



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 • MAY 8, 2018

Village Hall - Council Chambers

Regular Meeting

7:00 PM

I. CALL TO ORDER

II. APPROVAL OF MINUTES

1. Zoning Board of Appeals - Regular Meeting - Apr 24, 2018 7:00 PM

III. PUBLIC HEARING

1. 630 S Stegen Street

Special Use to permit a residential addition to be located 26 feet from the front lot line instead of the minimum required 30 feet pursuant to Section 10.04 (c)(13) of the Palatine Zoning Ordinance.

2. 1007 W Willow Road

Special Use to permit an addition to be setback 36 feet from the rear lot line instead of the required 40 feet pursuant to Section 10.06 (c)(13) of the Palatine Zoning Ordinance.

3. 2017 N Rand Road

Special Use to permit used auto sales pursuant to Section 11.06 (e) (6) of the Palatine Code of Ordinances.

IV. COMMUNICATIONS

V. ADJOURNMENT



VILLAGE OF PALATINE

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ZONING BOARD OF APPEALS

MINUTES • APRIL 24, 2018

Village Hall - Council Chambers

Regular Meeting

7:00 PM

I. CALL TO ORDER

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

Staff present: Ms. Lyn Bremanis

II. APPROVAL OF MINUTES

1. Zoning Board of Appeals - Regular Meeting - Apr 10, 2018 7:00 PM - **Accepted**

Ms. Roth-Wurster made a motion to approve the minutes of April 10, 2018; seconded by Mr. Luszcak.

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

Minutes Acceptance: Minutes of Apr 24, 2018 7:00 PM (Approval of Minutes)

III. PUBLIC HEARING

1. 553 E. Dundee Road - **Recommended to Approve**

Sworn in staff: Ms. Lyn Bremanis

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

Petitioner's Exhibits:

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

Ms. Bremanis gave the background of the request explaining the petitioners are proposing to open recreational activity use under the franchise "We Rock the Spectrum". Therefore, they are requesting:

- **Special Use to permit an indoor sports and recreation facility**

SITE ANALYSIS:

- The Subject Property is zoned P Planned Development. Per Ordinance O-33-98 uses must follow the B-2 use list.
- The business proposal is a part of the franchise <https://www.werockthespectrumkidsgym.com/>
- The proposed location is approximately 3,400 square feet of tenant space.
- There will be minimum of 2 employees up to a maximum 5 employees/volunteers on site at any time.
- There is an anticipated 22 children per day, with an anticipation of 3 children per hour. Per the business plan, 15 children is maximum allowed for parties.
- The proposed hours of operation are 10 AM - 7 PM, Monday through Friday, 9 AM - 6 PM Saturday and Sundays.
- The proposed use follows the assembly use parking requirements, which requires 30% of the maximum occupancy load or 15 parking spaces. The shopping center has 518 spaces. The center is 124 spaces over parked.

Establishment	Parking Requirement	Square Footage	Total Required Spaces
Jewel		71,000	237
Proposed Gym	30% of Occupancy	3,400	15
Subway	1 per 2.5 Seats	1,400	15
Remaining Retail 509 - 569	1/300	18,200	61
Thai House	1 per 2.5 Seats	1,600	17
Remaining Retail 575 - 581	1/300	9,400	31
		Total required parking	376
Total Parking Required			500 parking spaces total (124 parking spaces over)

DEPARTMENTAL REVIEWS:

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

STANDARDS FOR SPECIAL USE: Since this Petition is not for a use publicly operated or traditionally affected with the public interest, those standards under Section 14.05 D (2) and (3) are applicable. Specifically, the Petitioners must show that the Special Use, if granted, will be operated in a manner consistent with the public health, safety, and welfare, and that the Special Use will not have a negative impact on the value of surrounding properties. The Petition for a Special Use is attached, and the Petitioners have attempted to address the required standards.

Sworn in petitioner: Ms. Mary Alice & Hugh Gilgunn 428 S Dale Ave Arlington Heights, IL

Ms. Gilgunn excited to bring the business to Palatine. She stated she is a speech pathologists working in the school system for 13 years including at Kirk

School in Palatine. She stated the franchise came to them through colleagues. Ms. Gilgunn gave a brief background on company that started in California spreading throughout the United States and is now in five different countries. She stated this will be the first in the Chicagoland area. She further explained it will be a sensory gym for not only children on the Autism spectrum but also for neuro-typical children as well giving them an opportunity to play together. She pointed out some of the popular play places are too sensory stimulating for children on the autism spectrum. Ms. Gilgunn explained the mother who created wanted her child to have a safe place to go and play but also have the ability to have their families and friends to come play with them. She spoke to the programs being offered including parties, classes, and mommy and me groups. Ms. Gilgunn stated she hopes to be able to provide speech and OTP therapy eventually but right now the focus is on providing a safe place for children to come and not be overwhelmed.

Mr. Pirog asked if the staffing is enough to keep safety standards.

Ms. Gilgunn explained it is not a drop off gym so parents will be present to supervise. She further explained her staff will be trained to help the parents with the equipment pointing out most of the parents coming in are there to help facilitate their children's language and ability to just be in a gym environment.

Ms. Roth-Wurster asked if they will add more staff to monitor bigger crowds

Ms. Gilgunn explained they will close the gym when it reaches capacity and encourage parents to check back later in the day for availability.

Ms. Roth-Wurster asked if there is any Illinois law for this kind of facility

Ms. Gilgunn explained they will require a waiver.

Jan stated she can address quickly but this doesn't need to be addressed at this point.

Ms. Roth-Wurster asked if there required number of children per employees

Ms. Gilgunn stated no but explained their plan is to have a maximum of 4 children to 1 employee.

Ms. Wood asked if down the line they will offer therapy.

Ms. Gilgunn explained as of now they don't have plans but therapist have reached out to rent out space or use space to do their physical/occupational therapy.

Ms. Wood have you discussed this with staff.

Ms. Bremanis explained if they decide to go down that path they will need to amend their special use to include.

Ms. Wood asked if any other questions for Petitioner. There were no further questions for the Petitioner.

STAFF RECOMMENDATION

The proposed business is occupying a vacant space in the Northwest Shopping Center. This use is compatible with the other retail, service, and restaurant uses that presently occupy the shopping center. The proposed use should not alter the essential character of the locality. Therefore, Staff recommends approval of the Special Use, subject to the following conditions:

1. The Special Use shall substantially conform to the floor plan and business plan prepared by the petitioner dated 02/27/2018, except such plans may be changed to conform to Village Codes and Ordinances.

Ms. Wood asked if there were any questions on Staff's recommendation. 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 a great idea and has no issues that would affect the special use approval. He pointed out it will be great for the community especially with Kirk School here.

Ms. Roth-Wurster agreed with Mr. Cavanaugh and stated it meets the standards

Ms. Wood stated there is a lot of information in the packet and it looks like a well-run, professional organization. She stated it will not have a negative impact but rather a positive business that is well needed in the community.

Ms. Wood summarized that this request has met the standards and was approved unanimously by a vote of 7-0. This item will tentatively go to Village Council on May 7, 2018.

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

2. 773 N. Quentin Road - **Recommended to Approve**

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

Petitioner's Exhibits:

1. Application for Variations
2. Plat of Survey
3. Site Plan
4. Attached Sign Elevations
5. Freestanding Sign Elevation
6. Owner Sign off
7. Public Notice

Ms. Bremanis gave the background of the request explaining the Petitioner is seeking relief to maintain 3 additional attached signs and a freestanding sign. Therefore, the Petitioner is requesting:

1. Variation to allow 4 attached signs, instead of the allowed 1 attached sign per frontage
2. Variation to allow gross surface area of attached signs to be 44 square feet, instead of the allowed 40 square feet per frontage
3. Variation to allow a third freestanding sign, instead of the allowed one attached sign per frontage

SITE ANALYSIS:

- The Subject Property is zoned B-1, Shopping Center and the tenant space is 1,500 square feet in Quentin Plaza shopping center (southeast corner of Quentin Road and Northwest Highway).
- The Subject restaurant currently occupies the tenant space and is operating with a catering/food demonstration class and restaurant use, with limited business hours.
- The Code allows one permitted attached sign, per frontage, for this location. The main attached sign is approximately 25 square feet, only one attached sign (maximum 40 square feet) is permitted by code. As part of the renovation and build out of the tenant space, the Petitioner included 3 additional attached signs, with a total square footage over 40 square feet and is seeking relief to maintain the signs.

Attached Signage	Size (sq. ft.)
Existing Sign	25
Exhibit A1 (1) BBQ Sign	1.36
Exhibit A1 (2) Hanging Sign	7
Exhibit A2 (3) Menu Board	8
Total	41.36

- In the B-1 District, a corner lot under two acres may only have 1 freestanding sign. This location currently has 2 signs and is existing non-conforming. The Petitioner added an additional freestanding sign at the Quentin Road entrance at approximately 32 square feet (48" X 120"), which also requires a variation.

DEPARTMENTAL REVIEWS:

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

STANDARDS FOR 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.

Ms. Wood clarified what signs the request is for.

Ms. Bremanis referred to elevation slides to show location of signs

Mr. Pirog asked if any other business owners have contacted staff

Ms. Bremanis answered no

Sworn in Ms. Kristina Gaardbo and Mr. Greg Gaardbo 773 N Quentin Palatine, IL

Ms. Gaardbo explained their business cannot be seen in the corner especially with 7eleven- difficult intersection because you can only access from one direction- freestanding sign at road has drawn attention- no room on marquee- store front signage adds character- no harm- destination spot- understands

standards- doesn't hurt and landlord is okay- didn't know the correct route to put up- more than happy to follow the rules to do the right way

McGinn asked if there has been any concern with the neighboring tenants

Ms. Gaardbo answered no

Mr. Gaardbo stated they are the anchor tenant that brings value to the strip mall and are only open 3 hours on Saturday and Sunday.

Ms. Wood asked if approved would they be looking for the same sign or can it be smaller.

Mr. Gaardbo stated he has hundreds of pictures of unauthorized signs around the Village. He pointed out a truck with a larger sign can be parked in one of the spots that line the road and wouldn't need a variation but he thinks this looks more professional. He spoke to other businesses that have signage trucks.

Mr. Cavanaugh asked if the sign would stay there at all times.

