



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 14, 2022

Village Hall - Council Chambers

Regular Meeting

7:00 PM

I. CALL TO ORDER

II. MINUTES APPROVAL

1. Zoning Board of Appeals - Regular Meeting - May 10, 2022 7:00 PM

III. PUBLIC HEARING

1. 102 N. Crescent Avenue - VAR Driveway Expansion

Variation to permit a driveway expansion to exceed the maximum allowable driveway width within five (5) feet of the lot line.

2. 587 W. Lake Cook Road - VAR Circular Driveway

Variations to permit a residential driveway to be a total of 76.5 feet in width, instead of the maximum permitted 30 feet, and to permit a residential driveway to be 28 feet in width within five (5) feet of the lot line, instead of the maximum permitted 25 feet.

3. 60 W Illinois Avenue

Special Use to permit a medical office (Chiropractic Office).

IV. COMMUNICATIONS

V. ADJOURNMENT



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ZONING BOARD OF APPEALS

MINUTES • MAY 10, 2022

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	Absent	
Kevin Cavanaugh	Commissioner	Present	
John Pirog	Commissioner	Present	

II. APPROVAL OF MINUTES

- Zoning Board of Appeals - Regular Meeting - Apr 12, 2022 7:00 PM - **Accepted**

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

Minutes Acceptance: Minutes of May 10, 2022 7:00 PM (Minutes Approval)

III. PUBLIC HEARING

1. 1045 E. Lilac Drive - **Recommend to Deny**

Notice was published in the Daily Herald on April 25, 2022 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. Application for Variation
2. Proof of Ownership
3. Plans/Elevations
4. Plat of Survey
5. Public Notice

Sworn in staff: Mr. Alex Bradshaw and Ms. Lyn Bremanis

Mr. Bradshaw gave a brief background of the request explaining the item was initially reviewed at the April 26th Zoning Board of Appeals meeting and was continued to allow the Petitioners and their representative to further review the plan alternatives. Ultimately, the Petitioners submitted a site plan demonstrating a code compliant garage replacement, but requested a 3-year window to construct the garage. As Staff indicated at the last Public Hearing, there is not legal mechanism in which to grant relief from the Code, based upon a future intention to comply through the construction of a replacement garage space. Therefore, Staff's recommendation to deny is maintained, as Staff does not believe that a hardship exists and there are several Code-compliant alternatives available.

Sworn in the petitioner: Ms. Kristen Mendez 1045 Lilac Drive

Ms. Mendez explained they currently have an attached one car garage and want to renovate to be a dining /living room. She explained she was unaware of the code requirement for a garage. She spoke to the standards and stated it won't alter the locality because there are homes in the neighborhood with no garage. She stated she has a list with that includes three in her neighborhood. Ms. Mendez submitted the list into record. She explained they need more space for her family. She spoke to the other standards stating this won't create a hardship rather improve the property. Ms. Mendez stated they will build a new garage, but don't have funds currently. She stated this won't affect the sale of the property because they will have a garage before they sell in the future. She pointed out no neighbors came to oppose the request the first time so she assumes the neighbors are in support. She stated they are asking for relief of the zoning ordinance

Ms. Wood submitted list as exhibit #6.

Ms. Wood asked how many homes on list are in the immediate neighborhood?
Ms. Mendez answered three and the rest in Palatine pointing out they will not be

the only one without a garage

Mr. Luszczak asked staff why they are opposed?

Mr. Bradshaw explained they are eliminating the required single garage space per code.

Ms. Wood asked how long they have owned the house?

Ms. Mendez answered since October, 2021.

Ms. Wood clarified the request is for more living space.

Ms. Mendez answered yes explaining they came from a much larger home in the city so bought with the intention to expand and with the quote it fit perfectly to renovate now. She stated they would rather have more living space than cars garaged. She stated she was unaware of the code at the time of purchase and when speaking to her contractor.

Ms. Wood asked what the current square footage is?

Ms. Mendez stated currently 1,000 square feet.

Ms. Wood asked about layout.

Ms. Mendez gave layout including small kitchen, living room, 3 bedrooms and a bath.

Ms. Wood stated they knew the size of the home at time of purchase. She asked what their intentions were?

Ms. Mendez stated they were outbid on home they wanted and knew they wanted more space and with the bid on this renovation this worked out

Mr. Luszczak asked if they will put garage eventually.

Ms. Mendez answered yes.

Mr. Luszczak asked if the Village could give them time?

Mr. Bradshaw explained staff is not able to give requested time extension.

Mr. Cavanaugh asked if any delay is acceptable?

Mr. Bradshaw explained there is no short term variation.

Ms. Wood asked if a shorter extension would be acceptable?

Ms. Bremanis explained a building permit is good for one year so it would have to be completed within that time.

Mr. Cavanaugh clarified the issue is limited finances.

Ms. Mendez answered yes. She asked staff if they consulted the Village Attorney?

Mr. Bradshaw explained there is not an ordinance process to allow for an agreement to accomplish what is being proposed. The zoning ordinance contains the parking requirements and there is not a process for the Village Attorney to do otherwise.

Mr. Luszczak asked staff about the properties that don't have garages.
Ms. Bremanis explained they are existing nonconforming either built before code was enforced or annexed in.

Ms. Wood asked if this type of request has ever come through?
Ms. Bremanis answered no. She stated others have inquired, but once staff indicates the Village does not support they have not followed through with request.

Mr. Cavanaugh asked how many live in house?
Ms. Mendez answered 4.

Mr. Bradshaw stated staff's recommendation remains the same as the previous zoning board meeting.

STAFF RECOMMENDATION:

The Petitioners have indicated the need for additional living space within the residence on the Subject Property. The garage to living space conversion would completely eliminate the minimum required one garage parking space, which part of the required parking for single-family dwellings. While Staff understands that total number of parking may still be achieved due to the driveway that extends along the south side of the existing garage, eliminating the garage entirely would not be in character with the surrounding neighborhood. While Staff ultimately understands what the Petitioner wants to accomplish, Staff does not believe that adequate justification for the Variation has been established.

While there are other options to accomplish this request, it would involve constructing a detached garage, which is not in the proposed scope of work. Therefore, Staff recommends denial to the Zoning Board of Appeals. If the Zoning Board of Appeals recommends approval, Staff recommends the following conditions:

1. The Variation shall substantially conform to the site plan submitted by the Petitioners, Angel and Kristen Mendez, except as such plans may be changed to conform to Village Codes and Ordinances.

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

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

DELIBERATIONS:

Mr. Luszczak stated he can't see why it should not pass since they are not expanding the house or lot coverage. He pointed out they have agreed to build garage in a few years and are tight on money. He stated it is their land and their house.

Ms. Wood stated she understands Mr. Luszcak’s point. She spoke to the standards and how they don’t meet them.

Mr. Pirog stated he feels for them and doesn’t see any harm but doesn’t think it meets the standards.

Ms. Roth-Wurster empathizes with homeowner, but spoke to the standards and the inability to grant extension on garage.

Mr. Luszcak stated in the future the monetary value will increase with added square footage and added future garage.

Discussion on ability to remodel their home.

Mr. Cavanaugh asked if they would have to legally state that a garage is required if they sold before the new garage was constructed.

Mr. Bradshaw stated that is not up for discussion explaining the variation is to not have a garage.

Discussion on selling without a garage.

Ayes: Luszcak

Nays: Roth-Wurster, Wood, Cavanaugh, Pirog

Motion failed by a vote of 1-4

Mr. Cavanaugh made a motion to deny, subject staff’s conditions; seconded by Ms. Roth-Wurster

Ms. Wood summarized that this request was denied by a vote of 4-1. This item will tentatively go to Village Council on June 6, 2022.

RESULT:	RECOMMEND TO DENY [4 TO 1]
MOVER:	Kevin Cavanaugh, Commissioner
SECONDER:	Cindy Roth-Wurster, Commissioner
AYES:	Roth-Wurster, Wood, Cavanaugh, Pirog
NAYS:	Luszcak
ABSENT:	Larson, McGinn

Minutes Acceptance: Minutes of May 10, 2022 7:00 PM (Minutes Approval)

2. 1463 W. Winnetka Street - **Recommended to Approve**

Notice was published in the Daily Herald on April 25, 2022 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. Application for Special Use
2. Proof of Ownership
3. Site Plan
4. Plat of Survey
5. Neighbor Consent forms
6. Sample Fence Elevation
7. Public Notice

Sworn in the petitioner: Mr. Simon Hill 1463 W. Winnetka Street

Mr. Hill explained they are requesting a 4-foot aluminum fence to be installed in the side and rear yard. He stated the special use is required because the fence faces Palos and abuts the neighbor's front yard current code requires it to be setback 20 feet. He pointed out on the plat slide that his house is located 20ft back. Mr. Hill stated he is requesting 3 feet from line behind the arborvitae trees shown on site photos slide. He stated he has received consent from immediate neighbors and wants to keep his dogs safe in his yard. Mr. Hill state it won't hinder the neighbor's view, as it is open-style and will otherwise meet all of the fencing standards.

Mr. Pirog asked why they can't meet code ?

Mr. Hill stated it is a small yard and the property line is only 20 feet from the house, so the fence would have to immediately abut his house, which restricts usage of the side yard.

Mr. Bradshaw gave a brief overview referring to site photos slide and the proposed fence will approximately align with adjacent neighboring fence. He stated the proposed fence will be set back 3 feet. He pointed out with the proposed fence height and style landscaping is not required but there is existing trees lining the property. Mr. Bradshaw stated because of the existing landscaping the proposed fence will have little to no impact on the surrounding properties. He stated Community Services and Engineering reviewed the Petition and did not identify any issues with the request.

