

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 • SEPTEMBER 11, 2018

Village Hall - Council Chambers

Regular Meeting

7:00 PM

I. CALL TO ORDER

II. APPROVAL OF MINUTES

1. Zoning Board of Appeals - Regular Meeting - Aug 28, 2018 7:00 PM

III. PUBLIC HEARING

1. 40 E Daniels Road

Special Use to permit a fence in the rear yard abutting the side lot line of the front yard of an adjacent lot pursuant to Section 6.03 (b) (6) (b) of the Palatine Zoning Ordinance.

Variation not to install landscaping material between the fence and the lot line abutting a public street pursuant to Section 6.03 (b)(4)(d)(i) of the Palatine Zoning Ordinance.

2. 438 S. Wilke Road

Special Use to permit a first floor addition to be set back 3 feet from the interior side yard lot line instead of the minimum required 5 feet pursuant to Section 10.05 (h) (3) (a) of the Palatine Zoning Ordinance.

Special Use to permit a second story addition to be set back 3 feet instead of the minimum required 5 feet pursuant to Section 10.05 (h) (3) (a) of the Palatine Zoning Ordinance.

Special Use to permit a second story addition to be setback 34 feet from the front yard lot line instead of the minimum required 40 feet pursuant to Section 10.05 (h) (1) of the Palatine Zoning Ordinance.

3. 856 E Holly Way

Variation to permit, with the installation of the proposed pool deck, a total of all accessory structures to be 1,586 square feet instead of the maximum permitted of 674 square feet pursuant to Section 6.01(a)(4)(a)(iii) of the Palatine Zoning Ordinance.

4. 207 W. Glade Street

Special Use to permit a deck to be located in the floodplain pursuant to Section

6.08 (d) (2) (m) of the Palatine Code of Ordinances - Appendix B - Subdivision, Site Development and Floodplain Regulations.

5. 1613 N Rand Road

Special Use to permit a restaurant pursuant to Section 11.03 (d)(27) of the Palatine Zoning Ordinance.

Variation to allow 26 parking spaces instead of the required 59 spaces pursuant to Section 7.03 (b)(1) of the Palatine Zoning Ordinance.

IV. COMMUNICATIONS

V. ADJOURNMENT



VILLAGE OF PALATINE

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

ZONING BOARD OF APPEALS

MINUTES • AUGUST 28, 2018

Village Hall - Community Room B

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	Absent	
Jerry Luszcak	Commissioner	Absent	
Theodore McGinn	Commissioner	Present	
Kevin Cavanaugh	Commissioner	Present	
James Dittrich	Commissioner	Present	
John Pirog	Commissioner	Absent	

II. APPROVAL OF MINUTES

1. Zoning Board of Appeals - Regular Meeting - Aug 14, 2018 7:00 PM - **Accepted**

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

Minutes Acceptance: Minutes of Aug 28, 2018 7:00 PM (Approval of Minutes)

III. PUBLIC HEARING

1. 3 E. Northwest Highway - **Recommended to Approve**

Notice was published in the Daily Herald on July 9, 2018 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. Application for Special Use & Variation
2. Proof of Ownership
3. Plat of Survey
4. Floor Plan
5. Interior Elevations
6. Business Plan
7. Menu
8. Vegiita USA
9. Public Notice
10. Additional Business Plan Operations 8-22-18

Sworn in the petitioners: Mr. Hayato Yanagisawa General Manager of Vegiita USA

Assistant General Manager

Mr. Ray Okigawa Chicagoland Commercial Real Estate the leasing agent for the center

AGM gave a brief overview of the request stating they want to open a Japanese Curry restaurant and a ramen restaurant. He stated they tried to do best to make good relations. AGM stated they will not carry too much alcohol more family style.

Mr. McGinn stated this item was continued and asked if there was something additional to add.

Mr. Okigawa explained the amount of alcohol being served will be just instrumental to the food since there will be no bar area in either restaurant. He stated less than 10% will be carry out and their busy hours with their business hours being 11am-10pm mostly steady at lunch and dinner.

Sworn in staff Ms. Katie Romack and Ms. Lyn Bremanis

Ms. Romack gave a brief overview of the request pointing out it was continued on the July 24th Zoning Board of Appeals hearing. She stated during that time there were a lot of concerns raised regarding property maintenance including fencing and garbage. She stated they have been working with the property management over the last month to address the issues. Ms. Romack stated they received some additional details on the business operations since there were questions on that as well. Ms. Romack made note that the minutes from the last meeting have been included in the packet so any testimony is included. She stated the Petitioner and Mr. Okigawa are here to answer any questions. She went through

the PowerPoint from the last meeting giving a brief overview of the requests. Ms. Romack spoke to a proposed condition for the Petitioner and property management shall submit a traffic directional signage plan if Staff determines there are issues with people not knowing there is extra parking across the street. She stated there will be no bar associated with the restaurants just mostly table service. She spoke to the concern on deliveries stating they would be twice a week and will take place in the rear of the shopping center. Ms. Romack stated staff knows there may be some hours with Quest Academy that will cause some traffic issues so the Petitioner and property manager will have to work on schedules to ensure no issues come up because a truck is unloading. She spoke to the parking counts and referred to the remaining slides to show the existing conditions.

Mr. Cavanaugh asked if there would be concern with parking if additional restaurants came in down the road.

Ms. Romack explained if another restaurant comes in they would require a parking variation as well.

Mr. Cavanaugh asked if the numbers given are for general retail.

Ms. Romack explained yes it is based on 1 parking space per 300 square feet.

Ms. Roth-Wurster asked if other tenants' hours coincide with their busy times of 6pm-8pm.

Ms. Romack explained there are a few uses that close at 5:00pm. She stated there are some hair salons that are open until 8pm and are a mix of uses that won't coincide with restaurant busy hours.

Mr. McGinn asked what the hours of Quest Academy are.

Ms. Romack stated she assumes typical 8am-3pm school hours.

STAFF RECOMMENDATION:

The Petitioner is proposing to operate a new restaurant in a currently vacant tenant space in the Palatine Centre shopping center. The proposed use is compatible with other commercial uses of the surrounding area. However, the shopping center is unique in that it shares parking with Quest Academy with additional parking available at the Quest Academy West Campus (located on the west side of Plum Grove Road adjacent to the shopping center). The Petitioner is also proposing to open a second restaurant (Japanese Homemade Curry - Takumi) within the same shopping. While the Variation parking was included under the restaurant proposal for 23-25 E. Northwest Highway, both restaurants, if applied for separately, would necessitate the need for a Variation to the parking requirements. The subject restaurant is smaller in square footage and would require fewer parking spaces per Code. However, Staff believes that based upon the current uses and hours of operation of the existing businesses, the shopping center would have sufficient parking to accommodate the restaurant. Therefore, Staff recommends approval of the Special Use request, subject to the following conditions:

1. The Special Use shall substantially conform to the business plan submitted by the Petitioner, Tsukasa Hatsukade, on 12/08/2017, and the floor plans and elevations prepared by Bruce F. Klein Architect, submitted on 02/15/2018 and revised on 5/08/2018, except as such plans may be revised to conform to Village Codes and Ordinances.
2. The shopping center owner shall submit a parking easement, between the shopping center and Quest Academy West Campus, in a manner acceptable to the Village Attorney.
3. If deemed necessary and directed by the Village, an overflow offsite parking agreement for special events or activities at Quest Academy, shall be submitted in a manner acceptable to the Village of Palatine.
4. In conjunction with the other restaurant, the Village will conduct a 6-month review of the parking/traffic within the Center and forward any additional parking and traffic conditions per Village Council.
5. In conjunction with the other restaurant, the Petitioner and property management shall submit a traffic directional signage plan, including any required implantation, in a manner acceptable to the Village Engineer. The plan would be relative to the proposed use and existing circulation/queueing and in recognition of the additional parking available at Quest Academy's West Campus.

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

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

Mr. Dittrich stated he thought it was approvable a month ago and thinks the cooperation with the Village and the property manager of the petitioners will assuage any fears that it will not be operated in a manner that is consistent with the public health safety and welfare. He stated for that reason he is voting to approve.

Mr. McGinn summarized that this request has met the standards and was unanimously approved by a vote of 5-0. This item will tentatively go to Village Council on Tuesday, September 17, 2018.

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

2. 23-25 E. Northwest Highway - **Recommended to Approve**

Notice was published in the Daily Herald on July 9, 2018 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. Application for Special Use & Variation
2. Proof of Ownership
3. Plat of Survey
4. Floor Plan
5. Interior Elevations
6. Business Plan
7. Menu
8. Public Notice
9. Additional Business Plan Operations 8-22-18

Sworn in the petitioners:

Mr. Hayato Yanagisawa General Manager of Vegiita USA

Mr. Tsukasa Hatsukade, Petitioner and Assistant General Manager of Vegiita USA

Mr. Ray Okigawa Chicagoland Commercial Real Estate the leasing agent for the center

Mr. Hatsukade gave a brief overview of the request stating they want to open a Japanese Curry restaurant and a ramen restaurant. He stated they tried to do best to make good relations. Mr. Hatsukade stated they will not carry too much alcohol more family style.

Mr. McGinn stated this item was continued and asked if there was something additional to add.

Mr. Okigawa explained the amount of alcohol being served will be just instrumental to the food since there will be no bar area in either restaurant. He stated less than 10% will be carry out and their busy hours with their business hours being 11-10pm mostly steady at lunch and dinner.

Sworn in staff Ms. Katie Romack and Ms. Lyn Bremanis

Ms. Romack gave a brief overview of the request pointing out it was continued on the July 24th Zoning Board of Appeals hearing. She stated during that time there were a lot of concerns raised regarding property maintenance including fencing and garbage. She stated they have been working with the property management over the last month to address the issues. Ms. Romack stated they received some additional details on the business operations since there were questions on that as well.

Ms. Romack made note that the minutes from the last meeting have been included in the packet so any testimony is included. She stated the petitioner and Mr. Okigawa are here to answer any questions. She went through the PowerPoint from the last meeting giving a brief overview of the requests.

Ms. Romack spoke to a proposed condition for the petitioner and property management shall submit a traffic directional signage plan if staff determines there are issues with people not knowing there is extra parking across the street. She stated there will be no bar associated with the restaurants just mostly table service. She spoke to the concern on deliveries stating they would be twice a week and will take place in the rear of the shopping center. Ms. Romack stated staff knows there may be some hours with Quest Academy that will cause some traffic issues so the petitioner and property manager will have to work on schedules to ensure no issues come up because a truck is unloading. She spoke to the parking counts and referred to the remaining slides to show the existing conditions.

Mr. Cavanaugh asked if there would be concern with parking if additional restaurants came in down the road.

Ms. Romack explained if another restaurant comes in they would require a parking variation as well.

Mr. Cavanaugh asked if the numbers given are for general retail.

Ms. Romack explained it is based on 1 space per 300 square feet.

Ms. Roth-Wurster asked if other tenants' hours coincide with their busy times of 6-8pm.

Ms. Romack explained there are a few uses that close at 5:00pm. She stated there are some hair salons that are open until 8pm and are a mix of uses that won't coincide with restaurant busy hours.

Mr. McGinn asked what the hours of Quest Academy are.

Ms. Romack stated she assumes typical 8am-3pm school hours.

STAFF RECOMMENDATION:

The Petitioner is proposing to operate a new restaurant in a currently vacant tenant space in the Palatine Centre shopping center. The proposed restaurant use is compatible with other commercial uses of the surrounding area. However, the shopping center is unique in that it shares parking with Quest Academy with additional parking available at the Quest Academy West Campus (located on the west side of Plum Grove Road adjacent to the shopping center). The Petitioner is also proposing to open a second restaurant (Japanese Homemade Curry - Takumi) within the same shopping center. When comparing the two restaurants, the subject restaurant requires more parking based on the square footage of the tenant space. However, Staff believes that based upon the current uses and hours of operation of the existing businesses, the shopping center would have sufficient parking to accommodate the restaurant. Therefore, Staff recommends approval of the Special Use and Variation request, subject to the following conditions:

1. The Special Use and Variation shall substantially conform to the business plan submitted by the Petitioner, Tsukasa Hatsukade, on 12/18/2017, and the floor plan prepared by Bruce F. Klein, submitted on 02/15/2018 and revised on

05/08/2018, except as such plans may be revised to conform to Village Codes and Ordinances.

2. The shopping center owner shall submit a parking easement, between the shopping center and Quest Academy West Campus, in a manner acceptable to the Village Attorney.
3. If deemed necessary and directed by the Village, an overflow offsite parking agreement for special events or activities at Quest Academy, shall be submitted in a manner acceptable to the Village of Palatine.
4. The Village will conduct a 6-month review of the parking/traffic within the Center and forward any additional parking and traffic conditions per Village Council.
5. The Petitioner and property management shall submit a traffic directional signage plan, including any required implantation, in a manner acceptable to the Village Engineer. The plan would be relative to the proposed use and existing circulation/queueing and in recognition of the additional parking available at Quest Academy's West Campus.

Ms. Roth-Wurster asked with the variation being attached to the 23-25 E. Northwest Highway location what happens if that location closes would there be a need for a smaller version of that.

Ms. Romack answered yes explaining the smaller restaurant would require a variation of 6 parking spaces instead of 26 parking spaces. She stated that you can break apart the votes and could make adjustments to the variation before it goes to Village Council.

Ms. Roth-Wurster clarified staff is looking at it as a whole package.

Ms. Romack answered yes.

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

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

DELIBERATIONS:

Mr. Dittrich stated he thought it was approvable a month ago and thinks the cooperation with the Village and the property manager and the landlord assuage any fears that it will not be operated in a manner that is consistent with the public health safety and welfare. He stated he believes the parking variation will not create a huge concern since the parking in that center is usually pretty vacant and if it does fill up staff has conditions to assess and ultimately it is a good problem to have so he stated he is voting to approve this as well.

Mr. McGinn stated Condition #2 with the requirement of the parking easement with the west campus should alleviate any parking as well as the traffic flow signage plan.

Ms. Roth-Wurster agreed with Mr. McGinn and stated she appreciates the work done by the Petitioner and Staff to work through the issues.

Mr. McGinn summarized that this request has met the standards and was unanimously approved by a vote of 5-0. This item will tentatively go to Village Council on Monday, September 17, 2018.

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

3. 375 W Northwest Highway - **Recommended to Approve**

Notice was published in the Daily Herald on August 13, 2018 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. Floor Plan
6. Menu
7. Public Notice

Sworn in Manny Rafidia 2 Star Lane South Barrington, IL- owner of the real-estate for the last 25 years and owner of Portofino's Jeremy Rafidia son of Mr. Rafidia.

Mr. Rafidia stated about a year ago he came in front of board to put Palatine Pizza and Pasta at the 375 location but the corner unit became vacant so he decided to put Portofino's there. He stated unfortunately the timing lapsed so they lost the Special Use approval for this space so is asking for reinstatement or to start a new approval process. Mr. Rafidia explained it will be a carry/delivery with a small sit down Chinese/oriental restaurant that his son will run.

Ms. Bremanis gave a brief overview of the request stating the space is approx. 2500sq.ft which they went through the process last year for. She stated at that time they received a parking variation which remains in effect. Ms. Bremanis spoke to the hours being Sunday-Thursday 11am-11pm and Friday-Saturday 11am-12pm. She stated they will have 3 full time employees and 3 part time and the floor plan has 24 spaces referring to the slide. She spoke to the parking calculations. Ms. Bremanis stated Community Services, Environmental Health and Fire Prevention have all reviewed and have no concerns. She referred to the slides to show existing conditions explaining it is going it between the catering and the Michaels Studio.

Mr. Dittrich asked if special uses expire in a year.

Ms. Bremanis explained they have a year to open which they never did. She further explained if they had opened they would have had 6 months to transfer the Special Use to the new restaurant.

STAFF RECOMMENDATION:

The tenant space was approved for a restaurant use in 2017, however it was never opened. The proposed restaurant will have 24 seats, which is 2 seats less than the previous proposal and will not change the parking requirement. Therefore, Staff recommends approval of the Special Use subject to the following conditions:

1. The Special Use shall substantially conform to the floor plan and the business plan submitted by the Petitioner, 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 they were already approved last year. He stated this is a formality even if it is a different type of restaurant the board approved it last year. Mr. Cavanaugh stated it was a good use for the space and has no problem approving.