Mr. Gaardbo answered yes

Ms. Gaardbo explained they are looking for it to be a permanent fixture with posts

Mr. Luszczyk asked if it will be in the same spot

Ms. Gaardbo stated it can change a little if needed.

Ms. Bremanis stated if approved they will need to get a building permit and through that process the location will be evaluated and may suggest moving to give a clear line of site.

Ms. Wood referred to the freestanding sign elevation slide and asked why they can't be on the marquee where it says for lease.

Ms. Bremanis stated that may be for a specific vacant tenant space

Ms. Gaardbo explained the marquee in question is for the building adjacent. She stated her business has no visibility being tucked away in corner and they are willing to work with the zoning permit department on location. Ms. Gaardbo explained the sign would help draw customers in.

Ms. Roth-Wurster asked if they are on the other marquee on Northwest Hwy

Mr. Gaardbo stated no it's full

Mr. Pirog asked if a lot of people pull in on their off days thinking there is a restaurant there.

Mr. Gaardbo stated most people know their hours by now.

Ms. Wood asked staff if there are other cases where the marquee is full and tenants come in looking for signage.

Ms. Bremanis not that she knows of

Discussion on BMO sign on Northwest Highway and the reason being for visibility

Ms. Roth-Wurster asked about temporary signs and the limitability

Ms. Bremanis explained the rules and restrictions on temporary signs per Palatine code.

Ms. Wood clarified the request is for the same type of sign on posts.
Mr. Cavanaugh clarified it would be the same sign just permanent

Sworn in Mr. Edward Richter 769 N Virn Allen Ct. Palatine, IL

Mr. Richter stated he doesn't know why they can't work with the owner to change the marquee sign. He stated if we allow people to add more signage Palatine will look like sham because if you allow it here others will want it too. He pointed out the marquee is shared by both buildings.

Mr. Dittrich asked Mr. Richter if he can see the freestanding sign from his property
Mr. Richter answered no

Mr. Dittrich clarified that he can't see the wooded sign from his property.
Mr. Richter answered no

Sworn in Ms. Eleanor Balog 780 N Virn Allen Ct. Palatine, IL

Ms. Balog asked about the business plan modification that allows the outdoor seating events.

Ms. Wood explained this request went to council

Ms. Bremanis explained all special events need to go to council for approval and in this case instead of going to council individually for each event council approved 12 events for the whole year. She further explained in doing so they were able to put conditions on the events they would have not been able to otherwise such as hour limitation. She stated if there are issues with the events they will address with the petitioner.

Ms. Balog clarified that if there are issues it will be reevaluated by staff. She asked if there will be music at the events.

Ms. Bremanis stated there will be no live bands but explained tonight's discussion is for signs and all other concerns can be addressed with staff after the meeting.

Ms. Balog explained her concern is with 40 cars being parked there and the noise associated with the events. She stated she lives with mother who goes to bed at 8:00pm and is concerned with the noise level and traffic.

Mr. Gaardbo stated they are quiet people who have always been respectful of the neighbors. He pointed out there is no garbage anywhere on his property including cigarette butts or paper and are meticulous about keeping clean. They are always respectful and are currently only open till 2. The outdoor events are geared for people enjoying food. They want people to be respected in community.

Sworn in Mr. Leo Casarez 713 Mart Ct Palatine, IL

Mr. Casarez explained his concern is with the loudness of the eating and drinking. He stated they had an eating event last year that was loud where he had to close their windows. He stated he lives very close to restaurant and is concerned the noise will continue. He stated Tim Millar came to his home to review the request and stated no neighbors received notice about the council meeting so they were unable to attend to express their concerns. He further explained it was approved without our knowledge. Mr. Casarez stated they had a bad experience before with the billiard room where the Zumba is now and used their parking lot for gathering and drinking. He stated last year's event was loud and went to the petitioners and asked if this would be ongoing and they said no just promotional. He stated he has not had any issues since but is concerned these approved events will be as loud as last year.

Ms. Wood thanked Mr. Casarez for the input and explained his concerns will be passed on to council and staff will address his concerns. She restated tonight's meeting is for signage.

Sworn in Mr. Jim Pilafas 716 Mark Ct Palatine, IL

Mr. Pilafas asked if it is typical to notify surrounding areas when there is a change of zoning.

Ms. Bremanis explained there was not a change of zoning and would be happy to talk to Mr. Pilafas after the meeting to further discuss.

Ms. Wood restated it was an application to permit the outdoor events

Ms. Wood asked if any other questions for Petitioner. There were no further questions for the Petitioner.

STAFF RECOMMENDATION

The Petitioner is requesting relief for 3 additional attached signs. Variations are required for the number of attached signs. While the additional signs do exceed the maximum square footage allowed it is only 2 square feet over the allowed 40 square feet. If the Petitioner was requesting 3 additional attached signs at the maximum square footage of 120 square feet (3 x 40 square feet), Staff would not likely support such relief. The signs will not alter the essential character of the locality.

The property has 2 freestanding signs the Petitioner has indicated that there is not any additional space left for this business. The business is in a unique position, as the storefront is not visible from either Quentin Road or Northwest Highway and there is not tenant space capacity on the existing freestanding signage.

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

1. The Variations shall substantially conform to the elevations submitted by Petitioner, Kristina Gaardbo on 09/14/2017 and site plan submitted by the

Petitioner Kristina Gaardbo on 4/13/18 except as such plans may be changed to conform to Village Codes and Ordinances.

2. The freestanding standing sign shall be installed in accordance to Village Codes and Ordinances.

Mr. Pirog asked about request is for the signs size being 44 ft. but in staff recommendation it is less than 42 sq. ft.

Ms. Bremanis explained it was determined upon re-review the sign was smaller.

Mr. Luszczyk asked if the townhomes were built before the strip mall

Ms. Bremanis answered she believed so.

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

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

DELIBERATIONS:

Mr. Dittrich stated the plight of owner meets the standard for unique circumstance being that the location is not visible from either street and having high medians. He stated he thinks it is appropriate to have the sign to bring traffic in. Mr. Dittrich pointed out the signs are already up and look good and fit the décor. He stated the concerns presented were mostly with the events not with the signage. He stated the request meets standards.

Mr. McGinn stated the business being tucked away meets the standard on uniqueness and won't cause pressure to approve other requests.

Ms. Roth-Wurster stated staff has said they will review the location. She stated the signage will help locate the business giving them reasonable return.

Mr. McGinn stated 5 years ago the strip mall mostly empty.

Ms. Wood agreed. She stated she has been there and the food is good and the vibe is good. She pointed out the owners have been active with the community and she would like for them to continue to be successful. She stated she has no problems with the attached sign and stated it adds to the vibe. Ms. Wood stated she has always looked at freestanding sign requests relative to the square footage. She pointed out everyone wants more signage but then there would be signs everywhere and for that reason we can't just approve. She stated this property is unique though and can easily pass by it without the sign.

Ms. Roth-Wurster spoke to the limitation on temporary signs and stated they need the sign to continue to draw people to the business. She stated looking at the unique circumstance on their own merit this one meets the standards.

Mr. Pirog disagreed stating it doesn't meet the standards at all. He stated they

chose the location and that removes uniqueness. He stated it will change the character. He stated it is a dangerous intersection and now people will pull in and think there is a restaurant and find out they are not open. Mr. Pirog stated he is okay with the storefront signs but the freestanding sign request doesn't meet the standards.

Mr. Cavanaugh pointed out they will still need to go through the building permit process after they are approved so staff can change the actual sign size and location as deemed necessary. He stated approval is to have a sign based on their plight. He disagreed with Mr. Pirog stating yes they knew what they were getting into but it is still unique. Mr. Cavanaugh stated he has heard about this place but had no idea where it was because it is tucked away. He stated it would be nice to see the sign from the road to know where it is.

Discussion on reasonable return.

Ms. Wood summarized that this request has met the standards and was approved by a vote of 5-2. This item will tentatively go to Village Council on May 14, 2018.

RESULT:	RECOMMENDED TO APPROVE [5 TO 2]
MOVER:	James Dittrich, Commissioner
SECONDER:	Kevin Cavanaugh, Commissioner
AYES:	Roth-Wurster, Luszczak, McGinn, Cavanaugh, Dittrich
NAYS:	Wood, Pirog
ABSENT:	Larson

3. 2161 N. Rand Road - **Recommended to Approve**

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

Petitioner's Exhibits:

1. Application for Variations
2. Plat of Survey
3. Site Plan
4. Attached Sign Elevations
5. Freestanding Sign Elevation
6. Owner Sign off
7. Public Notice

Ms. Bremanis gave the background of the request explaining The Petitioner would like to operate a used auto sales facility at this location. Therefore, the Petitioner is requesting:

- **Special Use to permit used auto sales facility**

SITE ANALYSIS:

- The subject property is zoned B-5 Highway Business District and contains an existing single-story building and detached garage. The lot size is approximately 13,000 square feet.
- The subject property was approved a Special Use for used auto sales facility in March 2017, but never opened. Per the previously approved Special Use (#O-15-17), there were several conditions of approval (cash-in-lieu of sidewalk installation, additional landscaping, and the paving and striping of non-conforming gravel areas and parking spaces) shall also apply to this Special Use request.
- The proposed hours of operation are Monday through Friday from 9:00 AM to 7:00 PM, Saturday from 9:00 AM to 5:00 PM, and closed on Sunday.
- There will be 2 full-time employees.
- The building will serve as mostly office space and the detached garage will be used for storage. There will no repairs on-site. The vehicles will be repaired and refurbished at nearby repair facilities.
- The site plan and business plan indicate there will be approximately 30 parking spaces for cars for sale, 5 parking spaces for customers, and 22 additional parking spaces. Per code, 4 parking spaces are required (1 space per 300 square feet).

DEPARTMENTAL REVIEWS:

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

STANDARDS FOR SPECIAL USE: Since this Petition is not for a use publicly operated or traditionally affected with the public interest, those standards under Section 14.05 D (2) and (3) are applicable. Specifically, the Petitioners must show that the Special Use, if granted, will be operated in a manner consistent with the public health, safety, and welfare, and that the Special Use will not have a negative impact on the value of surrounding properties. The Petition for a Special Use is attached, and the Petitioners have attempted to address the required standards.

Ms. Wood asked if this request is different from the previous used car sales request that was approved for this location.

Ms. Bremanis answered she did not compare.

