



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 • JUNE 23, 2020

Village Hall - Council Chambers

Regular Meeting

7:00 PM

I. CALL TO ORDER

II. APPROVAL OF MINUTES

1. Zoning Board of Appeals - Regular Meeting - Jun 9, 2020 7:00 PM

III. PUBLIC HEARING

1. 17 E. Northwest Highway

The Petitioner has withdrawn the Special Use Application.

2. 1189 N. Coolidge Avenue

Variation to permit an attached deck, more than 16 inches above grade, to have a side yard setback of 11 feet, instead of the minimum required 15 feet, pursuant to Section 10.01 (d) (2) (u) of the Palatine Zoning Ordinance.

3. 410 S Oak Street

Variation to permit a residential driveway to be a total of 41 feet in width instead of the maximum permitted 30 feet pursuant to Section 7.04 (i) (4) of the Palatine Zoning Ordinance.

IV. COMMUNICATIONS

V. ADJOURNMENT



VILLAGE OF PALATINE

VILLAGE HALL - COUNCIL CHAMBERS 200 E. WOOD STREET
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ZONING BOARD OF APPEALS

MINUTES • JUNE 9, 2020

Village Hall - Council Chambers

Regular Meeting

7:00 PM

Note: The June 9, 2020, the Zoning Board of Appeals meeting will take place in the Village Council Chambers (located at 200 E. Wood Street). The meeting will also be broadcast live on Comcast Channel 6 and streamed live through the Village's 'Agenda & Minutes' section of our website (www.palatine.il.us). Village Hall will be open for any member of the public that would like to provide comment or testimony regarding an agenda item at the meeting, while still adhering to the Governor's Executive Orders. If a member of the public cannot access the meeting through one of the above means, please contact the Department of Planning and Zoning at (847-359-9046) by no later than 3 PM on Tuesday, June 9th to be provided with a call in code.

I. CALL TO ORDER

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

II. APPROVAL OF MINUTES

1. Zoning Board of Appeals - Regular Meeting - Mar 10, 2020 7:00 PM - **Accepted**
Mr. Cavanaugh made a motion to approve the minutes of March 10, 2020; seconded by Ms. Roth-Wurster.

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

Minutes Acceptance: Minutes of Jun 9, 2020 7:00 PM (Approval of Minutes)

III. PUBLIC HEARING

1. 7 N. Bothwell Street - **Recommended to Approve**

Notice was published in the Daily Herald on May 25, 2020 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. Public Notice

Sworn in Petitioner: Martha Pafralides Owner of Bead World Inc , 7 N Bothwell

Ms. Pafralides explained they are trying to maintain their business as they have been operating for 26 years. She stated the old building on Brockway has been sold and was given 30 days to get out. Ms. Pafralides stated they moved the store and now need a new special use for the piercing and tattoo removal aspect of their business.

Sworn in staff: Ms. Lyn Bremanis

Ms. Bremanis gave a brief overview of request explaining the location is on N Bothwell off of Palatine Rd and is zoned B-1 shopping center district. She explained the sales part of the business is a permitted use. Ms. Bremanis stated they already have approval for their accessory uses for piercing and tattoo removal at their old location but special uses are tied to locations. Ms. Bremanis stated because they are moving they need to go through the process again. She stated they are license with the IDPH and are compliant with all health code regulations. She stated their business hours are Monday-Friday 10am-7pm, Saturday 10am-6pm, closed Sundays and will have 4 employees. Ms. Bremanis explained the proposed space is approx. 1200 sqft. referring the slide to show the floor plan. Ms. Bremanis explained the location is in the downtown area so parking is open on street parking and this use will not change the parking usage thus staff does not have any concerns. She stated Community Services and Fire Prevention have review and have no concerns.

Mr. Pirog asked if there were any incidents or issues with the old store. Ms. Bremanis answered no not that staff is aware.

STAFF RECOMMENDATION:

The Petitioner relocated an existing business to a new location in downtown Palatine. While the business of jewelry and watch repair, custom jewelry design and fabrication are permitted in the new location, the business aspects of

accessory piercing and tattoo removal require Special Use review. Bead World had these Special Use approvals, at their previous location. However, the Special Uses are location specific, thus new Special Uses are required for the subject location. The owner is currently licensed with the state for the piercing and certified with Tattoo Vanish a non-laser tattoo removal, laser removal is not requested as part of this special use.

Bead World has operated in the Village for many years and its relocation should not affect the surrounding uses. Therefore, Staff recommends approval 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, Martha Pafralides, Bead World, except as such plans may be changed to conform to Village Codes and Ordinances.
2. Employees shall participate in the Village Downtown Employee Parking program, as directed by the Village.

Ms. Pafralides asked about village parking comments

Ms. Bremanis explained there are lots that are strictly for employees that leave other spots for customers.

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

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

DELIBERATIONS:

Mr. Cavanaugh stated it is a good use for a vacant space. He pointed out the petitioner has been in business for a while and is not changing anything they are doing. He stated he walked the area and spoke to some neighboring business owners who are excited the space is getting filled. Mr. Cavanaugh stated he doesn't see any issue on the standards not being met.

