



**VILLAGE OF BARTLETT  
ZONING BOARD OF APPEALS  
AGENDA  
228 MAIN STREET  
July 1, 2019**

**7:00 P.M.**

- I. Roll Call
- II. Approval of the June 6, 2019 meeting minutes
- III. (#19-09) **114 Lamont Parkway**  
Variations:
  - a) to allow a six (6) foot high fence where a 4-foot high fence is permitted
  - b) 1.71 ft. reduction from the 35-ft. required corner side yard (S. Bartlett Road)
  - c) 0.52 ft. reduction from the 35-ft. required front yard (Lamont Parkway)

**PUBLIC HEARING**

- IV. (#19-10) 1355 Windgate Court  
Variation: 16-ft reduction from the 45 foot required rear yard  
**PUBLIC HEARING**

- V. Adjournment



Village of Bartlett  
Zoning Board of Appeals Minutes  
June 6, 2019

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M. Werden called the meeting to order at 7:03 pm.

Roll Call

Present: M. Werden, G. Koziol, B. Bucaro and J. Banno

Absent: L. Hanson and J. Rasmussen

Also Present: Roberta Grill, Planning & Development Services Director

Approval of Minutes

A motion was made to approve the minutes of the April 4, 2019 meeting.

Motioned by: B. Bucaro

Seconded by: G. Koziol

Roll Call

Ayes: G. Koziol, B. Bucaro and J. Banno

Nays: None

Abstain: M. Werden

The motion carried.



**Village of Bartlett**  
**Zoning Board of Appeals Minutes**  
**June 6, 2019**

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**Case (#19-07) Project Oak**

Variations:

To allow loading docks in the corner side yard (north side – Jack Court),  
To allow a 7 foot high fence where a 4 foot high fence is permitted in the corner side yard, and  
To reduce the number of required parking spaces from 525 to 272 (land banking 253 of spaces)

**Public Hearing**

**The following Exhibits were presented:**

**Exhibit A - Picture of Sign**

**Exhibit B - Mail Affidavit**

**Exhibit C - Notification of Publication**

Petitioner, **Todd Hunsberger, Jeff Dublo, Jeff Brown** were sworn in by **M. Werden**.

**R. Grill** stated the Petitioner is requesting a Site Plan Review for a proposed 400,000 square foot warehouse building (Phase 1) with a 75,000 square foot future addition (Phase 2) on 26 acres (Lot 1) in the Cook County portion of the Brewster Creek Business Park.

A 17,000 square foot office space is identified at the northwest corner of the building with the remaining 382,316 square feet designated for warehouse space. The proposed building would be constructed with insulated, pre-cast concrete panels with recessed pre-cast accent panels. The color palette proposed will consist primarily of varying shades of white/gray with blue and orange color accents. Pre-finished metal canopies will be located over the entranceways and over the patio area. The overall proposed height of the building would be 44 feet, but to allow for some flexibility within the interior of the building, the Petitioners are requesting a Special Use Permit to increase the maximum height allowed for the building from 45 feet to 50 feet.

The Site Plan identifies 62 exterior docks, (36 on the north side and 26 on the south side) with two (2) drive-in doors. The I-2 EDA Zoning District requires the docks on the north side of the building to be enclosed and recessed 15 feet from the front building elevation due to their location along a corner side yard (Jack Court). Landscaping, including evergreen trees, will be incorporated along the north property line and the required parkway tree plantings along Jack Ct. will also provide screening of this loading area from the roadway.

Three (3) curb cuts are proposed along Spitzer Road (west property line) and one along the future Jack Court (north property line). Passenger vehicles would utilize the two northern curb cuts to access the employee parking area, with the southernmost curb cut to be utilized as an entrance/exit for trucks only. The curb cut on Jack Court is identified as an exit only for trucks. Each of the curb cuts for the truck entrance/exits would be gated, with trucks equipped with an electronic system that would enable them access to the loading areas.

The Petitioner is requesting a Variation to allow for a reduction in the required number of parking spaces on the property. The Site Plan identifies 272 parking spaces, including eleven (11)



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handicapped accessible spaces. The Zoning Ordinance requires 447 spaces for Phase 1, and if Phase 2 were built, a total of 522 parking spaces would be required. The plan, however, identifies 253 future land banked parking spaces, which would increase the total parking provided on this site to 525 spaces, and if constructed, would satisfy the Zoning Ordinance requirement.

The Site Plan also identifies 30 truck trailer stalls for additional parking along the south property line, adjacent to the Commonwealth Edison right-of-way. Landscaping is proposed adjacent to this parking area along the south property line.

A seven (7) foot high black, vinyl clad chain link fence is proposed within the corner side yard along future Jack Court to secure the loading dock areas. This fence would exceed the 4 foot high maximum permitted in a corner side yard and as a result, the Petitioner is requesting a Variation to allow for the proposed fence height.

The Photometric and Landscape plans are currently being reviewed by the Staff. The petitioner is here to answer any questions.

**M. Werden** asked at this point if there isn't anything proposed on the north side of the proposed Jack Court. **R. Grill** state this is correct. **M. Werden** asked if the fence height variation was for security purposes. **R. Grill** stated yes. Rana Foods also has a 7ft high chain link fence with a gate for security. It is the exact same thing, totally for security reasons. **G. Koziol** said Rana Foods has a chain link fence but this fence is a solid fence correct? **R. Grill** stated no this is a 7ft high black vinyl chain link. **M. Werden** stated chain link lasts longer than the wooden fences. **B. Bucaro** asked besides the fence on Jack Court will it go all around the perimeter. **R. Grill** stated vehicles entering the site from Spitzer Road will access the gated area that is fenced off completely. All along Jack Court towards the building and the perimeter will be secured. **B. Bucaro** asked if the variance is only for Jack Court because that's the side yard. **R. Grill** stated he was correct, fronting a street. **G. Koziol** stated there is a fence on the right side by the Com Ed easement. **R. Grill** stated the fence will be along Jack Court and extending to the Com Ed Easement. **G. Koziol** asked if the road was inside the fence. **R. Grill** stated yes. **G. Koziol** stated the trucks can drive all the way around because it's all within a secured area. **M. Werden** asked if the Com Ed easement goes along what was once called Reese Road, connecting Spitzer & Munger. **R. Grill** stated yes but a segment of Reese Road was actually where Brewster Creek Blvd. is today.

**G. Koziol** stated initially there will be 253 parking spaces allocated to a land bank. **R. Grill** stated yes 272 will be provided on the site and 253 spaces will be landbanked. **M. Werden** asked exactly where they would be located. **R. Grill** stated to the south of the existing parking there will be land bank parking. **G. Koziol** stated he likes to see the land banking idea, and thinks all too often parking lots are built and never used. Here there will be a buffer zone of green there if you need it. Green space is a benefit. **J. Banno** agrees, however what would be the mechanism that would trigger the need for more parking. **R. Grill** stated typically what would happen is if the Village gets parking complaints of people parking say along Jack Court or Spitzer Road the Village would enforce the additional parking to be installed. Part of the approval of this petition is a land bank parking agreement which will be recorded.

**M. Werden** opened the meeting to the public. No one came forward.

**M. Werden** asked when the proposed opening of this facility is. **J. Dublo** stated they are looking at January 2021, it's a very lengthy process. This tenant is a very high image company. He is not able to



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give the company name due to confidentiality reasons but ensures this will be very beneficial to Bartlett.

They are a national company and will encompass the whole building.