Ms. Roth-Wurster agreed stating the standards have been met. She stated the petitioner has come before the board before and has run restaurants before. She stated the information in packet looks good and wished them luck.

Mr. McGinn stated the location is ideal for a restaurant.

Mr. McGinn summarized that this request has met the standards and was unanimously approved by a vote of 5-0. This item will tentatively go to Village Council on Monday, September 17, 2018.

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

4. 1280 E Dundee Road - **Recommended to Approve**

Notice was published in the Daily Herald on August 13, 2018 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. Floor Plan
6. Menu
7. Public Notice

Sworn in petitioner: Huayuan Tao owner/ partner
Yicheng Liu - owner/petitioner
Jingfeng Song - Attorney

Mr. Tao gave a brief overview of the request stating they want to open a traditional Chinese restaurant and a new style restaurant. He stated there is a Chinese market in the same plaza. He spoke to research and how he has high potential in this market. He spoke to the size of the location. Mr. Tao stated they will deliver really good experience of Chinese food to this neighborhood. He stated they will hire 14-20 employees. He stated the hours Monday-Thursday for dining will be 11:30-9:30pm and 5-11pm for the bar and Friday -Sunday 11:30-10:30pm for dining and 5-12pm for the bar.

Ms. Bremanis stated the floor plan is not changing from Indian Bawan. She stated they will have a separate entrance for carryout and pickup. She spoke to the seating plan referring to floor plan slide and spoke to the parking requirements which will remain the same as Indian Bawan. Ms. Bremanis pointed out the shopping center is over parked with 259 spaces with the total requirement being 243. She stated Community Services, Engineering and Fire Prevention have reviewed and did not have any issues.

Ms. Roth-Wurster asked if the petitioners currently run a Chinese restaurant. Mr. Tao stated he has four years experience with bar and restaurant. He stated two years with a bar in Chicago and two years with a restaurant in Roselle.

STAFF RECOMMENDATION:

The proposed restaurant would occupy a vacant tenant space that previously operated as a restaurant. Staff believes the proposed restaurant would be a compatible use within the shopping center and it would not have a negative impact on the surrounding tenant spaces. Therefore, Staff recommends approval of the Special Use subject to the following conditions:

1. The Special Use shall substantially conform to the floor plan prepared by the

architect, Architectural Consulting Services, dated 09/24/2015 and the Business Plan submitted by the Petitioner, Double L International Management LLC, on 07/26/2018, except as such plans may be changed to conform to Village Codes and Ordinances.

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

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

Ms. Roth-Wurster stated it meets the standards. She stated the location was a restaurant previously and should be a nice fit that is consistent with public health safety and welfare.

Mr. McGinn pointed out they testified they had experience in this type of business.

Ms. Roth-Wurster stated the menu looks quite interesting.

Mr. McGinn summarized that this request has met the standards and was unanimously approved by a vote of 5-0. This item will tentatively go to Village Council on Monday, September 17, 2018.

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

5. 968 E. Dundee Road - **Recommended to Approve**

Notice was published in the Daily Herald on August 13, 2018 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. Site Plan
5. Floor Plan
6. Aspen Dental Business Plan
7. Public Notice

Sworn in Mr. Adam Firsel, KC1000, Developer & Landlord for the property, 200 S. Wacker Drive, Suite #1325 Chicago, IL

Mr. Firsel gave a brief overview of the property stating they received a Planned Development approval earlier this year and have started to break ground on the three building development. He explained this request is for the middle building which, will be a two tenant building. Mr. Firsel stated they are proposing Aspen Dental to go in the 3500 square foot space to run a dental practice. He stated Aspen Dental is a tenant of his in 2 other locations and are a great community member, great tenant, and they provide dental care to the masses. Mr. Firsel spoke to their hours being Monday-Friday typically closed on the weekends. He stated they are one of the largest dental organizations in the United States with over 600 locations. He spoke to their locations in Chicago and how they started on the east coast and are based in Syracuse. He stated they meet the standards of the Special Use.

Ms. Romack gave a brief overview of the request stating the site is currently vacant but it was approved for Planned Development for three commercial buildings earlier this year. She referred to the slides to show existing conditions and the site plan pointing out the red is portion for Aspen Dental. Ms. Romack spoke to the parking and how they calculated the center has a surplus of 18 parking spaces. She went through the slides to show elevations and floor plan. She stated Community Services or Fire Prevention had no issues.

Mr. Cavanaugh asked what the total amount of spots is for the development. Ms. Romack answered 83 parking spaces.

Ms. Roth-Wurster spoke to the representative being the landlord and asked if the Petitioner will come in front of Village Council to talk about their business.

Ms. Romack stated if the Village Council feels there is additional information that is needed, Staff can request that the Petitioner is present. She stated if the agent provides good enough information there is no reason they need to come forward.

Ms. Roth-Wurster asked if Staff has had conversations with Aspen Dental to know who is who.

Ms. Romack stated most of the contact has been with the agent and no concerns have come up thus far.

Mr. McGinn asked if Aspen Dental is a franchise.

Mr. Firsel explained their business model is that their lease is backed by the corporate guarantee and then they have a director that runs the practice. He further explained they use Aspen Dental's administrations and health insurance to streamline their systems. Mr. Firsel stated it is the director who participates and makes most of the profits.

Ms. Roth-Wurster asked if a representative from Aspen Dental would come to the Village Council meeting.

Mr. Firsel explained they usually do not select the franchise until late in the process so if Aspen were to come it would most likely be someone from their corporate headquarters in Syracuse. He stated if the board requested them they would make the trip since this is an important project to them. He stated they do have local construction managers whose job is to open the store, get it outfitted to their specs, and bring in the computer system to ensure when the doctor comes in they have a clinic that is ready to go.

Ms. Roth-Wurster explained her questioning is because they are requesting a Special Use for a specific brand user and want to make sure everything thing is abided to .

STAFF RECOMMENDATION:

The Petitioner is proposing to operate a dental facility within a recently approved new commercial shopping center. The shopping center was approved with sufficient parking for office, retail, and business uses that require 1 space per 300 square feet. Based on the additional parking provided, Staff does not have any concerns with the proposed use. Therefore, Staff recommend approval of the Special Use request, subject to the following conditions:

1. The Special Use shall substantially conform to the floor plan submitted by the Petitioner on 07/23/2018, and the business plan submitted by Patrick D. Zieno, Construction Manager for Aspen Dental Management, Inc., on 08/06/2018, except that such plans may be revised 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 Mr. Larson.

Mr. Cavanaugh stated it is a good use of the space that is being developed in an area that has been a dirt field for a while. He stated he has no issues and thinks it meets the standards.

Mr. McGinn stated the location is good being on Dundee Road and should not have any adverse impact on the surrounding properties.

Mr. McGinn summarized that this request has met the standards and was unanimously approved by a vote of 5-0. This item will tentatively go to Village Council on Monday, September 17, 2018.

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

IV. COMMUNICATIONS

V. ADJOURNMENT

Minutes Acceptance: Minutes of Aug 28, 2018 7:00 PM (Approval of Minutes)

**VILLAGE OF PALATINE
Zoning Board of Appeals**

SCHEDULED 09/11/18 07:00 PM

CASE STAFF STATEMENT (ID # 4745)

40 E Daniels Road

TO: Palatine Zoning Board of Appeals
Jan Wood, Chair

FROM: Lyn Bremanis

PETITIONER: Jim and Marisa Romano

CASE NUMBER: 18-84

ADDRESS: 40 E Daniels Road

PROPOSAL:

Special Use to permit a fence in the rear yard abutting the side lot line of a front yard of an adjacent lot pursuant to Section 6.03 (b) (6) (b) of the Palatine Zoning Ordinance.

Variation not to install landscaping material between the fence and the lot line abutting a public street pursuant to Section 6.03 (b)(4)(d)(i) of the Palatine Zoning Ordinance.

<u>LOCATION:</u> 40 E Daniels Road District 6 (Helms)	<u>CURRENT ZONING:</u> R-2 Single Family Residential
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SURROUNDING CONDITIONS:

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

BACKGROUND:

The Petitioners are proposing to install a fence on the lot line abutting a street. Therefore, the Petitioners are requesting approval of the following:

Special Use to permit a fence in the rear yard abutting the side lot line of the a front yard of an adjacent lot

Variation not to install landscaping material between the fence and the lot line abutting a public street

SITE ANALYSIS:

- The Subject Property is zoned R-2, Single Family Residential.
- The Petitioner is proposing to install a 4' high picket style fence on the property line along E Daniels Road requiring a Special Use.
- Per code, a fence abutting a side street must install landscape material between the fence and any lot line abutting a public street. Since the fence is along the lot line, a variation is required for the landscaping.

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 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 petitioners are requesting to install a fence on the lot line adjacent to E Daniels Road. Due to the proposed height of 4 feet and an open picket style therefore; staff does not believe that the fence would have a negative impact on the neighborhood. Therefore, Staff recommends approval of the proposed Special use and Variation to the Zoning Board of Appeals. If the Zoning Board of Appeals recommends approval, Staff would recommend the following conditions:

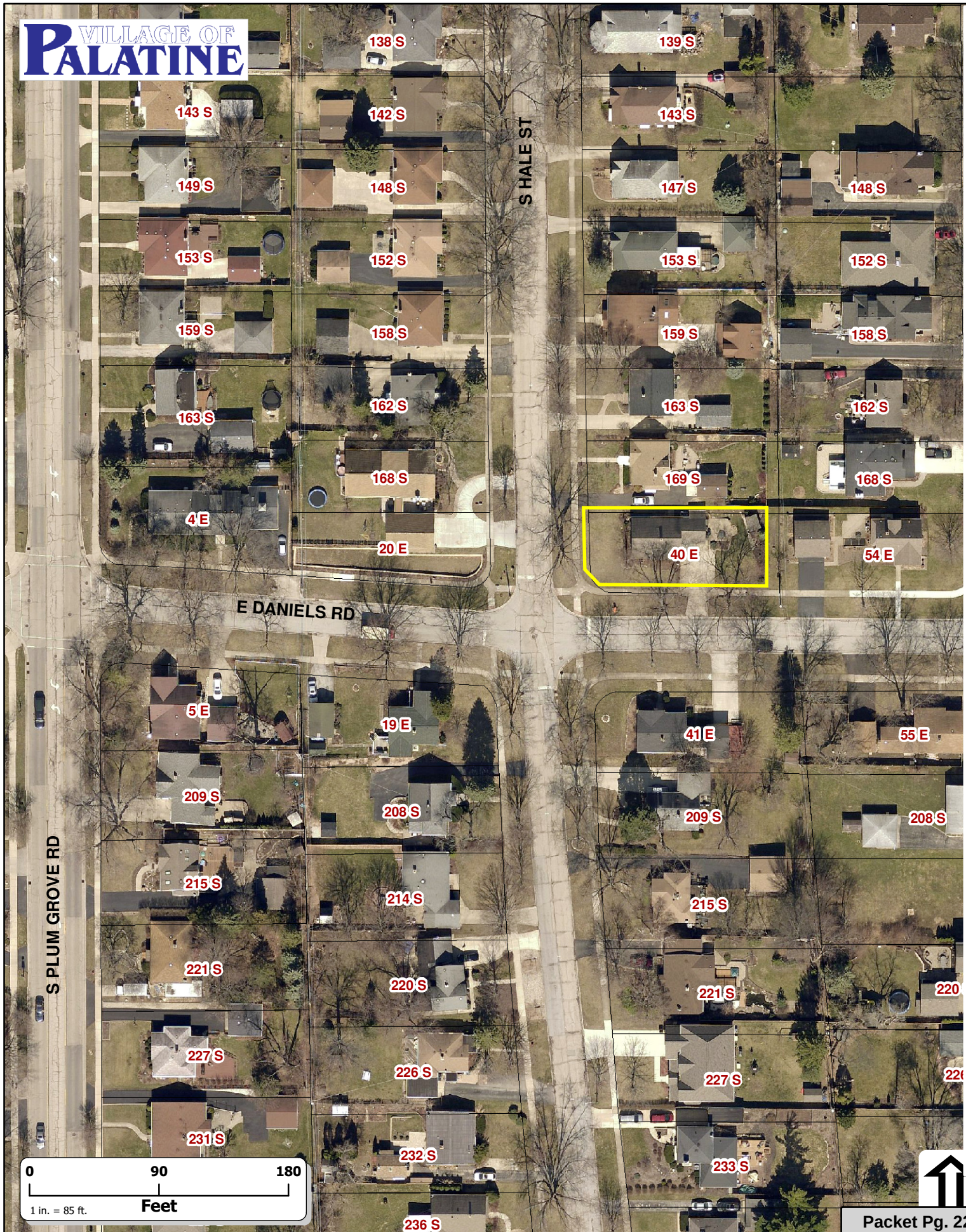
Case Staff Statement (ID # 4745)
Meeting of September 11, 2018

1. The Special Use and Variation shall substantially conform to the site plan submitted by the Petitioners, Jim and Marisa Romano on 08/23/2018, except as such plans may be changed to conform to Village Codes and Ordinances.
2. The final landscaping/planting plan shall be submitted in a manner acceptable to the Director of Planning and Zoning and the installed landscaping shall be maintained by the property owner, so as not to overhang or obstruct the sidewalk.

ATTACHMENTS:

- Aerial
- Application
- Site Plan
- Elevation
- Public Notice

VILLAGE OF
PALATINE



Attachment: Aerial (40 E Daniels Road - SU VAR Fence)



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 # 18-
	Filing Fee	Notification Deadline
	ZBA Public Hearing Date	Village Council Date



Background Information	PETITIONER(S)		Business Name (if applicable)	
	Sim & Marisa Romano			
	Subject Property Address 40 E. Daniels RD Palatine, IL			
	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:				
Install white PVC 48" Picket Fence as detailed on Attached Proposal from Action Fence. We have a new puppy and wish to have secured yard for him. same as ordinance # 0-132-12 case # 12-068				

Attachment: Application (40 E Daniels Road - SU VAR Fence)



SPECIAL USE

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

no

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

~~no~~ yes

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

No, (the opposite) should increase home 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

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

Small side yard would be cut in half it by normal regulations

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

corner lot with side yard

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

This type fencing is common in our area. Example: S. E. Daniel.

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



MURRY AND MOODY, LTD.

