

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 13, 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 - Feb 13, 2018 7:00 PM

III. PUBLIC HEARING

1. 33 N. Clyde Avenue

TO BE CONTINUED TO THE APRIL 10, 2018 ZBA MEETING

2. 35 S. Walnut Street

Variation to permit pavers to be set back 0 feet from the side lot line instead of the minimum required 2 feet pursuant to Section 10.01 (d) (3) (b) of the Palatine Zoning Ordinance.

3. 861 & 865 W. Kenilworth Avenue

Special Use to permit a residence to be setback 20 feet from the front yard lot line instead of the minimum required 30 feet pursuant to Section 10.06 (c)(13) of the Palatine Zoning Ordinance.

4. 203 N. Benton Street

Special Use to permit a detached garage to be 18 feet in height instead of the maximum permitted 15 feet pursuant to Section 6.01 (a) (1) of the Palatine Zoning Ordinance.

Variation to permit a detached garage to be 960 square feet instead of the maximum permitted 686 square feet pursuant to Section 6.01 (a) (4) (a) (iii) of the Palatine Zoning Ordinance.

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 pursuant to Section 6.03 (b) (5) (d) (i) of the Palatine Zoning Ordinance.

5. 223 E. Northwest Highway

Special Use for a Kennel pursuant to Section 11.03 (d)(1) of the Palatine Zoning Ordinance.

Variation to allow gross surface area of attached sign to be 99 square feet instead of the allowed 66 square feet pursuant to Section 8.03 (b)(2)(c) of the Palatine Zoning Ordinance.

Variation to allow an 8 foot fence instead of the permitted 6 foot pursuant to Section 6.03 (c) of the Palatine Zoning Ordinance.

IV. COMMUNICATIONS

V. ADJOURNMENT



VILLAGE OF PALATINE

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ZONING BOARD OF APPEALS MINUTES • FEBRUARY 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 Luszczak	Commissioner	Present	
Theodore McGinn	Commissioner	Present	
Kevin Cavanaugh	Commissioner	Present	
James Dittrich	Commissioner	Present	
John Pirog	Commissioner	Present	

Staff present: Ms. Lyn Bremanis, Mr. Ben Vyverberg, and Ms. Katie Romack

II. APPROVAL OF MINUTES

1. Zoning Board of Appeals - Regular Meeting - Jan 23, 2018 7:00 PM - **Accepted**

Mr. Luszczak made a motion to approve the minutes of January 23, 2018; seconded by Mr. Larson.

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

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

III. PUBLIC HEARING

1. 1109 S. Whippoorwill Lane - **Recommend to Deny**

Notice was published in the Daily Herald on January 29, 2018 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. Application for Variation
2. Proof of Ownership
3. Site Plan/ Plat of Survey
4. Elevation
5. Objector's Letter
6. Objector's Letter #2
7. Objector's Letter #3
8. Objector's Letter #4
9. Public Notice

Ms. Wood added letter #5 from Michael Ligda stating it will be exhibit #5.

Ms. Bremanis gave the background of the request. The Petitioners are proposing to complete the construction of a partially built tree house in the backyard of the subject property, which encroaches in the required setbacks and exceeds the maximum accessory structure height. Therefore, the Petitioner is requesting approval of the following:

- **Special Use to permit an accessory structure to be 19 feet in height, instead of the maximum permitted 15 feet.**
- **Variation to permit an accessory structure to be located 4 feet from the side lot line, instead of the minimum required 5 feet.**
- **Variation to permit an accessory structure to be located 9 feet from principal structure, instead of the minimum required 10 feet.**

SITE ANALYSIS:

- The Subject Property is zoned R-1B Single Family residential and is located in the Hunting Ridge Subdivision.
- The Petitioner started building a tree house on the Subject Property. The Village received a complaint about the work in progress and subsequently inspected to determine the status. The project was evaluated and it was determined that both the location and scope require relief from the Code and a building permit.
- The tree house is approximately 4.5 feet from the side lot line and 9.5 feet from the principal structure. Both of these require a variation, as the minimum required setbacks are 10 feet and 5 feet respectively.
- The tree house is approximately 19 feet in height. This requires a special use.
- The platform is 12 X 12 at 144 square feet and the platform is approximately 9 feet off the ground
- Both the building and lot coverage meet Code.

DEPARTMENTAL REVIEWS:

Community Services	A building permit and associated review will be required.
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.

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. Luszczyk asked what the village ordinance for tree house is

Ms. Bremanis explained the code doesn't speak to treehouses but because of the size of this is being looked at as an accessory structure and would need to follow those setbacks

Sworn in Mr. Matthew Ligda, Michael Ligda, and Cooper Ligda 1109 S Whippoorwill Ln Palatine, IL

Mr. Ligda explained they are looking to complete a treehouse in their backyard which is a residential property. He stated his sons helped to build the treehouse which is for their own use only. He explained the reason for the variance is because there is only one tree on his property and its location is off the front and side yard. He addressed the standards stating it will fit in with the residential use and will be consistent use for the property. He stated he does not think it will be a detriment to the neighborhood rather in their opinion it enhances the value of their property. Mr. Ligda pointed out the area has a mix of families with younger children and older people and the difference of opinion on the aesthetics varies but he doesn't feel it will devalue the property in any way.

Michael Ligda explained they helped their father to build the treehouse which was a good way to learn skills on how to build something on their own when they get older. He stated they wanted to have fun with their father building the treehouse. He referred to the letter he wrote that explains it will be a place of learning and somewhere to do homework because sometimes their house is very busy.

Cooper Ligda stated he thinks it would be a great time to build the treehouse with his dad. He stated he has always wanted a treehouse since he was little.

Mr. McGinn asked if they considered building the treehouse within code. Mr. Ligda stated the setbacks could be accomplished since they are only asking for 5-6 inches relief but the special use for the height would be difficult being it would have to be 4 ft. from ground which wouldn't be much of a treehouse. He pointed out there is not much in the code for treehouses so when they started building he didn't know it would be considered an accessory structure.

Mr. Pirog asked why the treehouse couldn't be brought down 4ft to meet code. Mr. Ligda explained if they made the roof flat it would bring it down 2ft which would require them to drop the platform down 2ft. He stated this presents some structural challenges because they anchored the corner on to the lowest branch of the tree. He stated it would be possible but he would have to change the entire anchoring system.

Mr. Pirog asked if the green posts are permanent or just there during construction

Mr. Ligda explained they are 4x4 braces coated in plastic which he put in during construction. He stated he was going to cantilever the platform but couldn't get enough structural support so they have a temporary brace which will be replaced by a 6x6 post. He stated once the post is installed the braces can be removed if they are found to be objectionable.

Mr. Pirog pointed out the tree is not really holding the house so they could move it to the other side and bring it down a bit and not even need a variation.

Mr. Ligda stated it is possible but it presents structural issues on anchoring.

Mr. Larson asked what the outside of the treehouse will be finished with.

Mr. Ligda stated they were going to put T11 sheathing like what they use for sheds and then paint it

Mr. Larson asked why it has to be 8ft from platform when kids are not 7ft tall.

Mr. Ligda explained they built it with a standard 8ft stud wall.

Mr. Larson stated he was just looking for a way to get below that foot threshold so it wasn't such a big difference of what code allows.

Mr. Ligda explained they had hoped to put a desk and bunk beds up there but can change those plans too.

Sworn in Mr. John Lewis 1121 S Whippoorwill Ln Palatine, IL

Mr. Pirog stated there are a lot of little kids that live in the area and all of them were very excited about the treehouse. He stated he thinks if potential buyers see a treehouse they would know there are other kids in the area for their kids to play with which would help raise property values.

Sworn in Mr. Rick Larson 1059 S Whippoorwill Ln Palatine, IL

Mr. Larson explained he represents a number of the homeowners that object to this. He pointed out construction started last fall with no permit so they could not see any plans or discuss what the structure would look like. He stated now they are asking for forgiveness instead of following ordinances and doing it the way it should have been done. He expressed their concern is if the 3 variances are granted that will set precedent for other requests for sheds in backyards and other structures that are 19ft tall. He pointed out the structure reaches the top of the home's roof line. He expressed concern with the aesthetics and curb appeal referring to the existing condition slide showing it is visible from the street which will lower the property values especially if it is covered in sheathing. He stated the sheathing will not be attractive or keep with the architecture of the homes in the area. He spoke to suggestion on it being on other side of tree and agreed that would be more agreeable since it would be partially blocked. He pointed out if they put bunk beds and desks it becomes more of living quarters and not just a tree house. He restated they are respectfully requesting a motion for denial.

Mr. Larson asked if they would still have the same feelings about curb appeal if the petitioner built within the required setbacks and height.

Rick stated he would object because of the location being visible from the street. He stated if they built in the backyard blocked by the street he wouldn't have this objection.

Ms. Wood asked staff if approved would there be anything on the building permit side requiring materials.

Ms. Bremanis stated that is a question for the building department explaining they do have regulations and because of the size and scope of this project it would require a permit.

Mr. McGinn asked staff if they were using bunk beds would that change the analysis as far as staff is concerned.

Ms. Bremanis explained typically living spaces would have running water and electricity.

Mr. McGinn clarified that bunk beds don't change the request

Ms. Bremanis answered no

Sworn in Mr. Ron Shagrin 1066 W. Partridge Dr. Palatine, IL

Mr. Shagrin stated he is the President of the HOA in Hunting Ridge. He stated a number of the homeowners throughout Hunting Ridge have contacted him about the structure. He stated the major concern is the impact it will have on the

property values. He stated he can remember building a treehouse as a kid but this seems like more of a permanent structure that will last many years.

Ms. Roth-Wurster asked if there are any rules throughout the community or if any similar situation have come up.

Mr. Shagrin explained they do not have any covenants so they have no control of what people do with their homes. He stated they are more of a social organization.

Mr. Dittrich pointed out one of the objectors stated they would be more in favor if it was on the other side of tree and asked if Mr. Shagrin has heard the same. Mr. Shagrin stated he has had no specifics but pointed out it is very visible the way it is now and if it was sheltered on the other side it would have less of an impact. He stated it seems to be built to last for many years.

Ms. Wood pointed out the common thread is the impact on homes value and asked what the basis behind this is.

Mr. Shagrin stated he was not a part of the letters submitted but if he was buying a house he may not want to look at this across the street.

Sworn in Mr. Michael Jezierski 815 W. Partridge Dr. Palatine, IL

Mr. Jezierski stated he served on the Village board for 17 years and used to be HOA president. He stated Mr. Ligda is an attorney, represents contractors and should know what the ordinances are, He stated forgiveness is given more frequently than asking for permission. He pointed out having the desk and bunk beds make it a living space and not a treehouse and 9ft ceilings are not needed in a treehouse. He stated it is not a good location and agrees with the neighbors on the impact to home values. He pointed out the siding not being aluminum won't conform to the properties in the area. He asked for the board to consider denial

Mr. Ligda stated yes he is an attorney and he did look through the Village of Palatine ordinances and there is nothing on treehouses. He pointed out the platform is 144 sq.ft but the structure on top is less than 100 sq.ft. and as he understands the code would not require a permit for a shed less than 100 sq.ft. He addressed the objections pointing out it is personal opinion on people not liking the aesthetics and the other concern is the negative impact on value of surrounding areas which is unfounded. He pointed out only 6 of the properties that were notified in the 250 ft. radius are against the majority have not objected including their next door neighbor.

Mr. Pirog asked if an architect designed it.

Mr. Ligda answered no they just built it and didn't realize it would be an accessory structure. He stated if it is required he will get the drawings done

Michael Ligda stated lots of kids expressed interest during the building process and he explained to them if the board approves it they will finish it and if their parents approve they can go in.

Ms. Bremanis explained in the code the definition of a structure is defined as anything erected, the use of which requires more or less permanent location on the ground or attached to something having permanent location on the ground and this per that definition would be classified as a structure.

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

STAFF RECOMMENDATION:

The Petitioner intended to build a tree house in the rear yard of the property. Due to its scope, height, and the proposed setbacks, relief from the Code and a building permit are now required in order to complete the tree house. In reviewing the improved lots in Hunting Ridge subdivision, the only accessory structures identified were sheds located in the rear yards. There are no detached garages, nor do any of the sheds appear comparable to the Subject structure's height.

Additionally, there is a curvature in the adjacent section of Whippoorwill Lane directly in front of the Subject Property, which increases the visibility of the tree house. While it is not taller than the surrounding residences, it is clearly visible and there were no other similar structures identified. Staff understands the Petitioner's initial intentions in building a tree house. The location, size, and height now require zoning relief and a building permit review, likely including a structural component. In the absence of HOA declarations or conditions, covenants, and restrictions of the subdivision, the Zoning Ordinance controls the size and location of all buildings. Staff believes that the height of the accessory structure is excessive, does not meet the standards for relief, and has the potential to impact the subdivision.

The requested setback relief could also likely be amended to comply with the Code requirements. Therefore, Staff recommends denial of the Special Use for height of the accessory structure and action at the discretion of the Zoning Board of Appeals for the setback Variations. If the Zoning Board recommends approval, Staff recommends the following conditions:

1. The Special Use and Variations shall substantially conform to the site plan and tree house dimensions submitted by the petitioner dated 11/16/17 except as such plans may be changed to conform to Village Codes and Ordinances.
2. The tree house may only be used for recreational purposes and may not be used as a dwelling unit.
3. As required, a building permit must be obtained, prior to completing the work on the accessory structure.

Ms. Wood asked if there were any questions on Staff's recommendation. There were no further questions. The public hearing was closed.

Mr. Larson made a motion to deny the Special Use subject staff's conditions; seconded by Mr. Cavanaugh.

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

DELIBERATIONS:

Mr. Larson explained he split the motion into two because he believes the height is a bigger issue. He pointed out if it was lower it would look like a shed. He stated he thinks it will have a negative impact on the surrounding properties being almost 20ft tall so he doesn't feel it meets the standards for a special use. He pointed out the variation being only 6 inches in either direction won't have an impact on the surrounding properties so that part meets the standards.

Ms. Roth-Wurster pointed out even though it is called an accessory structure it is a treehouse not a garage or a shed. She stated she thinks it falls more into playground recreational equipment and thinks it is unfortunate there is not a specific code for this. She stated she thinks it is a great father son experience and is unfortunate with the location and neighbors. She stated she has been looking for homes in the area and drove by though it looks well-built and thought out she sides with the concerns with the neighbors. She stated there is not enough information on the affect to property values so she will support denial.

Ms. Wood stated some things are relative to their experience such as a trampoline some may think it looks great and others not so much. She pointed out this is a treehouse and doesn't think it would have a negative impact but others might. She stated there is nothing else in the neighborhood that is of that height and a lot of neighbors are against. She stated it doesn't fit into the character of the neighborhood which is swaying her to deny the special use even though she supports the variations. She stated it is a shame a lot is built and if denied they will have to come up with another plan. She stated there is not enough evidence to support the special use standards have not been met because the height is so different.

Mr. McGinn agreed with Ms. Wood pointing out the vision of the petitioners is too grand with the height being too high. He referred to the standard on altering the essential character of the locality and stated if they built a foot in either direction they wouldn't need a variation so his vote is for denial on both.

Mr. Pirog agreed with Ted pointing out it can be built with a few minor changes with a standard building permit.

Mr. Luszczak agreed stating if it was built on the backside of the tree and maybe a little lower it would be more concealed.

**The motion to the deny the Special Use was approved by a vote of 7-1
The motion to approve the Variations was denied by a vote of 3-5**

Mr. Dittrich made a motion to deny the Variation; seconded by Mr. Pirog.

The motion to deny the Variations was approved by a vote of 5-3.

Ms. Wood summarized that both requests were denied. This item will go to Village Council on March 5, 2018.

RESULT:	RECOMMEND TO DENY [7 TO 1]
MOVER:	Brent Larson, Commissioner
SECONDER:	Kevin Cavanaugh, Commissioner
AYES:	Larson, Roth-Wurster, Wood, Luszczak, McGinn, Cavanaugh, Pirog
NAYS:	Dittrich

Recommend to Deny Variations - **Motion Carried by Voice Vote**

Mr. Dittrich made a motion to deny the Variations; seconded by Mr. Pirog.

RESULT:	MOTION CARRIED BY VOICE VOTE [5 TO 3]
MOVER:	James Dittrich, Commissioner
SECONDER:	John Pirog, Commissioner
AYES:	Roth-Wurster, Luszczak, McGinn, Cavanaugh, Pirog
NAYS:	Larson, Wood, Dittrich

2. 158 S. Bothwell Street - **Recommended to Approve**

Notice was published in the Daily Herald on January 29, 2018 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. Application for Special Use and Variation
2. Proof of Ownership
3. Plat of Survey
4. Site Plan
5. Floor Plans
6. Elevations
7. Public Notice

Ms. Bremanis gave the background of the request. The Petitioners are proposing to construct a new detached garage addition over an existing structure and extend the footprint that currently encroaches into the side yard setbacks. Therefore, the Petitioner is requesting approval of the following:

1. **Special Use to permit an accessory structure to be 20 feet tall instead of the maximum 15 feet.**
2. **Variation to permit an accessory structure (20 feet tall) to exceed the height of the principal structure.**
3. **Variation to permit an accessory structure (580 square feet) to exceed 50% of the ground floor area of the principal structure.**

SITE ANALYSIS:

- The Subject Property is zoned R-2, Single Family Residential.
- The garage is almost 20 feet in height. Per Code, the maximum accessory structure height is 15 feet, thus requiring a special use.
- The principal structure is a one story home The proposed garage exceed the height of the existing home. This also requires a variation.
- The proposed garage is 572 ft². The existing residence is approximately 800 ft². As this exceeds 50% of the principal structure by 172 square feet, a variation is also required.
- The petitioners have stated they are planning on using the space for hobbies.
- The setbacks 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
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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 if the existing garage would be demolished.
Ms. Bremanis answered yes.

Mr. Cavanaugh asked if other garages in area are constant with this request.
Ms. Bremanis stated the majority of the homes in the area have a detached garage and many appeared to be over 15 feet in height.

Mr. Dittrich asked if most are taller than the principal structures.
Ms. Bremanis stated she can't answer that question.

Sworn in Mr. Michael and Ashley Giznik, 158 S. Bothwell Street

Mr. Giznik explained they are looking for permission for a variance to build a garage 5 feet larger than the principal structure. He stated they currently have a 1-car garage with a one lane driveway and have 2 vehicles. He stated they hope to park both cars in the garage explaining currently they have to move vehicles around to get one or the other out. Mr. Giznik explained the house is only 720 square feet and they are looking for more storage. He stated he is a car enthusiast and his wife enjoys crafting and this will allow space to do so. He explained they got an architect and plan on using quality building materials which will fit in with the character of neighborhood.

Mr. Pirog asked if the height was for a second floor.
Mr. Giznik answered yes explaining it will allow room for storage and hobby room.

Ms. Roth-Wurster asked if there are any similar structures in the neighborhood.
Mr. Giznik answered yes a few blocks away there is a similar structure that is

similar height to their house but unfortunately their home is only 1 story. He further explained there are neighbors with taller garages but pointed out their homes are taller as well. He stated he has seen other garages taller than their principal living area.

Mr. McGinn asked if there are any flooding issues.

Mr. Giznik answered no.

Mr. Pirog asked if the driveway would be expanded.

Mr. Giznik answered yes towards the back into a dual driveway. He pointed out the garage would be less noticeable from the street because it is set back farther.

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

STAFF RECOMMENDATION:

The petitioners are proposing to build a detached garage that requires relief due to its size. Two of the variations are required due to the height and square footage of the existing home. A detached garage of this size is not uncommon in the area thus should not impact the surrounding property owners or alter the essential character of the neighborhood. 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 Arkteks Unlimited LTD dated 12/17/17 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.

Mr. Cavanaugh asked if there are issues with driveway being closer to the property line

Ms. Bremanis explained code allows the driveway to be 2 feet from the property line.

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

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

DELIBERATIONS:

Mr. Cavanaugh stated it is a great use and they are trying to make the most of a landlocked property. He pointed out it is a small primary dwelling and they are looking to improve the home and this should improve the value of the neighborhood.

Ms. Wood summarized that this request had met the standards and was approved by a unanimous vote of 8-0. This item will go to Village Council on March 5, 2018.

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

3. 1000 S. Quentin Road - **Recommended to Approve**

Notice was published in the Daily Herald on January 29, 2018 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. Application for Special Use and Variation
2. Proof of Ownership
3. Existing Elevation
4. Proposed Elevation
5. Palatine Township EMB sign Ordinance
6. Public Notice

Mr. Vyverberg gave the background of the request explaining District 211 and Fremd High School are requesting to replace the existing EMB sign, which has been in operation since 1999. The proposed replacement will maintain the existing sign cabinet and elevation, but update the proposed EMB sign and operations' system. As the existing sign was placed through the issuance of a building permit, the Zoning Ordinance requires both a Special Use and the associated location Variations to complete. Therefore, the Petitioners are requesting:

- **Special Use to permit an electronic message board.**
- **Variation to permit an electronic message board outside of the permitted corridors.**
- **Variation to permit an electronic message board for a residential use (high school), within 500 feet of another electronic message board.**

SITE ANALYSIS:

- District 211 and Fremd High School have petitioned to replace the message board of the existing EMB sign, within the existing sign cabinet and frame structure.
- The overall size of both the EMB portion of the sign and the freestanding sign and height will be maintained.
- As the EMB sign was installed through the issuance of a permit, it predated the zoning requirements regulating EMB signs and their location and operation.
- The existing EMB sign sits approximately 105 feet from the northeast corner of the Fremd property boundary, 150 feet from the middle of the intersection, and approximately 242 feet from the Palatine Township EMB sign. It is also located 11 feet from the eastern property line and approximately 21 feet from the back of curb for Quentin Road.
- Per Code, the replacement of the message board requires the required Special

Use and location Variations (outside of the corridors, residential use, and within 500 feet of an existing EMB sign (Palatine Township).