**M. Werden** asked if there were any comments or motions.

**G. Koziol** made a motion to pass along a positive recommendation to the Village Board for #19-07, Project Oak.

**Motioned by: G. Koziol**

**Seconded by: B. Bucaro**

**M. Werden** closed the Public Hearing portion of the meeting.

**M. Werden** asked if anyone had any other comments or questions. **J. Banno** stated he has a problem with the land banking of so many parking spaces. **R. Grill** asked **J. Dublo** how many employees will be on one shift. **J. Dublo** stated the largest shift will be 150-170 employees. **R. Grill** stated they are starting off with 170 employees and they are providing 272 parking spaces. Right there you have a surplus of 100 parking spaces when they open their doors. **G. Koziol** stated Landbanking doesn't mean the space is lost, it's there if needed. Based on the numbers that were presented it makes no sense to pave land that will be empty for a long period of time. Keep it green as long as possible and convert it to parking when and if needed. **M. Werden** stated if it's not driven on weeds will come through. **B. Bucaro** stated the ordinance for parking is based on square footage and usage. **R. Grill** stated it is. It's based on office space, which requires more parking per square foot because of the number of employees than the warehouse square footage requirement. Today's industrial buildings typically have a lot of robotics and don't need as many employees to operate so less parking is needed. The current ordinance is based on square footage and not on the actual use that is going in. The number of employees that are required for a 400,000 sq. ft. building is completely different than in the past. **B. Bucaro** stated this is something that should be addressed in the ordinance. **R. Grill** stated that is one of the chapters staff would like to amend. E-Commerce is changing everything. **J. Banno** stated he would like to put something in to stipulate the number of parking spaces will be added on if the number of employees increase. **J. Dublo** stated it's already in the land bank parking agreement. **R. Grill** stated absolutely, it will be included when the agreement is recorded. If parking ever becomes a problem the Village has a backup. The Village has had 2 other land bank parking agreements and there has never been an issue with parking to date.

**M. Werden** asked if there were any other questions, no one came forward.

**Roll Call**

**Ayes: M. Werden, G. Koziol, B. Bucaro and J. Banno**

**Nays: None**

**The motion carried.**



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Old Business/ New Business

**R. Grill** stated there will be a July meeting next month however it falls on the 4<sup>th</sup> of July. It was decided that the meeting will be rescheduled for Monday, July 1<sup>st</sup> at 7:00pm.

**B. Bucaro** asked if the Bannermans and Bartlett Tap were just going to Plan Commission. **R. Grill** stated yes, a special use permit to allow for an outdoor seating area at Bannermans and indoor live entertainment for Bartlett Tap. If you haven't been there, it's nice in there and the food is very good.

**B. Bucaro** stated he was at Bartlett Tap a few weeks ago and the place was hopping.

**R. Grill** stated the Village is very excited about Project Oak. It's the first proposal for property located in the Cook County portion of the industrial park, which helps the TIF tremendously. **M. Werden** asked what made them want to build in Cook County.

**R. Grill** stated location. If you look on the map this is the last of the TIF in the Brewster Creek Business Park, the last large remaining parcel. What we are seeing in industrial buildings is all big buildings with E-Commerce, it's all about getting the product to the last mile of delivery. That's the trend. **Jeff Dublo** from Triumph has very few small parcels left in the business park to develop and no one is interested in the small lots. The most they can build is 30,000 to 50,000 sq. ft. **R. Grill** stated it's all warehouse, storage, racking systems, getting product to the customer fast. **B. Bucaro** asked about the other two lots. Both lots could accommodate a large building such as Project Oak. **R. Grill** stated yes.

**M. Werden** asked when the barriers will be taken down on Spitzer. **R. Grill** stated as soon the sewers are completed along Spitzer. Also, Jack Court needs to be built. Once these are complete they will open up Spitzer.

**G. Koziol** asked about the two buildings that were approved on Munger Road, if Staff anticipates a single company in each of the buildings. **R. Grill** stated yes, and the petitioners do as well. This is what is driving the whole industrial field right now. **B. Bucaro** stated when you drive along I-55 south in Bolingbrook, I-355 and beyond are all very large buildings going up. **G. Koziol** asked if Jack Court will go completely across east to west. **R. Grill** stated that she has discussed this with the property owner and due to a grade difference, the connection to Munger may happen someday but right now with the grading it could be a safety issue with the visibility of oncoming cars.

**B. Bucaro** asked if it was Triumph Construction that built the other buildings within the business park. **R. Grill** stated they have built several and are the contract builders for the two buildings at Stearns & Munger Road that was just presented to the Village Board. Triumph Construction is very busy.

**M. Werden** asked if there was a motion to adjourn.

**Motioned by: G. Koziol**

**Seconded by: J. Banno**

**All in favor.**

**Motion Carried.**

**The meeting was adjourned at 7:30 P.M.**

**COMMUNITY DEVELOPMENT MEMORANDUM**  
**19-130**

DATE: June 25, 2019  
TO: The Chairman and Members of the Zoning Board of Appeals  
FROM: Kristy Stone, Assistant Village Planner  
RE: **(#19-10) 114 Lamont Parkway**

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**PETITIONER**

Brian Frank

**SUBJECT SITE**

114 Lamont Parkway, Lot 24 in Williamsburg Estates, Unit No. 3

**REQUESTS**

Variations

- a) to allow a six (6) foot high fence where a 4-foot high fence is permitted
- b) 1.71 ft. reduction from the 35-ft. required corner side yard (S. Bartlett Road)
- c) 0.52 ft. reduction from the 35-ft. required front yard (Lamont Parkway)

**SURROUNDING LAND USES**

	<b><u>Land Use</u></b>	<b><u>Comprehensive Plan</u></b>	<b><u>Zoning</u></b>
<b>Subject Site</b>	<b>Single Family</b>	<b>Suburban Residential</b>	<b>SR-2</b>
North	Commercial	Commercial	B-3
South	Single Family	Suburban Residential	SR-2
East	Single Family	Suburban Residential	SR-2
West	Single Family	Suburban Residential	SR-2

**DISCUSSION**

1. The subject property is zoned SR-2 (Suburban Residence). The house was built in 1975.
2. The Petitioner is requesting a 2-foot variation to allow a six (6) foot high fence where a 4-foot high fence is permitted in the corner side yard (S. Bartlett Rd).

3. The proposed white PVC fence would replace the existing 6-foot high wood fence that is in disrepair in the same location. The permit for the existing fence was issued in 1989.
4. The petitioner is also requesting a 1.71 ft. variation from the 35-ft. required corner side yard and a 0.52 ft. variation from the 35-ft. required front yard to bring the existing house into conformance. This represents a 4.8% reduction of the required corner side yard and a 1.5% reduction of the required front yard setback.
5. The impervious surface ratio of this lot is currently 22% which meets the 35% maximum impervious surface for a lot of this size.
6. If the variations are approved, the Petitioner could then apply for a building permit for the proposed fence and the house would no longer be considered non-conforming.

### **RECOMMENDATION**

*According to the provisions of the Zoning Ordinance, the Zoning Board of Appeals should render a decision based upon the following:*

- A. That the particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.
- B. That conditions upon which the petition for the variations are based are unique to the property for which the variation is sought and are not applicable, generally, to other property within the same zoning classifications.
- C. That the purpose of the variations are not based exclusively upon a desire to make money out of the property.
- D. That the alleged difficulty or hardship is caused by the provision of this Title and has not been created by any person presently having an interest in the property.
- E. That the granting of the variations will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhoods in which the property is located.
- F. That the proposed variations will not impair an adequate supply of light and



air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the adjacent neighborhood.

- G. That the granting of the variances requested will not confer on the applicant any special privilege that is denied by the provisions of this Title to other lands, structures or buildings in the same district.

A variation shall be recommended only if the evidence, in the judgment of the Board of Appeals, meets all the conditions enumerated above.