Land Surveyors

Illinois Professional Land Surveying Firm Corporation License No. 184-002845

933 S. Plum Grove Road, Suite 101

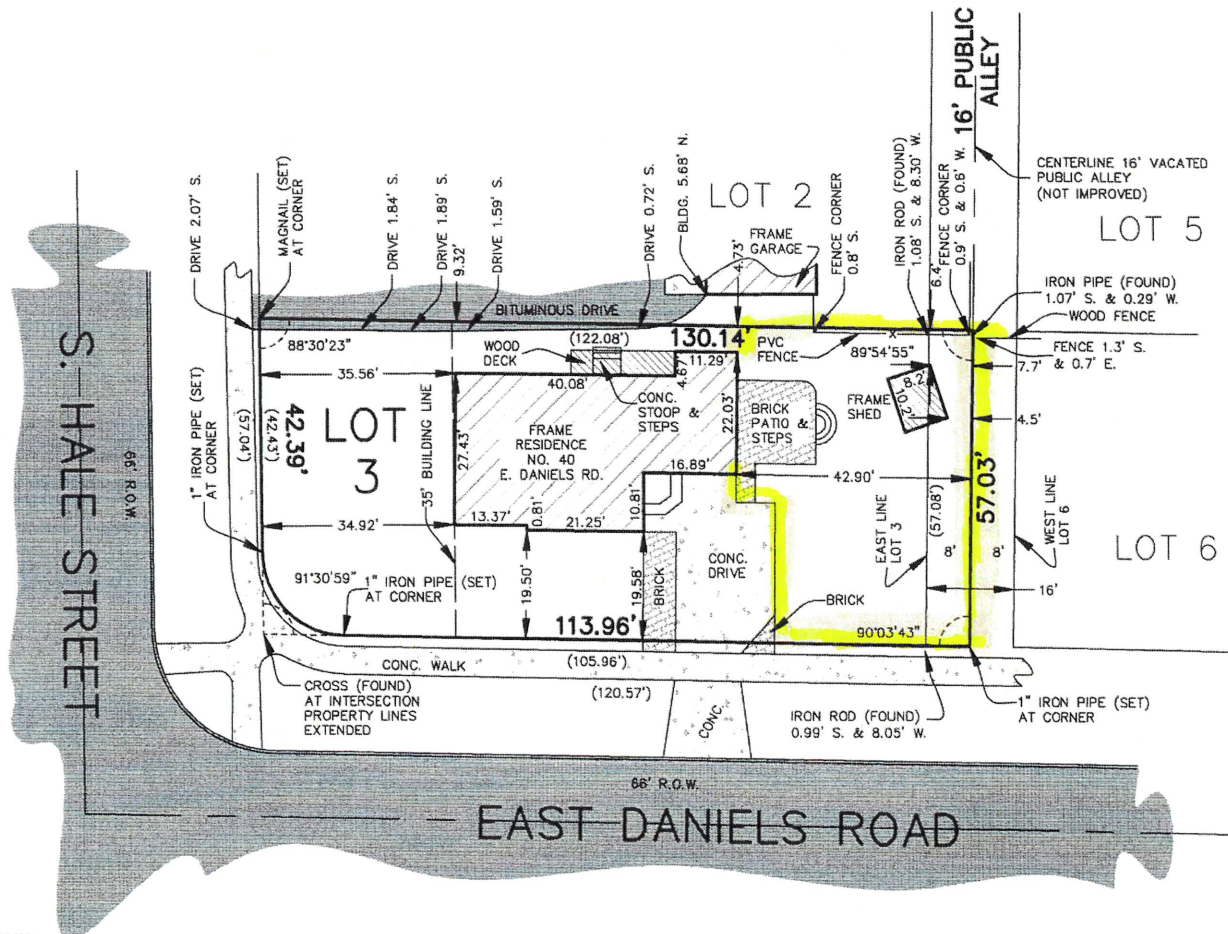
Palatine, Illinois 60067

www.murrysurvey.com info@murrysurvey.com Phone: (847)358-5960

PLAT OF SURVEY OF

LOT 3 IN BLOCK 3 AND THE WEST HALF OF THE VACATED ALLEY LYING EAST OF AND ADJOINING LOT 3, IN ARTHUR T. MCINTOSH AND COMPANY'S PLUM GROVE ROAD DEVELOPMENT, BEING A SUBDIVISION IN THE WEST HALF OF SECTION 23, AND THE EAST HALF OF SECTION 22, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED MAY 8, 1926, AS DOCUMENT 9268594, AND ALLEY VACATION RECORDED AS DOCUMENT 87178030, IN COOK COUNTY, ILLINOIS.

AREA = 7,331.11± S.F. / 0.168 ACRE (INCLUDING WEST 1/2 OF 16' ALLEY)



NOTE:
DOCUMENT 87178030 RESERVES ALLEY FOR EASEMENTS FOR EXISTING UTILITIES OVER THE EAST 8 FT. OF VACATED ALLEY IN BLOCK 3.

LEGEND AND NOTES

Dimensions shown thus: 50.25 are feet and decimal parts thereof. Angular data shown thus: 90°00'00" indicate degrees, minutes and seconds.

50.25 / N 90°00'00" E indicates measure dimension / bearing.
[50.25] / (N 90°00'00" E) indicates record dimension / bearing.
[50.25 d] / [N 90°00'00" E d] indicates deed dimension / bearing.

Bearings shown hereon, if any, per local or assumed data, unless shown otherwise.

Compare your points before using same and report any differences immediately.

Check legal description with deed or title policy and report any discrepancy immediately. Building lines and easements, if any, shown hereon are as shown on the recorded subdivision plat or as indicated.

Order Number: 18-1162

Survey Made For: Jim Romano

STATE OF ILLINOIS } S.S. COUNTY OF COOK }

I, Barbara C. Murry, an Illinois Professional Land Surveyor, do hereby certify that I have surveyed the above described property, and that the above plat is a correct representation of said survey and that this professional service conforms to the current Illinois minimum standards for a boundary survey.

Date of completion of field work: July 10, 2018

Palatine, Illinois: July 24, 2018



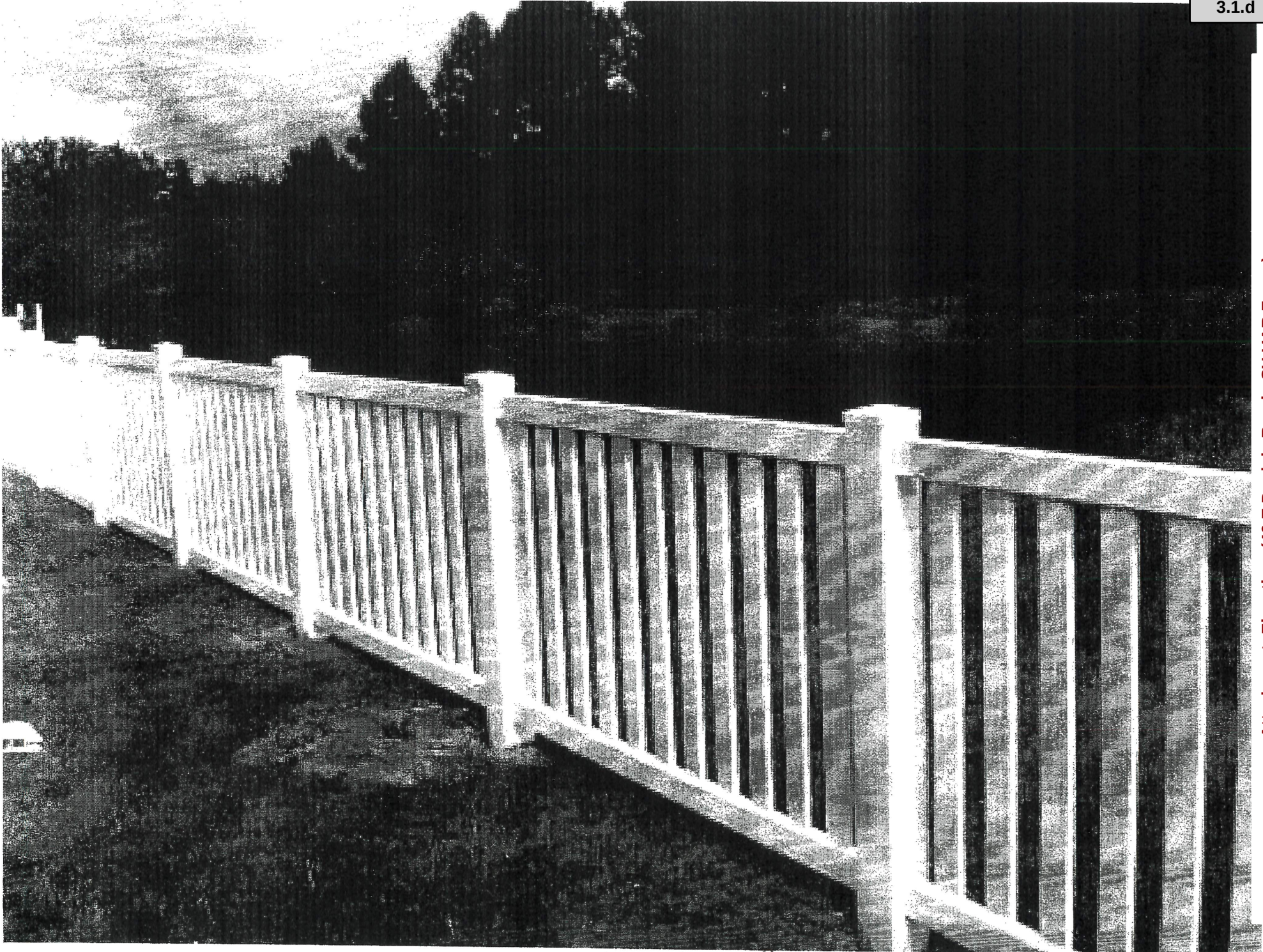
Illinois Professional Land Surveyor - Barbara C. Murry
License Renewal date: November 30, 2018

035-003529

Project Number: 18116200

Field Book: 273L62-64

Drawing File: 18116200.dwg



Attachment: Elevation (40 E Daniels Road - SU VAR Fence)

48" PVC

PUBLIC NOTICE
 A public hearing will be held before the Palatine Zoning Board of Appeals on Tuesday, September 11, 2018 at 7:00 P.M., 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 fence in the rear yard abutting the side lot line of the front yard of an adjacent lot pursuant to Section 6.03 (b) (6) (b) of the Palatine Zoning Ordinance.
Variation not to install landscaping material between the fence and the lot line abutting a public street pursuant to Section 6.03 (b)(4)(d)(i) of the Palatine Zoning Ordinance.
 The property is commonly known as 40 E Daniels Road (02-23-107-015-0000).
 The Petitioners are requesting to install a 4-foot tall picket style fence to be placed on the lot line along E. Daniels Road.
 The above petition has been filed by Jim and Maria Romano and is available for examination in the office of the Village Clerk, 200 E. Wood Street.
 FILE #: 18-84

VILLAGE OF PALATINE
 Jan Wood, Chair
 Palatine Zoning Board of Appeals
 DATED: This 27th day of August, 2018.
 Published in Daily Herald
 August 27, 2018 (4507946)

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

Northwest Suburbs 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 Northwest Suburbs **DAILY HERALD**. That said Northwest Suburbs **DAILY HERALD** is a secular newspaper, published in Arlington Heights and has been circulated daily in the Village(s) of:

Arlington Heights, Barrington, Barrington Hills, Bartlett, Buffalo Grove, Deer Park, Des Plaines, Elk Grove, Franklin Park, Glenview, Hanover Park, Hoffman Estates, Inverness, Melrose Park, Morton Grove, Mt Prospect, Niles, Northbrook, Northfield, Northlake, Palatine, Park Ridge, Prospect Heights, River Grove, Rolling Meadows, Rosemont, Schaumburg, Schiller Park, South Barrington, Streamwood, Wheeling, Wilmette

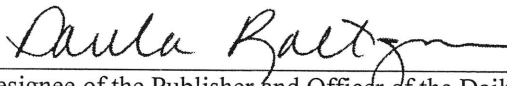
County(ies) of Cook

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 Northwest Suburbs **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 August 27, 2018 in said Northwest Suburbs **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 
 Designee of the Publisher and Officer of the Daily Herald

Control # 4507946

Attachment: Public Notice (40 E Daniels Road - SU VAR Fence)

**VILLAGE OF PALATINE
Zoning Board of Appeals**

SCHEDULED 09/11/18 07:00 PM

CASE STAFF STATEMENT (ID # 4748)

438 S. Wilke Road

TO: Palatine Zoning Board of Appeals
Jan Wood, Chair

FROM: Katie Romack

PETITIONER: Danuta Przepiorka

CASE NUMBER: 18-75

ADDRESS: 438 S. Wilke Road

PROPOSAL:

Special Use to permit a first floor addition to be set back 3 feet from the interior side yard lot line instead of the minimum required 5 feet pursuant to Section 10.05 (h) (3) (a) of the Palatine Zoning Ordinance.

Special Use to permit a second story addition to be set back 3 feet instead of the minimum required 5 feet pursuant to Section 10.05 (h) (3) (a) of the Palatine Zoning Ordinance.

Special Use to permit a second story addition to be setback 34 feet from the front yard lot line instead of the minimum required 40 feet pursuant to Section 10.05 (h) (1) of the Palatine Zoning Ordinance.

<u>LOCATION:</u> 438 S. Wilke Road District 5 (Kozlowski)	<u>CURRENT ZONING:</u> R-1C Single Family
---	--

SURROUNDING CONDITIONS:

<u>North:</u>	R-1C Single Family
<u>South</u>	R-1C Single Family
<u>East:</u>	Village Boundaries
<u>West:</u>	R-1C Single Family

BACKGROUND:

The Petitioner is requesting to construct a new first floor addition at the rear of the home as well as a second story addition on the existing first floor footprint. The proposed setbacks would remain consistent with the existing setbacks. Therefore, the

- 1. Special Use to permit a first floor addition to be set back 3 feet from the interior side yard lot line instead of the minimum required 5 feet**

2. **Special Use to permit a second story addition to be set back 3 feet instead of the minimum required 5 feet**
3. **Special Use to permit a second story addition to be setback 34 feet from the front yard lot line instead of the minimum required 40 feet**

SITE ANALYSIS:

- The Subject Property is zoned R-1C Single Family and the lot size is approximately 34,000 square feet.
- The Petitioner is seeking a Special Use for setback reductions to construct a new addition of the rear of the home and a 2nd story addition on the existing footprint.
- The existing residence is a single story home, with existing non-conforming setbacks for the interior side yard (3.96') and front yard (34.9'). Both proposed additions would not encroach any further than the existing non-conforming setbacks.

	Front Yard	Rear Yard	Interior Side Yard (north)	Interior Side Yard (south)
Existing	34.9' (40' required)	>100' (45' required)	3.96' (5' required)	>5' (5' required)
Proposed	34.9' (40' required)	>100' (45' required)	3.96' (5' required)	>5' (5' required)

- There is a privately recorded building line on the plat, located 25 feet from the front lot line. However, the R-1C minimum requires front yard setback is 40 feet, and the Petitioners are required to abide by the stricter regulation (in this case, the Zoning Code).
- The proposed detached garage is 25' x 22' (550 sq. ft.). When the square footage of the new garage is combined with the existing shed, the total square footage of accessory structures is 713 sq. ft. However, the Petitioner has indicated they will remove the shed instead of seeking a Variation.
- In order to access this new garage, the Petitioner would use the existing 1-car garage as a "drive-through".
- The midpoint of the house would be approximately 30' (30' max per Code) and the peak height would be approximately 35' (36' is max per Code).
- All setbacks of the detached garage would meet Code.
- Both building and lot coverage meet Code.

DEPARTMENTAL REVIEWS:

Community Services	No issues identified.
---------------------------	-----------------------

Engineering	No issues identified.
Environmental Health	N/A
Fire Prevention	No issues identified.
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.

STAFF RECOMMENDATION:

The Petitioner is requesting to construct a new addition at the rear of the home as well as a second story addition. The addition off the rear of the home encroaches in the required side yard setback and the second story addition encroaches in the required front and side yard setbacks. However, the existing residence has existing non-conforming front and side yard setbacks, and the proposed additions would align with the existing home. Most of the surrounding properties were subdivided in 1939 and later annexed in 1960. With that being said, Staff recommends approval of the Special Uses, subject to the following conditions:

1. The Special Uses shall substantially conform to the site plan, elevation plans, and floor plan submitted by the Petitioner's agent, Tom Przepiorka, on 07/23/2018, as such plans may be changed to conform to Village Codes and Ordinances.
2. If approved, the Petitioner shall include the demolition of the shed as part of the building permit for the new additions. If the Petitioner would like to keep the shed, then a Variation shall be applied for.

