



**VILLAGE OF BARTLETT
ZONING BOARD OF APPEALS
AGENDA
228 MAIN STREET
August 6, 2020
7:00 P.M.**

- I. Roll call
- II. Approval of May 7, 2020 meeting minutes
- III. **(#20-09) 1070 Dartmouth Drive**
Variations:
 - A. To allow a 6-foot tall fence in the corner side yard
 - B. To allow ground-mounted solar panels in the corner side yard**PUBLIC HEARING**
- IV. **(#20-11) 900 Poplar Lane**
Variations:
 - A. An 8 foot reduction from the 45 foot required rear yard
 - B. To allow a shed in the side yard**PUBLIC HEARING**
- V. **(#20-03) True North**
Zoning Text Amendments:
 - A. Definitions: Section 10-2-2
Add "Truck Stop Establishment"
 - B. Community Shopping District Special Uses: Section 10-6D-4
Add "Truck Stop Establishment"Variation: To reduce the number of trees required in the interior parkways along Route 25 and West Bartlett Road
PUBLIC HEARING
- VI. Old Business/New Business
- VII. Adjournment



Village of Bartlett
Zoning Board of Appeals Minutes
May 7, 2020

M. Werden called the meeting to order at 7:01 pm.

Roll Call

Present: M. Werden, G. Koziol, B. Bucaro, J. Banno, G. Papa, M. Sarwas, and C. Deveaux

Also Present: Roberta Grill, Planning & Development Services Director, Kristy Stone, Village Planner

Approval of Minutes

A motion was made to approve the March 5, 2020 meeting minutes.

Motioned by: G. Papa

Seconded by: G. Koziol

Roll Call

Ayes: G. Koziol, B. Bucaro, J. Banno, G. Papa, M. Sarwas, C. Deveaux, and M. Werden

The motion carried.



Village of Bartlett
Zoning Board of Appeals Minutes
May 7, 2020

(#19-19) 7-Eleven (555 W. Lake Street)

The following exhibits were presented:

Exhibit A – Picture of Sign

Exhibit B – Mail Affidavit

Exhibit C – Notification of Publication

The petitioners Mitch Goltz, Jon Silverberg, Matt Anderson, Mitesh Patel were sworn in by **M. Werden**, Chair.

K. Stone stated that this property has been part of Bartlett since its incorporation in 1891 and was shown on the Village's first Zoning Map as part of the Farming District. According to the 1962 Zoning Map, the property was zoned Commercial. During the comprehensive rezoning of the Village in 1978, the property was rezoned to the B-3 (Neighborhood Shopping) Zoning District.

The Petitioner is requesting Site Plan Review for a proposed 7-Eleven gas station at the northeast corner of N. Bartlett Road and Lake Street.

The Petitioner is also requesting Special Use Permits for an automobile service station since the use of the site as a service station has been discontinued for more than six (6) months. They are also asking for Special Use Permits to sell packaged liquor and outdoor sales for propane. The Plan Commission will review those requests and conduct the public hearing at their next meeting on May 14, 2020.

This proposed station would include a 3,500 square foot convenience store with five (5) pump islands (10 total stations). The proposed hours of operation for the 7-Eleven gas station and convenience store are 24 hours, seven (7) days a week.

The existing building would be demolished and the new convenience store would be oriented towards Lake Street. It would have a maximum height of 18 ft. 10 in. and be constructed with fiber-cement panels that have the appearance of brick and ribbed metal. A decorative metal canopy is located over the entrance of the convenience store.

The previous gas station had four (4) curb cuts, two (2) on N. Bartlett Road and two (2) on Lake Street. The Petitioners are removing the two (2) curb cuts that are closest to the intersection. IDOT and the Cook County Highway Department have authority over these roads and they have approved the curb cut locations as shown.

The Petitioner is before the Zoning Board tonight to request the following Variations; a 2.5 ft variation from the front yard setback for the canopy, an 8 ft. variation from the 50 ft. corner side yard setback, also for the fuel canopy, to allow parking in the corner side yard along N. Bartlett Road, to allow a trash enclosure in the corner side yard rather than the rear yard, and to reduce the required landscaped parkway from 20 feet to 7 feet.

The Zoning Board of Appeals should make recommendations based on the findings of fact outlined in your Staff report.



Village of Bartlett
Zoning Board of Appeals Minutes
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M. Werden asked if the other 7-Eleven down the street was planning to stay in business and would this be a problem with the two so close together? **Dan Anderson** answered that we are unsure at this time and that decision would be made internally by their operations team. **G. Koziol** asked that with the removal of the existing building, are the tanks pulled and has the ground been contaminated, is that remediated? **Jon Silverberg** replied yes, in the process of demolishing and redeveloping the property, they would pull any underground storage tanks and obtain an NFR from the IEPA. It will all be remediated and/or encapsulated to IEPA standards. **R. Grill** added that the Village's environmental consultant is also reviewing the plans and will provide guidelines and recommendations on how they would remove the tanks and all safety precautions related to the soil remediation. **G. Koziol** stated that it was a concern of his because it is environmental. **M. Werden** stated that the pictures that they have seen already are a big improvement from what is there now. **G. Papa** agreed that it is a definite needed improvement.

M. Werden opened the Public Hearing portion of the meeting. **R. Grill** instructed the audience that if they had a question or comment they need to raise their hand to be called on. There were no questions from the audience. **M. Werden** asked if there were further discussions or motions.

B. Bucaro made a motion to pass along **a positive recommendation** to the Village Board to approve case **(#19-19)** 7-Eleven (555 W. Lake Street).

Motioned by: B. Bucaro
Seconded by: G. Koziol

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

Roll Call

Ayes: G. Papa, B. Bucaro, J. Banno, M. Werden, G. Koziol, M. Sarwas, and C. Deveaux

The motion carried.



Village of Bartlett
Zoning Board of Appeals Minutes
May 7, 2020

Old Business/ New Business

K. Stone stated that there will probably be a meeting next month as well and to be prepared for it to be held this way (via Zoom) again. **G. Koziol** thanked **R. Grill** and **K. Stone** for all of their help getting the meeting set up.

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

Motioned by: B. Bucaro
Seconded by: C. Deveaux

Motion passed by unanimous voice vote.

The meeting was adjourned at 7:17 pm.

PLANNING AND DEVELOPMENT SERVICES MEMORANDUM
20-091

DATE: July 20, 2020
TO: The Chairman and Members of the Zoning Board of Appeals
FROM: Kristy Stone, Village Planner 
RE: **(#20-09) 1070 Dartmouth Drive**

PETITIONER

Magdalena & Cezary Lesniewski

SUBJECT SITE

1070 Dartmouth Drive, part of Lot 164 in the Orchards of Bartlett Phase 2

REQUESTS

Variations –

- (a) To allow a 6-foot tall fence in the corner side yard
- (b) To allow ground-mounted solar panels in the corner side yard

SURROUNDING LAND USES

	<u>Land Use</u>	<u>Comprehensive Plan</u>	<u>Zoning</u>
Subject Site	Single Family (Duplex)	Suburban Residential	SR-3 PUD
North	Single Family (Duplex)	Suburban Residential	SR-3 PUD
South	Single Family	Suburban Residential	SR-3 PUD
East	Single Family	Suburban Residential	SR-3 PUD
West	Utility/School	Utility/Institutional	P-1

DISCUSSION

1. The subject property is zoned SR-3 PUD (Suburban Residence Planned Unit Development). The duplex property is part of Lot 164 in the Orchards of Bartlett Phase 2.
2. The Petitioners are requesting to construct a 6-ft tall, solid vinyl fence up to the property line in the corner side yard to replace the existing 3-ft tall wood fence.

The Zoning Ordinance allows 6-foot tall fences in the corner side yard provided the fence is setback at least 10 feet from the property line while fences up to 4-feet tall are permitted at the property line.

3. The fence would be required to be setback 6 feet from the west property, so that it is located 1 foot from the existing bike path. Document #R94-189811 recorded a 15-foot wide bike path easement along the west property line of the property for the construction and maintenance of the bike path connection to Sycamore Trails Elementary School.
4. The Petitioners are also proposing to install two 5.42-ft tall, ground-mounted solar panel arrays (19'6"x10'4" and 14'7"x 10'4") in the required corner side yard. The Zoning Ordinance requires ground-mounted solar panels to be located within the rear yard. Both arrays would be located 10 feet from the corner side property line and more than 15 feet from the house.
5. The proposed impervious surface ratio of this lot is 28% which meets the 45% maximum impervious surface for a duplex lot.
6. If the variations are approved, the Petitioners could then apply for building permits for the proposed fence and solar panels.

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 variation 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 variation is 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 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.
- F. 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.
- G. 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.

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.

/attachments

x:\comdev\mem2020\091_1070dartmouth_zba.docx

June 9, 2020

VARIATION REQUEST

Kevin Wallace
Village President
Bartlett, IL 60103
(630) 837-0800
kwallace@ybartlett.org

RECEIVED

JUL 13 2020

PLANNING & DEVELOPMENT
VILLAGE OF
BARTLETT

Dear Mr. Wallace,

We kindly thank you in advance for reviewing our variation request. In summary, our property is located in a cul-de-sac, and as a result has a highly irregularly shaped lot, and high traffic due to it's proximity to Bartlett Trail and Sycamore Trails Elementary School. Parents love to pickup and drop off their kids, and we understand.

We are requesting that we are allowed to replace the existing and dated fence, with one that is taller. Also, I think, one that looks a lot better. This in no way would be an inconvenience to our friends, neighbors and Bartlett residents, but it would provide us the much relief from hardship as a result of the number of people that are passing and waiting during school year.

Our second request is that we are allowed a much smaller offset for installation of Solar Photovoltaic equipment in our backyard. The PV equipment will not be seen by anyone as it'll be below the height of our requested fence. The current offset requirement and the shape of our lot make placing the array very hard.

We look forward to discussing this matter in front of the committee. Thank you.

Best regards,

Magdalena and Cezary Lesniewski



VILLAGE OF BARTLETT VARIATION APPLICATION

For Office Use Only
Case # 2020-09

PETITIONER INFORMATION (PRIMARY CONTACT)

Name: Magdalena & Cezary Lesniewski

Street Address: 1070 Darthmouth Dr

City, State: Bartlett, IL

Zip Code: 60103

Email Address: [REDACTED]

Phone Number: [REDACTED]

Preferred Method to be contacted Phone

PROPERTY OWNER INFORMATION

Name: Madgalena & Cezary Lesniewski

Street Address: 1070 Darthmouth Dr

City, State: Bartlett, IL

Zip Code: 60103

Phone Number: [REDACTED]

OWNER'S SIGNATURE: Cezary Lesniewski Date: 6/9/2020

(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.)

A) 6ft fence to replace existing fence in a high traffic area. B) Additionally, a 1' setback for ground mounted solar array, of which height will be below the height of the fence.

PROPERTY INFORMATION

Common Address/General Location of Property: 1070 Darthmouth Dr Bartlett, IL 60103

Property Index Number ("Tax PIN"/"Parcel ID"): 01-10-211-072

Acreage: _____

Zoning: See Dropdown (Refer to Official Zoning Map)

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

Attorney _____

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.

Our lot is adjacent, and is part of a cul-de-sac. This makes the shape of our lot very irregular, compared to others. Additionally, the rear of our property is adjacent to Sycamore Trails Elementary School and bike path. There is a walkway from the end of our cul-de-sac, along the edge of our property, through the backyard of the school and into the school compound. During the school year, our cul-de-sac is being used by parents to drop of and pickup their children. Over the course of one day, we may have as much as 200 people pass by, and as many as 10-20, congregating around our property. Lastly, due to the irregular shape of our yard, in order for us to observe a 10' offset for our ground mounted Photovoltaic Array, it would place it in the center of our yard.

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.