Background information is attached for your review.

kms/attachments

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To President and Board of Trustees,

My name is Brian Frank , I live at 114 Lamont Parkway. I purchased this property on 12/31/18. The current fence on the property is in disrepair and we are in the process of replacing it due its condition and safety issues. I applied for a permit but was told the current fence and the home are in violation of the Bartlett zoning laws. I would like to request a hardship variance for a 6 foot fence, this will help protect the general public , increase curb appeal and keep my family safe because we are located next to a busy street . Additionally I have an inground pool and a 4 foot fence could be easily breached in comparison to a 6 foot fence .

Thank you in advance for your time and consideration,



Brian Frank

RECEIVED  
COMMUNITY DEVELOPMENT  
MAY 23 2019  
VILLAGE OF  
BARTLETT



RECEIVED  
COMMUNITY DEVELOPMENT

MAY 23 2019

VILLAGE OF  
BARTLETT

**PETITIONER INFORMATION (PRIMARY CONTACT)**

Name: Brian Frank

Street Address: 114 Lamont Parkway

City, State: Bartlett, IL

Zip Code: 60103

Email Address: brianf143@comcast.net

Phone Number: 630-291-4325

Preferred Method to be contacted See Dropdown

**PROPERTY OWNER INFORMATION**

Name: Brian Frank

Street Address: 114 Lamont Parkway

City, State: Bartlett, IL

Zip Code: 60103

Phone Number: 630-291-4325

OWNER'S SIGNATURE: \_\_\_\_\_ Date: 5/21/2019

*(OWNER'S SIGNATURE IS REQUIRED or A LETTER AUTHORIZING THE PETITION SUBMITTAL.)*

**DESCRIPTION OF VARIATION REQUEST (i.e. setback, fence height) including SIZE OF REQUEST**

**(i.e. 5ft., 10 ft.)**

I am requesting a hardship to have a 6 foot privacy fence. There is already a 6 foot fence present on the property

**PROPERTY INFORMATION**

Common Address/General Location of Property: 114 Lamont Parkway

Property Index Number ("Tax PIN"/"Parcel ID"): 01-03-202-011

Acreage: 18,472

Zoning: SR-2  (Refer to Official Zoning Map)

**APPLICANT'S EXPERTS (If applicable, including name, address, phone and email)**

Attorney \_\_\_\_\_

Surveyor \_\_\_\_\_

Other Homeowner

difficulty or hardship in carrying out the strict letter of the regulations of the Zoning Ordinance.

The Zoning Board of Appeals shall make findings based upon evidence presented on the following standards: **(Please respond to each of these standards in writing below as it relates to your case. It is important that you write legibly or type your responses as this application will be included with the staff report for the ZBA and Village Board to review.)**

1. That the particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.

With only a 4 foot fence I am concerned for my families safety . Along with a pool being in the back yard it will make it much easier for someone to hop the fence .

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2. That conditions upon which the petition for a variation is based are unique to the property for which the variation is sought and are not applicable, generally, to other property within the same zoning classifications.

N/A

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3. That the purpose of the variation is not based exclusively upon a desire to make more money out of the property.

N/A

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5. That the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhoods in which the property is located.

this will keep the public safe along with it be aesthetically pleasing. The current fence is an hazard and could be a safty issue going forward.

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6. That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the adjacent neighborhood.

N/A

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7. That the granting of the variance requested will not confer on the applicant any special privilege that is denied by the provisions of this Title to other lands, structures or buildings in the same district.

N/A

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I understand that by signing this form, that the property in question may be visited by Village Staff and Board/Commission members throughout the petition process and that the petitioner listed above will be the primary contact for all correspondence issued by the village.

I certify that the information and exhibits submitted are true and correct to the best of my knowledge and that I am to file this application and act on behalf of the above signatures.

Any late, incomplete or non-conforming application submittal will not be processed until ALL materials and fees have been submitted.

SIGNATURE OF PETITIONER:  \_\_\_\_\_

PRINT NAME: Brian Frank \_\_\_\_\_

DATE: 5/21/2019 \_\_\_\_\_

**REIMBURSEMENT OF CONSULTANT FEES AGREEMENT**

The undersigned hereby acknowledges his/her obligation to reimburse the Village of Bartlett for all necessary and reasonable expenses incurred by the Village for review and processing of the application. Further, the undersigned acknowledges that he/she understands that these expenses will be billed on an ongoing basis as they are incurred and will be due within thirty days. All reviews of the petition will be discontinued if the expenses have not been paid within that period. Such expenses may include, but are not limited to: attorney's fees, engineer fees, public advertising expenses, and recording fees. Please complete the information below and sign.

NAME OF PERSON TO BE **BILLED**: Brian Frank \_\_\_\_\_

ADDRESS: 114 Lamont Parkway, Bartlett, Il 60103  
\_\_\_\_\_

PHONE NUMBER: 630-291-4325 \_\_\_\_\_

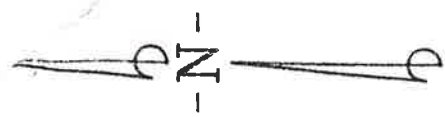
EMAIL: brianf143@comcast.net \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

