



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 • AUGUST 24, 2021

Village Hall - Council Chambers

Regular Meeting

7:00 PM

I. CALL TO ORDER

II. APPROVAL OF MINUTES

1. Zoning Board of Appeals - Regular Meeting - Jul 27, 2021 7:00 PM

III. PUBLIC HEARING

1. 888 W. Brookside Street

Variation to permit the total square footage of all accessory structure to be 1,082 square feet, instead of the maximum allowable 150 square feet, per Section 6.01 (a) (4) (b) of the Village of Palatine Zoning Ordinance.

2. 515 S. Echo Lane

Variation to permit lot coverage to be 62% instead of the maximum permitted 45% pursuant to Section 10.06 (g) (1) (b) of the Palatine Zoning Ordinance.

3. 1611 N. Rand Road

Special Use to permit a packaged liquor store pursuant to Section 11.03 (d)(39) of the Palatine Zoning Ordinance.

IV. COMMUNICATIONS

V. ADJOURNMENT



VILLAGE OF PALATINE

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PALATINE, IL 60067-5339 – (847) 359-9050
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ZONING BOARD OF APPEALS

MINUTES • JULY 27, 2021

Village Hall - Council Chambers

Regular Meeting

7:00 PM

I. CALL TO ORDER

Attendee Name	Title	Status	Arrived
Brent Larson	Commissioner	Absent	
Cindy Roth-Wurster	Commissioner	Present	
Jan Wood	Commissioner	Present	
Jerry Luszcak	Commissioner	Present	
Theodore McGinn	Commissioner	Present	
Kevin Cavanaugh	Commissioner	Present	
James Dittrich	Commissioner	Absent	
John Pirog	Commissioner	Present	

Staff present: Ms. Lyn Bremanis

II. APPROVAL OF MINUTES

1. Zoning Board of Appeals - Regular Meeting - Jun 22, 2021 7:00 PM - **Accepted**

Mr. Luszcak made a motion to approve them minutes of July 27, 2021; seconded by Mr. Cavanaugh.

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

Minutes Acceptance: Minutes of Jul 27, 2021 7:00 PM (Approval of Minutes)

III. PUBLIC HEARING

1. 1373 N. Crabtree Drive - **Recommended to Approve**

Notice was published in the Daily Herald on July 12, 2021 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. Application for Special Use and Variation
2. Proof of Ownership
3. Plat of Survey/ Site Plan
4. Solar Panel Elevations
5. Public Notice

Sworn in petitioner: Ranjan & Jaya Akhaury 1373 N Crabtree

Mrs. Akhaury stated there have been a lot of solar panels installed in their neighborhood so they looked into it for themselves. She stated most are installed on the roof but their lot size makes their property unique allowing them room to install on the ground. She spoke to the benefits of ground installation including roof warranty, effectiveness and maintainability in the winter and the possibility of sound control from Dundee. She pointed out they are not encroaching on neighbors who she has spoken to and have had no objections rather they may look into getting them for themselves.

Mr. Pirog asked why it can't be set back at 20ft.

Mrs. Akhaury explained the fence was installed by the builder at 15ft before they owned the home.

Mr. Akhaury explained they are looking to put the solar panel next to the already existing fence.

Ms. Wood asked if it can be moved to 20ft.

Mrs. Akhaury referred to aerial to show location of solar panel and closeness to house and the deck inhibiting the walk area around.

Ms. Bremanis explained the property is part of a planned development when fence was built. She referred to the slide showing the plat to show the detention area and the easement in which no structures can encroach on per subdivision.

Mr. Pirog asked how the electricity is run from this to house.

Mr. Akhaury stated it will be run underground.

Mrs. Akhaury pointed out the electric box is right in the corner.

Mr. Pirog asked if it will be professionally installed.

Mrs. Akhaury answered yes by a Palatine based company.

Mr. McGinn asked about the height of the structure.

Mr. Akhaury stated it will be approx. 10ft.

Mr. McGinn asked about the fence height.

Mr. Akhaury stated it is 6ft.

Ms. Bremanis referred to existing condition slides to show fence and substantial landscaping that will screen the panels from Dundee Road.

Mr. Pirog asked if they add additional fencing around panels to prevent children from climbing on them.

Mrs. Akhaury stated they are empty nesters and do not have kids.

Mr. Akhaury stated they will add some sort of landscaping.

Mr. Cavanaugh asked if they spoke to adjacent neighbors.

Mrs. Akhaury stated they spoke to all neighbors.

Mr. Cavanaugh asked if there were any concerns raised.

Mr. Akhaury answered no.

Ms. Wood asked if there are requirements for fencing or landscaping.

Ms. Bremanis answered no.

Discussion on landscaping.

Mr. Pirog asked about warranty comments in packet.

Mr. Akhaury spoke to the roof warranty if solar installed on roof pointing out if the roof needs to be replaced they need to remove panels and replace after roof is done.

Mr. Pirog asked staff if other suburbs allow solar array.

Ms. Bremanis stated many allow solar panels with varying restrictions.

Ms. Bremanis gave a brief overview explaining the lot is zoned planned development following the R2 standards. She stated it is almost 20,000 sq. which is almost double the typical lot size. She stated the panels are at 425ft being considered as an accessory structure so follows the maximum 700 sq. ft. rule. Ms. Bremanis stated it meets the height standards with the highest point they are at 10ft with accessory structure being allowed up top at 15ft. She spoke to the setback referring to the site plan slide showing the existing fence at 15ft off the lot line. She stated the base of panels would meet the 20ft setback. with the tilted portion encroaching. Ms. Bremanis stated both building and lot coverage meet code. She stated Community Services and Engineering have reviewed and had no issues.

Mr. Pirog asked if Planning and Zoning is considering allowing in code.

Ms. Bremanis stated in needs further review. She pointed out this lot is unique in size which is rare in Palatine.

Ms. Wood asked why they are installing such a large number of panels.

Mrs. Akhaury explained they are installing the minimum size panel that would

suffice their electricity needs. She state Comed only allows you to install panels that matches up to 10% less of your usage.

Discussion on size and amount of panels on roof vs on ground.

STAFF RECOMMENDATION:

The Petitioners are requesting to install ground-mounted solar panels, which encroach into the required 20-foot side yard setback. This property is unique as the lot size is over 20,000 square feet, which is more than twice the size of a standard R-2 corner lot, the side yard abutting a street lot line is adjacent to Dundee Road and the panels will be set back over 30 feet from the road. Additionally, there an existing solid fence set back 15 feet from the side lot line and existing substantial landscaping that would screen the panels from Dundee Road. The panels will also be setback over 70 feet from any neighbor's lot line and it is located across the street from the Cook County Forest Preserve.