STAFF RECOMMENDATION:

The Petitioners are proposing to install a 4-foot open style fence, which is set back approximately three (3) feet from the side yard abutting a street lot line along N. Palos Ave. The N. Palos Avenue lot line also abuts the side lot line of the front yard of the adjacent lot to the south. Per Code, the required setback is 20 feet. Staff did not identify any negative impacts the proposed fence would have on the surrounding neighborhood. Staff also does not have any concerns

about the line of sight impact to the property at 1068 N. Palos Avenue (directly south), as there is an existing evergreen row separating the driveway and the proposed fence. Additionally, the fence is only 4 feet tall and of an open-style construction. Therefore, Staff recommends Approval of the proposed Special Use with the following condition:

1. The Special Use shall substantially conform to the site plan and elevation plan submitted by the Petitioners, Simon & Deborah Hill, except as said plans may be changed to conform to the Village Code of Ordinances.

Ms. Wood asked staff if the lot is standard size
Mr. Bradshaw answered yes stating it is approx. 85 by 119.

Ms. Roth-Wurster asked about neighbor approval forms
Mr. Bradshaw clarified the request started as administrative and was changed to full special use.

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

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

DELIBERATIONS:

Ms. Roth-Wurster stated the 4-foot open style fence won't negatively impact the neighborhood. She stated the letters of support are reassuring. Ms. Roth-Wurster spoke to standards and how they are met

Ms. Wood summarized that this request has met the standards and was unanimously approved by a vote of 5-0. This item will tentatively go to Village Council on June 6, 2022.

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

Minutes Acceptance: Minutes of May 10, 2022 7:00 PM (Minutes Approval)

3. 224 W. Kenilworth Ave - **Recommended to Approve**

Notice was published in the Daily Herald on April 25, 2022 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. Concept Plans
5. Public Notice

Sworn in the petitioner: Mr. Mark Swanson Architect 536 S Summit Street - Barrington, IL

Mr. Swanson explained they are proposed to add a 2nd story to the existing a 1-story residence. He stated they are building over the existing footprint, with the existing 7-foot side-yard setback. He stated the added front porch will expand into the front setback by 4 feet. Mr. Swanson explained the addition in the rear yard complies with the setbacks. He stated this will double the size of the house.

Ms. Wood asked if only the porch would encroach into the front setback
Mr. Swanson explained both the porch and approximately 60 square feet of the house.

Ms. Wood asked if the porch is open-style.
Mr. Swanson answered yes.

Mr. Swanson explained the bump out in the front gives a gable to provide relief to elevation.

Ms. Wood asked if there was a way to not encroach ?
Mr. Swanson explained the current house is at the minimum required front setback.

Mr. Pirog asked if both the porch and addition need relief.
Mr. Swanson answered yes, as the existing side yard setback does not meet the current minimum required.

Ms. Wood asked what the reason for the addition is.
Mr. Swanson explained it is part of space configuration that is needed for the added dining room

Mr. Bradshaw gave a brief overview stating all surrounding properties are zoned R-2 with Paddock Elementary school to the north. He explained the subject property is approximately 10,005 square feet single-story, with a 1-car detached garage. Mr. Bradshaw stated it is existing nonconforming with an existing side yard setback of 7.9 feet, instead of the minimum required 10 feet. He pointed out

the proposed work will not encroach in the rear or the opposing side yard setbacks, but will encroach 4 feet into minimum required 30-foot front yard setback. Mr. Bradshaw stated it meets both building and lot coverage. He stated Community Services and Fire Prevention have reviewed and had no issues. Mr. Bradshaw stated Engineering review indicated elevations and grades around the structure will be required due to the salt creek border and surrounding flood hazard area.

Ms. Wood asked if the surrounding homes meet setback requirements. Mr. Bradshaw stated there are no existing setbacks for front yards to staff's knowledge, referring to the existing conditions slide to show the area homes.

STAFF RECOMMENDATION

The Petitioners are requesting to construct a new addition to the front and rear of the home, as well as a second story addition. The existing residence has an existing non-conforming side yard setback from the eastern lot line. The addition off the front of the home encroaches into the required front yard setback and the second story addition would align with the existing home, therefore requiring relief for the existing side yard setback. Staff has not identified any negative impacts that the proposed additions would have on the surrounding neighborhood. Therefore, Staff recommends approval of the Special Use, subject to the following conditions:

1. The Special Use shall substantially conform to the site plan, elevation plans, and floor plan submitted by the Petitioner's agent, Mark Swanson, except as such plans may be changed to conform to Village Codes and Ordinances.
2. If approved, the Petitioners shall provide grade elevations around the structure in a matter acceptable to the Village Engineer.

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

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

DELIBERATIONS:

Mr. Pirog stated he doesn't think it is necessary but the standards have been met and with staff recommending approval and no issues identified he would vote for approval.

Mr. Cavanaugh pointed out they are not changing footprint much rather just going up.

Ms. Wood agreed with Mr. Pirog. She stated the 4-foot encroachment is not too large though not common in neighborhood. Ms. Wood stated it will not cause injury to property and will be a nice addition so meets the standards

Mr. Luszczak agreed since they have the means to do should approve.

Ms. Roth-Wurster pointed out the neighborhood is cookie cutter. She stated adding a porch creates more community. She stated this will improve the home overall and meets the standards

Ms. Wood summarized that this request has met the standards and was unanimously approved by a vote of 5-0. This item will tentatively go to Village Council on June 6, 2022.

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

Minutes Acceptance: Minutes of May 10, 2022 7:00 PM (Minutes Approval)

4. 300 N. Northwest Highway - **Recommended to Approve**

Notice was published in the Daily Herald on April 25, 2022 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. Application for Special Use
2. Proof of Ownership
3. Floor Plan
4. Business Plan
5. Plat of Survey
6. Public Notice

Sworn in the petitioner: Mr. Felipe Gonzalez 300 N. Northwest Highway - owner

Felipe stated he has been working as a chef for 25 years and he has found that people, enjoy to eat and also would like to have wine and beer. He stated this will improve his business.

Mr. Pirog asked if it is for lunch and dinner ?

Mr. Gonzalez explained that it is anticipated to be mostly for dinner.

Mr. Pirog asked if there is a bar ?

Mr. Gonzalez explained they will have a place to store the alcohol and will take out whenever needed.

Mr. Pirog asked if there will be staff training.

Mr. Gonzalez answered yes

Sworn in Mr. Felipe Gonzalez Jr. - son of business owner

Mr. Gonzalez Jr stated their customers ask for alcohol so they are looking to expand and improve the quality of the restaurant which improves revenue. He stated they want to improve the experience and bring in new clients

Ms. Wood asked how long have they owned the restaurant.

Mr. Gonzalez Jr explained the restaurant has been around since the 60's or 70's, but under their new ownership, since January 2020.

Ms. Wood clarified the restaurant closes at 11pm.

Mr. Gonzalez Jr spoke to hours and liquor license hours.

Mr. Bradshaw gave a brief overview stating the property is zoned B-2, with other commercial business surrounding and residential to the west. He spoke to the business plan including hours of operation and liquor serving hours. He stated there are no proposed changes to the restaurants floor plan and the parking requirement will not change. Mr. Bradshaw explained the liquor license will be evaluated by the liquor commission. He stated Community Services have

reviewed and did not identify any issues.

Ms. Wood asked if there is fencing between the business and the residential area
Mr. Bradshaw referred to site photo indicating yes

Ms. Wood expressed concern with later hours and parking lighting.
Mr. Gonzalez Jr stated there has been no issues.

Ms. Wood asked staff if issues arise will staff follow-up
Mr. Bradshaw answered yes.

Sworn in Ms. Deb Gabriel 135 N. Babcock Drive

Ms. Gabriel stated she is in full support for liquor license to go into restaurant. She stated she dines there often and would like to enjoy a good meal with a drink. She stated this will enhance the dining experience. She stated they are a good contributor to Palatine and would like to see them thrive.

STAFF RECOMMENDATION:

The Petitioner is proposing to introduce a local liquor license at the existing Café Fourteen. As the Floor Plan and seating count are not increasing, and the parking requirement remains the same. Ultimately, Staff did not identify any concerns with the proposal. Therefore, Staff recommends approval of the Special Use to permit the restaurant to operate with a local liquor license, subject to the following condition:

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 the Village of Palatine Codes and Ordinances.

Ms. Wood asked if they are operating currently with expanded hours, but without liquor.
Mr. Bradshaw answered yes.
Mr. Gonzalez confirmed.

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

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

DELIBERATIONS:

Mr. Cavanaugh stated they are a restaurant that has been around for decades. He stated they are well run and have had no issues so adding liquor to a dinner service restaurants is logical and meets the standards.

Ms. Roth-Wurster agreed the request meets the standards. She stated she has dined there and enjoyed the food and a glass of wine would have been nice.

Ms. Wood summarized that this request has met the standards and was

unanimously approved by a vote of 5-0. This item will tentatively go to Village Council on May 16, 2022.

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

Minutes Acceptance: Minutes of May 10, 2022 7:00 PM (Minutes Approval)

5. 1116-1128 W Northwest Highway - **Recommended to Approve**

Notice was published in the Daily Herald on April 25, 2022 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. Menu
6. Floor Plan
7. Public Notice

Ms. Bremanis gave a brief explanation of the background of the request stating the Petitioner was approved for a Special Use to open a restaurant with liquor service and a parking variation in December of 2020. She explained that per code, the Special Use expires after 1 year without any activity, issuance of a building permit, or extension of the Special Use. Ms. Bremanis pointed out the parking variation is still valid, so the request being reviewed is for a new Special Use to permit a restaurant to operate with a local liquor license with no changes from original approved request.