There is not another property except for us, and our neighbor west of us, that has similar circumstances within Bartlett. These circumstances are: being adjacent to school and bike path, having a walkway connecting the school with a public road that ends with no way out, irregular shape of lot due to cul-de-sac.

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

The purpose of variation A) to replace existing 3' fence with a 6' fence, is for us to protect our property including but not limited to loitering, privacy, from within our house and yard. The purpose of variation B) is to position the PV array such that it would not take up majority of our yard. This PV system will save us money on utility bills, however, that will be the case no matter where it will be located within our yard. Thus there is no monetary advantage for variation B. Our proposed location of PV array is attached as Exhibit A.

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.

None of the circumstances listed here: irregularly shaped lot due to cul-de-sac, high traffic area due to location of school / bike path, and large amounts of parents congregating, have been in any way, shape or form, been altered or created, by us. Furthermore, while we do not mind, and understand parents coming by, we have placed signage on our driveway as we have often found people parked in our driveway waiting for their kids.

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.

We have deliberated greatly about the affects that these two provisions will have, and none will pose any safety issues. The higher fence will make it that the PV array will not be seen from any vantage point below 6'. Since we are part of the cul-de-sac, there aren't any intersecting streets where the fence would cut any visibility. Please see attached Exhibit A, showing what the field of view will be like from different points around our property. Variation B, 1' setback instead of 10', will not impact the public welfare, as children will not have the opportunity to touch the array behind the fence.

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.

Exhibit B shows the frontal shot of our property, along with pictures and specifications of a fence we think would look best with our home and the neighborhood. We believe that replacing the current and dated 3' fence will make the neighborhood look better. And since the PV array will not be seen, it will have no impact on the "look of the neighborhood". The fence will be exactly within our property lines, and would not have any impact on public safety, being able to get from point A to point B. Please see attached plan of survey.

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.

Looking at the map of Bartlett, and following Bartlett trail, we do not see any other homes or lots, that are under the same circumstances, except for our direct neighbor located at 1072 Dartmouth Dr. They are across from the walkway that connects our cul-de-sac and the Bartlett Trail. I don't believe variation A and B would apply to any other property in Bartlett.

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: Cezary Lesniewski

PRINT NAME: Cezary Lesniewski

DATE: 6/9/2020

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: Cezary Lesniewski

ADDRESS: 1070 Dartmouth Dr

Bartlett, IL 60103

PHONE NUMBER: [REDACTED]

EMAIL: [REDACTED]

SIGNATURE: Cezary Lesniewski

DATE: 6/9/2050

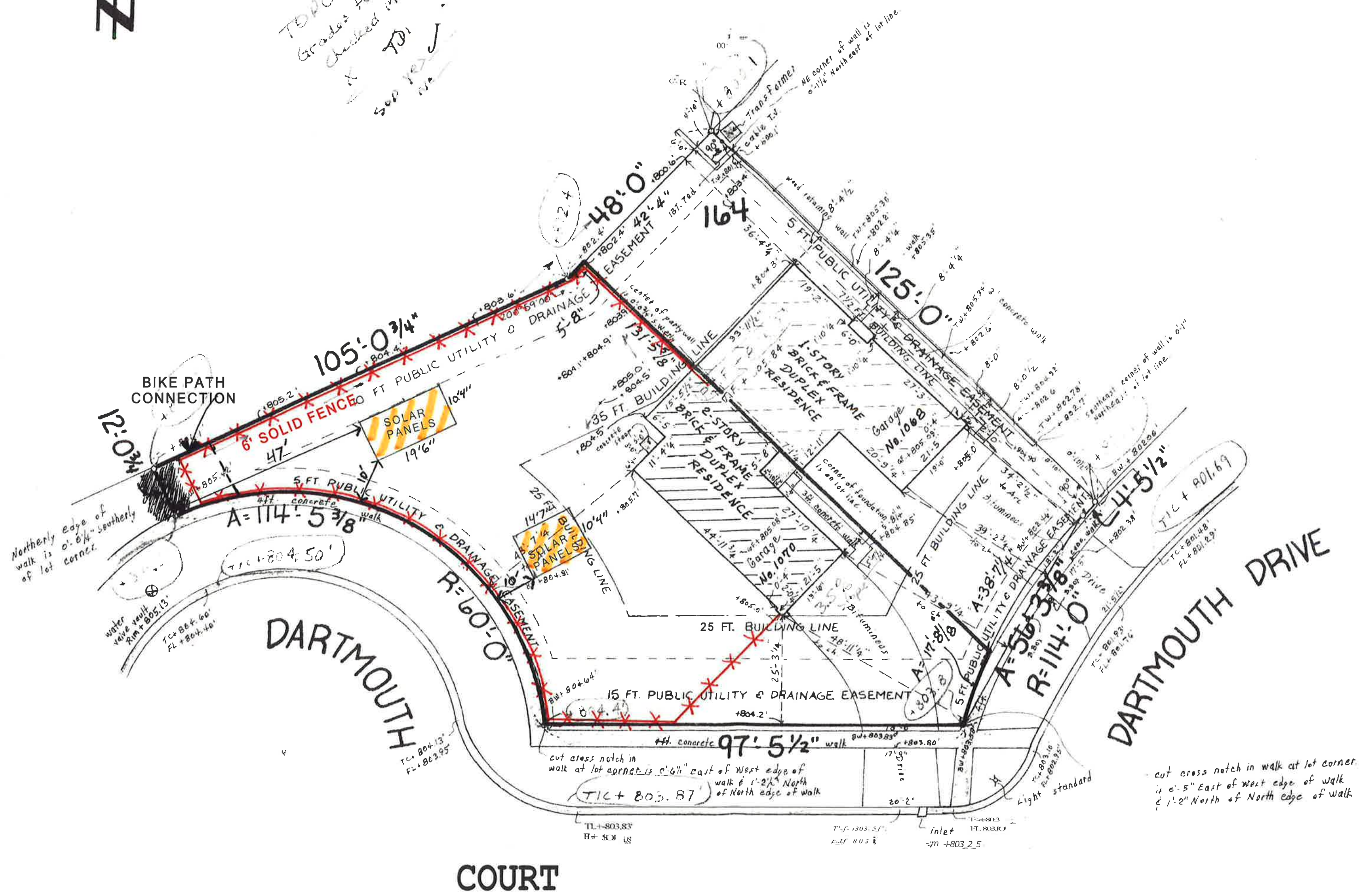
LOCATION MAP

1070 Dartmouth Dr.
Variations - Fence and Solar Panels in the Corner Side Yard
PIN: 01-10-211-072



N

*TOPC
Grades to
checked in
5/2/2011
TDJ*



Northerly edge of walk is 0'-8 1/4" southerly of lot corner.

*Water valve vault
Rim +805.13'
TL +804.40'
FL +804.40'*

BIKE PATH CONNECTION

A=114'-5 3/8"
R=60'-0"

DARTMOUTH

COURT

DARTMOUTH DRIVE

cut cross notch in walk at lot corner is 0'-0 1/2" East of West edge of walk & 1'-2 1/2" North of North edge of walk
TIC + 803.87'

cut cross notch in walk at lot corner is 0'-5" East of West edge of walk & 1'-2" North of North edge of walk
TIC + 801.69'

TL +803.83'
H +803.83'

T -f -1303.51'
H -f -803.83'

inlet
TL +803.25'

Light standard

RECEIVED

2017/03/23 10:51 AM
MAY 2017

Park

School

Exhibit A



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JUL 15 2020

PLANNING & DEVELOPMENT
VILLAGE OF BARTLETT





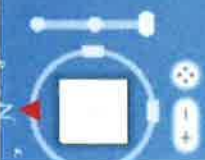
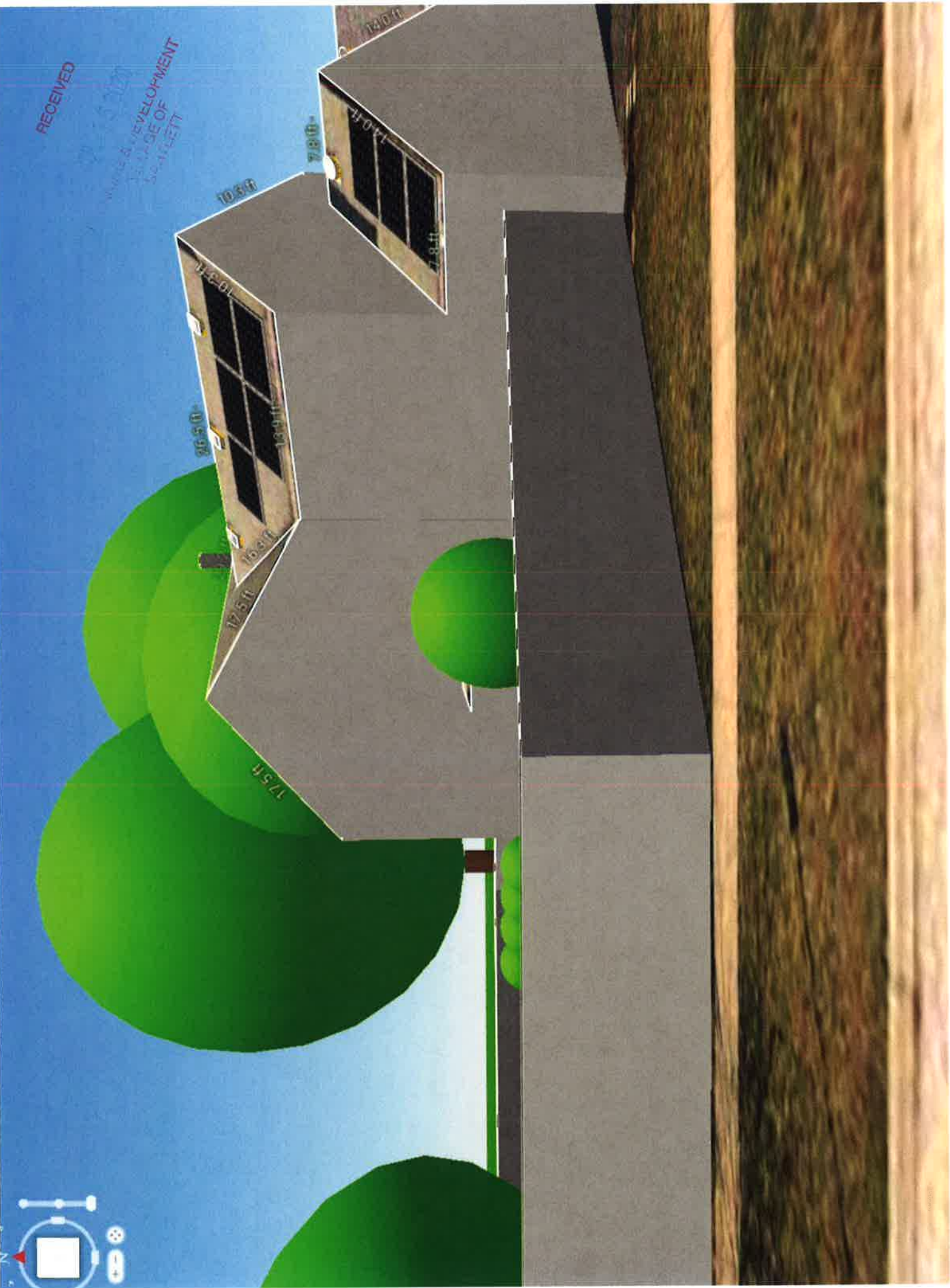
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PLANNING & DEVELOPMENT
VILLAGE OF
BARTLETT



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UNIVERSITY OF
SOUTH ALABAMA
PLANNING & DEVELOPMENT
1500 UNIVERSITY BLVD
MOBILE, AL 36688