Ground-mounted solar panels are not contemplated in the Zoning Ordinance; therefore, they require a Special Use for a Unique Use. Due to the lot size and location of the solar panels, there should not be a negative impact, nor should they change the essential character of the neighborhood. However, this would be the first residential contemplated ground mounted solar panel system in the Village of Palatine. Therefore, Staff recommends action at the discretion of Zoning Board of Appeals subject to the following conditions:

1. The Special Use and Variation shall substantially conform to the Site Plan and Elevations submitted by the Petitioner, except as such plans may be changed to conform to Village of Palatine Codes and Ordinances.
2. The existing fencing or a Village approved landscaping barrier substitute shall be maintained on the north side of the solar panels in a manner acceptable to the Village of Palatine through the duration of the placement of the solar panels.

Discussion on landscaping and who maintains.

Ms. Roth-Wurster asked if there is any concern about light reflection off solar panels

Ms. Bremanis stated they have not had any complaints but does not have specific specifications to answer.

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

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

DELIBERATIONS:

Mr. Cavanaugh stated he understands concerns but being the first residential to ask for this he can't think of a better situation to test it out and see if works. He pointed out the buffer so there are no concerns with neighbors, no risk with flooding perfect property and the right situation to test it out. Mr. Cavanaugh spoke to standards pointing out this will most likely increase the value of the home becoming energy dependent.

Ms. Roth-Wurster stated there are a lot of solar panels going on homes and this is an ideal situation to try out the ground installation. She spoke to standards for unique accessory. She referred to the panels installed on the former Weber property and suggested research on light reflection and how it can effect neighbors. She stated this is a unique property and meets the standards overall

Mr. McGinn spoke to the uniqueness of the property with the drainage easement and detention area. He stated the lot size allows for adequate distance from neighbors so should not have an adverse impact on them.

Ms. Wood stated she thinks it meets the standards for the variation due to placement of fence and detention area. She stated there are not a lot of properties that would have the space to fit the panels. Ms. Wood agreed with Mr. Cavanaugh that it should not have a negative impact based on the way the lot is situated and size. She agreed with Ms. Roth-Wurster the light reflection should be looked at.

Mr. Pirog stated he is torn because he thinks it looks like an eye sore almost mixing industrial with residential. He stated he thinks it meets the standards for a special use but doesn't meet for variation.

Ms. Wood summarized that this request has met the standards and was unanimously approved by a vote of 7-0. This item will tentatively go to Village Council on August 9, 2021

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

IV. COMMUNICATIONS**V. ADJOURNMENT**

**VILLAGE OF PALATINE
Zoning Board of Appeals**

SCHEDULED 08/24/21 07:00 PM

CASE STAFF STATEMENT (ID # 7045)

888 W. Brookside Street

TO: Palatine Zoning Board of Appeals
Jan Wood, Chair

FROM: Lyn Bremanis

PETITIONER: Kim Cunningham

CASE NUMBER: 21-67

ADDRESS: 888 W. Brookside Street

PROPOSAL:

Variation to permit the total square footage of all accessory structure to be 1,082 square feet, instead of the maximum allowable 150 square feet, per Section 6.01 (a) (4) (b) of the Village of Palatine Zoning Ordinance.

<u>LOCATION:</u> 888 W. Brookside Street District 1 (Millar)	<u>CURRENT ZONING:</u> R-1 Single Family Residential
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SURROUNDING CONDITIONS:

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

BACKGROUND:

The Petitioner is requesting to build an above-ground pool in the interior side yard, which also has an existing detached garage. Therefore, the Petitioner is requesting:

Variation to permit the total square footage of all accessory structure to be 1,082 square feet, instead of the maximum allowable 150 square feet

SITE ANALYSIS:

- The Subject Property is zoned R-1 Single Family, and the total lot area is 20,281 square feet. The Subject Property is located at the northeast corner of Brookside Street and Crescent Avenue. While the residence faces Brookside Street, the legal front yard is Crescent Avenue as it has the shortest lot width. Therefore, the legal interior side yard is the Petitioner's functioning rear yard.

- The Subject Property has an existing detached 2-car garage in the interior side yard that is approximately 488 square feet.
- The Petitioner would like to install an above-ground pool that is approximately 594 square feet. The pool would increase the total square footage of accessory structures to approximately 1,082 square feet.
- Per Code, accessory structures in the side yard are limited to a maximum of 150 square feet; whereas, the rear yard permits up to 700 square feet.
- The property presents unique circumstances with the residence located on a corner lot where the functioning rear yard is legally the side yard. Additionally, the required rear yard is encumbered by a well and septic system, which would not be able to support the pool.
- The setbacks for the proposed pool meet Code.
- The proposed lot coverage is 30% and the building coverage is 16%. Both of these are below the maximum allowed within the R-1 district (35% and 25% respectively).

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, is so designed, located, and proposed to be operated that the public health, safety, and welfare will be protected and will not cause substantial injury to the value of other property in the neighborhood in which it is located. The Petitioners have attempted to address the required standards.

STAFF RECOMMENDATION:

The Petitioner is requesting to add a 594 square-foot above-ground pool to the Subject Property. Due to the configuration of the property, the location of the proposed pool and