Mr. McGinn agreed it is straightforward

Ms. Roth-Wurster agreed glad they are staying in Palatine

Mr. McGinn 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 June 15, 2020.

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

2. 1142 E. Dundee Road - **Recommended to Approve**

Notice was published in the Daily Herald on May 25, 2020 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. Site Plan
7. Elevations
8. Public Notice

Sworn in petitioner: Dr. Leo Ayzenberg, 81 S Milwaukee Wheeling, IL

Dr. Ayzenberg stated he is an eye surgeon and has been in practice for 25 years. He stated he is board certified with 2 current locations. Dr. Ayzenberg explained he has been leasing a space in Wheeling and wants to move on to a stand-alone building being the sole practitioner at the office space.

Mr. Larson asked how many patients he will see a day.

Dr. Ayzenberg explained his business plan included in packet.

Ms. Bremanis gave a brief overview of the request explaining the subject property is zoned B-2 general business district previously being a Wendy's but has been vacant for some time. She further explained the petitioner is looking to put an addition on back of the building that will result in the building being a total of 4315 square feet. She spoke to the business plan indicating typical patient intake being 20-25 with Wednesday possibly 40. Ms. Bremanis referred to the slides to show floor plan and elevations. She stated signage has been discussed with the petitioner and will follow the Village regulations. She spoke to parking explaining they are over parked so there is no parking concerns.

Mr. Pirog asked about the proposed elevations.

Ms. Bremanis explained referring to the slides.

STAFF RECOMMENDATION:

The Petitioner is requesting to relocate an existing eye clinic to the proposed subject property. The space was previously a Wendy's restaurant and is located within a commercial zoned property and corridor. The Petitioner is planning to expand the building by approximately 1600 square feet. Nevertheless, the property will still have a parking surplus of 37 parking spaces. Medical offices are reviewed as Special Uses within all of the business districts. This location would maintain a mixture of commercial uses in the area. Therefore, Staff recommends approval of the Special Use, subject to the following conditions:

1. The Special Use shall substantially conform to the Business Plan submitted by the Petitioner and the Site Plan, Floor Plan and Elevations prepared by the architect Purohit Architects dated 04/16/20, as such plans may be changed to conform to Village Codes and Ordinances.
2. The final landscaping plan shall be submitted, in a manner acceptable to the Director of Planning and Zoning.
3. A cross access agreement shall be submitted, in a manner acceptable to the Director of Planning and Zoning.

Dr. Ayzenberg asked about the cross access agreement.

Ms. Bremanis explained IDOT is making changes so this will allow businesses to access each other's driveways.

Dr. Ayzenberg asked if there is any additional conditions including landscaping the board would like incorporated in design.

Mr. McGinn pointed out the second condition addresses landscaping.

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

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

DELIBERATIONS:

Mr. Dittrich stated it meets all requirements for special use. He stated with the medical aspect the public health and safety can only be improved.

Ms. Roth-Wurster agrees the standards have been met.

Mr. McGinn stated it won't have an adverse effect and parking is not an issue.

Mr. Luszczak stated it will be a nice facelift for an area that can definitely use it.

Mr. McGinn summarized that this request has met the standards and was unanimously approved by a vote of 7-0. This item will go to Village Council on June 15, 2020.

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

3. 1930 N Rand Road - **Recommended to Approve**

Notice was published in the Daily Herald on May 25, 2020 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. Site Plan
7. Elevations
8. Objectors Letter dated June 3, 2020
9. Public Notice

Sworn in petitioner: Mr. Mitch Goltz principal of GW properties 2211 N Elston Suite 304 Chicago IL

Mr. Goltz explained GW properties is the contract purchaser of the current GFS building. He explained they are working to reuse the building not changing the footprint or parking configuration. He stated they have been looking in area for a while since they service a lot of the nearby dealerships. Mr. Goltz stated it is a good fit with the nearby uses.

Mr. Larson asked where about the location of the outdoor compressor

Sworn in Mr. Brett Flory Cross Architects 879 Junction Drive Allen Texas

Mr. Flory stated he is the architect for most of Caliber's work for the past 8 years. He explained the compressor will be inside.

Mr. Larson asked if there will be cars stored outside.

Mr. Flory explained all work will be done inside but cars will be stored behind the fence. He further explained the location of the 6ft and 8ft fence they are proposing.

Mr. Pirog referred to the packet that says 50 cars will be stored.

Mr. Flory stated there may be close to 50 spots behind the fence. He stated if the location does well they will use most of the spaces behind the store. Mr. Flory explained Caliber works with major insurance companies with 90% of their work through the insurance companies. He spoke to their business operations.

Mr. Cavanaugh referred to the site plan slide that refers to the 52 customer parking and 52 storage. He asked if that is a possibility.

Mr. Flory explained in the front there are 56 spots which is for customers Discussion available parking.

Mr. Flory explained any cars being brought in for service cars will be brought in

through the back.

Discussion on location and height of fencing.

Mr. Larson referred to the objectors concerns on fumes from paint and asked about the filtration system in the presentation.