RECEIVED

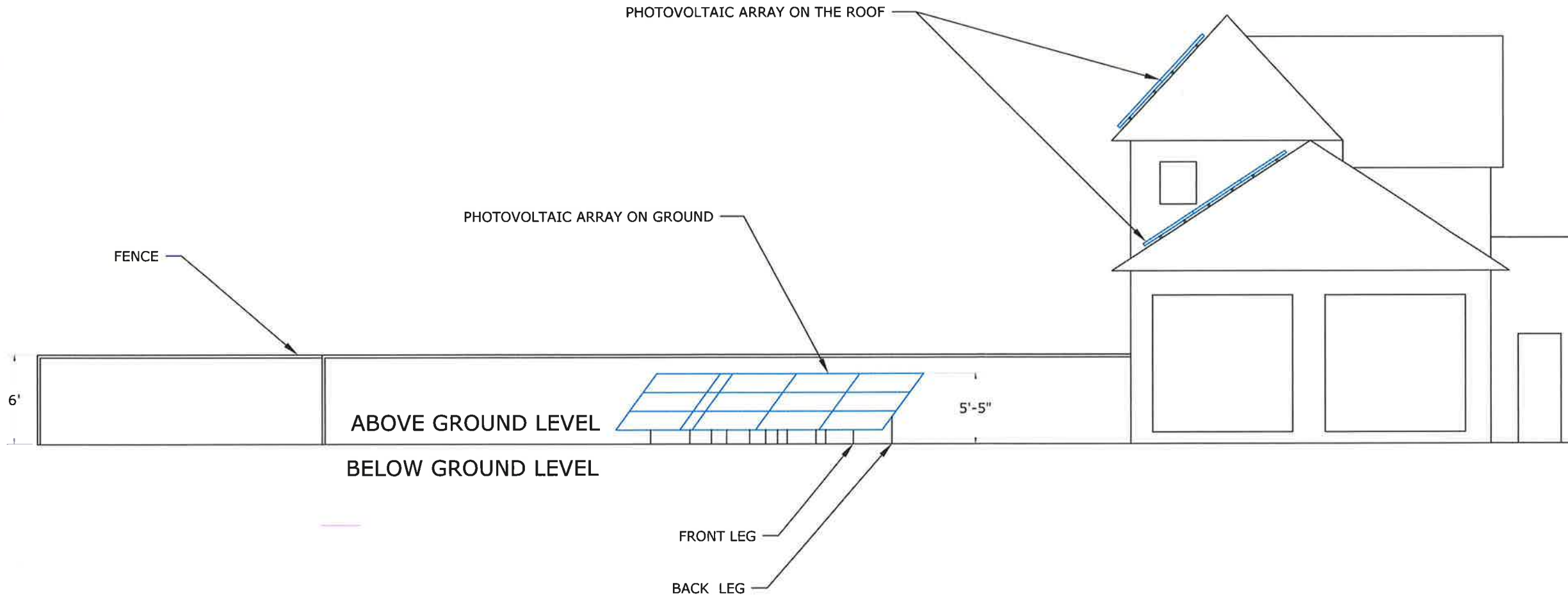
JUL 13 2020

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VILLAGE OF
BARTLETT

12100



FRONT ELEVATION



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 VILLAGE OF
 BARTLETT

AERIAL VIEW



ECOSOLAR



PV Installation
 Professional
 CERT# PV-102415-012838

CUSTOMER INFORMATION

NAME: CEZARY AND MAGDALENA
 LESNIEWSKI

ADDRESS: 1070 DARTMOUTH DR,
 BARTLETT, IL 60103

41.967637, -88.190566
 APN: 011-02-11-072

AHJ: IL- VILLAGE OF BARTLETT

PRN NUMBER: ESS-010958



ELEVATION VIEW-1

DESIGNER /CHECKED BY: SR/HK	PAPER SIZE: 17"X11"
SCALE: AS NOTED	REV: A
DATE: 7/15/2020	M-1

SHEET CATALOG	
INDEX NO.	DESCRIPTION
T-1	COVER PAGE
M-1	ELEVATION VIEW-1
M-2	ELEVATION VIEW-2
SS	SPEC SHEET(S)

SCOPE OF WORK

GENERAL SYSTEM INFORMATION:
 SYSTEM SIZE:
 11,600W DC, 10,000W AC
 MODULES:
 (29) SOLARIA POWER XT-400R-PM
 INVERTER:
 (1) SOLAREDDGE TECHNOLOGIES SE10000H-US(240V)
 OPTIMIZER:
 (29) SOLAREDDGE P320 POWER OPTIMIZER

APPLICABLE CODES

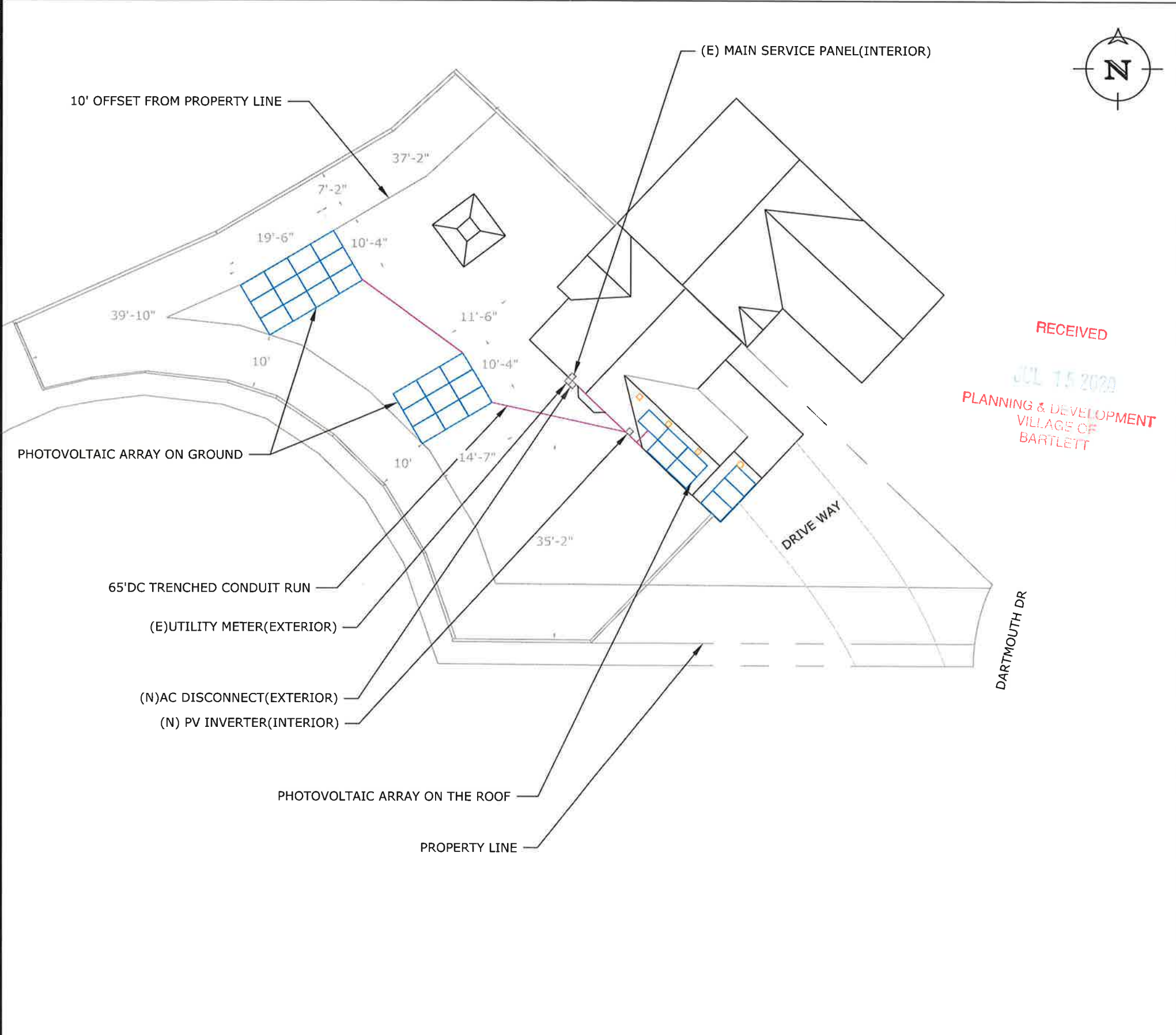
- ELECTRIC CODE: NEC 2011
- FIRE CODE: IFC 2012
- BUILDING CODE: IBC 2012
- RESIDENTIAL CODE: IRC 2012

GENERAL NOTES

1. MODULES ARE LISTED UNDER UL 1703 AND CONFORM TO THE STANDARDS.
2. INVERTERS ARE LISTED UNDER UL 1741 AND CONFORM TO THE STANDARDS.
3. DRAWINGS ARE DIAGRAMMATIC, INDICATING GENERAL ARRANGEMENT OF THE PV SYSTEM AND THE ACTUAL SITE CONDITION MIGHT VARY.
4. WORKING CLEARANCES AROUND THE NEW PV ELECTRICAL EQUIPMENT WILL BE MAINTAINED IN ACCORDANCE WITH NEC 110.26.
5. ALL GROUND WIRING CONNECTED TO THE MAIN SERVICE GROUNDING IN MAIN SERVICE PANEL/ SERVICE EQUIPMENT.
6. ALL CONDUCTORS SHALL BE 600V, 75°C STANDARD COPPER UNLESS OTHERWISE NOTED.
7. WHEN REQUIRED, A LADDER SHALL BE IN PLACE FOR INSPECTION IN COMPLIANCE WITH OSHA REGULATIONS.
8. THE SYSTEM WILL NOT BE INTERCONNECTED BY THE CONTRACTOR UNTIL APPROVAL FROM THE LOCAL JURISDICTION AND/OR THE UTILITY.
9. ROOF ACCESS POINT SHALL BE LOCATED IN AREAS THAT DO NOT REQUIRE THE PLACEMENT OF GROUND LADDERS OVER OPENINGS SUCH AS WINDOWS OR DOORS, AND LOCATED AT STRONG POINTS OF BUILDING CONSTRUCTION WHERE THE ACCESS POINT DOES NOT CONFLICT WITH OVERHEAD OBSTRUCTIONS SUCH AS TREES, WIRES OR SIGNS.
10. PV ARRAY COMBINER/JUNCTION BOX PROVIDES TRANSITION FROM ARRAY WIRING TO CONDUIT WIRING

CEZARY AND MAGDALENA LESNIEWSKI - 11.600kW DC, 10.000kW AC

SITE PLAN LAYOUT



SCALE: 1"=20'-0"