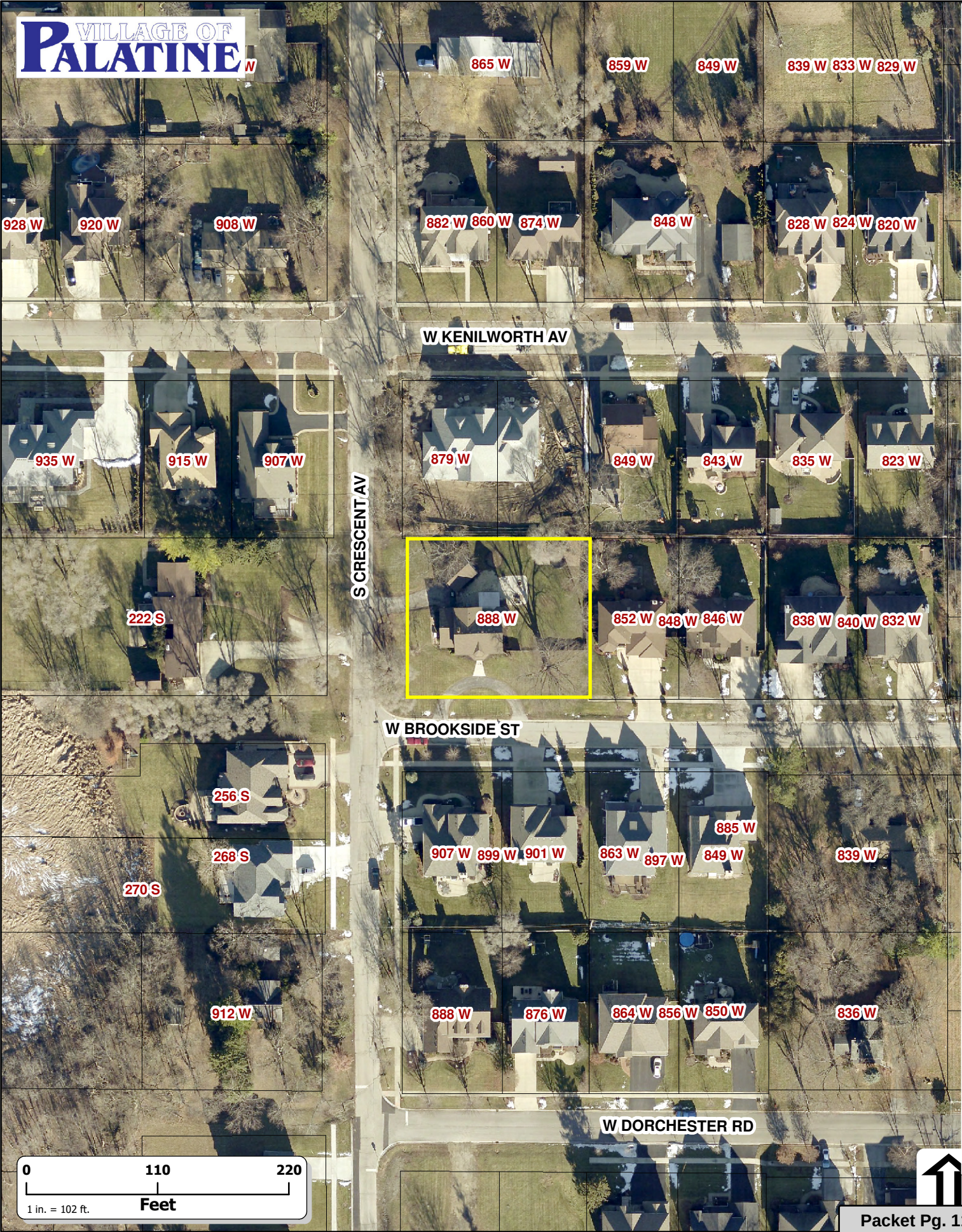
existing detached garage are located within the legal side yard, which, per Code, only allows a maximum of 150 square feet of accessory structures. This property is also unique as it was annexed into the Village in 2002 with the existing detached garage in its current location. In addition, the Subject Property has an existing well and septic system in the legal rear yard, which would not support a pool to be located in the rear yard. Staff notes that the building and lot coverages are below the maximum allowed in the R-1 District, the proposed pool meets setback requirements and the side yard is currently a functioning rear yard, which indicates there is capacity for the improvements. Therefore, the proposed pool should not change the essential character of the neighborhood. Staff intends to draft an accessory structure text amendment to better distinguish between the square footage limitations of detached garages, shed, and swimming pools for Plan Commission and Village Council consideration.

Therefore, Staff recommends approval of the proposal, subject to the following conditions:

1. The Variation shall substantially conform to the Site Plan and Elevations submitted by the Petitioner, except as such plans may be changed to conform to Village of Palatine Codes and Ordinances.

ATTACHMENTS:

- Aerial
- Application
- Plat of Survey -Site Plan
- Pool Elevation
- Pictures from Petitioner_Redacted
- Public Notice





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) Kim Cunningham		Business Name (if applicable)	
	Subject Property Address 888 W. Brookside St., Palatine, IL 60067			
	AUTHORIZED AGENT (if applicable)		Business Name (if applicable)	
	Address 888 W. Brookside St., Palatine, IL 60067		City/State/Zip Code	
	Telephone [REDACTED]	Fax	Email [REDACTED]	
	Relationship to Petitioner (contractor, architect, etc.) Owner			
	TYPE OF APPLICATION (check one) ☐ Special Use ☐ Special Use Amendment ☒ Variation			
	Existing Zoning District R-1 Single Family	Existing Land Use Residential	Proposed Land Use Residential	
	Generally describe your request: Exceed Maximum ground floor area of 150 feet. We currently have a garage which is 488 s.f. We want to add an above ground oval pool of approx. 400 s.f. We need a standard variation for the extra side yard coverage. We are seeking an approx. 888 s.f. variance (including the already standing garage) to add the above ground pool. The location of the pool is above the well/septic. The east side of the house is the septic field and will get crushed under the weight of the pool. No deck around pool. The side yard s.f. is 150 s.f. our 2-car garage is using 488 s.f. already; the pool needs an additional approx. 400 s.f. These total approx. 888 s.f. which is around 738 s.f. above the 150 s.f. allotment. We do have a double lot due to the septic field needing such space.			

Attachment: Application (888 W. Brookside Street - VAR Pool)

Required Materials

- ☐ Filing Fee of \$ 240
- ☐ 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

we have a corner double lot and are looking to add a pool; we have plenty of yard left even with this pool. The location is due to our septic field located east of the house.

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

we have room for a pool but this pool in conjunction with the existing 2-car garage is exceeding the 150 sf allowed