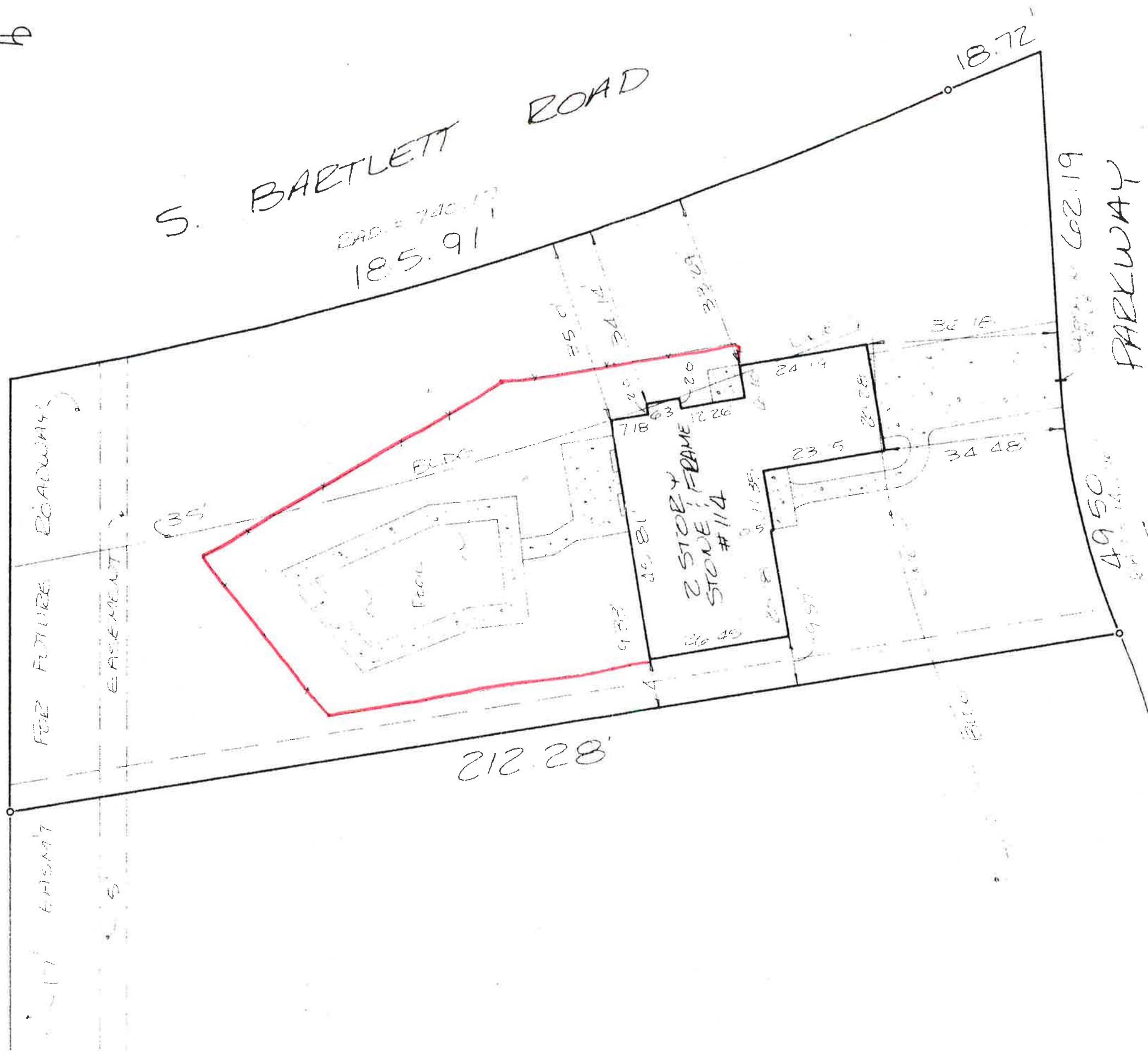
DATE: 5/21/2019 \_\_\_\_\_

# PLAT OF SURVEY

LOT 24 IN WILLIAMSBURG ESTATES UNIT NO. 3, BEING A SUBDIVISION OF PART OF LOT 2 OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 40 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED OCTOBER 29, 1969 AS DOCUMENT NO. R69-47286, IN DUPAGE COUNTY, ILLINOIS.

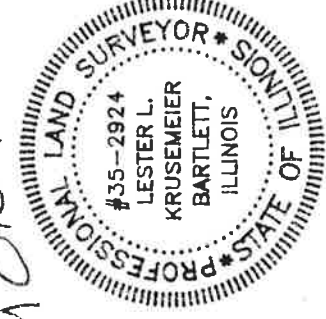


DEVON 81.30 AVE.



LESTER L. KRUSEMEIER  
PROFESSIONAL LAND SURVEYOR  
1946 GOLDFVIEW DRIVE  
BARTLETT, ILLINOIS 60103  
630-830-4815

PREPARED FOR: MIKE KELLY  
SELLER: MILENICH  
PROPERTY ADDRESS: 114 LAMONT PARKWAY  
BARTLETT, IL



SCALE: 1" = 20'

STATE OF ILLINOIS)  
COUNTY OF COOK )SS  
I, LESTER L. KRUSEMEIER, HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY DESCRIBED HEREON AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAME.  
GIVEN UNDER MY HAND AND SEAL AT  
BARTLETT, ILLINOIS, THIS 20<sup>TH</sup> DAY  
OF APRIL, A.D., 19 2007  
Lester L. Krusemeier  
ILLINOIS PROFESSIONAL LAND SURVEYOR  
NO. 35-2924

ORDER NO. 51-2607  
COMPARE ALL POINTS BEFORE BUILDING AND REPORT ANY DIFFERENCE AT ONCE, FOR BUILDING LINES, EASEMENTS AND OTHER RESTRICTIONS NOT SHOWN HEREON, REFER TO YOUR ZONING ORDINANCE, TITLE POLICY, ETC.  
\*\*\* DO NOT ASSUME DIMENSIONS BY SCALING THIS DRAWING \*\*\*

Proposed Fence Type









# Frank 2019-10

114 Lamont Pkwy.

Variations - Fence and Corner Side Yard



**COMMUNITY DEVELOPMENT MEMORANDUM**  
**19-99**

DATE: June 25, 2019  
TO: The Chairman and Members of the Zoning Board of Appeals  
FROM: Kristy Stone, Assistant Village Planner  
RE: **(#19-09) 1355 Windgate Court**

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**PETITIONER**

Scott G. Richmond, Esq. on behalf of Grant and Michelle Carlson

**SUBJECT SITE**

1355 Windgate Court, Lot 886 in the Woodland Hills Unit 8 Subdivision

**REQUESTS**

Variation - a 16 foot reduction from the required 45 foot rear yard

**SURROUNDING LAND USES**

	<b><u>Land Use</u></b>	<b><u>Comprehensive Plan</u></b>	<b><u>Zoning</u></b>
<b>Subject Site</b>	<b>Single Family</b>	<b>Suburban Residential</b>	<b>PD</b>
North	Single Family	Suburban Residential	PD
South	Public Park	Open Space/Recreation	PD
East	Single Family	Suburban Residential	PD
West	Single Family	Suburban Residential	PD

**DISCUSSION**

1. The subject property is zoned PD (Planned Development).
2. The Petitioner is requesting a variation for a sixteen foot (16') reduction from the required forty-five foot (45') rear yard setback for the construction of a four season/sun room. *This represents a 36% reduction from the required rear yard setback.*

3. The petitioner is proposing to construct an 18.1'x11.65' one-story four season room at the rear of the house. The roof pitch and siding will match the existing house. The proposed addition would be twenty-nine (29) feet from the rear property line.
4. The impervious surface ratio of this lot is currently 33%. The proposed addition will increase the impervious surface ratio for the house and other paved improvements to 35%, which is the maximum impervious surface for a lot of this size. No additional impervious improvements will be permitted on this lot.
5. If the variation is approved, a building permit could be issued for the four season room addition.

**RECOMMENDATION**

*According to the provisions of the Zoning Ordinance, the Zoning Board of Appeals should render a decision based upon the following:*

- A. That the particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.
- B. That conditions upon which the petition for the variations are based are unique to the property for which the variation is sought and are not applicable, generally, to other property within the same zoning classifications.
- C. That the purpose of the variations are not based exclusively upon a desire to make money out of the property.
- D. That the alleged difficulty or hardship is caused by the provision of this Title and has not been created by any person presently having an interest in the property.
- E. That the granting of the variations will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhoods in which the property is located.
- F. That the proposed variations will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the adjacent neighborhood.

- G. That the granting of the variances requested will not confer on the applicant any special privilege that is denied by the provisions of this Title to other lands, structures or buildings in the same district.

A variation shall be recommended only if the evidence, in the judgment of the Board of Appeals, sustains all the conditions enumerated above.

Background information is attached for your review.

kms/attachments

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**ARIANO HARDY RITT**  
NYULI RICHMOND LYTLE & GOETTEL P.C.

Lisa M. Nyuli \*  
Scott G. Richmond  
Aaron J. Lytle \*\*  
Karrsten Goettel  
Ryne J. Vitug

*\*Fellow of the American  
Academy of Matrimonial Lawyers*

*\*\*Licensed in Illinois & Wisconsin*

2000 McDONALD ROAD  
SUITE 200  
SOUTH ELGIN, IL 60177-3324  
(847) 695-2400

Facsimile (847) 695-2401  
or  
E-Mail: [SGR@attorneys-illinois.com](mailto:SGR@attorneys-illinois.com)

Huntley Office  
American Community Bank & Trust  
10101 North Illinois Route 47  
Suite 200  
PO Box 857  
Huntley, IL 60142

Ralph C. Hardy (*Of Counsel*)  
Norbert C. Ritt (*Of Counsel*)  
Susan W. Rogaliner (*Of Counsel*)  
Frank V. Ariano (*Retired*)

May 15, 2019

Village President, Kevin Wallace  
and Board of Trustees  
Village of Bartlett  
228 S. Main Street  
Bartlett, IL 60103

**Re: Request for Variance of rear building line to construct four seasons room  
Grant and Michelle Carlson  
1355 Windgate Ct., Bartlett, IL 60103**

Dear President Wallace and Board of Trustees:

Grant and Michelle Carlson have retained this firm to represent them in their request for a variance to the rear building line restriction upon their residential property on Windgate Ct. in Bartlett. The current restrictions have a 45' rear building line on this property. The Carlsons seek to construct a four seasons room on the rear of their home which will extend 14' from the existing house. Given the 45' rear setback restriction, this will necessitate a variance of 14'.