ECOSOLAR

**NABCEP
CERTIFIED**

PV Installation
Professional
CERT# PV-102415-012838

CUSTOMER INFORMATION

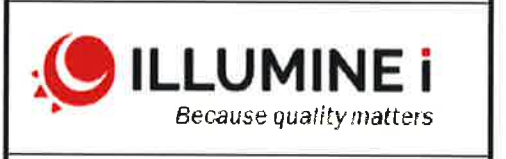
NAME: CEZARY AND MAGDALENA LESNIEWSKI

ADDRESS: 1070 DARTMOUTH DR, BARTLETT, IL 60103

41.967637, -88.190566
 APN: 011-02-11-072

AHJ: IL- VILLAGE OF BARTLETT

PRN NUMBER: ESS-010958

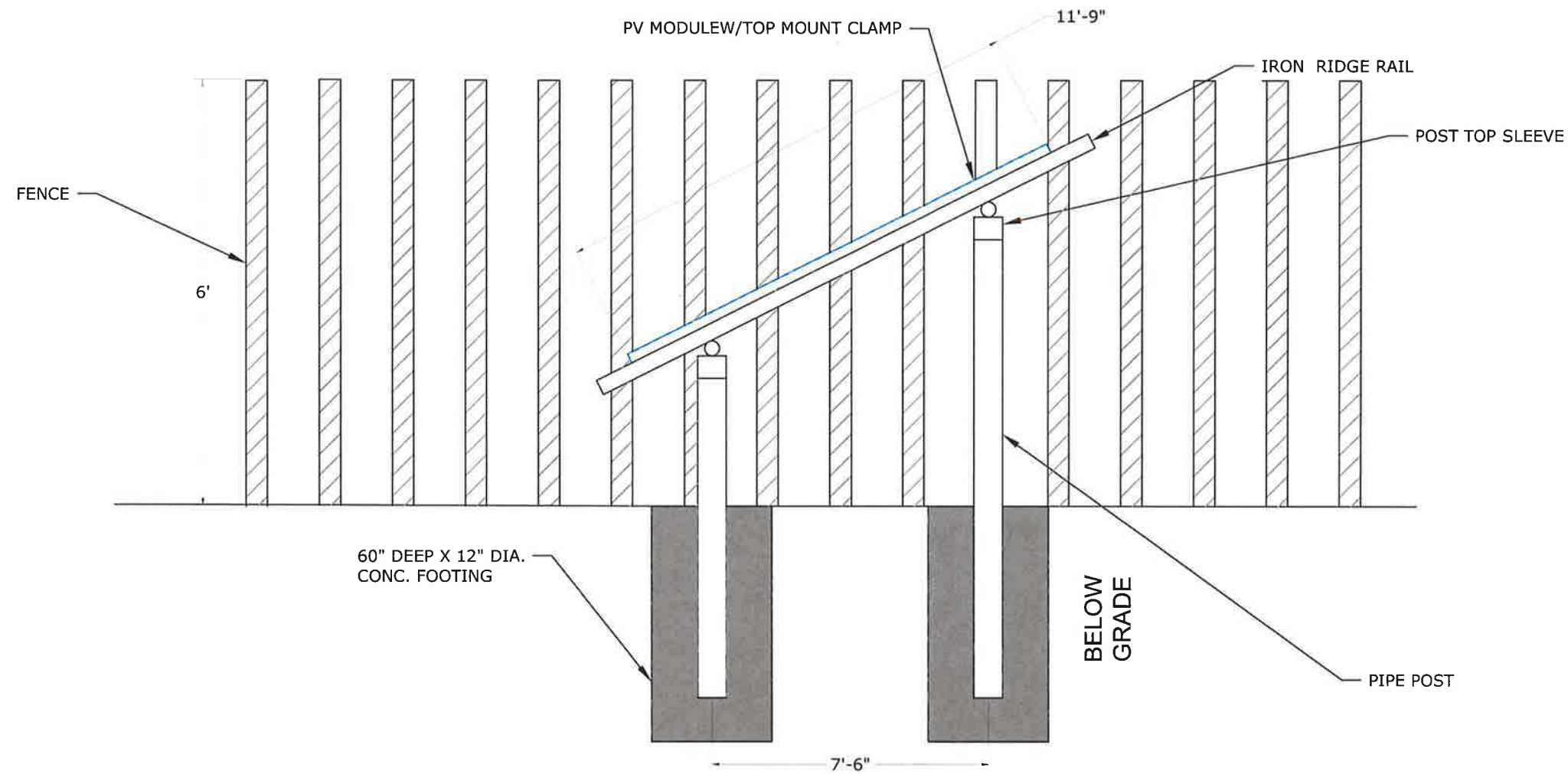


COVER PAGE

DESIGNER /CHECKED BY: SR/HK	PAPER SIZE: 17"X11"
SCALE: AS NOTED	REV: A
DATE: 7/15/2020	T-1

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 VILLAGE OF BARTLETT

SIDE VIEW OF GROUND MOUNTING:



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 PLANNING & DEVELOPMENT
 VILLAGE OF
 BARTLETT

MODULES DATA

SOLARIA POWER XT-400R-PM

MODULE DIMS 64.7"x47.4"x1.57"



PV Installation Professional

CERT# PV-102415-012838

CUSTOMER INFORMATION

NAME: CEZARY AND MAGDALENA LESNIEWSKI

ADDRESS: 1070 DARTMOUTH DR, BARTLETT, IL 60103

41.967637, -88.190566
 APN: 011-02-11-072

AHJ: IL - VILLAGE OF BARTLETT

PRN NUMBER: ESS-010958



ELEVATION VIEW-2

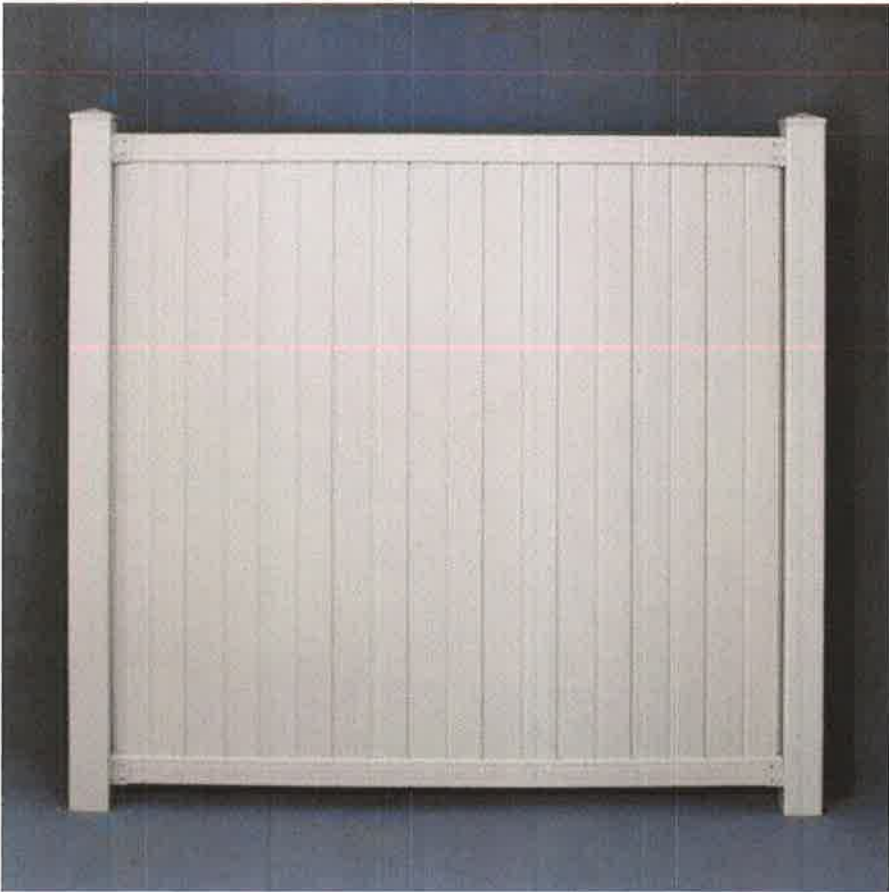
DESIGNER /CHECKED BY: SR/HK PAPER SIZE: 17"X11"

SCALE: AS NOTED REV: A

DATE: 7/15/2020 M-2

Exhibit B





6 x 8 Richmond Privacy Fence Panel

Model Number: CMCFWL1118 | Menards® SKU: 1728651



EVERYDAY LOW PRICE

\$79.96

11% MAIL-IN REBATE Good Through 6/13/20

\$8.80

FINAL PRICE

\$71.16
each

You Save \$8.80 After Mail-In Rebate

416 People have purchased this product in the past 30 days

* Mail-in Rebate is in the form of merchandise credit check, valid in-store only. Merchandise credit check is not valid towards purchases made on MENARDS.COM®.



FREE Ship To Store

Get it as soon as 07/20/2020 at **MOUNT PROSPECT**
[Check Another Store for Availability](#)



Shipping & Delivery

Available

Description & Documents

This low-maintenance vinyl fence panel features a unique design that securely locks pickets into place providing strength and complete privacy. Its fastener-free connection between pickets and rails provides a clean and stylish neighbor-friendly appearance that is the same on both sides. The routed post design allows fence rails to securely lock into place without brackets or hardware. To complete your fence project you will also need the 5 x 5 - 8' Routed Post (#1728652).

Shipping Dimensions: 92.10 H x 14.50 W x 8.00 D

Shipping Weight: 50.0 lbs

Brand Name: **Yardworks**

Features

- Designed for use with the 5" x 5" - 96" Richmond Routed Post (#1728652).
- Coordinating Gate Kit: Richmond Gate Kit (SKU #1728653) will transform a panel into a custom walk-through gate. Panel and Gate kit sold separately.
- Features a neighbor-friendly design that is the same on both sides.
- Made of durable, low-maintenance vinyl
- Post and post caps are sold separately.
- Limited Lifetime Warranty

Specifications

Product Type	Vinyl Privacy Fence Panel	Material	Vinyl
Thickness	1-1/2 inch	Special Features	UV Resistant
Overall Height	69-1/2 inch	Weight	48 pound
Overall Width	89-3/8 inch	Color/Finish	White
Top Style	Flat	Installed Height	72 inch
View Return Policy			

PLANNING AND DEVELOPMENT SERVICES MEMORANDUM
20-092

DATE: July 20, 2020
TO: The Chairman and Members of the Zoning Board of Appeals
FROM: Kristy Stone, Village Planner *K.S.*
RE: **(#20-11) 900 Poplar Lane**

PETITIONER

David & Christy Barry

SUBJECT SITE

900 Poplar Lane, Lot 241 in Kenroy's Apple Orchard Resubdivision No. 4 Unit 1

REQUESTS

Variations –

- (a) An 8 ft. reduction from the 45-ft. required rear side yard
- (b) To allow a shed in the side yard

SURROUNDING LAND USES

	<u>Land Use</u>	<u>Comprehensive Plan</u>	<u>Zoning</u>
Subject Site	Single Family	Suburban Residential	SR-4
North	Single Family	Suburban Residential	SR-4
South	Single Family	Suburban Residential	SR-4
East	Single Family	Suburban Residential	SR-4
West	Single Family	Suburban Residential	SR-4

DISCUSSION

1. The subject property is zoned SR-4 (Suburban Residence).
2. The residence was constructed in 1977. The property was originally zoned R-1 with 35-foot front and rear yards and 10-foot side yards. The property was rezoned to the SR-4 Zoning District as part of the comprehensive rezoning of the Village in 1978.

3. The Petitioners are requesting a 33-ft. variation from the 45-ft. required rear yard to bring the existing house into conformance. This represents a 73% reduction of the required rear yard setback.
4. The Petitioners are also requesting a variation to allow an 8'x12' shed in the side yard. The Zoning Ordinance requires that sheds be located in the rear yard. The shed cannot be located in the rear yard due to the 20'-ft wide public utility, storm sewer and sanitary sewer easement. The shed would be located 5 feet from the side property line and 8 feet from the rear property line.
5. The proposed impervious surface ratio of this lot is 34% which meets the 40% maximum impervious surface for a lot of this size.
6. If the variations are approved, the house would be brought into conformance and the Petitioners could apply for a building permit for the proposed shed.

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 variation 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 variation is 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 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.
- F. 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.

- G. 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.

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.

/attachments

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David & Christy Barry
900 Poplar Lane, Bartlett, IL 60103
(312) 451-7590

The Honorable Kevin Wallace
Village President &
Bartlett Village Board Members

July 14, 2020

Re: 900 Poplar Lane, Bartlett, IL 60103
Zoning Variations

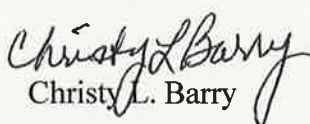
Dear President Wallace & Village Board Members:

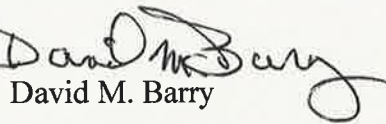
We are writing to respectfully request the following zoning variances to allow us: (1) to construct a 12'x8' wooden shed in our side yard; (2) to establish our rear yard set back at twenty (20) feet, and, (3) if necessary, to exceed maximum lot coverage for a building permit. We are requesting these variances because our property is an odd shaped lot with a large side yard and a shallow back yard that is totally within a public utility easement. As a result, we can not build a shed in our back yard and need to petition the Village for a variance.