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

the pool will be enclosed within our yard

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

it will not impact any of our surrounding neighbors

1216 E. Central Road
Arlington Heights, IL 60005
Phone: 847-392-7600
Fax: 847-392-7719



E-MAIL AND INTERNET ADDRESSES:
http://www.matc.com AND sales@matc.com

218 N. County 1
Waukegan, IL 6
Phone: 847-336
Fax: 847-336

9800 S. Roberts Road
Palos Hills, IL 60465
Phone: 708-430-4077
Fax: 708-598-0696

PLAT OF SURVEY

460 S. County 1
Wheaton, IL 60
Phone: 630-690
Fax: 630-690

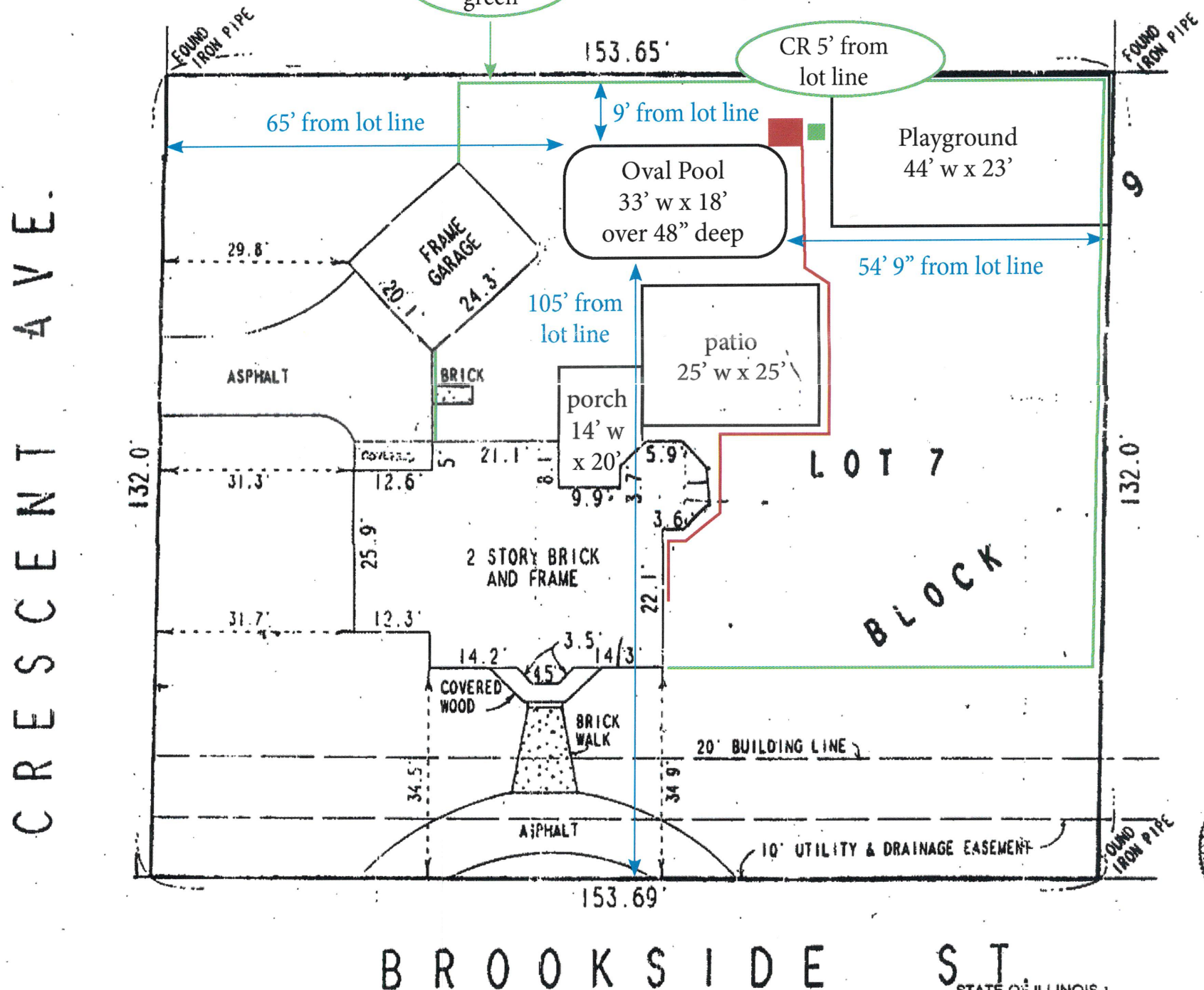
LOT 7 IN BLOCK 9 IN ARTHUR T. MCINTOSH AND COMPANY'S PALATINE HILLS, BEING A SUBDIVISION OF PART OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF REGISTERED FEBRUARY 15, 1928 AS DOCUMENT 392915, IN COOK COUNTY, ILLINOIS.

NEW ITEMS in lime
green 6-30-21

■ = pool filter

— = electrical line

■ = convenience receptacle (CR) with electrical disconnect;
has equipotential bonding



Attachment: Plat of Survey - Site Plan (888 W. Brookside Street - VAR Pool)

All distances shown are in feet & decimal parts thereof. No angles or distances are to be determined by scaling.

Scale 1"=20'
Job No. 58942
Address 888 BROOKSIDE ST.
PALATINE IL
P.I.N. 02-21-215-006
Township _____
Ordered By J. BUCZYNA, ESQ.

NOTES:

This plat has been made for use in a mortgage loan transaction and is not to be used for construction. Unless otherwise noted, lot dimensions shown are record or deed dimensions.

Compare your description and site markings with this plat and at once report any discrepancies which you may find.

STATE OF ILLINOIS)
COUNTY OF LAKE) S.S.

On behalf of MID AMERICA SURVEY COMPANY
certify that the buildings(s) on the property show
the property lines as monumented and that all
improvements do not encroach unless shown
Dated at Waukegan, IL. 5/26/99

MID AMERICA SURVEY COMPANY

By [Signature]
Registered Illinois Land Surveyor



Cunningham
888 W. Brookside St.
Palatine, IL 60067

E-mail: kimhall@desertdesktop.com
cellular 312-805-3363



Attachment: Pool Elevation (888 W. Brookside Street - VAR Pool)

Pool - 18"x33" oval; above ground; 54" high

Cunningham
888 W. Brookside St.
Palatine, IL 60067



View looking north from backyard patio. Snow poles show pool placement. This photo is enlarged on next page to highlight pool width edges.



View looking northwest from backyard septic field. Snow poles show pool placement.



View looking west from backyard by garage. Snow poles show pool placement.

Cunningham
888 W. Brookside St.
Palatine, IL 60067



View looking north from backyard patio. Red dots show pool width on top of orange snow poles.

Attachment: Pictures from Petitioner_Redacted (888 W. Brookside Street - VAR Pool)

PUBLIC NOTICE
 A public hearing will be held before the Palatine Zoning Board of Appeals on Tuesday, August 24, 2021 at 7:00 PM, in the Village Council Chambers in the Palatine Village Hall, 200 E. Wood Street, relative to a request for the following:
Variation to permit the total square footage of all accessory structure to be 1,082 square feet, instead of the maximum allowable 150 square feet, per Section 6.01 (a) (4) (b) of the Village of Palatine Zoning Ordinance.
 The property is commonly known as 888 W Brookside Street (02-21-215-006-0000).
 The Petitioner is requesting to build an above ground pool east of the existing detached garage, which is the legal side yard.
 The above petition has been filed by Kim Cunningham and is available for examination in the office of the Village Clerk, 200 E. Wood Street.
FILE #: 21-67
VILLAGE OF PALATINE
 Chair
 Palatine Zoning Board of Appeals
DATED: This 9th day of August, 2021
 Published in Daily Herald August 9, 2021 (4568229)

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 8/9/21 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 # 4568229

Attachment: Public Notice (888 W. Brookside Street - VAR Pool)

**VILLAGE OF PALATINE
Zoning Board of Appeals**

SCHEDULED 08/24/21 07:00 PM

CASE STAFF STATEMENT (ID # 7043)

515 S. Echo Lane

TO: Palatine Zoning Board of Appeals
Jan Wood, Chair

FROM: Lyn Bremanis

PETITIONER: Erin and Adam Haley

CASE NUMBER: 21-63

ADDRESS: 515 S. Echo Lane

PROPOSAL:

Variation to permit lot coverage to be 62% instead of the maximum permitted 45% pursuant to Section 10.06 (g) (1) (b) of the Palatine Zoning Ordinance.

<u>LOCATION:</u> 515 S. Echo Lane District 2 (Lamerand)	<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 add a porch to an existing residence that will further exceed the permitted lot coverage of 45%. Therefore, the Petitioners are requesting:

Variation to permit lot coverage to be 62% instead of the maximum permitted 45%

SITE ANALYSIS:

- The Subject Property is zoned R-2 Single Family. The property is located within the Palatine Knolls Subdivision and is approximately 9,230 square feet in size. It was annexed into the Village in 1965.
- In addition to the residence, the property contains a large in-ground pool and brick patio. The existing lot coverage is 59.2% (5,460 sq. ft.), which exceeds the maximum 45% lot coverage by 1,306 sq. ft. The Petitioners purchased the home

in 2015. Per previous building permits, the pool and patio were constructed in 1968. The maximum lot coverage regulations were enacted in 2007.