- The existing EMB sign was installed through the issuance of a building permit in 1999. This predated the initial Code requirement that copy change signs receive Special Use review and the more recent EMB sign Code amendments from 2008. As such, the only Village requirement was the review of a building permit.
- During the subsequent almost 20 years of its operation, there are both additional locational and operational controls for such signs and a Special Use and Variations are required to replace the EMB portion of the existing sign.
- Since the installation of the existing EMB sign at Fremd, Palatine Township also received approval to install an EMB sign diagonally across the intersection from the Subject sign. As part of that approval Ordinance, Palatine Township proposed limiting the operation of the sign to between 6 AM and 10 PM and to hold the messages for a 2 minute period. This sign is only 7.5 feet tall and is perpendicular from the intersection.
- As part of the justification for the Subject EMB replacement, Fremd High School indicates that the sign will only operate between 6 AM and 11 PM. The Zoning Ordinance requires that messages are held for a minimum of 15 seconds and the Petitioners are aware of this requirement.
- In addition to noting the age of the EMB operating system for the sign, the Petitioners also noted that the new system will use an LED display, which was also installed through Special Use review at Palatine High School in 2013.
- Although the Petition proposes the upgrade and replacement of the existing EMB, indicated to operate within the requirements, the proposed residentially zoned location is not on an approved corridor (Lake Cook, Dundee, Rand, and Northwest Highway) and is within 500 feet of another EMB sign (albeit installed 17 years after the Fremd sign was initially placed).

DEPARTMENTAL REVIEWS:

Community Services	N/A - A building permit application and review are required.
Engineering	NA
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.

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.

Mr. Larson asked what the rules about movement are

Mr. Vyverberg explained code does not allow flashing, scrolling or scintillating and has a 15 second hold time requirement as well. He pointed out as part of their application justifications they agreed to adhere to all the codes

Ms. Roth-Wurster asked how it will be policed or monitored

Mr. Vyverberg explained because some signs were installed previous to these codes and were installed under a building permit as Fremd was they are not held to the current code requirements. He further explained the reason the Village requires these signs to get a special use when they replace the infrastructure is so they have to follow these guidelines. He further explained they operate on a complaint basis to enforce the code and sometimes having to educate new owners in the process.

Mr. Pirog asked if the Palatine Township sign was done with a building permit or through the Special Use process.

Mr. Vyverberg explained the Palatine Township is in a similar situation as Fremd being zoned residential and not in an approved corridor so they were approved through a public hearing for the special use process. He further explained in addition to our code requirements the Township placed additional hold times that exceed those requirements.

Mr. Pirog pointed out route 62 was denied.

Mr. Vyverberg clarified that was for the EMB special use on Algonquin that was not approved.

Mr. Pirog asked if there are any grandfather rules or if it needs to be replaced they have to go through the process

Mr. Vyverberg explained when they established this process in 2008 in an

attempt to unify what the requirements are for EMB signs they surveyed other communities to come up with the best practices and standards as it relates to it. He further explained during this process they came up with 4 approved corridors. Mr. Vyverberg stated all EMB signs in the Village require a special use and any signs not in the approved corridors require a variation as well.

Ms. Wood asked if there were any traffic problems due to the close proximity of the 2 signs or with the Park Districts' signs being full color.

Mr. Vyverberg stated the township sign was not originally recommended by staff but they have had no issues that he is aware of. He pointed out they adhered to village standards and exceeded them. Mr. Vyverberg stated he is not aware of any issues with the Park Districts' color display. He stated from a planning perspective the visual impact, and level of distraction of an Electronic Message Board has been discussed and reviewed from a policy standard. He pointed out there is a lot of different opinions as it relates.

Mr. Pirog asked why the school has different EMB hours than the Palatine Township sign.

Mr. Vyverberg stated the petitioner can speak to that. He stated though he doesn't disagree on having symmetry of signs but ultimately it will be up to Village Council for final approval. He pointed out from a visual impact standpoint there is a building permit process that they will have to go through which will require light levels and photometric that will be evaluated at that time. He referred to the aerial slide showing the location of the existing sign pointing out the setbacks and location is not changing.

Sworn in Eric Dolen 1522 N. Pendelton Court Palatine, IL

Mr. Dolen gave a brief summary of the request

- Sign was installed in 1999
- Has had LED's replaced numerous times over the years
- Cost has gone up because they don't make them anymore
- Last time 4 panels went out they replaced the 4 corners just so it didn't look terrible
- Maintenance has to go out to turn on and off because it doesn't speak to the computer due to the outdated software and lack of updates
- Sign was installed before the Township's which resulted in the need for a Variance for the closeness.
- Uses to communicate to students, parents and community members about upcoming events and recognition of students
- want higher definition and more cost efficient
- operate the same manner as existing
- structurally the same just replacing the 12 inch panels with new led panels
- operated wirelessly

Mr. Luszczyk asked if they would have an issue to change hours to coincide with the Township

Mr. Dolen stated if that is what the board decides they would comply. He pointed out sometimes they have events where people are leaving after 10:00pm.

Mr. Luszczyk asked what their current hours are
Mr. Dolen stated he would have to check on that.

Mr. Pirog asked if it would be taller than existing sign.
Mr. Dolen answered no explaining they are just replacing the cabinet for the LED portion.

Mr. Larson asked if he is aware of any traffic issues
Mr. Dolen answered no

Ms. Wood asked if he had any concerns about the color being distracting to young inexperienced drivers
Mr. Dolen answered no explaining it will be a still image not scintillating

Ms. Roth-Wurster asked who does is in charge of the design of the messages.
Mr. Dolen answered the principle secretary currently handles it.

Ms. Roth-Wurster asked about the background cloud that is on the existing sign and if the new sign would have it.
Mr. Dolen answered no explaining it is static caused by an old program that has no updates.

Sworn in Mr. Ron Schagrin 1066 W. Partridge Drive Palatine, IL

Mr. Schagrin stated he is the President of the HOA that borders Fremd on the north, south and west. He stated he spoke at the meeting when the Township came forward for their EMB about concerns of distractions. He stated from his personal experience it is not an issue or distraction at all and he has become quite used to the signs. He stated he is in favor of the changes and thinks it is great Fremd is being good neighbors going through the process to get the approvals. He spoke to the recent improvements Fremd has recently made and how they are attractive for the neighborhood.

Mr. Larson asked if he had any concern about the impact to the houses that surround with the new sign being full color.
Mr. Schagrin explained the homes to the east have fences and his only concern for the homes to the north is if the sign is much brighter. He explained Fremd has been great working with their concerns so he is comfortable that they will address the issues if there are any. He pointed out the only issue is not to have flashing signs or the messages too quickly.

Mr. Dittrich asked if there are any concerns on a new sign causing distractions especially with the way the traffic into the parking lot has been changed. He stated he grew up in Plum Grove Estates and the whole intersection is madness before and after school.

Mr. Schagrin pointed out the biggest issue with traffic is with the parents dropping of the kids and not with the students that are distracted so as long as messages don't scroll too quickly it shouldn't be an issue.

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

STAFF RECOMMENDATION:

The existing electronic message board sign was installed through the issuance of a building permit and pre-dated the current Special Use requirements and locational/ operating standards. Due to its age, the Petitioner is requesting approval to update the operating systems due to the existing EMB's anticipated obsolescence. Nevertheless, the proposed replacement requires Variations for its location and proximity to another EMB sign. Therefore, Staff recommends action at the discretion of the Zoning Board of Appeals. If the ZBA recommends approval, Staff recommends the following conditions:

1. The EMB shall comply with the operational requirements of Section 8.01 (i) (3) and only operate within the hours of 6 AM to 11 PM or other such hours established by the Village Council.
2. The sign plans shall significantly conform to the sign and elevation plans by Correct Digital Displays, Inc. except as such may be changed to conform to Village Codes and Ordinances.

Ms. Wood asked if there were any questions on Staff's recommendation. There were no further questions. The public hearing was closed.

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

DELIBERATIONS:

Mr. Luszczyk stated replacing the existing sign with newer technology would be helpful and now they will operate under the requirements set by the Village.

Mr. Larson stated normally he not in favor of a lot of these EMB signs but since the resident testified they have no issue he thinks this will meet the standards.

Mr. McGinn stated the unique circumstances are due to the old sign breaking down and the inability of finding the replacement parts.

Mr. Pirog stated he is torn because the request from the business a mile away was denied for the same request. He stated because it is Fremd and District 211 and the reputation they have it is almost an expectation and would be okay with it because of that.

Mr. Larson pointed out the difference being there were residents that opposed the other request and this time the neighbors are in favor.
Discussion on the other request

Mr. Cavanaugh pointed out there is a difference between uses for a school compared to a business.

Mr. Dittrich pointed out there are established corridors for EMB signs so this request requires variations for being outside the corridor and for being within 500 ft. from another EMB sign. He stated he understands the sign already exists but pointed out it is in the thick of houses and the new sign may be more abrasive.

Ms. Roth-Wurster stated technology is great and sees the validity of Fremd needing a sign and they have valid reasons in the need to update the technology. She expressed her concern is with the maintenance being handled by people who may not know the code requirements. She stated she has driven past and has witnessed the sign messages flashing. She stated she is in favor but concerned on how it is policed and would like the person who is in charge of the sign to receive the code.

Mr. Cavanaugh pointed out as Mr. Vyverberg mentioned this sign was installed before the new rules so now Fremd will be held to those standards

Ms. Wood stated she was not in favor of the Township's sign because she was concerned it would be distracting but stated she has driven past it and it is not. She stated she has no concerns replacing a sign that has been there for years. She stated her only concern is with the full color but it won't be changing as often so she is in favor.

Mr. Dittrich asked if everyone is okay with the hours.

Discussion on hour of operation and hours activities at school.

Ms. Wood summarized that this request had met the standards and was approved by a unanimous vote of 8-0. This item will go to Village Council on February 20,2018.

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

4. 459 W. Northwest Highway - **Recommended to Approve**

Notice was published in the Daily Herald on January 08, 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. Floor Plan
5. Business Plan
6. Public Notice

Ms. Romack gave the background of the request explaining the Petitioner has an existing beauty salon and would like to add massage services to the business. Therefore, the Petitioner is requesting:

- **Special Use for physical and health services to permit massage services**

SITE ANALYSIS:

- The Subject Property is zoned B-2 General Business District and contains an existing shopping center. The subject tenant space is approximately 2,000 square feet.
- A licensed massage therapist would have hours of operations on Monday through Friday from 10:00 AM to 8:00 PM.
- The salon currently offers hair, nail, and skin services.
- The existing hours of operation are by appointment only.
- There are 34 existing parking spaces. The parking requirement is not changing.

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.

Sworn in petitioner- Irina Zaslavskaya (Petitioner) and Kristina Zaslavskaya (daughter), 459 W. Northwest Highway, Palatine, who will translate

Ms. Kristina Zaslavskaya explained this is new business that has been open for approximately 1 year and the clientele has asked about massage services. She pointed out the previous owner used this room for massage services.

Mr. Pirog asked about privacy referring to the floor plan.

Ms. Kristina Zaslavskaya explained it is a separate room.

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

STAFF RECOMMENDATION:

The Petitioner has requested to add massage services to an existing beauty salon located at the subject property. There would be one licensed massage therapist who would occupy a vacant room in the existing salon and the additional services will not affect the parking requirements. Furthermore, Staff believes the Special use will not have a negative impact on the value of the surrounding properties. Therefore, Staff recommends approval of the Special Use, subject to the following conditions:

1. The Special Use shall substantially conform to the floor plan and business plan submitted by the Petitioner, Irina Zaslavskaya, 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.

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

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

DELIBERATIONS:

Mr. Dittrich pointed out it is an existing operational business and they want to add massage room and nothing else is changing.

Mr. Larson addressed the standards stating they won't have a negative impact on the surrounding properties but rather boost business in the area and will operate in a manner consistent with the public health safety and welfare.

Ms. Roth-Wurster pointed out the previous owner had massage that room and they are getting requests for it.

Ms. Wood summarized that this request had met the standards and was approved by a vote of 7-1. This item will go to Village Council on Tuesday, February 20, 2018.

RESULT:	RECOMMENDED TO APPROVE [7 TO 1]
MOVER:	James Dittrich, Commissioner
SECONDER:	Kevin Cavanaugh, Commissioner
AYES:	Larson, Roth-Wurster, Wood, Luszczyk, McGinn, Cavanaugh, Dittrich
NAYS:	Pirog

5. 720 W. Euclid Avenue - **Recommended to Approve**

Notice was published in the Daily Herald on January 29, 2018 and mailed to the owners of the surrounding properties.

Petitioner's Exhibits:

1. Application for Special Use and Variation
2. Proof of Ownership
3. Plat of Survey
4. Floor Plan
5. Crunch- sign in parking use sheet
6. Business Plan
7. Public Notice

Ms. Romack gave the background of the request. The Petitioner is proposing to operate a health club in a portion of the former Dominick's location within the Regency Plaza. Therefore, the Petitioner is requesting:

1. **Special Use to permit a health club (Crunch Fitness)**
2. **Variation of 51 parking spaces to allow a shopping center to have 578 parking spaces instead of the minimum required 629 parking spaces**

SITE ANALYSIS:

- The Subject Property is zoned P - Planned Development and contains the Regency Plaza shopping center. The shopping center is approximately 138,000 square feet total.
- The subject tenant space is the former location of Dominick's, which is approximately 56,000 square feet. The Petitioner would be dividing the space into two separate units and the proposed health club would occupy 21,027 square feet.
- The health club would be known as Crunch Fitness and will offer cardio, weight training equipment, and areas for stretching, yoga, cross-training, TRX, and aerobics. There will also be personal and group training as well as spin/cycling classes, tanning beds, and hydro-massage equipment.
- The proposed hours of operation are Monday through Thursday from 5 AM to 11 PM, Friday from 5 AM to 9 PM, and Saturday and Sunday from 7AM to 7 PM.
- There would be 4 full-time employees and over 20 part-time employees.
- The proposed health club requires 128 parking spaces (based on the Life Safety Code).
- The shopping center currently has a total of 578 parking spaces. Based on the shopping center's current uses, 571 parking spaces are required. However, with the change of use to a health club, the number of required parking spaces increases to 629, which is beyond the total number provided by the shopping center. Therefore, a Variation for 51 parking spaces is required.
- The public notice indicated that a Variation for 59 parking spaces was required; however, upon further review by Staff it was determined that a Variation for only 51 parking spaces was required.

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.

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. Larson asked if the Dominick's had a higher parking requirement.
Ms. Romack explained it was 1 parking space per 300 square feet.

Mr. Larson asked if they required a variation.
Ms. Romack answered no.

Mr. Cavanaugh asked if the 629 would be with the current occupants.
Ms. Romack explained the 629 would be with the current occupants and proposed fitness center.

Mr. Cavanaugh asked how many vacancies are there currently.
Ms. Romack stated it is almost 67% vacant.

Mr. Cavanaugh asked if this request is approved then a variation would be required for any new tenants.
Ms. Romack explained the existing parking requirement accounts for the existing tenant spaces with the vacant spaces counted 1 parking space per 300 square feet.

Ms. Wood asked if that would account for a restaurant.

Ms. Romack answered it is taking in account a restaurant based on the square footage but if it came in with a larger seating count it may need a variation.

Sworn Mr. John Roberts, franchisee and Petitioner, 2280 Hicks Road Suite 508 Rolling Meadows, IL

Mr. Garrett DeGrazia, general manager, 632 Estate Lane Mundelein, IL

Mr. Roberts explained the goal is to open a health club to provide a clean safe affordable fitness center to the residents of Palatine.

- Looking to occupy part of the former Dominick's which is currently vacant
- Looking to occupy approximately 20,000 square feet leaving around 40,000 square feet for a future tenant
- Proposed facility will be in the Regency retail center
- Center will generate several million dollars of revenue and raise the tax base in the community
- Marketing efforts will increase foot traffic and retail center significantly which will benefit the businesses in the area
- Will eliminate a vacant eye sore

Mr. Roberts gave a brief summary of the services the health club will provide.

- Cardio and weight training equipment
- Areas for stretching, yoga cross training, TRX, and aerobics classes
- Personal group training
- Spin and cycling classes
- Tanning beds and hydro massage tables

Mr. Roberts explained they expect to have 4 full time and approximately 20 part time employees and roughly 5,000 members once the operation is up and running. Mr. Roberts stated they will comply with all Village safety, signage and building requirements so to conform to the standards of the community and not to have a negative impact on any of the surrounding areas. He stated they will not have aquatics or racquetball courts. Mr. Roberts played a video presentation of the layout of the proposed facility.

Mr. Roberts spoke to the parking and explained they did some statistics since this is their first location with Crunch Fitness and plan on opening as many 10 locations in the Chicago area. He stated they don't have hands on experience to say how many would be checking in and out but their statistics indicate that even the busiest Crunch Fitness, which are more than double the size, have no more than 150 check-ins per hour. He explained the busiest times are weekdays from 6:00pm -9:00pm and weekends from 7:00am -12:00pm and the average time spent in the club is 42 minutes. He explained that 75% of the customers drive themselves there they will be well below the number of parking spots necessary. Mr. Roberts pointed out the hours of the club and visitations are complimentary to the other businesses in the center with the only time that may conflict is dinner time which will benefit the restaurants with more foot traffic and customers.

Mr. DeGrazia spoke to the standards:

- Section (e) (1) (a): proposed location has been vacant for years and the presence of their thriving business will positively resolve this issue
- Section (e) (1) (b) - severe recession has resulted in a downward trend in available and appropriate retail development locations
- Section (e) (1) (c) -will comply with all codes and landlord requirements as to not negatively impact the character of the locality
- Section (d) (1) - proposed very convenient to local residents, students and businesses and their traffic will improve the adjacent businesses
- Section (d) (2) - professionally managed and supported by a strong proven franchise business model
- Section (d) (3) - the presence of Crunch Fitness will improve the value of the amenities of the Village and the additional tax base will help with the Village initiatives. The additional traffic will help support the businesses in the Regency Plaza

Mr. Roberts pointed out the trend for grocery stores are for much smaller local stores so they will be suited in the remaining space.

Mr. Cavanaugh asked what the hydromassage area is.

Mr. Roberts explained it is an open area where fully clothed people lay on a table which has a water jet system that is good for muscle.

Mr. Cavanaugh asked if there are additional special uses required for hydro massage and tanning

Ms. Romack explained they would be covered under this special use.

Mr. Dittrich asked if the statistic provided were from similar sized Crunch Fitness centers.

Mr. Roberts explained the statistics were based on an average activity club but pointed out they are not very telling because of the different club sizes.

Ms. Wood asked if they have a projection based on their square footage of what they are aiming for.

Mr. Roberts explained during their peak times they are projecting around 100 check-ins per hour assuming they are at 75% based on the statistics from their franchise. He restated how their peak hours will not conflict and or benefit the other businesses in the center.

Ms. Roth-Wurster clarified the projected average time spent in the club is 42 minutes.

Mr. Roberts answered yes.

Mr. Degrazia pointed out their tracking software won't allow them to exceed their maximum occupancy of 425 people and even in a worst case scenario they are not even at half capacity as it relates to parking.

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

STAFF RECOMMENDATION:

The proposed health club is occupying a portion of the former Dominick's space in the Regency Plaza Shopping Center. This use is compatible with the other retail, service, and restaurant uses that presently occupy the shopping center. While a Variation for 51 parking spaces is required, the Petitioner's business plan and justification indicate that the frequency and need for parking is clustered at particular times during the day, as opposed to a continual use throughout their hours of operation. Given the current tenant mix and anticipated non-conflicting times of significant parking demand, Staff believes that there are the necessary parking resources to accommodate this use. The proposed use should complement the surrounding uses and properties and should not alter the essential character of the locality. Therefore, Staff recommends approval of the Special Use and Variation, subject to the following conditions:

1. The Special Use and Variation shall substantially conform to the floor plan prepared by R. Gary Glueck Architecture and Planning, dated 01/09/2018, and the business plan submitted by the Petitioner, John Roberts, on 12/18/2017, except such plans may be changed to conform to Village Codes and Ordinances.

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

Mr. Pirog asked about the certificate of publication.

Ms. Romack explained it was a mistake. She explained she contacted the Daily Herald and they sent the wrong notice, but it was published in the correct newspaper.

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

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

DELIBERATIONS:

Mr. Cavanaugh pointed out in terms of parking the old Dominick's had more cars and never had an issue. He stated he owns a restaurant next to an Orange Theory Fitness and can testify that during certain times of the day half their customers come right after their classes get out. He stated the local businesses should greatly benefit from this business going in there so it is an easy approval for him.

Ms. Roth-Wurster agreed that it is a great use of space and pointed out that even at the busiest time there has always been enough parking.

Mr. Dittrich stated he drives past here frequently and everyone has been begging for something to go in that space. He stated he likes that there is still available use for the remaining space and doesn't feel the parking requirement is a concern.

Ms. Wood summarized that this request had met the standards and was approved by a unanimous vote of 8-0. This item will go to Village Council on Tuesday, February 20, 2018

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

IV. COMMUNICATIONS

Ms. Romack stated the following items had been approved by Village Council:

1. 715 S. White Willow Bay (SU for addition)
2. 570 N. Smith Street (SU for restaurant)

Ms. Romack stated the next Zoning Board of Appeals meeting on Tuesday, February 27 has been cancelled. She further stated there will be 4-5 items on the next agenda for Tuesday, March 13.