When we recently consulted with the Village Planner, we learned that our property is not in compliance with current ordinance regarding set backs from the rear lot line. It is our understanding that the plat of survey containing our property (Lot 241) was filed with DuPage County in 1976 and our house was constructed in 1977 with the permission of the Village so now we are requesting a rear set back variance to bring our house back into compliance.

Since we purchased the property in 2007, we have expended considerable sums of money to update our property by (1) removing a wooden deck over the easement (constructed by prior owner) and replacing it with removable brick pavers; (2) replacing the roof and siding; (3) remodeling the kitchen and upstairs bathroom; and (4) replacing the concrete driveway, garage floor, and front walkway. We are planning to make additional improvement to our home such as remodeling the downstairs bathroom and laundry room in the near future. A shed would allow us to continue upgrading our property and allow us to fully enjoy the use of our property.

Respectfully submitted,


Christy L. Barry


David M. Barry



VILLAGE OF BARTLETT VARIATION APPLICATION

For Office Use Only
Case # 2020-11
RECEIVED
PLANNING & DEVELOPMENT
JUL 15 2020
VILLAGE OF
BARTLETT

PETITIONER INFORMATION (PRIMARY CONTACT)

Name: David Barry and Christy Barry

Street Address: 900 Poplar Lane

City, State: Bartlett, IL

Zip Code: 60103

Email Address: [REDACTED]

Phone Number: [REDACTED]

Preferred Method to be contacted Email

PROPERTY OWNER INFORMATION

Name: Christy L. Barry

Street Address: 900 Poplar Lane

City, State: Bartlett, IL

Zip Code: 60103

Phone Number: [REDACTED]

OWNER'S SIGNATURE: _____ Date: _____
(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.) Construct a Heartland Stratford 12'x8' wood shed in side yard. Request back yard/rear yard variance to change rear set back to 20'. If necessary, request variance to exceed maximum lot coverage for building permit.

PROPERTY INFORMATION

Common Address/General Location of Property: 900 Poplar Lane, Bartlett, IL 60103

Property Index Number ("Tax PIN"/"Parcel ID"): 01-10-106-034-0000

Acreage: 0.16

Zoning: SR-4 (Refer to Official Zoning Map)

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

Attorney _____

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.

The building lot is an odd shaped property with a shallow back yard of 10 feet that is completely encompassed by the public utility easement that runs in northerly and southerly direction across the back yard. This ordinance imposes an undue hardship upon the property owners in that they could not build a shed to store small tools and similar equipment as their neighbors are allowed to do.

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.

Upon information and belief, the odd shaped lot while not unique in the Village of Bartlett, it is uncommon as most properties are rectangular shaped. As a result, the vast majority of property owners have the capability to construct an accessory shed without seeking a variance.

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

The property owner has expended considerable funds to increase their use and enjoyment of the property over the last 13 years; (1) a wooden deck over the easement (constructed by prior owner) was removed and replaced with removable brick pavers; (2) the roof and siding was replaced; (3) the kitchen and upstairs bathroom were remodeled; (4) the concrete driveway, garage floor, and front walkway were replaced. A shed would increase the property's use and enjoyment by allowing owners to store small tools and similar equipment outside of their garage.

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 undue hardship is caused by the placement of the public utility easement on the property. Bartlett Village Ordinance 10-3-3 2.c. states: "No part of an accessory building or structure, excluding fences and driveways (upon approval of the village engineer), is permitted on or over any public utility or public drainage easement." Upon information and belief, Apple Orchard Sub Division Developer constructed the house on the property in the mid 1970s even though its lot dimensions did not conform to the dimensions of nearby properties. Please see attached survey for the property's exact dimensions and shape.

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.

If the variance is granted, then the property owners plan to paint the shed so it would correspond with nearby structures and use landscaping such as flowers, plants, bushes, and/or a small tree to improve the shed's appearance in the neighborhood.

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 property owners do not believe that a variance, if granted, would impair the light and air to any surrounding properties because the owners of the property closest to the proposed shed site constructed a 6 foot privacy fence between the properties, and the other properties are located far enough away. Nor do the property owners believe that street congestion would increase due to shed or would a shed decrease public safety, or substantially impair property values. The shed location would abut the rear yards of two affected adjacent properties.

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.

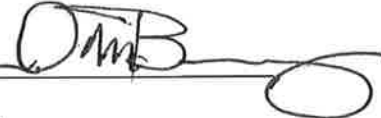
The property owners are not requesting any special privilege that is not already available to similarly situated residents if a variance is requested and granted. In fact, the Village granted a variance to a property in 2009 located at 770 Cedar Lane, Bartlett, Illinois which is two doors away from the subject property on the same cul de sac. The 770 Cedar Lane property is also a odd shaped lot with a shallow backyard with no room for rear yard shed and a larger side yard. The property owner did construct a shed in the side yard after the variance was granted.

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: Christy L. Barry & David M. Barry 