- The Petitioners are proposing to expand the existing covered porch at the front of the residence, which will add approximately 185 square feet to the overall lot coverage. The proposed porch meets the setback requirements.
- Petitioners are seeking a Variation to permit an increase in the lot coverage to 61.3% lot coverage (5,645 square feet) instead of the maximum allowable 45% (4,154 square feet) being a difference of 1,491 square feet. The percentage increase from the existing lot coverage is 2.65% (185 square feet).
- The proposed building coverage is approximately 24% and meets Code.

DEPARTMENTAL REVIEWS:

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

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

STAFF RECOMMENDATION:

The Petitioners are requesting to expand the existing covered porch at the front of the residence. At 59.2%, the property currently exceeds the maximum lot coverage (45%) as the existing pool and surrounding patio were permitted and approved in 1967, prior to lot coverage regulations. Staff believes the proposed porch will not alter the essential character of the area, as a majority of the existing lot coverage is located in the rear yard. However, the proposed porch will further increase the overall lot coverage that already exceeds the maximum permitted. The Village Engineer did not identify any specific stormwater management issues with the Subject Property.

Nevertheless, Staff recommends action at the discretion of the Zoning Board of Appeals. If the Zoning Board of Appeals recommends approval, Staff recommends the following conditions:

1. The Special Use and Variation shall substantially conform to the Site Plan and Elevations submitted by the Petitioners, except as such plans may be changed to conform to Village of Palatine Codes and Ordinances.

ATTACHMENTS:

- Aerial Map
- Application
- Plat of Survey
- Site Plan
- Elevations
- Photos from Petitioner
- Public Notice

515 S Echo Lane

3.2.a

VILLAGE OF
PALATINE

W KIMBALL AV

709 W 663 W 655 W 647 W 641 W 633 W 625 W 619 W 607 W

449 S

455 S

463 S

505 S

511 S

519 S

527 S

535 S

541 S

549 S

557 W

603 S

615 S

524 S

522 S

518 S

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543 S

549 S

555 S

561 S

567 S

573 S

579 S

S ECHO LN

W GILBERT RD

SELM ST

723 W 617 W 605 W

711 W

675 W

620 S

0 125 250

1 in. = 113 ft.

Feet

Attachment: Aerial Map (515 S. Echo Lane - VAR Lot Coverage)





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)		Business Name (if applicable)	
	Erin Haley & Adam Haley			
	Subject Property Address 515 S Echo Ln Palatine, IL 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	
Generally describe your request:				
This is a variance request to extend our front porch across the entire front of the house. The variance will also cover the existing ground coverage that was installed with the in-ground pool built in 1967 before lot coverage requirements were established. Total ground coverage will be 62% (45% is current law). 				

Attachment: Application (515 S. Echo Lane - VAR Lot Coverage)

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 existing conditions are over the limit due to an in-ground pool, patio, and walk-ways that were installed in 1967 prior to coverage requirements and before we purchased the home.

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

We purchased the house with the existing conditions being over the allotted 45%. We want to extend the front porch to watch our kids play and grow while spending time with family and neighbors. Our community has a lot of young children who play in the front yards.

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

The variation will not alter the essential character of the house. Extending the front porch will help beautify our home and add character which helps increase value of the entire community.

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

Our situation is unique from most due to the in-ground pool in our back yard. We plan to retire in this home and want to make it perfect for our family. We purchased the property with the existing ground coverage already existing the 45% limit. We've spoken with our neighbors and all have given their approval. We have seen no issues with flooding in our neighborhood in the 5+ years we've lived here. The addition of a front porch will do nothing to harm the adjacent properties, increase risk of fire, or endanger public safety. And, it will help increase values.