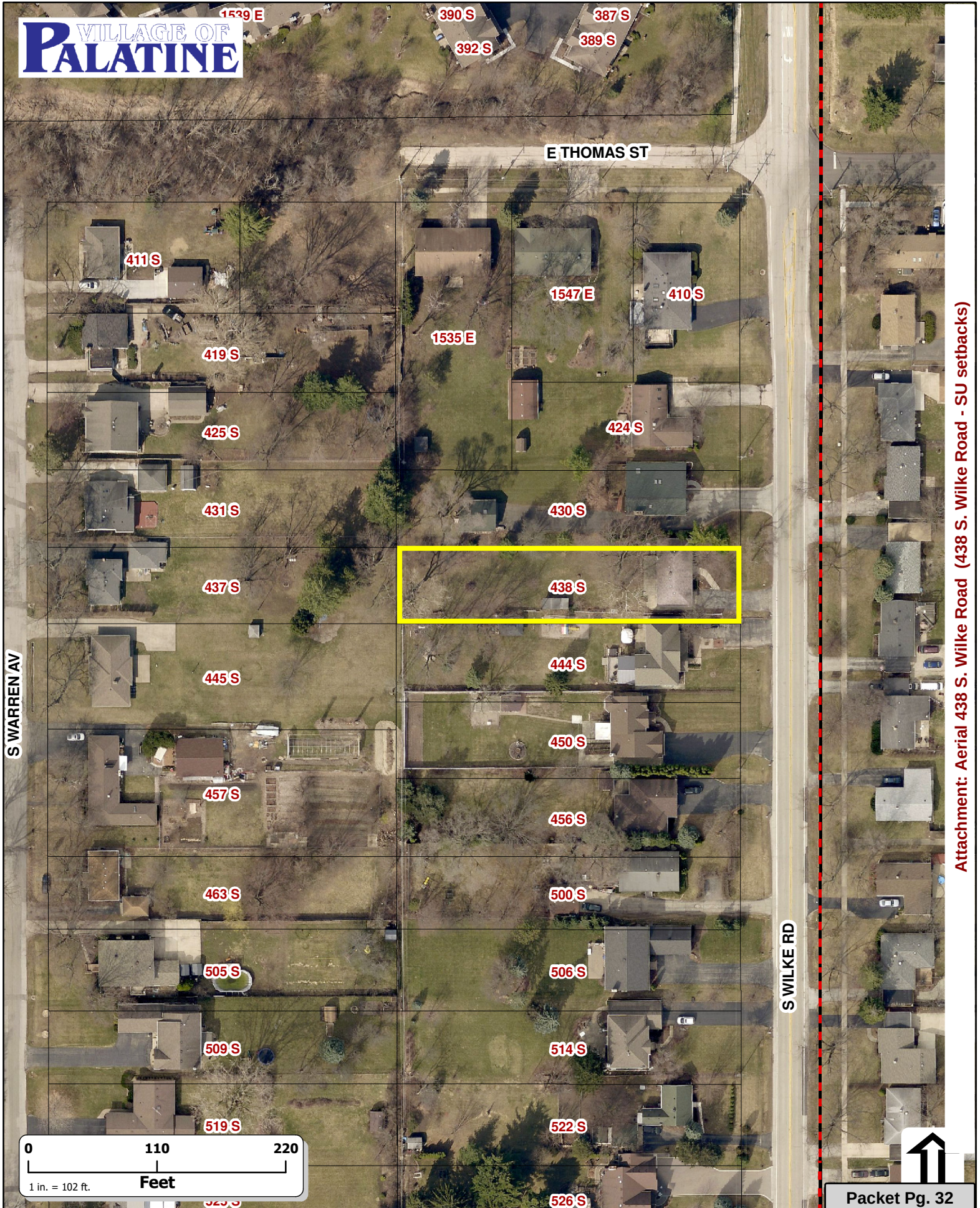
ATTACHMENTS:

- Aerial 438 S. Wilke Road
- Application 438 S. Wilke Road
- Plat of Survey - 438 S. Wilke Road
- Site Plan 438 S. Wilke Road
- Floorplans 438 S. Wilke Road
- Elevations 438 S. Wilke Road
- Public Notice 438 S. Wilke Road

438 S. Wilke Road

3.2.a

VILLAGE OF
PALATINE



Attachment: Aerial 438 S. Wilke Road (438 S. Wilke Road - SU setbacks)

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 <i>KR</i>	Zoning Case # <i>18-75</i>
	Filing Fee	Notification Deadline
	ZBA Public Hearing Date <i>9/11/18</i>	Village Council Date

RECEIVED
JUL 23 2018
PLANNING & ZONING DEPARTMENT
date received

Background Information	PETITIONER(S)		Business Name (if applicable)	
	DANUTA PRZEPIORKA			
	Subject Property Address 438 S Wilke Rd			
	AUTHORIZED AGENT (if applicable)		Business Name (if applicable)	
	TOM PRZEPIORKA			
	Address 3033 N 76th CT		City/State/Zip Code Elmwood Park IL 60707	
	Telephone	Fax	Email	
	Relationship to Petitioner (contractor, architect, etc.) son		grand	
	TYPE OF APPLICATION (check one)			
	☒ Special Use ☐ Special Use Amendment ☐ Variation			
Existing Zoning District R1-C		Existing Land Use single fam	Proposed Land Use single fam	
Generally describe your request: 2nd story addition				

Attachment: Application 438 S. Wilke Road (438 S. Wilke Road - SU setbacks)



SPECIAL USE

Required Materials

- ☒ Filing Fee of \$ 348
- ☒ 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**
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- ☐ 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

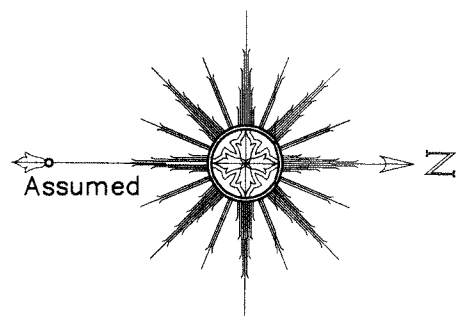
2. The use is designed, located, and proposed to be operated that the public health, safety and welfare will be protected

All of newly erected structures will be done according to state of Illinois and Village of Palatine building codes and inspected

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

We will add value to the property by erecting 2nd floor and rehabbing existing.

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

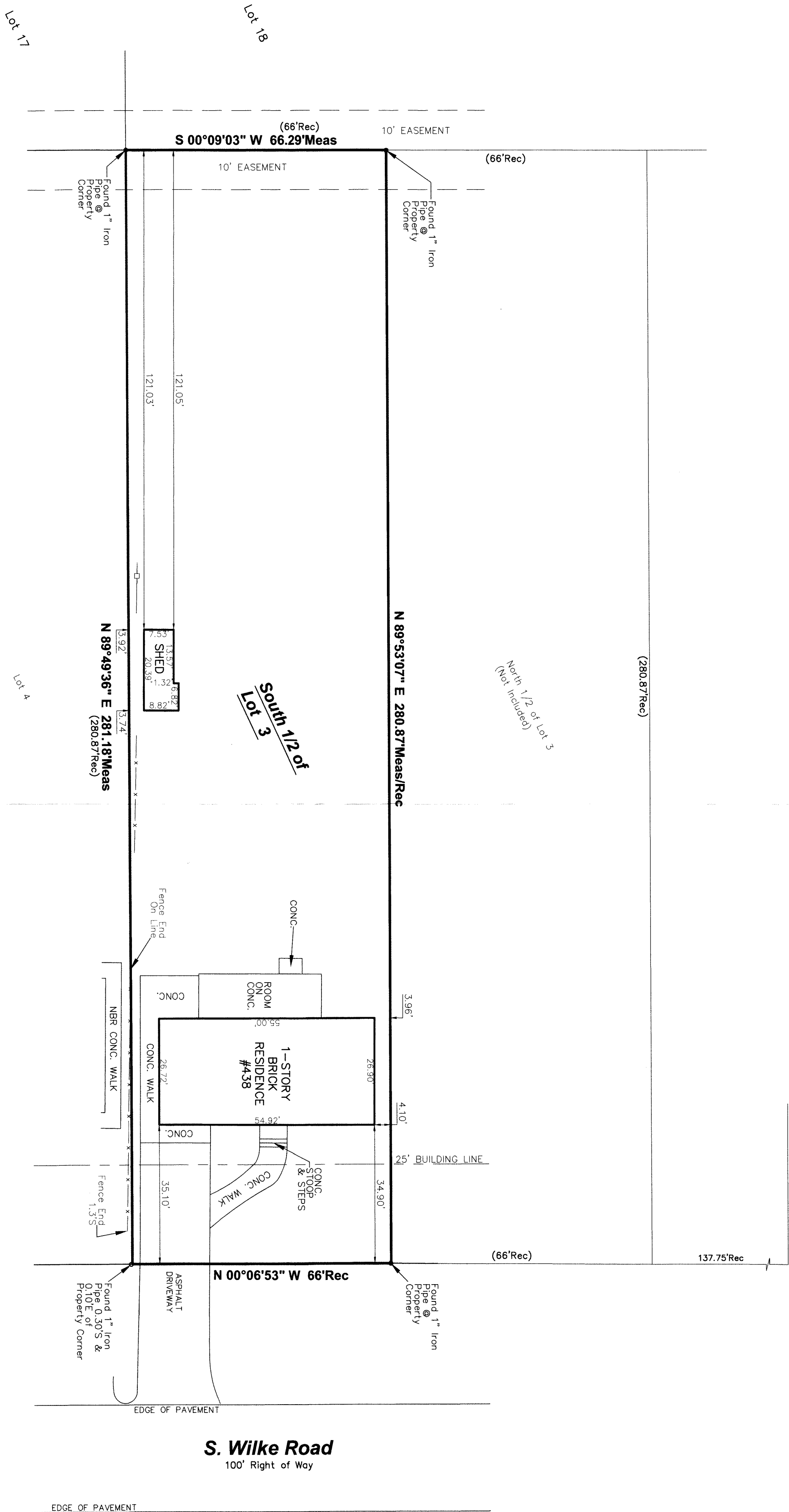


Plat of Survey

LEGAL DESCRIPTION: THE SOUTH HALF OF LOT 3 IN ROBERT BARTLETT'S ARLINGTON CREST ESTATES, A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 24 AND PART OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PARCEL AREA: 18,588 SQ. FEET

Thomas Street



THIS DOCUMENT IS NOT VALID WITHOUT THE SURVEYOR'S SEAL.

STATE OF ILLINOIS }
COUNTY OF MCHENRY } S.S.

IN MY PROFESSIONAL OPINION, AND BASED ON MY OBSERVATIONS, I HEREBY CERTIFY THAT THE PLAT HEREON DRAWN IS A TRUE REPRESENTATION OF SAID SURVEY.
THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY

DATED THIS 9th DAY OF May, A.D. 2018

JEFFREY A. SPIREK
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3898
REGISTERED AGENT FOR LUCO CONSTRUCTION COMPANY
LICENSE TO BE RENEWED NOVEMBER 30, 2018

*COMP

COMPALE THE DESCRIPTION ON THIS PLAT WITH YOUR DEED AND REPORT ANY DIFFERENCE. IMMEDIATELY. ALL DIMENSIONS ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF. BEARINGS AS SHOWN ARE ASSUMED AND ARE SO JUDICED FOR ALL INTERIOR ANGLES ONLY. BUILDING LINES AND EASEMENTS AS SHOWN ARE BASED SOLELY ON PROVIDED DOCUMENTS. UTILITIES WITHIN EASEMENTS ARE NOT SHOWN HEREON. UNDERGROUND UTILITIES, INCLUDING, BUT NOT LIMITED TO CONDUITS AND CABLES (IF ANY), HAVE NOT BEEN SHOWN HEREON.

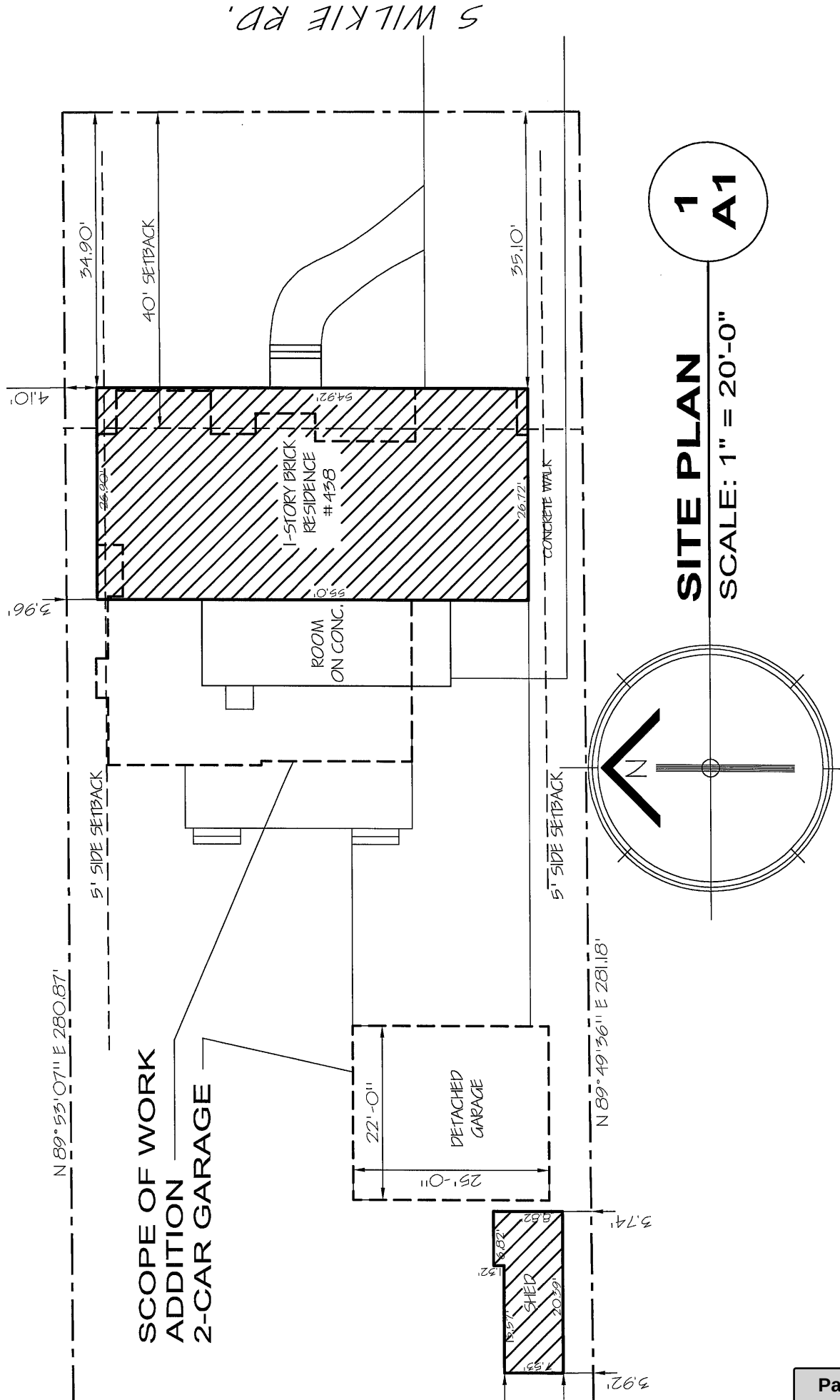
LEGEND	
☒ Set P.	
☒ Find P.K.	
☒ Road Fence	
☒ Very Fence	
☒ Concrete	
☒ Wood Deck	
☒ Brick	
☒ STREET LIGHT	
☒ B-BOX	
☒ WATER VALVE VAULT	
☒ FIRE HYDRANT	
☒ MANHOLE	
☒ STOP SIGN	
☒ JUNCTION BOX	
☒ POWER POLE	
☒ ELECTRIC TRANSFORMER	

