



VILLAGE OF PALATINE

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

ZONING BOARD OF APPEALS

MINUTES • 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 Luszczak	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

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

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

III. PUBLIC HEARING

1. 1373 N. Crabtree Drive

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 to 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