GORY STREET
IL 60051
Professionals in
inois & Wisconsin

PHONE: 847-578-5121

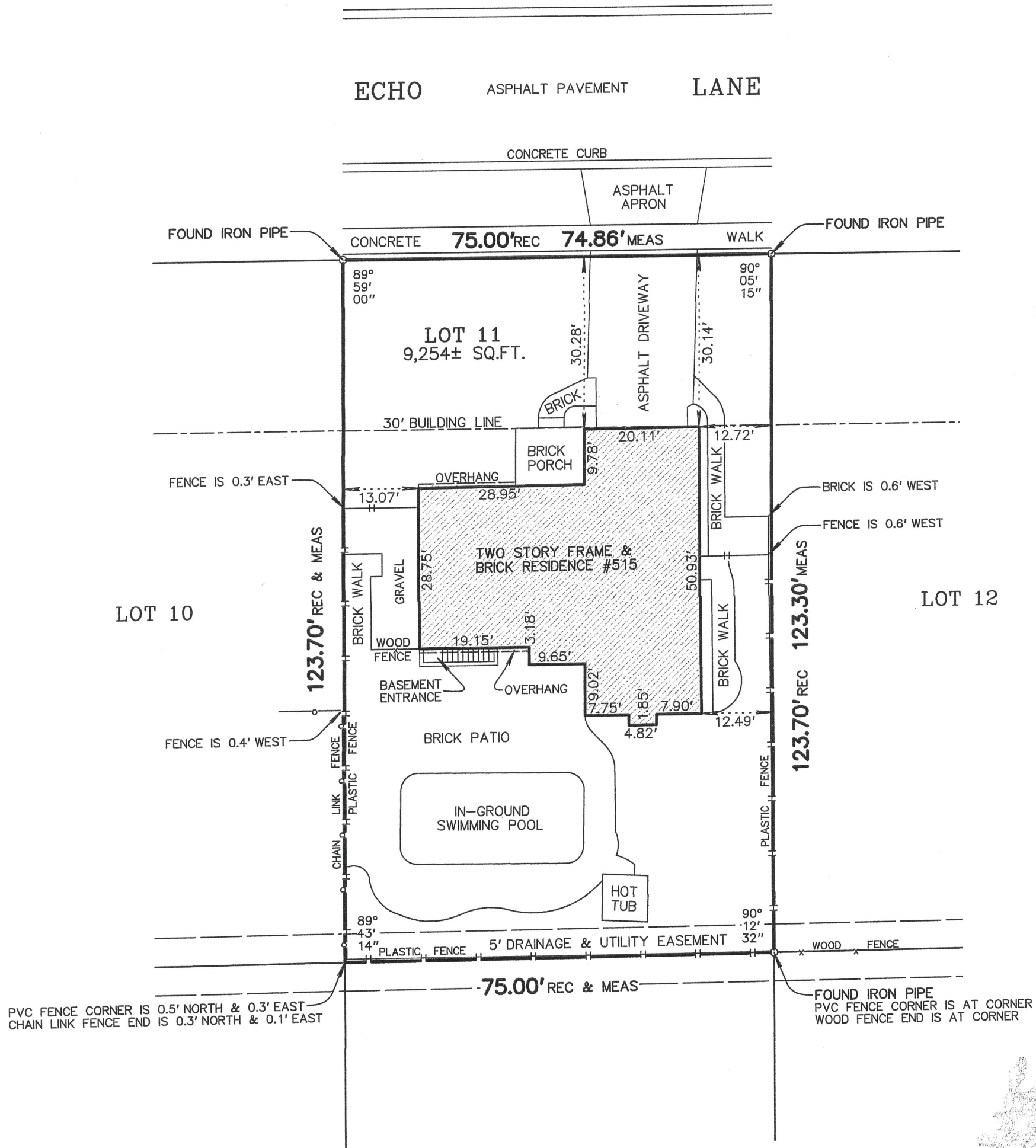
FAX: 847-978-5

jims@compassalternatives.c

PLAT OF SURVEY

LOT 11 IN PALATINE KNOLLS, BEING A SUBDIVISION OF LOTS 2, 9 AND 10 IN ARTHUR T. MCINTOSH AND COMPANY'S QUINTENS ROAD FARMS, AND THAT PART OF MERRILL AVENUE, LYING SOUTH OF THE NORTH LINE OF THE AFORESAID LOT 10, EXTENDED EAST, AND NORTH OF THE SOUTH LINE OF THE AFORESAID LOT 9, EXTENDED EAST, ALL IN SECTION 22, TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 515 S. ECHO LANE, PALATINE, IL 60067
PERMANENT INDEX NUMBER: 02-22-308-011-0000



Attachment: Plat of Survey (515 S. Echo Lane - VAR Lot Coverage)

$$1 \text{ inch} = 20 \text{ feet}$$

STEVEN G. ENGLISH, ATTORNEY

CE: KARTSUNES

15107

RK COMPLETED: 10/26/15

COMPARE ALL POINTS AND REPORT ANY DIFFERENCE AT ONCE.

BUILDING LINES AND EASEMENTS ARE SHOWN ONLY WHERE THEY ARE SO RECORDED IN THE MAPS. REFER TO YOUR DEED, ABSTRACT, TITLE POLICY OR BUILDING COMMISSIONER.

DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

NO DIMENSION IS TO BE ASSUMED BY SCALING THIS PLAT.

THIS PLAT IS NOT VALID WITHOUT EMBOSSED SURVEYORS SEAL.

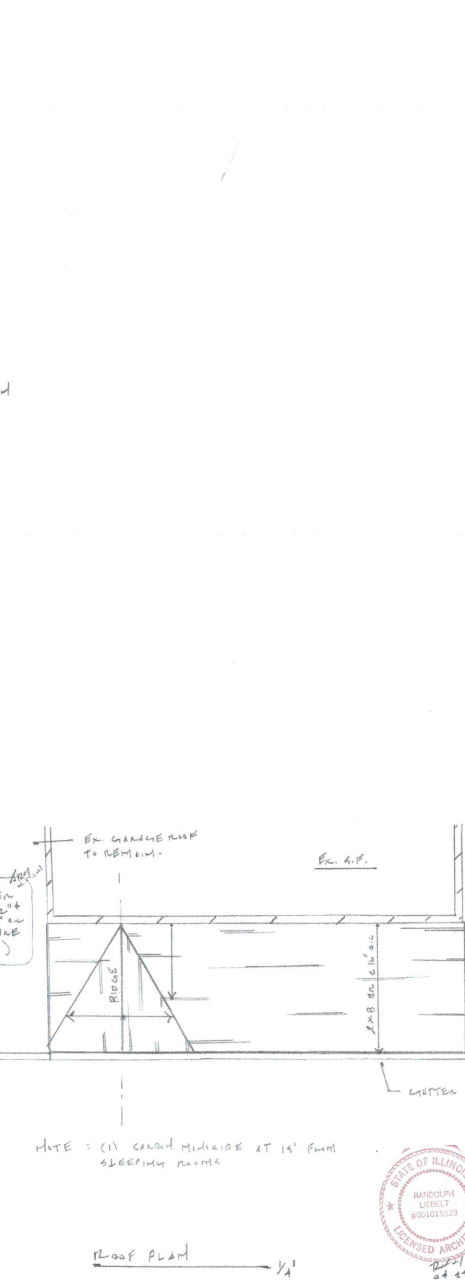
STATE OF ILLINOIS } S.S.
COUNTY OF McHENRY }

THIS IS TO CERTIFY THAT I HAVE SURVEYED THE ABOVE
DESCRIBED PROPERTY, ACCORDING TO THE OFFICIAL RECORD
AND THAT THE ABOVE PLAT CORRECTLY REPRESENTS SAID S

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

STEVEN M. SLOOT
ILLINOIS REGISTERED LAND SURVEYOR NO. 75-002970
MY PROFESSIONAL LICENSE EXPIRES ON NOV 30, 2011

Packet Pg. 25





Side of house walkway



Garbage Platform



Poc
4
Pa

Attachment: Photos from Petitioner (515 S. Echo Lane - VAR Lot Coverage)



Po
E

PUBLIC NOTICE
 A public hearing will be held before the Palatine Zoning Board of Appeals on Tuesday, August 24, 2021 at 7:00 PM, in the Village Council Chambers in the Palatine Village Hall, 200 E. Wood Street, relative to a request for the following:
Variation to permit lot coverage to be 62% instead of the maximum permitted 45% pursuant to Section 10.06 (g) (1) (b) of the Palatine Zoning Ordinance.
 The property is commonly known as 515 S Echo Lane (02-22-308-011-0000).
 The Petitioner is requesting to build a 185 square foot front porch bringing the total coverage to approximately 62%.
 The above petition has been filed by Erin and Adam Haley and is available for examination in the office of the Village Clerk, 200 E. Wood Street.
FILE #: 21-63
VILLAGE OF PALATINE
Chair
Palatine Zoning Board of Appeals
DATED: This 9th day of August, 2021
 Published in Daily Herald August 9, 2021 (4568228)

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 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 copy, was published 08/09/2021 in said Northwest Suburbs DAILY HERALD.

IN WITNESS WHEREOF, the undersigned, the said PADDOCK PUBLICATIONS, Inc., has caused this certificate to be signed by its 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 # 4568228

Attachment: Public Notice (515 S. Echo Lane - VAR Lot Coverage)

**VILLAGE OF PALATINE
Zoning Board of Appeals**

SCHEDULED 08/24/21 07:00 PM

CASE STAFF STATEMENT (ID # 7044)

1611 N. Rand Road

TO: Palatine Zoning Board of Appeals
Jan Wood, Chair

FROM: Lyn Bremanis

PETITIONER: Maulik Patel, Swej Liquors

CASE NUMBER: 21-64

ADDRESS: 1611 N. Rand Road

PROPOSAL:

Special Use to permit a packaged liquor store pursuant to Section 11.03 (d) (39) of the Palatine Zoning Ordinance.