Sworn in petitioner Mr. Mike Halloran 2161 N Rand Rd property owner and Mr. Volodymyr Popadyuk lease.

Mr. Popadyuk explained he would like to run a used car dealer at the requested location.

Mr. Halloran explained he bought the property at the end of last season and it was previously owned by an absentee landlord. He stated he currently operates his business next door. Mr. Halloran stated the property was in poor repair when he bought it and has been working hard to fix it up and explained his intention is to continue to try to improve the property. He stated Mr. Popadyuk is looking to operate a used car lot and since it has been a used car lot in past he doesn't see there being any issues pointing out it is well lit and has decent in and out traffic.

Ms. Wood asked when the property was purchased

Mike stated he purchased it last fall

Mr. Cavanaugh asked if Mr. Halloran is aware of staff's conditions

Mr. Halloran stated he will gradually address all issues with the property

Mr. Cavanaugh asked staff if the request was approved if the conditions are to be completed within a year.

Ms. Bremanis explained the timeline for the conditions and if the petitioner felt

additional time would be needed to complete to follow up with Staff.

Mr. Halloran asked what conditions need to be addressed.

Ms. Bremanis went through condition slide.

Mr. Halloran addressed the conditions and agreed to complete.

Mr. Pirog asked about the condition about the basement.

Mr. Halloran stated the basement is nonexistent and is basically a crawlspace for a furnace.

Mr. Dittrich asked Mr. Popadyuk if he has operated an auto sales business before

Mr. Popadyuk answered yes he was a partner at a location on rand road.

Ms. Wood asked if any other questions for Petitioner. There were no further questions for the Petitioner.

STAFF RECOMMENDATION:

The subject property was approved for a used auto sales facility in March 2017, but the business never opened. In addition, the subject property was previously occupied by a used auto sales facility, but had been closed for more than 6 months, which required the previous Petitioner to receive Special Use approval. With that being said, the proposed use should not impact the surrounding property owner or alter the essential character of the Rand Road Corridor. Therefore, Staff recommends approval of the proposed Special Use, subject to the following conditions:

1. The Special Use shall substantially conform to the site plan prepared by the Petitioner, Volodymyr Popadyuk, submitted on 03/21/2018, except as such plans may be changed to conform to Village Codes and Ordinances.
2. Cash-in-lieu of sidewalk payment (\$6,750) shall be submitted in a manner acceptable to the Village Engineer within 1 year of occupancy.
3. A landscaping plan, which includes parkway trees and additional landscaping shall be installed in a manner acceptable to the Department of Planning and Zoning, within 1 year of occupancy.
4. The existing non-conforming gravel areas are required to be paved and come into full compliance with all applicable Village Code requirements within 1 year of occupancy.
5. A parking lot striping plan for employee and customer parking spaces shall be submitted in a manner acceptable to the Village of Palatine and completed within 1 year of occupancy.

Ms. Wood asked if there were any questions on Staff's recommendation.

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

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

DELIBERATIONS:

Mr. Cavanaugh pointed out it is a repeat of what was approved last year and the property owner now is more adamant about getting the property open with a functional business. He stated the property had been a used car dealer for 20+ years.

Ms. Wood pointed out it will be an improvement to the property and will not have a negative impact and will be operated in manner consistent with the public health safety and welfare.

Ms. Wood summarized that this request has met the standards and was approved unanimously by a vote of 7-0 . This item will tentatively go to Village Council on May 7, 2018.

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

IV. COMMUNICATIONS

Ms. Bremanis gave updates on past projects:

534 W Helen- Variation for the deck was approved

She stated the following projects will be heard by council on May 7, 2018:

33 N Clyde Special Use Amendments and Variation for the garage

920 W Kenilworth Variations for the patio

Ms. Bremanis stated the next meeting will be on May 8, 2018 and will have 3 items on the agenda.

V. ADJOURNMENT

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

Mr. Cavanaugh made a motion to adjourn; seconded by Mr. Dittrich.

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

Minutes Acceptance: Minutes of Apr 24, 2018 7:00 PM (Approval of Minutes)

**VILLAGE OF PALATINE
Zoning Board of Appeals**

SCHEDULED 05/08/18 07:00 PM

CASE STAFF STATEMENT (ID # 4438)

630 S Stegen Street

TO: Palatine Zoning Board of Appeals
Jan Wood, Chair

FROM: Lyn Bremanis

PETITIONER: Greg Rose, KF Walter Homes

CASE NUMBER: 18-29

ADDRESS: 630 S Stegen Street (Lot 10)

PROPOSAL:

Special Use to permit a front porch to be located 26 feet from the front lot line instead of the minimum required 30 feet pursuant to Section 10.04 (c)(13) of the Palatine Zoning Ordinance.

<u>LOCATION:</u> 630 S Stegen Street (Lot 10) District 2 (Lamerand)	<u>CURRENT ZONING:</u> P- Planned Development
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SURROUNDING CONDITIONS:

<u>North:</u>	P- Planned Development
<u>South:</u>	P- Planned Development
<u>East:</u>	P- Planned Development
<u>West:</u>	R-1 Single Family Residential

BACKGROUND:

The Petitioner is proposing to build a single family residence that includes an open air front porch that encroaches into the required front yard. Therefore, the Petitioner is requesting:

- **Special Use to permit a front porch to be located 26 feet from the front lot line instead of the minimum required 30 feet**

SITE ANALYSIS:

- The Subject Property is zoned Planned Development and contains Arcadia West Subdivision, which was approved in 2016. Per the original PD the lots were to follow the R-1B standards. In 2017 there was an amendment allowing for the rear

yard setback for this property to be 40 feet.

- The proposed home meets the side and rear set back requirements however the front porch encroaches into the required front yard setback of 30 feet.
- The full front porch was added to the design to address the monotony code.
- The porch would require a front yard setback reduction of 4 feet and is approximately 24 feet wide.
- The height and lot coverage meet code.

DEPARTMENTAL REVIEWS:

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

STANDARDS FOR SPECIAL USE: Since this Petition is not for a use publicly operated or traditionally affected with the public interest, those standards under Section 14.05 D (2) and (3) are applicable. Specifically, the Petitioners must show that the Special Use, if granted, will be operated in a manner consistent with the public health, safety, and welfare, and that the Special Use will not have a negative impact on the value of surrounding properties. The Petition for a Special Use is attached, and the Petitioners have attempted to address the required standards.

STAFF RECOMMENDATION:

The proposed new residence is requesting to encroach 4 feet into the required front yard. The home is already at the maximum required rear yard setback of 40 feet. The encroachment is only for the front porch that is approximately 28 feet across and the porch is an open air style. Front yard setback reductions for open air porches are not uncommon and the proposed home should not cause substantial injury to the value of other property in the 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 and elevations prepared by KF Walter Homes, submitted 04/04/2018, except as such plans may be changed to conform to Village Codes and Ordinances.

Case Staff Statement (ID # 4438)
Meeting of May 8, 2018

ATTACHMENTS:

- Aerial
- Application
- Plat
- Site Plan
- Elevations
- Public Notice

630 S Stegen Street

3.1.a

VILLAGE OF
PALATINE



Attachment: Aerial (630 S Stegen Street- SU Front Yard Setback)

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) <i>KF Walter Homes</i>		Business Name (if applicable)	
	Subject Property Address <i>630 S Stegen</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>RUD</i>	Existing Land Use <i>Residential</i>	Proposed Land Use <i>Residential</i>	
	Generally describe your request:			
<i>In this semi-custom community, we are requesting minor relief from the 30' front yard setback. We are looking to accommodate the monofony code and build this home with a full porch. Only the porch would breach the STD 30' setback 3.27 ft.</i>				

Attachment: Application (630 S Stegen Street- SU Front Yard Setback)



SPECIAL USE

Required Materials

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

Additional Materials (as required by the Village)

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

Petitioner Justification

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

1. The use is deemed necessary for the public convenience at that location

NO

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

YES

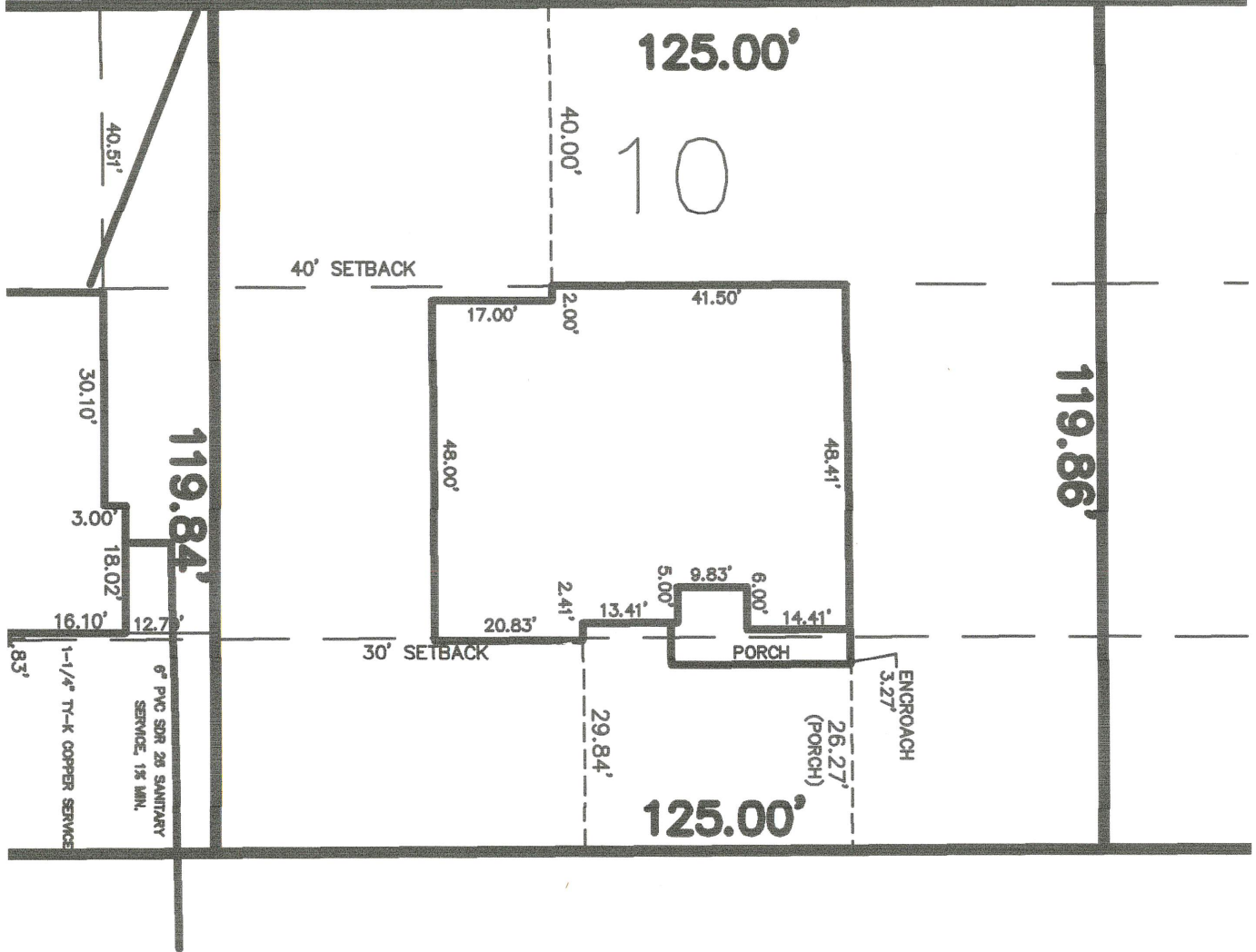
3. The use will not cause substantial injury to nearby property values

