



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 • MARCH 27, 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 - Mar 13, 2018 7:00 PM

III. PUBLIC HEARING

1. 950 W. Colfax Street

Special Use to permit an addition to be set back 4 feet from the side lot line instead of the minimum required 5 feet and 10 feet from the front lot line instead of the minimum required 30 feet pursuant to Section 10.06 (c)(13) of the Palatine Zoning Ordinance.

2. 787 E. Dundee Road

Special Use to permit a restaurant pursuant to Section 11.03 (d)(27) of the Palatine Zoning Ordinance.

3. 220 N. Smith Street

Special Use to permit a dental office pursuant to Section 11.03 (d) (42) of the Palatine Zoning Ordinance.

IV. COMMUNICATIONS

V. ADJOURNMENT



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ZONING BOARD OF APPEALS

MINUTES • MARCH 13, 2018

Village Hall - Council Chambers

Regular Meeting

7:00 PM

I. CALL TO ORDER

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

Staff present: Ms. Katie Romack & Ms. Lyn Bremanis

Mr. Larson made a motion to open the February 27, 2018 Zoning Board of Appeals meeting; seconded by Ms. Roth- Wurster.

II. APPROVAL OF MINUTES

1. Zoning Board of Appeals - Regular Meeting - Feb 13, 2018 7:00 PM - **Accepted as Amended**

Mr. Dittrich made a motion to amend pg. 12 of the minutes of February 13th to say Mr. McGinn made the motion to deny the variation. Mr. McGinn agreed.

Mr. Larson made a motion to accept the amended minutes; seconded by Ms. Roth-Wurster.

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

Minutes Acceptance: Minutes of Mar 13, 2018 7:00 PM (Approval of Minutes)

2. Motion to appoint the vice chair of the Zoning Board and Appeals - **Motion Carried by Voice Vote**

Mr. Pirog made a motion to appoint Mr. McGinn to the vice chair of the Zoning Board and Appeals; seconded by Mr. Larson.

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

III. PUBLIC HEARING

1. 33 N. Clyde Avenue -

In coordination with the Public Hearing, Staff requested additional clarification information from the Petitioner. As this information was not received in advance of the Public Hearing, Staff is requesting that this item be continued until the April 10th ZBA meeting. This will also allow for a follow up inspection of the accessory structure.

Ms. Roth Wurster made a motion to continue this item to the April 10th ZBA meeting; seconded by Mr. Dittrich.

Minutes Acceptance: Minutes of Mar 13, 2018 7:00 PM (Approval of Minutes)

2. 35 S. Walnut Street - **Recommended to Approve****Sworn in staff: Ms. Katie Romack & Ms. Lyn Bremanis**

Notice was published in the Daily Herald on February 26, 2018 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. Application for Variation
2. Proof of Ownership
3. Plat of Survey
4. Site Plan
5. Photos submitted by the Petitioners
6. Public Notice

Ms. Romack gave the background of the request explaining the petitioners have installed pavers alongside their driveway that encroach within the 2-foot setback. Therefore, the Petitioners are requesting:

- ☐ **Variation to permit pavers to be set back 0 feet from the side lot line instead of the minimum required 2 feet.**

SITE ANALYSIS:

- ☐ The Subject Property is zoned R-2 Single Family and is improved with a single-family residence and detached garage.
- ☐ The lot size is approximately 11,132 square feet.
- ☐ In September, the Petitioners obtained a building permit to remove and replace a portion of their driveway. In addition to removing and replacing their driveway, the Petitioners also installed pavers on the north side of their driveway, which encroach in the 2-foot setback.
- ☐ The pavers are approximately 2' x 100' and would be located on the side lot line.
- ☐ The existing driveway is approximately 11 feet wide (25 feet is the maximum at the lot line and 30 feet is the maximum total width).
- ☐ 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 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 asked if there are any questions on Staff's presentation. There were none.

Sworn in petitioner: Mr. Gary Miller 35 S Walnut St.

Mr. Miller explained he had a gravel driveway for over 30 years. He got a permit to replace it with a concrete driveway but once installed he was left with 2 feet of gravel to the north. He explained if there is a car in the driveway he is unable to get a car or boat out of the garage without the graveled area. He stated he would have obtained a permit or variance for the pavers if he knew he needed it. He pointed out he was just trying to make the property look better and put pavers where the gravel was.

Mr. McGinn asked if he spoke to the neighbors.

Mr. Miller answered yes the neighbor's next door have no issues and are happy with the improvements.

Mr. McGinn clarified these neighbors are to the north.

Mr. Miller answered yes.

Ms. Wood asked if the issue is with turning around in the driveway or maneuvering in and out.

Mr. Miller answered mainly to get in and out.

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

STAFF RECOMMENDATION:

The Petitioners have indicated they need the additional driveway space for backing down the driveway and for getting vehicles in and out of the garage. In addition, the Petitioners have also indicated the pavers improve the appearance of the property. Given the location of the home, detached garage and driveway, the Petitioners have a limited area to widen their existing driveway. While the pavers are located on the lot line, it should not alter the essential character of the locality. Therefore, Staff recommends approval of the Variation, subject to the following conditions:

1. The Variation shall substantially conform to the site plan prepared by the Petitioners, Gary and Mary Robyn Miller, submitted on 01/12/2018, except as such plans may be changed to conform to Village Codes and Ordinances.
2. If grading changes are necessary on the neighboring property, written consent

from the property owner at 29 S. Walnut Street shall be provided.

3. Any storm water or drainage issues which are created by the pavers and which negatively impact the property to the west (29 S. Walnut Street) shall either be removed or revised in a manner acceptable to the Village Engineer and the 29 S. Walnut Street property owner.

Mr. Pirog asked about Condition #2 stating it doesn't make sense.

Ms. Romack explained they may need to get the neighbors consent to go on their property for any grading changes that are needed.

Mr. Pirog questioned how it meets the standards since there is a lot of room on the other side of the driveway to add on to.

Ms. Romack said the Petitioner can explain why they chose that area.

Mr. Pirog asked the Petitioner why he didn't utilize the space on the other side of the driveway.

Mr. Miller stated the goal was to put pavers on both side to look aesthetically pleasing but the gravel didn't extend farther out on the south side.

Ms. Wood clarified the pavers were put where the gravel was.

Mr. Miller answered yes.

Ms. Wood asked if they have any flooding issues.

Mr. Miller answered no.

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

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

DELIBERATIONS:

Mr. Dittrich stated it meets the standards for a variation particularly the unique circumstance with it being gravel which is not very common anymore. He pointed out it won't alter the essential character of the locality.

Ms. Roth-Wurster agreed.

Ms. Wood stated all the driveways in this area are kind of narrow on the line and butts up to the garages. She pointed out she has never seen any flooding in the area and understands they were following the gravel driveway location.

Ms. Wood summarized that this request had met the standards and was approved by a vote of 5-1. This item will go to Village Council on April 2, 2018.

RESULT:	RECOMMENDED TO APPROVE [5 TO 1]
MOVER:	James Dittrich, Commissioner
SECONDER:	Cindy Roth-Wurster, Commissioner
AYES:	Larson, Roth-Wurster, Wood, McGinn, Dittrich
NAYS:	Pirog
ABSENT:	Luszczak, Cavanaugh

3. 861 & 865 W. Kenilworth Avenue - **Recommended to Approve**

Notice was published in the Daily Herald on February 26, 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
4. Site Plan
5. Elevations
6. Floor Plans
7. Public Notice

Ms. Bremanis gave the background of the request explaining The petitioner is proposing to consolidate 2 empty lots and construct a new residence. The proposed site plan does not meet the minimum required front yard setback. Therefore, the Petitioner is requesting:

- **Special Use to permit a residence to be setback 20 feet from the front yard lot line instead of the required 30 feet**

SITE ANALYSIS:

- The Subject Properties are zoned R-2 Single Family. The Petitioner is proposing to consolidate the two existing lots and construct a new home, within the existing R-2 Zoning. These lots are currently vacant.
- As part of the proposed consolidation, the legal front yard would shift to Crescent Avenue. The proposed home will face Kenilworth Avenue. The functional side yard abutting a street would be along Crescent Avenue.
- The Petitioner is requesting a 20-foot front yard setback. Per Code, a minimum 30-foot front yard setback is required. There is an existing recorded building line; however; the proposed site plan will not encroach beyond this building line.
- The Subject Properties were part of a 2-lot subdivision ("Lillian Place"), which was approved in 2006.
- The peak height of the proposed structure meets Code.
- Both building and lot coverage meet Code. Although the lot coverage is within the maximum allowable lot coverage (45%), the proposed improvements including the home, driveway, patio, and swimming pool are approximately 400 square feet below the maximum allowed.
- With the proposed consolidation, the zoning front yard will face Crescent Avenue and requires a 30-foot setback. The majority of the properties along Crescent Avenue are setback approximately 20 feet from the property line; however, these are typically side yards abutting a street lot lines and meet the required setbacks. The property directly south of the proposed home is setback 30 feet from the Crescent Avenue property line.
- In review of the homes in the area, Staff identified a front yard setback reduction

from 40 feet to 30 feet at 971 W. Kenilworth Avenue. Additionally, the newer homes that have been constructed in this area of W. Kenilworth Avenue, appear to conform to the minimum R-2 front yard setback of 30 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 there are any questions on Staff's presentation.

Ms. Wood pointed out 849 W Kenilworth appears to be setback less than 30 ft. Ms. Bremanis explained the neighborhood was annexed in 2002 and this property was annexed in as nonconforming.

Ms. Wood asked what the setback is on 849 W Kenilworth. Ms. Bremanis stated going by an aerial it appears to be approx. 20-22 ft.

Ms. Wood read into record exhibit #8 drawings/ pictures submitted by the petitioner

Sworn in petitioner: Mr. Craig Ciaglia with Homes by Pinnacle builder and designer

Mr. Richard Sabel 1575 W Rue James Place property owner

Mr. Ciaglia explained they purchased the 2 properties that had a frontage on Kenilworth but realized after consolidating them the frontage becomes on Crescent which changes the setbacks. He stated they originally designed the home to be on Crescent but realized it would disturb the overall look of the block since all other houses face Kenilworth so they felt it facing Kenilworth would fit in much nicer. He stated they wanted to stay away from neighboring home and keep the mass in mind as how it relates to neighbors. He spoke to the location of the proposed home being 40 ft. from property line, 50 ft. from neighboring home with the west side being Crescent so home is over 100 ft. away.

He pointed out the home would fit within the setbacks if facing Crescent but would not fit with the neighborhood.

Mr. Sabel explained the request is to keep the house facing Kenilworth to maintain aesthetics of the overall appearance of the neighborhood

Mr. Pirog asked if there is something preventing the house from being moved back 10ft.

Mr. Ciaglia spoke to the need for a first floor master which creates a larger footprint.

Mr. Pirog asked why the plans cannot be moved back to meet setbacks.

Mr. Ciaglia explained the setbacks referring to the site plan and stated they thought it would be more beneficial to stay away from neighbors.

Ms. Wood asked if it is possible to go 10 ft. back to the south

Mr. Ciaglia explained that won't help with the west side

Mr. Pirog asked if the patio can be moved

Mr. Ciaglia explained the part in the setback on the west is the master bedroom.

Ms. Wood asked if they went back further they would have to go wider.

Mr. Ciaglia explained if they went back further they would still be within the setback off of Crescent Ave.

Mr. Larson asked if the area of the driveway is considered the backyard.

Ms. Bremanis explained currently the legal front yard is off of crescent with a setback of 30 ft. and a rear yard setback of 40 ft. She further explained if they moved the house back 10 ft. they would be requesting a rear yard setback reduction.

Mr. Ciaglia explained they felt it would be better to impose the shift onto Crescent where there is no home as opposed to shifting closer to home to the east.

Mr. Larson clarified if the home is twisted 90 degrees it would fit within setbacks but wouldn't fit with neighborhood

Mr. Ciaglia answered yes and explained how it would look like an oddity because it doesn't coincide with the other homes in the neighborhood.

Mr. McGinn clarified if turned it would still be the same home

Mr. Ciaglia answered yes with the garage facing Kenilworth. He stated they are trying to keep the frontage where all of the homes are facing Kenilworth.

Mr. Sabel stated it is a beautiful neighborhood and trying to prevent it from looking like an eyesore.

Mr. McGinn asked if they have spoken to the neighbors

Mr. Sabel answered yes they met all the neighbors and they are excited to have us join the neighborhood.

Mr. McGinn asked if they expressed their opinion on where it faces
Mr. Sabel answered no.

Mr. Pirog asked if the neighbors have seen the plans.
Mr. Sabel stated they have not seen plans but he has explained the plan is to have the home face Kenilworth to stay consistent with the rest of the block.

Mr. Pirog pointed out with consolidating 2 lots they couldn't make house fit in the setbacks.

Mr. Ciaglia explained the change in setbacks once the properties were consolidated.

Mr. Pirog asked if the change in setbacks is automatic per code.
Ms. Bremanis explained that on corner properties the legal front yard is always the shorter of the two.

Ms. Roth-Wurster asked if it would be different if the property was in the middle of the block

Ms. Bremanis answered yes if in the middle of the block the front would remain on Kenilworth.

Mr. Pirog asked about the home on the other side of Crescent referring to Exhibit pointing out it looks like a mirror image.

Mr. Ciaglia stated the home to west on other side faces Kenilworth but has chosen to do 2 driveways that are accessible from Kenilworth and Crescent. He further explained it would be consistent with their plans.

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

STAFF RECOMMENDATION:

The subject home is zoned R-2 and the combined lot area is the equivalent to an R-1 lot (20,000 square feet), with the benefit of reduced R-2 setbacks. The proposed building plans could be revised to comply with the front yard setback. Additionally, the proposed consolidation allows for a substantial building pad, which is allowed by-right. Staff does not typically recommend front yard setback reductions for vacant parcels and new construction. Therefore, Staff recommends denial of the Special Use. If the Zoning Board of Appeals recommends approval, Staff recommends the following condition:

1. The Special Use shall substantially conform to the site plan and elevations prepared by Homes by Pinnacle Inc. dated 1/12/18 except as such plans may be changed to conform to Village Codes and Ordinances.

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

Mr. Pirog asked what it means to have a substantial building pad.

Ms. Bremanis explained the building pad is approx. 5300 sq. ft.

Mr. Pirog asked what a building pad is.

Ms. Bremanis explained it is the first floor square footage on the site plan.

Mr. Pirog asked if anyone has expressed their property values would go down.

Ms. Bremanis answered no.

Mr. Ciaglia asked if the building pad is just the foundation footprint or the total square footage of the first and second floor.

Ms. Bremanis answered just the first floor.

Mr. Ciaglia stated the living space on the 1st floor is less than 5400 sq. ft.

Ms. Bremanis asked what the correct number for the foundation.

Mr. Ciaglia stated he doesn't have those numbers.

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

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

DELIBERATIONS:

Mr. Larson stated it meets the standards and won't have a negative impact on the surrounding properties but rather will enhance the neighborhood. He stated there are no issues with public health safety and welfare. He pointed out the corner lots are always interesting where the side becomes the front yard. He stated it makes sense to make consistent with the other homes on the street.