Mr. Flory explained they use the latest equipment being the industry leader in technical equipment. He spoke to EPA regulations explaining they have 2 different filtration systems and a regular maintenance routine. Mr. Flory explained they gave many locations that are in residential area and have not had issues but if an issue arises there are charcoal filters that can be added.

Mr. Larson asked about the sound being so close to residential

Mr. Flory explained all the work will be done inside. He stated the frame alignment does make noise but is located as far away from the residential area as possible. He stated they have not received complaints at other locations.

Mr. Cavanaugh asked about vehicle deliveries.

Mr. Flory explained deliveries will be done during the day during normal business hours.

Mr. Cavanaugh clarified there will be no night deliveries.

Mr. Flory stated there may be occasional deliveries after hours on a flatbed. He stated they can work with them and come up with a solution like a dedicated space behind the fence where they can easily drop the car and leave.

Ms. Bremanis gave a brief overview of request explaining the property is zoned B-5 highway district. She spoke to the hours being 7:30am-5:30 pm, Saturday 8-12 and closed Sunday with 25 employees. She spoke to the floor plan being 18,172 sq.ft. Ms. Bremanis stated all work is done with overhead doors closed. She referred to the elevation slides to show the proposed changes.

Mr. Larson asked staff if there are any complaints about other auto repair that back to residential.

Ms. Bremanis stated she is unsure pointing out there is a car place right next door

Discussion on other auto repairs.

Ms. Roth-Wurster asked about trash removal and oil and fluid underground storage.

Mr. Flory explained they have emergency hazardous cleanup kits that are OSHA required. He pointed out they don't do engine repair so most of the fluids get drained out before it is delivered.

Ms. Roth-Wurster asked if any fluid drainage would be picked up during normal business hours.

Mr. Flory explained there will be zero activity at night unless a flatbed brings in a vehicle.

STAFF RECOMMENDATION:

The Subject Property is currently occupied by Gordon Foods. The petitioner is proposing revamping the building and open a collision repair business. The Petitioner is a nationwide collision repair company who is requesting to open an addition location in Palatine.

While the proposed use should not alter the essential character of the Rand Road Corridor the property is directly adjacent to residential properties. The Petitioner has in place noise reducing mitigation. Therefore, Staff recommends action at the discretion of the proposed Special Use, if the Zoning Board of Appeals recommends approval of the Special Use, Staff recommends the following conditions:

1. The Special Use shall substantially conform to the floor plan, elevation plan and business plan attached except as such plans may be changed to conform to Village Codes and Ordinances.
2. A final landscaping and screening plan shall be submitted in a manner acceptable to the Director of Planning and Zoning and should include a new 8-foot fence on the west side of the property.
3. The fence along the north lot line shall be replaced every 12 years or as directed by the Village of Palatine. (NOTE - this is a concurrent requirement with the UG and KC 1000 Planned Development at Rand and Dundee Roads).

Mr. Pirog asked if the fence condition applies to the current occupant and who monitors these conditions.

Ms. Bremanis explained staff will monitor. She explained what usually happens is after 12 years the fence starts to degrade and the Village will receive complaints.

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

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

DELIBERATIONS:

Mr. Cavanaugh pointed out the location is in the highway business district that already have many car uses. He stated it is a good use for the area and does not see any health or safety issues.

Mr. Larson stated they addressed all concerns with residential properties abutting and does not see any negative impacts with the plan in place so thinks it meets the standards.

Mr. McGinn summarized that this request has met the standards and was unanimously approved by a vote of 7-0. This item will go to Village Council on June 15, 2020.

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

IV. COMMUNICATIONS

V. ADJOURNMENT

1. Motion - **Motion Carried by Voice Vote**

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

Minutes Acceptance: Minutes of Jun 9, 2020 7:00 PM (Approval of Minutes)

**VILLAGE OF PALATINE
Zoning Board of Appeals**

SCHEDULED 06/23/20 07:00 PM

CASE STAFF STATEMENT (ID # 6071)

17 E. Northwest Highway

The Petitioner has withdrawn the Special Use Application.

**VILLAGE OF PALATINE
Zoning Board of Appeals**

SCHEDULED 06/23/20 07:00 PM

CASE STAFF STATEMENT (ID # 6095)

1189 N. Coolidge Avenue

TO: Palatine Zoning Board of Appeals
Jan Wood, Chair

FROM: Ben Vyverberg

PETITIONER: Mihajlo Danilovski

CASE NUMBER: 20-17

ADDRESS: 1189 N. Coolidge Avenue

PROPOSAL: The Petitioner would like to maintain an installed deck on the east side of the home, which encroaches into the minimum required 15-foot side yard setback.

<u>LOCATION:</u> 1189 N Coolidge Ave District 1 (Millar)	<u>CURRENT ZONING:</u> R-1 - Single-family residential
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SURROUNDING ZONING AND CONDITIONS:

North:	R-1 - Single-family residential
South:	R-1 - Single-family residential
East:	R-1 - Single-family residential
West:	R-1 - Single-family residential

BACKGROUND:

The Subject Property, which consists of a single-family residence and detached garage, was developed in unincorporated Cook County and subsequently annexed into the Village in 1990. The Petitioner would like to maintain an installed deck on the east side of the home, which encroaches into the minimum required 15-foot side yard setback. Therefore, the Petitioner is requesting:

Variation to permit an attached deck, more than 16 inches above grade, to have a side yard setback of 11 feet, instead of the minimum required 15 feet.