Ms. Wood clarified that parking is not being addressed.

Ms. Bremanis explained the approved parking variation is still in place. She pointed out none of the uses in the building have changed since approval.

Mr. Luszczak clarified the request was already approved.

Ms. Bremanis answered yes explaining the special use expired.

Ms. Roth-Wurster asked if the liquor request is new.

Ms. Bremanis explained they were already approved for a liquor license.

Sworn in Mr. Pasquale DiDiana 1116-1120 W Northwest Highway

Mr. DiDiana explained he has been in the restaurant business since he was 14 with his family owning 30 restaurants all over the Chicagoland area. He stated he and his wife have always loved Palatine. He explained they found the opportunity to open in Palatine in 2020 at the same time of starting a family and owning 5 other restaurants during Covid. He spoke to family hardships that delayed opening. Mr. DiDiana stated they are ready to open now.

Ms. Wood clarified the request has not changed.

Mr. DiDiana stated it is the same.

Ms. Wood asked if same percentage will be takeout.

Mr. DiDiana answered yes.

Ms. Wood asked where they currently are in process.

Mr. DiDiana explained they submitted but need to resubmit. He explained this is holding up the process.

Ms. Roth-Wurster asked if there will be training for liquor license.

Mr. DiDiana answered yes.

Ms. Bremanis gave a brief overview of the business plan including hours, dine in, takeout and delivery information. She pointed out prior to Village Council they submitted an addendum indicating all deliveries would not go through the neighborhood. Ms. Bremanis stated Community Services, Engineering, Environmental Health and Fire Prevention have all re-reviewed and have no issues.

Sworn in Cathy Seskiewicz 1053 W. Sutton CT

Ms. Seskiewicz stated she lives adjacent to strip mall. She expressed concern about noise with the dumpster at night.

Mr. DiDiana stated they neighbor with a lot of communities and are great neighbors. He thanked Cathy for her insight and stated they will be considerate.

STAFF RECOMMENDATION:

The proposed Special Use was approved in 2020 along with a parking variation. Due to no activity, the Special Use expired in December of 2021 however, the parking variation remains in place. Petitioner is requesting a new Special Use with no changes from the previous approval. Therefore, Staff recommends the approval of the Special Use, subject to the following condition:

1. The Special Use shall substantially conform to the floor plan and business plan submitted by the petitioner as attached, except as such plan may be changed to conform to Village Codes and Ordinances.

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

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

DELIBERATIONS:

Mr. Cavanaugh stated it is unfortunate with the petitioner's hardships. He stated the use was previously approved and it's a good use for the space and a good business plan so he supports the special use.

Ms. Roth-Wurster stated the standards have been met. She stated it is a good plan and can't wait to try it.

Ms. Wood stated she originally had concerns with parking but that is not in discussion this evening. She stated the standards were met before and there are

no changes.

Ms. Wood summarized that this request has met the standards and was unanimously approved by a vote of 5-0. This item will tentatively go to Village Council on May 16, 2022.

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

IV. COMMUNICATIONS

V. ADJOURNMENT

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

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

Minutes Acceptance: Minutes of May 10, 2022 7:00 PM (Minutes Approval)

VILLAGE OF PALATINE
Zoning Board of Appeals

SCHEDULED 06/14/22 07:00 PM

CASE STAFF STATEMENT (ID # 7640)

102 N. Crescent Avenue - VAR Driveway Expansion

TO: Palatine Zoning Board of Appeals
Jan Wood, Chair

FROM: Alex Bradshaw

PETITIONER: Vijay Dara

CASE NUMBER: 22-18

ADDRESS: 102 N. Crescent Avenue

PROPOSAL:

Variation to permit a residential driveway to be 30 feet in width within five (5) feet of the lot line, instead of the maximum permitted 25 feet.

LOCATION: 102 N. Crescent Avenue District 1 (Millar)	CURRENT ZONING: R-2 Single Family
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SURROUNDING CONDITIONS:

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

BACKGROUND:

The Petitioner is proposing to expand the existing driveway that will exceed the maximum allowable total driveway width, within five (5) feet of the lot line. Therefore, the Petitioner is requesting:

Variation to permit a residential driveway to be 30 feet in width within 5 feet of the lot line, instead of the maximum permitted 25 feet.

SITE ANALYSIS:

- The Subject Property is zoned R-2 Single Family and is within the Crescentwood I Subdivision. The property is approximately 11,085 square feet and consists of a single-family residence, with a two-car garage.
- The Petitioner is proposing to expand the existing driveway width by 9 feet, expanding from approximately 21 feet to approximately 30 feet. The proposed expansion exceeds the maximum driveway width, within five (5) feet of the lot

line by approximately five (5) feet. The Zoning Ordinance allows a maximum width of 25 feet within five (5) feet of the lot line and the proposed would be 30 feet wide.

- At its widest point, the proposed driveway is 30 feet wide. Per Code, the maximum allowable total driveway width for a 2-car garage is 30 feet, with the first 5 feet not exceeding 25 feet in width.
- Per the submitted application, the Petitioner's justification for the driveway expansion is to better accommodate vehicles of family members living at the residence, as well as visitors.
- There are other properties on N. Crescent Avenue and in the immediate neighborhood that have expanded driveways, but it appears that all of them maintain driveways, tapered down to under 25 feet, within five (5) feet of the lot line. Both the building coverage and lot coverage are within the allowable percentages per Code.

DEPARTMENTAL REVIEWS:

Community Services	Tapering the driveway to 25 feet within 5 feet of the lot line is an achievable alternative that can be done without zoning relief.
Engineering	The Fire Hydrant in the parkway, which is adjacent to the driveway apron and in front of the proposed expansion, is a concern and potential driving conflict.
Public Works	N/A

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

STAFF RECOMMENDATION:

The Petitioner is proposing to expand the existing driveway width to 30 feet. Per Code, the proposal will exceed the maximum driveway width within five (5) feet of the front lot line by approximately five (5) feet. While Staff ultimately understands what the Petitioner is trying to accomplish, with increased parking spaces, Staff does not believe that adequate justification for the Variation has been established.

Additionally, Staff identified several other properties in the immediate neighborhood that

have expanded driveways, which all appear to taper down to under 25 feet, within five (5) feet of the lot line. Therefore, Staff recommends denial of the request to the Zoning Board of Appeals. If the Zoning Board of Appeals recommends approval, Staff recommends the following conditions:

1. The Variation shall substantially conform to the site plan submitted by the Petitioner, Vijay Dara, except as such plans may be changed to conform to Village Codes and Ordinances.

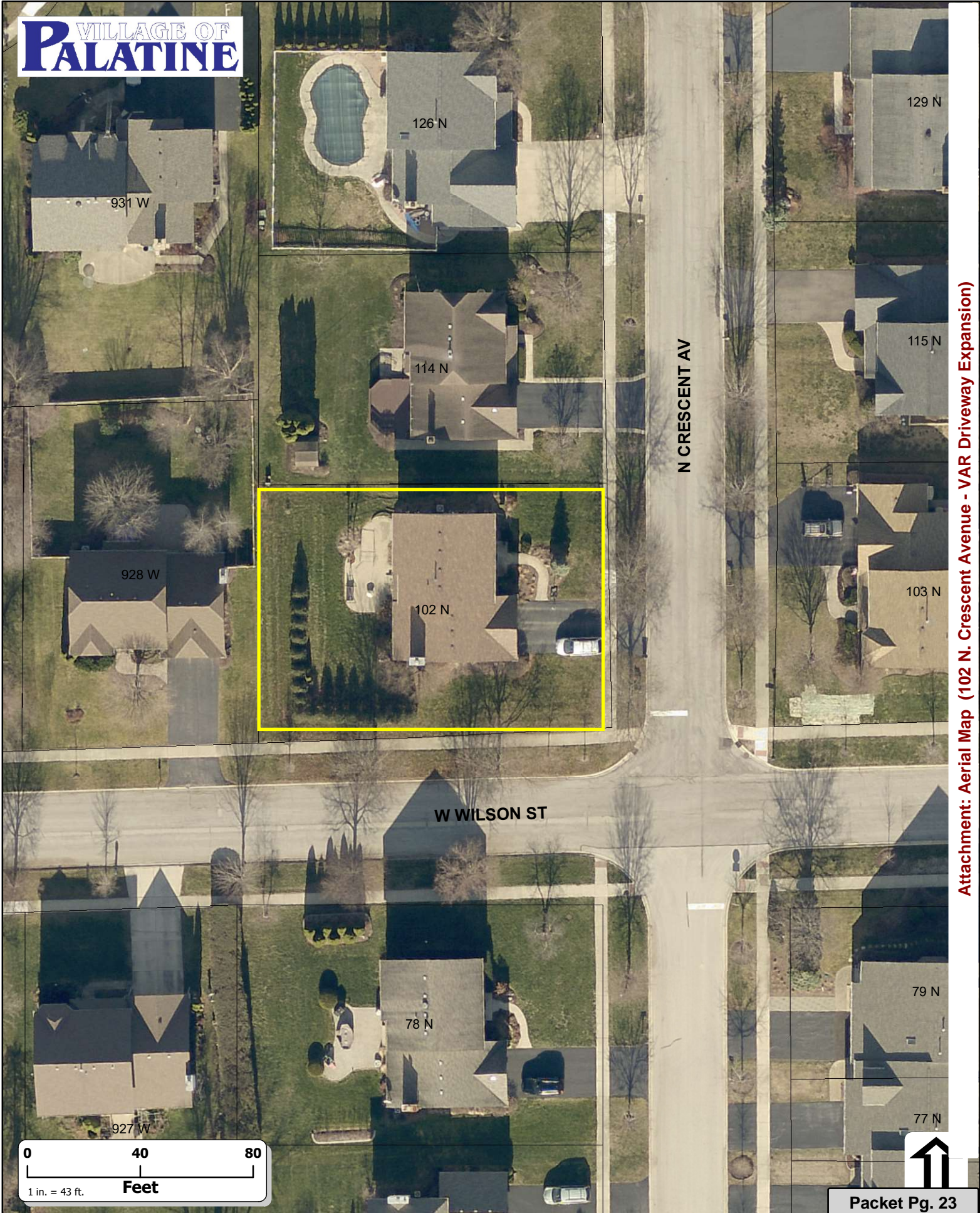
ATTACHMENTS:

- Aerial Map
- Variation Application
- Site Plan
- Plat of Survey
- Public Notice

102 N. Crescent Ave

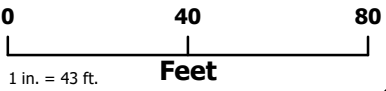
3.1.a

VILLAGE OF
PALATINE



N CRESCENT AV

W WILSON ST



Attachment: Aerial Map (102 N. Crescent Avenue - VAR Driveway Expansion)



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



Background Information	PETITIONER(S)		Business Name (if applicable)	
	VIJAY DARA			
	Subject Property Address		102 N CRESCENT AVENUE	
	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)			
	<input checked="" type="checkbox"/> Special Use <input type="checkbox"/> Special Use Amendment <input checked="" type="checkbox"/> Variation			
	Existing Zoning District	Existing Land Use	Proposed Land Use	
Generally describe your request:				
WIDEN DRIVEWAY BY 9-10 feet				
for EXISTING 2 CAR GARAGE				
DRIVEWAY				

Attachment: Variation Application (102 N. Crescent Avenue - VAR Driveway Expansion)

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

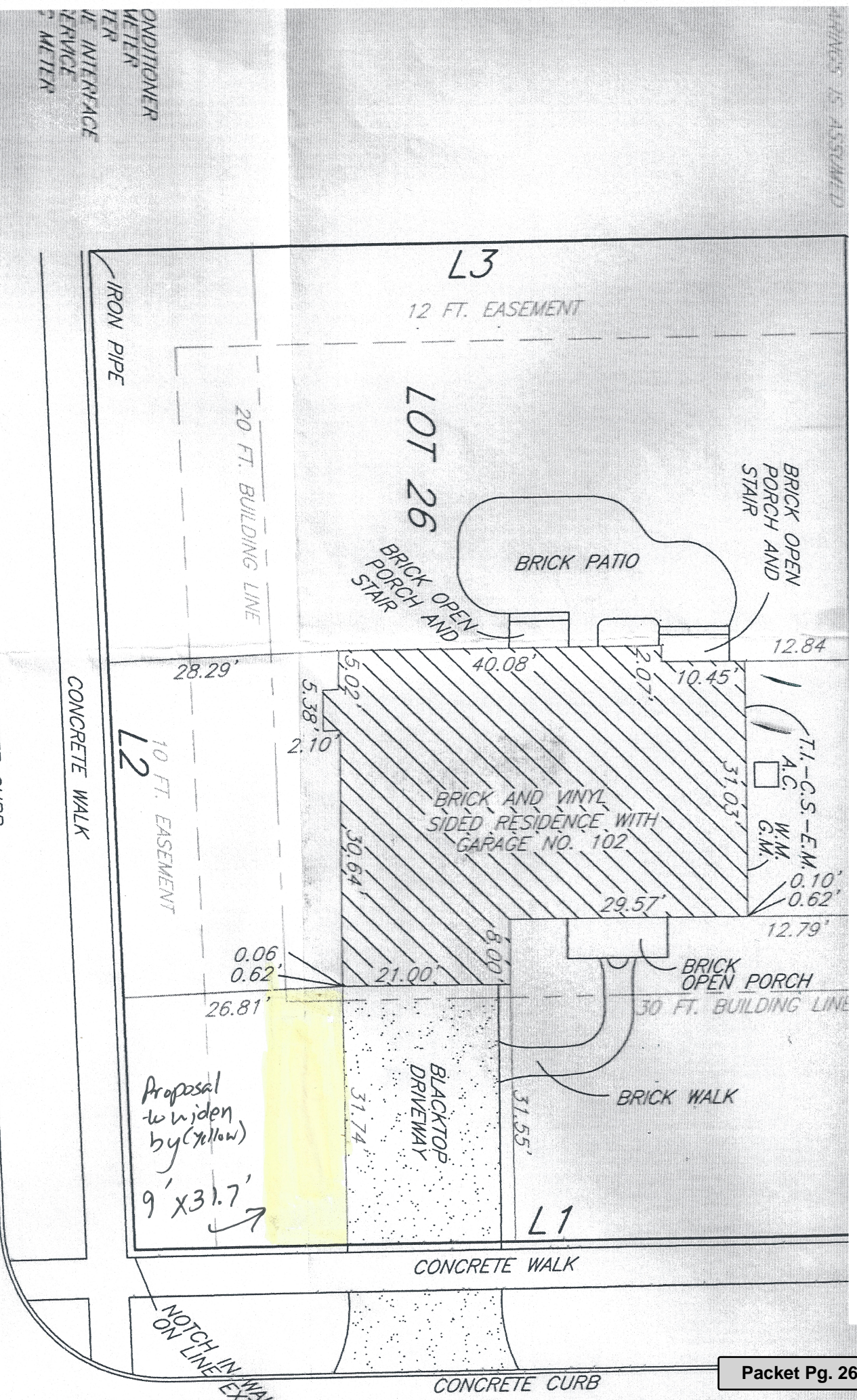
The Petitioner is required to present specific evidence related to each of the following standards to justify the request (paraphrased from Section 14.03 of the Palatine Zoning Ordinance). Answer the items below and attach a separate sheet if necessary. **If you are applying for a Special Use only, you 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 **YES**

- 2. That the plight of the owner is due to unique circumstances **YES**
WANT TO BE ABLE TO PARK 2 CARS BACK-TO-BACK & IT REQUIRES 30 FEET. ENABLE ME TO HOST VISITORS

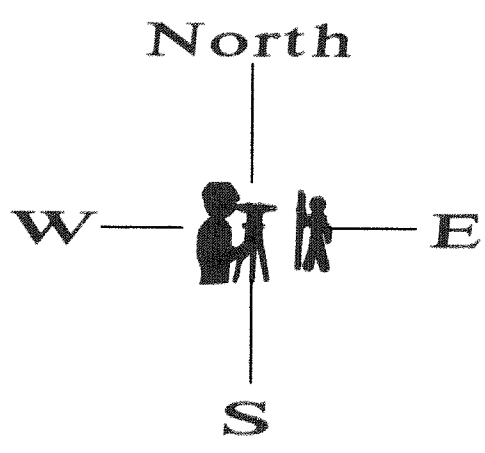
- 3. That the variation, if granted, will not alter the essential character of the locality **YES**
AND PARK 3 VEHICLES WITHOUT TROUBLE

- 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



1/8	1/2	3/4	1	1 1/8	1 1/4	1 3/8	1 1/2	1 5/8	1 3/4	1 7/8	2
0.125	0.25	0.375	0.5	0.625	0.75	0.875	1.0	1.125	1.25	1.375	1.5
1	2	3	4	5	6	7	8	9	10	11	12
13	14	15	16	17	18	19	20	21	22	23	24
25	26	27	28	29	30	31	32	33	34	35	36
37	38	39	40	41	42	43	44	45	46	47	48
49	50	51	52	53	54	55	56	57	58	59	60

LINE	TABLE	Bearing	Distance	Loc
L1	N.00°14'15" W.	88.89'	123.04'	88.89'
L2	N.88°14'16" E.	123.04'	93.97'	123.04'
L3	S.00°11'18" E.	93.97'	93.97'	93.97'