YES

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

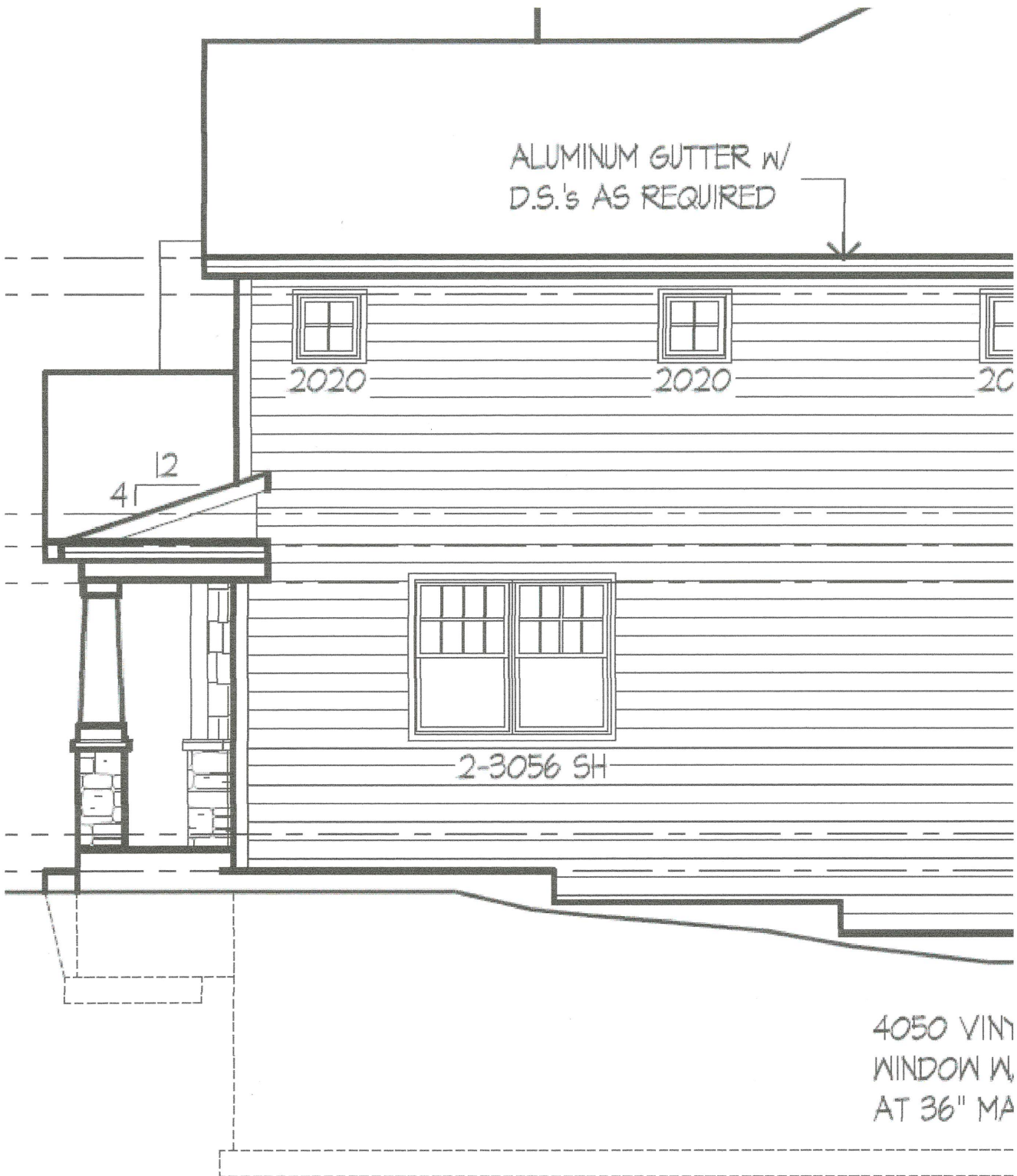
'30" W(M) 203.00'(M)

100.00'



630 S. STEGEN ST.

Attachment: Site Plan (030 S Stegen Street- US Front Yard Setback)



RIGHT SIDE ELEVATION

SCALE: $\frac{1}{8}" = 1'-0"$

Similar to
630 S. Stegen



PUBLIC NOTICE
A public hearing will be held before the Palatine Zoning Board of Appeals on Tuesday, May 8, 2018 at 7:00 P.M. in the Village Council Chambers in the Palatine Village Hall, 200 E. Wood Street, relative to a request for the following:

Special Use to permit a front porch to be set back 26 feet from the front lot line instead of the minimum required 30 feet pursuant to Section 10.04 (c)(13) of the Palatine Zoning Ordinance.

The property is commonly known as 630 S Stegen Street (Lot 10 of Arcadia West Sub).

The Petitioner is requesting to build a home with a front porch that encroaches 3.73' into the required front yard. The above petition has been filed by Greg Rose, KF Walter Homes and is available for examination in the office of the Village Clerk, 200 E. Wood Street.

FILE #: 18-29

VILLAGE OF PALATINE

Jan Wood, Chair

Palatine Zoning Board

of Appeals

DATED: This 23rd day of

April, 2018.

Published in Daily Herald

April 23, 2018 (4498500)

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, Highland, 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 April 23, 2018 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 *Danila Baltz*
Authorized Agent

Control # 4498500

Attachment: Public Notice (630 S Stegen Street- SU Front Yard Setback)

**VILLAGE OF PALATINE
Zoning Board of Appeals**

SCHEDULED 05/08/18 07:00 PM

CASE STAFF STATEMENT (ID # 4437)

1007 W Willow Road

TO: Palatine Zoning Board of Appeals
Jan Wood, Chair

FROM: Lyn Bremanis

PETITIONER: Mark and Jane Manda

CASE NUMBER: 18-28

ADDRESS: 1007 W Willow Street

PROPOSAL:

Special Use to permit an addition to be setback 36 feet from the rear lot line, instead of the required 40 feet pursuant to Section 10.06 (c)(13) of the Palatine Zoning Ordinance.

<u>LOCATION:</u> 1007 W Willow St District 1 (Millar)	<u>CURRENT ZONING:</u> R-2 Single Family Residential
---	--

SURROUNDING CONDITIONS:

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

BACKGROUND:

The Petitioners are proposing to replace an existing deck with a sun room that encroaches into the required rear yard. Therefore, the Petitioners are requesting:

- **Special Use to permit an addition to be setback 36 feet from the rear lot line instead of the required 40 feet**

SITE ANALYSIS:

- The Subject Property is zoned R-2 Single Family. The residence has an existing deck that the owners would like to replace with a sun room.
- The proposed sun room requires relief and maintains a similar encroachment to the existing deck at 36 feet from the rear property line.
- The peak height of the addition meets code.

- Both building and lot coverage meet code.

DEPARTMENTAL REVIEWS:

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

STANDARDS FOR SPECIAL USE: Since this Petition is not for a use publicly operated or traditionally affected with the public interest, those standards under Section 14.05 D (2) and (3) are applicable. Specifically, the Petitioners must show that the Special Use, if granted, will be operated in a manner consistent with the public health, safety, and welfare, and that the Special Use will not have a negative impact on the value of surrounding properties. The Petition for a Special Use is attached, and the Petitioners have attempted to address the required standards.

STAFF RECOMMENDATION:

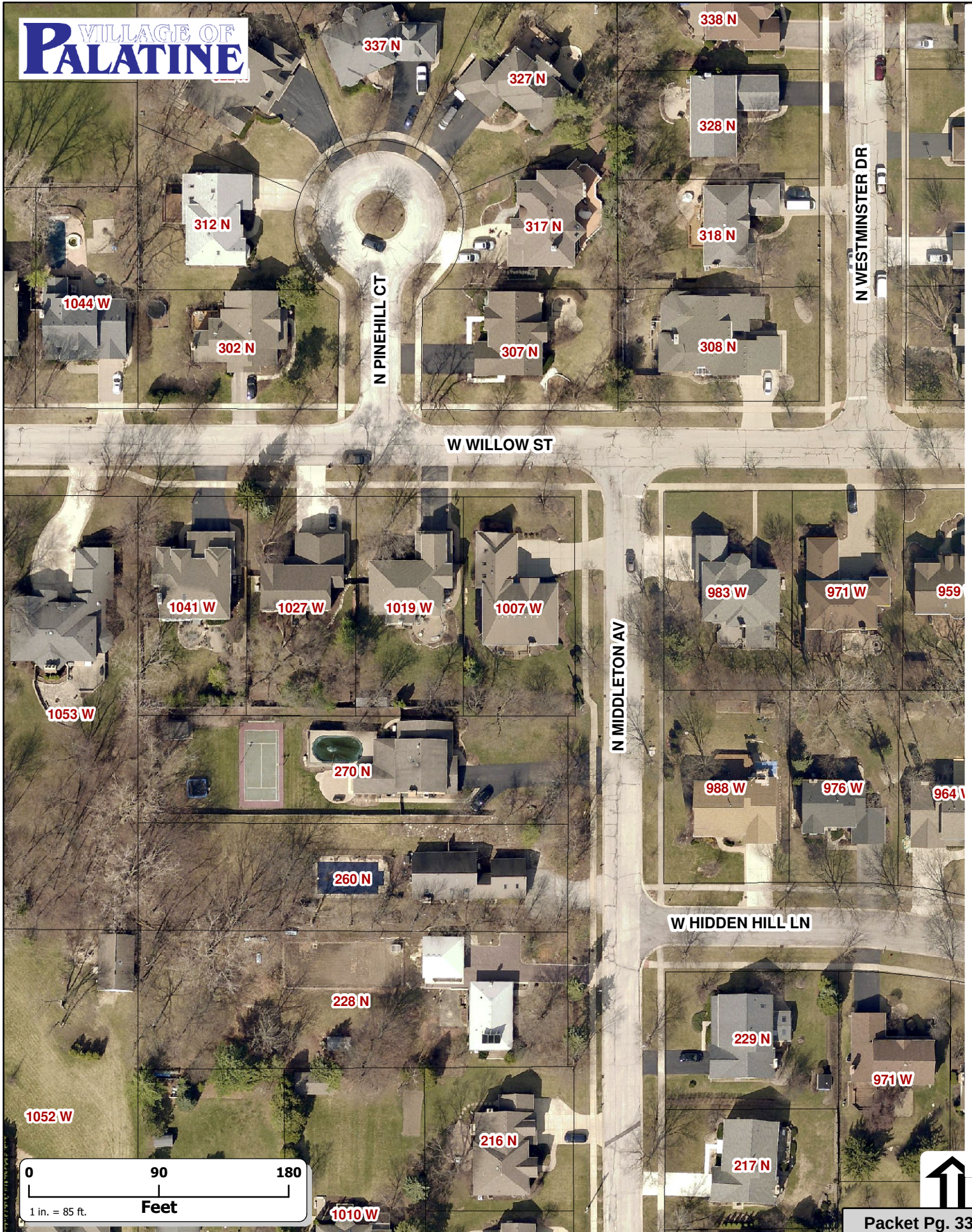
The Petitioners are proposing to replace an existing deck with a sun room that will have a similar encroachment into the required rear yard. The existing deck already encroaches in this area. In addition there are several properties in the neighborhood that have rear yard encroachments. The proposed addition should not cause substantial injury to the value of other property in the 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 and elevations prepared by Dan Cunningham, Architect, submitted 04/05/2018, except as such plans may be changed to conform to Village Codes and Ordinances.

ATTACHMENTS:

- Aerial
- Application
- Plat of Survey-Site Plan
- Floor Plan
- Elevations
- Public Notice

VILLAGE OF
PALATINE

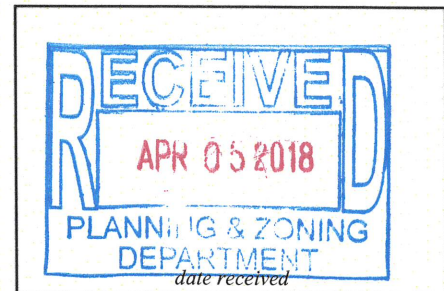


VILLAGE OF PALATINE

ADMINISTRATIVE 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) <i>Mark & Jane Manda</i>		Business Name (if applicable)		
	Subject Property Address <i>1007 W. Willow St.</i>				
	AUTHORIZED AGENT (if applicable) <i>Dan Cunningham - Architect</i>		Business Name (if applicable)		
	Address <i>814 Concord Lane, Barrington, IL</i>		City/State/Zip Code <i>60010</i>		
	Telephone <i>847.910.5323</i>	Fax	Email <i>danimal21@yahoo.com</i>		
	Relationship to Petitioner (contractor, architect, etc.) <i>Architect & contractor</i>				
	TYPE OF APPLICATION (check one) ☐ Special Use ☐ Special Use Amendment ☐ Variation				
	Existing Zoning District		Existing Land Use		Proposed Land Use
	Generally describe your request: <i>Remove existing wood deck and replace with a 230 sq. ft. 3-season room for sun shading. Addition encroaches 3 ft. into 40' required rear yard setback. We are requesting 4 ft. into this setback.</i>				

Attachment: Application (1007 W Willow Road - SU Rear Setback)



Administrative Special Use

Required Materials

- ☐ Filing Fee of \$ 175
- ☐ 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 14.05 of the Palatine Zoning Ordinance). Answer the items below and attach a separate sheet if necessary. **If you are applying for a Variation only, you do not need to answer these items.**

1. The use is deemed necessary for the public convenience at that location

No

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

Yes

will not have a negative impact. We are replacing existing deck.

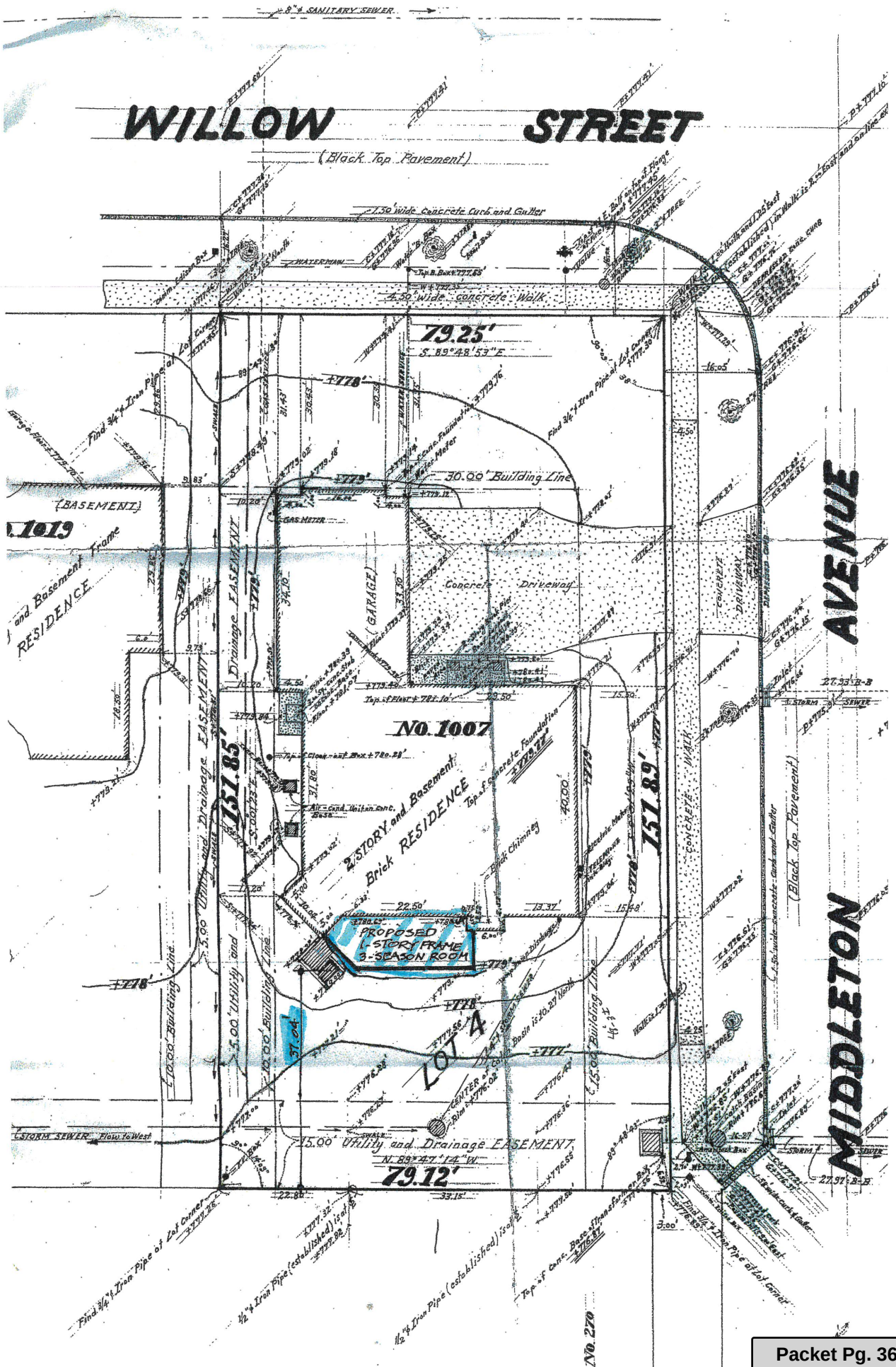
3. The use will not cause substantial injury to nearby property values

No - replacing deck in poor repair, will have a positive impact.