V. ADJOURNMENT

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

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

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

VILLAGE OF PALATINE
Zoning Board of Appeals

SCHEDULED 03/13/18 07:00 PM

CASE STAFF STATEMENT (ID # 4280)

33 N. Clyde Avenue

TO: Palatine Zoning Board of Appeals
Jan Wood, Chair

FROM: Katie Romack

PETITIONER: Egle Vasiliauskiene

CASE NUMBER: 15-107

ADDRESS: 33 N. Clyde Avenue

PROPOSAL:

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.

**VILLAGE OF PALATINE
Zoning Board of Appeals**

SCHEDULED 03/13/18 07:00 PM

CASE STAFF STATEMENT (ID # 4278)

35 S. Walnut Street

TO: Palatine Zoning Board of Appeals
Jan Wood, Chair

FROM: Katie Romack

PETITIONER: Gary & Mary Robyn Miller

CASE NUMBER: 18-03

ADDRESS: 35 S. Walnut Street

PROPOSAL:

Variation to permit pavers to be set back 0 feet from the side lot line instead of the minimum required 2 feet pursuant to Section 10.01 (d) (3) (b) of the Palatine Zoning Ordinance.

<u>LOCATION:</u> 35 S. Walnut Street District 2 (Lamerand)	<u>CURRENT ZONING:</u> R-2 Single Family
--	---

SURROUNDING CONDITIONS:

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

BACKGROUND:

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.

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 stormwater 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.

Case Staff Statement (ID # 4278)
Meeting of March 13, 2018

ATTACHMENTS:

- Aerial
- Application
- Plat of Survey
- Site Plan
- Photo submitted by the Petitioners
- Public Notice

35 S. Walnut Street

3.2.a

VILLAGE OF
PALATINE

W PALATINE RD

640 W

753 W 749 W 743 W 739 W 733 W 729 W

715 W 711 W 705 W 701 W 657 W 653 W 647 W

635 W 629 W 625 W 619 W

772 W 768 W 760 W

10 S

17 S

18 S

19 S

28 S

25 S

24 S

25 S

W KRISTEN CT

34 S

29 S

30 S

29 S

771 W 767 W 759 W

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48 S

47 S

55 S

734 W

55 S

56 S

630 W

S WALNUT ST

SASH ST

W GLENCOE RD

103 S

735 W

709 W

102 S

625 W

109 S

108 S

111 S

108 S

107 S

115 S

114 S

113 S

114 S

115 S

121 S

120 S

121 S

120 S

121 S

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127 S

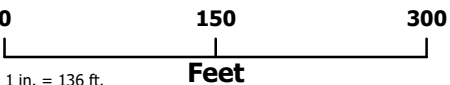
133 S

132 S

133 S

132 S

133 S



143 S

144 S

143 S

144 S

139 S

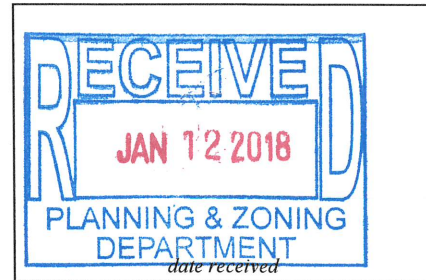


VILLAGE OF PALATINE

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>18-03</i>
	Filing Fee <i>232</i>	Notification Deadline
	ZBA Public Hearing Date	Village Council Date



Background Information	PETITIONER(S) <i>GARY MILLER</i>		Business Name (if applicable)	
	Subject Property Address <i>35 S WALNUT ST. PALATINE IL 60067</i>			
	AUTHORIZED AGENT (if applicable)		Business Name (if applicable)	
	Address		City/State/Zip Code	
	Telephone	Fax	Email	
	Relationship to Petitioner (contractor, architect, etc.)			
	TYPE OF APPLICATION (check one) ☐ Special Use ☐ Special Use Amendment ☒ Variation			
	Existing Zoning District <i>R-2 S-F</i>	Existing Land Use <i>Single Family</i>	Proposed Land Use <i>Single Family</i>	
	Generally describe your request: <i>PAVERS INSTALLED ADJACENT TO CONCRETE DRIVEWAY</i>			

Attachment: Application (35 S. Walnut Street - VAR for pavers)

VILLAGE OF PALATINE

VARIATION

Required Materials

- ☐ Filing Fee of \$ _____
- ☐ Application Form
- ☐ Plat of Survey (must show all current improvements and be sealed by an Illinois certified surveyor)
- ☐ Site Plan & Floor plan (dimension, location, and setbacks of all existing and proposed buildings) – **one 11x17 copy each, electronic version preferred**
- ☐ Real Estate Interest Disclosure Form (see attached)
- ☐ Proof of Ownership or Lease (e.g. Title Insurance Policy, Deed, or Purchase Contract)

Additional Materials (as required by the Village)

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

Petitioner Justification

The Petitioner is required to present specific evidence related to each of the following standards to justify the request (paraphrased from Section 14.03 of the Palatine Zoning Ordinance). Answer the items below and attach a separate sheet if necessary. ***If you are applying for a Special Use only, you do not need to answer these items.***

1. That the property cannot yield a reasonable return if used only under the conditions allowed by the regulations governing the zoning district in which it is located

No

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

Same as existing gravel driveway width.

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

It actually improves the appearance and use. No gravel will be shocked into neighbors yard in winter

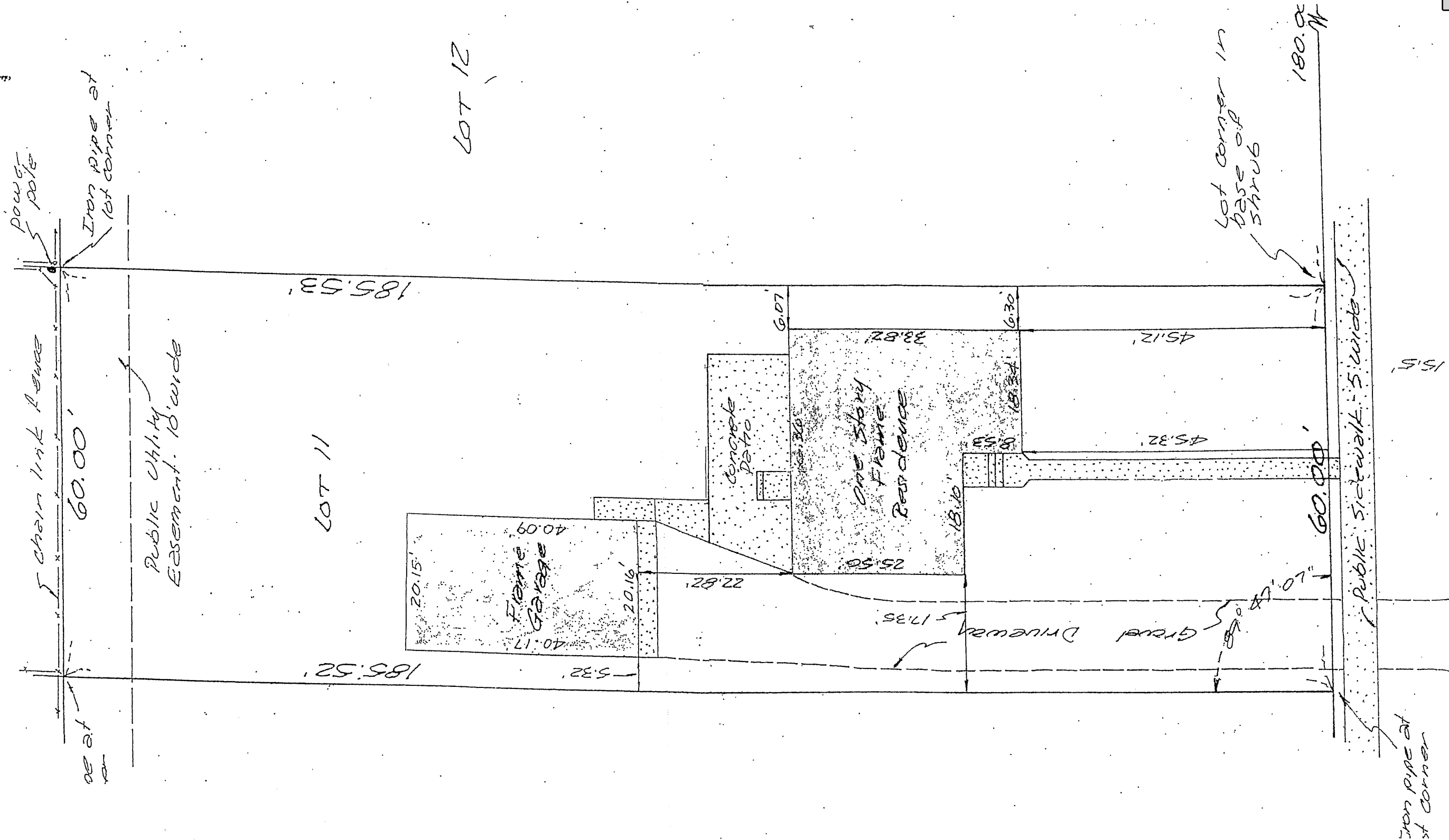
4. In order to supplement the above standards, the Zoning Board of Appeals may also consider the following:

- a. The particular surroundings, shape, or topographical conditions of the property
- b. A unique hardship for the property not generally applicable to other properties in the same zoning district
- c. The request is not based on a desire to make more money out of the property
- d. The petitioner has not created the alleged hardship for the property
- e. The request will not be detrimental to the public welfare or other properties in the neighborhood
- f. The request will not impair the supply of light and air to adjacent properties, substantially increase the danger of fire, endanger the public safety, or substantially diminish or impair neighboring property values

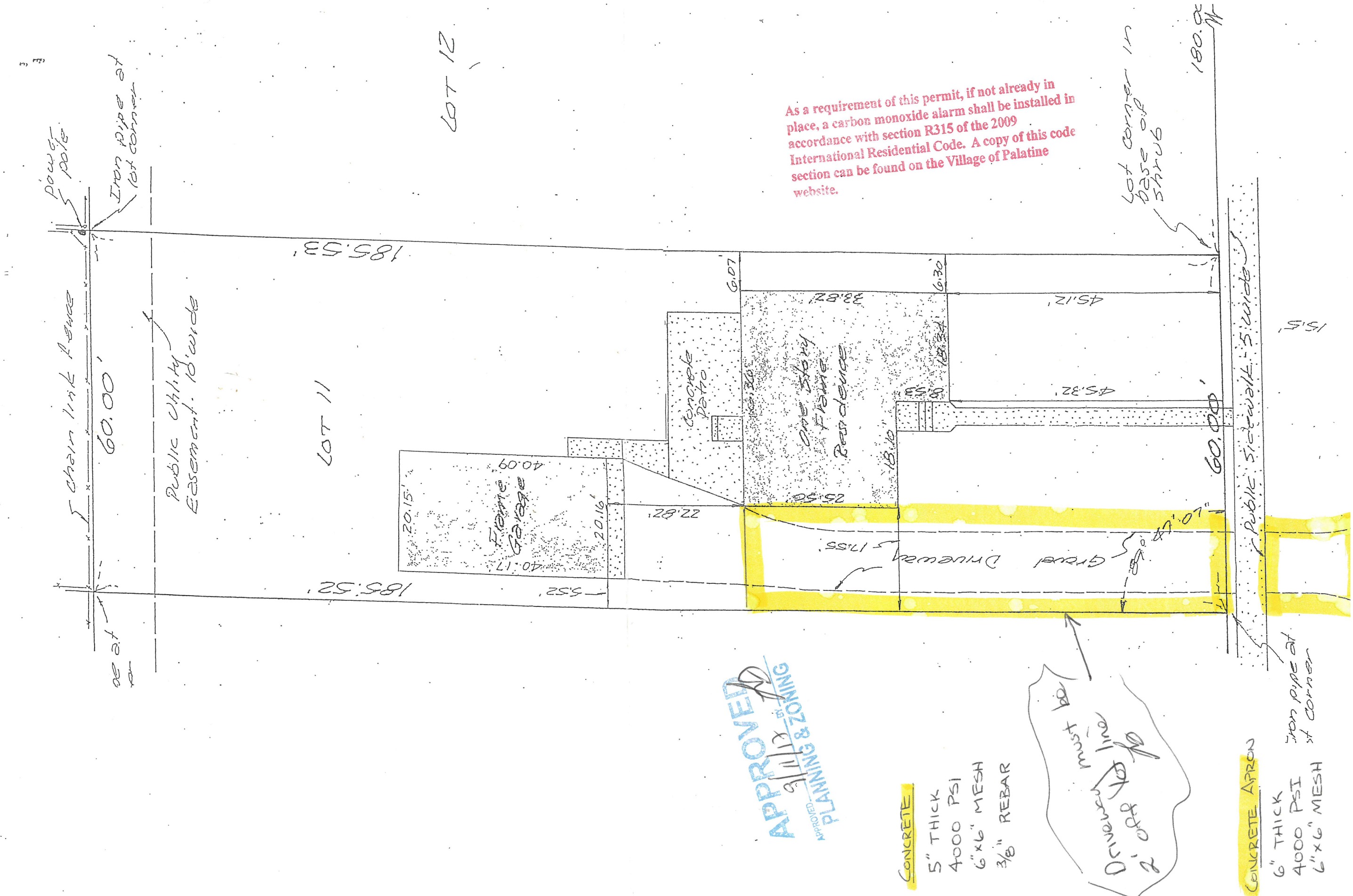
The pavers help my wife in backing down the driveway and allow us to get the car in and out of the garage when the truck or boat is parked in the driveway.

Attachment: Application (35 S. Walnut Street - VAR for pavers)

at 11 in Block 5 in MERRILL'S GARDEN HOME, a Subdivision in the
orth half of the Northwest quarter of Section 22, Township 42
orth, Range 10 East of the Third Principal Meridian, in Cook
ounty, Illinois.



at 11 in Block 5 in MERRILL'S GARDEN HOME, a Subdivision in the
orth half of the Northwest quarter of Section 22, Township 42
orth, Range 10 East of the Third Principal Meridian, in Cook
ounty, Illinois.





Attachment: Photo submitted by the Petitioners (35 S. Walnut Street - VAR for pavers)

PUBLIC NOTICE
 A public hearing will be held before the Palatine Zoning Board of Appeals on Tuesday, March 13, 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:
Variation to permit pavers to be set back 0 feet from the side lot line instead of the minimum required 2 feet pursuant to Section 10.01 (d) (3) (b) of the Palatine Zoning Ordinance.
 The property is commonly known as 35 S. Walnut Street (PIN# 02-22-101-011).
 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 installed pavers on the north side of the driveway, which encroach in the required 2-foot setback.
 The above petition has been filed by Gary and Mary Robyn Miller and is available for examination in the office of the Village Clerk, 200 E. Wood Street.
 FILE #: 18-03
 VILLAGE OF PALATINE
 Jan Wood, Chair
 Palatine Zoning Board of Appeals
 DATED: This 26th day of February, 2018.
 Published in Daily Herald
 February 26, 2018 (4494296)

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 February 26, 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 Baetz*
 Authorized Agent

Control # 4494296

Attachment: Public Notice (35 S. Walnut Street - VAR for pavers)

**VILLAGE OF PALATINE
Zoning Board of Appeals**

SCHEDULED 03/13/18 07:00 PM

CASE STAFF STATEMENT (ID # 4274)

861 & 865 W. Kenilworth Avenue

TO: Palatine Zoning Board of Appeals
Jan Wood, Chair

FROM: Lyn Bremanis

PETITIONER: Richard Sabel

CASE NUMBER: 18-08

ADDRESS: 861 & 865 W. Kenilworth Avenue

PROPOSAL:

Special Use to permit a residence to be setback 20 feet from the front yard lot line instead of the required 30 feet pursuant to Section 10.06 (c)(13) of the Palatine Zoning Ordinance.

<u>LOCATION:</u>	861 & 865 W. Kenilworth Avenue 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>	R-1 Single Family Residential
<u>East:</u>	R-2 Single Family Residential
<u>West:</u>	R-2 Single Family Residential

BACKGROUND:

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.

STAFF RECOMMENDATION:

The subject home is zoned R-2 and the combined lot area is the equivalent to an R-1 lot

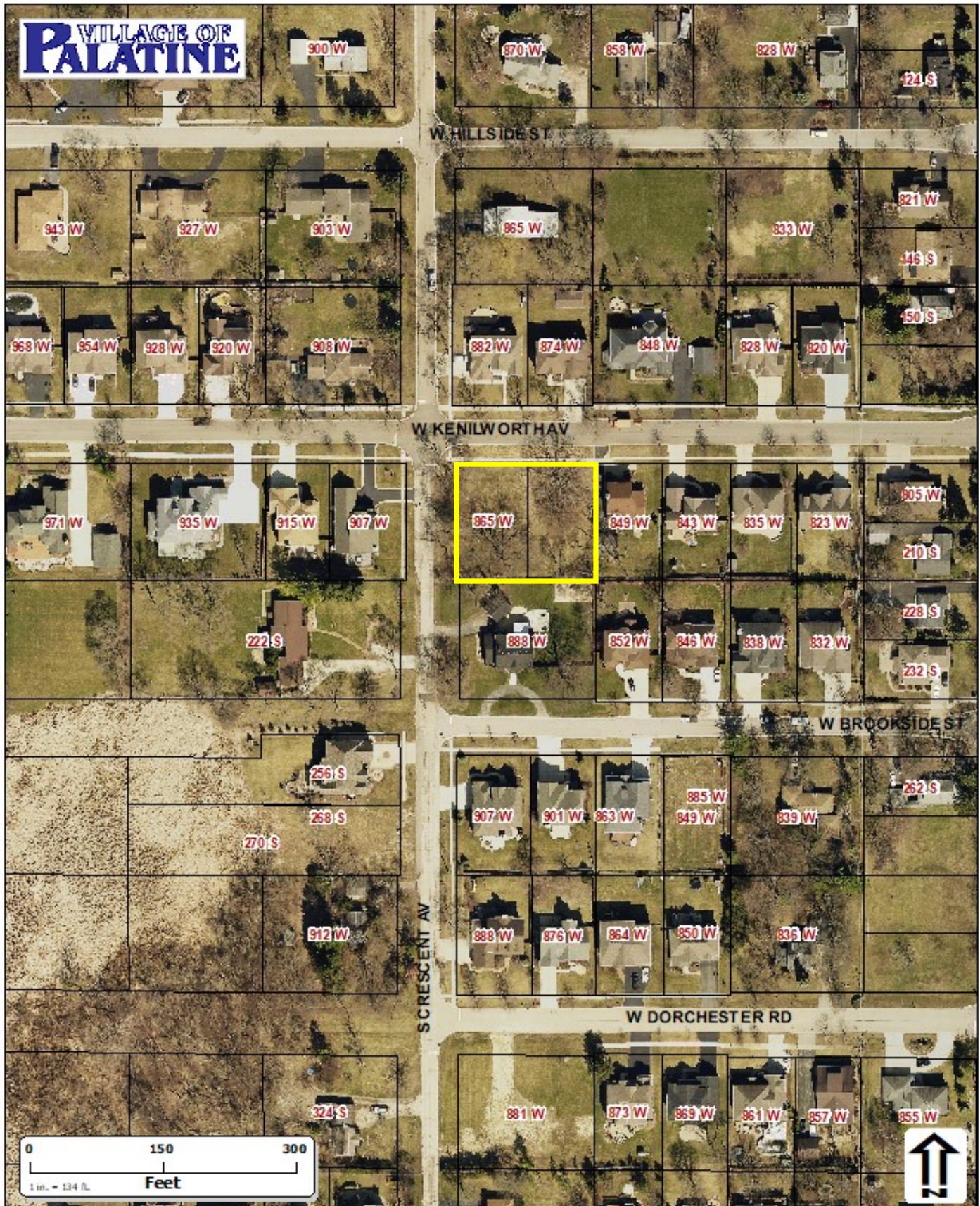
(20,000 square feet), with the benefit of reduced R-2 setbacks. The proposed building plans could be revised to comply with the front yard setback. Additionally, the proposed consolidation allows for a substantial building pad, which is allowed by-right. Staff does not typically recommend front yard 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.

ATTACHMENTS:

- Aerial
- Application
- Plats of Survey
- Site Plan
- Elevations
- Floor Plans
- Public Notice

861 & 865 W Kenilworth Ave.

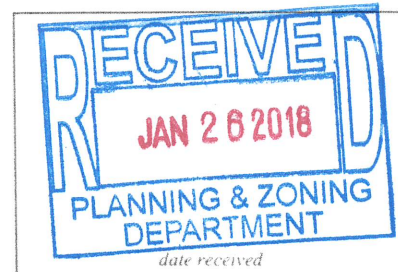




SPECIAL USE & VARIATION APPLICATION

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>18-8</i>
	Filing Fee <i>348</i>	Notification Deadline
	ZBA Public Hearing Date	Village Council Date



Background Information	PETITIONER(S) Richard T Sabel		Business Name (if applicable) BOS LLC	
	Subject Property Address 861 & 865 Kenilworth			
	AUTHORIZED AGENT (if applicable) Homes by Pinnacle Inc. Craig Ciaglia		Business Name (if applicable) Homes by Pinnacle Inc. Craig Ciaglia	
	Address 22285 N. Pepper Rd. # 212		City/State/Zip Code Lake Barrington, IL. 60010	
	Telephone 847 842 1840	Fax 847 842 1841	Email craig@homesbypinnacle.com	
	Relationship to Petitioner (contractor, architect, etc.) Contractor			
	TYPE OF APPLICATION (check one) ☐ Special Use ☐ Special Use Amendment ☐ Variation			
	Existing Zoning District	Existing Land Use	Proposed Land Use	
	Generally describe your request: <i>We have two lots which we will be building one home on which will require a legal front yard setback.</i>			

Attachment: Application (861 & 865 W. Kenilworth Ave - SU Setback)

PALATINE

SPECIAL USE

Required Materials

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

Additional Materials (as required by the Village)

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

Petitioner Justification

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

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

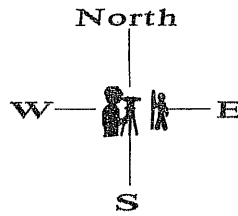
2. The use is designed, located, and proposed to be operated that the public health, safety and welfare will be protected

No impact on public health + safety

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

There will be no negative impact on the nearby property values + will potentially improve them!