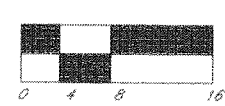


PLAT OF SURVEY

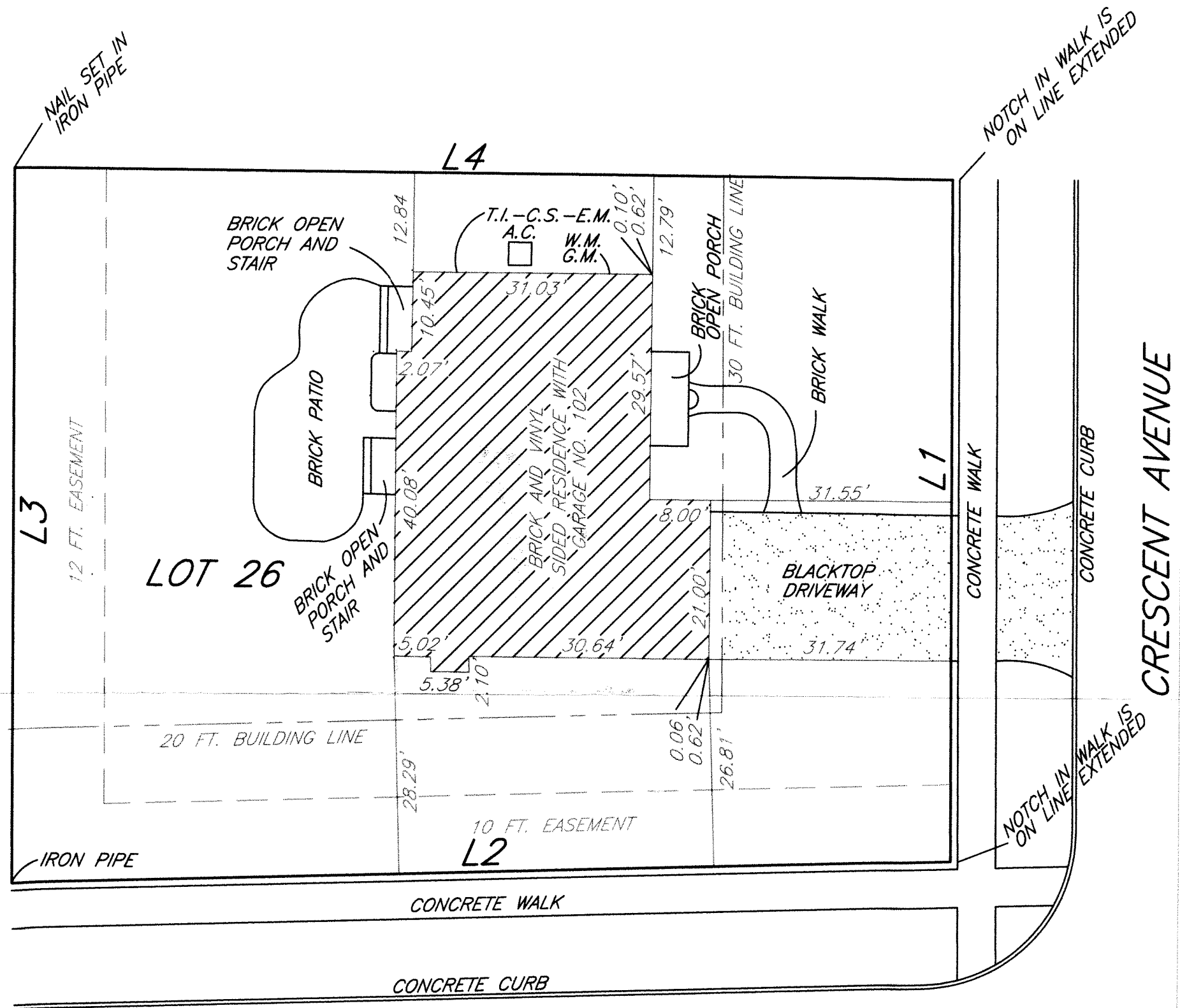
by
Michael J. Emmert Surveys, Inc.
of

Property located at: 102 CRESCENT AVENUE
Legally described as:

LOT 26 IN CRESCENT WOOD SUBDIVISION, BEING A RESUBDIVISION OF LOTS 1, 3 AND 4 IN BLOCK 7 AND LOTS 6, 7, 8 AND 10 IN BLOCK 8 IN ARTHUR T. MC INTOSH AND COMPANY'S CHICAGO AVENUE FARMS, BEING A SUBDIVISION IN THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.



1 IN. = 16 FT.
VERIFY SCALE AGAINST THIS GRAPHIC
BASIS OF BEARINGS IS ASSUMED



A.C. - AIR CONDITIONER
W.M. - WATER METER
G.M. - GAS METER
T.I. - TELEPHONE INTERFACE
C.S. - CABLE SERVICE
E.M. - ELECTRIC METER

	1/8	1/4	3/8	1/2	5/8	3/4	7/8	
0 AND	.01	.02	.03	.04	.05	.06	.07	.08 = 1 INCH
1 AND	.09	.10	.11	.125	.14	.15	.16	.17 = 2 INCHES
2 AND	.18	.19	.20	.21	.22	.23	.24	.25 = 3 INCHES
3 AND	.26	.27	.28	.29	.30	.31	.32	.33 = 4 INCHES
4 AND	.34	.35	.36	.375	.39	.40	.41	.42 = 5 INCHES
5 AND	.43	.44	.45	.46	.47	.48	.49	.50 = 6 INCHES
6 AND	.51	.52	.53	.54	.55	.56	.57	.58 = 7 INCHES
7 AND	.59	.60	.61	.625	.64	.65	.66	.67 = 8 INCHES
8 AND	.68	.69	.70	.71	.72	.73	.74	.75 = 9 INCHES
9 AND	.76	.77	.78	.79	.80	.81	.82	.83 = 10 INCHES
10 AND	.84	.85	.86	.875	.89	.90	.91	.92 = 11 INCHES
11 AND	.93	.94	.95	.96	.97	.98	.99	1.0 = 1 FOOT

WILSON STREET

LINE TABLE

Line	Bearing	Distance	Measure
L1	N.00°14'15"W.	88.89'	88.89'
L2	N.88°14'16"E.	123.04'	123.04'
L3	S.00°10'18"E.	93.27'	93.27'
L4	N.89°41'35"W.	123.00'	123.00'

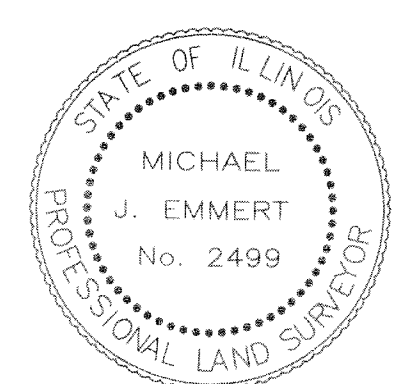
Survey ordered by: Law Offices of Schain Burney Ross and Citron

State of Illinois)
County of Du Page)

Michael J. Emmert Surveys, Inc., does hereby certify that we have surveyed the above described property and prepared the plat hereon drawn. The legal description shown hereon is provided by others. Refer to deed or title policy for building setbacks, easements or other restrictions which may exist. Dimensions not noted hereon shall not be assumed by scaling or otherwise. Compare all points before building and report any discrepancies. This professional service conforms to the current Illinois Minimum Standards for a Boundary Survey.
Date of field survey: September 18, 2009

Dated this 22nd. day of September, 2009

By: _____ President
Professional Illinois Land Surveyor No. 2499
License expires on November 30, 2010
Professional Design Firm Land Surveyor Corporation No. 184.004811



original plat is in colors
Michael J. Emmert Surveys, Inc
185 East Vallette Street
Elmhurst, Illinois 60126
Office 630-516-0383
Fax 630-516-0387

PUBLIC NOTICE
A Public Hearing will be held before the Palatine Zoning Board of Appeals on Tuesday, June 14, 2022 at 7 PM, in the Village Council Chambers at Palatine Village Hall, 200 E. Wood Street, relative to a request for the following:

Variation to permit a residential driveway to be 30 feet in width within 5 feet of the lot line, instead of the maximum permitted 25 feet.

The property is commonly known as 102 N. Crescent Avenue (02-16-416-016-0000). The Petitioner is proposing to expand the existing driveway that will exceed the maximum allowable total driveway width within five (5) feet of the lot line. The above petition has been filed by Vijay Dara and is available for examination in the office of the Village Clerk, 200 E. Wood Street, FILE #: 22-18

VILLAGE OF PALATINE
Jan Wood, Chair
Palatine Zoning Board of Appeals
DATED: This 30th day of May, 2022
Published in Daily Herald
May 30, 2022 (4583292)

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, Northlak 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 Hol 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 05/30/2022 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 *Daula Baltz*
Authorized Agent

Control # 4583292

Attachment: Public Notice (102 N. Crescent Avenue - VAR Driveway Expansion)

VILLAGE OF PALATINE
Zoning Board of Appeals

SCHEDULED 06/14/22 07:00 PM

CASE STAFF STATEMENT (ID # 7627)

587 W. Lake Cook Road - VAR Circular Driveway

TO: Palatine Zoning Board of Appeals
Jan Wood, Chair

FROM: Alex Bradshaw

PETITIONER: Jose Carranza

CASE NUMBER: 22-14

ADDRESS: 587 W. Lake Cook Road

PROPOSAL:

Variations to permit a residential driveway to be a total of 76.5 feet in width instead of the maximum permitted 30 feet, and to permit a residential driveway to be 28 feet in width, within 5 feet of the lot line, instead of the maximum permitted 25 feet.

LOCATION: 587 W. Lake Cook Road District 1 (Millar)	CURRENT ZONING: R-1 Single Family
---	--

SURROUNDING CONDITIONS:

North:	Lake County (Hampton Inn & Suites - Chicago Deer Park)
South:	R-2 Single Family
East:	R-1 Single Family
West:	P - Planned Development (Hilltop Animal Hospital)

BACKGROUND:

The Petitioner is proposing a driveway extension to construct a circular driveway, which exceeds the maximum driveway width and maximum driveway width at the lot line. Therefore, the Petitioner is requesting:

Variations to permit a residential driveway to be a total of 76.5 feet in width, instead of the maximum permitted 30 feet, and to permit a residential driveway to be 28 feet in width, within 5 feet of the lot line, instead of the maximum permitted 25 feet.

SITE ANALYSIS:

- The Subject Property was annexed into the Village in 2004 (R-12-04). The lot is zoned R-1 Single Family and is approximately 21,750 sf in size.

- At the widest point, the proposed driveway would have a total width of 79 feet. Per Code, the maximum allowable total driveway width for a 2-car garage is 30 feet.
- Additionally, the combined width of the existing and proposed driveways, measured at the lot line, will be 30 feet. The Zoning Ordinance allows a maximum width of 25 feet within five (5) feet of the lot line.
- The circular driveway would result in an additional curb cut on W. Lake Cook Road, which is under the jurisdiction of Cook County. An additional curb cut would require approval from the Cook County Highway Department. The Petitioner is aware of this and is concurrently pursuing the County permit.
- Per the submitted application, the Petitioner's justification for the circular driveway expansion is to allow for a safer access in and out of the property. Currently, to exit the driveway the Petitioner is backing out onto W. Lake Cook Road where the speed limit is 45 mph.
- The existing driveway currently consists of unimproved gravel. The Petitioner has indicated that improving/resurfacing the existing driveway is also within the scope of work for this project.
- The Petitioner's adjacent neighbor to the east (571 W. Lake Cook Road) has an existing non-conforming circular driveway, which was constructed prior to the annexation and is non-conforming.
- There is a recreational vehicle (RV) that has been historically stored on the Subject Property. The Petitioner was made aware of the code requirements for storing a RV in a residential district, and has since made accommodations to store the RV off site.
- Both the building coverage and lot coverage are within the allowable percentage per Code.