<u>LOCATION:</u> 1611 N. Rand Road District 4 (Solberg)	<u>CURRENT ZONING:</u> B-2 General Business District
---	--

SURROUNDING CONDITIONS:

<u>North:</u>	B-2 General Business District
<u>South</u>	Planned Development
<u>East:</u>	R-2 Single Family Residential
<u>West:</u>	B-2 General Business District

BACKGROUND:

The Petitioner is requesting to open a packaged liquor store at 1611 N. Rand Road. Therefore the Petitioner is requesting:

Special Use to permit a packaged liquor store

SITE ANALYSIS:

- The Subject Property is zoned B-2 General Business District and is located in the Chicago Clock Shopping Plaza.
- The hours of operation will be Monday - Sunday 10 AM - 10 PM.
- There will be 2 employees present during hours of operation, and the Petitioner estimates 80 customers per day.
- The Petitioner has indicated, in addition to liquor, other prepackaged items such as mixers and tobacco will be sold, as an accessory items.

- Deliveries will take place at the rear entrance. The Petitioner estimates that deliveries would occur in the mornings.
- The parking requirement would not change with this proposed use. Please note the center has a license agreement to use the parking spaces in the Capri Drive right-of-way during the hours of 6 AM to 7 PM.

DEPARTMENTAL REVIEWS:

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

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, is so designed, located, and proposed to be operated that the public health, safety, and welfare will be protected and will not cause substantial injury to the value of other property in the neighborhood in which it is located. The Petitioners have attempted to address the required standards.

STAFF RECOMMENDATION:

The proposed liquor store will occupy a vacant tenant space in the Chicago Clock Shopping Plaza, previously occupied by Sports Fan Marketing, a retail use. As the parking requirements are not changing, and the center has a license agreement to use additional parking spaces on Capri Drive, Staff did not identified any specific parking concerns. Additionally, the Police Department has reviewed the proposal and did not identify any initial concerns. Ultimately, the locations for liquor stores are policy recommendations for the Zoning Board to review and policy decisions for the Village Council and Liquor Commission. Therefore, Staff recommends action at the discretion of the Zoning Board of Appeals. If the Zoning Board of Appeals recommends approval, Staff recommends the following conditions:

1. The Special Use shall substantially conform to the Business Plan and Floor Plan submitted by the Petitioner, except as such plans may be changed to conform to Village of Palatine Codes and Ordinances.
2. The Petitioner shall follow the Village of Palatine's Clean Indoor Air Ordinance and drug paraphernalia regulations in Chapter 12 of the Village Code.

ATTACHMENTS:

- Aerial map
- Application
- Plat of Survey
- Floor Plan
- Business Plan
- Public Notice

3.3.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	Zoning Case #
	Filing Fee	Notification Deadline
	ZBA Public Hearing Date	Village Council Date

date received

Background Information	PETITIONER(S) PATEL MAULIK		Business Name (if applicable) SWEJ LIQUORS	
	Subject Property Address 1611 N RAND RD. PALATINE, ILLINOIS-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	Proposed Land Use	
	Generally describe your request: WE REQUEST YOU TO GRANT THE PERMISSION FOR SETTING UP A NEW LIQUOR STORE. 			



SPECIAL USE

Required Materials

- ☐ Filing Fee of \$ 937
- ☐ 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

YES

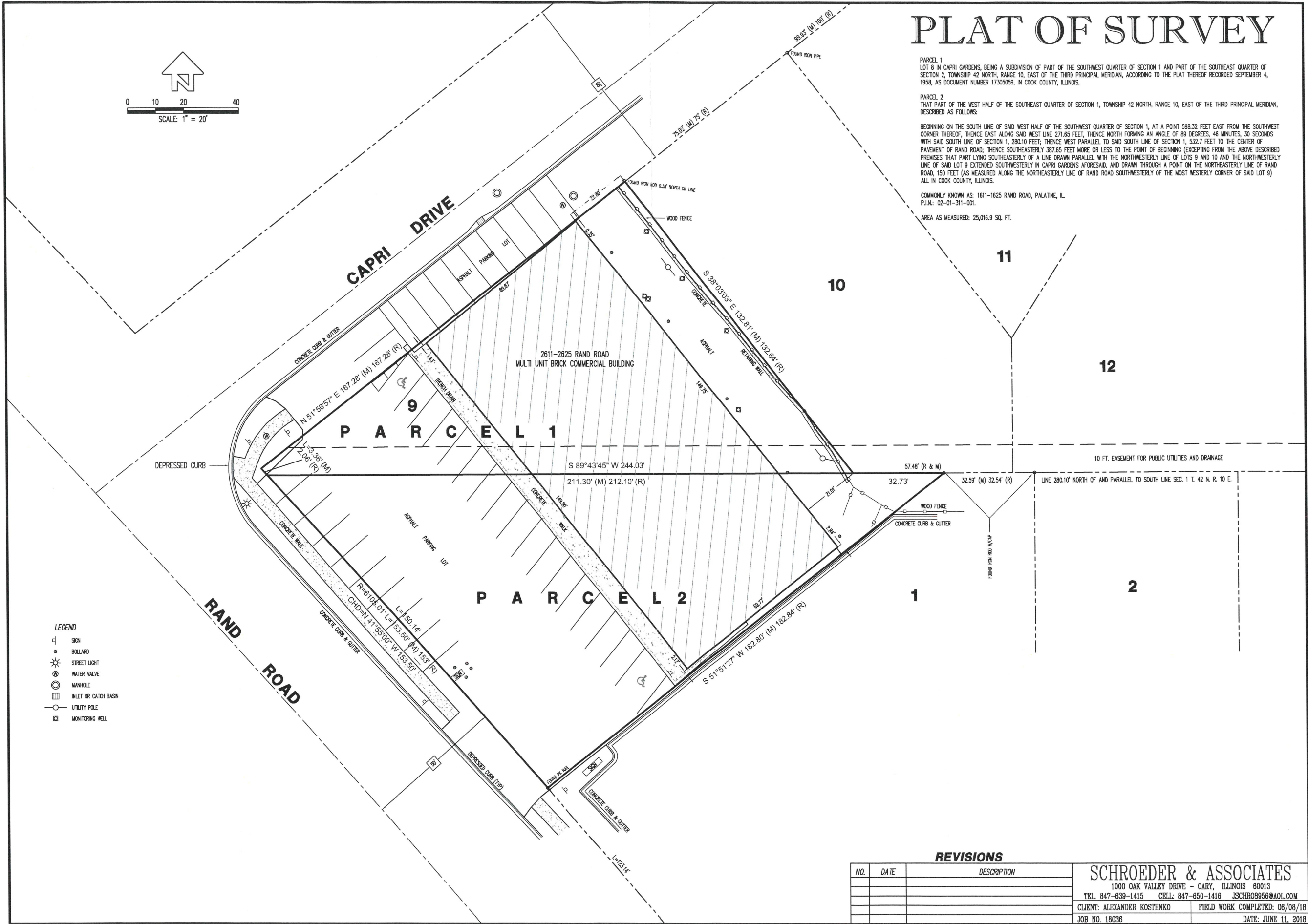
3. The use will not cause substantial injury to nearby property values