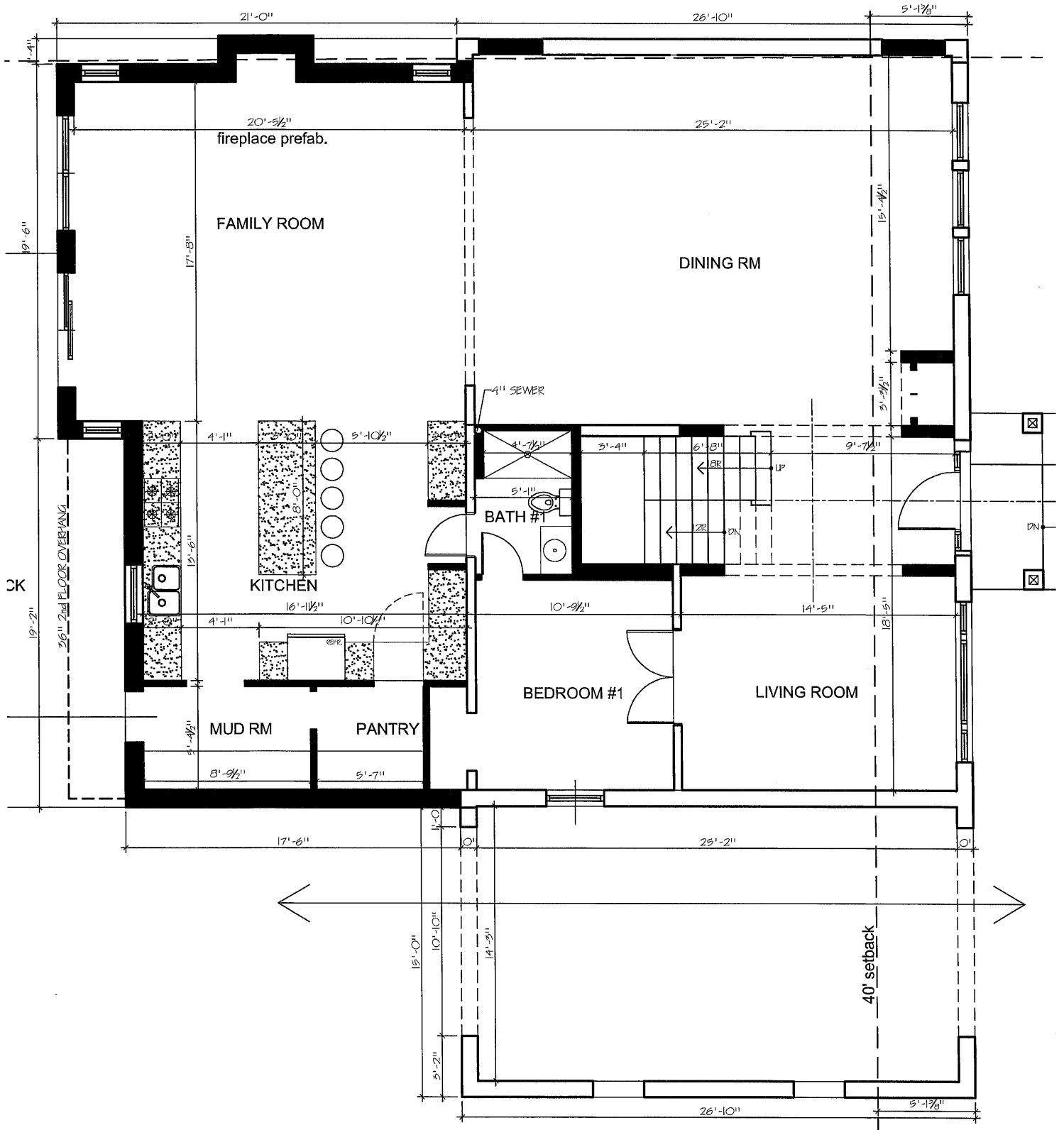
Lucco Surveying

Professional Design Firm No. 184.004829

54 Loc Avenue, Crystal Lake, IL 60014
 Phone: 815.565.5974 Email: luccon@gmail.com

Common Address: 438 S. Wilke Road, Palatine, IL PIN # 02-24-404-044	Job Number: 18 - 45619 Drawn By: CER
Client: Smythe & Lee	Reference: Koeppel
Field Work Completion: 05-04-18	
Revisions:	





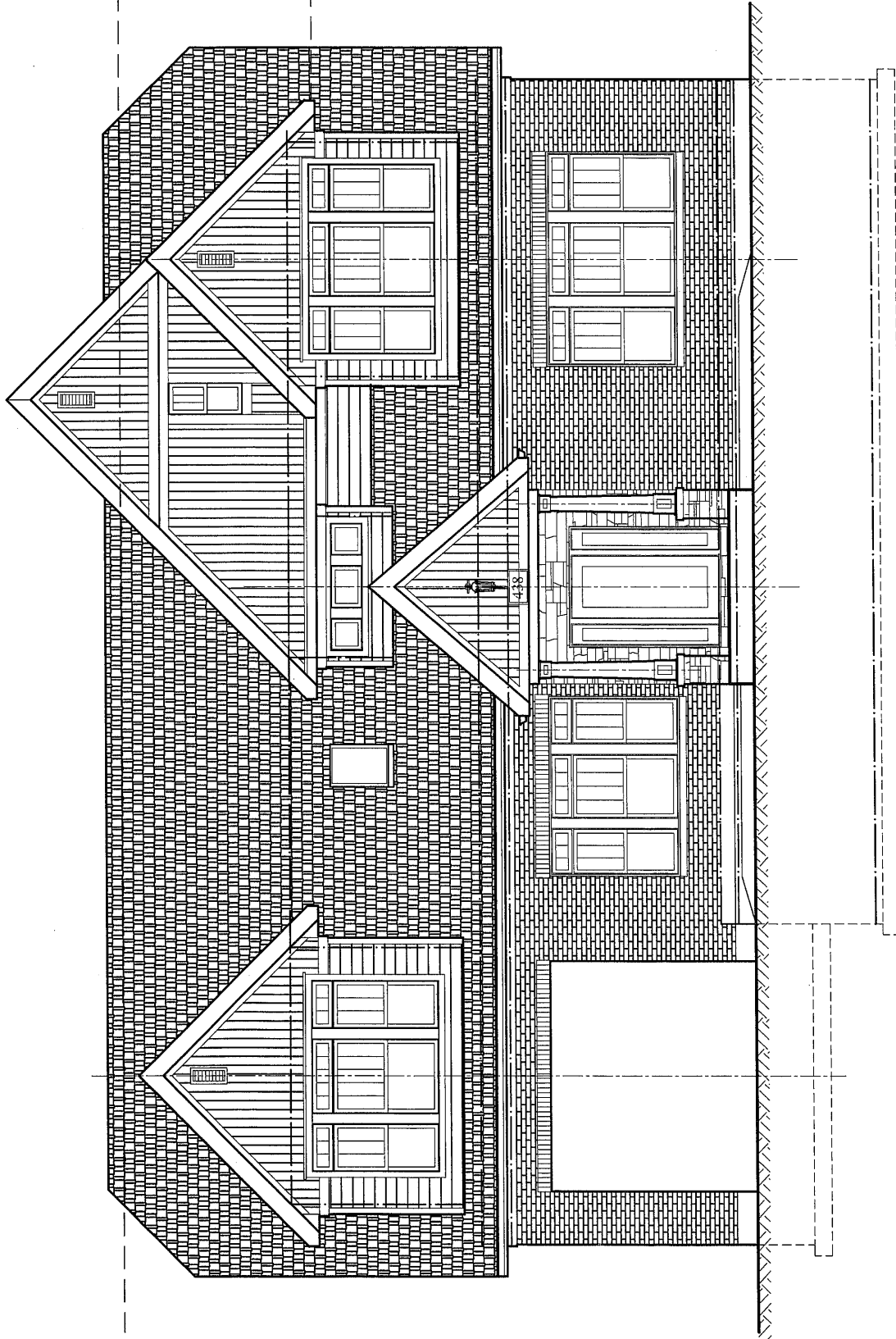
Attachment: Floorplans 438 S. Wilke Road (438 S. Wilke Road - SU setbacks)



Packet Pg. 38

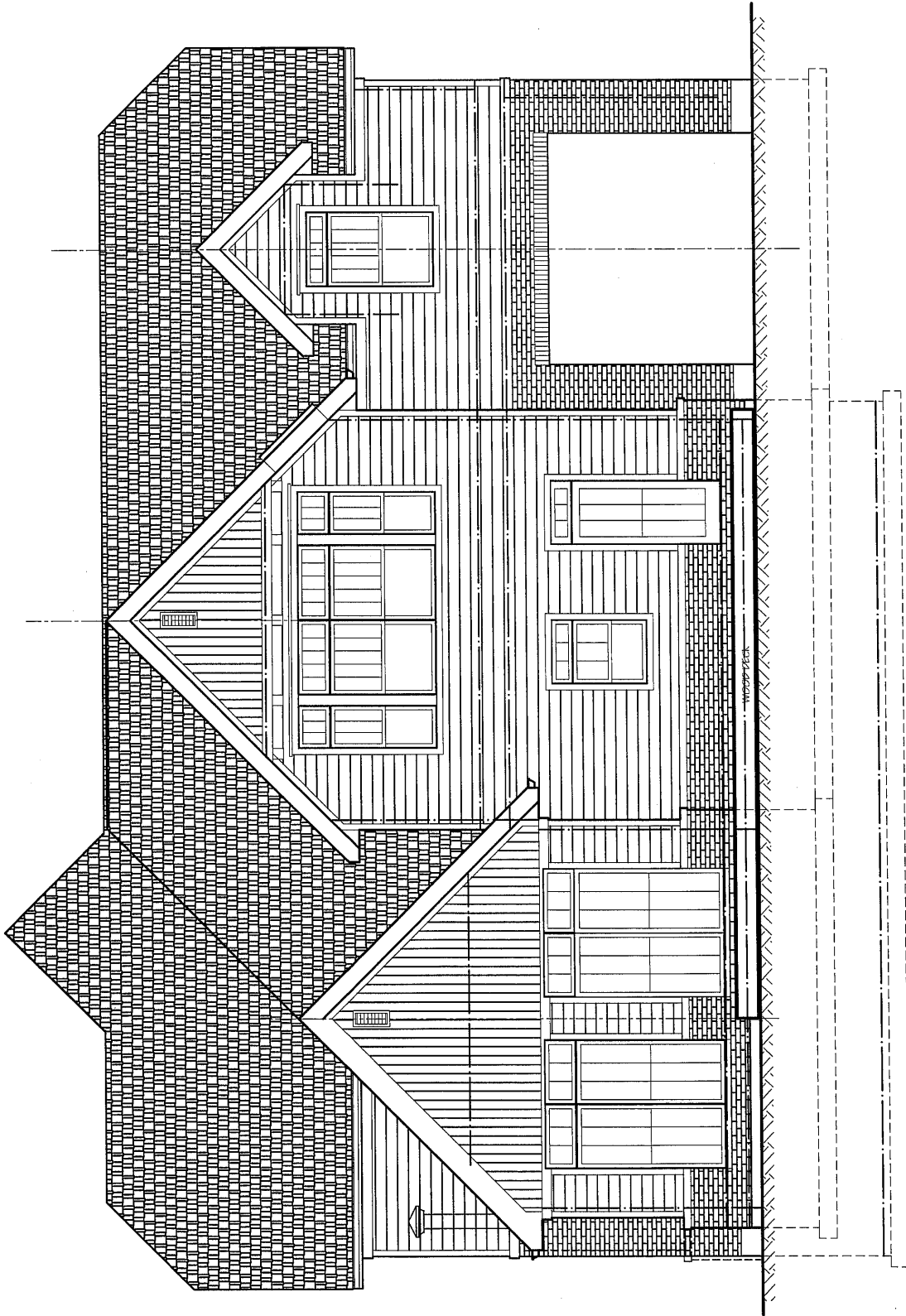
36' max peak ht

30' max mean ht



EAST ELEVATION - proposed
SCALE: 3/16" = 1'-0"

