



VILLAGE OF PALATINE

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

ZONING BOARD OF APPEALS MINUTES • APRIL 25, 2023

Village Hall - Council Chambers

Regular Meeting

7:00 PM

I. CALL TO ORDER

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

II. MINUTES APPROVAL

1. Zoning Board of Appeals - Regular Meeting - Apr 11, 2023 7:00 PM

Mr. McGinn made a motion to approve the minutes of April 11, 2023; seconded by Ms. Roth-Wurster.

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

III. PUBLIC HEARING

1. 101 E. Michigan Avenue

Notice was published in the Daily Herald on April 10, 2023 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. Site Plan
5. Floor Plan
6. Elevations
7. Public Notice

Sworn in staff: Mr. Alex Bradshaw

Sworn in petitioner: Father Yaroslav Mendyuk, 129 Robertson Lake Zurich, IL

Father Mendyuk stated they purchased 101 E. Michigan in August. He pointed out the home is on the same block as their church. He stated the building is in poor condition and needs updating. Father Mendyuk spoke to the current addition that needs repair. He explained they would like to make a little larger so asking for permission to be approx. 3ft closer to street. He stated there are several houses on street within that distance referring to the slide that is clearly marked with locations. Father Mendyuk stated there are 3 priests in the parish so the home will service as residence to the clergy.

Ms. Wood asked if that is the only purpose.
Father Mendyuk answered yes.

Mr. Pirog asked why they can't fit within the standards with such a large property. Father Mendyuk explained they are not planning to rebuild just looking to fix. He stated the addition is existing. He stated they are so just improving and need new foundation so asking to make larger.

Ms. Wood asked if there are any plans for the rest of the property.
Father Mendyuk stated they are just updating the condition and landscaping.

Mr. Bradshaw gave a brief summary of request stating the subject property is approx. 4,000 sqft. consisting of a 2-story home with a 2-car detached garage that is setback 29ft. He stated the residence is existing nonconforming with the required 35-foot rear yard setback for an R-1A zoned property. He explained the petitioner is seeking a Special Use to permit an addition to the front of their house that will further encroach into the required front yard setback at approximately 25 feet from the front lot line (30 feet is required). Mr. Bradshaw

stated there are multiple properties that have comparable front yard setbacks at approximately 25 feet all approved through planned developments. He stated both building and lot coverage are well under the maximum percentage allowed by the Zoning Ordinance. He stated Engineering reviewed and has indicated all new utility connections will be reviewed through the building permit review, Fire prevention indicated automatic fire sprinkler system is required and will be addresses through the building permit review, and Community Services reviewed and had no issues.

Ms. Wood asked Father Mendyuk about over grown landscaping
Father Mendyuk repeated the property has not been maintained so planning on cleaning up and adding flowers and garden. He stated there were mostly wild trees have cleaned some before winter and will continue to bring to presentable condition

Mr. Bradshaw stated comparing photos current from July 2022 the property has been cleaned up considerably.

Sworn in Mr. Stephen Vondrak, 698 S. Oak Street

Mr. Vondrak stated the previous owners took care of property. He stated the church has torn down trees on their property and his, and thinks they made it worse.

Ms. Wood asked if they spoke to anyone at the church.

Mr. Vondrak stated he spoke to their handy man when he was on his property. He stated the traffic has increased and has had to call police about parking.

Ms. Wood asked where the church is located in relation to their property.

Mr. Vondrak referred to aerial. He stated the holidays brings a lot of traffic and issues.

Ms. Wood understands the concern and asked if they spoke to the Village.

Mr. Vondrak stated he only spoke to the handyman and to police about parking.

Ms. Roth-Wurster asked if there is no parking on the street.

Mr. Vondrak stated the Village has to bring in signs. He stated they have had to call councilman and police.

Ms. Wood asked how often there is an issue.

Mr. Vondrak stated mostly on holidays and during festivals. He spoke to the light-pollution from the church and expressed concern that the subject property will be used to expand their festivals.

Mr. Bradshaw stated staff is aware of the police calls. He stated police have put signs for parking to direct where parking overflow should go. He explained the request today is only being used for single-family residential, not for overflow for events.

Ms. Wood asked if the property is zoned residential.

Mr. Bradshaw answered, yes, R-1A single family.

Ms. Wood asked if they could use for parking.

Mr. Bradshaw stated it would not be used for parking. He explained the Village has no right to step in for private events in the house and if they hold public events they will need a special event permit.

Sworn in Mr. Norris Harstad, 735 S. Oak Street

Mr. Harstad stated he lives in the cul-de-sac around corner. He stated he has a variance from the property line when house was built and thinks from the plans it won't cause any issues as long as it maintains a single-family residence. He stated he wrote email to Councilman Lambert about parking.

Ms. Wood reiterated today's request is for the special use for the lot lines. She stated all other issues can be discussed after the meeting.

Father Mendyuk thanked the neighbors for their comments. He stated he understands pointing out it is a church and events do not happen every day. He stated they removed several trees that were growing wildly and one that fell down. Father Mendyuk stated he is not aware of any tress cut on neighbor's property. He stated he is aware of the parking issues so are working with Palatine Police on ways to resolve and not be a disturbance. He stated they want to be good neighbors and is working with neighboring Ukrainian church properties to allow them to park on their lots when having bigger events.

STAFF RECOMMENDATION:

The Petitioner is proposing to construct an addition to the existing legal non-conforming single-family residence that will encroach 5 feet into the required 30-foot front yard setback from S. Benton Street. However, the addition will encroachment into the required front yard an additional 4 feet as the existing legal non-conforming residence is currently setback 29 feet. Ultimately, as there are comparable front yard setbacks in the immediate area, the proposed addition should not cause substantial injury to the value of the other properties in the surrounding neighborhood. Therefore, Staff recommends approval of the Special Use, subject to the following condition:

1. The Special Use shall substantially conform to the Site Plan, Floor Plan, and Elevations submitted by the Petitioner, Very Rev. Yaroslav Mendyuk, 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. Cavanaugh made a motion to approve subject staff's conditions; seconded by Mr. Luszczak.

DELIBERATIONS:

Mr. Luszczak stated he doesn't see any problems with a 5ft setback.

Mr. McGinn pointed out there are other properties with similar setbacks so won't

have a negative impact on the surrounding properties. He stated it meets the standards.

Ms. Wood agreed with Mr. McGinn that it meets the standards. She stated this could be an opportunity to resolve other issues.

Ms. Roth-Wurster stated it meets the standards. She stated the property is setup different and thinks improving the property is the right thing to do.

Ms. Wood stated the only alternative is to demolish the house.

Ms. Wood summarized that this request has met the standards and was unanimously approved by a vote of 6-0. This item will go to Village Council on May 8, 2023.

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

IV. COMMUNICATIONS

V. ADJOURNMENT

1. Motion to Adjourn

Mr. McGinn made a motion to adjourn; seconded by Mr. Pirog

RESULT:	MOTION CARRIED BY VOICE VOTE [UNANIMOUS]
MOVER:	Theodore McGinn, Commissioner
SECONDER:	John Pirog, Commissioner
AYES:	Roth-Wurster, Wood, Luszczak, McGinn, Cavanaugh, Pirog