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



1 IN. = 20 FT.
VERIFY SCALE
AGAINST THIS
GRAPHIC
BASIS OF BEARINGS IS ASSUMED

PLAT OF SURVEY

by
Michael J. Emmert Surveys, Inc.
of

Property located at: 861 W. KENILWORTH AVENUE

W. KENILWORTH AVENUE

CONCRETE CURB AND GUTTER

CROSS IS 0.12 WEST
AND 3.15 NORTH

CONCRETE WALK

CROSS IN WALK IS 0.11 WEST
AND 3 FT. NORTH

Legally described as:

LOT 2 IN LILLIAN PLACE, BEING A RESUBDIVISION OF LOT 8 IN BLOCK 9 OF ARTHUR T. MC INTOSH AND COMPANY'S PALATINE HILLS AND THAT PART OF THE EAST 2.95 FEET OF CRESCENT AVENUE LYING NORTH OF THE WESTERLY EXTENSION OF THE SOUTH LINE OF LOT 8 IN BLOCK 9 AND LYING SOUTH OF THE WESTERLY EXTENSION OF THE NORTH LINE OF LOT 8 IN BLOCK 9, IN ARTHUR T. MC INTOSH AND COMPANY'S PALATINE HILLS, A SUBDIVISION OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 12, 2008 AS DOCUMENT NUMBER 0616339013, IN COOK COUNTY, ILLINOIS.

LINE TABLE

Line	Bearing	Distance
L1	S. 89° 37' 12" E.	73.26'
L2	S. 00° 00' 29" E.	132.18'
L3	N. 89° 36' 17" W.	73.28'
L4	N. 00° 00' 02" E.	132.16'
Line	Measure	
L1	73.26'	
L2	132.18'	
L3	73.28'	
L4	132.16'	

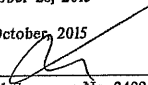
A.C. - AIR CONDITIONER
W.M. - WATER METER
G.M. - GAS METER
T.I. - TELEPHONE INTERFACE
C.S. - CABLE SERVICE
E.M. - ELECTRIC METER

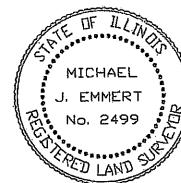
Survey ordered by: Michael Losacco

State of Illinois)
County of Du Page)

Michael J. Emmert Surveys, Inc., does hereby certify that we have surveyed the above described property and prepared the plat hereon drawn. The legal description shown hereon is provided by others. Refer to deed or title policy for building setbacks, easements and other restrictions which may exist. Dimensions not noted hereon shall not be assumed by scaling or otherwise. Compare all points before building and report any discrepancies. This professional service conforms to the current Illinois Minimum Standards for a Boundary Survey.
Date of field survey: October 28, 2015

Dated this 28th. day of October, 2015

By:  President
Professional Illinois Land Surveyor No. 2499
License expires on November 30, 2016
Professional Design Firm Land Surveyor Corporation No. 184.004811



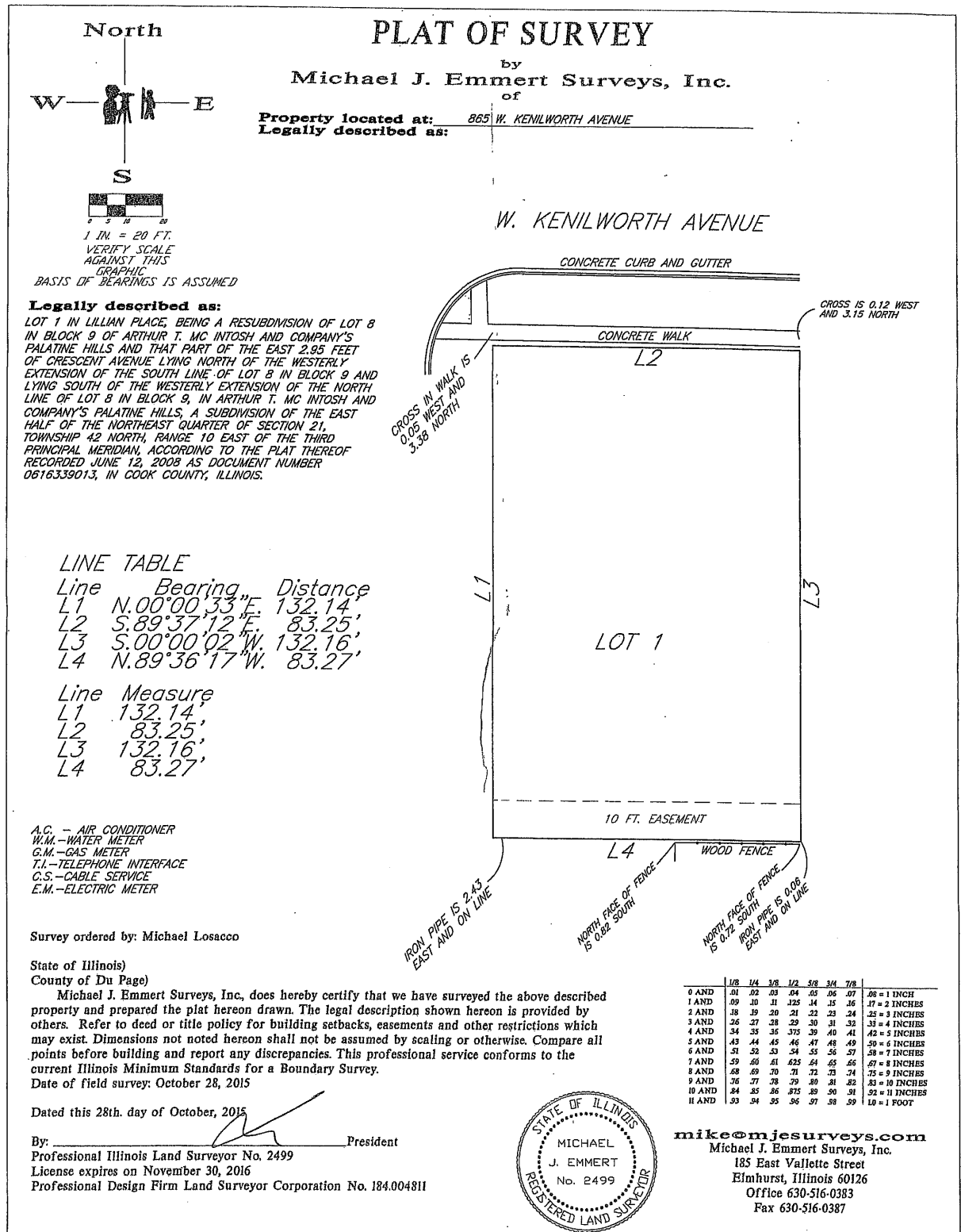
mike@mjesurveys.com
Michael J. Emmert Surveys, Inc.
185 East Vallette Street
Elmhurst, Illinois 60126
Office 630-516-0383
Fax 630-516-0387

	1/8	1/4	3/8	1/2	5/8	3/4	7/8	
0 AND	.01	.02	.03	.04	.05	.06	.07	.08 = 1 INCH
1 AND	.09	.10	.11	.12	.14	.15	.16	.17 = 2 INCHES
2 AND	.18	.19	.20	.21	.22	.23	.24	.25 = 3 INCHES
3 AND	.26	.27	.28	.29	.30	.31	.32	.33 = 4 INCHES
4 AND	.34	.35	.36	.37	.39	.40	.41	.42 = 5 INCHES
5 AND	.43	.44	.45	.46	.47	.48	.49	.50 = 6 INCHES
6 AND	.51	.52	.53	.54	.55	.56	.57	.58 = 7 INCHES
7 AND	.59	.60	.61	.62	.64	.65	.66	.67 = 8 INCHES
8 AND	.68	.69	.70	.71	.72	.73	.74	.75 = 9 INCHES
9 AND	.76	.77	.78	.79	.80	.81	.82	.83 = 10 INCHES
10 AND	.84	.85	.86	.87	.89	.90	.91	.92 = 11 INCHES
11 AND	.93	.94	.95	.96	.97	.98	.99	1.0 = 1 FOOT

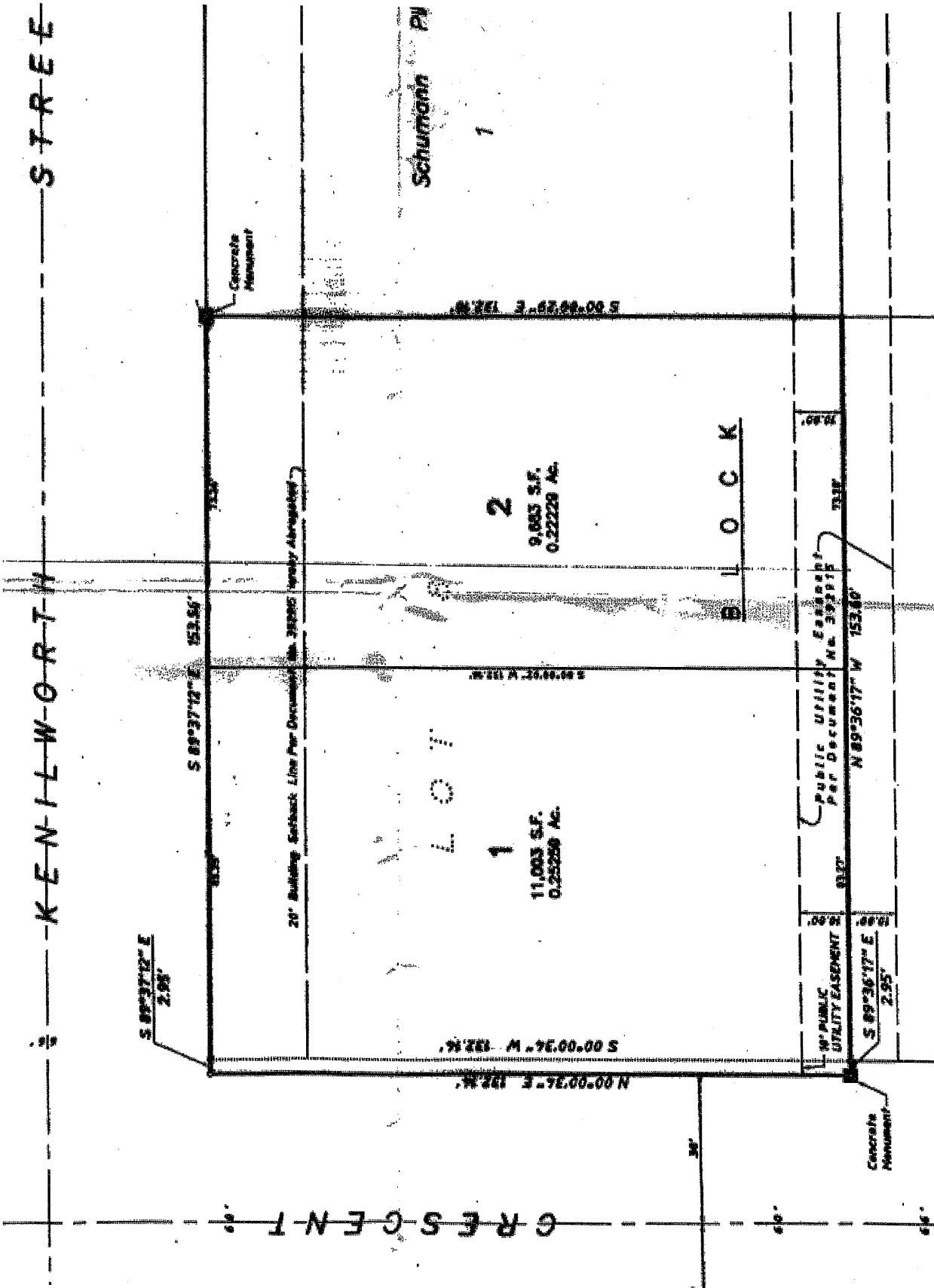
NORTH FACE OF FENCE
IRON PIPE IS 0.12
EAST AND ON LINE

NORTH FACE OF FENCE
IRON PIPE IS
0.15 EAST ON
LINE EXTENDED

Attachment: Plats of Survey (861 & 865 W. Kenilworth Ave - SU Setback)



Attachment: Plats of Survey (861 & 865 W. Kenilworth Ave - SU Setback)



1.1.2 Place

Attachment: Plats of Survey (861 & 865 W. Kenilworth Ave - SU Setback)

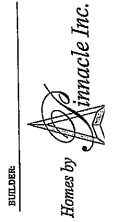


Kisara Architect, Ltd.
Architecture Planning Design
23 N. Olive Lane
Geneva, Illinois 60133
630-226-9955 Fax: 630-648-37
www.kisara.com

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DATE:
exp. 11-30-18



CLIENT:
The Sabel Residence
865 W. Kenilworth Ave.
Palatine, IL

PROJECT NO:
17-066

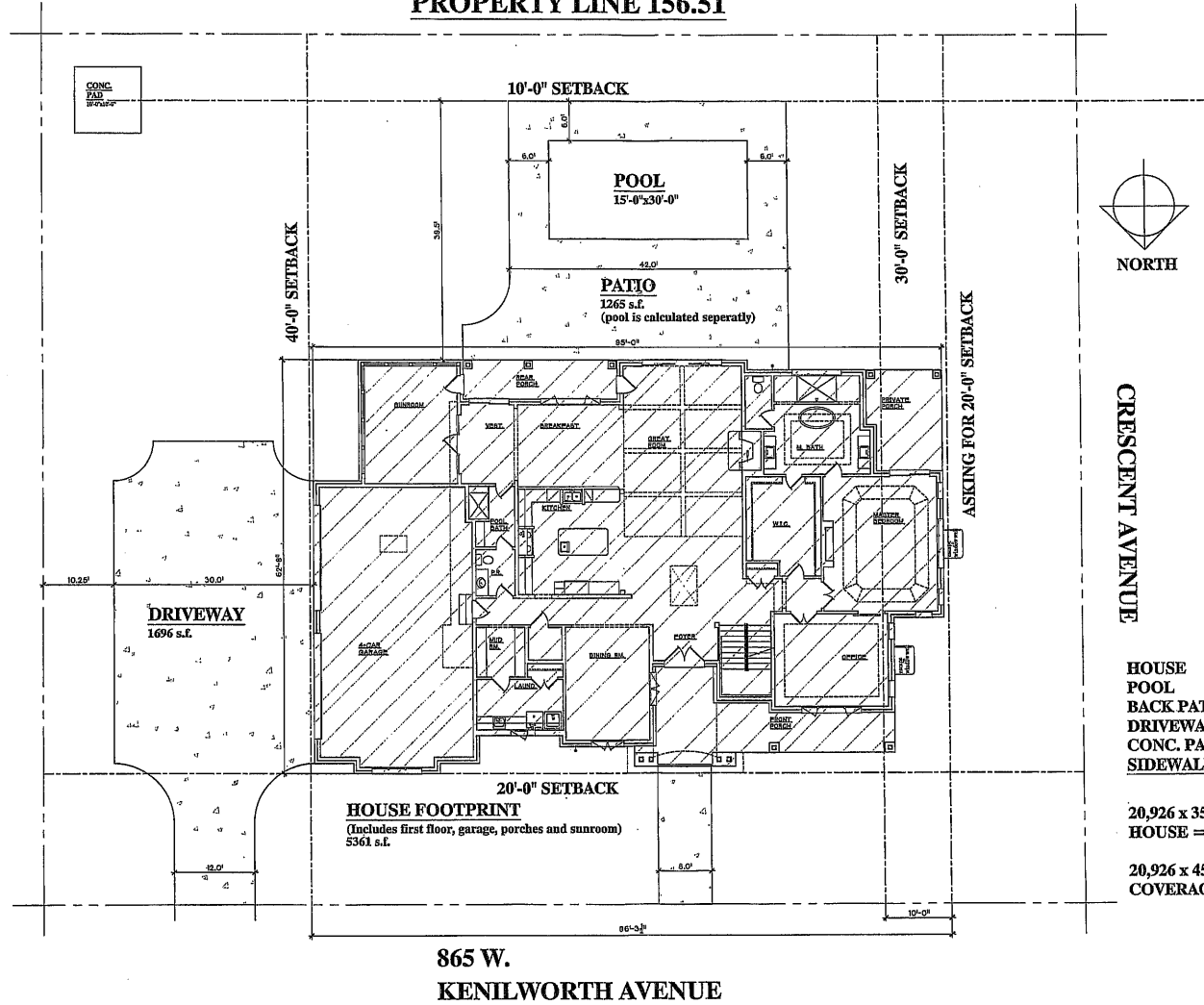
DATE:
10-26-17
1-12-18
RE:
PR

SHEET NO:

S1

Attachment: Site Plan (861 & 865 W. Kenilworth Ave - SU Setback)

PROPERTY LINE 156.51

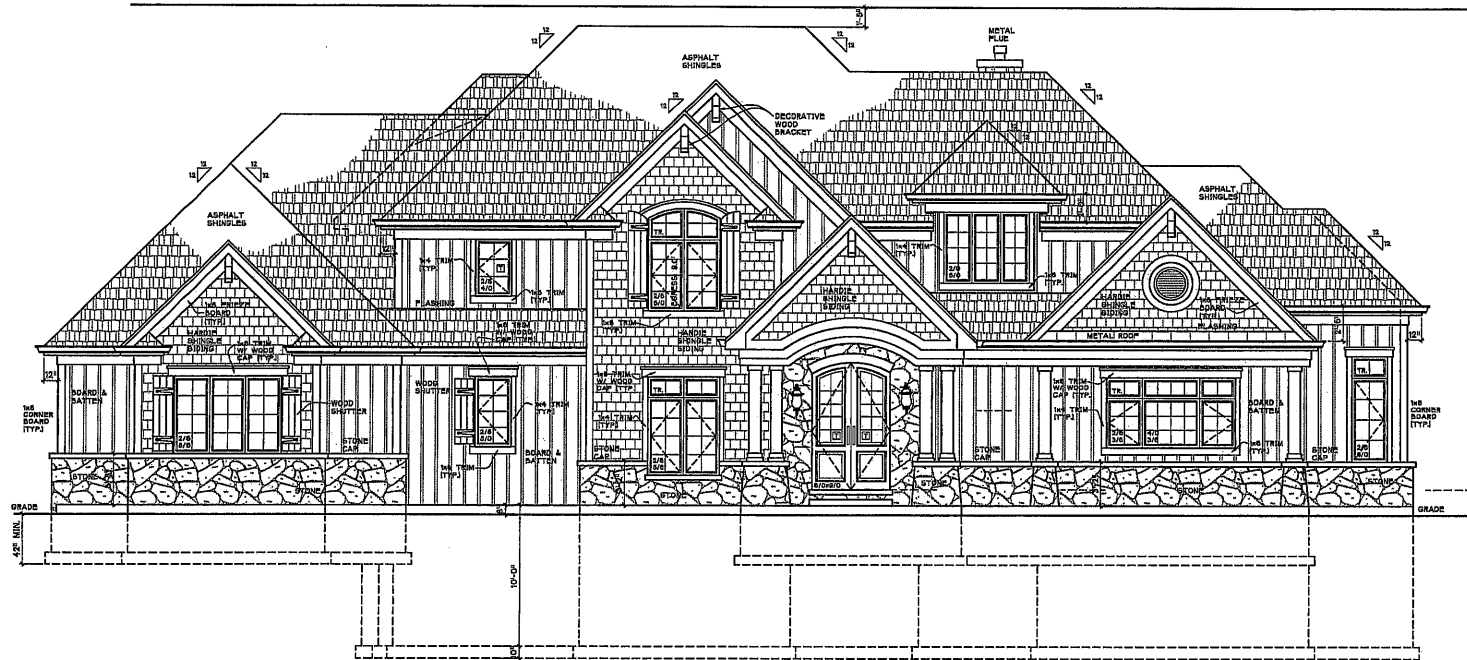


HOUSE	5,386
POOL	450
BACK PATIO	1,265
DRIVEWAY	1,696
CONC. PAD	100
SIDEWALK	180
	9,077

20,926 x 35% = 7,324 s.f.
HOUSE = 5,386 s.f.

20,926 x 45% = 9,417 s.f.
COVERAGE = 9,077 s.f.

SITE PLAN
SCALE: 1/8" = 1'-0"



FRONT ELEVATION
SCALE: 1/4" = 1'-0"



Kierau Architects, Inc.
Architecture Planning &
25 N. River Road
Geneva, Illinois 60135
630-338-9955 Fax: 666-4
www.kierau.com

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DATE:
exp. 11-30-18

BUILDER:
Homes by
Minnacle Inc.