Ms. Wood pointed out historically we look strongly at new construction. She stated she sees where staff is coming from but has seen this neighborhood transition over the years. She spoke to the change over the years and how there are many large homes and can see what they mean on them all facing Kenilworth. She stated it fits in very well with that area and for that reason she is in favor.

Ms. Roth-Wurster stated the home and footprint are beautiful and understand the home being on a corner does present issues that would not be a concern if it was a middle lot. She spoke to other large homes in neighborhood that have 3 car garages and manage to stay within the setbacks. She thinks it is attractive but thinks it is difficult to determine if it will have a negative impact and if it is consistent with neighboring properties.

Ms. Wood stated looking at the neighborhood she does not think it will have a negative impact on the value.

Ms. Wood summarized that this request had met the standards and was approved by a vote of 5-1. This item will go to Village Council on April 9, 2018.

RESULT:	RECOMMENDED TO APPROVE [5 TO 1]
MOVER:	Brent Larson, Commissioner
SECONDER:	James Dittrich, Commissioner
AYES:	Larson, Wood, McGinn, Dittrich, Pirog
NAYS:	Roth-Wurster
ABSENT:	Luszczak, Cavanaugh

4. 203 N. Benton Street - Recommended to Approve

Notice was published in the Daily Herald on February 26, 2018 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. Application for Variation
2. Proof of Ownership
3. Plat of Survey
4. Site Plan
5. Floor Plan and elevations
6. Public Notice

Ms. Romack gave the background of the request explaining the petitioner would like to replace an existing detached garage with a new detached garage. In addition, the Petitioner would like to install a fence set back 1 foot from the side lot line abutting a street. Therefore, the Petitioner is requesting:

1. **Special Use to permit a detached garage to be 18 feet in height instead of the maximum permitted 15 feet**
2. **Variation to permit a detached garage to be 960 square feet instead of the maximum permitted 686 square feet**
3. **Variation to permit a fence to be set back 1 foot from the side lot line abutting a street instead of the minimum required 5 feet**

SITE ANALYSIS:

- The Subject Property is zoned R-2 Single Family and is improved with a single-family residence and detached garage.
- The lot size is approximately 9,834 square feet.
- The existing detached garage is approximately 367 square feet (20.17' x 18.18'). In addition to removing the detached garage, the Petitioner is also removing the driveway adjacent to the house. There is also an existing 120 square foot shed adjacent to the garage. Both of these accessory structures will be removed to allow the proposed improvement.
- The proposed detached garage is 24' x 40' (960 square feet). Per Code, an accessory structure cannot exceed 50% of the floor area of the principal structure. Therefore, a Variation is required.
- The overall height of the detached garage is 18 feet. Per Code, the maximum height of an accessory structure is 15 feet. Therefore, a Variation is required.
- The detached garage would be set back 6 feet from both the side and rear yards and 20 feet from the side yard abutting a street (Lincoln Street).
- The second story of the detached garage will be used for storage only.
- The Petitioner is also proposing a picket style fence set back 1 foot from the side lot line abutting the street. The Petitioner has indicated he will install landscaping between the fence and lot line as required per 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	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.

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 asked if the other variations were as large as the current request. Ms. Romack explained the other variations: the structure at 208 N. Benton is 1300 square feet, the structure at 57 N. Hale Street is approximately 880 square feet, and the structure at 126 E. Lincoln Street is 720 square feet.

Ms. Wood asked what the height of the garage next door on Lincoln Street. Ms. Romack stated that is unknown but none of the other properties mentioned had requested a Special Use for height. Mr. Pirog pointed out the Petitioner's statement indicates it is the same height.

Mr. Dittrich referred to the slide asking if they are removing the driveway next to the house. Ms. Romack answered yes and explained the plan is to remove the driveway and put a sidewalk there and make the other driveway longer.

Mr. Dittrich asked if it meets lot coverage. Ms. Romack answered yes.

Sworn in petitioner: Mr. Dan Johnston 203 N. Benton, Palatine

Mr. Johnston explained the current garage is not suitable to park cars in. He stated it is small and has been there since the late 40's. He stated they would like to bring it up to Code by bringing it back, which will match the one right next door in height and width just 5 feet deeper. He explained the reason to make deeper is to get as close to the lot line as possible and maximize the space they have while staying consistent to the look of the neighborhood. He explained he is trying to make it look nice and maximize the yard space for children and pets.

Mr. McGinn asked if he spoke to neighbor to the east of garage.
Mr. Johnston answered yes every week.

Mr. McGinn asked if they have any concerns.
Mr. Johnston answered no he said he would have gone bigger if he could have.

Mr. McGinn asked if he has concern about it being close to his property line.
Mr. Johnston answered no.

Mr. Pirog asked if there is currently a fence.
Mr. Johnston answered no but multiple homes including 125 E. Colfax Street have picket fences that run right alongside so this will fit right in.

Ms. Wood asked what how far back the fences setbacks are.
Mr. Johnston stated they are all within a foot. He stated all neighbors he has spoken to have been encouraging

Mr. Dittrich asked about the location of the fence.
Mr. Johnston explained it will stop at the back line on the north side of the garage. He stated they will have vegetation between his property and the property to the east.

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

STAFF RECOMMENDATION:

The Petitioner is proposing to construct a detached garage that requires relief due to its size and height and a fence that requires relief because of its location. The Petitioner has indicated the garage would be in keeping with the neighborhood and the fence will help him to maximize his backyard for his family. The Petitioner would use the garage for vehicles, storage and a work room only. Detached garages of this size and height are not uncommon in this neighborhood; thus the proposed garage should not have a negative impact on the value of the surrounding properties. The proposed fence would be picket-style should not alter the essential character of the locality. Therefore, Staff recommends approval of the Special Use and Variations subject to the following conditions:

1. The Special Use and Variations shall substantially conform to the site plan and

elevations prepared by Regency Garages, dated 01/26/2018, except as such plans may be changed to conform to Village Codes and Ordinances.

2. The detached garage, including the second floor space, shall not be used in pursuant of any commercial business.
3. The detached garage may not be used for a dwelling unit.

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

DELIBERATIONS:

Ms. Roth-Wurster stated it meets the standards for a Special Use and won't have a negative impact on the values of the surrounding properties. She stated the Variation has uniqueness with these historical homes having larger garages because they need it.

Ms. Wood summarized that this request had met the standards and was approved by a unanimous vote of 6-0. This item will go to Village Council on April 2, 2018.

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

5. 223 E. Northwest Highway - **Recommended to Approve**

Ms. Wood recused herself and turned over the meeting to Mr. McGinn.

Notice was published in the Daily Herald on February 26, 2018 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. Application for Special Use & Variation
2. Proof of Ownership
3. Plat of Survey/Site Plans
4. Business Plan
5. Floor Plan
6. Elevations
7. Fence Elevation
8. Letter from Highland Management dated 1-30-18
9. Public Notice

Ms. Bremanis gave the background of the request explaining the Petitioner is proposing to operate a pet resort (kennel) at the Subject Property. Therefore, the Petitioner is requesting:

1. **Special Use for a kennel**
2. **Variation to allow gross surface area of attached sign to be 99 square feet instead of the allowed 66 square feet**
3. **Variation to allow an 8 foot fence instead of the permitted 6 foot**

SITE ANALYSIS:

- The Subject Property is zoned B-2 General Business District. The Subject Property is the existing Palatine Plaza shopping center.
- The Subject Tenant Space is currently vacant but was formerly the west half of the previous Hobby Lobby. The space is approximately 12,000 square feet.
- Services will include boarding, daycare, grooming and training. The dogs will remain on premises at all times.
- The proposed hours of operation are Monday through Friday from 6:30 AM to 7 PM, Saturday from 8 AM to 5 PM, and Sunday from 8 AM to 6 PM.
- There will be between 15-20 employees and have a kenneling capacity of up 110 dogs. In addition to the Special Use review, kennels are licensed and inspected by the Illinois Department of Agriculture.
- The Petitioner currently has other locations including 2 in Arizona, 2 in Missouri and 1 in Kansas. <http://petemac.com/>. They were also approved for a Special Use in Downer's Grove, IL in the fall of 2017.
- The Petitioner is proposing install a 99 square foot sign instead of the permitted 66 square feet. Therefore, a Variation is required. Given the size of the tenant space and the corner frontage, the proposed sign is not out of character for the center or a similarly size tenant space.

- The Petitioner is proposing to construct a 2,423 square foot outdoor area that will remove 11 existing parking spaces. The outdoor area would be enclosed by an 8-foot tall fence. Per Code, fences in the business district cannot exceed 6 feet in height. Therefore, a Variation is required.
- Outdoor play area is utilized for up to 45 dogs from 8 AM to 4 PM for the daycare/kenned dogs. The outdoor area is further utilized until 9 PM for small group (same family) or individual bathroom breaks. A component of the business plan indicates that the outdoor area will be staffed and monitored at all times. The outdoor space is approximately 150 feet from the adjacent commercial property to the west and 230 feet and 370 feet to the adjacent church and school property and building to the southwest.
- The proposed access entrance is completely separate from the other tenant entrances in the center. It is located on the west end of the center and adjacent to available on this section of the building. This design will not encourage conflicts between dogs planning to stay at the kennel and the other shoppers and customers at Palatine Plaza.
- The proposed use requires 1 parking spaces per 300 square feet. The shopping center has 573 existing parking spaces, but with the removal of 11 parking spaces for the outdoor area, 562 parking spaces will remain. Despite the removal of the 11 parking spaces, with regard to the proposed tenant composition, the plaza will be over parked by 70 parking spaces.

Establishment	Parking Requirement	Square footage	Total Required spaces
Brown's Chicken	1 per 2.5 seats (1/100 sf)	1,825 sf (22 seats)	18
Retail (<u>this includes the 40 required parking spaces for the Subject Use</u>)	1/300 square feet	131,987	440
Dairy Queen	1/100 square feet	1,850	19
Subway	1/100 square feet	1495	15
Total square footage	137,157	Total required parking	492
Total parking provided			573 parking spaces total Once 11 spaces are removed there will be 562 (70 parking spaces over)

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.

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.

Mr. Pirog asked where the entrance will be
Ms. Bremanis referred to the existing condition slide and explained.

Mr. Pirog asked about the sign not being out of character and clarified all the signs in the center came in for variations
Ms. Bremanis spoke to the center having higher and lower spaces and how their sign compares.

Mr. Pirog asked if Ace received a variation
Ms. Bremanis stated she doesn't have that information.

Ms. Roth-Wurster pointed out it may be grandfathered in.
Ms. Bremanis stated that is possible since it has been there a long time

Ms. Roth-Wurster asked if there are other kennels in area that do not have an outdoor area.
Ms. Bremanis stated she is not aware of any kennels without an outdoor area

**Sworn in petitioner: Ms. Gay Barwald 1255 W Baseline Rd Mesa, AZ
Bryan Spain 1502 Crawley Rd Arlington ,Texas**

Ms. Barwald stated Pete and Mac's have been in the home away pet care business for 20 years. She stated they have cared for hundreds of thousands of dogs over the years. She showed pictures of suites on slide explaining they use glass tiles which the ABKA says is the best material to build for animals that allows them to easily sanitize. She stated they feel every dog deserves their own room. Ms. Barwald referred to the slide to show an example of how the outside area will look but explained they are requesting the variance to put a solid 8ft poly vinyl instead of the 6ft. She explained the 8ft is to keep the animals safe as well as to mitigate noise. She stated the area will have a solid roof and turf.

Mr. Pirog stated the slide shows a 6ft fence and asked why they need an 8ft fence.
Ms. Barwald explained as they have evolved they would prefer to go with an 8ft solid fence for safety.

Mr. Dittrich asked if they spoke to funeral home
Ms. Barwald stated the last time they were in town they dropped off info and have not received any feedback.

Ms. Barwald referred to the slide of the boarding area pointing out they hang

sound baffles to help mitigate any noise. She stated they are very cognoscente of their neighbors.

Mr. Larson asked if the sight shown is similar to the requested size.
Ms. Barwald answered yes.

Ms. Barwald referred to the slide explaining they install a Trent drain system to control waste that will be tied into city sewer systems. She explained they are all about controlling waste and odor with their ac systems turning the air 3-4 times an hour.

Mr. McGinn asked if they have any concerns with pet drop off.
Ms. Barwald explained they will install poop stations. She stated they require staff to do hourly perimeter check to make sure customers know their facilities are clean

Sworn in Mr. Charles Margosian 800 Ramsgate Ct. Naperville

Mr. Margosian stated he has been the main owner of the shopping center since 1988. He spoke to the drastic changes they have made the center. He stated they are very comfortable with the operators and would not put anything in there that would cause detriment. He stated they have been good citizens in the town and work hard to maintain it.

Ms. Roth-Wurster asked how long has the been vacant
Mr. Margosian answered almost 2 years but explained they have been trying to lease it for longer than that.

Mr. McGinn asked if any tenants have concerns
Mr. Margosian answered no and stated many are encouraging it because it will increase traffic with as many as 100 drop-offs.

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

STAFF RECOMMENDATION:

The Petitioner is proposing to operate a new kennel known as Pete & Mac's Pet Resort in the west section of the former Hobby Lobby space in the Palatine Plaza Shopping Center. The Petitioner has proposed several design elements into the project to minimize any potential impacts including screening material and the location of their outdoor play area located on the side of the building. Therefore, this proposed use should not have a negative impact on the neighboring businesses. Therefore, Staff recommends approval of the Special Use and Variations subject to the following conditions:

1. The Special Use and Variations shall substantially conform to the business plan submitted by the Petitioner dated 3/06/2018 and the site plan and floor plan dated 1/30/18 submitted by the architect Studio 21 except as such plans may be revised to conform to Village Codes and Ordinances.

2. The Petitioner shall prepare a revised site and business plan to locate waste receptacles proximate to the tenant space, including a maintenance and disposal plan, in a manner acceptable to the Village of Palatine.
3. Dogs shall not be walked off-site.
4. Dogs shall be leashed at all times when arriving and departing the facility.
5. Dogs shall not be outside the building (Pete & Mac - outdoor play area) except between the hours of 7 AM and 9 PM.
6. Staff will conduct a 6-month review of the Special Use and, if deemed necessary, will recommend additional conditions and requirements to the Village Council regarding the Special Use operations.

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

Ms. Roth-Wurster asked what they would be looking for with condition #6.

Ms. Bremanis explained that is a condition that is added all the time to address any unforeseen issues. She further explained but any complaints would be addressed right away.

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

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

DELIBERATIONS:

Mr. Dittrich stated the kennel seems to be impressive with a plan that can utilize the space and has a successful track record. He spoke to the size of the sign and pointed out it needs to be bigger to be visible because the location is back in the corner. He stated he is in favor of the 8ft fence to lessen the noise and visibility because it borders the funeral home.

Mr. McGinn pointed out it reduces the risk of dogs jumping over the fence.

Mr. Pirog agreed with Mr. Dittrich except the 8ft fence. He stated he has not heard a valid reason for the variation and thinks it will be a safety issue for the people watching the dogs.