PRINT NAME: Christy L. Barry David M. Barry

DATE: July 14, 2020

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: _____

ADDRESS: _____

PHONE NUMBER: _____

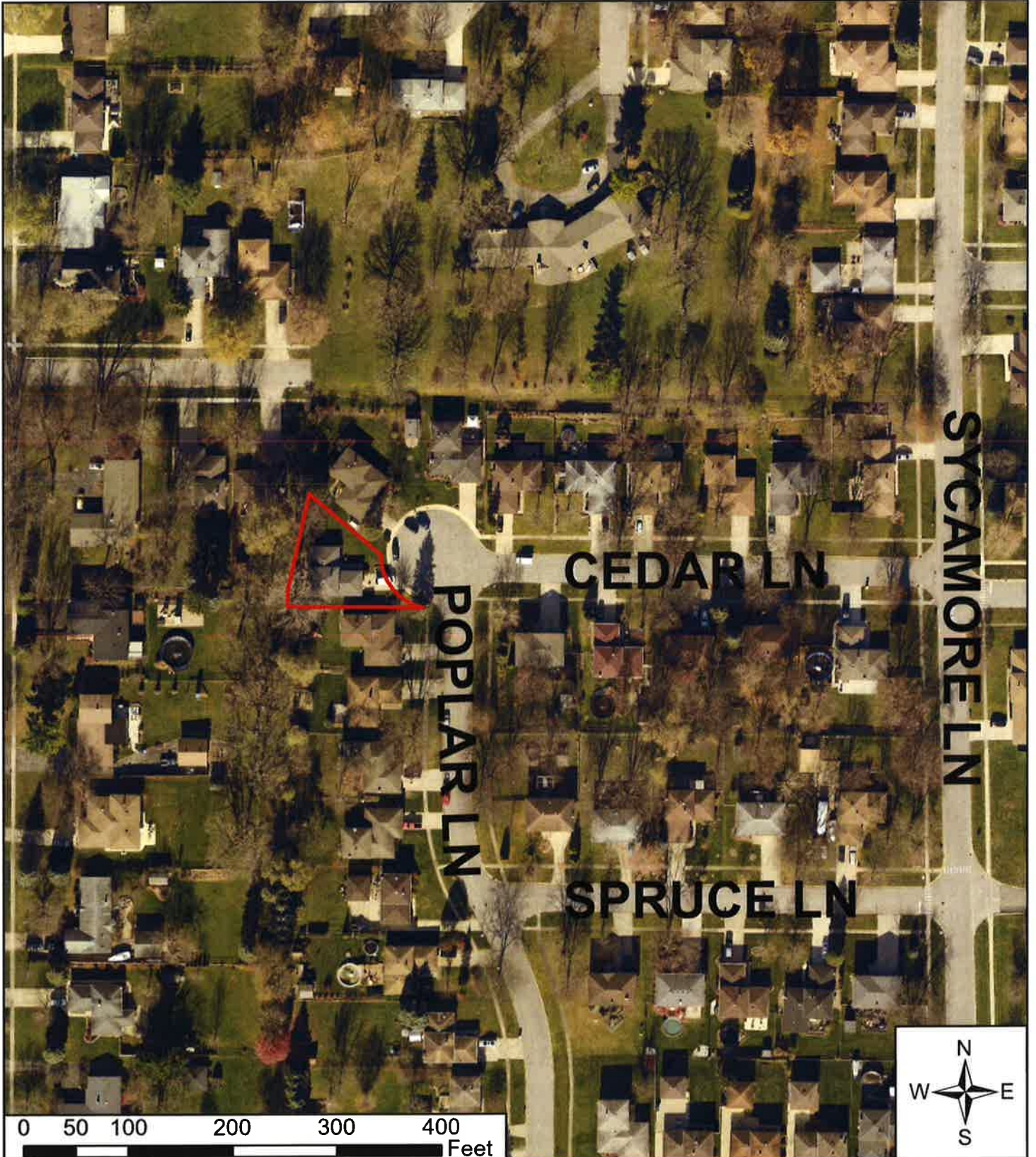
EMAIL: _____

SIGNATURE: _____

DATE: _____

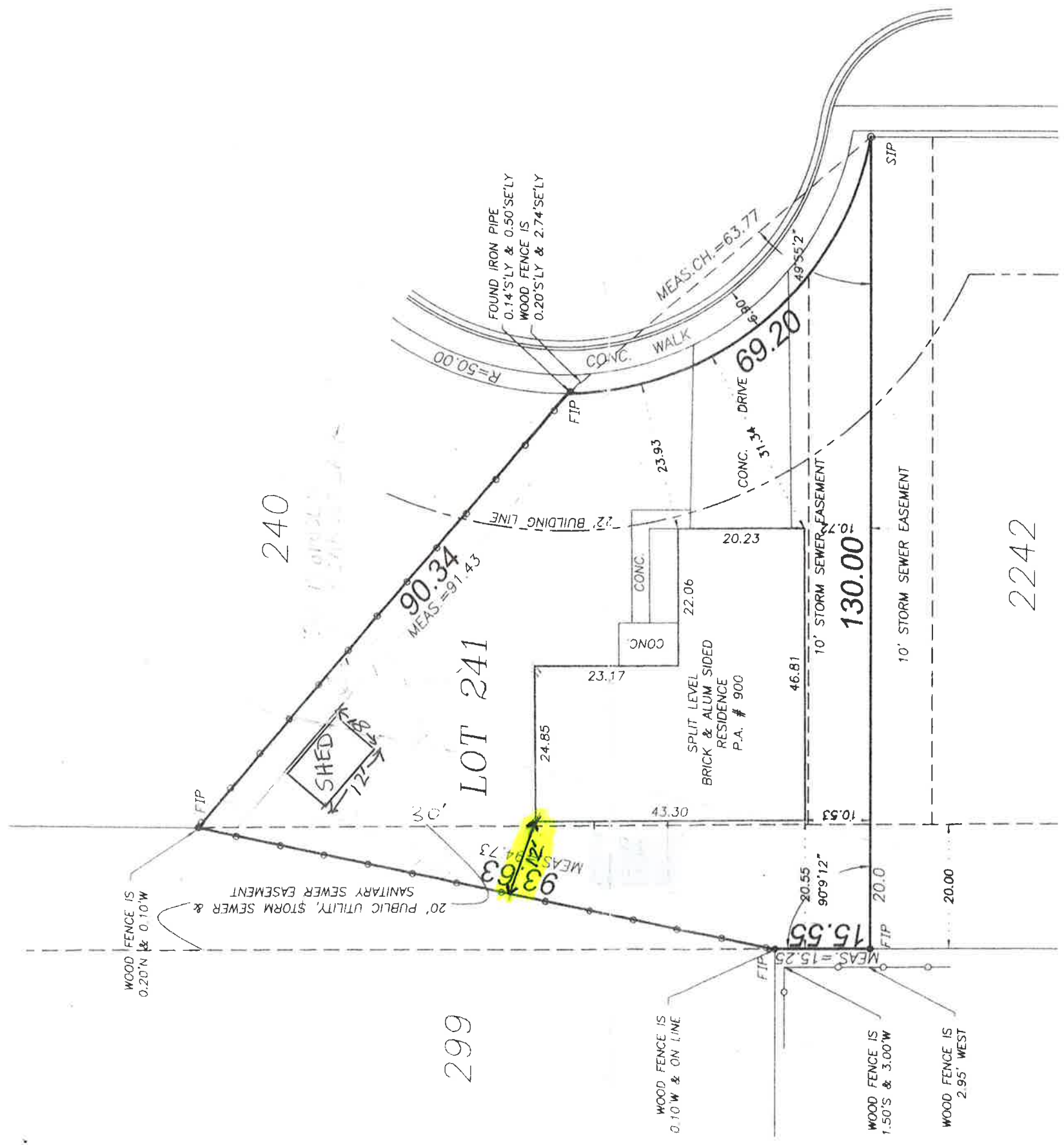
LOCATION MAP

900 Poplar Ln.
Variations - Rear Yard and Shed in the Side Yard
PIN: 01-10-106-034

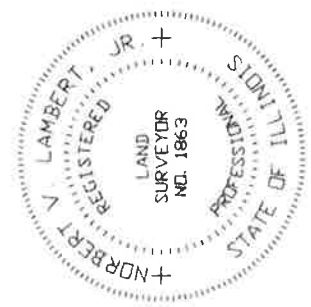


PLAT OF SURVEY

LOT 241 IN KENROY'S APPLE ORCHARD RESUBMISSION NO. 4, UNIT 1, BEING A SUBDIVISION OF PART OF THE SOUTH 1/2 OF SECTION 3 AND PART OF THE NORTH 1/2 OF SECTION 10, ALL IN TOWNSHIP 40 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 6, 1976 AS DOCUMENT R76-53590, AND CERTIFICATE OF CORRECTION RECORDED AUGUST 17, 1976 AS DOCUMENT R76-56397, IN DUPAGE COUNTY, ILLINOIS.



POPLAR LANE



STATE OF ILLINOIS } S.S.
COUNTY OF DU PAGE }

THIS IS TO CERTIFY THAT I, AN ILLINOIS LAND SURVEYOR, HAVE SURVEYED THE PROPERTY DESCRIBED ABOVE AND THAT THE ANNEXED PLAT IS A CORRECT REPRESENTATION OF SAID SURVEY. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. GIVEN UNDER MY HAND AND SEAL AT WHEATON, ILLINOIS,

THIS 2ND DAY OF JULY, A.D., 2007.
Robert V. Lambert, Jr.

ILLINOIS LAND SURVEYOR NO. 1863
REFER TO DEED OR GUARANTEE POLICY FOR RESTRICTIONS NOT SHOWN ON SURVEY.

\$1,098.00

★★★★☆ 252

[View Q&A](#)

Heartland (Common: 12-ft x 8-ft; Interior Dimensions: 11.71-ft x 8-ft) Stratford Sallbox Engineered Storage Shed

Item #437509 Model #182938

- Pre-cut kit - nothing to saw
- 64 in. extra-wide doors for easy access with lawn tractors
- Bonus features include window with shutters, shelving, workbench and peg board



− +
Qty

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Store Pickup


Unavailable for Pickup at Carol Stream Lowe's
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Ready for Delivery: Estimated on Jul 28





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PLANNING AND DEVELOPMENT SERVICES MEMORANDUM

20-093

DATE: July 22, 2020
TO: The Chairman and Members of the Zoning Board of Appeals
FROM: Kristy Stone, Village Planner 
RE: **(#20-03) True North**

PETITIONER

Lindsay Lyden, True North Energy LLC

SUBJECT SITE

Southeast corner of W. Bartlett Road and Route 25 (Lot 4 of the proposed Southwind Business Park Subdivision)

REQUESTS

Variation –

- (a) to reduce the number of trees required in the interior parkway (Route 25 and W. Bartlett Rd)

Text Amendments –

- (a) to define "Truck Stop Establishment"
- (b) add "Truck Stop Establishment" to the list of Special Uses in the B-4 Zoning District

SURROUNDING LAND USES

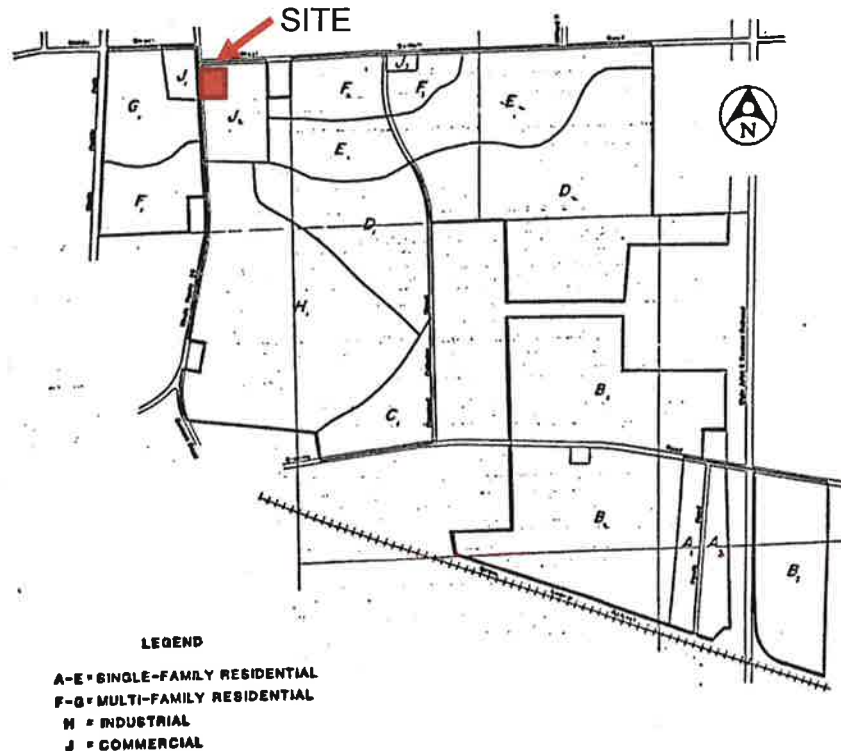
	<u>Land Use</u>	<u>Comprehensive Plan</u>	<u>Zoning</u>
Subject Site	Vacant/Office	Commercial/Mixed Use Business Park	PD
North	Vacant	Commercial	PD
South	Vacant	Commercial/Mixed Use Business Park	PD
East	Vacant	Commercial/Mixed Use Business Park	PD
West	Vacant	Medium Density Residential	R3*

*Multiple Dwelling Unit – South Elgin

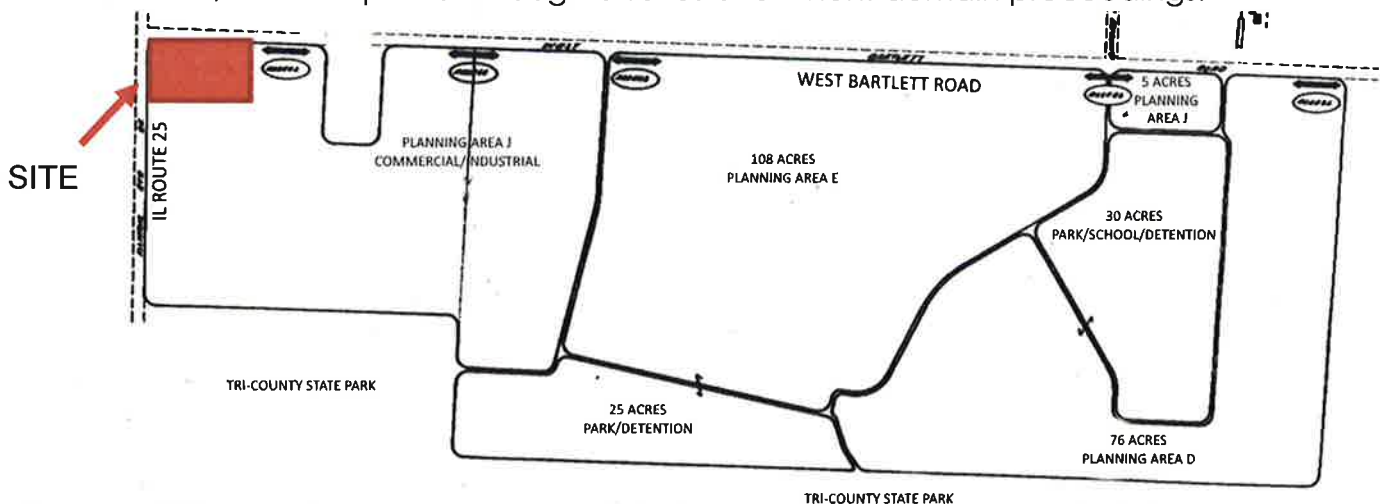
ZONING HISTORY

The subject property was annexed to the Village and was zoned to the PD (Planned Development District) in 1988 by Ordinance #1988-58. A Conceptual Land Use Plan

was also approved in 1988 by Ordinance #1988-59 (An Ordinance Rezoning Property and Granting a Special Use for its Development as a Planned Unit Development According to Conceptual Land Use Plan). This site is located in Planning Area J on the Conceptual Plan which allowed the uses that are permitted in the B-4 Community Shopping Zoning District.

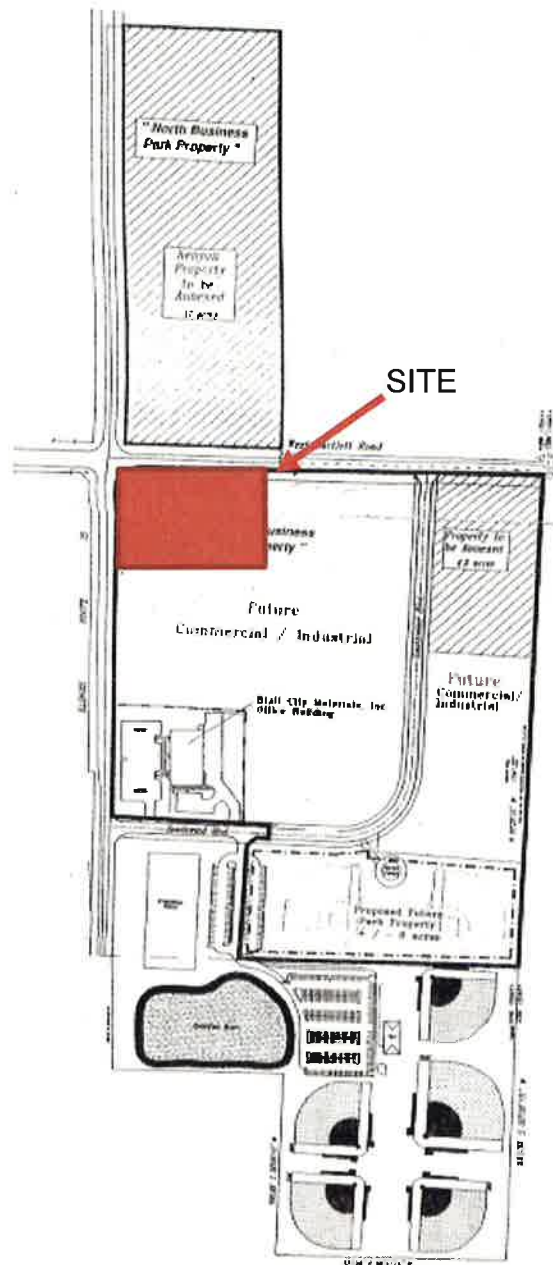


In 1993, the First Amendment to the Annexation Agreement was approved by Ordinance #1993-16 as a result of the State of Illinois condemning 866 acres of the total 1,200-acre parcel through a series of eminent domain proceedings.