CLIENT:
The Sabel Residence
865 W. Kenilworth Ave.
Darien, IL 60419

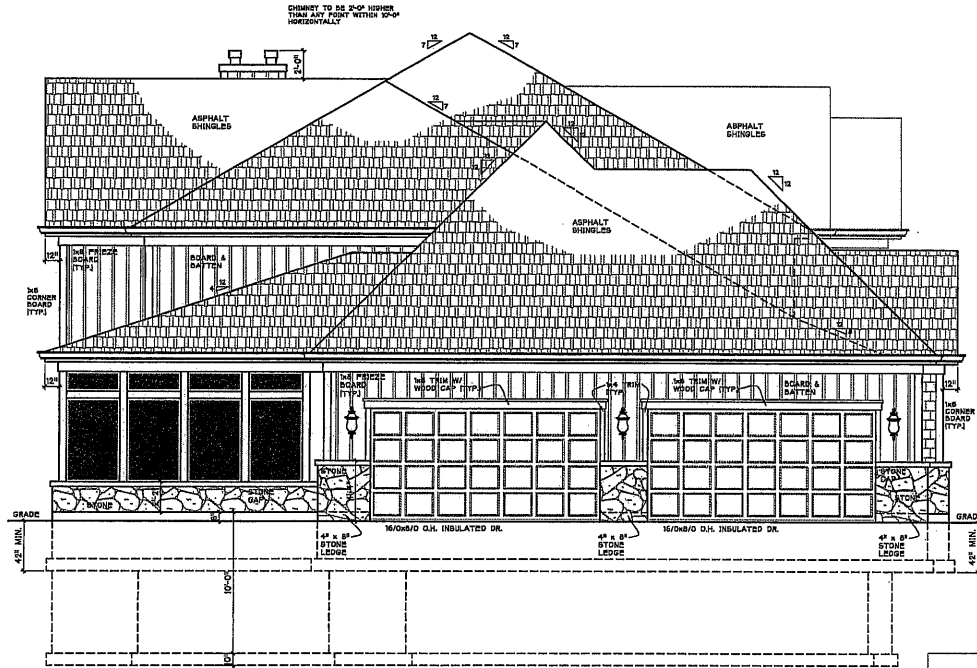
PROJECT NO:
17-066

DATE:
10-24-17
1-15-18

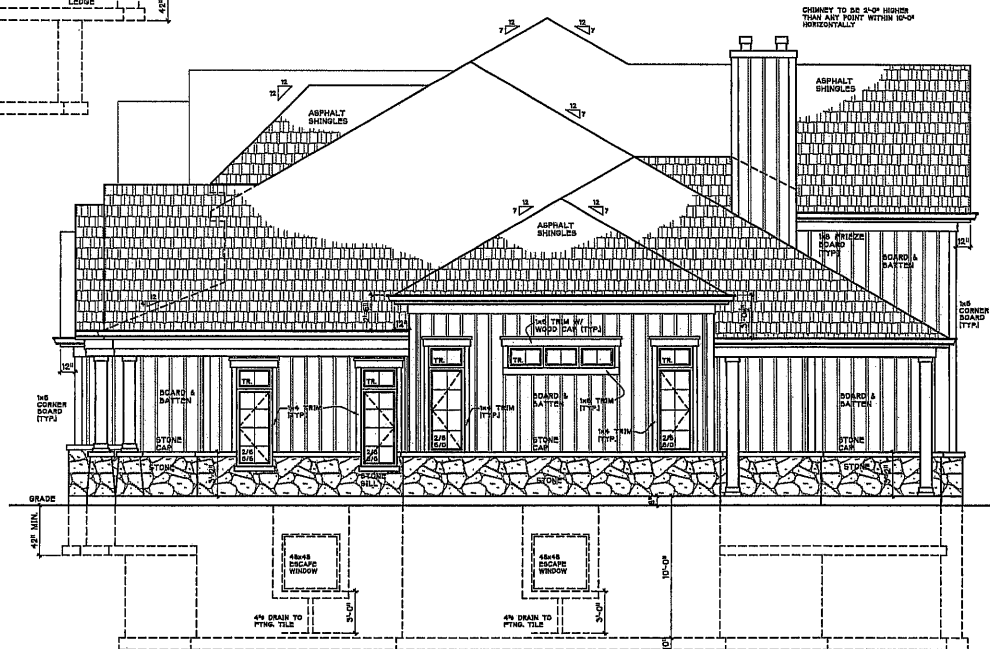
SHEET NO:



Attachment: Elevations (861 & 865 W. Kenilworth Ave - SU Setback)



LEFT SIDE ELEVATION
SCALE: 1/4" = 1'-0"



RIGHT SIDE ELEVATION
SCALE: 1/4" = 1'-0"



Kimmara Architects, Inc.
architectural planning
25 N. River Lane
Geneva, Illinois 60135
630-328-0995 fax: 666
www.kimmara.com

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and may not be reproduced without the written consent of Kimmara Architects, Inc.



DATE:
exp. 11-30-18

BUILDER:
Homes by Kimmara, Inc.

CLIENT:
The Sabel Residence
865 W. Kenilworth Ave.

PROJECT NO:
17-066

DATE:
10-26-17
1-15-18

SHEET NO:

A

Attachment: Elevations (861 & 865 W. Kenilworth Ave - SU Setback)

PUBLIC NOTICE
 A public hearing will be held before the Palatine Zoning Board of Appeals on Tuesday, March 13, 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 residence to be set back 20 feet from the front lot line instead of the required 30 feet pursuant to Section 10.06 (c)(13) of the Palatine Zoning Ordinance.
 The property is commonly known as 861 & 865 W Kenilworth Avenue (PIN# 02-21-215-015 & 02-21-215-016). The two vacant lots directly west of 849 W Kenilworth Avenue.
 The Petitioner is proposing to consolidate the two lots and build one residence that encroaches into the setback along S. Crescent Avenue.
 The above petition has been filed by Richard Sabel and is available for examination in the office of the Village Clerk, 200 E. Wood Street.
 FILE #: 18-08
 VILLAGE OF PALATINE
 Jan Wood, Chair
 Palatine Zoning Board of Appeals
 DATED: This 26th day of February, 2018.
 Published in Daily Herald
 February 26, 2018 (4494303)

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 February 26, 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 Paula Baltz
 Authorized Agent

Control # 4494303

Attachment: Public Notice (861 & 865 W. Kenilworth Ave - SU Setback)

**VILLAGE OF PALATINE
Zoning Board of Appeals**

SCHEDULED 03/13/18 07:00 PM

CASE STAFF STATEMENT (ID # 4279)

203 N. Benton Street

TO: Palatine Zoning Board of Appeals
Jan Wood, Chair

FROM: Katie Romack

PETITIONER: Daniel Johnston

CASE NUMBER: 18-09

ADDRESS: 203 N. Benton Street

PROPOSAL:

Special Use to permit a detached garage to be 18 feet in height instead of the maximum permitted 15 feet pursuant to Section 6.01 (a) (1) of the Palatine Zoning Ordinance.

Variation to permit a detached garage to be 960 square feet instead of the maximum permitted 686 square feet pursuant to Section 6.01 (a) (4) (a) (iii) of the Palatine Zoning Ordinance.

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 pursuant to Section 6.03 (b) (5) (d) (i) of the Palatine Zoning Ordinance.

<u>LOCATION:</u> 203 N. Benton Street District 6 (Helms)	<u>CURRENT ZONING:</u> R-2 Single Family
--	---

SURROUNDING CONDITIONS:

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

BACKGROUND:

The Petitioner 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.

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:

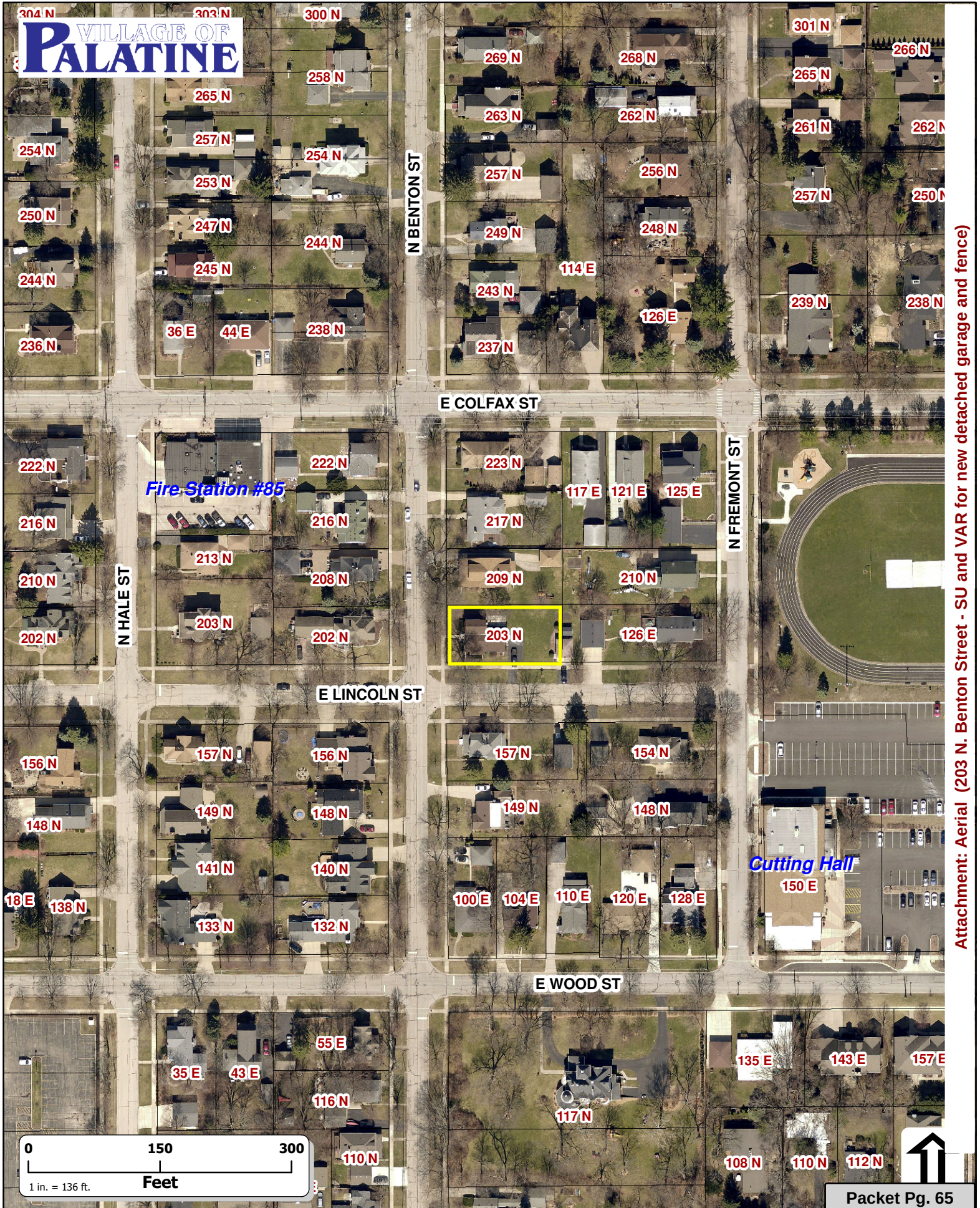
1. The Special Use and Variations shall substantially conform to the site plan and elevations prepared by Regency Garages, dated 01/26/2018, except as such plans may be changed to conform to Village Codes and Ordinances.
2. The detached garage, including the second floor space, shall not be used in pursuant of any commercial business.
3. The detached garage may not be used for a dwelling unit.

ATTACHMENTS:

- Aerial
- Application
- Plat of Survey
- Site Plan
- Floor plan and elevations
- Public Notice

203 N. Benton Street

3.4.a

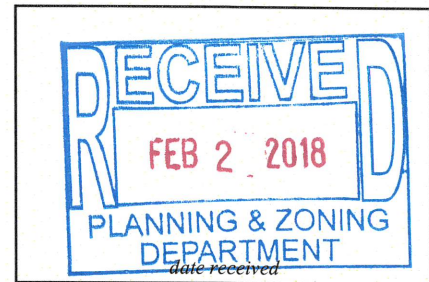


VILLAGE OF PALATINE

SPECIAL USE & VARIATION APPLICATION

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

Office Use Only	Project Planner <i>KR</i>	Zoning Case # <i>18-09</i>
	Filing Fee <i>\$232</i>	Notification Deadline
	ZBA Public Hearing Date	Village Council Date



Background Information	PETITIONER(S) <i>Daniel Johnston</i>		Business Name (if applicable)		
	Subject Property Address <i>203 North Benton St Palatine IL 60067</i>				
	AUTHORIZED AGENT (if applicable) <i>Terry Roszkiewicz</i>		Business Name (if applicable) <i>Regency Garages</i>		
	Address <i>17 W 486 Lake St Addison IL 60101</i>		City/State/Zip Code		
	Telephone <i>630-993-0476</i>	Fax <i>630-993-0478</i>	Email <i>Terry@regencygarages.com</i>		
	Relationship to Petitioner (contractor, architect, etc.) <i>Contractor</i>				
	TYPE OF APPLICATION (check one) ☐ Special Use ☐ Special Use Amendment ☒ Variation				
	Existing Zoning District		Existing Land Use		Proposed Land Use
	Generally describe your request: <i>see attached pages</i>				

Attachment: Application (203 N. Benton Street - SU and VAR for new detached garage and fence)



VARIATION

Required Materials

- ☐ Filing Fee of \$ _____
- ☐ Application Form
- ☐ Plat of Survey (must show all current improvements and be sealed by an Illinois certified surveyor)
- ☐ Site Plan & Floor plan (dimension, location, and setbacks of all existing and proposed buildings) – **one 11x17 copy each, electronic version preferred**
- ☐ Real Estate Interest Disclosure Form (see attached)
- ☐ Proof of Ownership or Lease (e.g. Title Insurance Policy, Deed, or Purchase Contract)

Additional Materials (as required by the Village)

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

Petitioner Justification

The Petitioner is required to present specific evidence related to each of the following standards to justify the request (paraphrased from Section 14.03 of the Palatine Zoning Ordinance). Answer the items below and attach a separate sheet if necessary. **If you are applying for a Special Use only, you do not need to answer these items.**

1. That the property cannot yield a reasonable return if used only under the conditions allowed by the regulations governing the zoning district in which it is located

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

See attached pages

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

See attached pages

4. In order to supplement the above standards, the Zoning Board of Appeals may also consider the following:
 - a. The particular surroundings, shape, or topographical conditions of the property
 - b. A unique hardship for the property not generally applicable to other properties in the same zoning district
 - c. The request is not based on a desire to make more money out of the property
 - d. The petitioner has not created the alleged hardship for the property
 - e. The request will not be detrimental to the public welfare or other properties in the neighborhood
 - f. The request will not impair the supply of light and air to adjacent properties, substantially increase the danger of fire, endanger the public safety, or substantially diminish or impair neighboring property values



SPECIAL USE

Required Materials

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

Additional Materials (as required by the Village)

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

Petitioner Justification

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

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

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

All building codes will be followed accordingly. It should not interfere with my neighbors and should fit into the neighborhood.

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

It is my intention to improve the structure and blend into the neighborhood.

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

Page 2 of 9

I am requesting variations for a new garage that I am building on my property. The new garage would be for cars, storage, and a small work room in the back. I am also requesting a variation for a fence. My goal is for both the garage and fence to fit in with the surrounding character of the neighborhood.

Page 5 of 9

2. The size of the garage will be

24W x 40L x 18H for a total of 960sq ft. I am trying to match our structure to my neighbor's existing garage east of my property . It would be the exact same size only 5 feet longer as to maximize space to my northern property line.

3. The garage is designed to fit with look of my house and resemble my neighbor's garage. It is my goal to stay within the character of the neighborhood and surrounding homes.

Page 5 of 9

2. The Height of the garage will be 18 feet. My goal is for the garage to match my neighbor's garage to the east of my property. It would be the exact same height as to not draw attention and blend in to the surrounding area.

3. The garage is designed to fit with look of my house and resemble my neighbor's garage. It is my goal to stay within the character of the neighborhood and surrounding homes.

Page 5 of 9

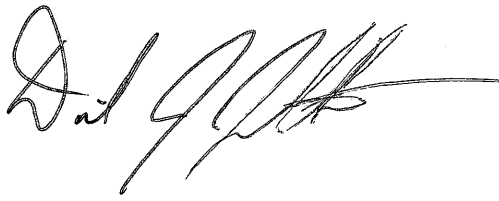
2. I would like to install a white picket fence within 1 foot off the side lot on the south side of my property. Being on a corner lot it would help maximize my backyard for kids and our family pet.

3. My optimal fence would be a picket fence that is not intrusive and blends into the character of the neighborhood. I will abide by the landscaping requirements by planting a variety of day lilies, hostas, etc.

Dan Johnston
203 N Benton Street
Palatine IL, 60067

Re: Garage Permit Request

The second floor of the garage is going to be used strictly for storage.

 2/15/18

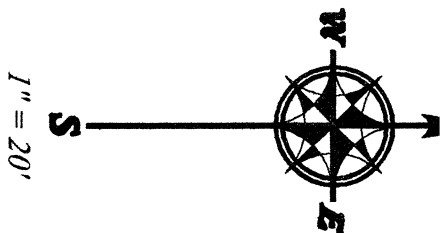


Land Surveyors

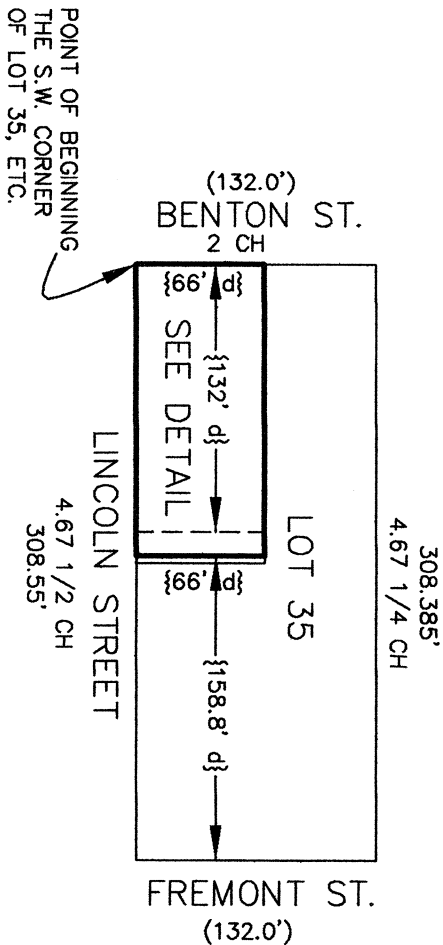
Illinois Professional Land Surveying Firm Corporation License No. 184-002845
933 S. Plum Grove Road, Suite 101
Palatine, Illinois 60067
www.murrysurvey.com info@murrysurvey.com Phone: (847)358-5960

PLAT OF SURVEY

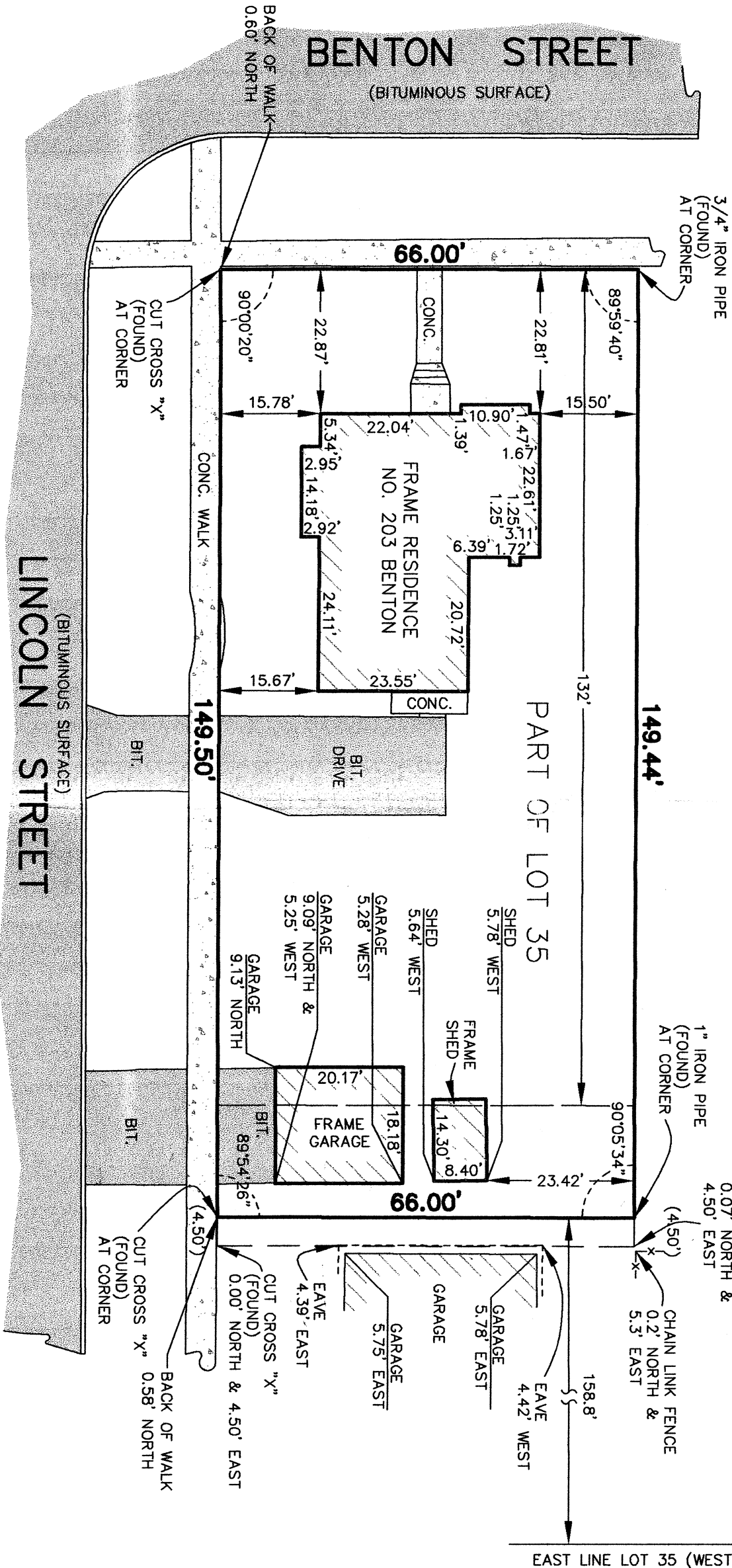
THE SOUTH 66 FEET OF LOT 35 (EXCEPT THE EAST 158.8 FEET THEREOF) IN JOEL WOOD'S SUBDIVISION OF BLOCK "Z" IN ASSESSOR'S DIVISION OF THE NORTHWEST QUARTER OF SECTION 23, PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 15 AND PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 14, ALL IN TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.