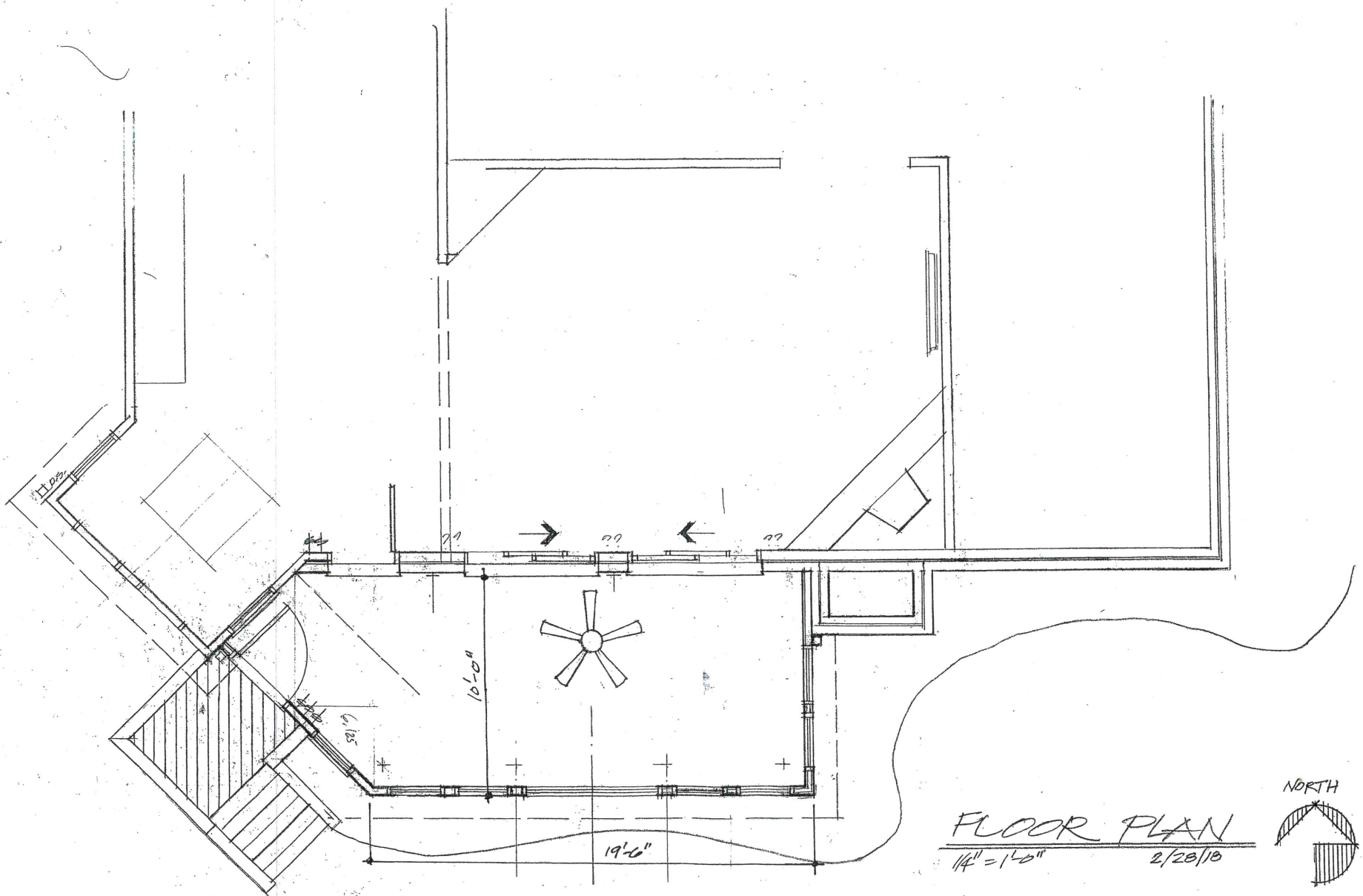
4. With respect to live entertainment uses, the use shall not:

- No a. Produce noise levels so great as to constitute an unreasonable interference for persons outside the confines of the establishment
- No b. Impose undue health, sanitation or safety burdens on the village
- No c. Create excessive demands on the Village of Palatine Police Department
- No d. Be of a nature otherwise prohibited by law or village ordinance

No

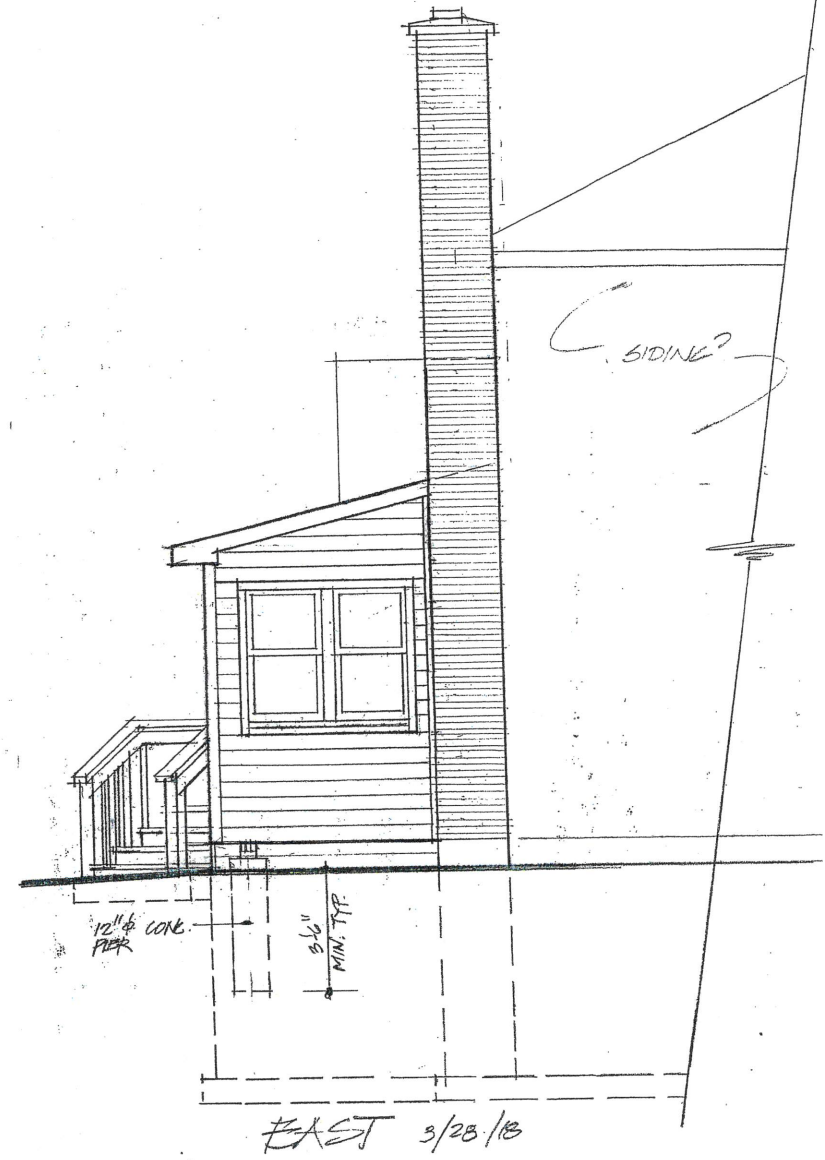


Attachment: Plat of Survey-Site Plan (1007 W Willow Road - SU Rear Setback)



Attachment: Floor Plan (1007 W Willow Road - SU Rear Setback)





PUBLIC NOTICE
A public hearing will be held before the Palatine Zoning Board of Appeals on Tuesday, May 8, 2018 at 7:00 PM, in the Village Council Chambers in the Palatine Village Hall, 200 E. Wood Street, relative to a request for the following:
Special Use to permit an addition to be set back 36 feet from the rear lot line instead of the minimum required 40 feet pursuant to Section 10.06 (c)(13) of the Palatine Zoning Ordinance.
The property is commonly known as 1007 W Willow Street (02-16-403-029-0000).
The Petitioner is requesting to replace an existing deck with a sunroom that encroaches into the required rear yard.
The above petition has been filed by Mark and Jane Mando and is available for examination in the office of the Village Clerk, 200 E. Wood Street.
FILE #: 18-28
VILLAGE OF PALATINE
Jan Wood, Chair
Palatine Zoning Board of Appeals
DATED: This 23rd day of April, 2018.
Published in Daily Herald
April 23, 2018 (4498502)

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 April 23, 2018 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 *Danula Baltz*
Authorized Agent

Control # 4498502

Attachment: Public Notice (1007 W Willow Road - SU Rear Setback)

**VILLAGE OF PALATINE
Zoning Board of Appeals**

SCHEDULED 05/08/18 07:00 PM

CASE STAFF STATEMENT (ID # 4436)

2017 N Rand Road

TO: Palatine Zoning Board of Appeals
Jan Wood, Chair

FROM: Lyn Bremanis

PETITIONER: Wilma Diaz, Mullins Used Cars Inc.

CASE NUMBER: 18-25

ADDRESS: 2017 N Rand Road

PROPOSAL:

Special Use to permit used auto sales pursuant to Section 11.06 (e) (6) of the Palatine Code of Ordinances.

<u>LOCATION:</u> 2017 N Rand Road District 3 (Myslinski)	<u>CURRENT ZONING:</u> B-5 Highway Business District
--	--

SURROUNDING CONDITIONS:

<u>North:</u>	P - Planned Development
<u>South:</u>	P - Planned Development
<u>East:</u>	P - Planned Development
<u>West:</u>	B-5 Highway Business District

BACKGROUND:

The Petitioner is proposing to operate a used auto sales facility at this location. Therefore, the Petitioner is requesting:

- **Special Use to permit used auto sales facility**

SITE ANALYSIS:

- The Subject Property is zoned B-5 Highway Business District and contains an existing single-story building. This location was approved a Special Use for used auto dealership in September 2007, however never opened and was previously occupied by a landscaping company.
- The Petitioner would like to operate a used auto dealership at this location.

- The proposed hours of operation are Monday through Friday from 10 AM to 8 PM, Saturday from 10 AM to 6 PM, and closed on Sunday.
- There will be up to 5 full-time employees.
- There are no changes proposed to the interior of the building.
- The site plan indicates there will be 36 parking spaces for cars for sale, 12 parking spaces including 2 handicap spaces for customers and employees. 11 spaces are required.

DEPARTMENTAL REVIEWS:

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

STANDARDS FOR SPECIAL USE: Since this Petition is not for a use publicly operated or traditionally affected with the public interest, those standards under Section 14.05 D (2) and (3) are applicable. Specifically, the Petitioners must show that the Special Use, if granted, will be operated in a manner consistent with the public health, safety, and welfare, and that the Special Use will not have a negative impact on the value of surrounding properties. The Petition for a Special Use is attached, and the Petitioners have attempted to address the required standards.

STAFF RECOMMENDATION:

The subject property was approved for a used auto sales facility in 2007, but the business never opened. While the property was previously occupied by a landscaping company, the proposed use should not impact the surrounding properties or cause substantial injury to the value of the Rand Road Corridor. Therefore, Staff recommends approval of the proposed Special Use, subject to the following conditions:

1. The Special Use shall substantially conform to the site plan and business plan submitted by the Petitioner, Wilma Diaz, submitted on 03/23/2018, except as such plans may be changed to conform to Village Codes and Ordinances.
2. A parking lot lighting and photometrics plan shall be submitted in a manner acceptable to the Village Engineer prior to the issuance of a Business License.

3. Restrictions for storm water must be confirmed by inspection.
4. Easement access shall remain clear, including the loading with snow.