SITE ANALYSIS:

- The Subject Property is approximately 18,900 square feet and is zoned R-1 - single-family residential.
- The property is improved with a single-family residence and detached garage. The current property owner has owned the home since 2017. The property owner submitted a building permit addition for an approximately 480 square foot living room addition in 2019. The addition now connects the home and the previous detached garage
- As part of that building permit review, the Village became aware that a deck, above 16 inches in height, was, at some point added to the home, on the east side of the house. The Village then directed that the Petitioner should submit the required building permit application and plans for the review of the deck, in conjunction with the living room addition.
- Per Code, decks greater than 16 inches in height must comply with the minimum setback requirements for the principal structure. R-1 properties greater than 91 feet in width are required to provide a minimum 15-foot side yard setback. The submitted plans indicate that the deck was only setback 11 feet from the side property line and a variation is now required.
- A 6-foot fence surrounds the rear deck and the other portions of the deck comply with all of the other zoning bulk standards. The building permit for both the living room addition and deck permit remain open and active, pending the review of the required zoning relief.

DEPARTMENTAL REVIEWS:

Community Services	No comments. Building permit for deck under review and pending.
Engineering	No comments.
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:

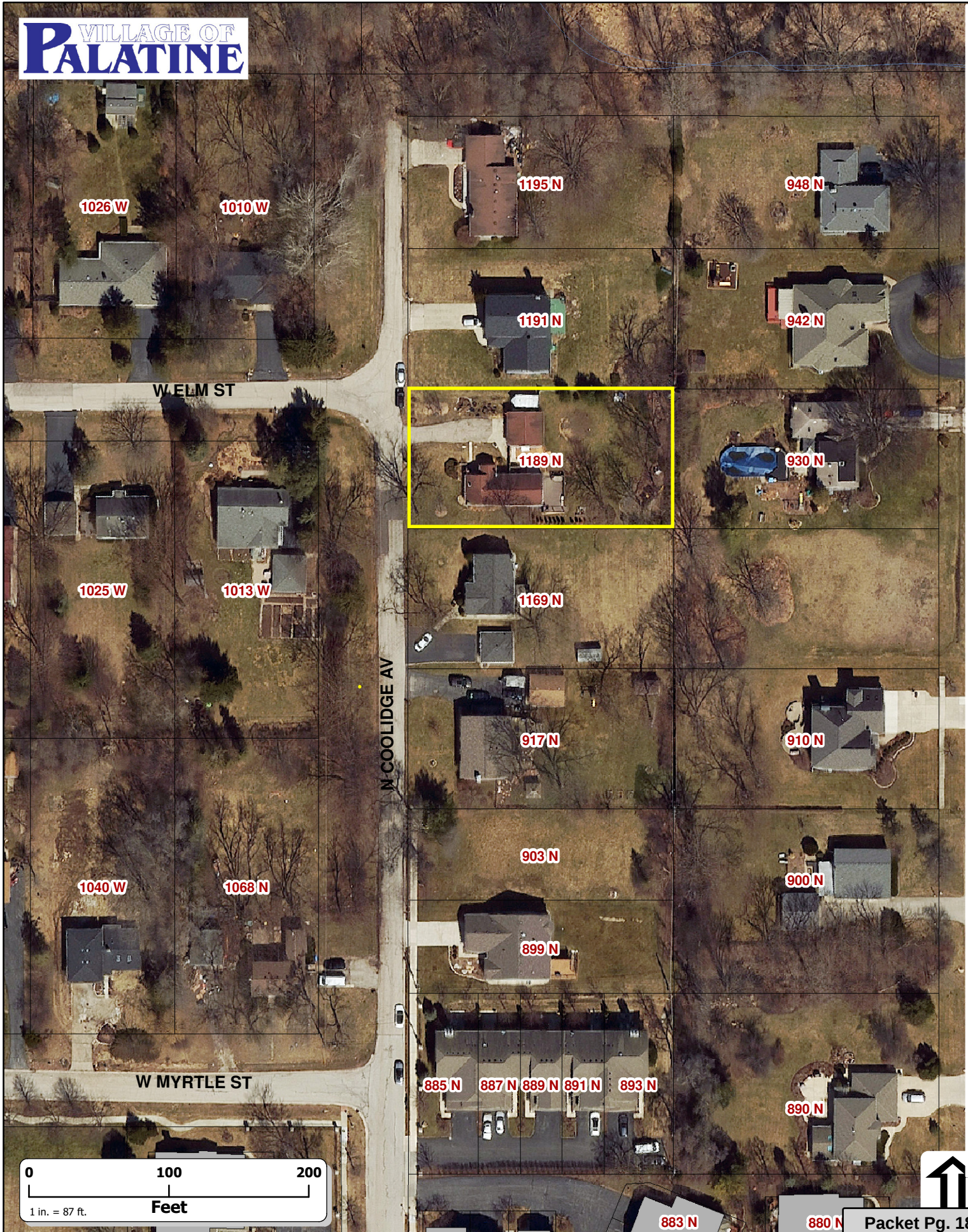
Decks and patios are customary rear yard improvements and typical within the Village. Per Code, decks above 16 inches in height are required to comply with the minimum side yard setbacks, as they tend to be larger and potentially less passive in use than an at-grade patio (minimum 2-foot side yard setback). Nevertheless, the deck was, at some point constructed without a permit and now requires a setback Variation. Therefore, Staff recommends Action at the Discretion of the Zoning Board of Appeals. If the ZBA recommends approval, Staff recommends the following condition:

1. The Special Use shall substantially conform to the site plan submitted by the Petitioner and the addition and deck plans by RB Custom Design, INC. except as such plans may be changed to conform to Village Codes and Ordinances.

ATTACHMENTS:

- Aerial
- Application
- Plat and Plans
- Public Notice

VILLAGE OF
PALATINE



Attachment: Aerial (1189 N Coolidge Avenue - VAR 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 <i>Kalmar</i>	Zoning Case # <i>20-17</i>
	Filing Fee <i>\$240</i>	Notification Deadline
	ZBA Public Hearing Date	Village Council Date

<i>date received</i>

Background Information	PETITIONER(S) <i>Mihalyb Daniborsci</i>		Business Name (if applicable)	
	Subject Property Address <i>1189 N Coolidge Ave Palatine IL 60067</i>			
	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 <i>R-1</i>	Existing Land Use <i>residential</i>	Proposed Land Use <i>—</i>	
	Generally describe your request: <i>Our current deck is too close to our property line. I believe it suppose to be 15' away and now it sits about 11' away.</i>			

Attachment: Application (1189 N Coolidge Avenue - VAR Deck)



VARIATION

Required Materials

- ☒ Filing Fee of \$ 240 pd ✓
- ☐ 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

Correct

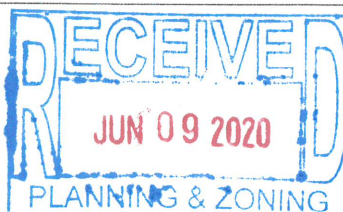
2. That the plight of the owner is due to unique circumstances

Yes, Deck is too close to the property line.

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

Correct.

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



N

Residential
Commercial
ALTA

PLAT OF SURVEY

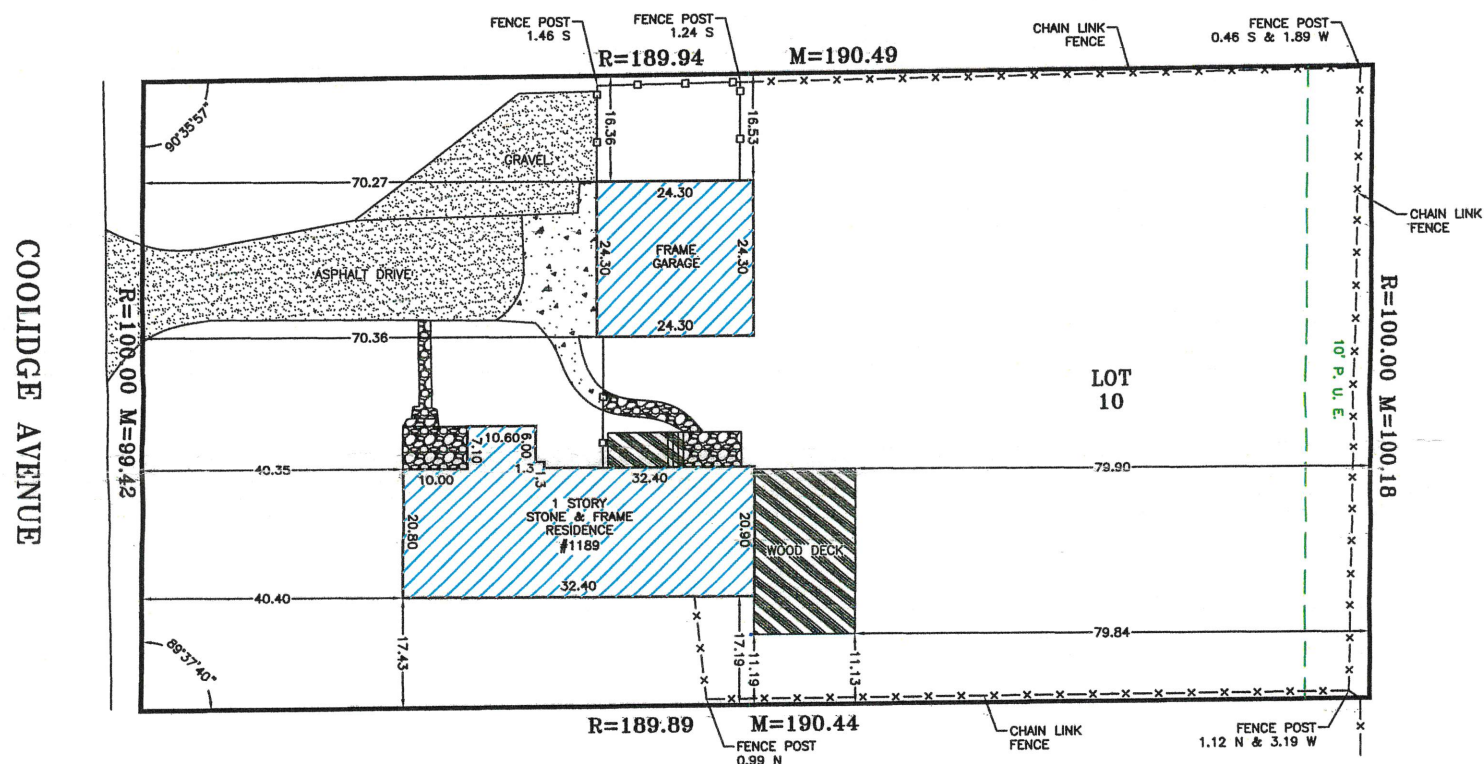
Studnicka and Associates, Ltd.
studnicka2000@gmail.com