AREA = 9,867 S.F. / 0.2265 ACRES



SURVEY SHOWN HEREON BASED ON THAT PART OF LOT Z BOUNDED BY BENTON STREET, FREMONT STREET, COLFAX STREET AND LINCOLN STREET SHOWN ON THE ASSESSOR'S MAP OF PALATINE, RECORDED AUGUST 20, 1869 AS DOCUMENT NO. 23021 AND RE-RECORDED APRIL 10, 1877 AS DOCUMENT NO. 129579.



LEGEND AND NOTES

Dimensions shown thus: 50.25 are feet and decimal parts thereof. Angular data shown thus: 90°00'00" indicate degrees, minutes and seconds.
50.25 / N 90°00'00" E indicates measure dimension / bearing.
50.25 / (N 90°00'00" E) indicates record dimension / bearing.
50.25 d / (N 90°00'00" E d) indicates deed dimension / bearing.
Bearings shown hereon, if any, per local or assumed data, unless shown otherwise.
Compare your points before using same and report any differences immediately.
Check legal description with deed or title policy and report any discrepancy immediately. Building lines and easements, if any, shown hereon are as shown on the recorded subdivision plat or as indicated.

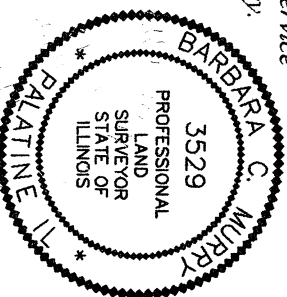
Order Number: 12-1010
Survey Made For: Patricia Deemer

STATE OF ILLINOIS } S.S.
COUNTY OF COOK }

I, Barbara C. Murry, an Illinois Professional Land Surveyor, do hereby certify that I have surveyed the above described property, and that the above plat is a correct representation of said survey and that this professional service conforms to the current Illinois minimum standards for a boundary survey.

Date of completion of field work: March 27, 2014

Palatine, Illinois: April 2, 2014



Illinois Professional Land Surveyor: Barbara C. Murry
License Renewal date: November 30, 2014

Project Number: 11-1117 & 77-532/12-1010/14-08
Field Book: 169M-29
Drawing File: 140800.dwg



MURRY AND MOODY, LTD. Land Surveyors

Illinois Professional Land Surveying Firm Corporation License No. 184-002845
933 S. Plum Grove Road, Suite 101
Palatine, Illinois 60067
www.murrysurvey.com info@murrysurvey.com Phone: (847)358-5560

PLAT OF SURVEY

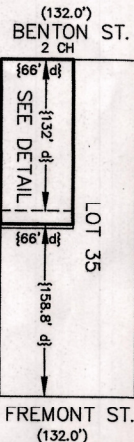


1" = 20'

THE SOUTH 66 FEET OF LOT 35 (EXCEPT THE EAST 158.8 FEET THEREOF) IN JOEL WOOD'S SUBDIVISION OF BLOCK "7" IN ASSESSOR'S DIVISION OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 23, PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 15 AND PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 14, ALL IN TOWNSHIP 42 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

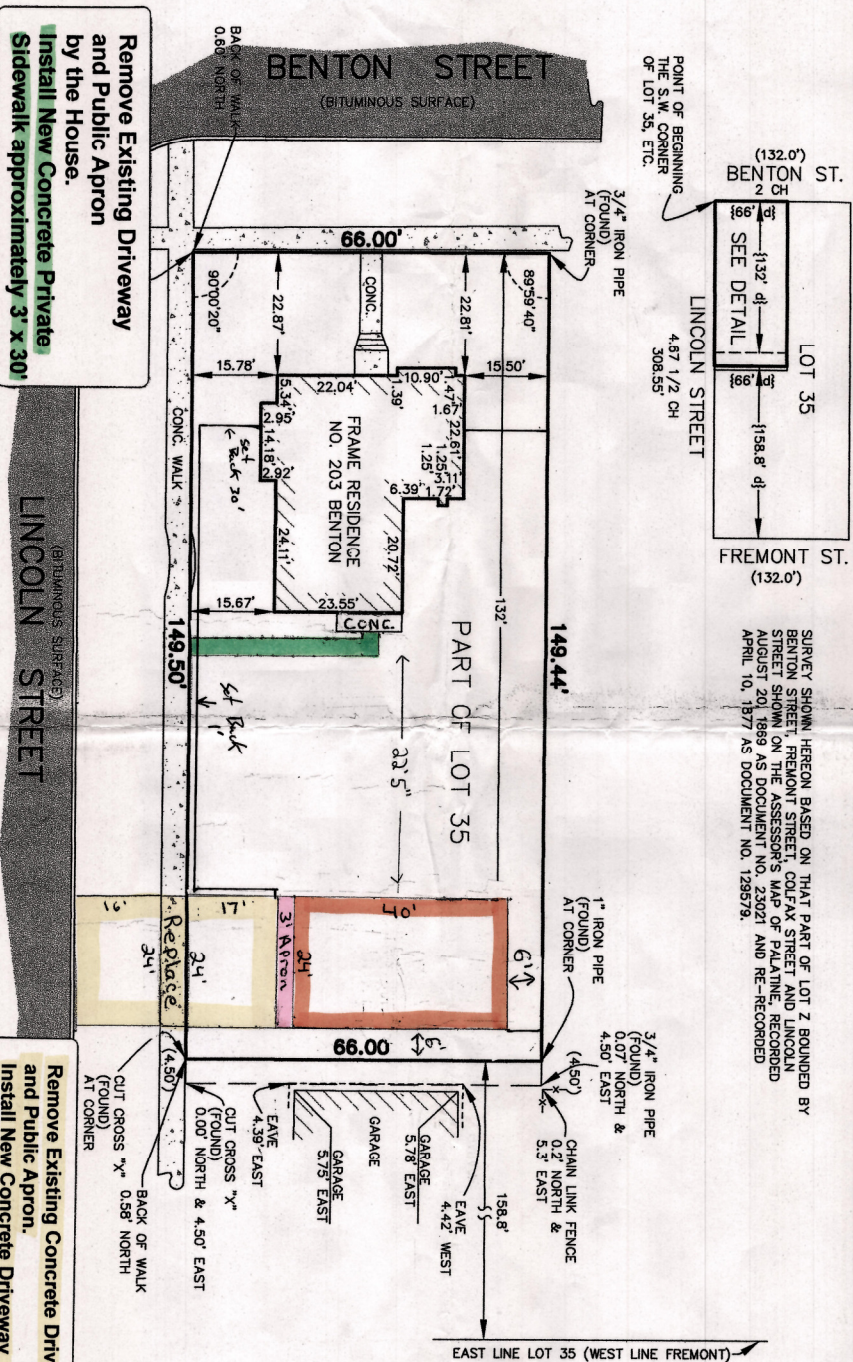
Remove Existing Public Walk between Driveway & Public Apron and Replace with New Concrete Public Walk approximately 24' x 5'

AREA = 9.867 S.F. / 0.2265 ACRES

308.365'
4.67 1/4 CH

SURVEY SHOWN HEREON BASED ON THAT PART OF LOT 2 BOUNDED BY BENTON STREET, FREMONT STREET, COLFAX STREET AND LINCOLN STREET SHOWN ON THE ASSESSOR'S MAP OF PALATINE, RECORDED AUGUST 20, 1889 AS DOCUMENT NO. 23021 AND RE-RECORDED APRIL 10, 1877 AS DOCUMENT NO. 129579.

Proposed Garage 24' x 40'
Proposed Apron 24' x 3'
North rear setback 6'
East side setback 6'
Distance from House 22.5'



Remove Existing Driveway and Public Apron by the House.
Install New Concrete Private Sidewalk approximately 3' x 30'

STATE OF ILLINOIS } S.S.
COUNTY OF COOK }

Remove Existing Concrete Driveway and Public Apron.
Install New Concrete Driveway approximately 24' x 17'
Install New Concrete Public Apron approximately 24' x 16'

LEGEND AND NOTES

Dimensions shown thus: 50.23 are feet and decimal parts thereof. Angular data shown thus: 90°00'00" indicate degrees, minutes and seconds.
50.23 / N 90°00'00" E indicates measure dimension / bearing.
50.23 / N 90°00'00" E indicates record dimension / bearing.
[50.23 d] / N 90°00'00" E d indicates deed dimension / bearing.
Bearings shown hereon, if any, per local or assumed data, unless shown otherwise.
Compare your points before using same and report any differences immediately.
Check legal description with deed or title policy and report any discrepancy immediately. Building lines and easements, if any, shown hereon are as shown on the recorded subdivision plat or as indicated.

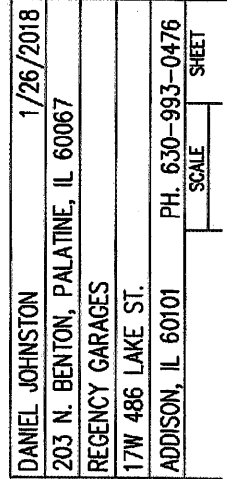
Order Number: 12-1010
Survey Made For: Patricia Deemer

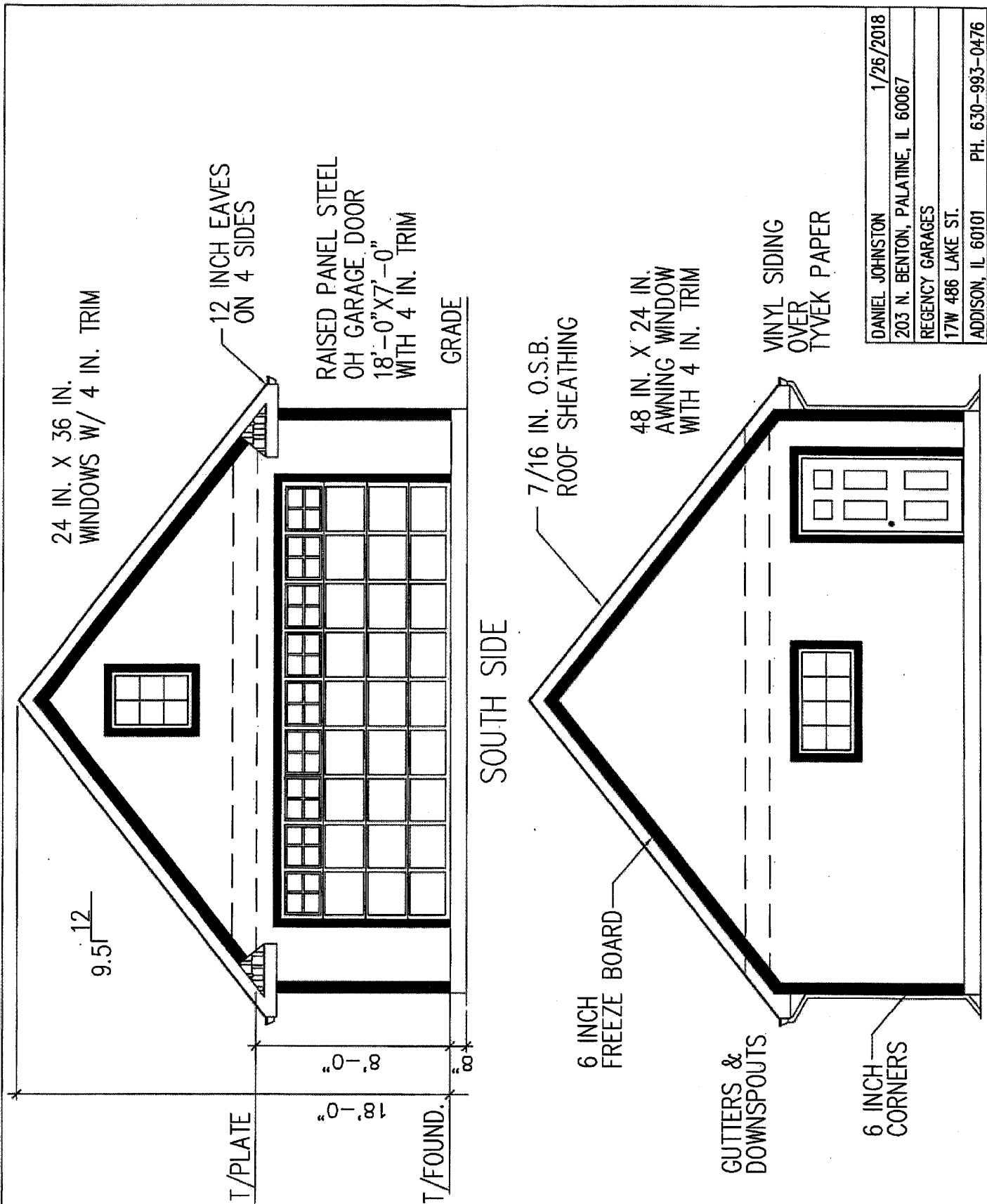
I, Barbara C. Murry, an Illinois Professional Land Surveyor, do hereby certify that I have surveyed the above described property, and that the above plat is a correct representation of said survey and that this professional service conforms to the current Illinois minimum standards for a boundary survey.
Date of completion of field work: March 27, 2014
Palatine, Illinois: April 2, 2014



Illinois Professional Land Surveyor: Barbara C. Murry
License Renewal date: November 30, 2014

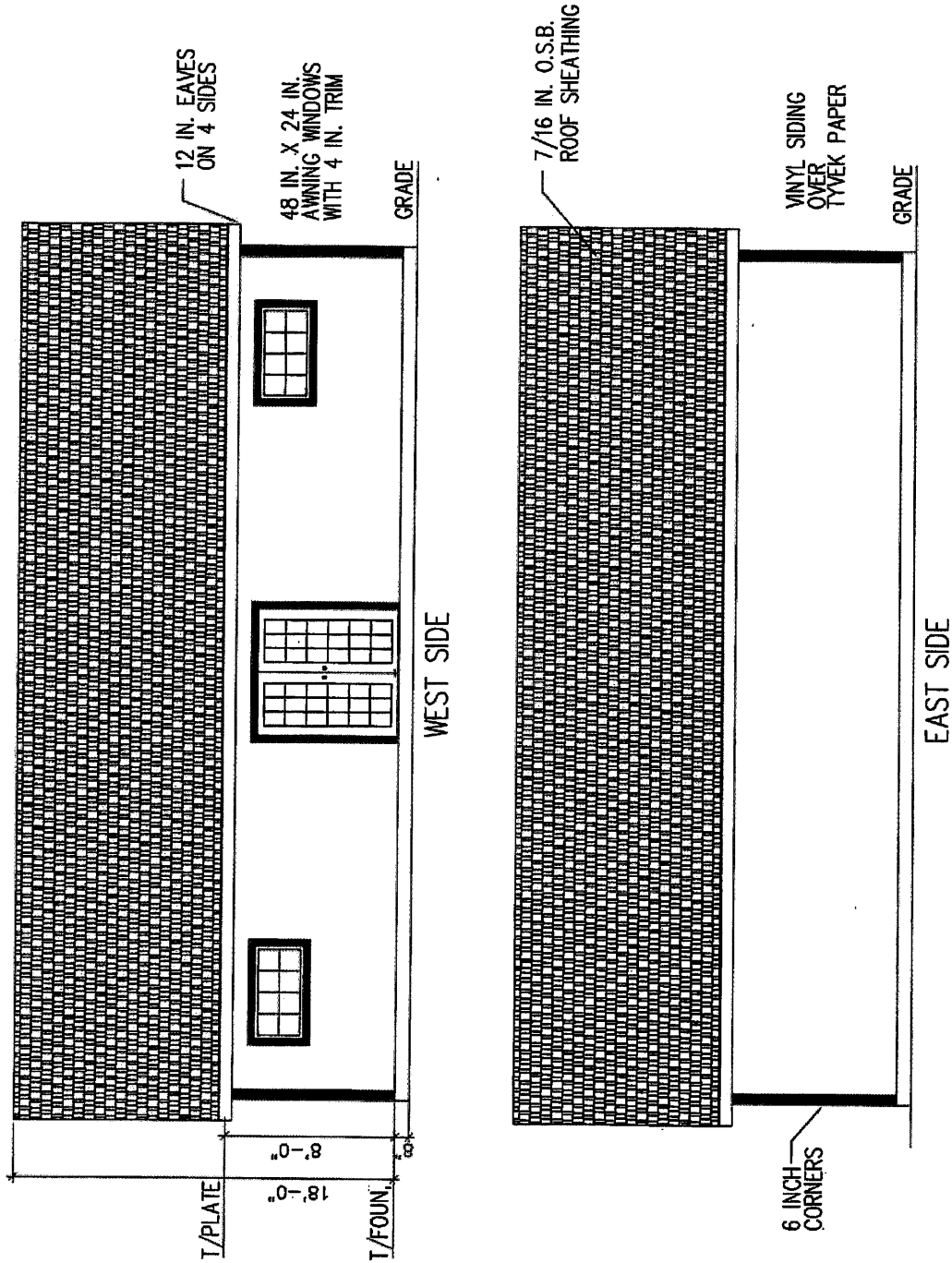
Project Number: 11-1117 & 77-532 / 12-1010/14-08
Field Book: 169M-29
Drawing File: 140800.dwg





DANIEL JOHNSTON	1/26/2018
203 N. BENTON, PALATINE, IL 60067	
REGENCY GARAGES	
17W 486 LAKE ST.	
ADDISON, IL 60101	PH. 630-993-0476
SCALE	SHEET
	6

Attachment: Floor plan and elevations (203 N. Benton Street - SU and VAR for new detached garage and fence)



DANIEL JOHNSTON	1/26/2018
203 N. BENTON, PALATINE, IL 60067	
REGENCY GARAGES	
17W 486 LAKE ST.	
ADDISON, IL 60101	PH. 630-993-0476
SCALE	SHEET
	6

Attachment: Floor plan and elevations (203 N. Benton Street - SU and VAR for new detached garage and fence)

PUBLIC NOTICE

A public hearing will be held before the Palatine Zoning Board of Appeals on Tuesday, March 13, 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 detached garage to be 18 feet in height instead of the maximum permitted 15 feet pursuant to Section 6.01 (a) (1) of the Palatine Zoning Ordinance.

Variation to permit a detached garage to be 960 square feet instead of the maximum permitted 686 square feet pursuant to Section 6.01 (a) (4) (a) (iii) of the Palatine Zoning Ordinance.

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 pursuant to Section 6.03 (b) (5) (d) (i) of the Palatine Zoning Ordinance.

The property is commonly known as 203 N. Benton Street (PIN# 02-14-311-013). The Petitioner would like to demolish the existing detached garage and build a new detached garage. In addition, the Petitioner would also like to install a picket fence set back 1 foot from the side lot line abutting a street.

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

FILE #: 18-09

VILLAGE OF PALATINE

Jon Wood, Chair

Palatine Zoning Board

of Appeals

DATED: This 26th day of February, 2018.

Published in Daily Herald
February 26, 2018 (4494296)

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 February 26, 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 Paula Baetz
Authorized Agent

Control # 4494300

Attachment: Public Notice (203 N. Benton Street - SU and VAR for new detached garage and fence)

**VILLAGE OF PALATINE
Zoning Board of Appeals**

SCHEDULED 03/13/18 07:00 PM

CASE STAFF STATEMENT (ID # 4273)

223 E. Northwest Highway

TO: Palatine Zoning Board of Appeals
Jan Wood, Chair

FROM: Lyn Bremanis

PETITIONER: Gay Barwald, Pete & Mac's Pet Resort

CASE NUMBER: 18-10

ADDRESS: 223 E. Northwest Highway

PROPOSAL:

Special Use for a kennel pursuant to Section 11.03 (d)(1) of the Palatine Zoning Ordinance.

Variation to allow gross surface area of attached sign to be 99 square feet instead of the allowed 66 square feet pursuant to Section 8.03 (b)(2)(c) of the Palatine Zoning Ordinance.

Variation to allow an 8 foot fence instead of the permitted 6 foot pursuant to Section 6.03 (c) of the Palatine Zoning Ordinance.

<u>LOCATION:</u>	223 E. Northwest Highway District 6 (Helms)	<u>CURRENT ZONING:</u>	B-2 General Business District
-------------------------	--	-----------------------------------	----------------------------------

SURROUNDING CONDITIONS:

<u>North:</u>	P Planned Development (Renaissance Office Park)
<u>South</u>	R-2 Single-Family Residential
<u>East:</u>	B-1 Shopping Center District and R-3 Multiple-Family Residential (apartments)
<u>West:</u>	R-1 Single-Family Residential (St. Theresa Church and school)

BACKGROUND:

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.

Case Staff Statement (ID # 4273)
Meeting of March 13, 2018

- 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 (this includes the 40 required parking spaces for the Subject Use)	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.