Ms. Roth-Wurster pointed out 8 ft. fences has been allowed and with this being a commercial use it won't have a negative impact but rather will increase the safety and security. She stated it seems like a solid operation and a good use of the space.

Mr. Larson stated the sign is setback a ways from the road which leads to unique circumstances

Mr. McGinn asked if Mr. Dittrich would like to separate the special use and variation approvals.

Mr. Dittrich answered no.

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

approved by a vote of 4-1. This item will go to Village Council on April 9, 2018.

RESULT:	RECOMMENDED TO APPROVE [4 TO 1]
MOVER:	James Dittrich, Commissioner
SECONDER:	Cindy Roth-Wurster, Commissioner
AYES:	Larson, Roth-Wurster, McGinn, Dittrich
NAYS:	Pirog
ABSENT:	Luszczak, Cavanaugh
RECUSED:	Wood

IV. COMMUNICATIONS

Ms. Romack stated the petitions that have gone to Village Council are as follows:

- 1109 W. Whippoorwill Lane - the Special Use for the tree house was denied
- 158 S. Bothwell Street - the Variation for the garage was approved
- 1000 S. Quentin Road - the Special Use and Variation for the EMB sign was approved
- 459 W. Northwest Highway - the Special Use for the masseuse was approved
- 720 W. Euclid Avenue - the Special Use for Crunch Fitness was approved

Ms. Romack stated the next meeting is scheduled for Tuesday, March 27.

V. ADJOURNMENT

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

Ms. Roth-Wurster made a motion to adjourn; seconded by Mr. Larson.

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

**VILLAGE OF PALATINE
Zoning Board of Appeals**

SCHEDULED 03/27/18 07:00 PM

CASE STAFF STATEMENT (ID # 4326)

950 W. Colfax Street

TO: Palatine Zoning Board of Appeals
Jan Wood, Chair

FROM: Lyn Bremanis

PETITIONER: Peter Foster

CASE NUMBER: 18-11

ADDRESS: 950 W. Colfax Street

PROPOSAL:

Special Use to permit an addition to be set back 4 feet from the side lot line instead of the minimum required 5 feet and 10 feet from the front lot line instead of the minimum required 30 feet pursuant to Section 10.06 (c)(13) of the Palatine Zoning Ordinance.

<u>LOCATION:</u>	950 W. Colfax Street District 1 (Millar)	<u>CURRENT ZONING:</u>	R-2 Single Family Residential
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SURROUNDING CONDITIONS:

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

BACKGROUND:

The petitioner is proposing to build a 2-story addition that encroaches into the minimum required front and interior side yard setbacks. Therefore, the petitioner is requesting:

- **Special Use to permit an addition to be setback 4 feet from the side lot line instead of the minimum required 5 feet and 10 feet from the front lot line instead of the minimum required 30 feet**

SITE ANALYSIS:

- The Subject Property is zoned R-2 Single Family. The residence has an existing non-conforming setback from the side lot property line at 4.97 feet instead of the

required 5 feet for a side yard.

- The petitioner converted the existing 2- car garage into living space, without a permit. Per the Palatine Zoning Ordinance 7.03(b)(1) single family detached dwellings are required to have 3 parking spaces, including one garage space.
- The Petitioner is proposing to build a two-story addition including a garage that would align with the existing structure and located less than the minimum 5 feet from the side property line. The front yard setback for the addition would be 10 feet, instead of the minimum required 30 feet.
- The peak height meets code. Both building and lot coverage meet code.
- In reviewing the plats of survey of the homes in this area of W. Colfax Street, the typical front yard setback is a minimum of 35 feet and there are several homes with a 70 foot plus front yard setback. There are also 4 new homes being constructed in the 900 block of W. Colfax Street, which meet the minimum required 30-foot setback.
- Unlike other front yard setback reductions, which were approved to solve an infrastructure or stormwater management problem, there is not a similar circumstance in this area.
- While the property has a substantial rear yard the existing home has minimal side yard setbacks not leaving room for a driveway for a detached garage. In addition, the plat of survey indicates that this is the location of the septic field, which further limits the ability to use this area to resolve this issue.

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 Petitioner is proposing to build an addition that encroaches into the minimum required front and side yard setbacks. While the side yard encroachment should not have a negative impact due to its minimal encroachment, Staff is concerned about the requested 10 foot front yard setback for the 2-story addition and its potential impact. It is both inconsistent with all of the other front yard setbacks in the area and has the potential to negatively impact the surrounding properties. Therefore, Staff recommends denial of the Special Use subject to the following conditions:

1. The Special Use shall substantially conform to the elevation plan dated 2/3/18 and site plan dated 2/9/18 submitted by the Petitioner except as such plans may be revised to conform to Village Codes and Ordinances.

ATTACHMENTS:

- Aerial map - 950 W. Colfax Street
- Application
- Plat of Survey
- Site Plan
- Elevations
- Floor Plans
- Public Notice



Attachment: Aerial map - 950 W. Colfax Street (950 W. Colfax Street - SU for addition)

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 # 18-11
	Filing Fee	Notification Deadline
	ZBA Public Hearing Date	Village Council Date



Background Information	PETITIONER(S) PETER FOSTER		Business Name (if applicable)	
	Subject Property Address 950 W. COLFAX ST. PALATINE, IL 60067			
	AUTHORIZED AGENT (if applicable)		Business Name (if applicable)	
	Address		City/State/Zip Code	
	Telephone	Fax	Email	
	Relationship to Petitioner (contractor, architect, etc.)			
	TYPE OF APPLICATION (check one) ☐ Special Use ☐ Special Use Amendment ☒ Variation			
	Existing Zoning District R-2	Existing Land Use SFR	Proposed Land Use Same	
	Generally describe your request: TO EXTEND LIVING SPACE BY EITHER (1) OBTAIN VARIATION FOR PALATINE CODE OF ORDINANCES APP. A SECTION 7.03 b-1 GARAGE SPACE REQUIREMENT OR (2) OBTAIN VARIATION TO BUILD INTO FRONT SETBACK NO MORE THAN 25 FEET TO RELOCATE GARAGE AND GAIN ADDITIONAL BEDROOMS ABOVE GARAGE DUE TO INCREASE IN FAMILY IN FAMILY SIZE. → ITEM (2) IS PREFERRED; ADDITIONAL SPACE IS NEEDED			

Attachment: Application (950 W. Colfax Street - SU for addition)

VILLAGE OF PALATINE

SPECIAL USE

Required Materials

- ☒ Filing Fee of \$ 348
- ☒ 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

2 ADULTS AND 4 YOUNG IN HOME. RELOCATING GARAGE INTO SETBACK WILL ALLOW FOR ADDITIONAL LIVING ROOM SPACE AND THE 2ND STORY ABOVE GARAGE WILL ALLOW FOR ADDITIONAL BEDROOM SPACE.

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

THE PROPOSED ALTERATIONS WILL NOT AFFECT THE PUBLIC HEALTH, SAFETY OR WELFARE. PROPOSED ADDITION WILL POSITIVELY IMPROVE THE HOUSEHOLD.

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

NEIGHBORING PROPERTIES WILL NOT BE IMPACTED BY PROPOSED ADDITION.

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

NO LIVE ENTERTAINMENT USES WILL EXIST. NO ADDITIONAL FENCING IS PROPOSED ON PROPERTY AT THIS TIME.

[Signature]
2/9/18

Page 4 of 8

MidLakesSurvey.Com
25636 W. LAKEVIEW CT.
LAKE VILLA, IL 60046

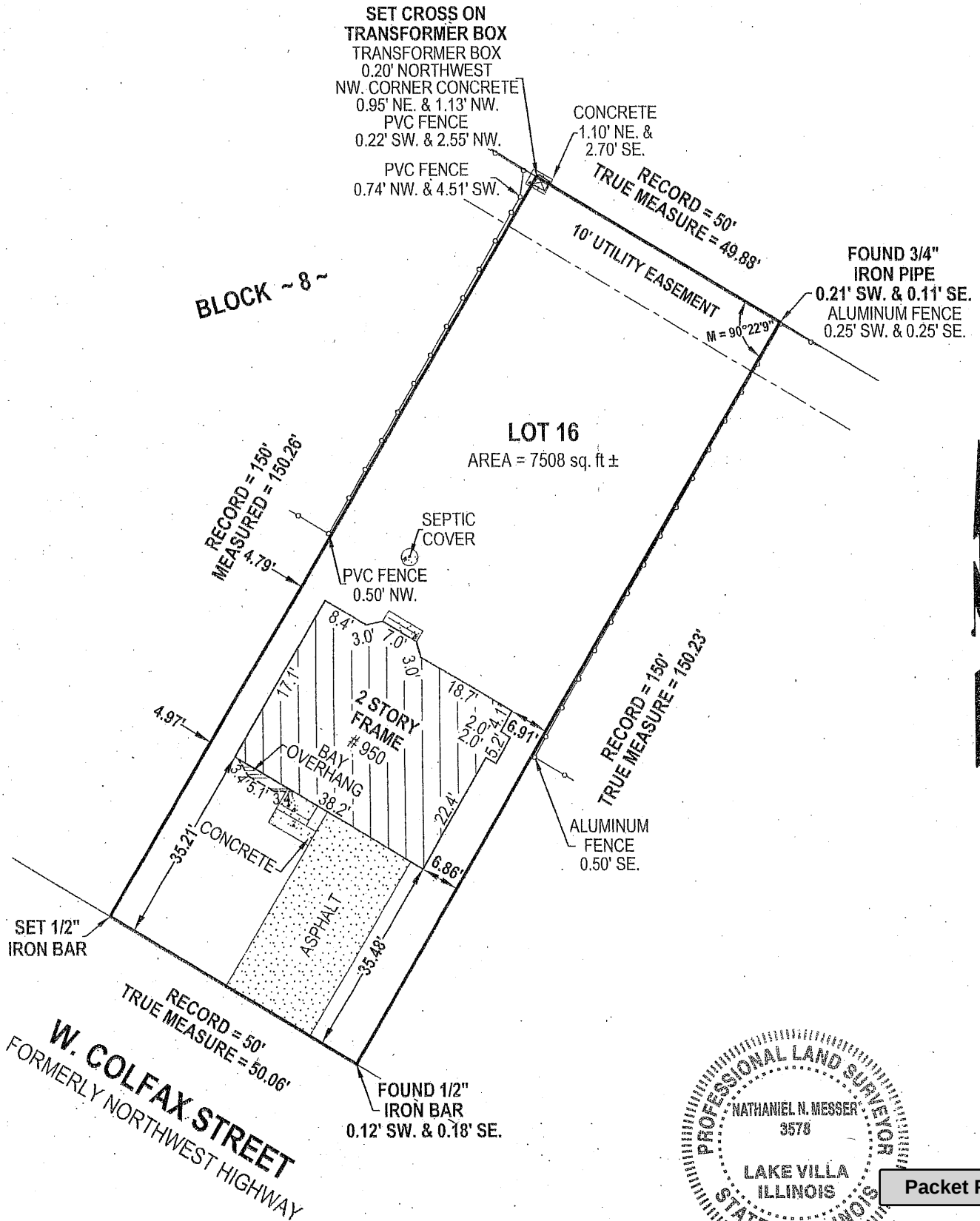
MID LAKES SURVEY COMPANY

Illinois Professional Design Firm 184.006153

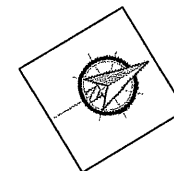
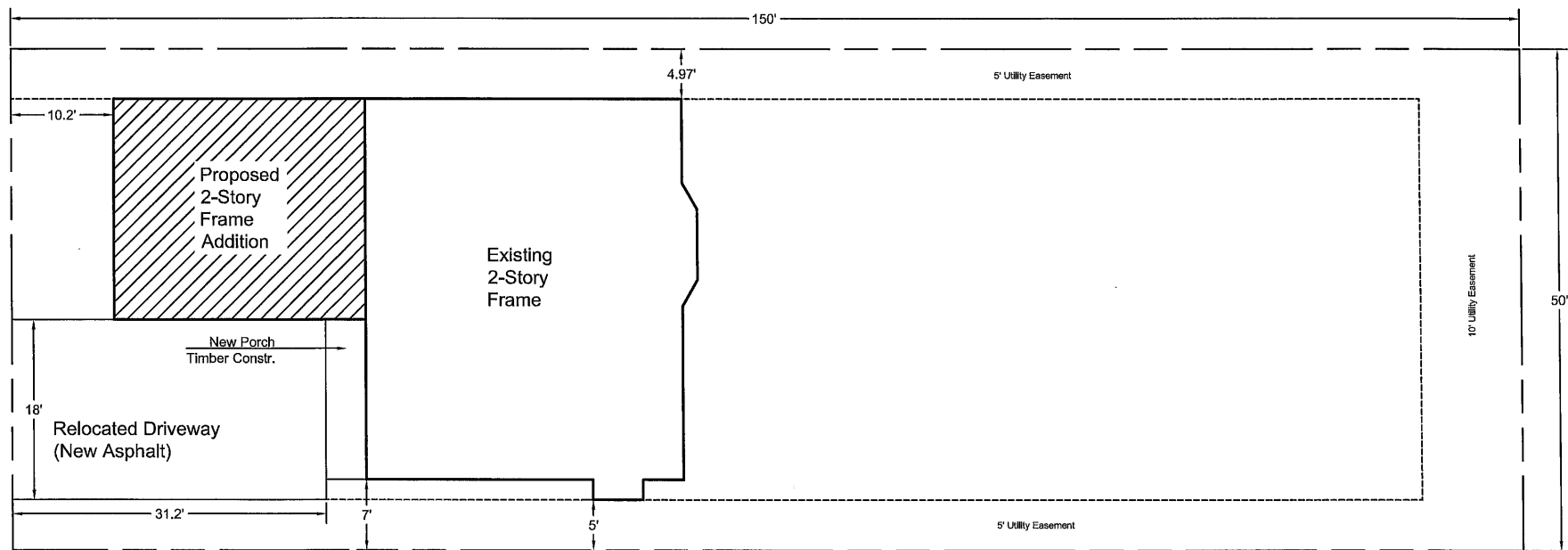
PLAT OF SURVEY

Phone: 847-973-1873
Fax: 847-973-9783
midlakes.survey@yahoo.com

LOT 16 IN BLOCK 8 IN FRANK E. MERRILL AND COMPANY'S GREATER PALATINE, A SUBDIVISION IN THE
NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN,
IN COOK COUNTY, ILLINOIS.