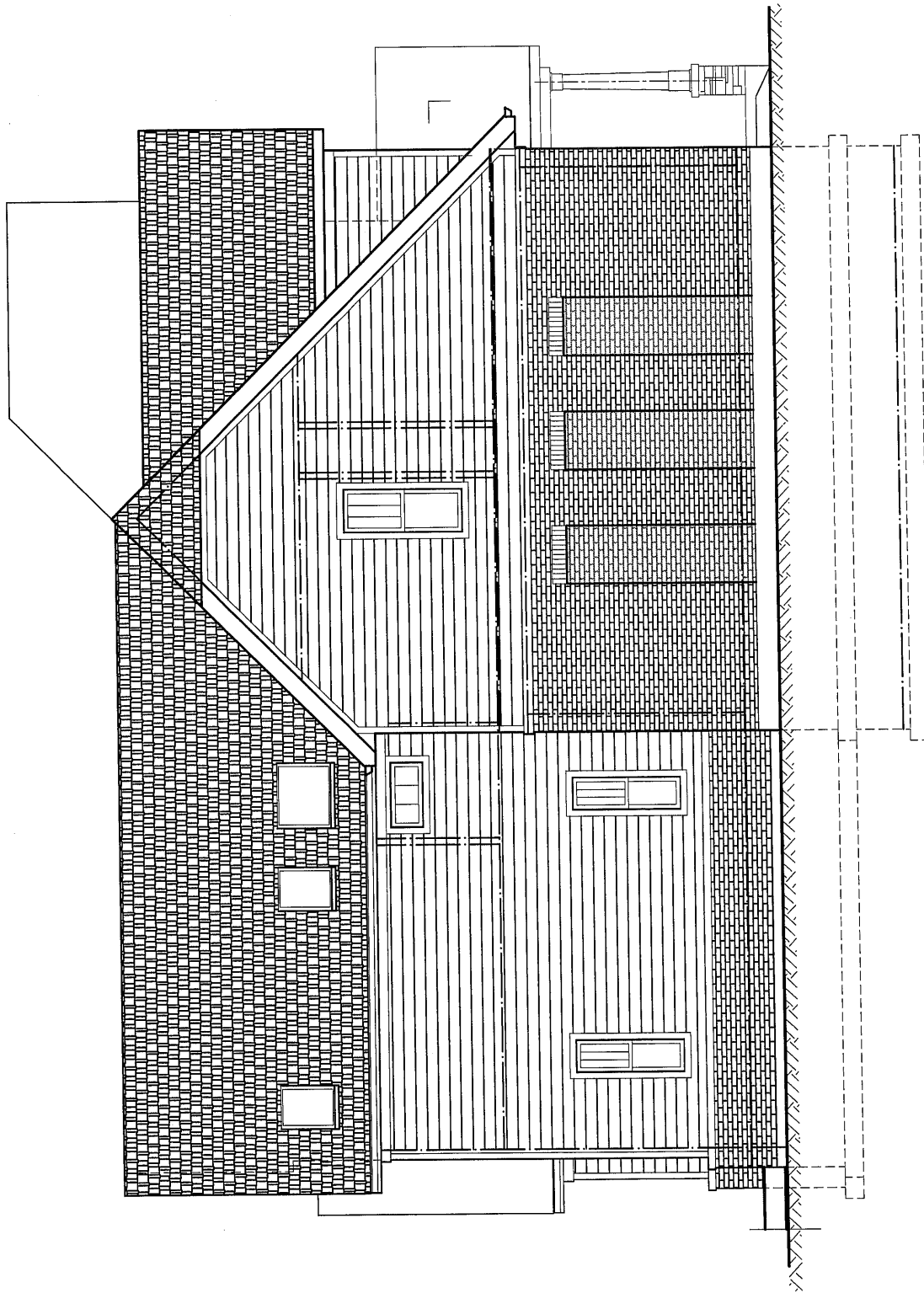
**X
AX**



X
AX

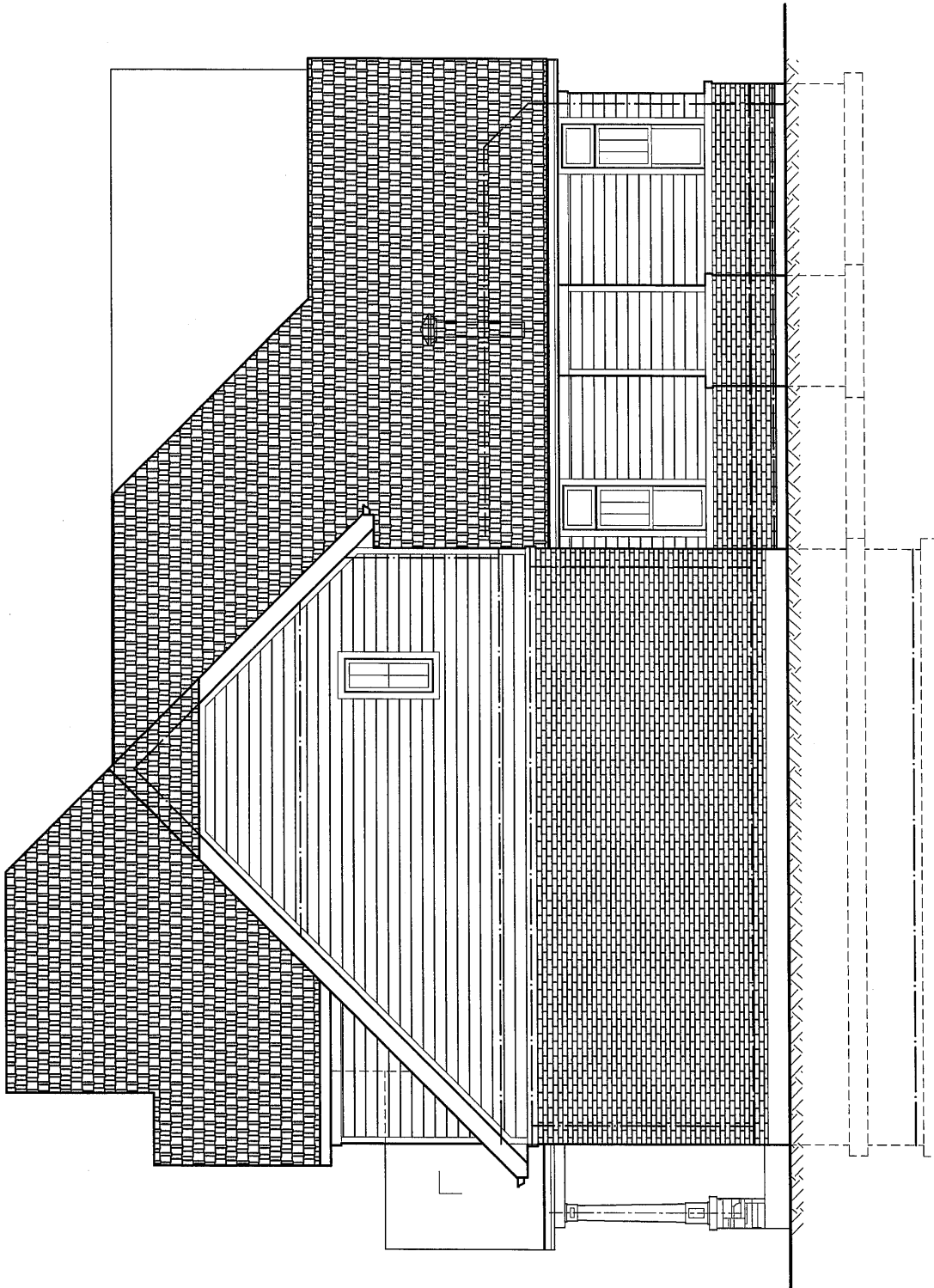
WEST ELEVATION - proposed

SCALE: 3/16" = 1'-0"



X
AX

SOUTH ELEVATION - proposed
SCALE: 3/16" = 1'-0"



X
AX

NORTH ELEVATION - proposed
SCALE: 3/16" = 1'-0"

PUBLIC NOTICE
 A public hearing will be held before the Palatine Zoning Board of Appeals on Tuesday, September 11, 2018 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 first floor addition to be set back 3 feet from the interior side yard lot line instead of the minimum required 5 feet pursuant to Section 10.05 (h) (3) (a) of the Palatine Zoning Ordinance.
 Special Use to permit a second story addition to be set back 3 feet instead of the minimum required 5 feet pursuant to Section 10.05 (h) (3) (a) of the Palatine Zoning Ordinance.
 Special Use to permit a second story addition to be set back 34 feet from the front yard lot line instead of the minimum required 40 feet pursuant to Section 10.05 (h) (1) of the Palatine Zoning Ordinance.
 The property is commonly known as 438 S. Wilke Road (02-24-404-044-0000).
 The Petitioner is requesting to construct a new first floor addition at the rear of the home as well as a second story addition on the existing first floor footprint. The proposed setbacks would remain consistent with the existing setbacks.
 The above petition has been filed by Danuta Przepiorka and is available for examination in the office of the Village Clerk, 200 E. Wood Street.
 FILE #: 18-75
 VILLAGE OF PALATINE
 Jan Wood, Chair
 Palatine Zoning Board
 of Appeals
 DATED: This 27th day of August, 2018.
 Published in Daily Herald
 August 27, 2018 (4507948)

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

Northwest Suburbs 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 Northwest Suburbs DAILY HERALD. That said Northwest Suburbs DAILY HERALD is a secular newspaper, published in Arlington Heights and has been circulated daily in the Village(s) of:

Arlington Heights, Barrington, Barrington Hills, Bartlett, Buffalo Grove, Deer Park, Des Plaines, Elk Grove, Franklin Park, Glenview, Hanover Park, Hoffman Estates, Inverness, Melrose Park, Morton Grove, Mt Prospect, Niles, Northbrook, Northfield, Northlake, Palatine, Park Ridge, Prospect Heights, River Grove, Rolling Meadows, Rosemont, Schaumburg, Schiller Park, South Barrington, Streamwood, Wheeling, Wilmette

County(ies) of Cook

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 Northwest Suburbs 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 August 27, 2018 in said Northwest Suburbs 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

Danuta Przepiorka

Designee of the Publisher and Officer of the Daily Herald

Control # 4507948

Attachment: Public Notice 438 S. Wilke Road (438 S. Wilke Road - SU setbacks)

**VILLAGE OF PALATINE
Zoning Board of Appeals**

SCHEDULED 09/11/18 07:00 PM

CASE STAFF STATEMENT (ID # 4750)

856 E Holly Way

TO: Palatine Zoning Board of Appeals
Jan Wood, Chair

FROM: John Kalmar

PETITIONER: Katharina and Andrew Nigliaccio

CASE NUMBER: 18-81

ADDRESS: 856 East Holly Way

PROPOSAL:

Variation to permit, with the installation of the proposed pool deck, a total of all accessory structures to be 1,586 square feet instead of the maximum permitted of 674 square feet pursuant to Section 6.01(a)(4)(a)(iii) of the Palatine Zoning Ordinance.

<u>LOCATION:</u> 856 East Holly Way District 4 (Solberg)	<u>CURRENT ZONING:</u> R-2 Single Family Residential
--	--

SURROUNDING CONDITIONS:

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

BACKGROUND:

The Petitioners are requesting to install a new pool deck addition onto an existing aboveground swimming pool. The proposed deck will be detached from an existing deck located on the rear of the existing home. Therefore, the Petitioners are requesting:

Variation to permit, with the installation of the proposed pool deck, a total of all accessory structures to be 1,586 square feet instead of the maximum permitted of 674 square feet

SITE ANALYSIS:

- The Subject Property is zoned R-2 Single Family and the lot size is approximately 12,383 square feet.
- The Petitioner is seeking a Variation to construct a new deck onto a portion of the

existing above-ground pool. The proposed deck will be detached from the existing deck located on the rear of the home. The proposed deck will be approximately 30 inches above grade and be enclosed by a 36 inch high wood railing. At the top of the stairs leading from the patio to the deck will be a self-closing gate.

- A portion of the proposed deck is generally rectangular with a circular shaped area adjacent to the pool and is generally 11' x 20' (198 sq. ft.). Per Code, the ground floor area for all accessory structure cannot exceed 674 sq. ft. Therefore, relief is required.
- The proposed deck would be set back 20' from the side property line (east), approximately 30' from the rear property line, and more than 10' from the house. All setbacks meet Code.
- Both building (18.76%) and lot (28.95%) coverages meet 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 deck onto a portion of the existing above-ground pool. The pool does not have a deck connected to it at this time. They currently have a patio and above-ground deck connected to the home. The proposed deck will not be connected to the existing deck. The petitioner has indicated that they want to create this separation for the safety reasons related to their grandchildren.

The property, without the proposed deck, exceeds the maximum allowable coverage for accessory structures.

Please note that the 2017 Aerial shows the lot located directly to the east (862) has a pool with a deck which completely surrounds the pool. There are also several pools located north and east of the subject property.

The proposed deck will enhance the overall use and enjoyment of the pool for the petitioners. It should not impact the surrounding property owners or impact the essential character of the neighborhood. Therefore, Staff recommends approval of the proposed Variation to the Zoning Board of Appeals. If the Zoning Board of Appeals recommends approval, Staff would recommend the following condition:

1. The Variation shall substantially conform to the site plan submitted by the Petitioners, Katharina and Andrew Nigliaccio on 08/03/2018, except as such plans may be changed to conform to Village Codes and Ordinances.

ATTACHMENTS:

- Aerial
- Application
- Site Plan
- Elevation
- Public Notice

856 E Holly Way

3.3.a

VILLAGE OF
PALATINE



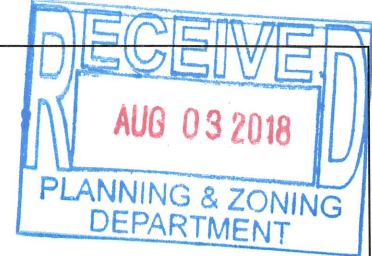
Attachment: Aerial (856 E Holly Way - VAR Accessory Structure (Deck))

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 # 18-81
	Filing Fee	Notification Deadline
	ZBA Public Hearing Date	Village Council Date



date received

Background Information	PETITIONER(S)		Business Name (if applicable)	
	Katharina Nigliaccio			
	Subject Property Address 856 E. Holly Way Palatine, IL. 60074			
	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:				
I wish to put a deck on a portion of my aboveground pool.				

Attachment: Application (856 E Holly Way - VAR Accessory Structure (Deck))

VILLAGE OF PALATINE

VARIATION

Required Materials

- ☒ Filing Fee of \$ 232
- ☐ 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

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

deck of pool needs to be away from deck on house, for safety of grandson

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

will not alter 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

AND PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 29, 1964 AS DOCUMENT 1
 COOK COUNTY, ILLINOIS.

Call Inspection Scheduling Hot Line

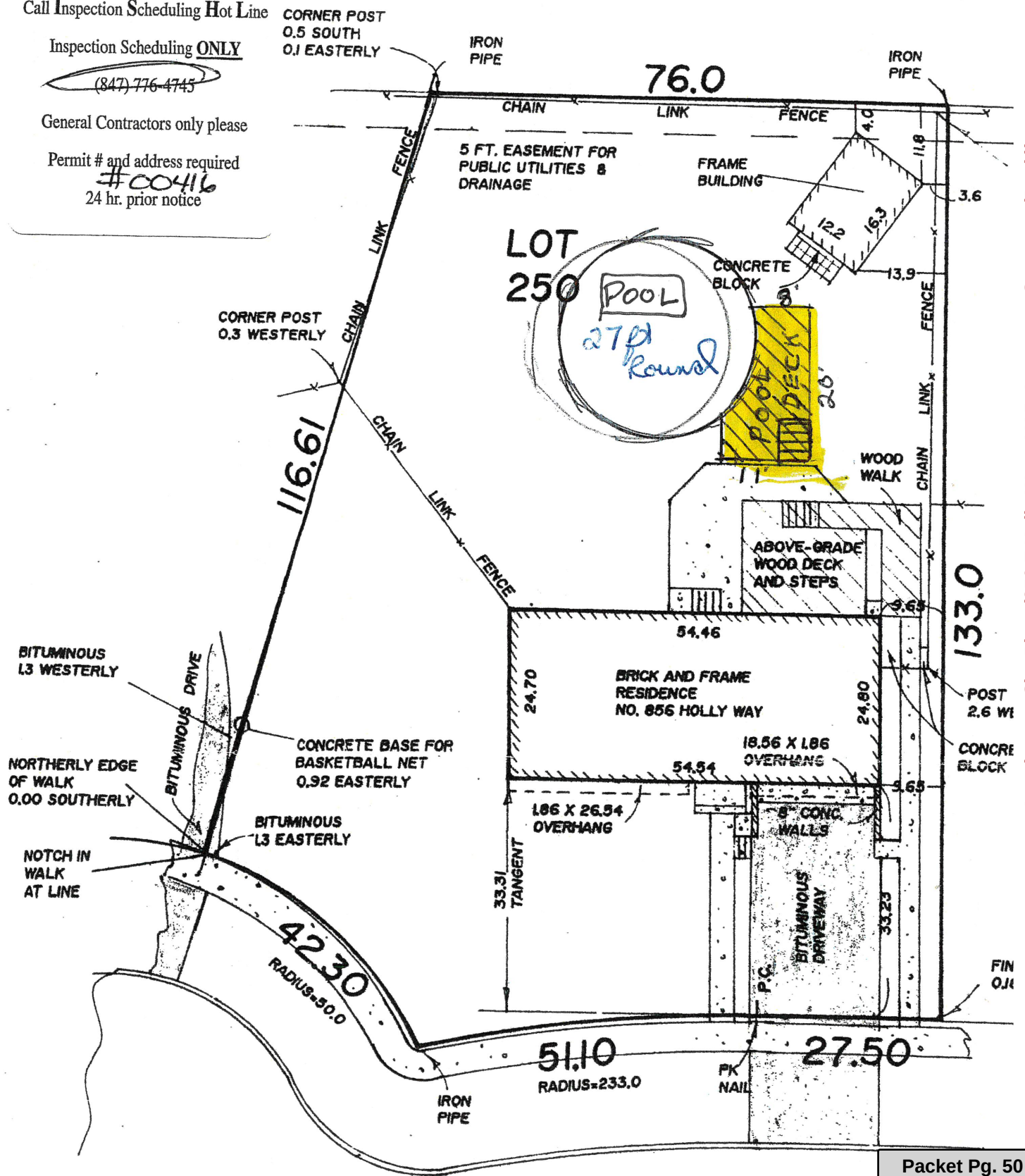
Inspection Scheduling ONLY

(847) 776-4745

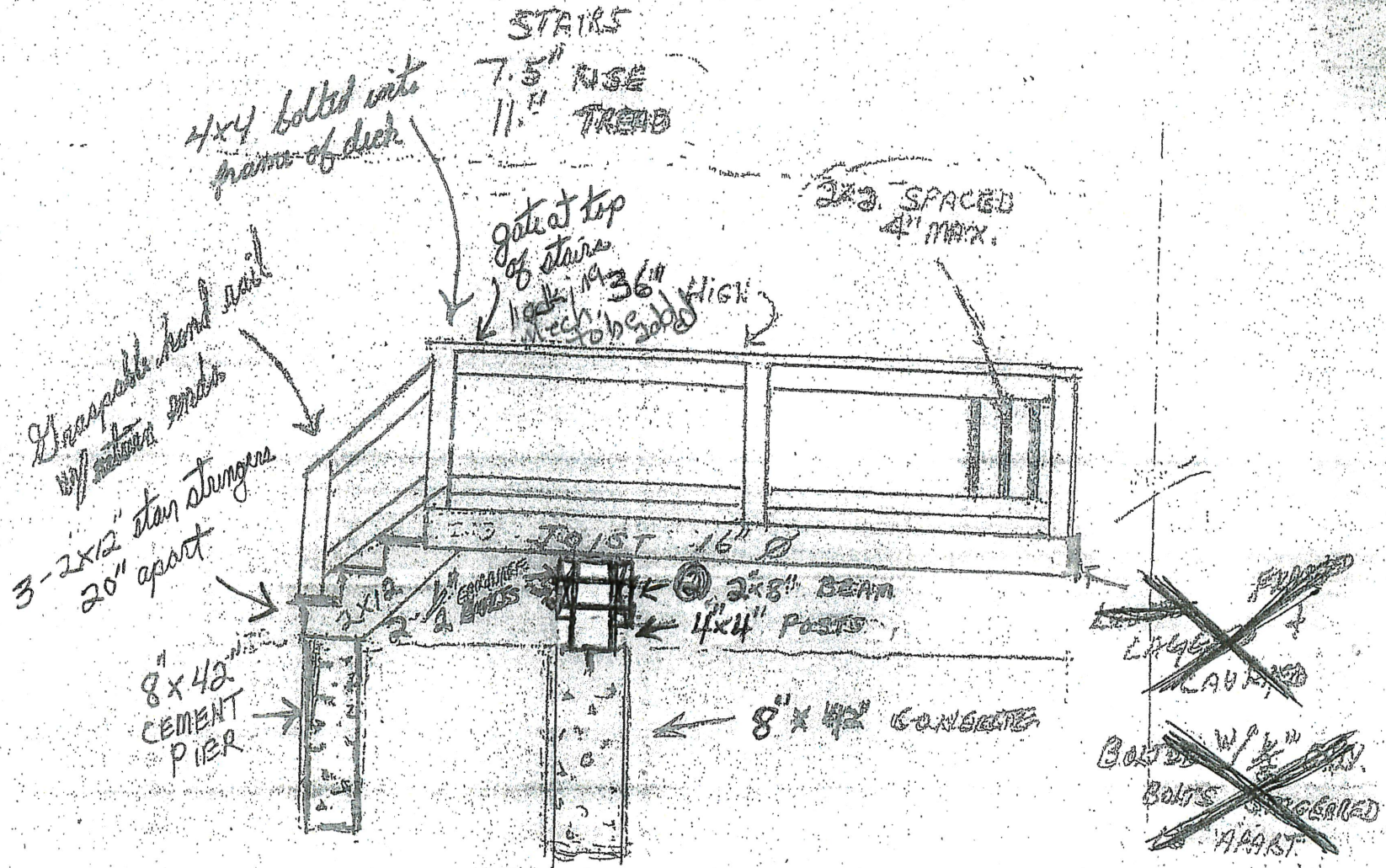
General Contractors only please

Permit # and address required

#00416
 24 hr. prior notice



Attachment: Site Plan (856 E Holly Way - VAR Accessory Structure (Deck))



NIGLIACCIO
856 E HOLLY WAY

PUBLIC NOTICE
 A public hearing will be held before the Palatine Zoning Board of Appeals on Tuesday, September 11, 2018 at 7:00 P.M., in the Village Council Chambers in the Palatine Village Hall, 200 E. Wood Street, relative to a request for the following:
Variation to permit, with the installation of the proposed pool deck, a total of all accessory structures to be 1,586 square feet instead of the maximum permitted of 674 square feet pursuant to Section 6.01(a)(4)(a)(iii) of the Palatine Zoning Ordinance.