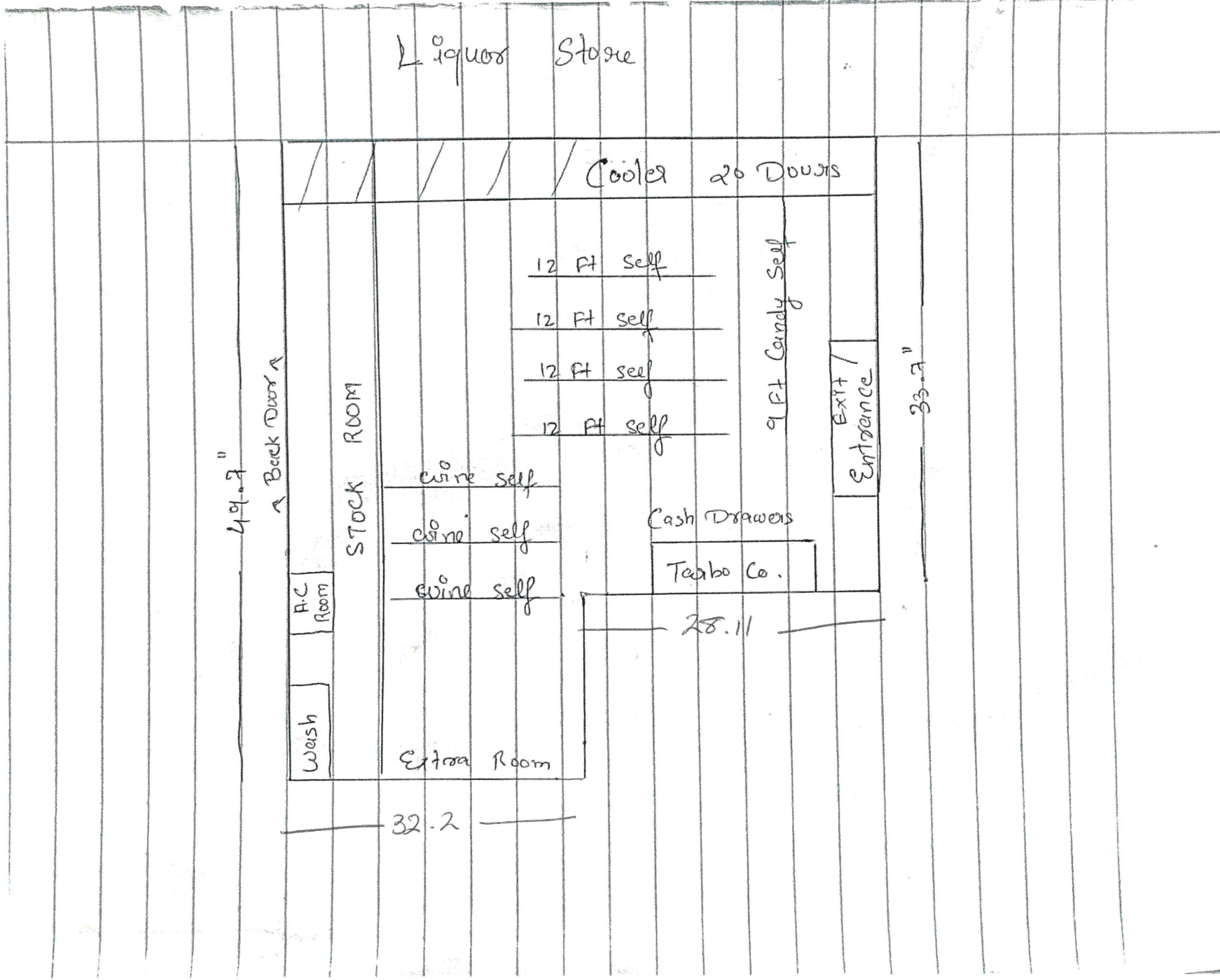
YES

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

YES





BUSINESS PLAN FOR SWEJ LIQUORS

WE AT SWEJ LIQUORS ARE PLANNING TO OPEN LIQUOR STORE AT THE GIVEN ADDRESS ABOVE.

WORKING HOURS WOULD BE FROM MORNING 10:00 A.M TO EVENING 10:00 P.M . ON DELIVERY DAY IT WOULD BE MORNING 9:00 A.M TO EVENING 10:00 P.M (FOR EARLY MORNING DELIVERY TO AVOID TRAFFIC)

WE ARE PLANNING TO HAVE 2 EMPLOYEES ALL THE TIME OF WORK OF OPERATION.

WE ARE EXPECTING APPROXIMATELY 80 CUSTOMERS A DAY. (NOT EXACTLY SURE AS THIS IS OUR NEW STORE & FIRST TIME)

LOADING AREA WOULD BE FROM THE BACK DOOR TO THE STOCK ROOM WHICH WILL BE LOCATED IN THE BACK ITSELF .

WE WOULD BE HAVING ONE STOCK ROOM & ONE EXTRA ROOM FOR STOCK UP & CCTV SURVEILLANCE.

DELIVERY WILL BE ONCE A WEEK, AS BUSINESS PICKS UP WE WILL HAVE DELIVERY 1-2 TIMES A WEEK.

TO AVOID TRAFFIC PROBLEM WE WOULD CALL FOR EARLY MORNING DELIVERY AND USE BACK ALLEY, IT WONT BE A PROBLEM LATER.

PUBLIC NOTICE
A public hearing will be held before the Palatine Zoning Board of Appeals on Tuesday, August 24, 2021 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 packaged liquor store pursuant to Section 11.03 (d)(39) of the Palatine Zoning Ordinance.
The property is commonly known as 1611 N Rand Road (02-01-300-015-0000).
The Petitioner is requesting to open a packaged liquor store, Swee Liquors.
The above petition has been filed by Maulik Patel and is available for examination in the office of the Village Clerk, 200 E. Wood Street.
FILE #: 21-64
VILLAGE OF PALATINE
Chair
Palatine Zoning Board of Appeals
DATED: This 9th day of August, 2021
Published in Daily Herald
August 9, 2021 (4568230)

CERTIFICATE OF PUBLICATION

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Northwest Suburbs

Daily Herald

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County(ies) of Cook

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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 # 4568230

Attachment: Public Notice (1611 N. Rand Road - SU Liquor Store)