Attachment: Plat of Survey (950 W. Colfax Street - SU for addition)

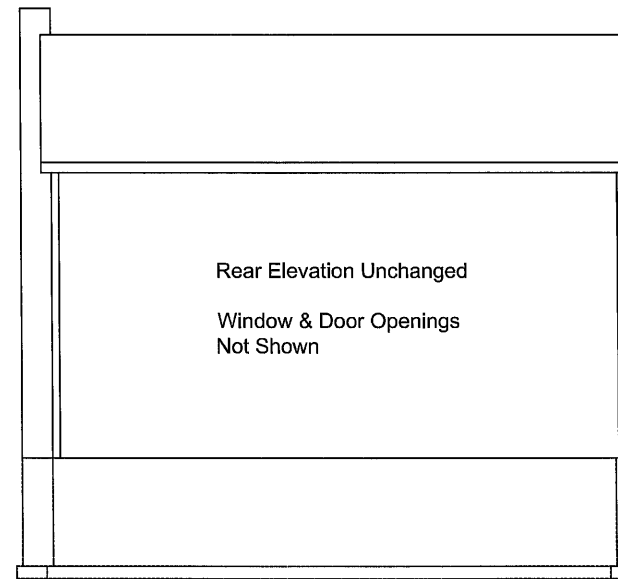
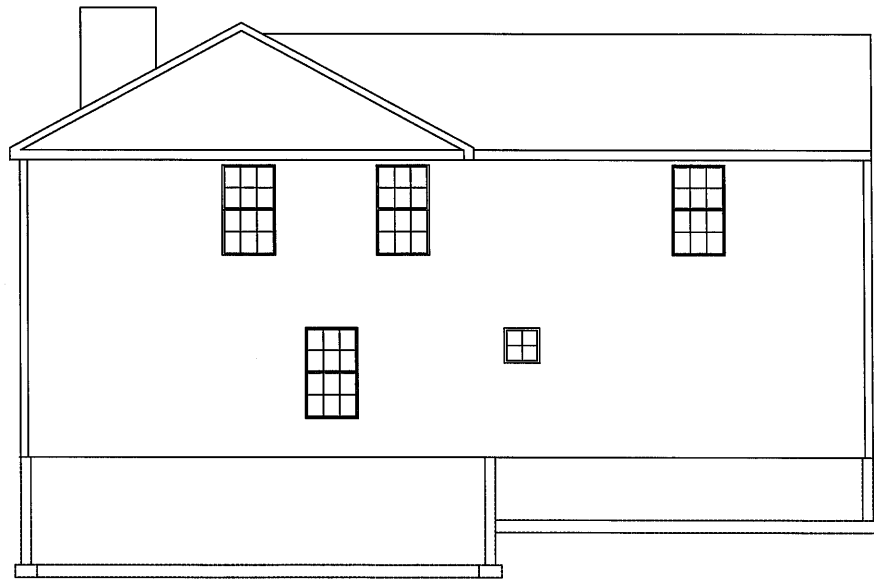
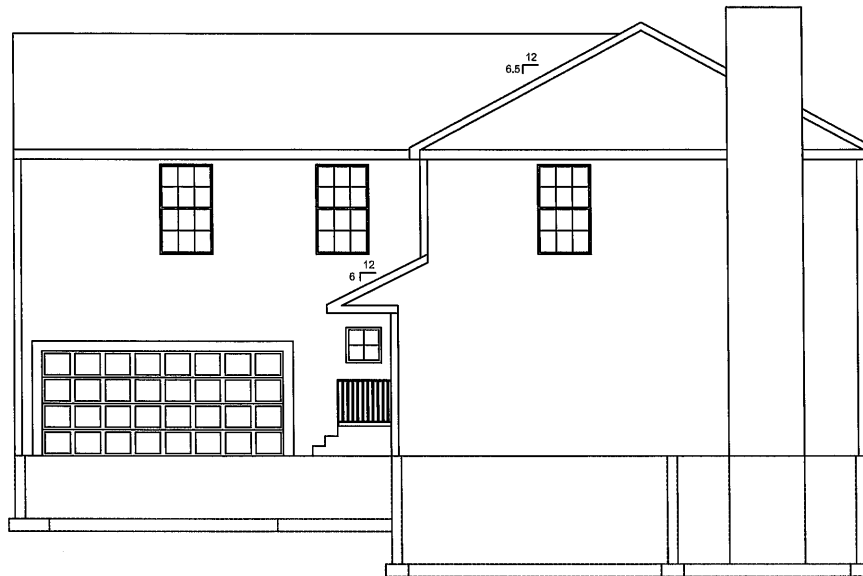


SITE PLAN

Proposed Renovation at
Foster Residence
950 W. Colfax St.
Palatine, IL 60067

Project	Sheet
Date 02/09/2018	1
Scale 3/32"=1'	

Attachment: Site Plan (950 W. Colfax Street - SU for addition)



General Notes

Property PIN 02-16-207-030

The area of the property is ~ 7500 sq.ft.

All proposed renovation / addition will occur in / on the front of the residence & setback.

Existing conditions note dimensions of residence and setbacks to property lines.

There is a 10 foot utility easement (not shown) in the rear of the property and 5 foot easements (not shown) on the side property line.

The existing open culvert shown is beyond the property line.

The existing area of the 2-story frame construction residence is ~ 2000 sq.ft.

The proposed addition into the front setback will extend no more than 25 feet beyond the current front of the residence.

The addition will include a garage space and two (2) bedrooms above the garage space.

The existing driveway will be moved 2 feet SE toward the property line. This garage will be accessed via this driveway via side-entrance.

The existing open culvert will be converted to a closed culvert using a similar diameter pipe. This area will be regraded to slope away from residence toward the roadway.

There is a fence and a small storage shed located in the rear year not shown in the plat of survey.

The area of the proposed addition and conversion of the garage to additional living space will add approx. 1000 sq.ft to the residence. The total area of the proposed residence will be approx. 3000 sq.ft.

No.	Revision/Issue	Date

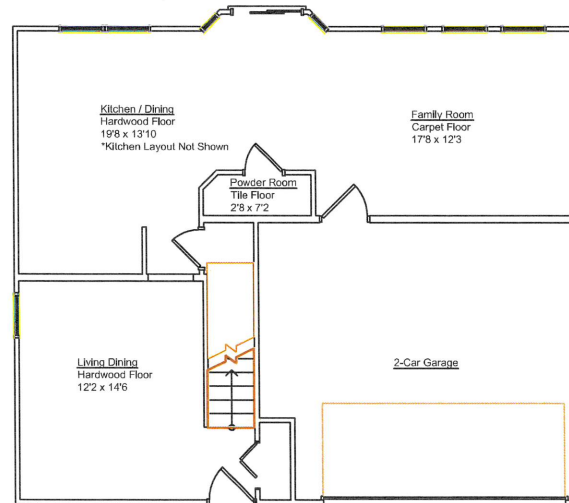
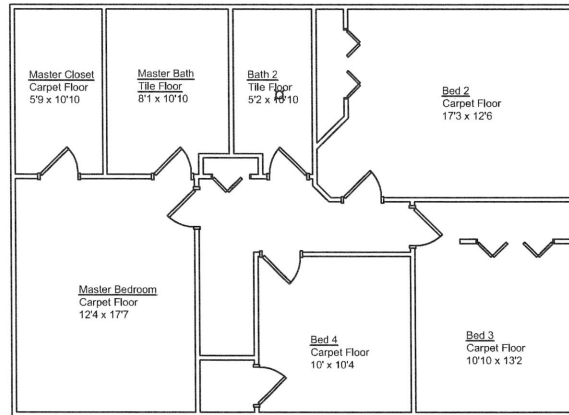
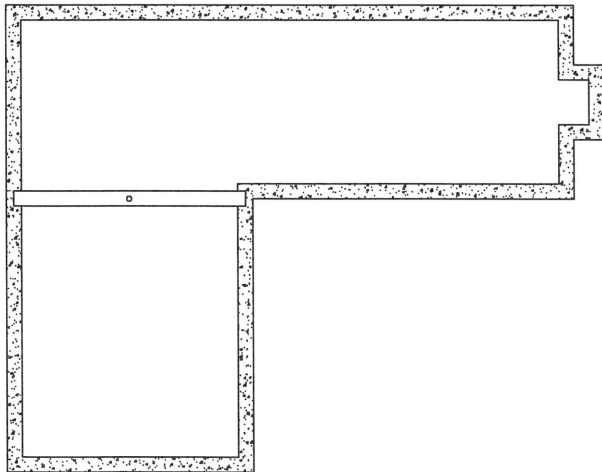
Proposed Elevations

Project Name and Address:
Proposed Renovation at
Foster Residence
950 W. Colfax St.
Palatine, IL 60067

Project:
Date: Feb 3, 2018
Scale: 1/8" = 1'

Sheet:
4

Attachment: Elevations (950 W. Colfax Street - SU for addition)



General Notes

Property PIN 02-16-207-030

The area of the property is ~ 7500 sq.ft.

All proposed renovation / addition will occur in / on the front of the residence & setback.

Existing conditions note dimensions of residence and setbacks to property lines.

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The existing open culvert will be converted to a closed culvert using a similar diameter pipe. This area will be regraded to slope away from residence toward the roadway.

There is a fence and a small storage shed located in the rear yard not shown in the plat of survey.

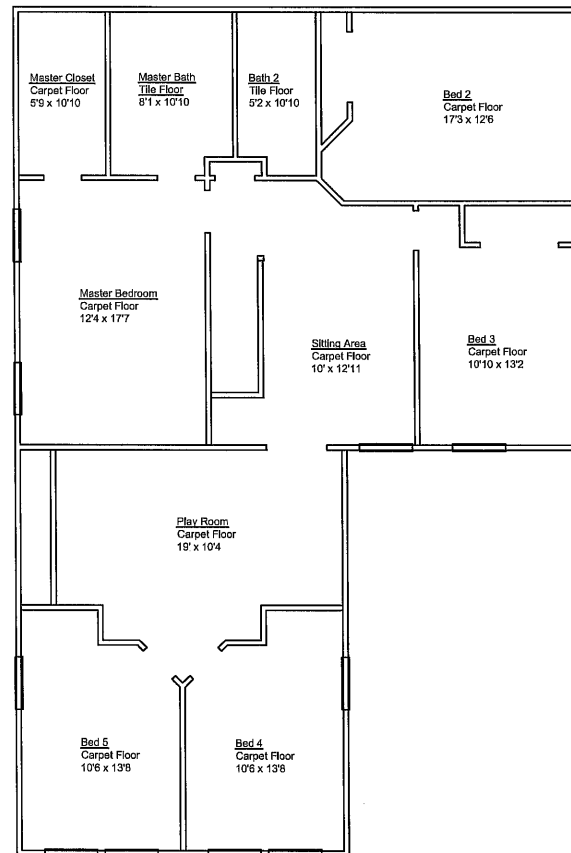
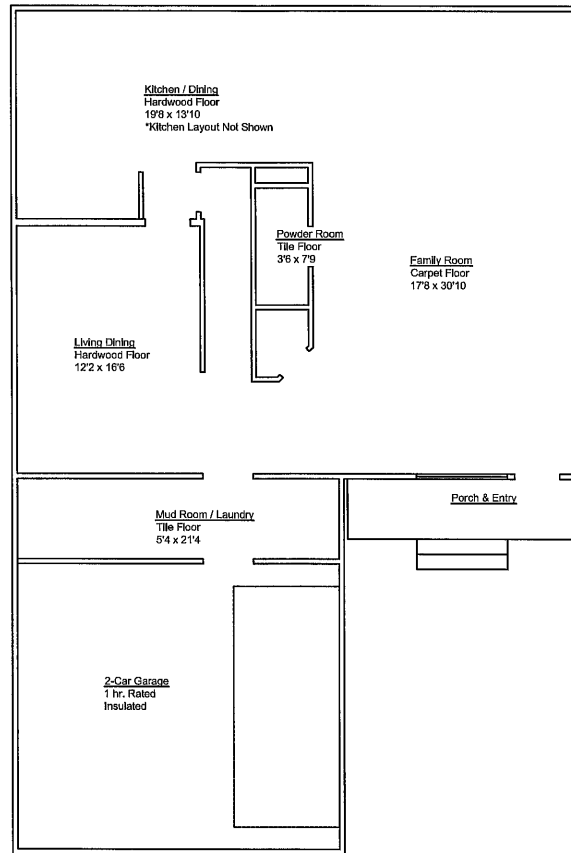
The area of the proposed addition and conversion of the garage to additional living space will add approx. 1000 sq.ft to the residence. The total area of the proposed residence will be approx. 3000 sq.ft.

No.	Revision/Issue	Date

Existing Floorplan

Proposed Renovation at
Foster Residence
950 W. Colfax St.
Palatine, IL 60067

Project	Sheet
Date Feb 3, 2018	2
Scale 1/8" = 1'	



General Notes

Property PIN 02-16-207-030

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The area of the proposed addition and conversion of the garage to additional living space will add approx. 1000 sq.ft to the residence. The total area of the proposed residence will be approx. 3000 sq.ft.

No.	Revision/Issue	Date

Proposed Floorplan

Project Name and Address
Proposed Renovation at
Foster Residence
950 W. Colfax St.
Polkville, IL 60067

Project	Sheet
Date Feb 3, 2018	3
Scale 1/8" = 1'	

Attachment: Floor Plans (950 W. Colfax Street - SU for addition)

PUBLIC NOTICE

A public hearing will be held before the Palatine Zoning Board of Appeals on Tuesday, March 27, 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 setback 4 feet from the side lot line instead of the required 5 feet and 10 feet from the front lot line instead of the minimum required 30 feet pursuant to Section 10.06 (c)(13) of the Palatine Zoning Ordinance. The property is commonly known as 950 W. Colfax Street (PIN# 02-16-207-030). The Petitioner is proposing to construct a two-story addition that encroaches into the front and side yard setbacks.

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

FILE #: 18-11
VILLAGE OF PALATINE
Jan Wood, Chair
Palatine Zoning Board of Appeals

DATED: This 12th day of March, 2018.
Published in Daily Herald
March 12, 2018 (4495464)

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, Barrington, Barrington Hills, Lake Barrington, North Barrington, South Barrington, Bartlett, Batavia, Buffalo Grove, Burlington, Campton Hills, Carpentersville, Cary, Deer Park, Des Plaines, South Elgin, East Dundee, Elburn, Elgin, Elk Grove Village, Fox Lake, Fox River Grove, Geneva, Gilberts, Grayslake, Green Oaks, Gurnee, Hainesville, Hampshire, Hanover Park, Hawthorn Woods, Hoffman Estates, Huntley, Inverness, Island Lake, Kildeer, Lake Villa, Lake in the Hills, Lake Zurich, Libertyville, Lincolnshire, Lindenhurst, Long Grove, Mt. Prospect, Mundelein, Palatine, Prospect Heights, Rolling Meadows, Round Lake, Round Lake Beach, Round Lake Heights, Round Lake park, Schaumburg, Sleepy Hollow, St. Charles, Streamwood, Tower Lakes, Vernon Hills, Volo, Wauconda, Wheeling, West Dundee, Wildwood, Sugar Grove, North Aurora

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 March 12, 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 # 4495464

Attachment: Public Notice (950 W. Colfax Street - SU for addition)

**VILLAGE OF PALATINE
Zoning Board of Appeals**

SCHEDULED 03/27/18 07:00 PM

CASE STAFF STATEMENT (ID # 4325)

787 E. Dundee Road

TO: Palatine Zoning Board of Appeals
Jan Wood, Chair

FROM: Lyn Bremanis

PETITIONER: Ning Li, Royal Crab House

CASE NUMBER: 18-14

ADDRESS: 787 E. Dundee Road

PROPOSAL:

Special Use to permit a restaurant pursuant to Section 11.03 (d)(27) of the Palatine Zoning Ordinance.