The property is commonly known as 856 East Holly Way (02-01-313-007-0000). The Petitioners are requesting to install a new pool deck addition onto an existing aboveground swimming pool. The proposed deck will be detached from an existing deck located on the rear of the existing home.

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

FILE #: 18-81
 VILLAGE OF PALATINE
 Jan Wood, Chair
 Palatine Zoning Board
 of Appeals

DATED: This 27th day of August, 2018.
 Published in Daily Herald
 August 27, 2018 (4507945)

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

Northwest Suburbs 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 Northwest Suburbs DAILY HERALD. That said Northwest Suburbs DAILY HERALD is a secular newspaper, published in Arlington Heights and has been circulated daily in the Village(s) of:

Arlington Heights, Barrington, Barrington Hills, Bartlett, Buffalo Grove, Deer Park, Des Plaines, Elk Grove, Franklin Park, Glenview, Hanover Park, Hoffman Estates, Inverness, Melrose Park, Morton Grove, Mt Prospect, Niles, Northbrook, Northfield, Northlake, Palatine, Park Ridge, Prospect Heights, River Grove, Rolling Meadows, Rosemont, Schaumburg, Schiller Park, South Barrington, Streamwood, Wheeling, Wilmette

County(ies) of Cook

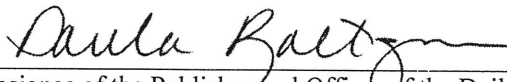
and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

I further certify that the Northwest Suburbs 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 August 27, 2018 in said Northwest Suburbs 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



Designee of the Publisher and Officer of the Daily Herald

Control # 4507945

Attachment: Public Notice (856 E Holly Way - VAR Accessory Structure (Deck))

**VILLAGE OF PALATINE
Zoning Board of Appeals**

SCHEDULED 09/11/18 07:00 PM

CASE STAFF STATEMENT (ID # 4747)

207 W. Glade Street

TO: Palatine Zoning Board of Appeals
Jan Wood, Chair

FROM: Katie Romack

PETITIONER: Robert Feekin

CASE NUMBER: 18-82

ADDRESS: 207 W. Glade Road

PROPOSAL:

Special Use to permit a deck to be located in the floodplain pursuant to Section 6.08 (d) (2) (m) of the Palatine Code of Ordinances - Appendix B - Subdivision, Site Development and Floodplain Regulations.

<u>LOCATION:</u> 207 W. Glade Road District 2 (Lamerand)	<u>CURRENT ZONING:</u> R-2 Single Family
--	---

SURROUNDING CONDITIONS:

North:	R-2 Single Family
South:	R-2 Single Family
East:	R-2 Single Family
West:	R-2 Single Family

BACKGROUND:

The Petitioner would like to replace an existing concrete stoop located in the floodplain with a new deck. Therefore, the Petitioner is requesting:

- **Special use to permit a deck to be located in the floodplain**

SITE ANALYSIS:

- The Subject Property is zoned R-2 Single Family and contains a single-family residence.
- The Petitioner is seeking a Special Use to replace an existing concrete stoop with a new deck, which would be located in the floodplain. The subject property is almost entirely encumbered by the floodplain.
- Per the Subdivision Ordinance, elevated decks in the floodplain require Special Use

review.

- In July 2018, the Petitioner received Minor Special Use and Variation approval to remove and replace an existing shed located less than 5' from the side and rear lot lines and within an easement.
- The proposed deck is approximately 12' x 6' (72 sq. ft.).
- Both building and lot coverage meet Code.

DEPARTMENTAL REVIEWS:

Community Services	No issues identified.
Engineering	No issues identified.
Environmental Health	N/A
Fire Prevention	No issues identified.
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.

STAFF RECOMMENDATION:

While the floodplain encumbers much of the surrounding area, the Village Engineer has reviewed this proposal and does not have any concerns. Additionally, the Petitioner recently removed and replaced a shed in the floodplain, which was reviewed ultimately approved by Village Council. Therefore, Staff recommends approval of the proposed Special Use, subject to the following conditions:

1. The Special Use shall substantially conform to the site plan submitted by the Petitioner, Robert Feekin, on 08/09/2018 except as such plans may be changed to conform to Village Codes and Ordinances.

ATTACHMENTS:

- Aerial 207 W. Glade Road
- Application 207 W. Glade Road
- Plat of Survey - Site Plan 207 W. Glade Road
- Public Notice 207 W. Glade Street

207 W. Glade Road

3.4.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 KR	Zoning Case # 18-82
	Filing Fee	Notification Deadline
	ZBA Public Hearing Date 9/11/18	Village Council Date

date received

Background Information	PETITIONER(S)		Business Name (if applicable)	
	ROBERT FETKIN			
	Subject Property Address			
	207 W GLADE RD, PALATINE 60067			
	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		Proposed Land Use
R-2		S-F		S-F
Generally describe your request:				
PERMISSION TO BUILD 12'X6' DECK				
AND 8'X10' STORAGE SHED ON				
FLOOD PLAIN.				

Attachment: Application 207 W. Glade Road (207 W. Glade Road - SU deck in floodplain)



SPECIAL USE

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

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

DECK WILL BE BUILT TO LOCAL CODES

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

NEW DECK WILL IMPROVE CURRENT CONCRETE STOP.

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

Packe

PUBLIC NOTICE
 A public hearing will be held before the Palatine Zoning Board of Appeals on Tuesday, September 11, 2018 at 7:00 P.M. 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 deck to be located in the floodplain pursuant to Section 6.08 (d) (2) (m) of the Palatine Code of Ordinances - Appendix B - Subdivision, Site Development and Floodplain Regulations.
 The property is commonly known as 207 W. Glade Street (02-22-404-017-0000). The Petitioner is requesting to construct a new deck located in the floodplain.
 The above petition has been filed by Robert Feekin and is available for examination in the office of the Village Clerk, 200 E. Wood Street, Palatine, IL 60067.
FILE #: 18-82
VILLAGE OF PALATINE
 Jan Wood, Chair
 Palatine Zoning Board of Appeals
DATED: This 27th day of August, 2018.
 Published in Daily Herald August 27, 2018 (4507947)

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

Northwest Suburbs 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 Northwest Suburbs **DAILY HERALD**. That said Northwest Suburbs **DAILY HERALD** is a secular newspaper, published in Arlington Heights and has been circulated daily in the Village(s) of:

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County(ies) of Cook

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 Northwest Suburbs **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 August 27, 2018 in said Northwest Suburbs **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 *Danula Baltz*
 Designee of the Publisher and Officer of the Daily Herald

Control # 4507947

Attachment: Public Notice 207 W. Glade Street (207 W. Glade Road - SU deck in floodplain)

**VILLAGE OF PALATINE
Zoning Board of Appeals**

SCHEDULED 09/11/18 07:00 PM

CASE STAFF STATEMENT (ID # 4746)

1613 N Rand Road

TO: Palatine Zoning Board of Appeals
Jan Wood, Chair

FROM: Lyn Bremanis

PETITIONER: Pavlo and Aleksandr Kostenko, Café Dacha

CASE NUMBER: 18-69

ADDRESS: 1613 N Rand Road

PROPOSAL:

Special Use to permit a restaurant pursuant to Section 11.03 (d)(27) of the Palatine Zoning Ordinance.

Variation to allow 26 parking spaces instead of the required 59 spaces pursuant to Section 7.03 (b)(1) of the Palatine Zoning Ordinance.

<u>LOCATION:</u> 1613 N. Rand Road District 4 (Solberg)	<u>CURRENT ZONING:</u> B-2 General Business District
---	--

SURROUNDING CONDITIONS:

North:	B-2 General Business District
South:	P - Planned Development
East:	R-2 Single Family Residential
West:	B-2 General Business District

BACKGROUND:

The Petitioners are proposing to open a restaurant, Café Dacha. Therefore, the Petitioners are requesting approval of the following:

- **Special Use to permit a restaurant**
- **Variation to allow 26 parking spaces instead of the required 59 spaces**

SITE ANALYSIS:

Case Staff Statement (ID # 4746)
Meeting of September 11, 2018

- The Subject Property is zoned B-2 General Business and is in Chicago Clock Tower Plaza. The Subject Tenant Space is approximately 1,675 square feet and is within a building that is approximately 10,231 square feet.
- The Petitioner is proposing to open a restaurant, Café Dacha. The menu is attached which does not include alcoholic beverages.
- The proposed hours of operation are Monday through Thursday from 12 PM to 2 PM; 5 PM - 7 PM, Friday 12 PM to 2 PM; 6 PM - 8 PM Saturday 12 PM - 3 PM, 7 PM - 9 PM and Sunday 12 PM - 4 PM.
- There will be 2 full-time and 2-3 part-time employees.
- The floor plan indicates 24 seats. This this would require 21 parking spaces using the more restrictive 1/100 square feet calculation.
- There are 26 spaces available on site. Per the current tenant mix, the site is under parked by 19 spaces. There is not a current variation as the property was annexed into the Village in 1999. With the addition of another restaurant the parking deficit increases to 33.

Use	Square Footage	Number of Seats	Parking Requirement	
Capri Deli	2100	38	21	1/100 square feet
Café Dacha	1675	24	16	1/100 square feet
Retail	6500		22	1/300 square feet
		Required	59	
		Available	26	
		Under Parked	33	

- There are an additional 11 spaces along Capri Drive however these are in the right-a-way and not part of the property.

DEPARTMENTAL REVIEWS:

Community Services	No Issues Identified
Engineering	N/A

Case Staff Statement (ID # 4746)
Meeting of September 11, 2018

Environmental Health	No Issues Identified
Fire Prevention	No Issues Identified
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:

As an existing condition, the Subject shopping center is already under parked by 19 spaces with a mix of retail/business use and existing restaurant. The addition of a restaurant increases the parking demand by an additional 10 spaces which is beyond what can be accommodated on-site. The Petitioner has attempted to address this by noting the existing parking spaces in the right-a-way as a potential overflow parking. Nevertheless, there is still a parking shortage and the potential for parking and traffic concerns. At its peak employee shift, and in addition to the incoming customers, the restaurant employees could demand (2 FT; 3 PT), the use of up to 5 parking spaces. Although the Petitioner reduced the initially proposed seating count to its current 24 seats, Staff is still concerned about the parking demand for this use, the limited parking spaces available within the shopping center, and the lack of additional off-street parking resources (off-site parking agreement at another commercial location) for the proposed use. As proposed, Staff cannot support the proposed parking variation.

If the Petitioners were able to secure an off-site off-street parking resource for at a minimum the employee parking, Staff would recommend action at the discretion of the Zoning Board of Appeals. If the ZBA decides to recommend approval, Staff recommends the following conditions:

1. The Special Use and Variation shall substantially conform to the business plan submitted by the petitioner on 7/6/18 and floor plan prepared by the architect N Dobos Architecture dated 8/2/18 except as such plans may be changed to

conform to Village Codes and Ordinances.

2. A shared off-site off-street parking agreement shall be prepared in a manner acceptable to the Village Attorney.

ATTACHMENTS:

- Aerial
- Application
- Plat of Survey
- Business Plan
- Floor Plan
- Menu
- Petitioner Pictures
- Public Notice

3.5.a



Attachment: Aerial (1613 N Rand Road - SU VAR Restaurant)



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) PAVLO KOSTENKO		Business Name (if applicable) CAFE DACHA		
	Subject Property Address 1613 N RAND RD, PALATINE, IL, 60074				
	AUTHORIZED AGENT (if applicable) ALEKSANDR KOSTENKO		Business Name (if applicable) CAFE DACHA		
	Address 1613 N RAND RD, PALATINE, IL, 60074		City/State/Zip Code		
	Telephone [REDACTED]	Fax	Email KOSTENKOLLC@GMAIL.COM		
	Relationship to Petitioner (contractor, architect, etc.) GENERAL MANAGER				
	TYPE OF APPLICATION (check one) ☒ Special Use ☐ Special Use Amendment ☐ Variation				
	Existing Zoning District		Existing Land Use RETAIL		Proposed Land Use RESTAURANT
	Generally describe your request: REQUESTING A SPECIAL USE PERMIT FOR THE PROPERTY LOCATED - 1613 N RAND RD, PALATINE, IL, 60074. NEW CONCEPT FULL SERVICE RESTAURANT WILL BE FULLY BUILT ON THE PROPERTY. Cafe Dacha, a new restaurant that will serve a high quality food that will bring comfort, made from scratch of the Ukrainian, Russian & Eastern European Cuisine. Our Restaurant will serve fresh delicious dishes from dynamic and yet underappreciated regions of Eastern Europe.				

Attachment: Application (1613 N Rand Road - SU VAR Restaurant)

PALATINE

SPECIAL USE

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

Correct. It's substantial for the convenience of the customer.

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

Correct. The restaurant location will not harm the public health, safety and welfare.

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

Correct. The business will not cause any substantial injury to nearby properties, the restaurant will bring the value for us as well as value for ones around us.

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

N/A



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

The Unit is empty for over two years. Also, plaza has 2 empty retail spaces besides the unit #1613.

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

The property was developed before it was incorporated into Palatine and so does not meet Palatine's zoning code. Even if the whole building would be used for retail, it still would not satisfy parking requirements. However, based on the presented pictures, the current uses are not utilizing the parking lot to the full extent anticipated by the current zoning code.

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

The proposed restaurant build-out of an existing unit won't change the essential 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 location of the property and the unit size are ideal for the type of restaurant we are planning to open. The hardship is unique because the property was developed not as part of the village of Palatine. The dell that's occupying one of the bigger units was there at the time when property was annexed, so it never had to go through a special use or zoning variance process.

Based of zoning requirements it needs 21 of 26 available spaces. This means that there is not enough parking space for any additional restaurant or retail business on this plaza. However, in reality the plaza is mostly empty and a new concept restaurant would help reviving it.