Without this variance the Carlsons cannot add the four seasons room to their home. This addition will not adversely affect the neighbors or the neighborhood in any way. They seek this variance to construct the four seasons room for their personal use only.

Enclosed please find the following documents:

1. Application
2. Application fee of \$300
3. Deed
4. Survey with 4 seasons room addition drawn in to scale
5. Elevation for proposed four seasons room with dimensions
6. Legal Description (also on CD)
7. List of landowners within 250' of this residence

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MAY 17 2019

VILLAGE OF  
BARTLETT

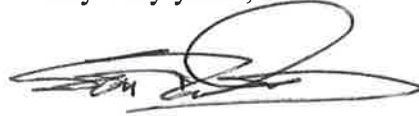
**Re: 1355 Windgate Ct., Bartlett, IL – Variance Request**

May 15, 2019

Page 2

Thank you for your consideration of this request for variance. We look forward to working with the Village of Bartlett on this matter. Should you require any further information please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read "Scott G. Richmond", written in a cursive style.

Scott G. Richmond, Esq.

SGR/os

Enc.

cc: Grant and Michelle Carlson

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MAY 17 2019  
VILLAGE OF  
BARTLETT





# VILLAGE OF BARTLETT VARIATION APPLICATION

For Office Use Only  
Case # 19-09 RECEIVED  
COMMUNITY DEVELOPMENT  
(Village Stamp)  
**MAY 17 2019**  
VILLAGE OF  
BARTLETT

### PETITIONER INFORMATION (PRIMARY CONTACT)

Name: Scott Richmond, Esq.  
Street Address: 2000 McDonald Rd., Ste. 200  
City, State: South Elgin, IL 60177 Zip Code: 60177  
Email Address: sgr@attorneys-illinois.com Phone Number: 847-695-2400

Preferred Method to be contacted See Dropdown

### PROPERTY OWNER INFORMATION

Name: Grant and Michelle Carlson  
Street Address: 1355 Windgate Ct.  
City, State: Bartlett, IL Zip Code: 60103  
Phone Number: 630-669-3809

OWNER'S SIGNATURE: *Grant Carlson* Date: May 15, 2019

*(OWNER'S SIGNATURE IS REQUIRED or A LETTER AUTHORIZING THE PETITION SUBMITTAL.)*

### DESCRIPTION OF VARIATION REQUEST (i.e. setback, fence height) including SIZE OF REQUEST (i.e. 5ft., 10 ft.)

Variance of 14' to 45' rear lot building line

### PROPERTY INFORMATION

Common Address/General Location of Property: 1355 Windgate Ct., Bartlett, IL 60103  
Property Index Number ("Tax PIN"/"Parcel ID"): 01-16-104-007  
Acreage: 0.27 acres approx.

Zoning: PD (Refer to Official Zoning Map)

### APPLICANT'S EXPERTS (If applicable, including name, address, phone and email)

Attorney Scott G. Richmond, Esq. - Ariano, Hardy, Ritt et al., 2000 McDonald Rd., Ste. 200  
South Elgin, IL 60177; 847-695-2400; sgr@attorneys-illinois.com  
Surveyor \_\_\_\_\_  
Other \_\_\_\_\_

**FINDINGS OF FACT FOR VARIATIONS**

Both the Zoning Board of Appeals and the Village Board must decide if the requested variation is in harmony with the general purpose and intent of the Zoning Ordinance and if there is a practical difficulty or hardship in carrying out the strict letter of the regulations of the Zoning Ordinance.

The Zoning Board of Appeals shall make findings based upon evidence presented on the following standards: **(Please respond to each of these standards in writing below as it relates to your case. It is important that you write legibly or type your responses as this application will be included with the staff report for the ZBA and Village Board to review.)**

1. That the particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.

Homeowner will not be permitted to expand living space for 4 season room without variance.

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2. That conditions upon which the petition for a variation is based are unique to the property for which the variation is sought and are not applicable, generally, to other property within the same zoning classifications.

The 45' rear building line is unusual for this subdivision and affects only a small percentage of homeowners in the subdivision (only lots on Windgate Court).

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3. That the purpose of the variation is not based exclusively upon a desire to make more money out of the property.

The Petitioner is not constructing a four season room to make more money on the property. The Petitioner desires to create more living space in the home for personal use only.

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4. That the alleged difficulty or hardship is caused by the provisions of this Title and has not been created by any person presently having an interest in the property.

The Petitioner is the second owner of the home and is not the builder. The Petitioner did not create this subdivision nor did the Petitioner create or agree to the 45' rear building line.

5. That the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhoods in which the property is located.

The granting of the variance of 14' to construct the 4 seasons room will have no adverse affect on the public welfare, nor will it be injurious to the neighbors or neighborhood surrounding the property.

6. That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the adjacent neighborhood.

The proposed variance and contruction of the 4 seasons room will not impair an adequate supply of light or air adjacent to the property, nor will it have any affect on traffic or congestion on the streets.

The variance will not increase the danger of fire or endanger public safety, nor will it diminish or impair property values within the adjacent neighborhood.

7. That the granting of the variance requested will not confer on the applicant any special privilege that is denied by the provisions of this Title to other lands, structures or buildings in the same district.

The granting of this variance will not provide any special privilege to the Petitioner. Very few houses in this subdivision have the 45' rear building line.

**ACKNOWLEDGEMENT**

I understand that by signing this form, that the property in question may be visited by village staff and Board/Commission members throughout the petition process and that the petitioner listed above will be the primary contact for all correspondence issued by the village.

I certify that the information and exhibits submitted are true and correct to the best of my knowledge and that I am to file this application and act on behalf of the above signatures.

Any late, incomplete or non-conforming application submittal will not be processed until ALL materials and fees have been submitted.

SIGNATURE OF PETITIONER: 

PRINT NAME: Grant Carlson

DATE: May 15, 2019

**REIMBURSEMENT OF CONSULTANT FEES AGREEMENT**

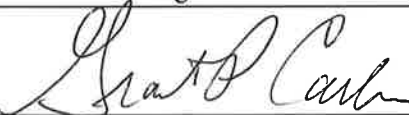
The undersigned hereby acknowledges his/her obligation to reimburse the Village of Bartlett for all necessary and reasonable expenses incurred by the Village for review and processing of the application. Further, the undersigned acknowledges that he/she understands that these expenses will be billed on an ongoing basis as they are incurred and will be due within thirty days. All reviews of the petition will be discontinued if the expenses have not been paid within that period. Such expenses may include, but are not limited to: attorney's fees, engineer fees, public advertising expenses, and recording fees. Please complete the information below and sign.