Topographical
Condominium
Site Plans

Tel. 815 485-0445
Fax 815 485-0528

17901 Haas Road
Mokena, Illinois 60448

LOT 10 IN BLOCK 3 IN FRANK E. MERRILL AND COMPANY'S PALATINE ACRES, BEING A SUBDIVISION IN THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 9, TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.



Deck = $\approx$ 400^{sq}

R1

50' rear

✓ 15' sides

✓ 10% = 500 ✓

✓ 25' from rear ✓

Standard Variation
exceed 10% encroachment
into required side
yard



Scale: 1" = 30 feet

Distances are marked in feet and decimals.

Ordered by: Mihajlo Danilovski

Order No.: 19-3-35

Compare all points before building by same and at once report any difference.

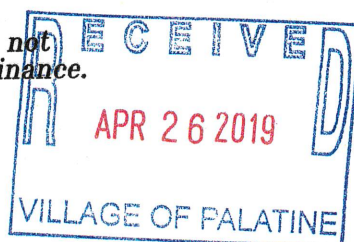
For building lines, restrictions, or easements not shown hereon, refer to abstract, deed or ordinance.

Field work completed: 3/11/19

Drawn by: P.D.

Proofed by: T.S.

Design Firm Registration # 184-002791



STATE OF ILLINOIS } SS
COUNTY OF WILL



Studnicka and Associates, Ltd., an Illinois Land Surveying Corporation does hereby certify that this professional service conforms to the current Illinois standards for boundary survey.

Mokena, IL. March 12, A.D. 2019

by [Signature]
License No. 3304 Expires 11/30/20

Attachment: Plat and Plans (1189 N Coolidge Avenue - VAR Deck)

INSTALL NEW 2 x 6 RAFTERS
@ 16" O.C. W/ 2 x 6 COLLAR
TIES @ 32" O.C. AT NEW
OVER ROOF AREA. (TYP.)

NEW ASPHALT SHINGLES
TO MATCH EXISTING (TYP.)

MODIFY EXIST. ROOF SYSTEM AS
REQUIRED TO INSTALL NEW ROOF
SYSTEM (TYP.)

EXIST. ALUMINUM
SIDING TO REMAIN
(TYP.)

MODIFY EXIST. FASCIA & SOFFIT
AS REQUIRED TO INSTALL NEW
ROOF SYSTEM (TYP.)

EXIST. STONE VENEER TO
REMAIN (TYP.)

EXIST. DOOR/WINDOW
TO REMAIN (TYP.)

EXIST. 36" HIGH WOOD
RAILING W/ METAL
BALUSTERS @ 4" O.C. TO
REMAIN (TYP.)

EXIST. WOOD DECK W/
COMPOSITE DECKING
TO REMAIN (TYP.)

FINISH GRADE

EXISTING FOUNDATION WALL
TO REMAIN & BE PROTECTED
FROM DAMAGE (TYP.)



PUBLIC NOTICE
A public hearing will be held before the Palatine Zoning Board of Appeals on Tuesday, June 23, 2020 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 an attached deck, more than 16 inches above grade, to have a side yard setback of 11 feet, instead of the minimum required 15 feet, pursuant to Section 10.01 (d) (2) (u) of the Palatine Zoning Ordinance.

The property is commonly known as 1189 N. Coolidge Avenue (02-09-403-003).

The Petitioner is requesting an attached deck to have an 11-foot side yard setback, instead of the minimum required 15 feet.

The Petition was filed by Mikhailo Danilovski and is available for examination in the office of the Village Clerk, 200 E. Wood Street.