<u>LOCATION:</u> 787 E. Dundee Road District 3 (Myslinski)	<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>	P - Planned Development

BACKGROUND:

The Petitioner is proposing to operate a restaurant, Royal Crab House at the Subject Property. Therefore, the Petitioner is requesting:

- **Special Use to permit a restaurant**

SITE ANALYSIS:

- The Subject Property is zoned P, Planned Development and is an out lot in the Deer Grove Shopping Center. The Subject Tenant Space is approximately 2,000 square feet and is within a six unit building that is approximately 11,940 square feet.
- The Planned Development conforms to the uses for the B-2, General Business district.

Case Staff Statement (ID # 4325)
Meeting of March 27, 2018

- The Petitioner is proposing to open a new restaurant, Royal Crab House, at the location previously known as Pie Five Pizza Company which has been closed for approximately one year.
- The proposed hours of operation are Monday through Friday from 10:30 am to 2 pm; 4:30 pm to 9:30 pm, Saturday 11:30 am to 10:00 pm and Sunday 1:00 pm - 9:00 pm.
- There will be 5 full-time and 4 part-time employees.
- The floor plan indicates 70 seats which the same as Pie Five's seating count, see attached. This space received a parking variation in 2014, which would still would apply.

DEPARTMENTAL REVIEWS:

Community Services	No Issues Identified
Engineering	No Issues Identified
Environmental Health	No Issues Identified
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 Petitioner is proposing to operate a new restaurant in a space that was previously another restaurant, Pie Five space in the Deer Grove Centre. The use and seating count are to remain the same. Therefore, this proposed use should not have a negative impact on the neighboring businesses. Therefore, Staff recommends approval of the Special Use subject to the following conditions:

1. The Special Use shall substantially conform to the business plan and floor submitted by the Petitioner on 2/21/2018 except as such plans may be revised to conform to Village Codes and Ordinances.

Case Staff Statement (ID # 4325)
Meeting of March 27, 2018

ATTACHMENTS:

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



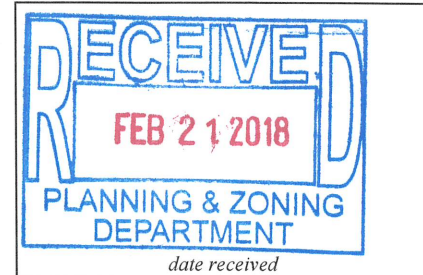
Attachment: Aerial (787 E. Dundee Road - SU for restaurant)

VILLAGE OF PALATINE

SPECIAL USE & VARIATION APPLICATION

Department of Planning & Zoning
200 E. Wood Street • Palatine, IL • 60067-5339
Telephone: (847) 359-9047 • Fax (847) 963-6247

Office Use Only	Project Planner <i>Lyn Bremanis</i>	Zoning Case # <i>18-14</i>
	Filing Fee	Notification Deadline
	ZBA Public Hearing Date	Village Council Date



Background Information	PETITIONER(S)		Business Name (if applicable)	
	Ning Li		Royal Crab House Inc.	
	Subject Property Address 787 E. Dundee Road, 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)			
	☒ Special Use ☐ Special Use Amendment ☐ Variation			
	Existing Zoning District B-2	Existing Land Use Retail / Restaruant	Proposed Land Use Retail / Restaruant	
Generally describe your request:				
Royal Carb House Inc plan to setup a Cajun style seafood restaruant in this location (former Pie Five Pizza). We are going to offer quailty casual dining for the community.				

Attachment: Application (787 E. Dundee Road - SU for restaurant)

SPECIAL USE

Required Materials

- ☐ Filing Fee of \$ 870.00
- ☐ 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

Deer Grove Center is a very convenient location to provide our service to public.

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

The original design was very professional for restaurant using.

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

Deer Grove Center is a well maintained newer strip mall. A new dine in seafood restaurant should help attracting more visitors to the mall and the area. It won't injury to nearby property value.

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

So far we don't have any plan for the live entertainment uses in this location neither the fence.

Attachment: Application (787 E. Dundee Road - SU for restaurant)

PROFESSIONALS ASSOCIATED SURVEY, INC.
 PROFESSIONAL DESIGN FIRM NO. 184-03033
 7100 N. TRUMP AVE., LINCOLNWOOD, ILLINOIS 60713
 TEL. (847) 678-3000 FAX (847) 678-5187
 e-mail: pasc@professionalsurvey.com
 www.professionalsurvey.com

ALTA/ACSM LAND TITLE SURVEY

OF

PARCEL 11
 LOT 3 IN DEER GROVE CENTRE, BEING A SUBDIVISION OF PART OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 8, 1985, AS DOCUMENT 85849083, IN COOK COUNTY, ILLINOIS.

PARCEL 2
 NON-EXCLUSIVE EASEMENT FOR ingress, egress, utilities, construction, maintenance, reconstruction and parking for benefit of PARCELS 1, 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, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 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801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000, 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1499, 1500, 1501, 1502, 1503, 1504, 1505, 1506, 1507, 1508, 1509, 1510, 1511, 1512, 1513, 1514, 1515, 1516, 1517, 1518, 1519, 1520, 1521, 1522, 1523, 1524, 1525, 1526, 1527, 1528, 1529, 1530, 1531, 1532, 1533, 1534, 1535, 1536, 1537, 1538, 1539, 1540, 1541, 1542, 1543, 1544, 1545, 1546, 1547, 1548, 1549, 1550, 1551, 1552, 1553, 1554, 1555, 1556, 1557, 1558, 1559, 1560, 1561, 1562, 1563, 1564, 1565, 1566, 1567, 1568, 1569, 1570, 1571, 1572, 1573, 1574, 1575, 1576, 1577, 1578, 1579, 1580, 1581, 1582, 1583, 1584, 1585, 1586, 1587, 1588, 1589, 1590, 1591, 1592, 1593, 1594, 1595, 1596, 1597, 1598, 1599, 1600, 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1611, 1612, 1613, 1614, 1615, 1616, 1617, 1618, 1619, 1620, 1621, 1622, 1623, 1624, 1625, 1626, 1627, 1628, 1629, 1630, 1631, 1632, 1633, 1634, 1635, 1636, 1637, 1638, 1639, 1640, 1641, 1642, 1643, 1644, 1645, 1646, 1647, 1648, 1649, 1650, 1651, 1652, 1653, 1654, 1655, 1656, 1657, 1658, 1659, 1660, 1661, 1662, 1663, 1664, 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2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 21

ROYAL CRAB HOUSE INC.

Our goal is provide the quality Cajun style seafood and service to our community. Our guests will enjoy the casual dining in with friends and family members.

LOCATIONS

787 E. Dundee Rd,
Palatine IL , 60074

HOURS

Monday — Friday

11:30am — 2:30pm; 4:30pm — 9:30pm

Saturday

11:30pm — 10pm

Sunday

1pm — 9pm

Employee

5 Full time, 4 part time.

MENU

APPETIZERS

French Fries regular ; cajun ; garlic ; cajun-garlic

Garlic Noodles

Wings (6 pieces) lemon pepper, cajun, garlic butter or naked

Fried Calamari

Fried Oyster Basket w/Fries

Fried Soft Shell Crab w/Regular Fries

Fried Shrimp Basket w/Regular Fries

Beer Battered Cod Fish w/Fries

Fried Cat Fish w/Fries

Chicken Tenders w/Regular Fries

Lobster Roll Sandwich w/Regular Fries

OYSTERS

1/2 dz. Raw Oysters

1/2 dz. Louisiana or California Char Grilled Oysters

ROYAL DOGS All hot dogs served with order of regular fries

Cajun Andouille Hot Dog

Crawfish Hot Dog

Alligator Hot Dog

Toppings

Ketchup, Yellow Mustard, Onions, Tomatoes, Hot Peppers, Relish, Dill Pickles
Sauce

House Sauce (Spicy), Sriracha Mayo, Horseradish Garlic

STEP 1: SEAFOOD

All seafood items are sold at Market Price (MP) on a per pound basis unless otherwise stated

Crawfish MP/lb.

Shrimp MP/lb. choose between Whole (head-on, NOT deveined) or Headless (deveined)

Clams MP/lb.

Mussels MP/lb.

Lobster Tail (4 oz. each) MP

Lobster Claws MP/lb.

Snow Craw Legs MP/lb.

King Crab Legs MP/lb.

Blue Crab Legs MP/lb.

Whole Dungeness Crab MP/lb.

Whole 1 lb. - 3 lb. Lobster MP/lb.

EXTRA

Corn, Sausage, Potato

STEP 2: MAKE IT FLAVORFUL!

Select the sauce you'd like. Can pick a single, double, or all three combined together which is the Maniac

Lemon Pepper, Garlic Butter, Royal Cajun, Maniac (ALL)

STEP 3: MAKE IT SPICY!!! Select from your choice of SPICE level

Level 1: pinch of spice!

Level 2: kick of spice!!

Level 3: spicy!!!

Level 4: VERY SPICY!!!!

EXTRA SIDE

Garlic BREAD

Condiments

Extra Spice Sauce

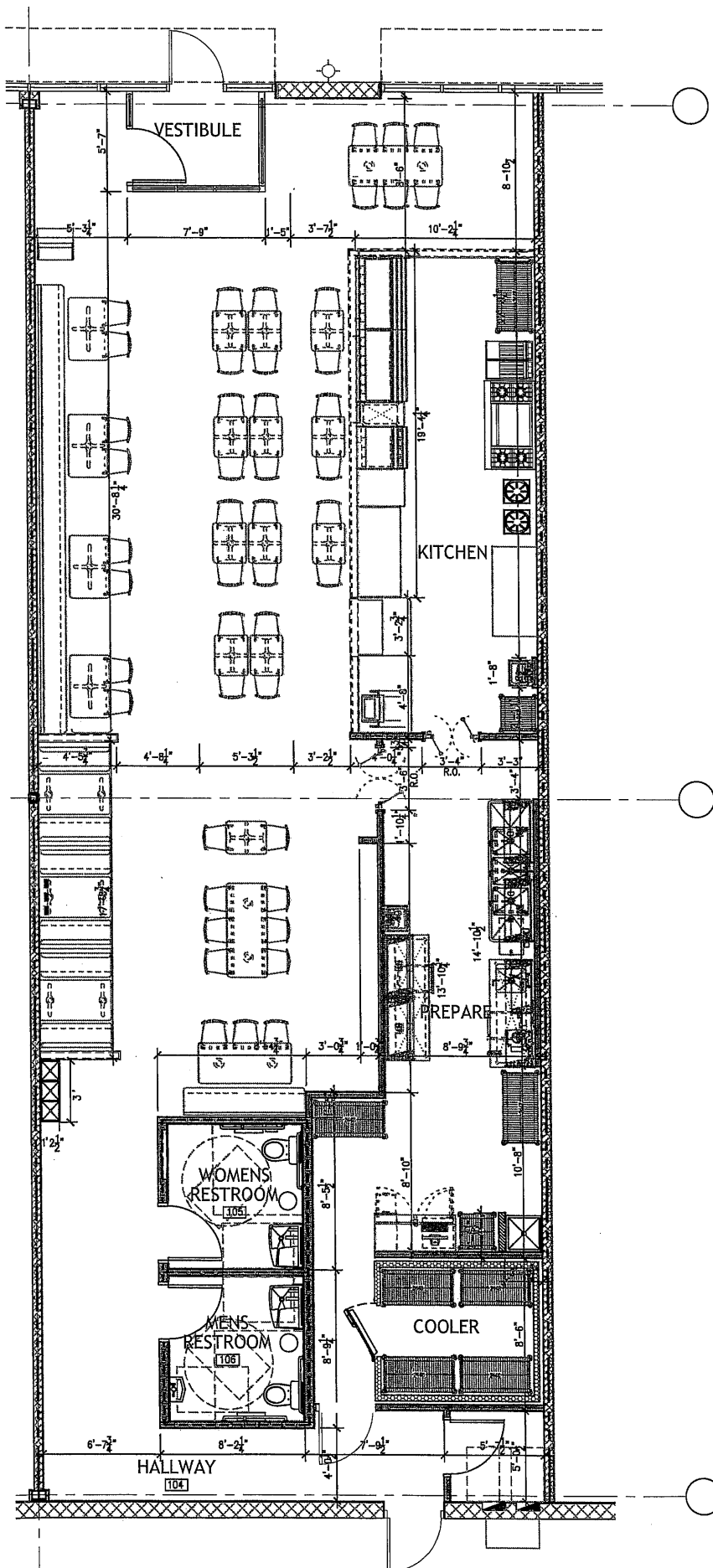
Steamed Rice

Crab meat fry rice

SOFT DRINK AND BEER

SEATING COUNT

2 TOP TABLE X 12 = 24
 4 TOP TABLE X 7 = 28
 6 TOP TABLE X 3 = 18
 Total Seating = 70



PUBLIC NOTICE

A public hearing will be held before the Palatine Zoning Board of Appeals on Tuesday, March 27, 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 a restaurant pursuant to Section 11.03 (d)(27) of the Palatine Zoning Ordinance.

The property is commonly known as 787 E Dundee Road (PIN# 02-11-209-007).

The Petitioner is proposing to open a restaurant, Royal Crab House Inc.

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

FILE #: 18-14

VILLAGE OF PALATINE
Jan Wood, Chair
Palatine Zoning Board of Appeals

DATED: This 12th day of March, 2018.
Published in Daily Herald
March 12, 2018 (4495463)

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, Barrington, Barrington Hills, Lake Barrington, North Barrington, South Barrington, Bartlett, Batavia, Buffalo Grove, Burlington, Campton Hills, Carpentersville, Cary, Deer Park, Des Plaines, South Elgin, East Dundee, Elburn, Elgin, Elk Grove Village, Fox Lake, Fox River Grove, Geneva, Gilberts, Grayslake, Green Oaks, Gurnee, Hainesville, Hampshire, Hanover Park, Hawthorn Woods, Hoffman Estates, Huntley, Inverness, Island Lake, Kildeer, Lake Villa, Lake in the Hills, Lake Zurich, Libertyville, Lincolnshire, Lindenhurst, Long Grove, Mt. Prospect, Mundelein, Palatine, Prospect Heights, Rolling Meadows, Round Lake, Round Lake Beach, Round Lake Heights, Round Lake park, Schaumburg, Sleepy Hollow, St. Charles, Streamwood, Tower Lakes, Vernon Hills, Volo, Wauconda, Wheeling, West Dundee, Wildwood, Sugar Grove, North Aurora

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 March 12, 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 # 4495463

Attachment: Public Notice (787 E. Dundee Road - SU for restaurant)

**VILLAGE OF PALATINE
Zoning Board of Appeals**

SCHEDULED 03/27/18 07:00 PM

CASE STAFF STATEMENT (ID # 4324)

220 N. Smith Street

TO: Palatine Zoning Board of Appeals
Jan Wood, Chair

FROM: Katie Romack

PETITIONER: Dr. Sheffield Hyde (Northwest Periodontics and Implants, Inc.)