STAFF RECOMMENDATION:

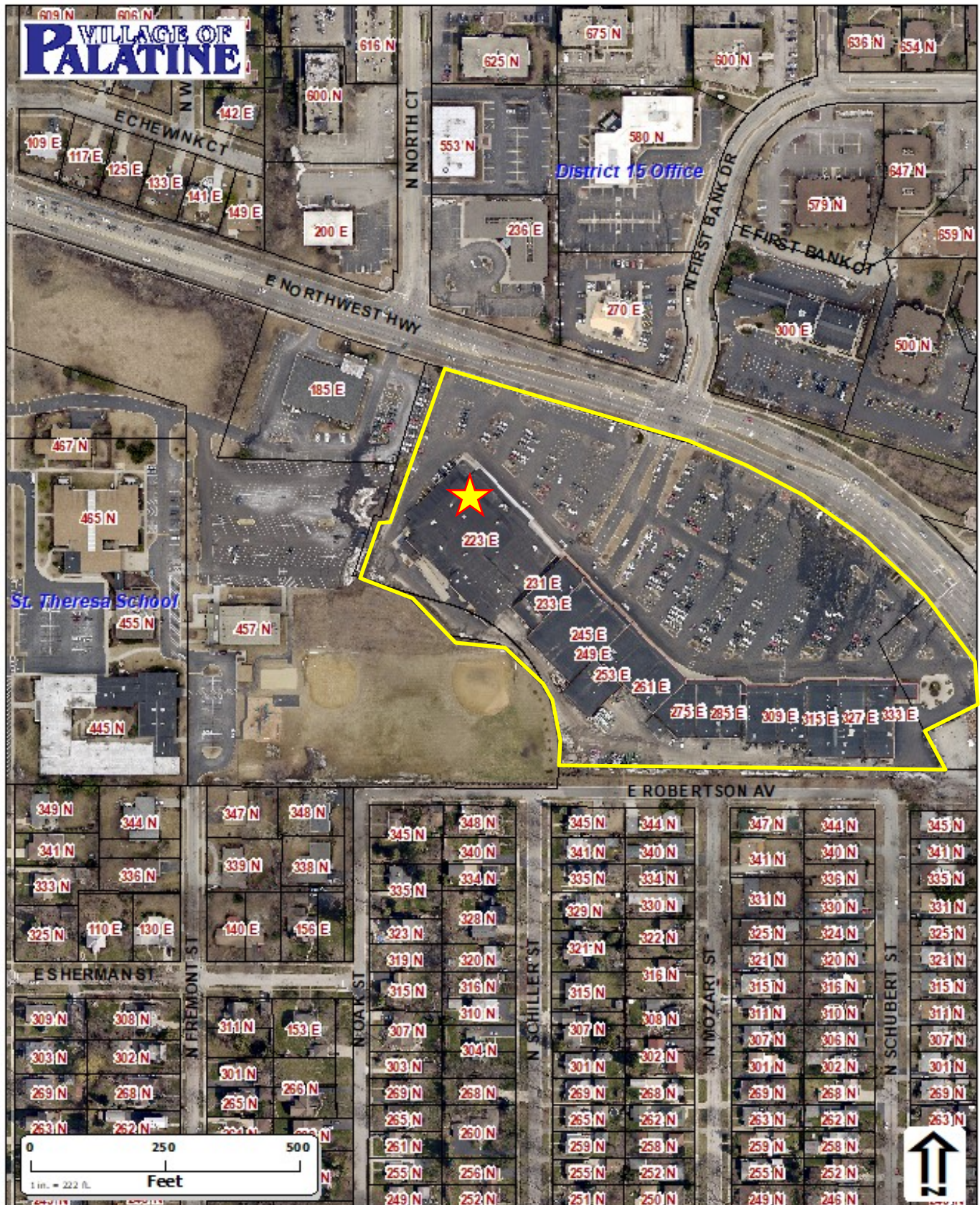
The Petitioner is proposing to operate a new kennel known as Pete & Mac's Pet Resort in the west section of the former Hobby Lobby space in the Palatine Plaza Shopping Center. The Petitioner has proposed several design elements into the project to minimize any potential impacts including screening material 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.

ATTACHMENTS:

- Aerial
- Application
- Plat of Survey/Site Plans
- Business Plan
- Floor Plan
- Elevations
- Fence Elevation
- Letter from Center Owner
- Public Notice

223 E Northwest Highway



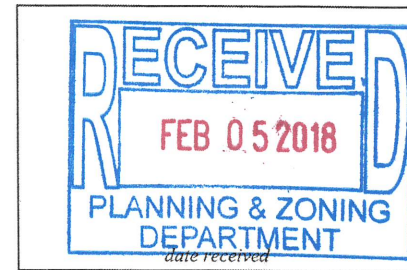
Attachment: Aerial (223 E. Northwest Highway - SU VAR Kennel)

VILLAGE OF PALATINE

SPECIAL USE & VARIATION APPLICATION

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

Office Use Only	Project Planner	Zoning Case #
	Filing Fee	Notification Deadline
	ZBA Public Hearing Date	Village Council Date



Background Information	PETITIONER(S) GAY BARWALD		Business Name (if applicable) PETE : MAC'S PET RESORT		
	Subject Property Address 223-333 E. NORTHWEST HWY				
	AUTHORIZED AGENT (if applicable) BILL STYCZYNSKI		Business Name (if applicable) STUDIO 21 ARCHITECTS		
	Address 911 ROGERS ST		City/State/Zip Code DOWNERS GROVE, IL 60515		
	Telephone 630-789-2513	Fax	Email BILL@STUDIO21ARCHITECTS.COM		
	Relationship to Petitioner (contractor, architect, etc.) ARCHITECT				
	TYPE OF APPLICATION (check one) ☒ Special Use ☐ Special Use Amendment ☐ Variation				
	Existing Zoning District		Existing Land Use		Proposed Land Use
	Generally describe your request: To open a first class boarding, daycare, grooming and training establishment for dogs. We desire to have an outside play area for our guests who desire daily daycare or daycare while overnight boarding.				

Attachment: Application (223 E. Northwest Highway - SU VAR Kennel)



SPECIAL USE

Required Materials

- ☐ Filing Fee of \$ 870
- ☐ Application Form
- ☐ Plat of Survey (must show all current improvements and be sealed by an Illinois certified surveyor)
- ☐ Site Plan & Floor plan (dimension, location, and setbacks of all existing and proposed buildings) – **one 11x17 copy each, electronic version preferred**
- ☐ Real Estate Interest Disclosure Form (see attached)
- ☐ Proof of Ownership or Lease (e.g. Title Insurance Policy, Deed, or Purchase Contract)
- ☐ Business Plan (if applicable; including, but not limited to nature of business, hours of operation, number of employees, and menu)

Additional Materials (as required by the Village)

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

Per attached narrative

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

Per attached narrative

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

Per attached narrative

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

Pet Resorts, Inc

the parent company of Pete & Mac's Pet Resorts
 1255 W Baseline Rd., #D-112
 Mesa, AZ 85202
 Phone: (480) 970-6166 • Fax: (480) 970-4496



pet resorts | daycare | grooming | training | boarding

February 1, 2018

To Whom It May Concern:

On behalf of Pete & Mac's Pet Resorts we are pleased to submit this Special Use Application.

Pete & Mac's Pet Resorts wishes to open a location in the Village of Palatine located at 223 East Northwest Highway. Pete & Mac's Pet Resorts has been in the business of away home care for family pets since 1999 and currently operate five locations which are all owned by Pet Resorts, Inc., we are not a franchise.

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

Pete & Mac's provides overnight boarding, daily daycare services, grooming and training.

The resort is open seven days a week with hours conducive to better serve the clients of the community. Lobby hours of operation are Monday – Friday 6:30am-7pm, Saturday 8am-5pm and Sunday 8am-6pm.

Tours are conducted anytime the lobby is open, no appointment necessary.

Security: Pete & Mac's prides itself in never leaving the resort alone or "remotely" monitored. A working night shift is present after closing hours providing overnight care for the guests.

Daycare: 54% of pet owners desire a professional service as an alternative to leaving pets unattended at home all day. There will be one outdoor play area designed for the larger breed guests. The play area will be under the constant supervision of highly trained Pet Guardians who understand the nuances of pet behavior. There is an indoor play area for the smaller/senior pets and again constantly supervised. The latest this area would be used is 6pm.

Grooming: Offer grooming 7 days a week for the convenience of our clients.

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

Overnight Boarding: Pete & Mac's has a unique design in that the sleeping quarters for the guests are constructed out of light enhancing glass block which according to the Pet Care Services Association "is cleaner and more sanitary than other materials". Pete & Mac's does not utilize chain link enclosures or crates for boarding.

Ventilation system is designed to turn the air in the building 4 to 6 times per hour to reduce any odor.

Automatic trench drain system carries waste away from the building directly to city sewer system.

Attachment: Application (223 E. Northwest Highway - SU VAR Kennel)

Daycare: The surface material for the outdoor play area is comprised of a perimeter nailer board attached to the concrete with tapcon screws or ramset nails, then a layer of a 1" rubber air grid and the final layer of the K9 Grass™. The K9 Grass has a unique knitted backing with flow-through technology and is treated with an antimicrobial to mitigate any odor. The outdoor area will have drainage that will connect to the trench drain system in the building. The fencing material for the outdoor play area will be the polyvinyl chloride (PVC). This type fencing is five times stronger than wood or chain link and features a steel reinforced bottom rail for a stronger, more rigid fence.

The use will not cause substantial injury to nearby property values:

Pete & Mac's does not believe it would cause any harm to nearby property values but rather enhance them with a first class pet resort in a desirable area of the Village.

Pete & Mac's Pet Resorts has a long tradition of supporting its residents and businesses. Pete & Mac's has been a long supporter of local pet rescue offering free boarding for adoptable pets when available along with quarterly Yappy Hours held to benefit a specific rescue group. Pete & Mac's also makes an effort to get out into the community by offering an Employee Benefit Program geared toward offering discounts to local businesses employees. Pete & Mac's is active in the local veterinary community by way of referring clients for required vaccinations as Pete & Mac's offer no veterinary services.

Thank you for your consideration and please do not hesitate to contact us with questions.

Sincerely,



Gay Barwald

President/Chief Operating Officer



VARIATION

Required Materials

- ☐ Filing Fee of \$ _____
- ☐ Application Form
- ☐ Plat of Survey (must show all current improvements and be sealed by an Illinois certified surveyor)
- ☐ Site Plan & Floor plan (dimension, location, and setbacks of all existing and proposed buildings) – **one 11x17 copy each, electronic version preferred**
- ☐ Real Estate Interest Disclosure Form (see attached)
- ☐ Proof of Ownership or Lease (e.g. Title Insurance Policy, Deed, or Purchase Contract)

Additional Materials (as required by the Village)

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

Petitioner Justification

The Petitioner is required to present specific evidence related to each of the following standards to justify the request (paraphrased from Section 14.03 of the Palatine Zoning Ordinance). Answer the items below and attach a separate sheet if necessary. **If you are applying for a Special Use only, you do not need to answer these items.**

1. That the property cannot yield a reasonable return if used only under the conditions allowed by the regulations governing the zoning district in which it is located

Requesting larger front signage and signage on the west facade per drawings. Clients need to be able to see the signage to know where we are.

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

The site sits further back from road so additional and larger signage is necessary for clients to see where we are.

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

It will not alter the character but rather enhance by having a business where there has not been one for a while.

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

- a. The particular surroundings, shape, or topographical conditions of the property
- b. A unique hardship for the property not generally applicable to other properties in the same zoning district
- c. The request is not based on a desire to make more money out of the property
- d. The petitioner has not created the alleged hardship for the property
- e. The request will not be detrimental to the public welfare or other properties in the neighborhood
- f. The request will not impair the supply of light and air to adjacent properties, substantially increase the danger of fire, endanger the public safety, or substantially diminish or impair neighboring property values

VILLAGE OF PALATINE

VARIATION

Required Materials

- ☐ Filing Fee of \$ _____
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- ☐ Plat of Survey (must show all current improvements and be sealed by an Illinois certified surveyor)
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1. That the property cannot yield a reasonable return if used only under the conditions allowed by the regulations governing the zoning district in which it is located

Request to build a 8' fence around the outdoor play area rather than a 6'.

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

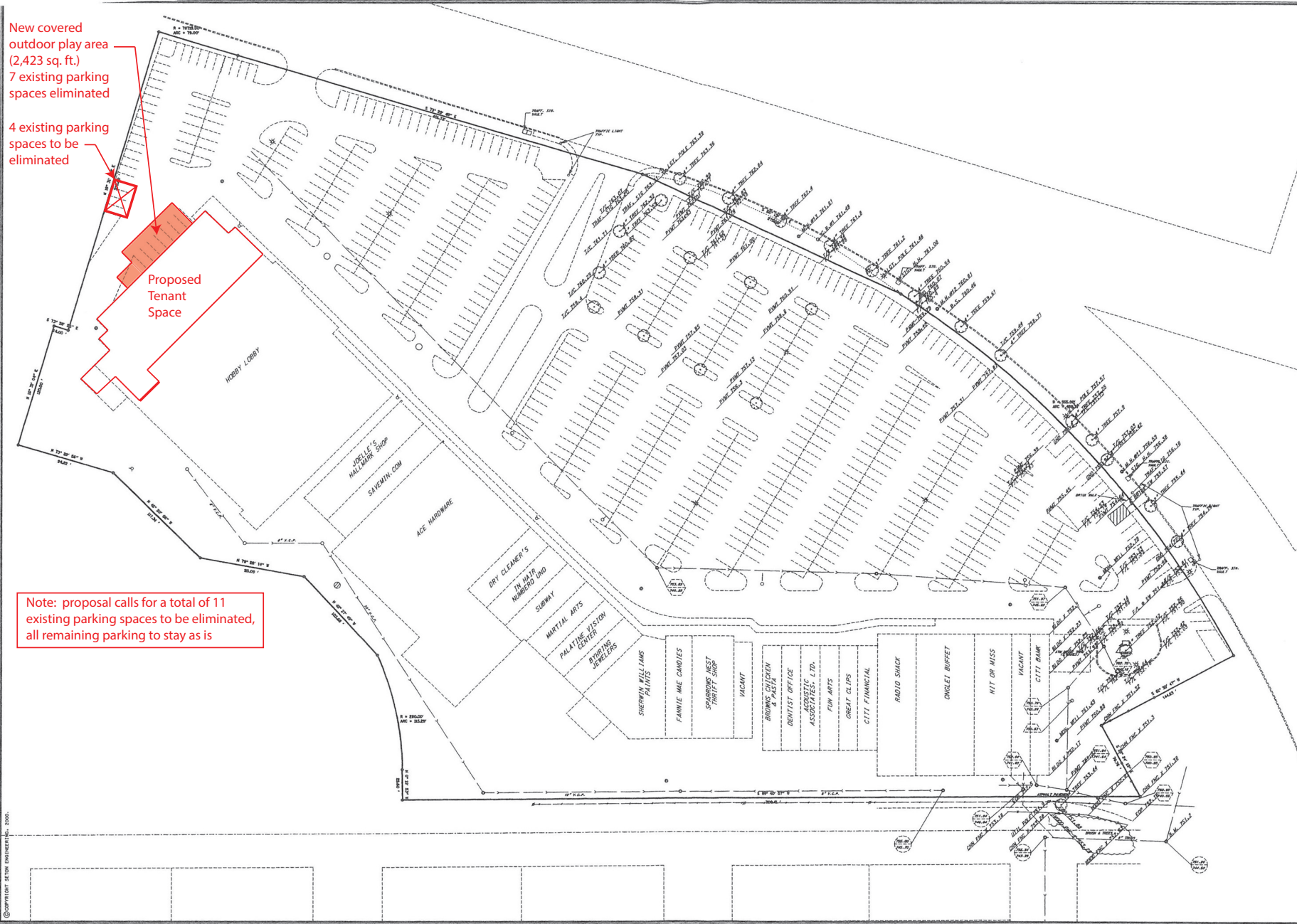
Safety and security of our guests while in outdoor play.

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

Would not alter the character of the center.

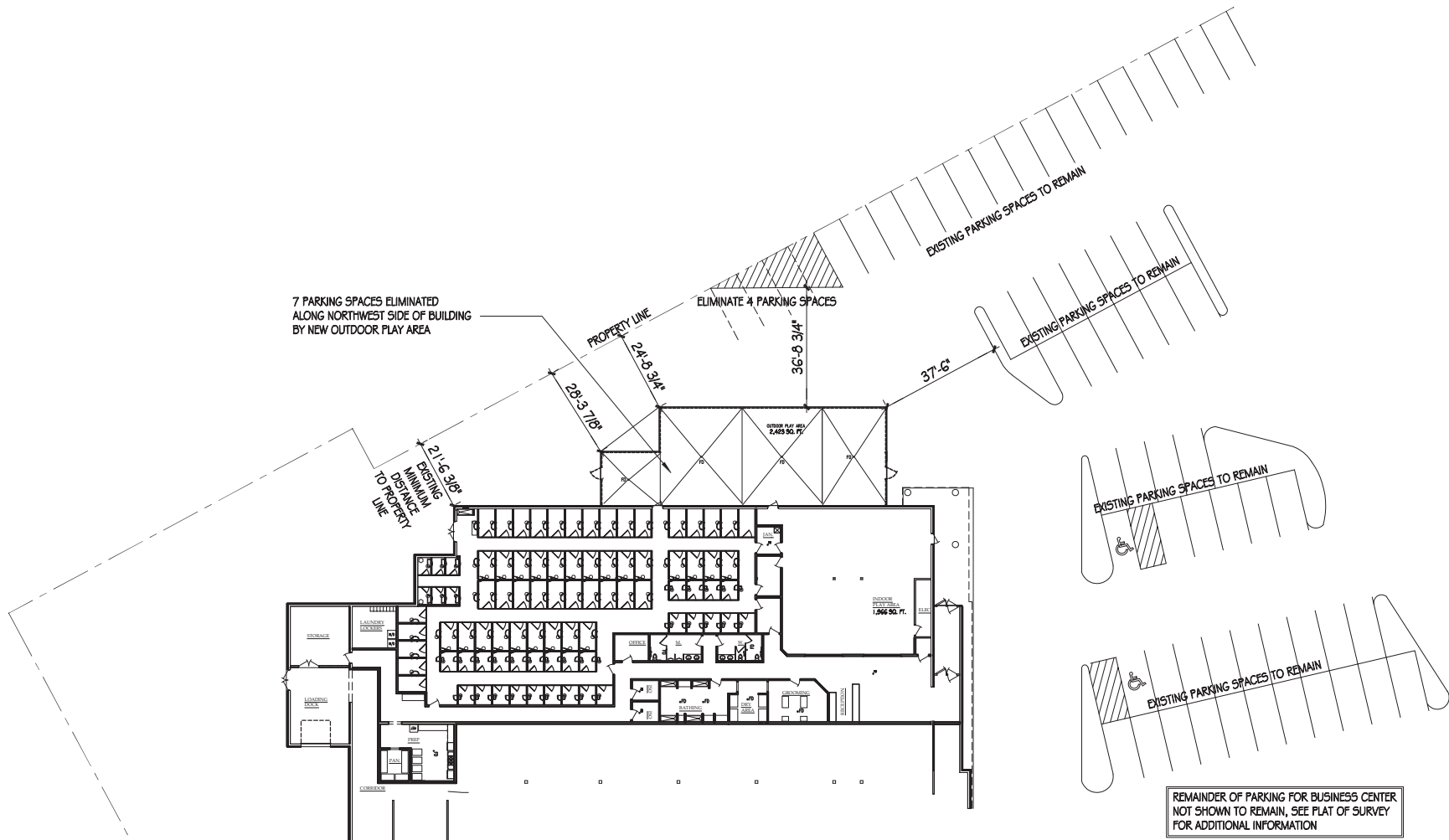
4. In order to supplement the above standards, the Zoning Board of Appeals may also consider the following:

- a. The particular surroundings, shape, or topographical conditions of the property
- b. A unique hardship for the property not generally applicable to other properties in the same zoning district
- c. The request is not based on a desire to make more money out of the property
- d. The petitioner has not created the alleged hardship for the property
- e. The request will not be detrimental to the public welfare or other properties in the neighborhood
- f. The request will not impair the supply of light and air to adjacent properties, substantially increase the danger of fire, endanger the public safety, or substantially diminish or impair neighboring property values



Attachment: Plat of Survey/Site Plans (223 E. Northwest Highway - SU VAR Kennel)

EXISTING SITE CONDITIONS		SETON ENGINEERING		REVISIONS	
		SETON ENGINEERING CIVIL ENGINEERS 100 N. BROADWAY ST. PALATKA, ILLINOIS 60067 PHONE: (847) 776-7200 FAX: (847) 776-7239 PROFESSIONAL DESIGN FIRM LICENSE #00038 DATE OF EXPIRATION 4-30-01		DATE	DESCRIPTION
				5-15-00	PER VILLAGE
				7-11-00	PER VILLAGE
				8-22-00	PER VILLAGE
PROJECT 00038		DESIGN: JAC		DRAFTING: AJL	
SHEET C2 OF 10		SCALE: 1" = 40'		DATE: 5-02-00	



PROJECT NAME Pete & Mac's Pet Resort 223 E. Northwest Highway, Palatine, IL 60067	PROJECT # 18114	REVISION	DATE 1/30/18	SCALE 1/32" = 1'-0"	911 Rogers Street Downers Grove, IL 60515 630.789.2513 swa-architects.com 	DRAWING TITLE PARTIAL SITE PLAN EXISTING PARKING SPACES ELIMINATED = 11		SHEET A0.
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Pet Resorts, Inc

the parent company of Pete & Mac's

1255 W Baseline Rd., #D-112

Mesa, AZ 85202

Phone: (480) 970-6166 • Fax: (480) 970-4496



pet lodging • daycare • grooming • training • boutique

Pete & Mac's Pet Resort Business Plan Updated 3/06/18

- Pete & Mac's Pet Resorts has been in the business of "home away" care for dogs since 1999. Currently operate five (5) locations which are all corporately owned and operated.
- Pete & Mac's offers overnight short/long term boarding, daycare, grooming and training. For the safety of our guests all activity is conducted under one roof. We do not take our guests away from the resort for any reason other than a veterinary visit.
- Hours of Operation: Monday – Friday 6:30am-7pm, Saturday 8am-5pm and Sunday 8am-6pm. Those are posted lobby hours when business is conducted. However, we do have staff on site 24 hours a day, 7 days a week for the safety of our guests.
- Typically employ 15 to 20 employees.
- Guest Requirements – must be 16 weeks of age and completed all rounds of vaccines administered by a licensed veterinarian to include rabies, distemper/parvo and bordetella. If participating in daycare pups must be spayed at 6 months.
- Boarding – boarding rooms are constructed of glass tile and range in size from 6x3 to 9x5. Pete & Mac's does not believe in crate or cage less type overnight boarding. Each room comes with a raised bed, comfy bedding and an activity toy.
- Daycare – offer two areas (1) indoor daycare for smaller, senior or timid dogs or (2) outdoor daycare for the larger more playful breeds. Daycare is always supervised in both areas by highly trained pet guardians. Outdoor daycare will average 45 dogs a day which would be supervised by 2 pet guardians in a 2200 square foot area which allows for plenty of running room for the dogs. Daycare typically runs from 8am-4pm daily. Daycare is only for dogs that are neutered/spayed, are socialized and not aggressive toward other dogs or people. If a guest is not participating or eligible for daycare guests are given at least 3 – 20 minute individual exercise periods during their boarding or day boarding stay.
- Waste disposal is handled two ways – the resort will have a trench drain system that will automatically flush all waste to an approved city sewer. Any solid waste collected from the daycare areas is bagged, sealed and put in a dumpster. Typically Pete & Mac's will contract with the local waste management company to have 2 to 3 pickups a week.
- Outdoor daycare noise can be a concern and we feel we do everything to mitigate. The outdoor area will have a roof, poly-vinyl fencing to be aesthetically pleasing as well as acting as a sound absorber and turf with K9 Artificial Grass. Recent sound studies were conducted at another location that on the day of test contained 43 large breed dogs. From directly **inside** the area the hourly average noise level ranged from 57.4 to 79.1 dBA and average hourly readings conducted 8' **outside** the play area ranged from 54.1 to 64.8 dBA. As comparatives a thunderclap is 120 dBA, diesel truck at 50' is 84 dBA and restaurant conversation is 60 dBA.