DEPARTMENTAL REVIEWS:

Community Services	No Issues Identified.
Engineering	Building permit will not be issued until the Cook County Highway Department permit is issued.
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 indicates the proposed circular driveway on the Subject Property will improve access and flow, when entering and leaving the residence. Staff agrees with the Petitioner, as a circular driveway will make access off, and on to, Lake Cook Road significantly safer. However, while Staff understands that there are other proximate properties with circular driveways, none have gone through a Variation process, as they were constructed prior to the adoption of the relevant Zoning Ordinance.

The Petitioner is aware of the recreational vehicle ordinance requirements and has secured off-site parking accommodations. Per the application materials, the driveway expansion will not be utilized for recreational vehicle storage.

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

1. The Variation shall substantially conform to the site plan submitted by the Petitioner, Jose Carranza, except as such plans may be changed to conform to the Village's Codes and Ordinances.
2. A building permit will not be issued by the Village of Palatine until a permit is issued by the Cook County Highway Department for the additional curb cut along W. Lake Cook Road.

ATTACHMENTS:

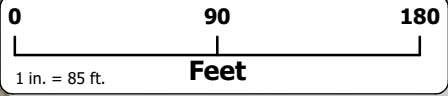
- Aerial Map
- Variation Application
- Site Plan
- Plat of Survey
- Public Notice

587 W. Lake Cook Road

3.2.a



Attachment: Aerial Map (587 W. Lake Cook Road - VAR Circular 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



Background Information	PETITIONER(S) Jose Carranza		Business Name (if applicable)	
	Subject Property Address 587 W Lake Cook Rd Palatine IL 60074			
	AUTHORIZED AGENT (if applicable)		Business Name (if applicable)	
	Address		City/State/Zip Code	
	Telephone	Fax	Email	
	Relationship to Petitioner (contractor, architect, etc.)			
	TYPE OF APPLICATION (check one) <input type="checkbox"/> Special Use <input type="checkbox"/> Special Use Amendment <input type="checkbox"/> Variation			
	Existing Zoning District	Existing Land Use	Proposed Land Use	
	Generally describe your request: Urgent need of a circular driveway on my property due to safety concerns, currently it is very dangerous to go in and out of the property especially since Lake cook road vehicles are going above 45 miles per hour. I am in disability and it affects me to drive in reverse everytime i exit the drive way, there has been many times where other cars almost hit me due to the circumstances of the driveway and lake cook road. My current neighbors already have a circular driveways in there properties and it is important and my right for me to do it in my property as well. Thank you for your consideration and time.			

Attachment: Variation Application (587 W. Lake Cook Road - VAR Circular 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
 NO

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

3. That the variation, if granted, will not alter the essential character of the locality
 NO neighbor has circle drive

4. In order to supplement the above standards, the Zoning Board of Appeals may also consider the following:

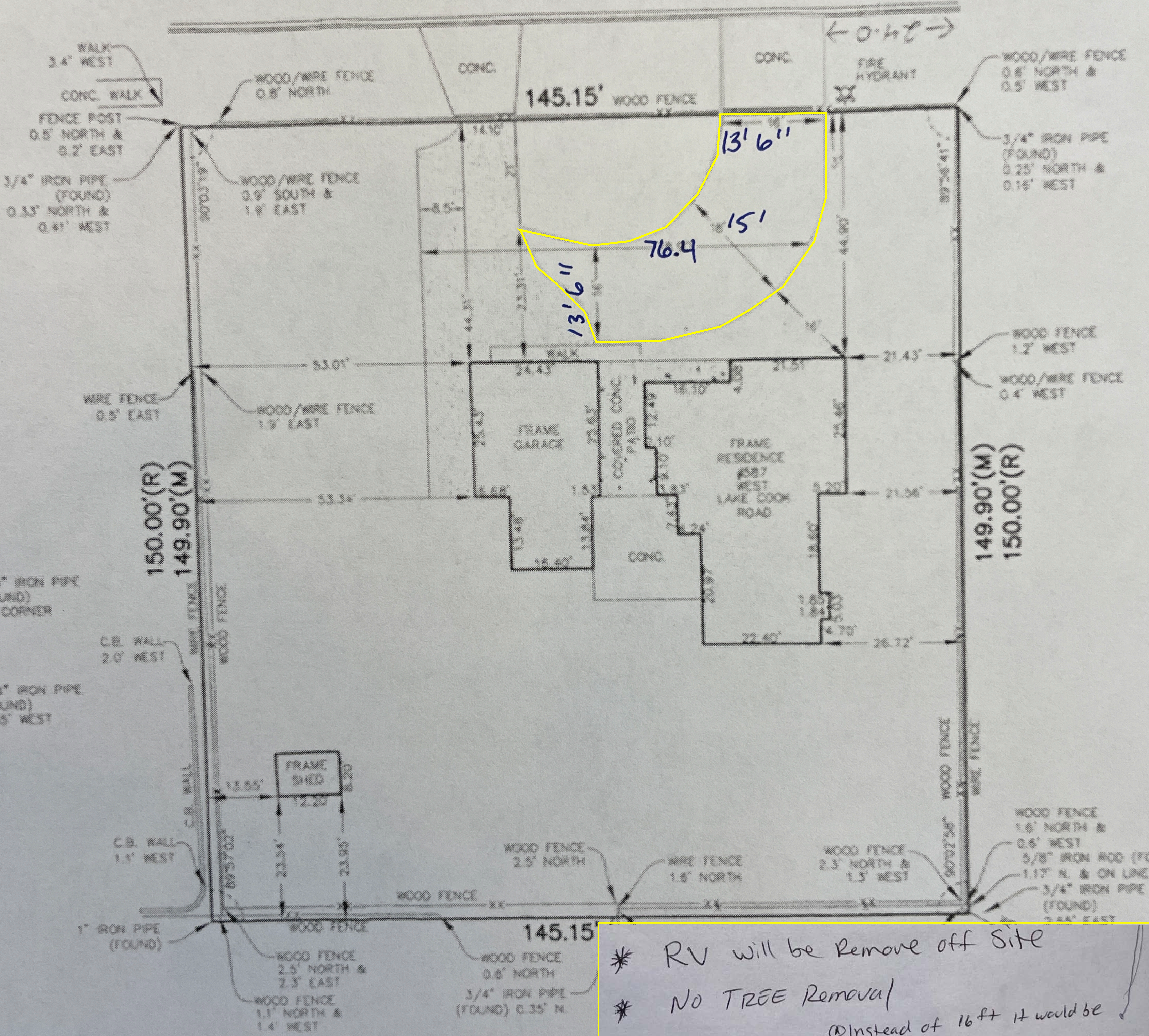
- a. The particular surroundings, shape, or topographical conditions of the property
- b. A unique hardship for the property not generally applicable to other properties in the same zoning district
- c. The request is not based on a desire to make more money out of the property
- d. The petitioner has 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/A

Attachment: Variation Application (587 W. Lake Cook Road - VAR Circular Driveway)