NAME OF PERSON TO BE **BILLED**: Grant Carlson

ADDRESS: 1355 Windgate Ct., Bartlett, IL 60103

PHONE NUMBER: 630-669-3809

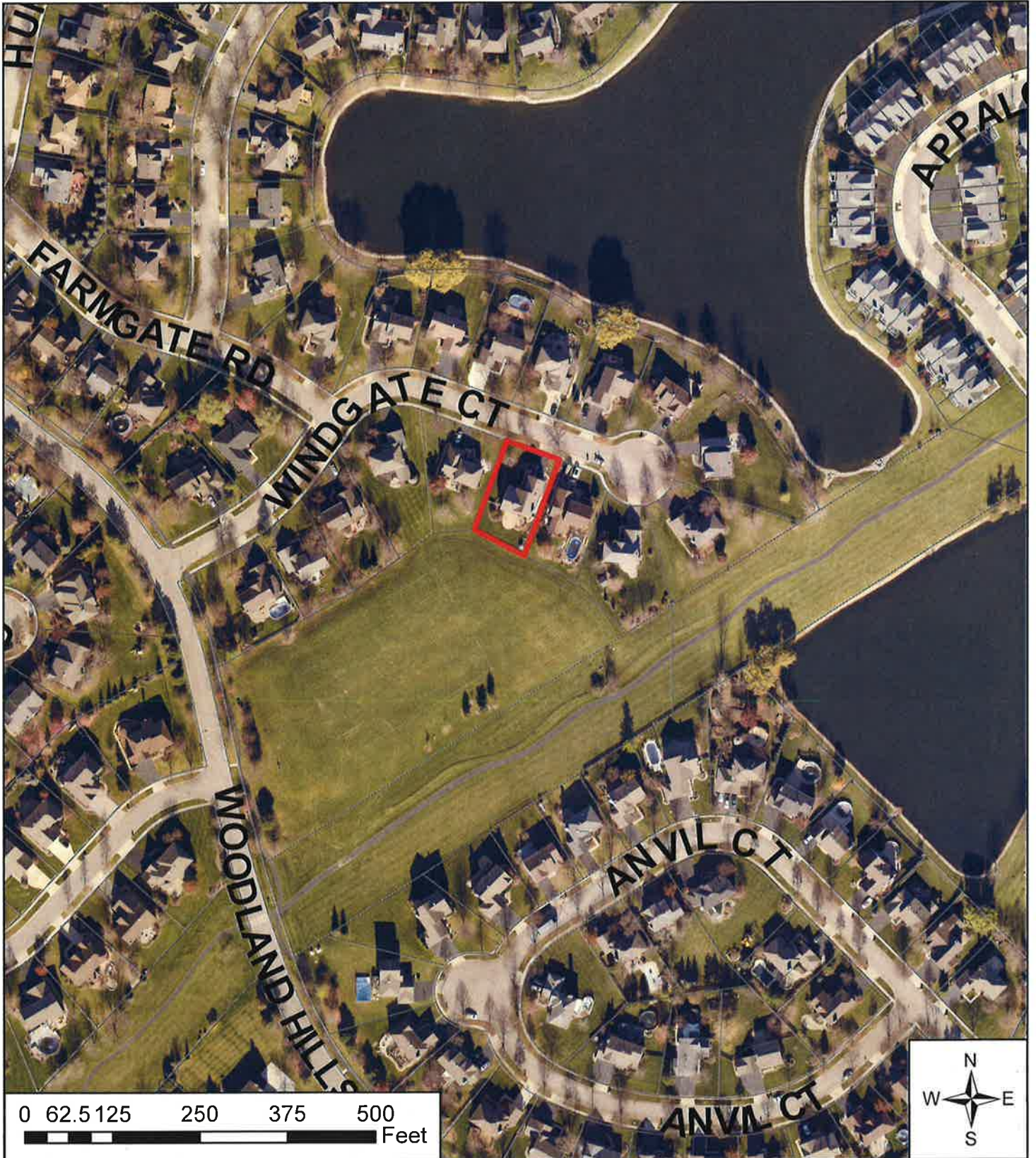
EMAIL: grantcarlson12@sbcglobal.net

SIGNATURE: 

DATE: May 15, 2019

# Carlson 2019-09

1355 Windgate Ct.  
Variation - Rear Yard



No BOND

# PLAT OF SURVEY

211 WEST WACKER DRIVE  
CHICAGO, ILLINOIS 60606  
(312) 372-2023

**CR**  
**& R**  
PREPARED BY  
**Christian - Roge & Ribando**  
ENGINEERS PLANNERS SURVEYORS

Final 1355 Windgate Ct TPNY  
940114

FAX (312) 372-5274

LOT 886 IN WOODLAND HILLS UNIT EIGHT, BEING A SUBDIVISION OF PART OF THE SOUTH HALF OF SECTION 9 AND THE NORTH HALF OF SECTION 16, TOWNSHIP 40 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN DUPAGE COUNTY, ILLINOIS.

*TOPO*  
*Benchmark and Drainage Swales are to be checked in field*  
DATE 2/96  
SDOYES X NO

RECEIVED

AUG 3 1 1994

VILLAGE OF BARTLETT  
BUILDING DEPT.



SCALE: 1" = 20'

ALL ELEVATIONS SHOWN ARE PROPOSED AND DO NOT REFLECT FINAL GRADES.

LEGEND

PROPOSED T/F	= 803.0
EXISTING T/F	= 803.2
PROPOSED DRIVE SLOPE	= 3.7%
EXISTING DRIVE SLOPE	= 3.8%
PROPOSED GRADE	= 801.8
EXISTING GRADE	=

STATE OF ILLINOIS }  
COUNTY OF COOK } SS

WE, CHRISTIAN-ROGE AND RIBANDO  
Hereby certify that we have located the improvements on the above described property and that the same is correctly shown on said plat.

CONCRETE FOUNDATION ONLY  
MAY 10TH A.D. 19 94  
By Christian - Roge & Ribando  
REGISTERED ILLINOIS LAND SURVEYOR # 1939

ORDERED BY: HOFFMAN HOMES, INC.

DRAWN: WAM 10/21/91 CHECKED: GS 10/24/91

LOT 886 BLOCK — JOB NO. 88-034

REVISED T/FND 10/29/91 WAM

REVISED BLDG PER CLIENT 2/8/04 WAM/WEG

UP-DATE SURVEY }  
& FINAL GRADES

ALLGUST 4 TH , A.D., 19 94

By [Signature]  
REGISTERED LAND SURVEYOR # 25585

ADDED FINAL GRADES 8/31/94

NOTE:  
P.U.E. INDICATES PUBLIC UTILITY EASEMENT  
D.E. INDICATES DRAINAGE EASEMENT

STATE OF ILLINOIS }  
COUNTY OF COOK } SS

WE, CHRISTIAN-ROGE AND RIBANDO  
Hereby certify that we have surveyed the property described hereon and that the plat hereon drawn is a correct representation of same. All distances shown are in feet and decimals thereof.

October 4th A.D. 19 93

By Christian - Roge & Ribando  
REGISTERED ILLINOIS LAND SURVEYOR # 1939

Note:  
For building lines, easements and other restrictions not shown hereon refer to your deed, title policy, zoning ordinance, etc.  
Compare all points before building and report any difference at once.  
Contact utility companies before building.