CASE NUMBER: 18-17

ADDRESS: 220 N. Smith Street

PROPOSAL:

Special Use to permit a dental office pursuant to Section 11.03 (d) (42) of the Palatine Zoning Ordinance.

<u>LOCATION:</u> 220 N. Smith Street District 6 (Helms)	<u>CURRENT ZONING:</u> Planned Development (Gateway Center)
---	---

SURROUNDING CONDITIONS:

<u>North:</u>	R-3 High Density Multi-Family
<u>South:</u>	P Planned Development (Palatine Station Subdivision)
<u>East:</u>	R-3 High Density Multi-Family
<u>West:</u>	Manufacturing

BACKGROUND:

The Petitioner is proposing to operate a dental office specializing in periodontics and implants. Therefore, the Petitioner is requesting:

- **Special Use to permit a dental office**

SITE ANALYSIS:

- The subject property is zoned Planned Development and contains the Gateway Center. The subject property is governed by Planned Development Ordinance #O-54-01 and the uses are regulated by the B-2 standards.
- The Petitioner has an existing practice located at 553 N. North Court, but would like to relocate this office to the subject property.

Case Staff Statement (ID # 4324)
Meeting of March 27, 2018

- The subject tenant space is approximately 3,471 square feet. The proposed hours of operation are Monday through Thursday from 8 AM to 5 PM, Friday from 8 AM to 4 PM, and once a month on Saturday from 8 AM to 12 PM.
- There will be 6-11 employees working at any given time. The average number of patients per hours is 2-4 and the maximum is 6 patients at any given time.
- Based on the square footage, 12 parking spaces are required for this use. Within the Gateway parking garage, there are 378 parking spaces for the office building. Of the 378 spaces, 15 parking spaces will be allotted to the proposed use. If the proposed use requires more than 15 parking spaces, the property owner will provide additional parking spaces.
- In addition to the office building parking spaces, there is also 68 3-hour parking spaces on the first floor reserved for office/retail visitors.

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, 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 Petitioner is proposing to occupy a vacant tenant space in the Gateway Center. The Gateway Center currently has a mix of restaurant, office, and service uses. Therefore, the proposed business operations should not have a negative impact on the surrounding properties within this center.

The property owner of the Gateway Center has already allotted 15 parking spaces for the proposed use, with the potential for additional parking spaces, if needed. In addition to these allotted spaces, the Gateway Center has 68 dedicated off-street parking spaces for office/retail customers. Additionally, this is an established dental office, with defined patient office visit patterns and capacity that should not exceed the available parking resources. Therefore, Staff recommends approval of the Special Use subject to

the following conditions:

1. The Special Use shall substantially conform to the floor plan prepared by The Jenkin Group dated 02/23/2018 and the business plan submitted by the Petitioner, Dr. Sheffield Hyde on 02/26/2018, except as such plans may be changed to conform to Village Codes and Ordinances.

ATTACHMENTS:

- Aerial map - 220 N. Smith Street
- Application
- Business Plan
- Plat of Survey
- Floor plan
- O-054-01 - Gateway Center Final Planned Development Ordinance
- Public Notice

220 N. Smith Street

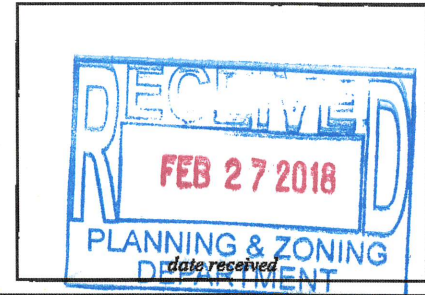


VILLAGE OF PALATINE

SPECIAL USE & VARIATION APPLICATION

Department of Planning & Zoning
200 E. Wood Street • Palatine, IL • 60067-5339
Telephone: (847) 359-9047 • Fax (847) 963-6247

Office Use Only	Project Planner <i>Katie Romack</i>	Zoning Case # <i>18-17</i>
	Filing Fee <i>\$870</i>	Notification Deadline
	ZBA Public Hearing Date <i>3/27/18</i>	Village Council Date



Background Information	PETITIONER(S)		Business Name (if applicable)	
	Northwest Periodontics and Implants, Inc.			
	Subject Property Address 220 North Smith Street - Palatine, IL 60067			
	AUTHORIZED AGENT (if applicable)		Business Name (if applicable)	
	Michael J. Rolfs		Hamilton Partners, Inc.	
	Address 1130 Lake Cook Road #190		City/State/Zip Code Buffalo Grove, IL 60089	
	Telephone 847-459-5561	Fax 847-459-8918	Email mrolfs@hpre.com	
	Relationship to Petitioner (contractor, architect, etc.) Building Owner & Management Company			
	TYPE OF APPLICATION (check one)			
	☒ Special Use ☐ Special Use Amendment ☐ Variation			
Existing Zoning District B-2 General Business		Existing Land Use	Proposed Land Use	
Generally describe your request:				
Seeking approval of a Special Use Permit to allow the Petitioners dental practice to lease and and occupy space in the existing 220 North Smith Street Building in downtown Palatine.				

Attachment: Application (220 N. Smith Street - SU dental office)



SPECIAL USE

Required Materials

- ☐ Filing Fee of \$ 870.00
- ☐ 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

The dental practice will provide needed services for the general public at this location.

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

The use will be designed and built out to meet all applicable building codes and will be in compliance with all life safety codes and ordinances in effect at this time.

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

The use is consistent and compatible with all other existing tenancies in the Building and will actually increase the Property's value.

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

N/A

Attachment: Application (220 N. Smith Street - SU dental office)

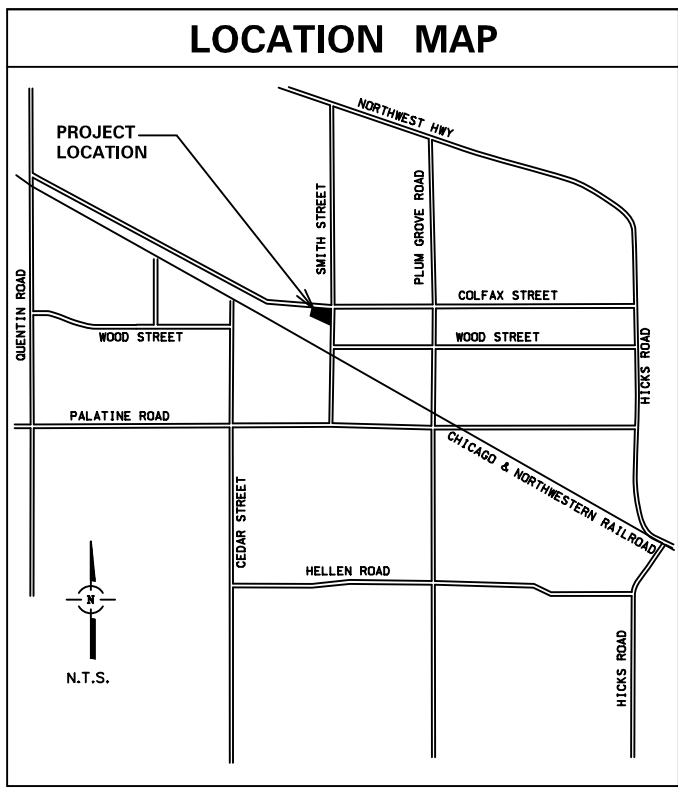
Business Plan

Northwest Periodontics and Implants, Inc. has been in business in Palatine, IL since 1971. They are proposing to relocate the existing Palatine office to 220 North Smith Street.

The practice has hours of operation Monday, Tuesday, Wednesday and Thursday from 8:00 AM – 5:00 PM, Friday from 8:00 AM – 4:00 PM and once a month on Saturday from 8:00 AM – 12:00 PM. These hours of operation are consistent with the hours of operation for the 220 North Smith Building.

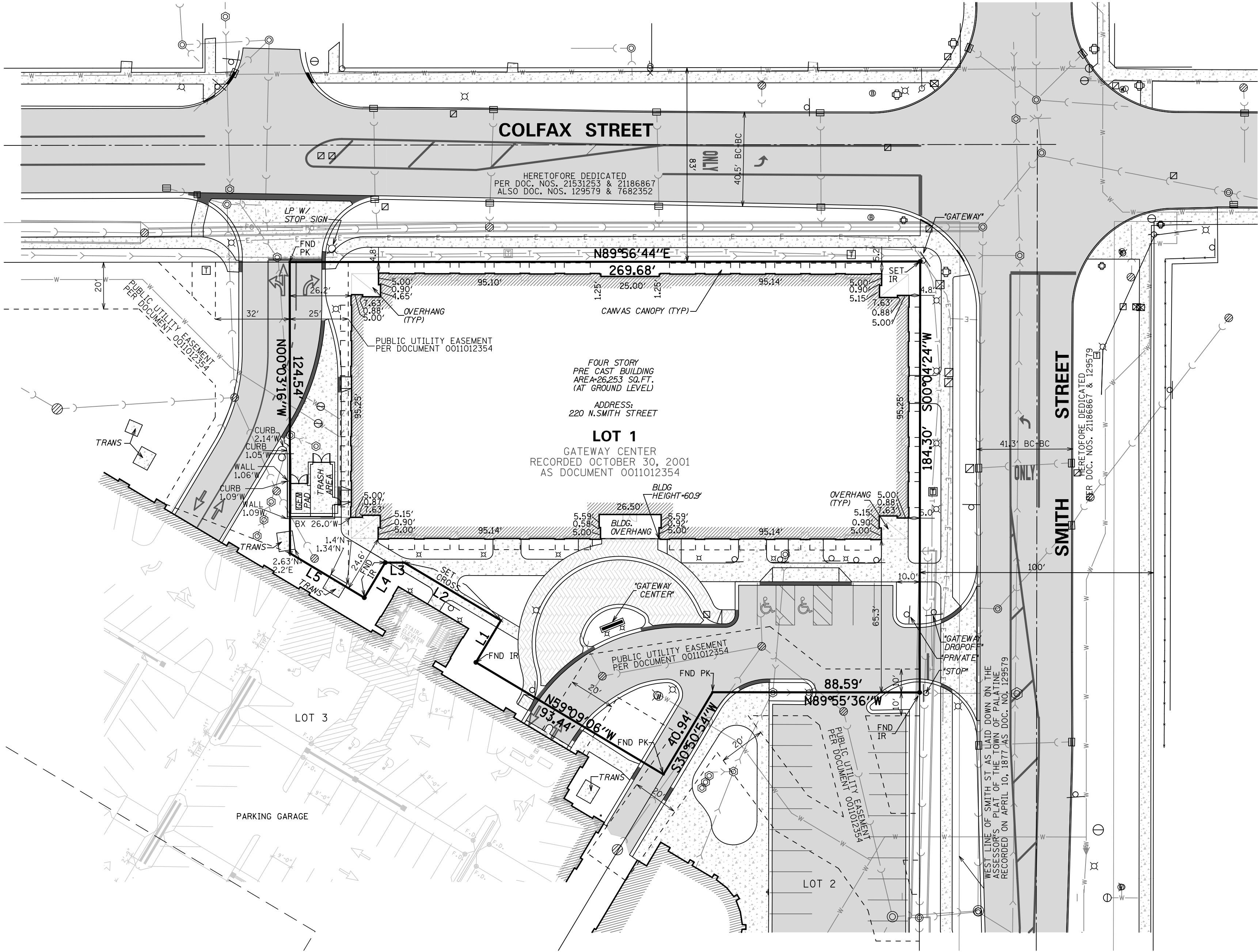
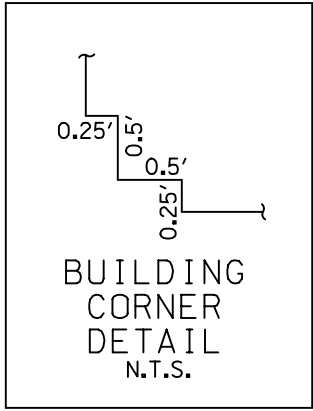
The practice will have six (6) to a maximum of eleven (11) employees on any given day including the doctors. The office building parking allocation for the space leased by the practice is fifteen (15) spaces in the adjacent office parking lot. In addition, there are sixty-eight (68) 3-hour maximum parking spaces reserved for office and retail visitors on the first (1st) level of the adjacent parking garage which could be utilized by patients of the practice.

A.L.T.A./N.S.P.S. LAND TITLE SURVEY



LEGEND

— OH — OH	OVERHEAD WIRELESS UTILITY POLES
— X —	FENCE
—	GUARDRAIL
○	SANITARY MANHOLE
○	STORM MANHOLE
○	CATCH BASIN
○	INLET
○	FLARED END SECTION
○	ELECTRIC MANHOLE
○	TELEPHONE MANHOLE
○	ELECTRIC UPRIGHT
○	CABLE TV UPRIGHT
○	FIRE HYDRANT
○	VALVE AND VAULT
○	WATER VALVE
○	B BOX
○	AUXILIARY VALVE
○	GAS VALVE
○	HAND HOLE
○	STREET LIGHT
○	UTILITY POLE
○	TRAFFIC SIGNAL
○	TRAFFIC SIGNAL BOX
○	SPRINKLER HEAD
○	BOLLARD
○	MALBOX
○	SIGN
○	UNIDENTIFIED MANHOLE
○	IRON / STEEL ROD
○	IRON PIPE
○	DOT CROSS
○	PK / MAG NAIL
○	RAILROAD SPIKE
○	TOP OF CURB
○	BUILDING CORNER
○	CENTERLINE
○	CLEANOUT
○	FENCE END
○	FENCE CORNER
○	IRON ROD
○	MEASURED
○	RECORD
○	TRANSFORMER
○	ASPHALT
○	CONCRETE
○	GRAVEL



LINE TABLE

L1 = 22.88'	N30°50'54"E	L5 = 37.01'	N59°09'06"W
L2 = 48.21'	N59°09'06"W		
L3 = 8.10'	N89°55'36"W		
L4 = 17.48'	S30°50'54"W		

PROPERTY DESCRIPTION:

PARCEL 1
LOT 1 OF PLAT OF RESUBDIVISION OF GATEWAY CENTER BEING A SUBDIVISION OF PART OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS, SAID PLAT HAVING BEEN RECORDED OCTOBER 30, 2001 AS DOCUMENT 0011012354.

PARCEL 2
EXCLUSIVE EASEMENT IN FAVOR OF PARCEL 1 AS CREATED BY EASEMENT OPERATING AGREEMENT, RECORDED OCTOBER 30, 2001 AS DOCUMENT 0011012357, FOR PARKING.
(FOR REFERENCE PURPOSES - ONLY SEE DOCUMENT FOR DETAILS)

NOTES:

THIS SURVEY REFLECTS MATTERS OF TITLE AS LISTED ON A COMMITMENT FOR TITLE INSURANCE BY CHICAGO TITLE INSURANCE COMPANY, NUMBER 17021283NC WITH AN COMMITMENT DATE OF NOVEMBER 20, 2017 AND PRINTED DECEMBER 11, 2017.