FILE #: 20-17
VILLAGE OF PALATINE

Jan Wood, Chair
Palatine Zoning Board of Appeals

DATED: This 8th day of June, 2020
Published in Daily Herald
June 8, 2020 (4546084)

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

Daily Herald

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **DAILY HERALD**. That said **DAILY HERALD** is a secular newspaper and has been circulated daily in the Village(s) of Algonquin, Antioch, Arlington Heights, Aurora, North Aurora, Bannockburn, Barrington, Barrington Hills, Lake Barrington, North Barrington, South Barrington, Bartlett, Batavia, Buffalo Grove, Burlington, Campton Hills, Carpentersville, Cary, Crystal Lake, Deerfield, Deer Park, Des Plaines, Elburn, East Dundee, Elgin, South Elgin, Elk Grove Village, Fox Lake, Fox River Grove, Franklin Park, Geneva, Gilberts, Glenview, Grayslake, Green Oaks, Gurnee, Hainesville, Hampshire, Hanover Park, Hawthorn Woods, Highland Park, Highwood, Hoffman Estates, Huntley, Inverness, Island Lake, Kildeer, Lake Bluff, Lake Forest, Lake in the Hills, Lake Villa, Lake Zurich, Libertyville, Lincolnshire, Lindenhurst, Long Grove, Melrose Park, Montgomery, Morton Grove, Mt. Prospect, Mundelein, Niles, Northbrook, Northfield, Northlake, Palatine, Park Ridge, Prospect Heights, River Grove, Riverwoods, Rolling Meadows, Rosemont, Round Lake, Round Lake Beach, Round Lake Heights, Round Lake Park, Schaumburg, Schiller Park, Sleepy Hollow, St. Charles, Streamwood, Sugar Grove, Third Lake, Tower Lakes, Vernon Hills, Volo, Wadsworth, Wauconda, Waukegan, West Dundee, Wheeling, Wildwood, Wilmette County(ies) of Cook, Kane, Lake, McHenry and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

I further certify that the DAILY HERALD is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published 06/08/2020 in said DAILY HERALD.

IN WITNESS WHEREOF, the undersigned, the said PADDOCK PUBLICATIONS, Inc., has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC.
DAILY HERALD NEWSPAPERS

BY

Authorized Agent

Control # 4546084

Attachment: Public Notice (1189 N Coolidge Avenue - VAR Deck)

**VILLAGE OF PALATINE
Zoning Board of Appeals**

SCHEDULED 06/23/20 07:00 PM

CASE STAFF STATEMENT (ID # 6070)

410 S Oak Street

TO: Palatine Zoning Board of Appeals
Jan Wood, Chair

FROM: Lyn Bremanis

PETITIONER: Umesh Javvaji

CASE NUMBER: 20-20

ADDRESS: 410 S. Oak Street

PROPOSAL:

Variation to permit a residential driveway to be a total of 41 feet in width instead of the maximum permitted 30 feet pursuant to Section 7.04 (i) (4) of the Palatine Zoning Ordinance.

<u>LOCATION:</u> 410 S Oak Street 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 Petitioner is proposing an extension of the driveway to construct a circular driveway, which exceeds maximum driveway width. Therefore, the Petitioner is requesting:

**Variation to permit a residential driveway to be a total of 41 feet in width
instead of the maximum permitted 30 feet**

SITE ANALYSIS:

- The Subject Property is zoned R-2 Single Family. The Petition and owner of the property constructed a new single-family home in 2016. Historically, a Village hydrant was and remains in the parkway (right-of-way) adjacent to the driveway. When the Petitioner's new home was constructed, the driveway was generally located in the same position and the hydrant remained in place.
- The Petitioner is proposing an extension to his existing driveway in order to

construct a circular drive, which exceeds the maximum allowable total driveway width. This plan required an additional curb cut on Oak Street. The subject lot width, at 60 feet, is substandard (current minimum Code requirement is 75-feet), which dates to its initial platting in 1926 (Arthur T. McIntosh and Company's Plum Grove Road Development).

- The proposed driveway would have a maximum total width of 41 feet. Per Code, the maximum allowable total driveway width for a 2-car garage is 30 feet. Both curb cuts comply with the maximum allowable driveway width within 5 feet of the property, at 23.25 feet.
- The Petitioner indicated in his application the narrowness of the existing driveway combined with the proximity of the tree and fire hydrant makes it difficult for cars maneuvering through the driveway.
- The building coverage is 28%, which meets Code. The lot coverage (including the proposed driveway extension) is 41%, which does not exceed the maximum allowed in the R-2 district at 45%.

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 has indicated the need for a circular driveway on the Subject Property to avoid maneuverability issues with exiting the driveway, which is directly adjacent to a fire hydrant. While Staff understands the questions being raised by the Petitioner, the hydrant remains in the same location as has existed on S. Oak Street for some time. And, the new home was constructed with the hydrant to remain in place. The hydrant (private expense) relocation would cost approximately \$5,000, assuming it meets the capacity requirements. The driveway cannot be widened with the existing fire hydrant in

place. The Subject and surrounding lots in this area are narrow (60 feet) and a circular driveway would utilize 39% of the frontage for this lot. This driveway would not be in character with the neighborhood.

While there are other options to accomplish this request, they would involve removing an established tree in the front yard and relocating the hydrant. Therefore, Staff recommends denial 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 site plan submitted by the Petitioner, Umesh Javvaji, except as such plans may be changed to conform to Village Codes and Ordinances.