ATTACHMENTS:

- Aerial
- Application
- Plat of Survey
- Site Plan
- Business Plan
- Public Notice

2017 N Rand Road

3.3.a





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)	
	Wilma Diaz		Mullins Used CARS INC	
	Subject Property Address			
	2017 N RAND Rd Palatine, IL 60074			
	AUTHORIZED AGENT (if applicable)		Business Name (if applicable)	
	Troy Mullins		Mullins Used CARS INC	
	Address		City/State/Zip Code	
	220 Honey Lake CT North Barrington, IL 60060			
	Telephone	Fax	Email	
	815-687-6444	847-584-2510	troy@mullinsusedcars.com	
Relationship to Petitioner (contractor, architect, etc.)				
Fiancee				
TYPE OF APPLICATION (check one)				
☒ Special Use ☐ Special Use Amendment ☐ Variation				
Existing Zoning District		Existing Land Use		Proposed Land Use
BS				
Generally describe your request:				
I would like to open A used CAR lot At this location. so I need to MAKE SURE I AM doing everything that Palatine Requires me to do to MAKE SURE I have the Right ZONING AND Licesen				

Attachment: Application (2017 N Rand Road - SU Used Car Sales)



SPECIAL USE

Required Materials

- ☐ Filing Fee of \$ 870
- ☒ 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

This Building is very Good For A Retail Used CAR store AND HAS easy AND SAFE EXCESS IN AND OUT OF THE LOT MAKING IT EASY FOR CUSTOMERS TO DO BUSINESS.

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

WE HAVE RAMPS AND HANDICAP PARKING AS WELL AS HANDICAP BATHROOMS.

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

ONE PROPERTY BESIDE US IS ALREADY A USED CAR DEALER AND ON THE OTHER SIDE THERE IS THE HARLEY DAVIDSON STORE.

4. With respect to live entertainment uses, the use shall not:

- a. Produce noise levels so great as to constitute an unreasonable interference for persons outside the confines of the establishment
- b. Impose undue health, sanitation or safety burdens on the village
- c. Create excessive demands on the Village of Palatine Police Department
- d. Be of a nature otherwise prohibited by law or village ordinance

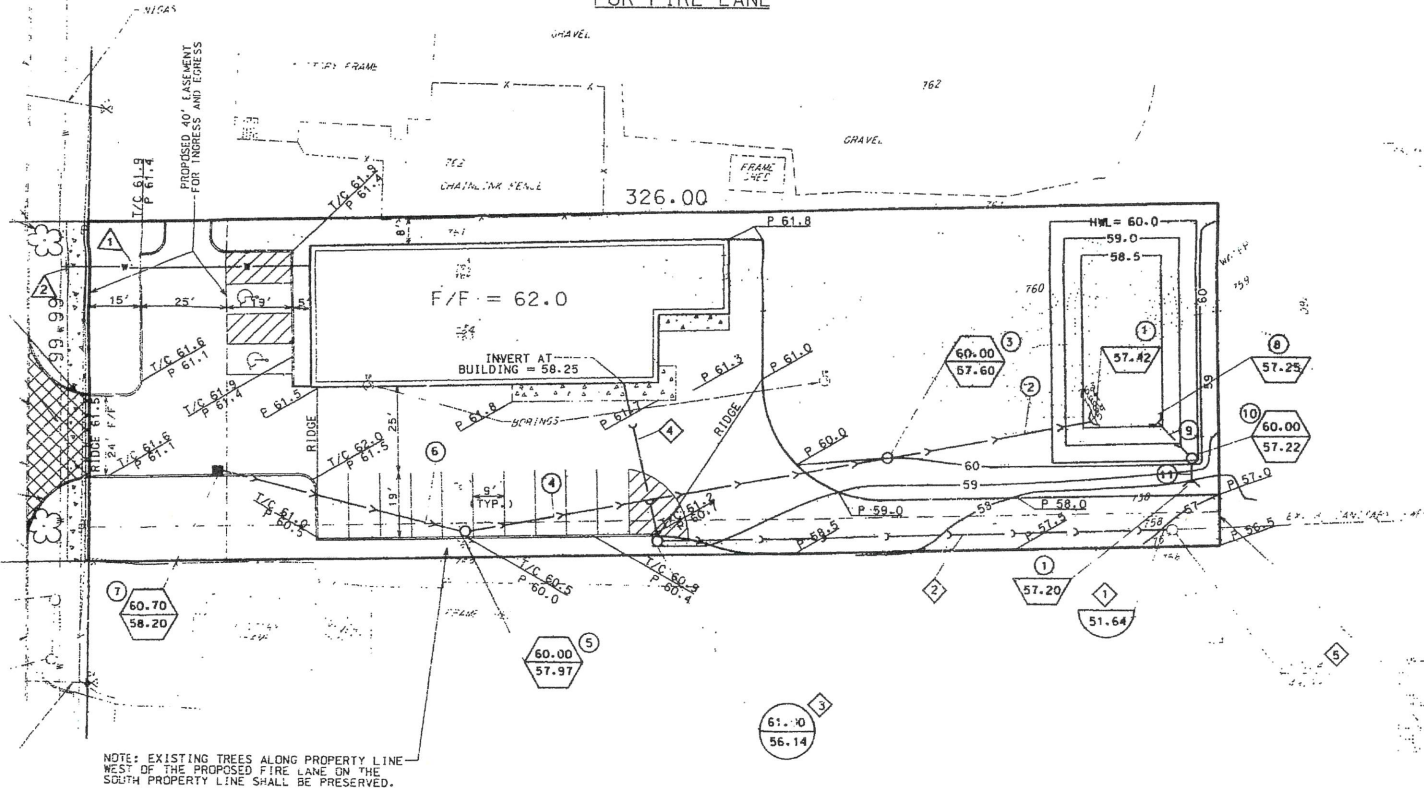
5. For fence standards, see Section 14.05 of the Palatine Zoning Ordinance

THAT PART OF SECTION 2, TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE EAST AND WEST QUARTER LINE WITH THE CENTER LINE OF RAND ROAD, SAID INTERSECTION BEING 1514.39 FEET WEST OF THE EAST LINE OF SAID SECTION MEASURED ON SAID EAST AND WEST QUARTER LINE; THENCE SOUTHEAST ALONG THE CENTER OF SAID RAND ROAD, SAID CENTER LINE FORMING AN ANGLE OF 47°-00'-30" WITH THE EAST AND WEST QUARTER LINE OF SAID SECTION, A DISTANCE OF 38.40 FEET TO AN ANGLE IN THE CENTER LINE OF SAID RAND ROAD; THENCE SOUTHEAST ALONG THE CENTER LINE OF RAND ROAD, SAID CENTER LINE FORMING AN ANGLE OF 04°-24'-30" TO THE RIGHT WITH A PROLONGATION OF THE LAST DESCRIBED COURSE FOR A DISTANCE OF 16.57 FEET; THENCE NORTHEAST ON A LINE THAT FORMS AN ANGLE OF 94°-24'-30" TO THE LEFT WITH A PROLONGATION WITH THE LAST DESCRIBED COURSE, A DISTANCE OF 49.01 FEET TO A POINT ON THE NORTHEASTERLY LINE OF RAND ROAD AS WIDENED AND THE PLACE OF BEGINNING; THENCE CONTINUING NORTHEASTERLY ON THE LAST DESCRIBED LINE A DISTANCE OF 327.70 FEET; THENCE NORTHWESTERLY PERPENDICULAR TO THE LAST DESCRIBED LINE A DISTANCE OF 100.0 FEET; THENCE SOUTHWESTERLY PERPENDICULAR TO THE LAST DESCRIBED LINE A DISTANCE OF 326.0 FEET TO A POINT ON THE NORTHEASTERLY LINE OF RAND ROAD AS WIDENED, SAID POINT BEING 49.44 FEET NORTHEASTERLY OF THE CENTER OF RAND ROAD ON A CURVED LINE WHICH IS CONVEX NORTHEASTERLY HAVING A RADIUS OF 10,798.53 FEET; THENCE SOUTHEASTERLY ON SAID CURVED LINE BEING THE NORTHEASTERLY LINE OF RAND ROAD AS WIDENED A DISTANCE OF 100.01 FEET TO THE PLACE OF BEGINNING IN COOK COUNTY, ILLINOIS.
COMMONLY KNOWN AS: 2017 N. RAND ROAD, PALATINE, IL.

EASEMENT FOR EMERGENCY ACCESS OVER THE PREVIOUSLY DESCRIBED PROPERTY:

A 15 FOOT WIDE EASEMENT FOR EMERGENCY ACCESS, OF WHICH THE SOUTHEASTERLY BOUNDARY IS HEREBY DESCRIBED: COMMENCING AT THE POINT OF BEGINNING FOR THE PREVIOUSLY DESCRIBED PARCEL, THENCE NORTHWESTERLY ALONG THE NORTHEASTERLY LINE OF RAND ROAD AS WIDENED A DISTANCE OF 24 FEET; THENCE NORTHEASTERLY AND PARALLEL TO THE SOUTHEASTERLY PROPERTY LINE A DISTANCE OF 150 FEET; THENCE NORTHEASTERLY TO A POINT ON THE SOUTHEASTERLY PROPERTY LINE 145 FEET SOUTHWESTERLY OF THE NORTHEAST PROPERTY CORNER; THENCE NORTHEASTERLY 145 FEET ALONG THE SOUTHEASTERLY PROPERTY LINE TO THE NORTHEAST PROPERTY CORNER.

