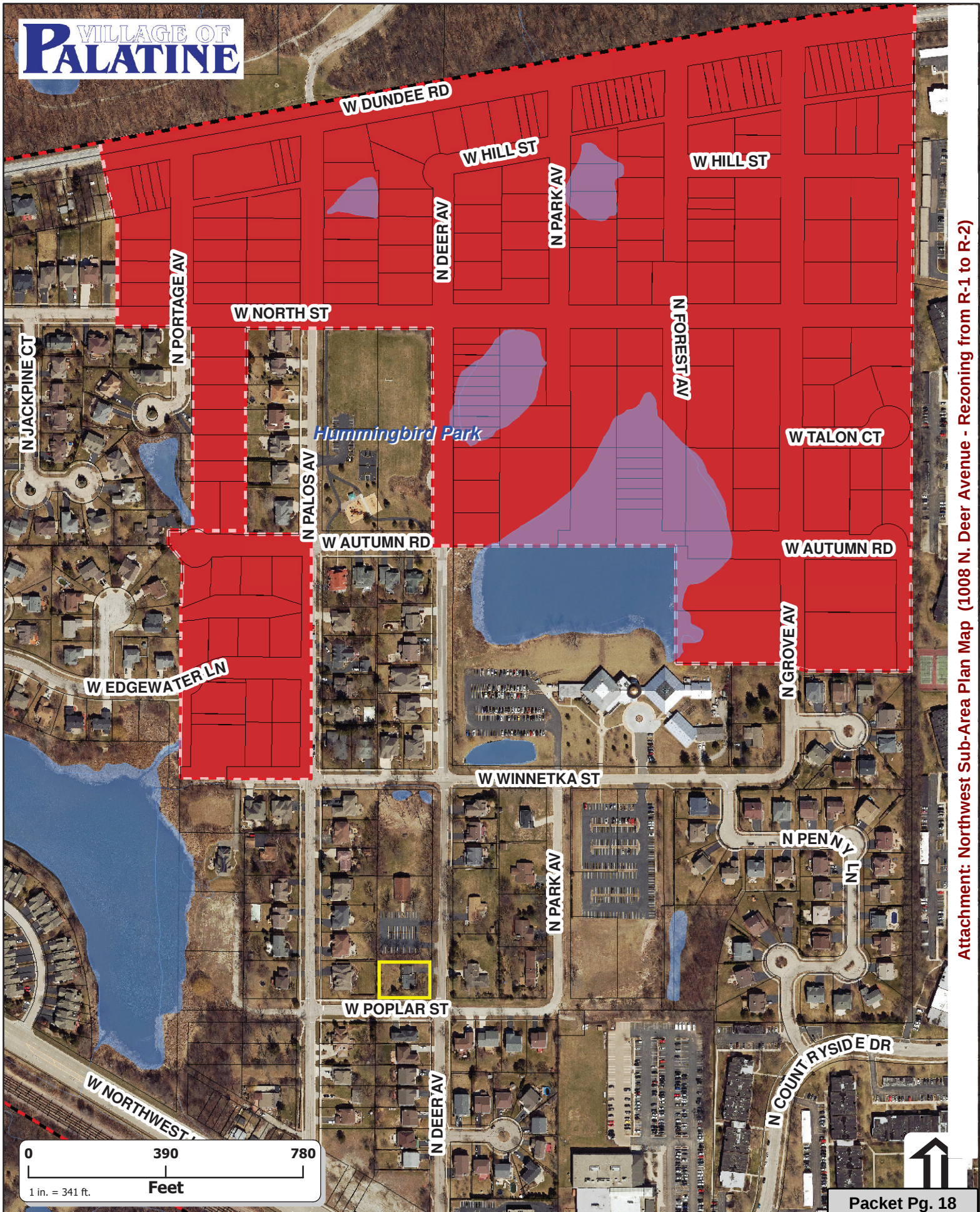
VOP Current Zoning Map

3.1.d



NORTHWEST SUB-AREA PLAN MAP

3.1.e



PUBLIC NOTICE
 A public hearing will be held before the Palatine Plan Commission on Tuesday, October 15, 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:
 1. Rezoning from R-1 Single Family Residential to R-2 Single-Family Residential.
 The property is commonly known as 1008 N. Deer Avenue (PIN# 02-09-308-006).
 The Petitioner is requesting rezoning from R-1 Single-Family Residential to R-2 Single-Family Residential. The subject property will maintain the existing single-family residence.
 The above petition has been filed by John Siegmeier, and is available for examination in the office of the Village Clerk, 200 E. Wood Street.
 FILE #: 19-57
 VILLAGE OF PALATINE
 Dennis Dwyer, Chair
 Palatine Plan Commission
 DATED: This 30th day of September 2019.
 Published in Daily Herald
 September 30, 2019 (4533132)

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 09/30/2019 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 # 4533132

Attachment: Public Notice 1008 N. Deer Avenue - Rezoning from R-1 to R-2)