UNDERGROUND UTILITIES ARE SHOWN BY USING PHYSICAL EVIDENCE FOUND ON THE SURFACE AND/OR FROM UTILITY COMPANY FIELD STAKES, AND/OR ENGINEERING DESIGN PLANS. THEREFORE, THEIR LOCATIONS ARE APPROXIMATE AND SUSPECTED AND MAY NOT BE COMPLETELY ACCURATE. FOR MORE ACCURATE LOCATION, FIELD EXCAVATE. OTHER UTILITIES NOT SHOWN MAY EXIST. NO UNDERGROUND UTILITIES WERE LOCATED. BEFORE DIGGING CALL 811. AT 1-800-892-0123.

ALL DIMENSIONS ARE IN FEET AND DECIMAL PARTS THEREOF. NO DISTANCES OR ANGLES SHOWN HEREON MAY BE ASSUMED BY SCALING.

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY IN ADDITION TO THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS.

SPACECO, INC IS AN ILLINOIS PROFESSIONAL DESIGN FIRM REGISTERED UNDER LICENSE NUMBER 184-001157.

TAX P.I.N. (PER COOK COUNTY VIEWER & TITLE):
02-15-400-054

ADDRESS (OBSERVED):
220 N SMITH STREET
PALATINE, IL 60067
(TABLE A ITEM 2)

BASED UPON A REVIEW OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) MAP NUMBER 1703C0181J MAP REVISED AUGUST 19, 2008, IT IS OUR CONSIDERED OPINION THAT THIS PROPERTY LIES IN ZONE X (UNSHADED) - AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN AS IDENTIFIED BY SAID F.I.R.M. MAP.
(TABLE A ITEM 3)

PROPERTY SURVEYED CONTAINS 46,860 SQUARE FEET, OR 1.076 ACRES, MORE OR LESS.
(TABLE A ITEM 4)

SUBSTANTIAL FEATURES OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK ARE SHOWN HEREON.
(TABLE A ITEM 8)

THERE ARE 6 STRIPED PARKING SPACES ON THE SURVEYED PROPERTY, 2 OF WHICH ARE MARKED HANDICAPPED. PER REDEVELOPMENT AGREEMENT RECORDED SEPTEMBER 13, 2001 AS DOCUMENT 0010847145; 334 PARKING SPACES ARE GRANTED WITHIN THE ADJACENT PARKING GARAGE. SEE SECTION 8.9 AND 20.1 OF SAID DOCUMENT. (PARKING GARAGE SPACES HAVE NOT BEEN VERIFIED AND ARE BEYOND THE LIMITS OF THE SURVEYED PARCEL).
(TABLE A ITEM 9)

UTILITIES SHOWN HEREON WERE LOCATED AS PART OF THE SURVEY FOR THE SUBJECT PARCEL.
(TABLE A ITEM 11)

THERE IS NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT MONTHS.
(TABLE A, ITEM 16)

NOTES FROM TITLE COMMITMENT:

M 13. WATER MAIN EASEMENT IN FAVOR OF THE VILLAGE OF PALATINE, AS CREATED BY THE PLAT OF SUBDIVISION AFORESAID FOR EXACT LOCATION SEE PLAT.
(SURVEYOR'S NOTE: THE EASEMENTS GRANTED PER THE PLAT OF SUBDIVISION ARE PUBLIC UTILITY AND DRAINAGE EASEMENTS, AND THEY ARE SHOWN.)

N 14. EASEMENT FOR GAS, ELECTRIC, CABLE AND COMMUNICATION SERVICE, TO INSTALL, OPERATE AND MAINTAIN ALL EQUIPMENT NECESSARY FOR THE PURPOSE OF SERVING THE LAND AND OTHER PROPERTY, IN, UNDER, ACROSS, ALONG AND UPON THE SURFACE OF THE PROPERTY DESIGNATED AND/OR LABELED AS "PUBLIC UTILITY EASEMENT" WITH THE RIGHT OF ACCESS TO SAID EQUIPMENT, AND THE PROVISIONS RELATING THERETO CONTAINED IN THE PLAT RECORDED/FILED AS DOCUMENT NO. 0011012354 (AFFECTS THE LAND AND OTHER PROPERTY)
(SURVEYOR'S NOTE: THE EASEMENTS ARE SHOWN.)

O 15. REDEVELOPMENT AGREEMENT ENTERED INTO AS OF MAY 15, 2001 BY AND BETWEEN THE VILLAGE OF PALATINE, ILLINOIS AND JOSEPH FREED AND ASSOCIATES, LLC, RECORDED SEPTEMBER 15, 2001 AS DOCUMENT 0010847145; INCLUDING BUT NOT LIMITED TO THE FOLLOWING TERMS AND PROVISIONS:
LIMITATION ON ASSIGNMENT OF REDEVELOPMENT AGREEMENT AS SET FORTH IN PARAGRAPH 10.10 THEREIN AND LIMITATION ON TRANSFER OF PROPERTY AS SET FORTH IN ARTICLE 10, PARAGRAPHS 10.11 AND 10.12 THEREIN, TEMPORARY CROSS-ACCESS RECIPROCAL EASEMENT AGREEMENT FOR INGRESS AND EGRESS AND UTILITIES, OVER AND ACROSS THE PROPERTY, AS SET FORTH IN ARTICLE 9, PARAGRAPH 9.7 THEREIN.
FIRST AMENDMENT TO REDEVELOPMENT AGREEMENT RECORDED NOVEMBER 13, 2002 AS DOCUMENT 0021250320
SECOND AMENDMENT TO REDEVELOPMENT AGREEMENT RECORDED OCTOBER 23, 2003 AS DOCUMENT 0329649224
THIRD AMENDMENT TO REDEVELOPMENT AGREEMENT RECORDED DECEMBER 12, 2003 AS DOCUMENT NO. 0334602098
(SURVEYOR'S NOTE: THIS EXCEPTION AFFECTS THE SURVEYED PROPERTY, AND IS NOT A PLOTTABLE ITEM. IT DOES SET ASIDE 334 PARKING SPACES FOR LOT 1 WITHIN THE PARKING GARAGE. SEE DOCUMENTS FOR DETAILS)

P 16. TERMS, PROVISIONS AND CONDITIONS CONTAINED IN THE EASEMENT AND OPERATING AGREEMENT, RECORDED OCTOBER 30, 2001 AS DOCUMENT 0011012357 MADE BY AND BETWEEN GATEWAY CENTER OF PALATINE, LLC AND THE VILLAGE OF PALATINE.
GATEWAY CENTER FIRST AMENDMENT TO EASEMENT AND OPERATING AGREEMENT DATED OCTOBER 18, 2002 AND RECORDED NOVEMBER 13, 2002 AS DOCUMENT 0021250797.
(AFFECTS PARCEL 1)
(SURVEYOR'S NOTE: THIS EXCEPTION AFFECTS THE SURVEYED PROPERTY, BUT IS NOT A PLOTTABLE ITEM. SEE DOCUMENT FOR DETAILS)

O 17. TERMS, PROVISIONS, AND CONDITIONS RELATING TO THE EASEMENT DESCRIBED AS PARCEL 2 CONTAINED IN THE INSTRUMENT CREATING SAID EASEMENT.
RIGHTS OF THE ADJOINING OWNER OR OWNERS TO THE CONCURRENT USE OF SAID EASEMENT.
(SURVEYOR'S NOTE: THIS EXCEPTION AFFECTS THE SURVEYED PROPERTY, BUT IS NOT A PLOTTABLE ITEM. SEE DOCUMENT FOR DETAILS)

STATE OF ILLINOIS)
COUNTY OF COOK) SS

TO: GATEWAY PALATINE LLC, A DELAWARE LIMITED LIABILITY COMPANY
AND TO: SCHAUMBURG BANK & TRUST COMPANY, N.A., ITS SUCCESSORS AND/OR ASSIGNS
AND TO: CHICAGO TITLE INSURANCE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED BY ALTA AND NSPS; AND INCLUDES ITEMS 1, 2, 3, 4, 7(a), 7(b)(1), 7(c), 8, 9, 11, & 16 OF TABLE "A" THEREOF. THE FIELDWORK WAS COMPLETED ON DECEMBER 11, 2017.

GIVEN UNDER MY HAND AND SEAL THIS 20TH DAY OF DECEMBER, 2017 IN ROSEMONT, ILLINOIS.

Jerry P. Christoph

JERRY P. CHRISTOPH, I.P.L.S. No. 035-3540
LICENSE EXPIRES: 11-30-2018
jchristoph@spacecoinc.com

(VALID ONLY IF EMBOSSED SEAL AFFIXED)



PREPARED FOR:
SEYFARTH SHAW LLP
233 S. WACKER DRIVE
SUITE 8000
CHICAGO, IL 60606

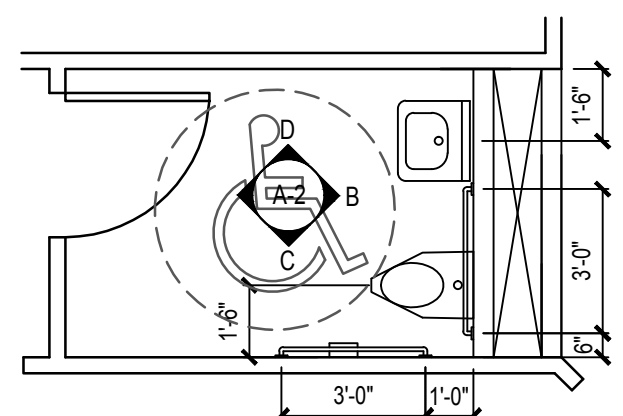
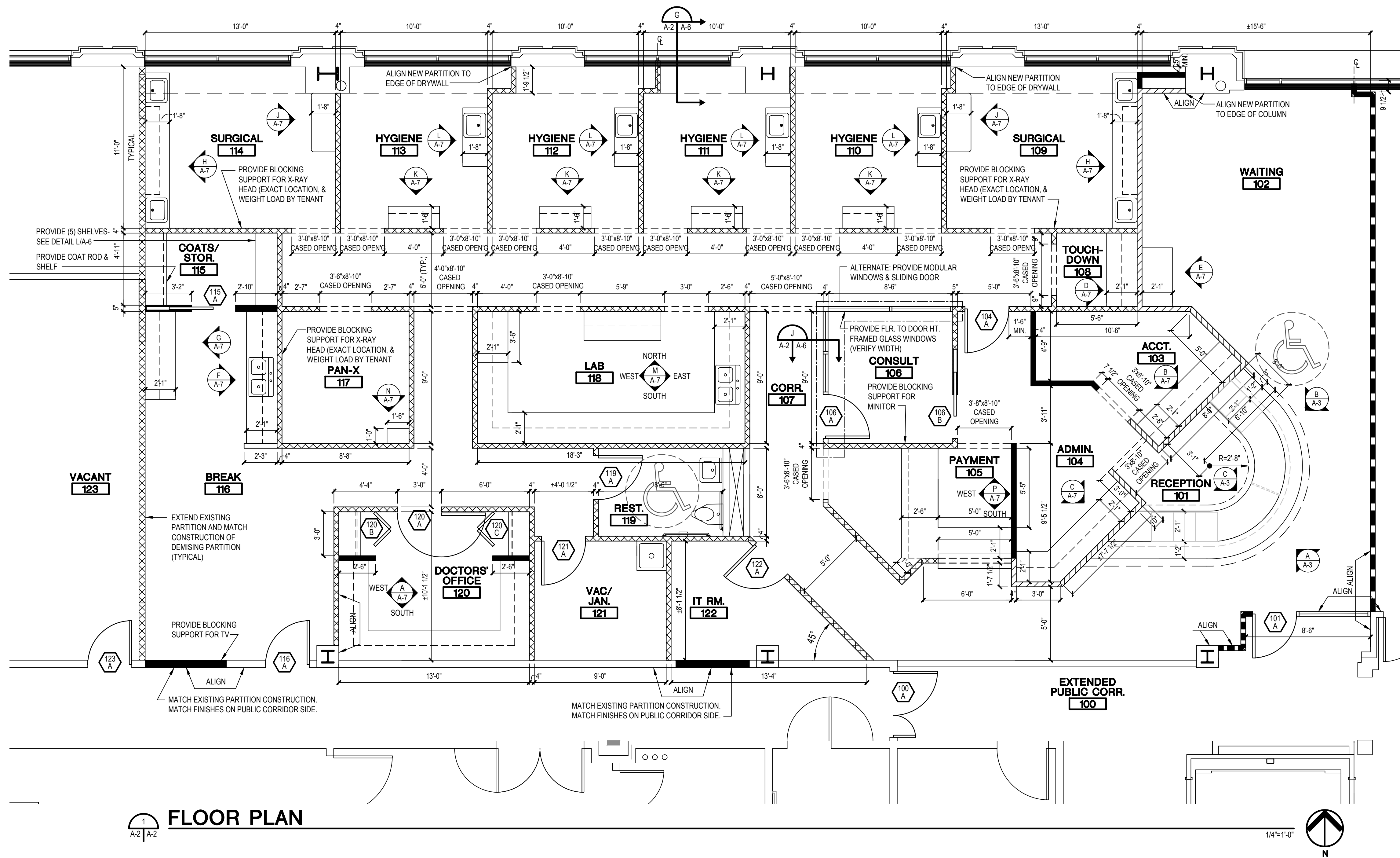
REVISIONS:



CONSULTING ENGINEERS
SITE DEVELOPMENT ENGINEERS
LAND SURVEYORS

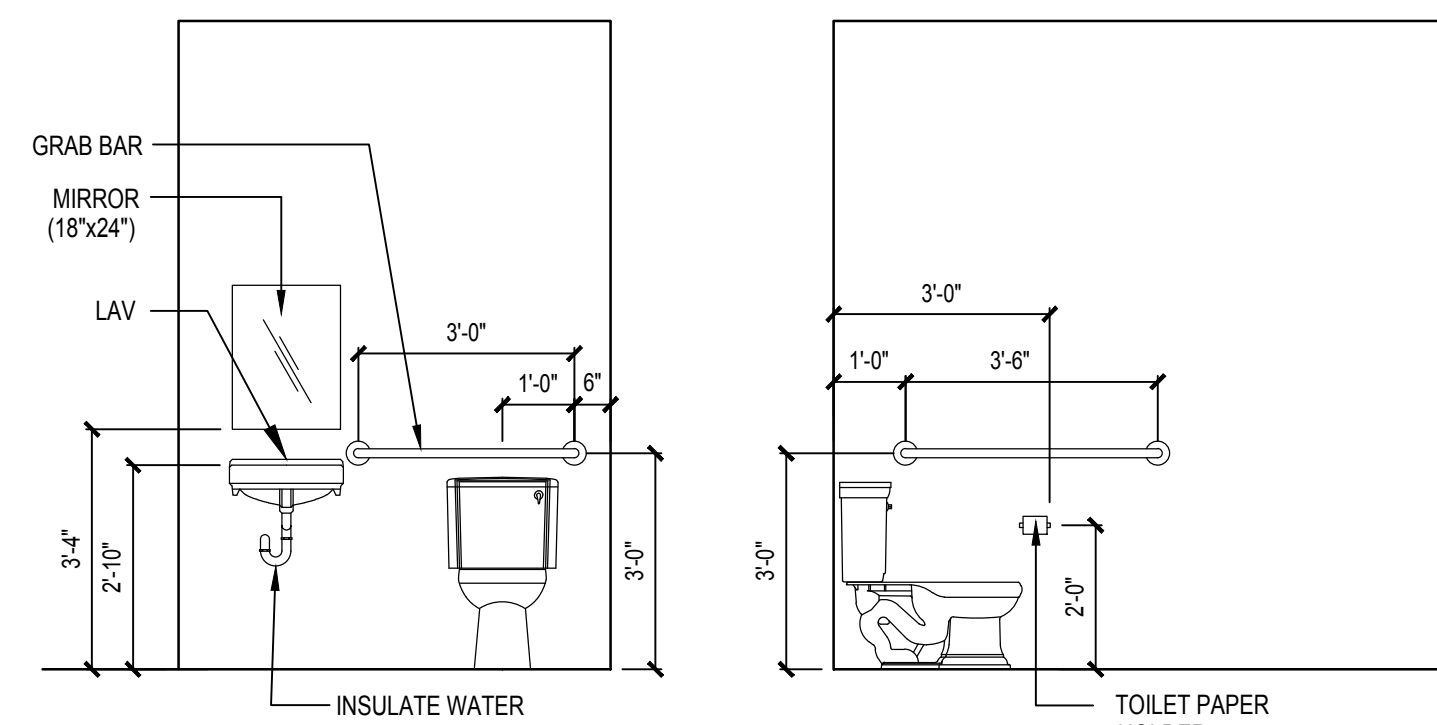
9575 W. Higgins Road, Suite 700,
Rosemont, Illinois 60018
Phone: (847) 696-4060 Fax: (847) 696-4065