Staff Review

Planning and Zoning:

- We understand we may have to install solid fencing along the west property line concurrent to the outdoor area to further buffer any noise concerns. We would ask that before this is a requirement that we are allowed to build out the outdoor play area with the materials specified in order to review and study if there is any sound

migrating and to what extent. As stated above we have a certified sound study that clearly reflects that at 8' from the outdoor area the noise level is in the same range as ambient noise levels.

- Outdoor play area is utilized from 8am-4pm for the daycare dogs and from 4pm-9pm the outdoor area is used for small group (same family) or individual potty breaks.
- Fence surrounding the outdoor play area is a solid Polyvinyl Fence System standing 8' tall, per the attached drawing.
- Interior Space Noise – to control any migration of noise to neighboring tenants we will install absorptive acoustical baffles throughout the boarding area per the attached specification sheet detailing the sound absorbing performance. These baffles are typically used in gymnasiums, restaurants and animal shelter/kennel operations.
- Variation Application to have an 8' fence rather than a 6' is attached.
- Maximum occupancy for boarding is 110.

From Fire Prevention:

- We understand that during the building permit process that items 1-3 will need to be addressed.



ACOUSTIFORM SOUND BAFFLES



TECHNICAL CHARACTERISTICS

Size	Custom up to 4' x 8'
Thickness	2"
Colors	Many; See Color Chart

FEATURES

- Class 1 Fire Rated
- Can be attached for uniform appearance
- Eyebolts for easy installation

COMMON APPLICATIONS

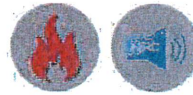
- Auditoriums
- Lobbies
- Museums
- Corporate Offices
- Hotels
- Commercial Spaces
- Restaurants

DESCRIPTION

Constructed with a rigid plastic perimeter, fabric wrapped AcoustiForm Sound Baffles can contain either a reflective or absorptive acoustical core depending on your noise control needs.

Choose from your choice of over 30 Guilford of Maine Anchorage acoustic fabric colors and 23 different shapes and custom size options.

Looking for innovation in design? Using high resolution printing, we can print any image file or design onto various baffle shapes for a custom appearance. Baffles can be updated regularly with various printed fabrics to maintain a fresh seasonal appearance.

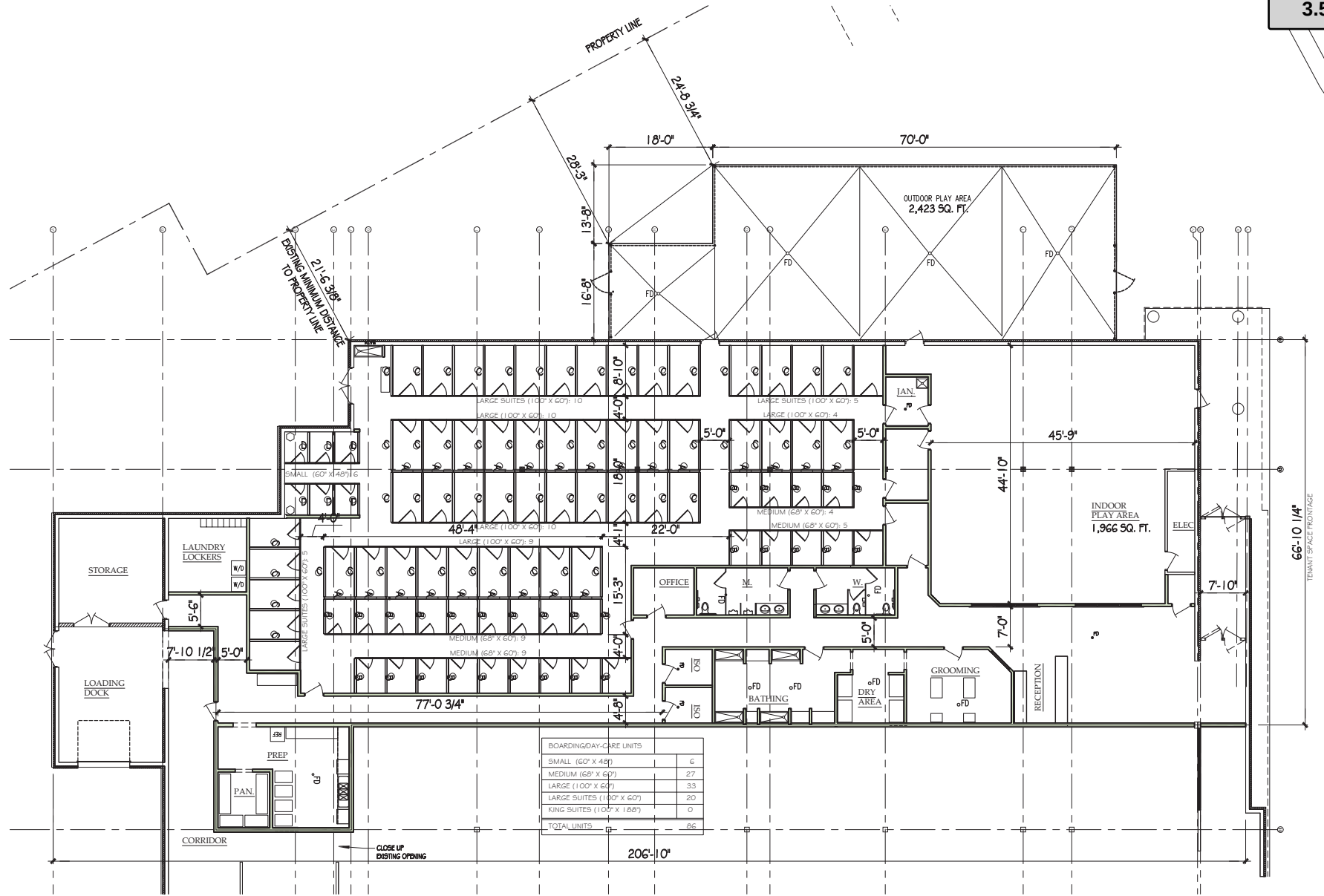


SOUND ABSORBING PERFORMANCE

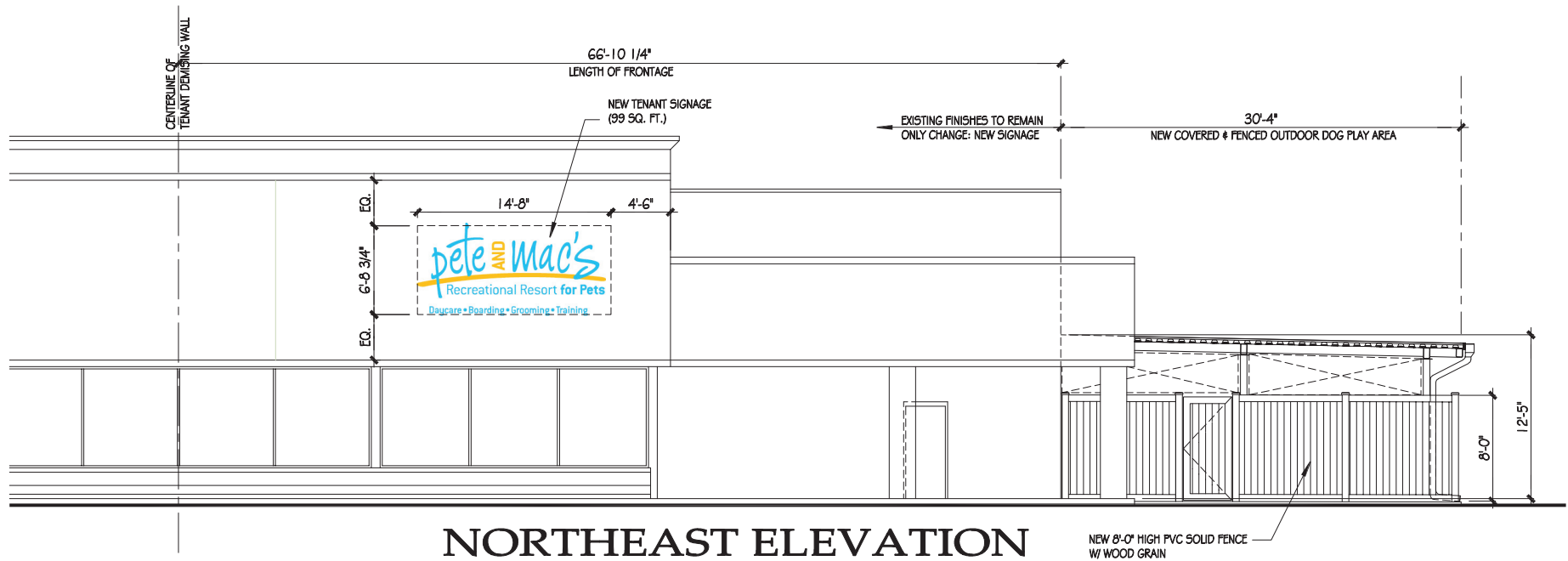
125 Hz	250 Hz	500 Hz	1000 Hz	2000 Hz	4000 Hz	NRC*
.33	.51	.83	.97	.97	1.07	.80

*Noise Reduction Coefficient





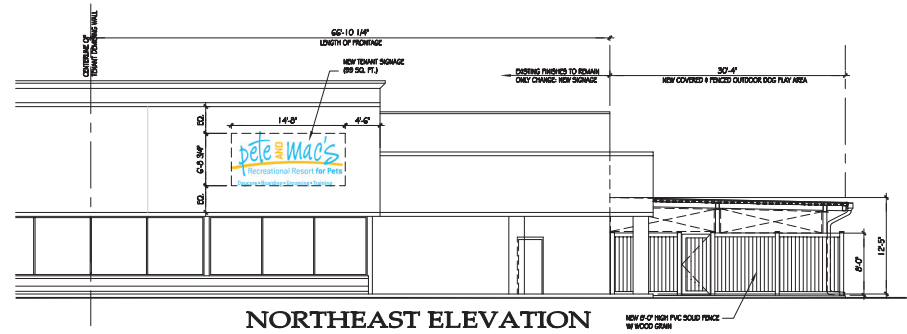
Attachment: Floor Plan (223 E. Northwest Highway - SU VAR Kennel)



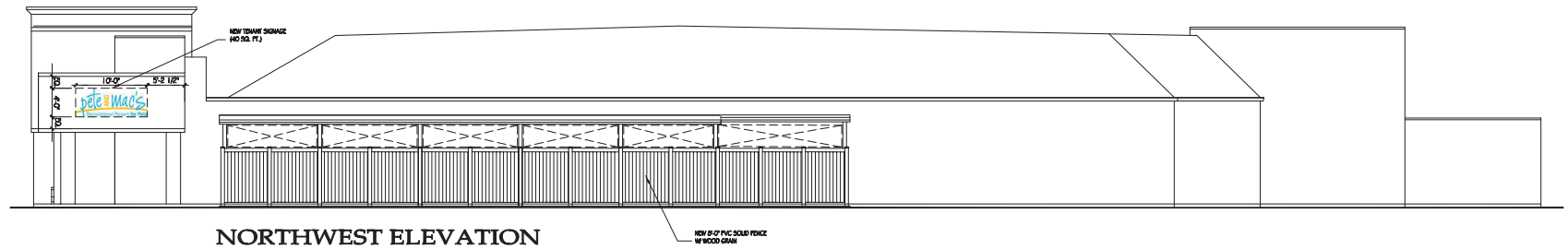
NORTHEAST ELEVATION

COPYRIGHT 2018, STUDIO21 ARCHITECTS	PROJECT NAME Pete & Mac's Pet Resort 223 E. Northwest Highway, Palatine, IL 60067	PROJECT # 18114	REVISION	DATE 1/30/18	SCALE 1/8" = 1'-0"	911 Rogers Street Downers Grove, IL 60515 630.789.2513 swa-architects.com	DRAWING TITLE EXTERIOR ELEVATIONS	SHEET A4.1
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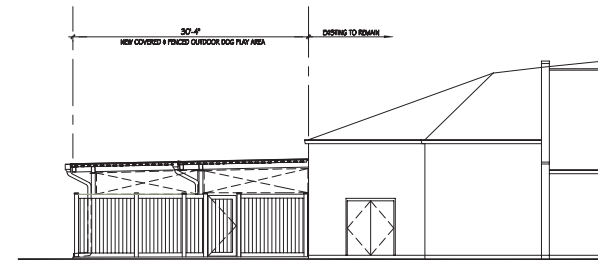
Attachment: Elevations (223 E. Northwest Highway - SU VAR Kennel)



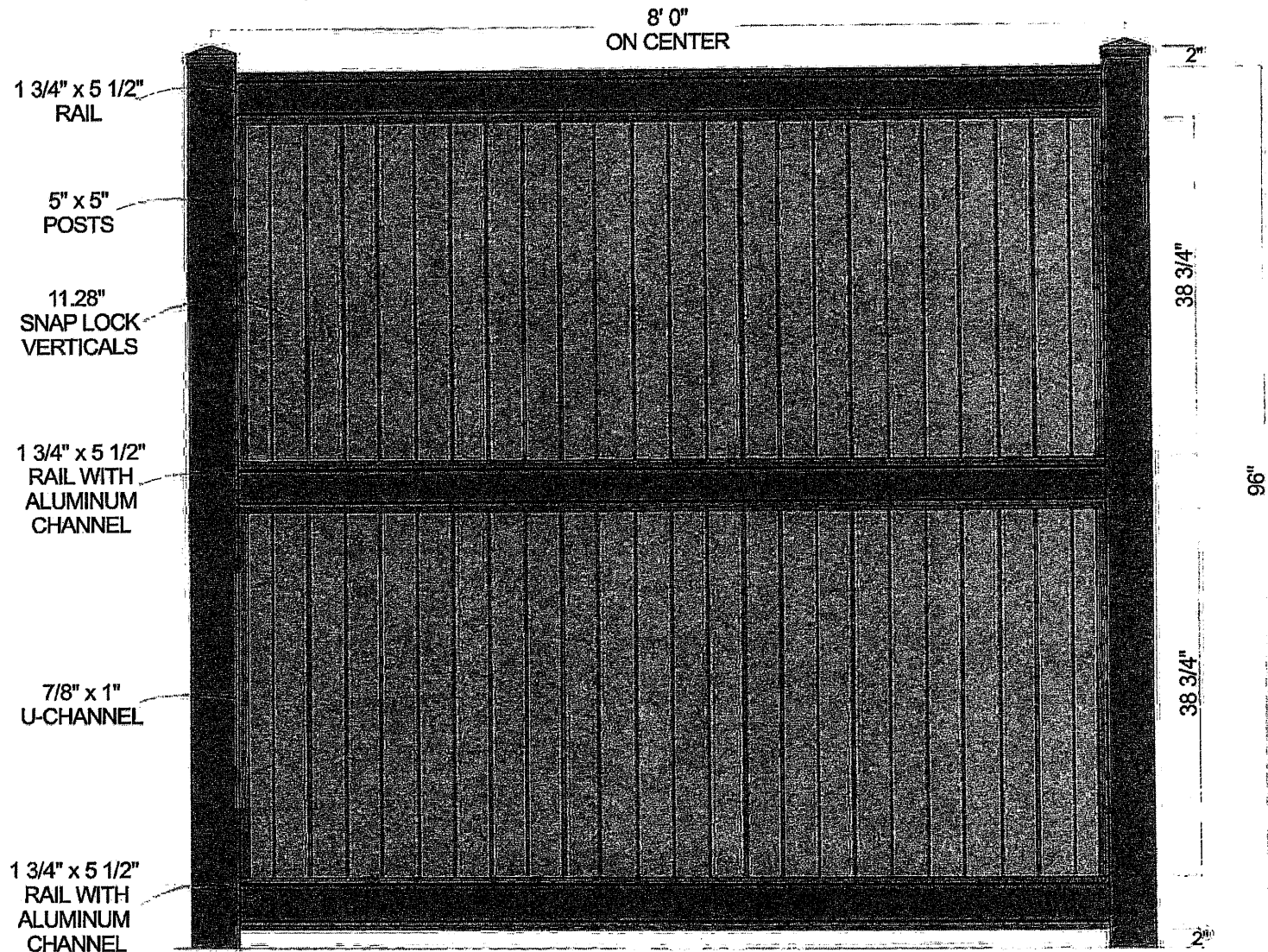
NORTHEAST ELEVATION



NORTHWEST ELEVATION



PARTIAL
SOUTHWEST ELEVATION



Post Size	
96" Tall	5" x 5" x 11' 0"



PolyVinyl Fence System

Scale: 1/16" = 1"
Date: 3/29/04

Approved By:
G.D.T.

Drawn By: J.D.S.
Revised: 3/29/04

As Shown:
96" Superior

Superior

Drawing Number:
Superior-96-Scale

Attachment: Fence Elevation (223 E. Northwest Highway - SU VAR Kennel)



HIGHLAND
MANAGEMENT
ASSOCIATES, INC.

January 30, 2018

Village of Palatine
Planning and Zoning Department
200 E. Wood Street
Palatine, IL 60067

RE: SPECIAL USE PERMIT, PETE AND MACS PET RESORT

To Whom It May Concern:

We represent Palatine LLC, the owner of Palatine Plaza located at 223-333 E. Northwest Highway in Palatine, IL. We are aware that that the above referenced tenant is petitioning the Village of Palatine for a special use at Palatine Plaza.

We are also aware that the Tenant is requesting an outdoor area on the west side of the building that will require the elimination of up to eleven (11) parking spaces. Please note that we have approved the Tenant's site plan and their plans to eliminate up to eleven (11) parking spaces to allow for their outdoor areas.

The parking at Palatine Plaza has always been more than sufficient for our tenancy and the nature of the planned use will require less parking than many alternative uses for the space.

We look forward to working with the Village on the approval process for Pete and Macs Pet Resort.

Should you have any questions, please contact me at (630) 691-1122, ext. 2.

Best regards,

A handwritten signature in black ink, appearing to read 'C. Margosian', is written over the 'Best regards,' text.

Charles S. Margosian
Senior Vice President, Highland Management Associates, Inc.
As agent for Palatine LLC

Attachment: Letter from Center Owner (223 E. Northwest Highway - SU VAR Kennel)

PUBLIC NOTICE
 A public hearing will be held before the Palatine Zoning Board of Appeals on Tuesday, March 13, 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 for a Kennel pursuant to Section 11.03 (d)(1) of the Palatine Zoning Ordinance. Variation to allow gross surface area of attached sign to be 99 square feet instead of the allowed 66 square feet pursuant to Section 8.03 (b)(2)(c) of the Palatine Zoning Ordinance.
 Variation to allow an 8 foot fence instead of the permitted 6 foot pursuant to Section 6.03 (c) of the Palatine Zoning Ordinance.
 The property is commonly known as 223 E. Northwest Hwy (PIN# 02-14-101-009).
 The Petitioner is proposing to open a business that will provide Daycare, Boarding, Grooming and Training for Dogs.
 The above petition has been filed by Gay Barwald of Pete & Mac's Pet Resort and is available for examination in the office of the Village Clerk, 200 E. Wood Street.
FILE #: 18-10
VILLAGE OF PALATINE
 Jan Wood, Chair
 Palatine Zoning Board of Appeals
DATED: This 26th day of February, 2018.
 Published in Daily Herald
 February 26, 2018 (4494302)

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 February 26, 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 # 4494302

Attachment: Public Notice (223 E. Northwest Highway - SU VAR Kennel)