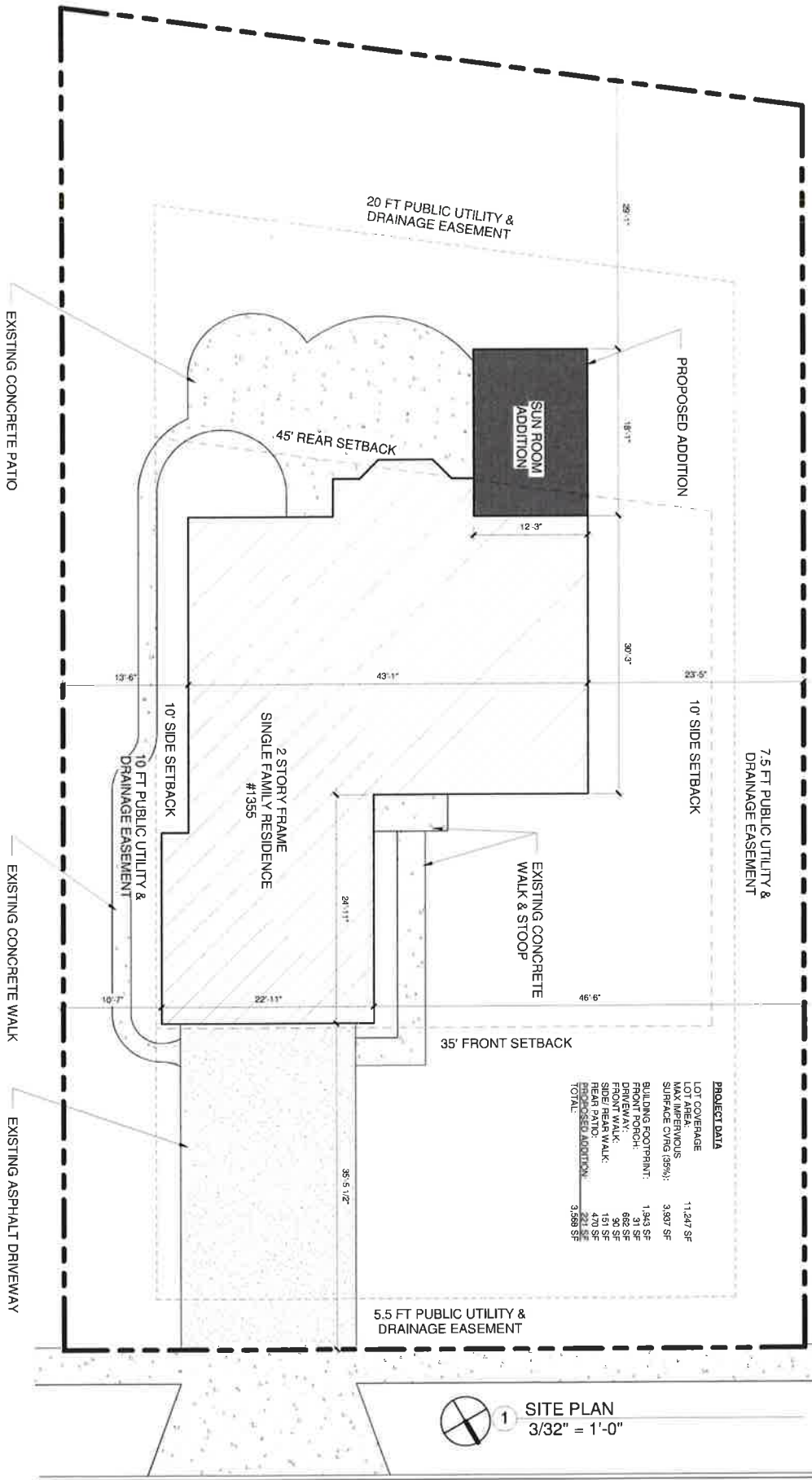


REVISED BLDG PER CLIENT 2/8/04 WAM/WEG

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1 SITE PLAN  
3/32" = 1'-0"