DATE: 12/18/17
JOB NO: 3155
FILENAME: 3155ALTA.LT.1N
SHEET 1 OF 1



RESTROOM #119

1/4"=1'-0"



ELEV.- EAST

3/8"=1'-0"

ELEV.- SOUTH

3/8"=1'-0"

ELEV.- NORTH

3/8"=1'-0"

NOTES

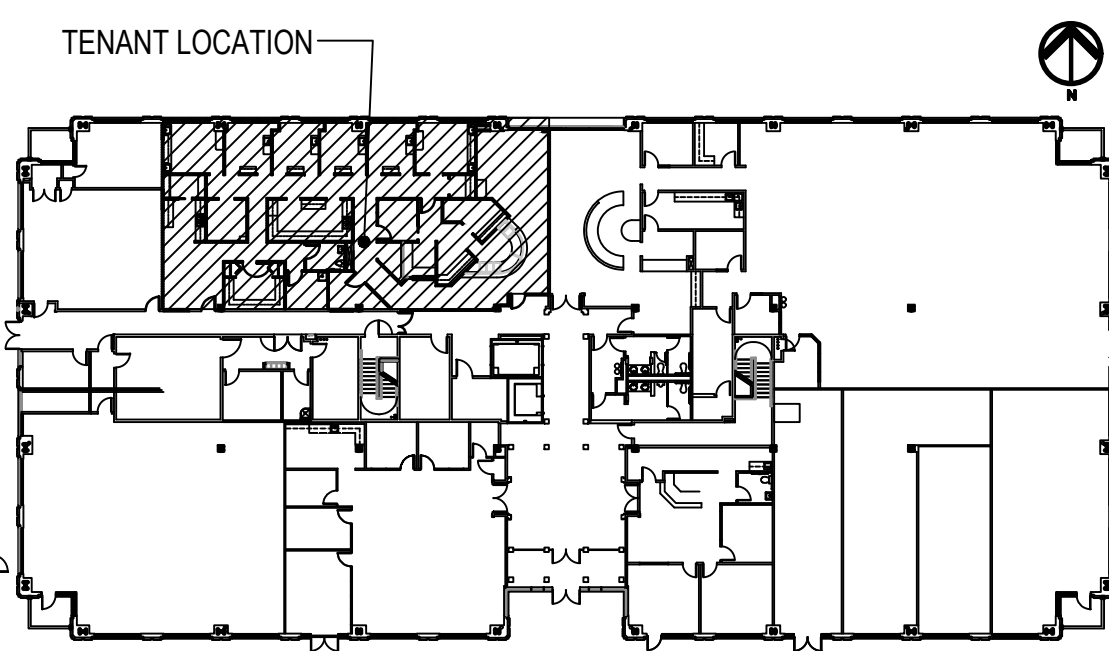
- EXISTING DOORS ARE TO REMAIN, UNLESS NOTED OTHERWISE. ALL NEW & RELOCATED DOORS ARE SHOWN WITH A DOOR MARK.
- FIRE EXTINGUISHERS: WHETHER THEY ARE SHOWN OR NOT ON FLOOR PLAN, TENANTS SHALL PROVIDE FIRE EXTINGUISHERS AND SHALL BE WITHIN SEVENTY-FIVE FEET (75') TRAVEL DISTANCE OF ALL LOCATIONS. ALL WALL MOUNTED FIRE EXTINGUISHERS WITH THEIR LEADING EDGES BETWEEN TWENTY-SEVEN INCHES (27") AND EIGHTY INCHES (80") ABOVE THE FINISHED FLOOR SHALL NOT PROTRUDE MORE THAN FOUR INCHES (4") IN WALKS, HALLS, CORRIDORS, PASSAGEWAYS OR AISLES.

SYMBOL LEGEND

NOTE: UNLESS OTHERWISE INDICATED, SYMBOLS REPRESENT NEW CONSTRUCTION.

- EXISTING PARTITION
- - - REMOVE EXISTING PARTITION
- TYPICAL PARTITION; SEE DETAIL A/A-6
- EXTENDED PARTITION; SEE DETAIL B/A-6
- EXTENDED 2 PARTITION; SEE DETAIL K/A-6
- DEMISING PARTITION; SEE DETAIL B/A-6

KEY PLAN - 1ST FLOOR



Proj. Mgr.	DJO
Job Capt.	JTL
Drawn by	JTL
Rev'd by	DJO
Signature	
Current Date	2-23-18
License Expiration Date	11-30-18

THE SEAL AFFIXED ABOVE, APPLIES TO THE FOLLOWING DOCUMENTS: 1-1, A-1 THRU A-7

ISSUED FOR PERMIT 2-23-18

ISSUED FOR REVIEW 2-7-18
Description Date

Revisions

© COPYRIGHT 2018
THIS DOCUMENT IS THE PROPERTY OF THE JENKINS GROUP, INC. AND NO PART HEREIN SHALL BE USED EXCEPT FOR THIS SPECIFIC PROJECT WITHOUT CONSENT OF THE JENKINS GROUP, INC.

OWNER/DEVELOPER HAMILTON PARTNERS

1130 LAKE COOK ROAD
BUFFALO GROVE, IL 60089
(847) 459-9225
(847) 459-8918 Fax

CONTRACTOR QUINCY CONSTRUCTION

202 S. COOK ST., STE. 214
DOWNERS GROVE, IL 60515
(847) 404-3463
(224) 848-4554 Fax

The Jenkins Group

Bochenek/Jenkins/Olsen/Snoble
REGISTRATION NO. 184-000321
The Jenkins Group, Inc.
Architecture/Interiors/Planning
300 Park Boulevard, Suite 250
Itasca, Illinois 60143
(630) 250-9100 Telephone
(630) 250-9177 Fax

Project

Tenant
Finish-out
For

NORTHWEST PERIODONTICS

220 N. SMITH ST.
PALATINE, IL
STE. 110

Sheet Title

FLOOR PLAN

Date
FEB. 23, 2018

Project No.
18007

Sheet No.

A-2

Sheet 3 of 8

ORDINANCE NO. 0-54-01

**AN ORDINANCE
GRANTING FINAL PLANNED DEVELOPMENT APPROVAL
GATEWAY CENTER**

WHEREAS, upon petition of owners of said property, hearings were held by the Plan Commission of the Village of Palatine on April 3, 2001 in accordance with the Zoning Ordinance of the Village of Palatine, in such case made and provided, and said Plan Commission, having made its findings in a report to the Mayor and Village Council of the Village of Palatine regarding a request for Final Planned Development approval.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Village Council of the Village of Palatine, Cook County, Illinois, acting in the exercise of their home rule power:

SECTION 1: That final approval of a Planned Development is hereby granted pursuant to Section 13.05 of the Palatine Zoning Ordinance for the real estate described as follows, to wit:

Lots 1, 2, 3 and 4 in Millin's Subdivision, being a subdivision of part of the Southeast quarter of Section 15, Township 42 North, Range 10 East of the Third Principal Meridian, according to the plat thereof recorded June 17, 1970, as Document Number 21186867, in Cook County, Illinois. ALSO that part of the Northwest quarter of the Southeast quarter of Section 15, Township 42 North, Range 10 East of the Third Principal Meridian, described as follows: Beginning at a point in the West line of Smith Street at the intersection of the South line of Colfax Street extended West; thence South along the West line of Smith Street, 132.00 feet; thence West 132.00 feet parallel with the South line of Colfax Street extended West; thence North 132.00 feet to a point in the South line of Colfax Street extended West; thence East along the South line of Colfax Street extended West to the point of beginning, excepting therefrom the North 17.00 feet and the East 17.00 feet thereof dedicated for public streets by Plat of Dedication recorded July 1, 1971 as Document Number 21521353, all in Cook County, Illinois

commonly known as the vacant 5 acres located at the Southwest corner of Smith Street and Colfax Street, commonly known as Commuter's Plaza.

SECTION 2: That final approval of a Planned Development is hereby granted to the

above described property pursuant to Section 13.05 of the Palatine Zoning Ordinance, subject to the following conditions:

1. The planned development and subdivision of land shall substantially conform to the engineering plans sheets 1-10 by Spaceco, Inc. dated March 23, 2001, and to the plat of subdivision by Spaceco, Inc. dated 3/23/01 and to the parking structure plans by Walker Parking Consultants dated 2/9/01 last revised 3/23/01 and to the office/retail and retail building floor plans and elevations by TVS attached hereto as exhibit "A" and to the parking structure elevations attached hereto as Exhibit "B" and to the detail sheet by TVS attached hereto as Exhibit "C", and to the landscape plan by Daniel Weinbach & Partners, LTD. Dated 3/20/01, last revised 3/28/01, except as they may be changed to conform to Village Codes and Ordinances and the following conditions:
2. The uses for the planned development shall conform to the Permitted and Special Uses in the B-2 General Business District. Public hearings for Petitions for Special Uses for restaurants may be heard by the Village Council.
3. Site lighting shall conform to Village Code.
4. Signage shall conform to Village Code and any Downtown Design Guidelines adopted by the Village.
5. All existing ingress/egress and utility easements shall be vacated. New utility easements shall be granted in a form acceptable to the Village Engineer with the approval of the Village Manager.
6. The sidewalk along the railroad right-of-way and the access to the train platform shall conform to the Railwalk design standards adopted by the Village. Joseph Freed & Associates shall be responsible for 50% of the costs of the sidewalk adjacent to Lots 1 & 2.
7. All trash enclosures shall be designed and constructed in a manner acceptable to the Director of Inspection Services with the approval of the Village Manager.
8. A letter of credit to ensure the maintenance of the planned development in the amount of \$50,000 and in a form acceptable to the Village Engineer shall be submitted prior to the start of construction. A letter of credit to ensure the completion of the planned development and public improvements in the amount of \$1.4 million shall be submitted pursuant to the terms and conditions of the Redevelopment Agreement.
9. The planned development shall be subject to the terms and conditions of the Redevelopment Agreement which addresses, among other things, cross access and operating agreements, construction phasing, transferability of development

rights and securities. In the event that the Planned Development Ordinance and the Redevelopment Agreement are in conflict, the more restrictive shall apply.

10. The engineering plans shall be revised in a manner acceptable to the Village Engineer with the approval of the Village Manager.
11. All rooftop units shall be visually and acoustically screened in a manner acceptable to the Director of Inspection Services with the approval of the Village Manager.
12. The landscape plan shall be revised in a manner acceptable to the Village Forester with the approval of the Village Manager.
13. Final building and architectural plans for the office and retail buildings shall be submitted in a manner acceptable to the Director of Inspection Services and shall be approved by the Village Manager. Any substantial changes to the plans referenced in condition 1 of this ordinance shall require Village Council approval.
14. Final building and architectural plans for the parking deck shall be reviewed and approved by the Village Council in conjunction with the construction contract including the guaranteed maximum price.

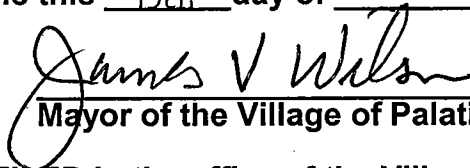
SECTION 3: That the petition for preliminary and final planned development, a copy of the public notice, and the minutes of the Plan Commission Meeting reporting on this petition be attached hereto and form a part of this ordinance.

SECTION 4: This ordinance shall be in full force and effect upon passage and approval as provided by law.

PASSED: This 15th day of May, 2001

AYES: 5 **NAYS:** 1 **ABSENT:** 0 **PASS:** 0

APPROVED by me this 15th day of May, 2001



 Mayor of the Village of Palatine PRO-TEM

ATTESTED and **FILED** in the office of the Village Clerk this 15th day of
 _____, 2001



 Village Clerk

PUBLIC NOTICE

A public hearing will be held before the Palatine Zoning Board of Appeals on Tuesday, March 27, 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 a dental office pursuant to Section 11.03 (d) (42) of the Palatine Zoning Ordinance.

The property is commonly known as 220 N. Smith Street (PIN# 02-15-400-054). The Petitioner would like to operate a dental office at the Gateway Center.

The above petition has been filed by Dr. Sheffield Hyde (Northwest Periodontics and Implants, Inc.) and is available for examination in the office of the Village Clerk, 200 E. Wood Street.

FILE #: 18-17
VILLAGE OF PALATINE

Jan Wood, Chair
Palatine Zoning Board of Appeals

DATED: This 12th day of March, 2018.
Published in Daily Herald
March 12, 2018 (4495461)

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, Barrington, Barrington Hills, Lake Barrington, North Barrington, South Barrington, Bartlett, Batavia, Buffalo Grove, Burlington, Campton Hills, Carpentersville, Cary, Deer Park, Des Plaines, South Elgin, East Dundee, Elburn, Elgin, Elk Grove Village, Fox Lake, Fox River Grove, Geneva, Gilberts, Grayslake, Green Oaks, Gurnee, Hainesville, Hampshire, Hanover Park, Hawthorn Woods, Hoffman Estates, Huntley, Inverness, Island Lake, Kildeer, Lake Villa, Lake in the Hills, Lake Zurich, Libertyville, Lincolnshire, Lindenhurst, Long Grove, Mt. Prospect, Mundelein, Palatine, Prospect Heights, Rolling Meadows, Round Lake, Round Lake Beach, Round Lake Heights, Round Lake park, Schaumburg, Sleepy Hollow, St. Charles, Streamwood, Tower Lakes, Vernon Hills, Volo, Wauconda, Wheeling, West Dundee, Wildwood, Sugar Grove, North Aurora

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 March 12, 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 # 4495461

Attachment: Public Notice (220 N. Smith Street - SU dental office)