ATTACHMENTS:

- Aerial map - 410 S. Oak Street
- Application
- Plat of Survey-Site Plan
- Previously existing home site plan - pre2016 - 410 S Oak Street
- Public Notice

410 S Oak Street

3.3.a

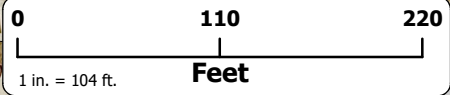
VILLAGE OF
PALATINE

E HELEN RD

S OAK ST

S BENTON ST

E GLADE RD



Attachment: Aerial map - 410 S. Oak Street (410 S Oak St - VAR driveway)





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)	
	Umesh K Javvaji			
	Subject Property Address 410 S Oak St. 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	
Palatine	35%	40%		
Generally describe your request:				
Extending Driveway to "U" Shape				

Attachment: Application (410 S Oak St - VAR driveway)



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

Hydrant and Tree are very adjacent to driveway, and causing damages (Accidentally hitting Hydrant or Tree) to cars when guests come.

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

Width of Driveway is Very Small for Second Garage because of Hydrant and Tree on the way to Second Garage. Because of this reason Going for Circular Driveway. Circular Driveway will be Out of Tree and Hydrant.

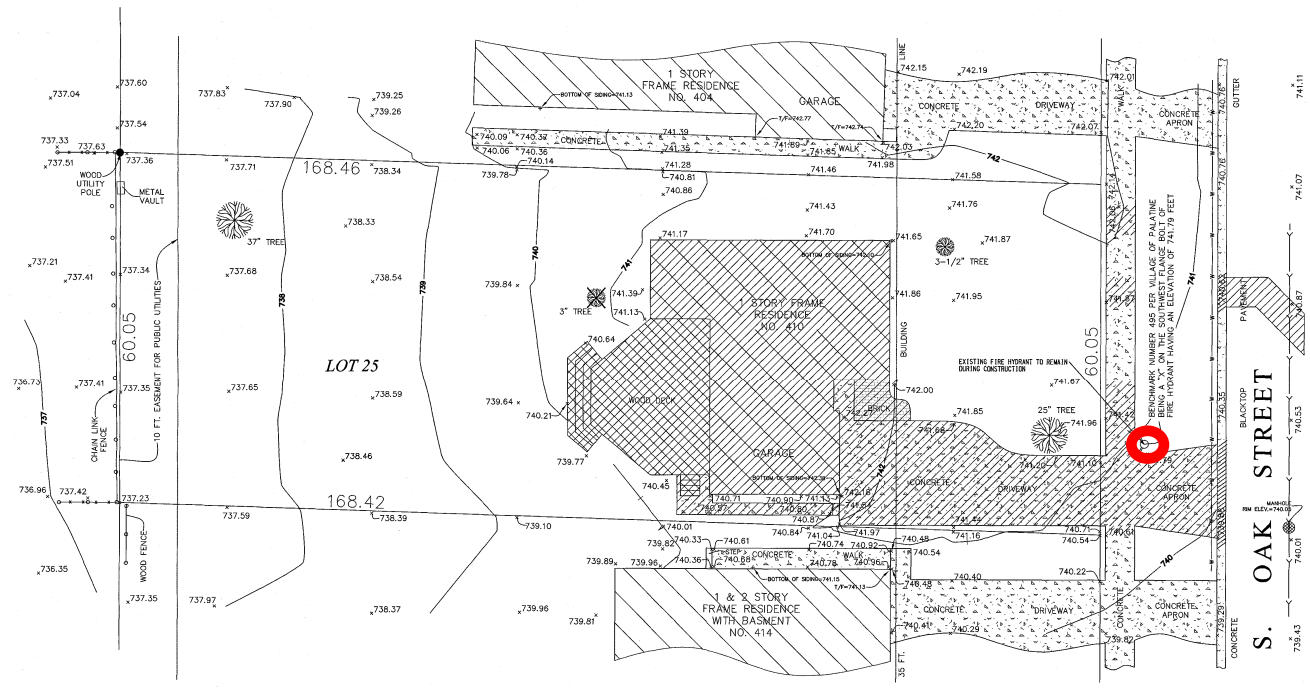
3. That the variation, if granted, will not alter the essential character of the locality

It Looks Like second Drive way and will not change character of Locality. And

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





PUBLIC NOTICE

A public hearing will be held before the Palatine Zoning Board of Appeals on Tuesday, June 23, 2020 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 a residential driveway to be a total of 41 feet in width instead of the maximum permitted 30 feet pursuant to Section 7.04 (i) (4) of the Palatine Zoning Ordinance. The property is commonly known as 410 S. Oak Street (02-23-302-025).

The Petitioner is proposing to build a circular driveway. The above petition has been filed by Umesh Javvoti and is available for examination in the office of the Village Clerk, 200 E. Wood Street.

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VILLAGE OF PALATINE

Jan Wood, Chair
Palatine Zoning Board of Appeals

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County(ies) of Cook, Kane, Lake, McHenry
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