In 2001, the Second Amendment to the Annexation Agreement was approved by Ordinance #2001-65. This amendment expanded the uses for Planning Area J, which

includes this site, to follow the permitted use lists of the B-1, B-2, B-3, B-4, I-1 and I-2 Zoning Districts.



In 2009, the Third Amendment to the Annexation Agreement was approved by Ordinance #2009-27 and allowed for the development of the Bartlett Pointe West Single Family Subdivision rather than multi-family uses and no longer allowed I-2 uses as being permitted within the Southwind Business Park property.

In 2013, the Fourth Amendment to the Annexation Agreement was approved by Ordinance #2013-27 and allowed for the construction of Road A (Benchmark Lane).



In 2015, the Fifth Amendment to the Annexation Agreement was approved by Ordinance #2015-80 and approved the Bartlett Pointe West Subdivision Preliminary/Final PUD.



DISCUSSION

1. The Petitioner is requesting Site Plan Review for a proposed True North truck stop establishment on 3.28 acres at the southeast corner of W. Bartlett Rd. and Route 25 in the PD Planned Development Zoning District. The site is the proposed Lot 4 in the Southwind Business Park Subdivision. *The Plan Commission will conduct the public hearing and review the petitioner's requests for Site Plan Review and four (4) Special Use Permits at their August 13, 2020 meeting.*

2. The Petitioner is requesting a **Text Amendment** to define "Truck Stop Establishment" and add "Truck Stop Establishment" to the Special Use list in the B-4 Community Shopping Zoning District. The Illinois Gaming Board permits truck stop establishments to obtain video gaming licenses.

Proposed Definition:

Truck Stop Establishment: a facility (i) that is at least a 3-acre facility with a convenience store, (ii) with separate diesel islands for fueling commercial motor vehicles, (iii) that sells at retail more than 10,000 gallons of diesel or biodiesel fuel per month, and (iv) with parking spaces for commercial motor vehicles as defined in Section 18b-101 of the Illinois Vehicle Code. The requirement of item (iii) of this paragraph may be met by showing that estimated future sales or past sales average at least 10,000 gallons per month.

3. The Petitioner is also requesting Special Use Permits to allow an automotive service station, truck stop establishment, outdoor sales and to sell package liquor.

4. This truck stop would include a 5,000 square foot convenience store with eight pump islands (16 total stations) for passenger vehicles and 4 pump stations for diesel trucks. Passenger vehicles would utilize the pumps under the canopy located north of the convenience store and trucks would utilize the pumps under the canopy located east of the convenience store.

5. The truck stop is proposing to operate 24 hours, seven (7) days a week.

6. The convenience store is oriented towards W. Bartlett Rd. It would have a maximum height of 24 feet and be constructed with masonry and EIFS. Metal canopies are proposed over the windows and the front entrance of the building.

7. Staff requested that the posts for the fuel canopies be wrapped with the same materials as the building's façade as was requested by the Plan Commission during their recent review of the 7-Eleven on Lake St. The Petitioner has agreed to use the building materials to wrap the fuel canopy posts.

8. The Site Plan identifies a full access curb cut along the east property line onto the cross-access drive between proposed Lots 4 & 5. Two access points are proposed onto Benchmark Lane to the south. The eastern curb cut would provide full access, enabling trucks to enter the diesel fuel pumps along with providing access for passenger vehicles. The western curb cut would be an exit only with painted markings indicating it as a right-out/left-out. **The Village Staff and the Village's Traffic Consultant have concerns with this curb cut as shown and have requested one of the following modifications: (a) eliminate this curb cut, (b) modify it to a right-in/right-out only with a barrier median or (c) redesign the curb cut to a right-out only. Staff believes as currently shown, this access point could potentially be blocked while vehicles attempt to turn left into the site, resulting in an increase potential for back-ups onto Rt. 25.**
9. The Village's Traffic Consultant has stated the following: "GHA maintains its concern related to the western egress only access on Benchmark Lane. Due to its potential operational impacts to IL Route 25 and safety concerns, consideration should be given to closure of this access. Although no (widening) improvements to IL Route 25 are currently included in IDOT's current Multi-Modal Transportation Plan (FY 2020-2025), should IL Route 25 be expanded to its recommended SRA cross-section (two through lanes in each direction), this concern would be further exacerbated. At a minimum this access should be restricted to right-in/right-out only or right-out only via a channelized island, barrier median or through driveway design. Due to potential safety concerns, restrictions via pavement marking and signage only, as currently proposed, is not a viable option."
10. A revised Traffic Impact Analysis (TIA) has been submitted by the Petitioner. The Village's Traffic Consultant's only remaining comment with the TIA is the western curb cut on Benchmark Lane.
11. Recent discussions with IDOT verify that the proposed plan has not been submitted by the Petitioner for their review. Staff provided a plan for their cursory review and preliminary indications suggested concerns with the western Benchmark Lane curb cut as shown.
12. The Zoning Ordinance requires a total of 31 parking spaces, 15 parking spaces for the convenience store and two (2) parking spaces for each pump island. The Petitioner is providing a total of 58 passenger vehicle parking spaces which exceeds the Zoning Ordinance requirement. Forty-two (42) passenger vehicle spaces including two (2) accessible spaces are designated for the convenience store, and two (2) parking spaces are at each island for the fuel center. Two (2) truck parking spaces are designated to the east of the diesel pumps.

13. This site is located within the West Bartlett Road Corridor Plan and is identified as the "Picturesque Western Gateway". As a part of this plan, a bike path and 18" berm are proposed along the north property line.
14. The Petitioner is requesting a **Variation** to reduce the number of trees required in the interior parkway (Route 25 and W. Bartlett Rd). The Landscape Ordinance requires 1 tree every 40 feet, half of which must be large deciduous or evergreen trees. The Landscape Plan indicates a total of 5 small deciduous trees along W. Bartlett Rd where 9 are required and 3 large trees along Route 25 where 7 are required.
15. This parcel is served by the existing stormwater drainage and detention system.
16. The Landscape and Photometric Plans are currently under review by the Staff.

RECOMMENDATION

1. Staff recommends approval of the proposed text amendments to define "Truck Stop Establishment" and add "Truck Stop Establishment" to the Special Use list in the B-4 Community Shopping Zoning District.
2. *According to the provisions of the Zoning Ordinance, the Zoning Board of Appeals should render a decision on a variation request 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 variation 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 variation is 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 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.

- F. 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.

- G. 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.

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.

/attachments

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BARTLETT DEVELOPMENT

WHAT/WHO IS TRUE NORTH?

truenorth was founded in 1999, when the family owned Lyden company formed an equity joint venture with Shell Oil Company. The Lyden Company, now known as True North Holdings, has been in the business for 101 years, with both the 3rd and 4th generations' leading growth and development.

Through its company operations, *truenorth* provides fuel and convenience retailing to customers at ~135 locations, while providing fuel to another ~200 independent dealers. Through all the knowledgeable, hardworking and dedicated employees, they offer each customer Fast, Friendly, and Clean stores.

PROJECT SUMMARY OVERVIEW

truenorth has specifically selected Bartlett to be the home of their next Chicagoland Gasoline and Convenience location due to the community attractiveness and strong strategic fit with its brands. The *truenorth* and Shell brands are positioned as premium brands, which both aspire to achieve quality through all they deliver....the materials used to construct the facilities, overall appearance inside and out, fuel and convenience products provided and great staff delivering Fast, Friendly and Clean service to each customer.

We are requesting a Site Plan Review and variations from the landscape requirements for the Southeast corner of Illinois Route 25 and West Bartlett Road which is currently a vacant property. *truenorth* will purchase and intends to hold the property in fee. *truenorth* will construct a 5,000 square foot convenience store building primarily composed of natural materials, with a flat roof and metal awnings. The fueling forecourt will include 8 gasoline dispensing units with ability to fuel 16 vehicles simultaneously and 4 high flow diesel dispensing units, both covered with a canopy displaying Shell's clean globally recognized image. Clean LED lighting is utilized on both the interior and exterior of the facility. All surfaces will be composed of concrete, with no asphalt used on the site.

HOURS OF OPERATION, BEER/WINE LICENSE AND SPECIAL USES

For safety, cleanliness, competitive and economic reasons, the site operating hours would be twenty-four (24) hours a day and seven (7) days a week.

The project would require a Text Amendment be approved to add the terms "Truck Stop Establishment" to Title 10 (Section 10-2-2) of the Bartlett Illinois Village Code to be defined as:

Any building or premises used for dispensing, sale or offering for sale at retail to the public, diesel fuel or biodiesel fuel and/or other motor fuel stored only in underground tanks for the operation of motor vehicles. Diesel fuel shall be sold from separate diesel island(s) to commercial motor vehicles. The facility must be at least three (3) acres and contain parking areas for commercial vehicles. Sale of diesel fuel or biodiesel fuel must be or be projected to be at 10,000 gallons per month.

The project would also require Special Uses: Truck Stop Establishment (see above) and Packaged Alcohol Sales. In order to compete with other Bartlett and surrounding community convenience store offerings, the project would necessitate the ability to sell beer and wine. True North holds over 100 beer and wine licenses currently and understands the extreme responsibility which comes with this privilege. As it relates to any age restricted item, our approach starts with training, but we also employ strict zero tolerance policies and even employ self-initiated third party programs to insure all of our staff are complying with our policies.



VILLAGE OF BARTLETT DEVELOPMENT APPLICATION

For Office Use Only

Case # _____

PROJECT NAME TrueNorth - Bartlett

PETITIONER INFORMATION (PRIMARY CONTACT)

Name: True North Energy, LLC - Lindsay Lyden

Street Address: 10346 Brecksville Rd

City, State: Brecksville, OH

Zip Code: 44141

Email Address: [REDACTED]

Phone Number: [REDACTED]

Preferred Method to be contacted: Email

PROPERTY OWNER INFORMATION

Name: Bluff City, LLC c/o Sean W. Kelly

Street Address: 2250 Southwind Blvd

City, State: Bartlett, IL

Zip Code: 60103

Phone Number: [REDACTED]

OWNER'S SIGNATURE: *[Signature]* **Date:** 2/4/2020
(OWNER'S SIGNATURE IS REQUIRED or A LETTER AUTHORIZING THE PETITION SUBMITTAL.)

ACTION REQUESTED (Please check all that apply)

- Annexation
 - PUD (preliminary)
 - PUD (final)
 - Subdivision (preliminary)
 - Subdivision (final)
 - Site Plan (please describe use: commercial, industrial, square footage): _____
 - Unified Business Center Sign Plan
 - Other (please describe) C-Store with Fuel, Alcohol sales, gaming, etc. as needed to support submitted plans
- Text Amendment
 - Rezoning See Dropdown to See Dropdown
 - Special Use for: _____
 - Variation: _____

SIGN PLAN REQUIRED? See Dropdown

(Note: A Unified Business Center Sign Plan is required for four or more individual offices or businesses sharing a common building entrance or private parking lot.)

PROPERTY INFORMATION

Common Address/General Location of Property: SE Corner of IL-25 and Bartlett Rd

Property Index Number ("Tax PIN"/"Parcel ID"): Part of 06-36-400-043-0000

Zoning: Existing: See Dropdown **Land Use:** Existing: See Dropdown
(Refer to Official Zoning Map)

Proposed: See Dropdown Proposed: See Dropdown

Comprehensive Plan Designation for this Property: See Dropdown
(Refer to Future Land Use Map)

Acreage: 3.28


For PUD's and Subdivisions:


No. of Lots/Units: _____

Minimum Lot: Area _____ Width _____ Depth _____

Average Lot: Area _____ Width _____ Depth _____

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

Attorney Lyden, Chappell & Dewhirst, Patricia Lyden
5565 Airport Highway Suite 101
Toledo, OH 43615 

Engineer RTM Engineering Consultants, Tim Shoemaker
650 E. Algonquin Rd #250
Schaumburg, IL 60173 

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.