PLAT OF SURVEY

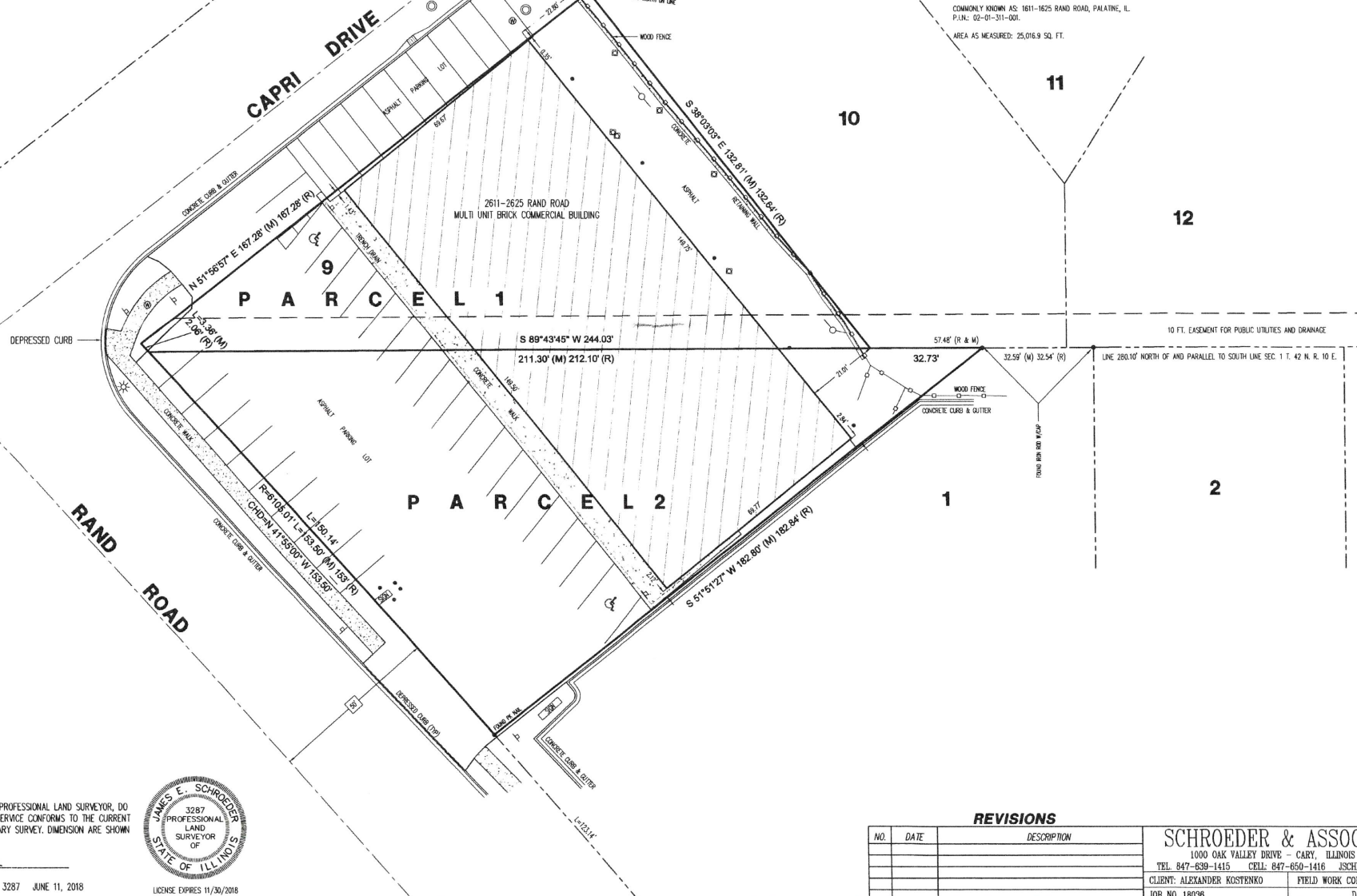
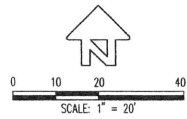
PARCEL 1
LOT 8 IN CAPRI GARDENS, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF SECTION 1 AND PART OF THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 4, 1995, AS DOCUMENT NUMBER 17302059, IN COOK COUNTY, ILLINOIS.

PARCEL 2
THAT PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING ON THE SOUTH LINE OF SAID WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 1, AT A POINT 568.32 FEET EAST FROM THE SOUTHWEST CORNER THEREOF; THENCE EAST ALONG SAID WEST LINE 271.65 FEET; THENCE NORTH FORMING AN ANGLE OF 89 DEGREES, 46 MINUTES, 30 SECONDS WITH SAID SOUTH LINE OF SECTION 1, 280.10 FEET; THENCE WEST PARALLEL TO SAID SOUTH LINE OF SECTION 1, 532.7 FEET TO THE CENTER OF PAVEMENT OF RAND ROAD; THENCE SOUTHEASTERLY 387.65 FEET MORE OR LESS TO THE POINT OF BEGINNING (EXCEPTING FROM THE ABOVE DESCRIBED PREMISES THAT PART LYING SOUTHEASTERLY OF A LINE DRAWN PARALLEL WITH THE NORTHWESTERLY LINE OF LOTS 9 AND 10 AND THE NORTHWESTERLY LINE OF SAID LOT 9 EXTENDED SOUTHWESTERLY IN CAPRI GARDENS AFORESAID, AND DRAWN THROUGH A POINT ON THE NORTHEASTERLY LINE OF RAND ROAD, 150 FEET (AS MEASURED ALONG THE NORTHEASTERLY LINE OF RAND ROAD SOUTHWESTERLY OF THE MOST WESTERLY CORNER OF SAID LOT 9) ALL IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 1611-1625 RAND ROAD, PALATINE, IL.
P.L.M.: 02-01-311-001.

AREA AS MEASURED: 25,016.9 SQ. FT.



STATE OF ILLINOIS)
COUNTY OF MCHEENY) S.S.

I, JAMES E. SCHROEDER, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

James E. Schroeder

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3287 JUNE 11, 2018



LICENSE EXPIRES 11/30/2018

REVISIONS

NO.	DATE	DESCRIPTION

SCHROEDER & ASSOCIATES
1000 OAK VALLEY DRIVE - CARY, ILLINOIS 60013

TEL: 847-639-1415 CELL: 847-650-1416 JSCHROEDER@SCHROEDER.COM

CLIENT: ALEXANDER KOSTYENKO

FIELD WORK COMPLETED: 06/08/18

JOB NO. 18036

DATE: JUNE 11, 2018

Cafe Dacha

Operating Hours:

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
11am-9pm	11am-9pm	11am-9pm	11am-9pm	11am-11pm	11am-11pm	11am-6pm

Expected Peak Hours:

	11am	12pm	1pm	2pm	3pm	4pm	5pm	6pm	7pm	8pm	9pm	10pm	11pm
Mon		Peak	Peak	Peak			Peak	Peak	Peak				
Tue		Peak	Peak	Peak			Peak	Peak	Peak				
Wed		Peak	Peak	Peak			Peak	Peak	Peak				
Thu		Peak	Peak	Peak			Peak	Peak	Peak				
Fri		Peak	Peak	Peak				Peak	Peak	Peak			
Sat		Peak	Peak	Peak	Peak				Peak	Peak	Peak		
Sun		Peak	Peak	Peak	Peak	Peak							
Mon-Thu: 12pm-2pm, 5pm-7pm													
Fri: 12pm-2pm, 6pm-8pm													
Sat: 12pm-3pm, 7pm-9pm													
Sun: 12pm-4pm													

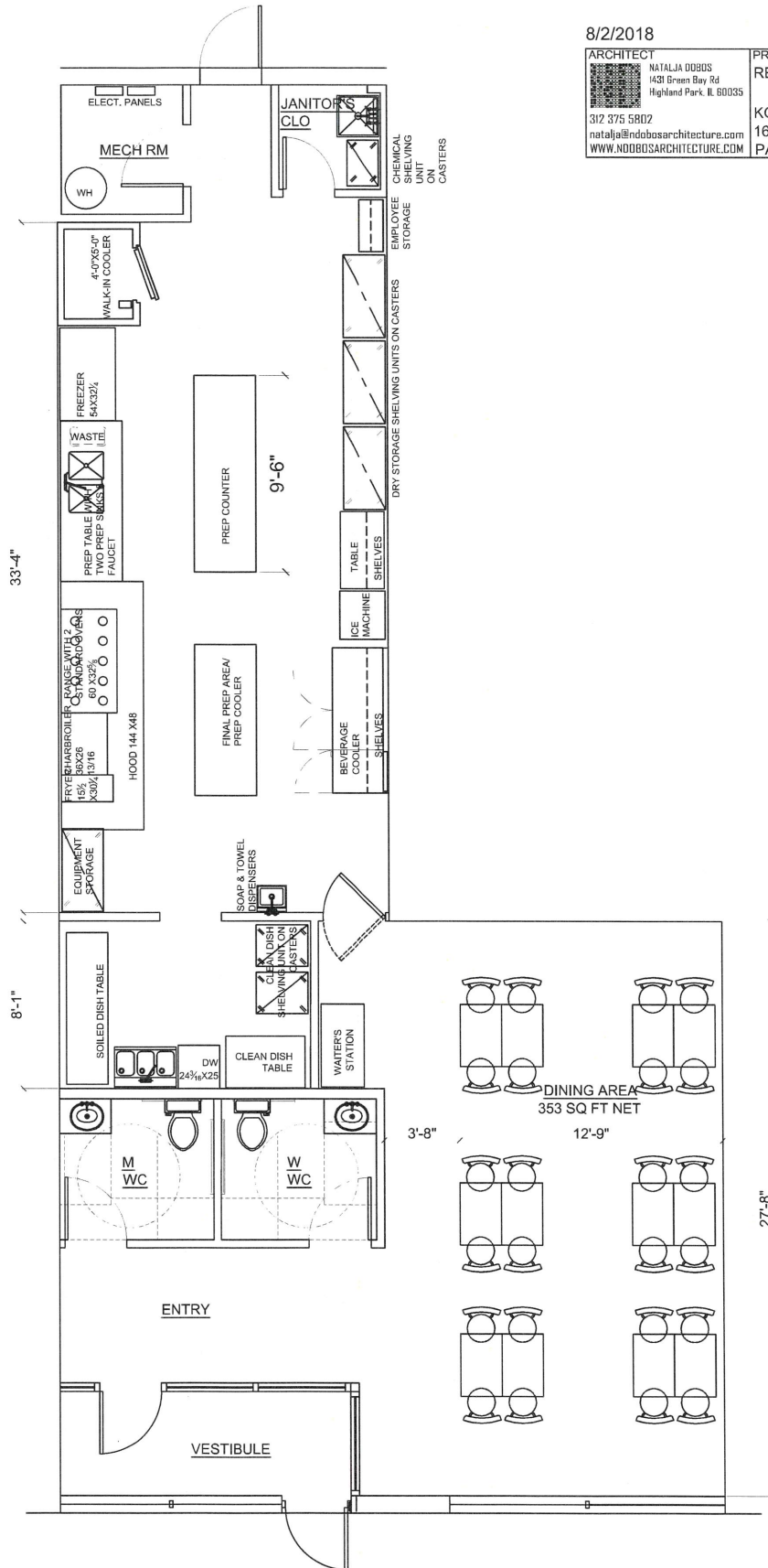
2 full time employees including myself as a head chef, 2-3 part time employees

8/2/2018

ARCHITECT

 NATALJA DOBOS
 1431 Green Bay Rd
 Highland Park, IL 60035
 312.375.5802
 natalja@ndobosarchitecture.com
 WWW.NDOBOSARCHITECTURE.COM

PROJECT
 RESTAURANT BUILD-OUT
 KOSTENKO LLC
 1613 N RAND RD
 PALATINE, IL 60074



FLOOR PLAN

SCALE $\frac{3}{16}" = 1'-0"$



Soups

Ukrainian Borshch \$5
 Solyanka \$5
 Soup of the Day \$5

Salads

Vinaigrette \$5
 Olivier 1904 \$8
 Cabbage Slaw \$4
 Garden Salad \$5
 - Sunflower Seeds Oil / White Onion
 - Sour Cream / Green Onions
 - Shopska Salad (Feta Cheese, Oil, White Onion) +\$1

Starters

Hunters Plate (Meat Plate) \$12
 Fisherman Plate (Herring, Salmon, ...) \$12
 Pickled & Marinated Vegetables \$8
 Chebureki (3pc) \$6

Meat & Fish

Beef Stroganoff (\$14)
 Pork Stew (\$13)
 Chicken Schnitzel (\$12)
 Stuffed Cabbage Leafs (\$12)

 Sausages Pork (\$14) or Chicken (\$13)

 Chicken Kebob (\$14)
 Pork Kebob (\$14)
 Lamb Kebob (\$17)

 Salmon (\$15)
 Cod (\$15)

Sides

TBD

Deserts

TBD

Beverages / Coffee

TBD

For parties of 6 people and more will be available Family Style Packages starting from \$25/per person.

This is the sample of the menu for the "Cafe Dachy". Pricing and items are not final.

I've did some research this week and took pictures of the Capri Plaza from Tuesday to Sunday, every day. It was from 12pm to 4-5pm. Peak hours of the operating business. Our business will not be busy during the lunch time, from 11am to 3pm we will have to-go orders, carryouts, etc. Dinner time rush is 5pm-7pm. Each car doesn't stay longer than 10-30 min (mostly carryouts for the Deli place), most of the cars parked belong to employees (we can work on that). Owner of the plaza said that the parking spots from the side of plaza belong to him and can be used as well.

Let's work on that question. Please advice regarding the parking.

I will revise our operating hours as well, my architect working on the floor plan, we will make the dinning room smaller and do some changes to the kitchen layout. As well I have pictures of parking spaces that may be used during our peak hours if necessary. Spaces were empty almost all the time of my presence there.





Attachment: Petitioner Pictures (1613 N Rand Road - SU VAR Restaurant)



Attachment: Petitioner Pictures (1613 N Rand Road - SU VAR Restaurant)

As well I have pictures of parking spaces that may be used during our peak hours if necessary. Spaces were empty almost all the



Attachment: Petitioner Pictures (1613 N Rand Road - SU VAR Restaurant)

PUBLIC NOTICE
 A public hearing will be held before the Palatine Zoning Board of Appeals on Tuesday, September 11, 2018 at 7:00 P.M., 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 restaurant pursuant to Section 11.03 (d)(27) of the Palatine Zoning Ordinance.
Variation to allow 26 parking spaces instead of the required 59 spaces pursuant to Section 7.03 (b)(1) of the Palatine Zoning Ordinance.
 The property is commonly known as 1613 N. Rand Road (02-01-300-015-0000).
 The Petitioners are requesting to open a restaurant.
 The above petition has been filed by Pavlo and Aleksandr Kostenko, Café Dacha and is available for examination in the office of the Village Clerk, 200 E. Wood Street.
 FILE #: 18-69
 VILLAGE OF PALATINE
 Jan Wood, Chair
 Palatine Zoning Board of Appeals
 DATED: This 27th day of August, 2018.
 Published in Daily Herald
 August 27, 2018 (4507943)

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

Northwest Suburbs 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 Northwest Suburbs DAILY HERALD. That said Northwest Suburbs DAILY HERALD is a secular newspaper, published in Arlington Heights and has been circulated daily in the Village(s) of:

Arlington Heights, Barrington, Barrington Hills, Bartlett, Buffalo Grove, Deer Park, Des Plaines, Elk Grove, Franklin Park, Glenview, Hanover Park, Hoffman Estates, Inverness, Melrose Park, Morton Grove, Mt Prospect, Niles, Northbrook, Northfield, Northlake, Palatine, Park Ridge, Prospect Heights, River Grove, Rolling Meadows, Rosemont, Schaumburg, Schiller Park, South Barrington, Streamwood, Wheeling, Wilmette

County(ies) of Cook

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 Northwest Suburbs 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 August 27, 2018 in said Northwest Suburbs 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 *Danila Baltz*
 Designee of the Publisher and Officer of the Daily Herald

Control # 4507943

Attachment: Public Notice (1613 N Rand Road - SU VAR Restaurant)