WEST LAKE COOK ROAD

100' ROW
BITUMINOUS PAVEMENT

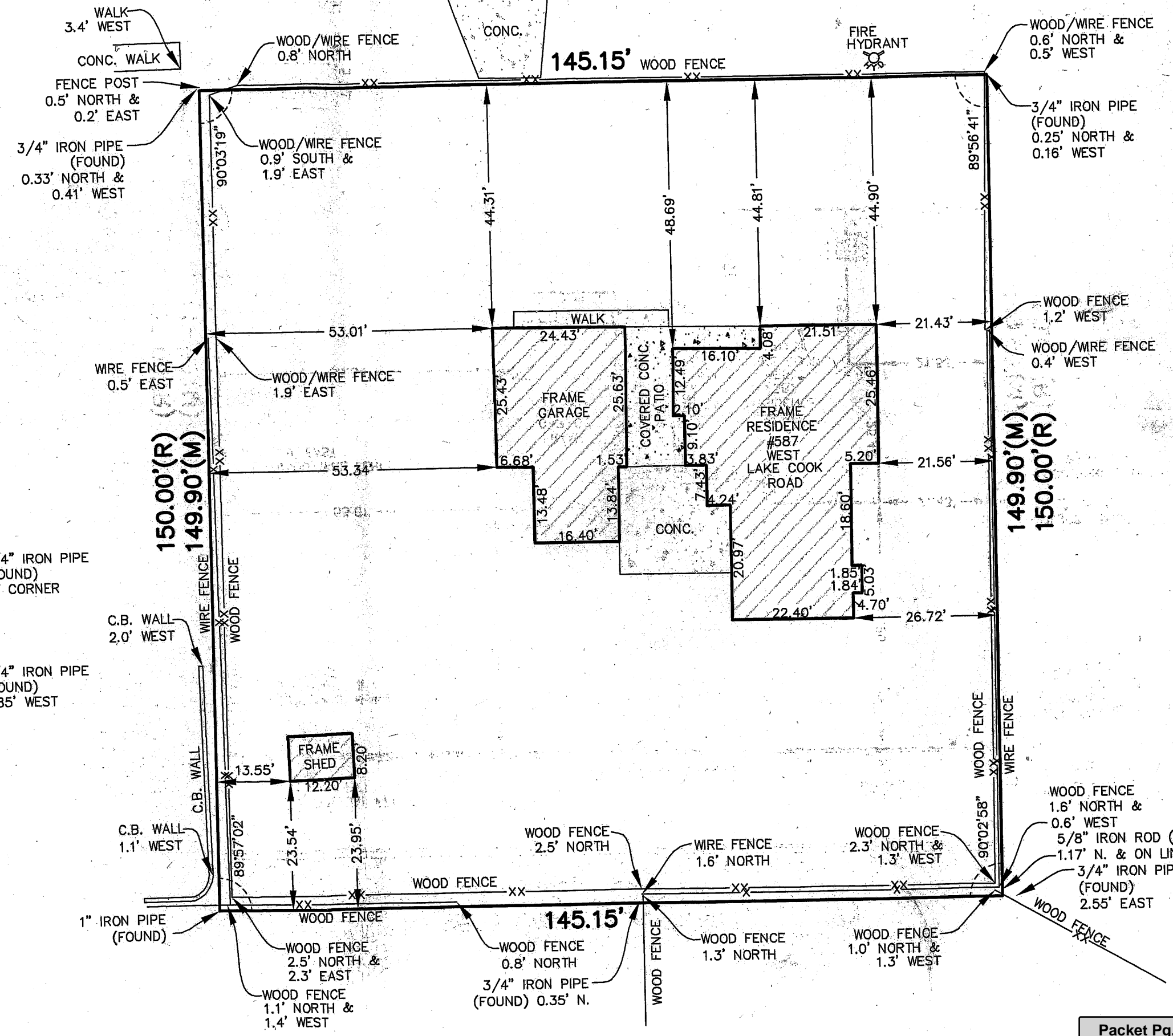


* RV will be Remove off Site
 * No TREE Removal
 * modification update
 ① Instead of 16ft it would be 13ft 6 inches
 ② Instead of 18ft it would be 15ft
 ③ Instead of 16ft it would be 13ft 6 inches

WEST LAKE COOK ROAD

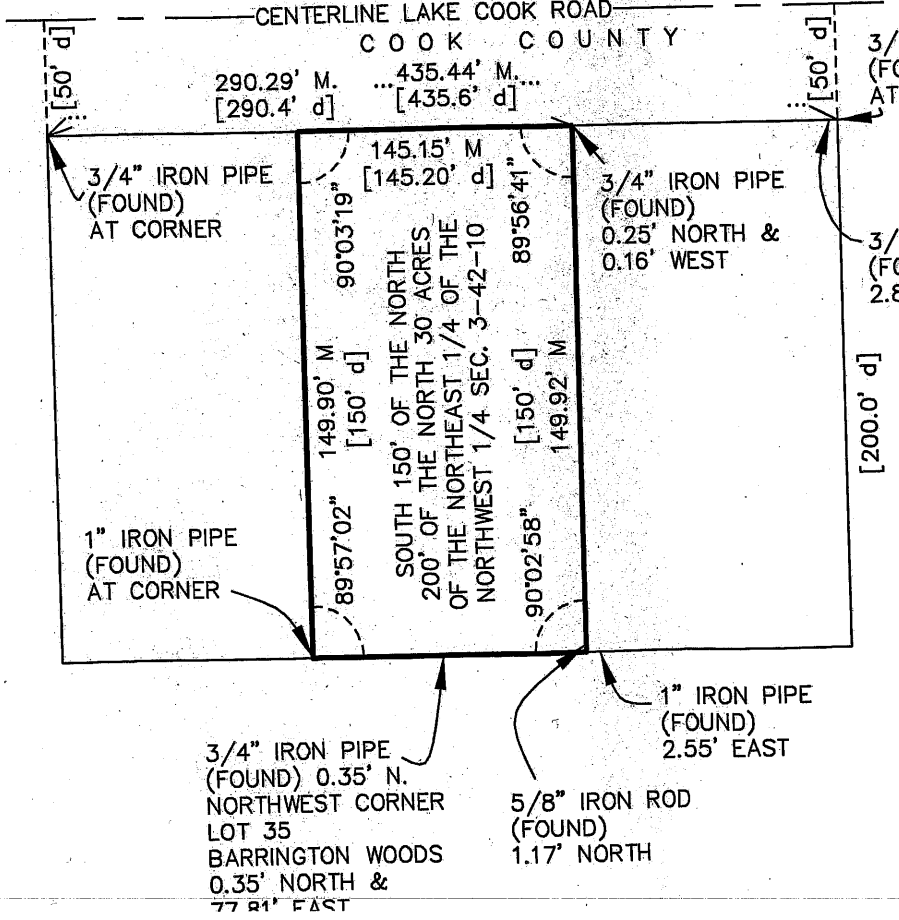
100' ROW
BITUMINOUS PAVEMENT

587 W Lake Cook Rd.



PARCEL SKETCH - N.T.S.

LAKE COUNTY
 CENTERLINE LAKE COOK ROAD
 COOK COUNTY



Attachment: Plat of Survey (587 W. Lake Cook Road - VAR Circular Driveway)

PUBLIC NOTICE
 A Public Hearing will be held before the Palatine Zoning Board of Appeals on Tuesday, June 14, 2022 at 7 PM, in the Village Council Chambers at Palatine Village Hall, 200 E. Wood Street, relative to a request for the following:
 Variations to permit a residential driveway to be a total of 74.5 feet in width, instead of the maximum permitted 30 feet, and to permit a residential driveway to be 28 feet in width, within 5 feet of the lot line, instead of the maximum permitted 25 feet.
 The property is commonly known as 587 W. Lake Cook Road (02-03-104-003-0000). The Petitioner is proposing to expand the existing driveway to create a circular drive that will exceed the maximum allowable total driveway width and the maximum width within five (5) feet of the lot line. The circular driveway would result in an additional curb cut on West Lake Cook Road. The above petition has been filed by Jose Carranza and is available for examination in the office of the Village Clerk, 200 E. Wood Street.
 FILE #: 22-14
 VILLAGE OF PALATINE
 Jan Wood, Chair
 Palatine Zoning Board of Appeals
 DATED: This 30th day of May, 2022
 Published in Daily Herald
 May 30, 2022 (4583293)

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 Hol 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 05/30/2022 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 *Laula Baltz*
 Authorized Agent

Control # 4583293

Attachment: Public Notice (587 W. Lake Cook Road - VAR Circular Driveway)

VILLAGE OF PALATINE
Zoning Board of Appeals

SCHEDULED 06/14/22 07:00 PM

CASE STAFF STATEMENT (ID # 7638)

60 W Illinois Avenue

TO: Palatine Zoning Board of Appeals
Jan Wood, Chair

FROM: Lyn Bremanis

PETITIONER: Dr. Mariann Leahy, Elite Health and Wellness

CASE NUMBER: 21-22

ADDRESS: 60 W. Illinois Avenue

PROPOSAL:
Special Use to permit a medical office (Chiropractic Office) pursuant to Section 11.03 (d) (43) of the Palatine Zoning Ordinance.

LOCATION: 60 W. Illinois Avenue District 2 (Lamerand)	CURRENT ZONING: B-2 General Business District
---	---

SURROUNDING CONDITIONS:

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

BACKGROUND:

The Petitioner is proposing to relocate a Chiropractic Office (medical use) to 60 W. Illinois Ave. Therefore, the Petitioner is requesting:

Special Use to permit a medical office (Chiropractic Office).

SITE ANALYSIS:

- The Subject Property is zoned B-2 General Business District.
- Elite Health and Wellness previously occupied this tenant space; however the office relocated to 271 E. Helen Road. They are proposing to return to the original space and have applied for a Special Use for a medical office.
- The Subject Tenant Space is approximately 2,250 square feet.
- The proposed hours of operation are:

- Monday - 8 AM to 12 PM and 2 PM to 7 PM.
- The business plan indicates the staffing for this site will be one.
- The estimated number of patients 3 per hour.
- The parking requirement does not change.

DEPARTMENTAL REVIEWS:

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

STANDARDS FOR SPECIAL USE: Since this Petition is not for a use publicly operated or traditionally affected with the public interest, those standards under Section 14.05 D (2) and (3) are applicable. Specifically, the Petitioners must show that the Special Use, if granted, 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 medical office will occupy a vacant tenant space previously occupied by the proposed tenant. The parking requirements do not change for this use and the Petitioner previously occupied the space with no issue. Therefore, Staff recommends approval of the Special Use subject to the following condition:

1. The Special Use shall substantially conform to the floor plan and the business plan submitted by the Petitioner on 5/11/22, except as such plan may be changed to conform to Village Codes and Ordinances.

ATTACHMENTS:

- Aerial Map
- Special Use Application
- Plat of Survey
- Business Plan
- Floor Plan

- Public Notice

60 W Illinois Avenue

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)		Business Name (if applicable)	
	DR. MARIANN LEAHY		Elite Health & Wellness CTRS AKA Illinois Chiropractic	
	Subject Property Address			
	60 W. Illinois Ave 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)			
<input checked="" type="checkbox"/> Special Use <input type="checkbox"/> Special Use Amendment <input type="checkbox"/> Variation				
Existing Zoning District		Existing Land Use		Proposed Land Use
B2				
Generally describe your request:				
Re open my Chiropractic practice in my previously occupied				
SPACE LOCATED @ 60 W. Illinois Ave. NOT TO INCLUDE				
ANY X-ray services as previously.				