WINDGATE COURT

**SITE PLAN**

1355 WINDGATE CT.  
BARTLETT IL 60103

19059  
SUN ROOM ADDITION

D1  
04.26.19

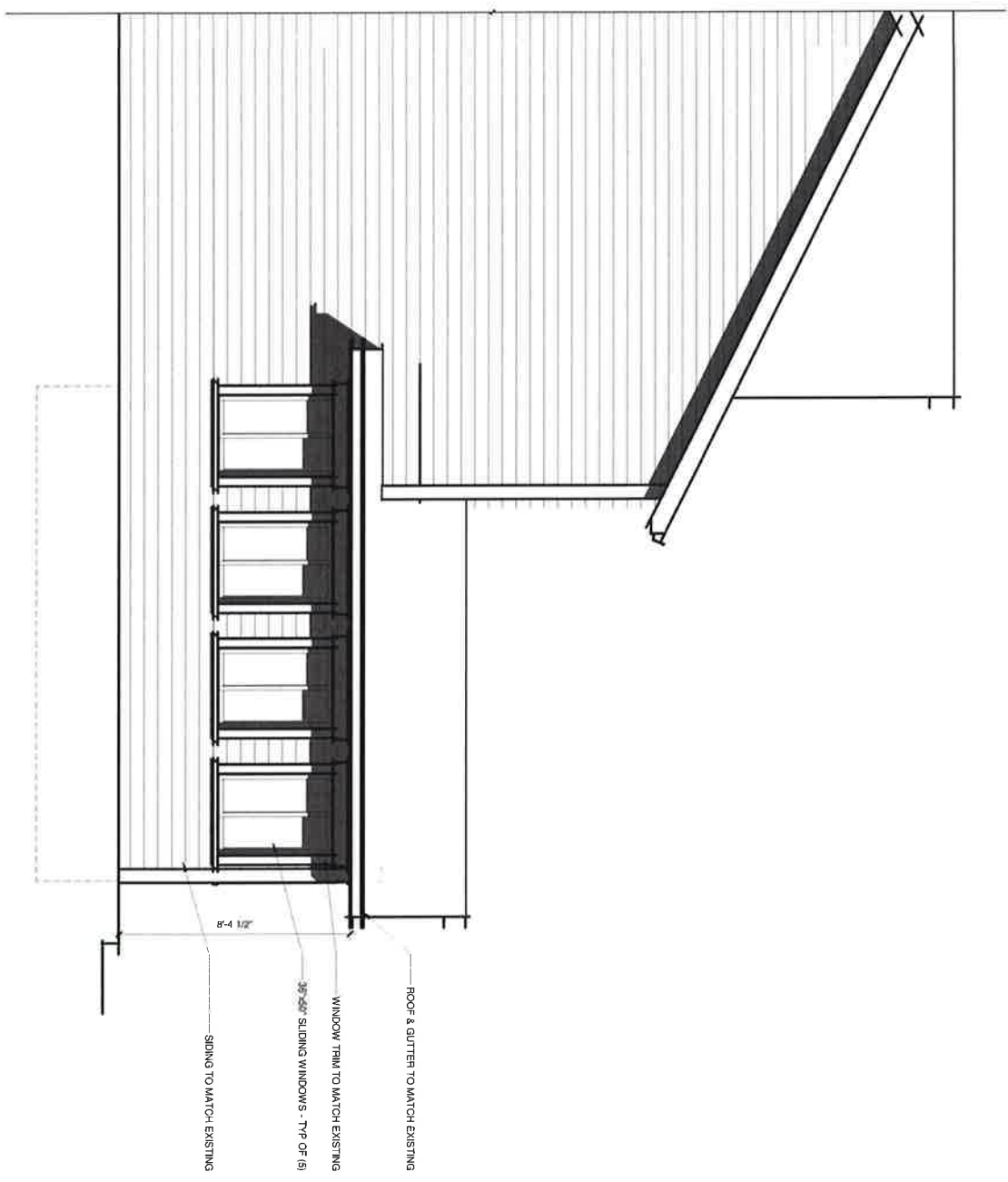
D-1.1

THOMAS ARCHITECTS  
2800 S RIVER RD, # 105  
DES PLAINES, IL 60018  
O: 847.235.6815  
THOMAS @ THOMASARCH.COM





1 SIDE (SE) ELEVATION  
 1/4" = 1'-0"



**THOMAS ARCHITECTS**  
 2800 S RIVER RD, #105  
 DES PLAINES, IL 60018  
 O: 847.235.6815  
 THOMAS @ THOMASARCH.COM

**PARTIAL SIDE ELEVATION**

1355 WINDGATE CT. 19059  
 BARTLETT IL 60103 SUN ROOM ADDITION

D1  
 04.26.19

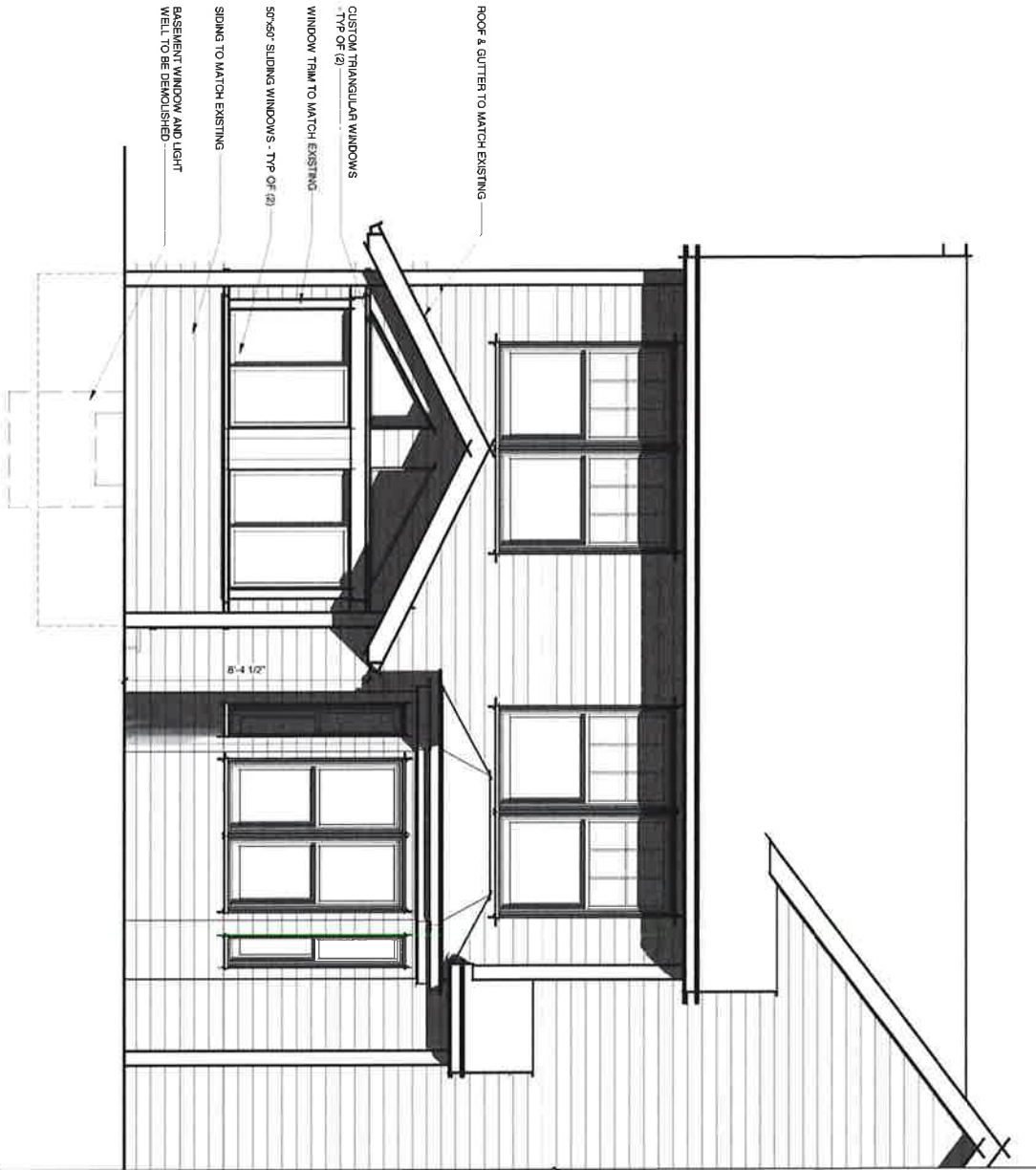
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VILLAGE OF  
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1 REAR (NE) ELEVATION  
1/4" = 1'-0"



THOMAS  
ARCHITECTS

2800 S RIVER RD, # 105  
DES PLAINES, IL 60018

O: 847.235.6815

THOMAS@THOMASARCH.COM

## PARTIAL REAR ELEVATION

1355 WINDGATE CT.  
BARTLETT IL 60103

19059  
SUN ROOM ADDITION

D1  
04.26.19

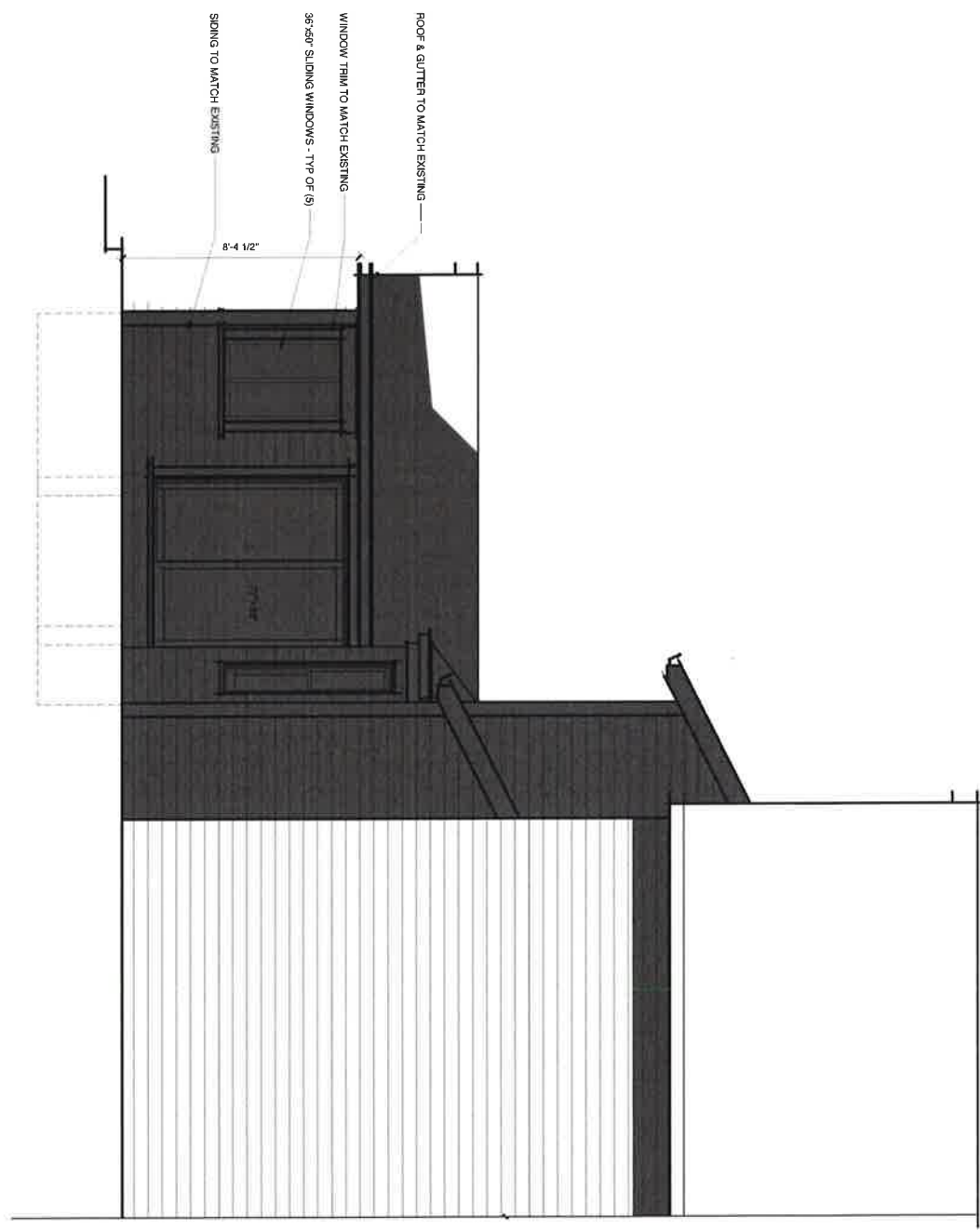
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VILLAGE OF  
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(1) SIDE (NW) ELEVATION  
1/4" = 1'-0"



THOMAS  
ARCHITECTS  
2800 S RIVER RD. #105  
DES PLAINES, IL 60018  
O: 847.235.6815  
THOMAS@THOMASARCH.COM

**PARTIAL SIDE ELEVATION**

1355 WINDGATE CT. 19059  
BARTLETT IL 60103 SUN ROOM ADDITION

D1  
04.26.19

D-1.5