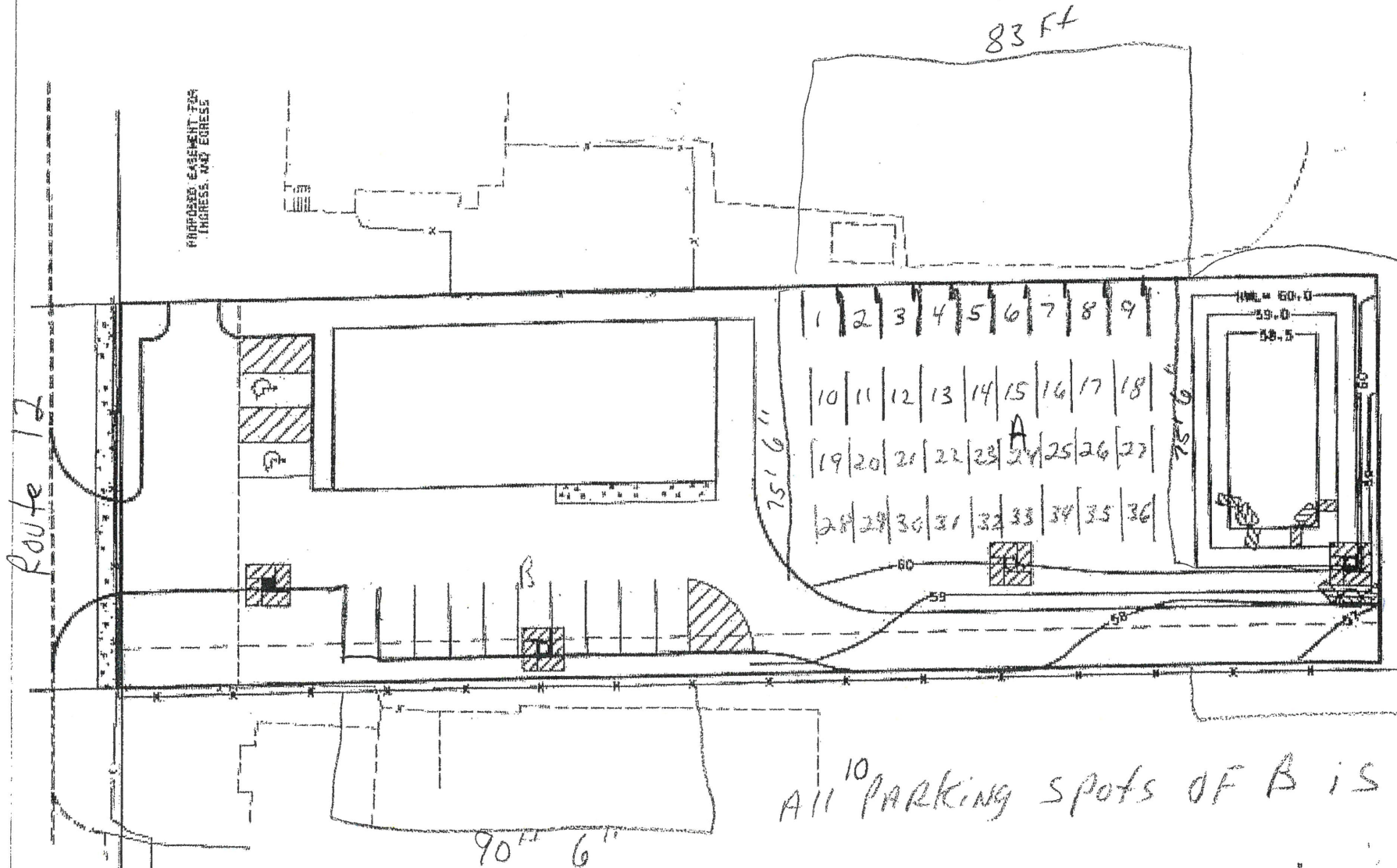
LEGAL DESCRIPTION FOR FIRE LANE



- MANHOLE DEPTH
1. 6" CONNECTION TO EXISTING MANHOLE
 2. 15' L.F. 6" PVC, 30" DIA. MANHOLE
 3. 48" INSPECTION MANHOLE W/ 12" DIA. ACCESS
 4. 41' L.F. 8" PVC, 30" DIA. MANHOLE
 5. RAISE RIM TO 58.00
- WATERMAIN
1. 75' L.F. 3" TYPE K COPPER WATERMAIN
 2. 2" TAP, B. BOX, VALVE, COMP. EIT

SETON ENGINEERING CIVIL ENGINEERS 100 N. BUCKWAY ST. PALATINE, ILLINOIS 60067 PHONE: (847) 716-1200 PROFESSIONAL REGISTRATION LICENSE #184-007016 DATE OF EXPIRATION: 4-30-19	REVISIONS 1. 8/1/18 2. 8/1/18 3. 8/1/18 4. 8/1/18 5. 8/1/18 6. 8/1/18 7. 8/1/18 8. 8/1/18 9. 8/1/18 10. 8/1/18 11. 8/1/18 12. 8/1/18 13. 8/1/18 14. 8/1/18 15. 8/1/18 16. 8/1/18 17. 8/1/18 18. 8/1/18 19. 8/1/18 20. 8/1/18 21. 8/1/18 22. 8/1/18 23. 8/1/18 24. 8/1/18 25. 8/1/18 26. 8/1/18 27. 8/1/18 28. 8/1/18 29. 8/1/18 30. 8/1/18 31. 8/1/18 32. 8/1/18 33. 8/1/18 34. 8/1/18 35. 8/1/18 36. 8/1/18 37. 8/1/18 38. 8/1/18 39. 8/1/18 40. 8/1/18 41. 8/1/18 42. 8/1/18 43. 8/1/18 44. 8/1/18 45. 8/1/18 46. 8/1/18 47. 8/1/18 48. 8/1/18 49. 8/1/18 50. 8/1/18 51. 8/1/18 52. 8/1/18 53. 8/1/18 54. 8/1/18 55. 8/1/18 56. 8/1/18 57. 8/1/18 58. 8/1/18 59. 8/1/18 60. 8/1/18 61. 8/1/18 62. 8/1/18 63. 8/1/18 64. 8/1/18 65. 8/1/18 66. 8/1/18 67. 8/1/18 68. 8/1/18 69. 8/1/18 70. 8/1/18 71. 8/1/18 72. 8/1/18 73. 8/1/18 74. 8/1/18 75. 8/1/18 76. 8/1/18 77. 8/1/18 78. 8/1/18 79. 8/1/18 80. 8/1/18 81. 8/1/18 82. 8/1/18 83. 8/1/18 84. 8/1/18 85. 8/1/18 86. 8/1/18 87. 8/1/18 88. 8/1/18 89. 8/1/18 90. 8/1/18 91. 8/1/18 92. 8/1/18 93. 8/1/18 94. 8/1/18 95. 8/1/18 96. 8/1/18 97. 8/1/18 98. 8/1/18 99. 8/1/18 100. 8/1/18	DESIGN: TJM DRAFTING: AM DATE: 7-21-07
	SITE ENGINEERING PLAN	
	ATTACHMENT: Plat of Survey (2017 N Rand Road - SU Used Car Sales)	
	Packet Pg. 47	

All OF A is PAVED 8' 5" F¹
 All 36 PARKING SPOTS OF A

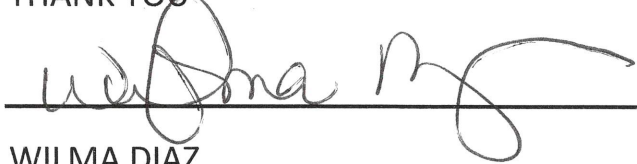


All ¹⁰ PARKING SPOTS OF B IS 9' 2' 1

MULLINS USED CARS INC BUSINESS PLAN

OUR PLAN STARTS WITH A PROPERTY LOCATED AT 2017 N RAND ROAD PALATINE, IL 60074. THIS PROPERTY IS LOCATE NEXT TO AN EXISTING AUTO DEALERSHIP AND THE HARLEY DAVIDSON STORE. WE PLAN TO PUT A USED CAR DEALERSHIP AT THIS LOCATION WITH THE NAME OF MULLINS USED CARS INC. WE PLAN TO HAVE FROM AN AVERAGE OF 30 CARS TO 50 CARS ON THE LOCATION, WITH PLANS TO SALE ABOUT 30 TO 35 CARS A MONTH TO START. WHICH MEANS WE SHOULD SEE AN AVERAGE ABOUT 5 PEOPLE A DAY COMING IN AN OUT OF THE LOT EXCEPT ON SATURDAY MIGHT AVERAGE A LITTLE MORE. THERE IS CLEAR ACESS TO THIS PROPERTY FROM RAND ROAD AND WILL NOT CAUSE ANY PROBLEMS AS FAR AS MORE TRAFFIC. OUR HOURS WILL MOST LIKELY TO BE SET MONDAY THRU FRIDAY FROM 10:00AM TO 8:00 PM AND SATURDAYS FROM 10:00 TO 6:00. TO START THERE WOULD BE LESS THAN 5 PEOPLE WORKING AT THE DEALERSHIP WITH PLANS TO ADD MORE AS NEEDED. AT FIRST WE WILL NOT BE OPERATING A SERVICE DEPARTMENT OPEN TO THE PUBLIC FOR SOME TIME AND WHEN THAT TIME COMES WE WILL COMPLY WITH ALL OF PALATINE'S LAWS WHICH WOULD BE LATER IN THE FUTURE FOR OUR SERVICE DEPARTMENT. OUR LOCATION HAS HANDICAP SPOTS TO PARK AS WELL AS RAMPS TO THE DEALERSHIP AND BATHROOMS. WE PLAN ON OPERATING A FAMILY BUSINESS TAKING CARE OF OUR LOCAL PEOPLE LIKE THEY ARE SUPPOSED TO BE. WE STRIVE ON CUSTOMER SATISFATION AND PLAN ON MAKING THIS DEALERSHIP A PLACE TO GO FOR ANY FAMILY AND FRIENDS.

THANK YOU

A handwritten signature in black ink, appearing to read 'Wilma Diaz', is written over a horizontal line.

WILMA DIAZ

03/23/2018

Attachment: Business Plan (2017 N Rand Road - SU Used Car Sales)

PUBLIC NOTICE
 A public hearing will be held before the Palatine Zoning Board of Appeals on Tuesday, May 8, 2018 at 7:00 PM, in the Village Council Chambers in the Palatine Village Hall, 200 E. Wood Street, relative to a request for the following:
Special Use to permit used auto sales pursuant to Section 11.06 (e) (6) of the Palatine Code of Ordinances.
 The property is commonly known as 2017 N Rand Road (PIN 02-02-203-062-0000).
 The Petitioner is requesting to open a used car sales business.
 The above petition has been filed by Wilma Diaz, Mullins Used Cars Inc. and is available for examination in the office of the Village Clerk, 200 E. Wood Street.
FILE #: 18-25
VILLAGE OF PALATINE
 Jan Wood, Chair
 Palatine Zoning Board of Appeals
DATED: This 23rd day of April, 2018.
 Published in Daily Herald
 April 23, 2018 (4498503)

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 April 23, 2018 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 *Danula Baitz*
 Authorized Agent

Control # 4498503

Attachment: Public Notice (2017 N Rand Road - SU Used Car Sales)