Attachment: Special Use Application (60 W Illinois Avenue - SU Chiropractor)



SPECIAL USE

Required Materials

- Filing Fee of \$ _____
- Application Form
- Plat of Survey (must show all current improvements and be sealed by an Illinois certified surveyor)
- Site Plan & Floor plan (dimension, location, and setbacks of all existing and proposed buildings) – **one 11x17 copy each, electronic version preferred**
- Real Estate Interest Disclosure Form (see attached)
- Proof of Ownership or Lease (e.g. Title Insurance Policy, Deed, or Purchase Contract)
- Business Plan (if applicable; including, but not limited to nature of business, hours of operation, number of employees, and menu)

Additional Materials (as required by the Village)

- Elevation Plan (front, side, and rear elevations of a proposed building), and/or Floor Plan (proposed interior layout) – **one 11x17 copy of each plan, electronic versions preferred**
- Engineering Plans (must indicate existing conditions, topography, storm water management, tree preservation, utility connections, detention calculations, and a cost estimate)
- Photographs (e.g. ground-level or aerials)
- Other materials as deemed necessary by the Village

Petitioner Justification

The Petitioner is required to present specific evidence related to each of the following standards to justify the request (paraphrased from Section 14.05 of the Palatine Zoning Ordinance). Answer the items below and attach a separate sheet if necessary. **If you are applying for a Variation only, you do not need to answer these items.**

1. The use is deemed necessary for the public convenience at that location
Previously occupied space to provide Chiropractic CARE to the palatine Community

2. The use is designed, located, and proposed to be operated that the public health, safety and welfare will be protected
Previously used space to treat patients that operated in that of public Health Safety + welfare was protected

3. The use will not cause substantial injury to nearby property values
The use will hopefully increase property values as the space has been vacant ~~and~~ since 1 year in 2013.

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

N/A

Attachment: Special Use Application (60 W Illinois Avenue - SU Chiropractor)

Trust Agreement, dated August 16, 1990 and known as Trust Number 9761

IT IS AGREED: PARKWAY BANK AND TRUST COMPANY, an Illinois Banking Corporation, as Trustee hereunder, is about to take legal and equitable title to the following described real estate in COOK County, Illinois:

Lot 5 In Block 6 In Arthur T. McIntosh and Company's Palatine Estate Unit No. 1 of the South East 1/4 of the South East 1/4 of Section 22 and the South West 1/4 of the South West 1/4 of Section 23, Township 42 North, Range 10 East of the Third Principal Meridian, in Cook County, Illinois. PIN: 02-22-410-011

Lot 6 In Block 6 in McIntosh and Company's Palatine Estates, Unit No. 1, of the South East 1/4 of the South East 1/4 of Section 22, and the South West 1/4 of the South West 1/4 of Section 23, Township 42 North, Range 10, East of the Third Principal Meridian, in Cook County, Illinois. - PIN: 02-22-410-012

44-60 Illinois Avenue, Palatine, Ill.

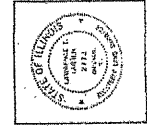
otherwise known as and that when it has taken the title interests in any other real estate devised to it as Trustee hereunder which it has accepted in writing, it will hold it for the use and purposes set forth in the trust agreement. All other real estate devised to the Trustee shall not be subject to this agreement. The Trustee shall be entitled to the earnings, avails and proceeds of said real estate according to the respective interests therein set forth in the trust agreement.

LEGAL DESCRIPTION

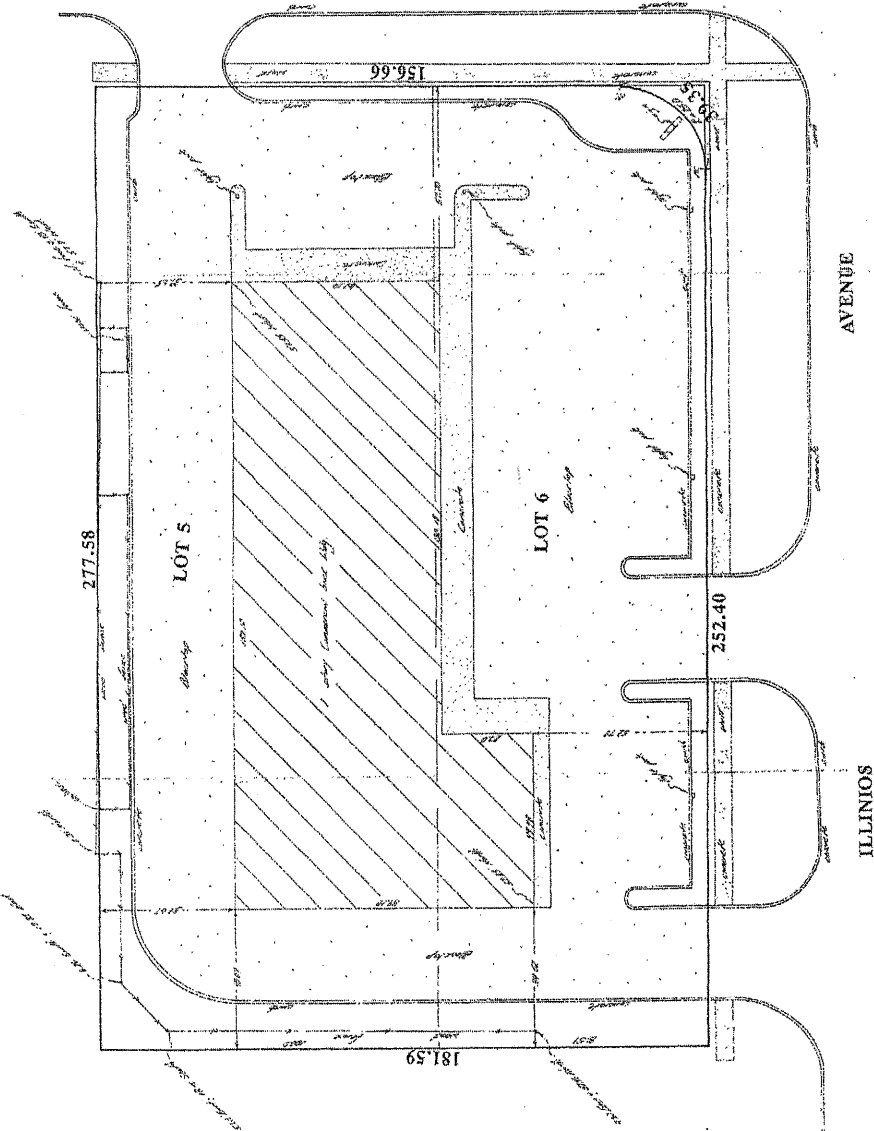
THIS IS ONE OF SEVERAL COPIES OF THIS INSTRUMENT AND COMPANY'S RECORDING OFFICE WILL RECORD THE INSTRUMENT IN WHATEVER ORDER OF RECEIPT AND THE ORDER OF RECORDING OF THIS INSTRUMENT IS NOT TO BE CONSIDERED AS A BASIS FOR THE ORDER OF RECORDING OF THIS INSTRUMENT.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of Parkway Bank and Trust Company, an Illinois Banking Corporation, at Chicago, Illinois, this 16th day of August, 1990.

Signature of Trustee
Signature of Grantor



PLUM GROVE ROAD



Attachment: Plat of Survey (60 W Illinois Avenue - SU Chiropractor)

Elite Health & Wellness Centers

271 E. Helen Road, Palatine, Illinois 60067
Phone: 847-221-2225 • Fax: 847-358-3544

5/13/2022

Village of Palatine
Department of Planning & Zoning
200 E Wood St
Palatine, IL. 60067

To Whom It May Concern

I am asking the department to consider a special use permit/zoning for the property located at 60 W. Illinois Ave., Palatine, IL., currently zoned B2, in which I previously occupied as a Chiropractic facility. As previously, I had no issues with the tenants, nor surrounding residents nor businesses at this location.

This would be a relocation from my office at 271 E. Helen Rd., Palatine, IL. 60067

My business plan is like previous with the exception that I have eliminated the use of Xray equipment. Average patients visit is 3 per hour, average appointment time 15 minutes and staffing of 1 during that time frame.

Hours of operation will be Monday-Friday 8am -12p and 2pm-7pm.

Your consideration in this matter is greatly appreciated.

Sincerely,


Dr. Mariann Leahy

Attachment: Business Plan (60 W Illinois Avenue - SU Chiropractor)

24'

DOOR

Reception Area

Desk

Therapy

Therapy

Therapy

Therapy

EXAM ROOM

File Room

STORAGE

Bathroom
Handicap
Accessible

Hallway
Handicap Accessible

Adjusting # 1

Adjusting # 2

Adjusting # 3

Office # 1

Office # 2

Break Room

EXIT

60 W Illinois Ave
Palatine IL

PUBLIC NOTICE

A Public Hearing will be held before the Palatine Zoning Board of Appeals on Tuesday, June 14, 2022 at 7 PM, in the Village Council Chambers at Palatine Village Hall, 200 E. Wood Street, relative to a request for the following:

Special Use to permit a medical office (Chiropractor Office)

The property is commonly known as 60 W. Illinois Avenue (02-22-410-011-0000) (02-22-410-012-0000).

The Petitioner is proposing to relocate an existing chiropractor office, Elite Health & Wellness Center to the subject property.

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

FILE #: 22-22
VILLAGE OF PALATINE
Jan Wood, Chair
Palatine Zoning Board of Appeals

DATED: This 30th day of May, 2022
Published in Daily Herald
May 30, 2022 (4583291)

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 Ho 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 05/30/2022 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 *Paula Baltz*
Authorized Agent

Control # 4583291

Attachment: Public Notice (60 W Illinois Avenue - SU Chiropractor)