The convenience store use is not compatible with landscaping across the front of the building. Landscaping in this area encourages loitering and littering that is detrimental to the immediate property and adjacent downwind and downstream properties.

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.

Yes

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

This variation is likely to have a slightly negative impact on the revenue generation of the property.

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.

Yes

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 variation will have the opposite affect.

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.

This variation will have the opposite affect.

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.

Correct

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: *Lindsay Lyden*

PRINT NAME: Lindsay Lyden

DATE: 02/03/2020

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: True North Energy, LLC

ADDRESS: 10346 Brecksville Road
Brecksville, OH 44141

PHONE NUMBER: [REDACTED]

EMAIL: [REDACTED]

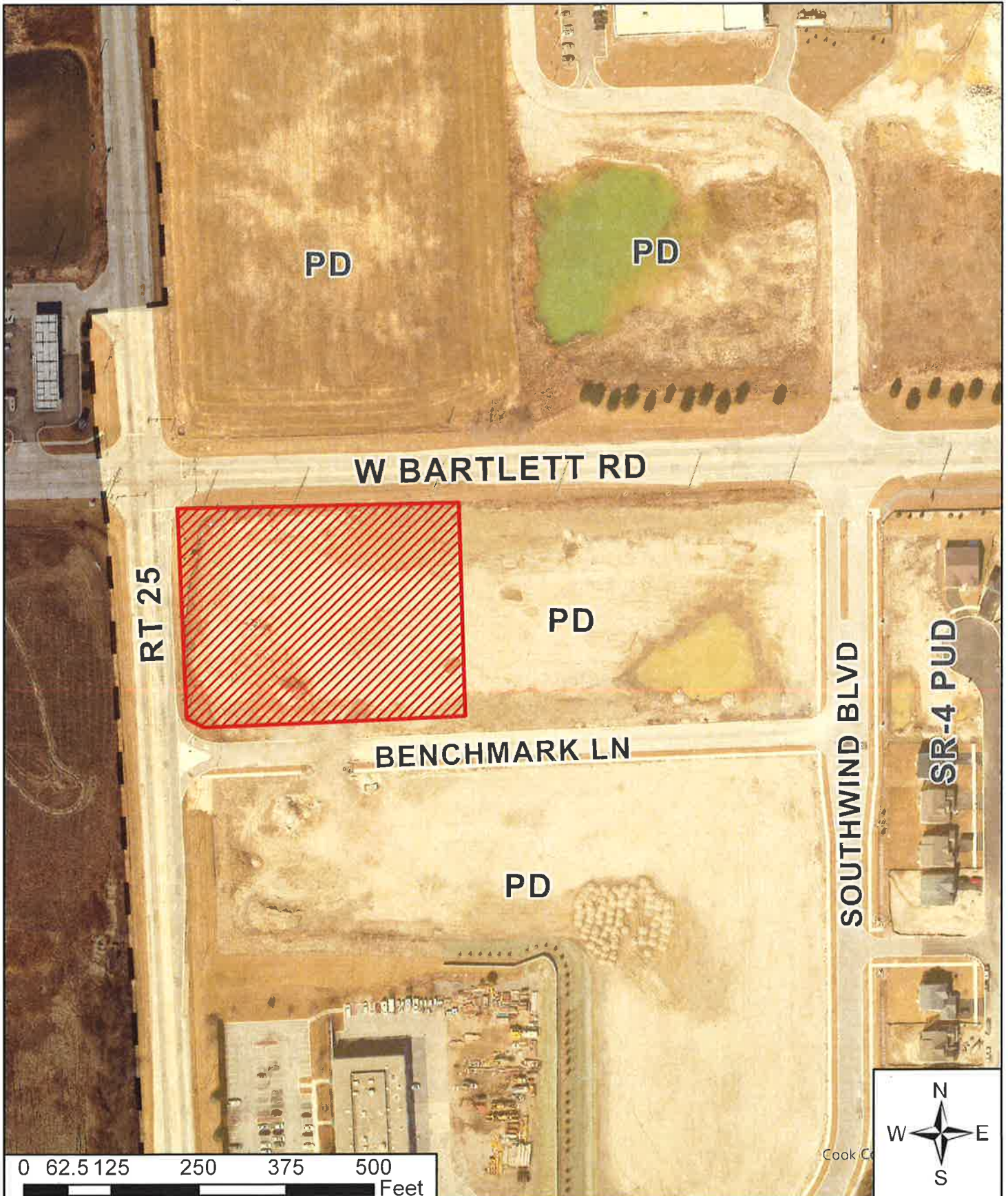
SIGNATURE: *Lindsay Lyden*

DATE: 02/03/2020

#2020-03

True North

Site Plan, Special Uses, Variation, Text Amendment



ZONING B2
SOUTH ELGIN

ZONING R3 SOUTH ELGIN

ZONING PD BARTLETT

588.49'56"W(D) 1370.87'(D)

(KANE COUNTY HIGHWAY 61)
DEDICATED PER DOCUMENT NUMBERS
95K011263, 95K056405 & 2008K010201

W BARTLETT ROAD

FOR TURN LANE, BARRIER MEDIAN AND BIKE PATH IMPROVEMENTS. SEE PLANS BY OTHERS

LUMEC HARMONIA PENDANT
DECORATIVE LIGHT
ALONG BARTLETT RD, TYP.
OR VILLAGE APPROVED
EQUAL

SIGN

15' UTILITY EASEMENT

15' PATH EASEMENT

10' BERM BUFFER EASEMENT

AREA SUMMARY

TOTAL AREA = 142,722 SF
PERVIOUS AREA = 41,641 SF
IMPERVIOUS AREA = 101,081 SF

PARKING SUMMARY

	REQ'D.	PROP.
REGULAR STALLS (9'X18')	16	40
HANDICAP STALLS (16'X18')	1	2
TOTAL	17	42

SITE DATA TABLE

NUMBER OF PUMPS	12
NUMBER OF VACUUMS	1
MEAN HEIGHT OF THE BUILDING	
NUMBER OF EMPLOYEES	3
CUSTOMER FLOOR AREA	3,000 SF

PARKING CALCULATION

RETAIL: 200 SQUARE FEET OF CUSTOMER FLOOR AREA
AUTOMOBILE SERVICE STATION:
2 PARKING SPACES FOR EACH ISLAND OF PUMPS
AND
1 PARKING SPACE FOR EACH 2 EMPLOYEES

R=397.00' (D=M)
A=300.00' (D=M)
CH=300.00' (M)
CB=N02°55'41" W(M)

DEDICATED PER DOCUMENT NUMBER 95K011263
IL RTE 25

DEDICATED PER DOCUMENT NUMBER 95K011263
IL RTE 25

DEDICATED PER DOCUMENT NUMBER 95K011263
IL RTE 25

15' UTILITY EASEMENT

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15' UTILITY EASEMENT

DATE: 06/19/2020 TIME: 10:00 AM PROJECT: 19.TN.CO4 SHEET: SP1 OF 1 SHEETS

No.	DATE	DESCRIPTION	No.	DATE	DESCRIPTION
0	01/22/20	FOR STAFF REVIEW			
1	04/10/20	PER STAFF REVIEW			
2	06/19/20	PER STAFF REVIEW			

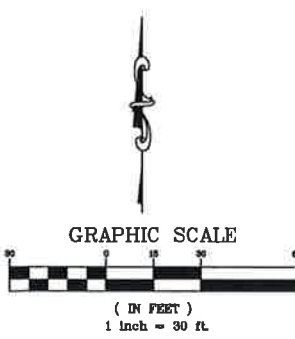


SITE PLAN

PROJECT NAME: TRUE NORTH BARTLETT, IL
PROJECT No.: 19.TN.CO4
SHEET No.: SP1
OF 1 SHEETS



LOCATION MAP
NO SCALE

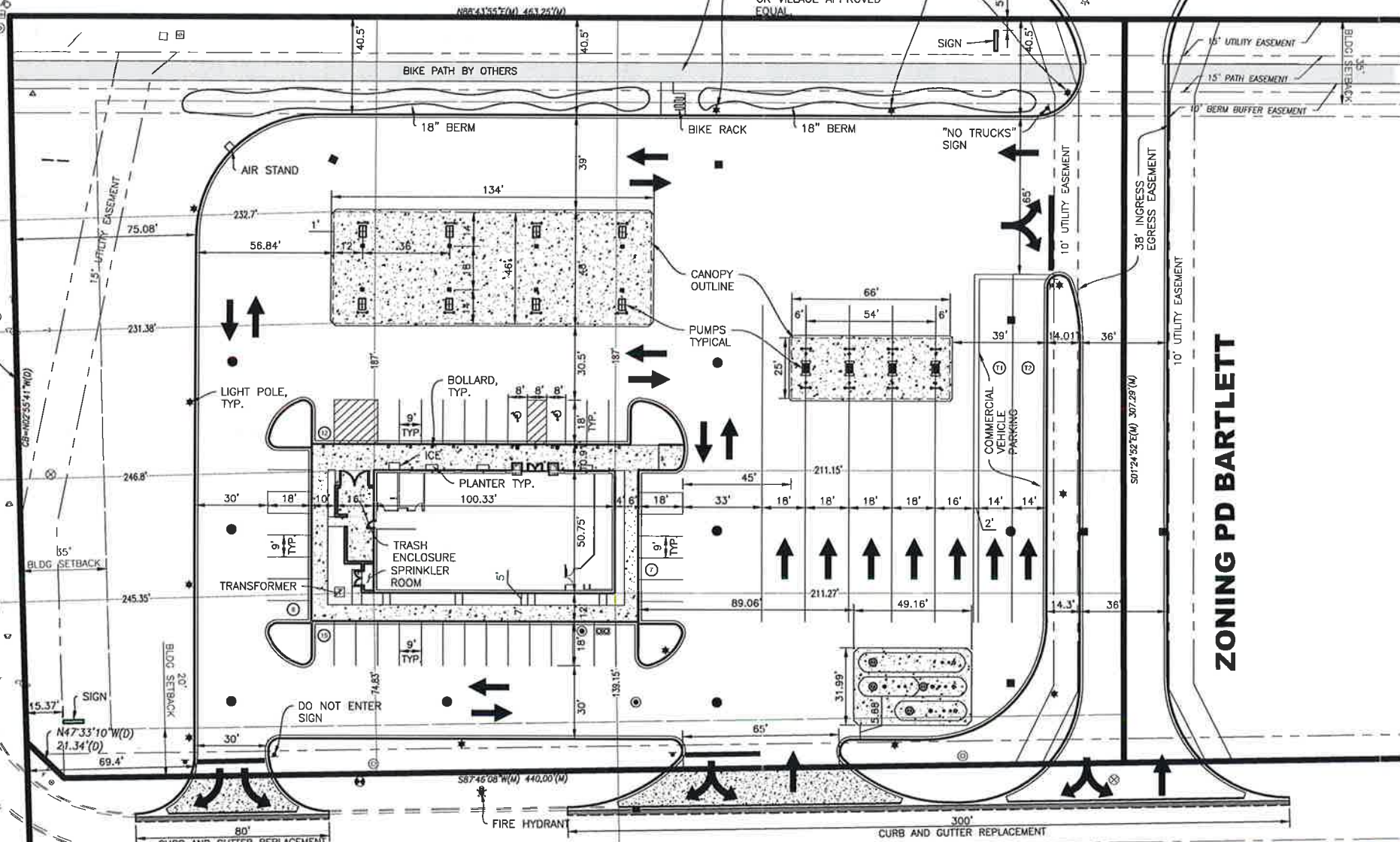


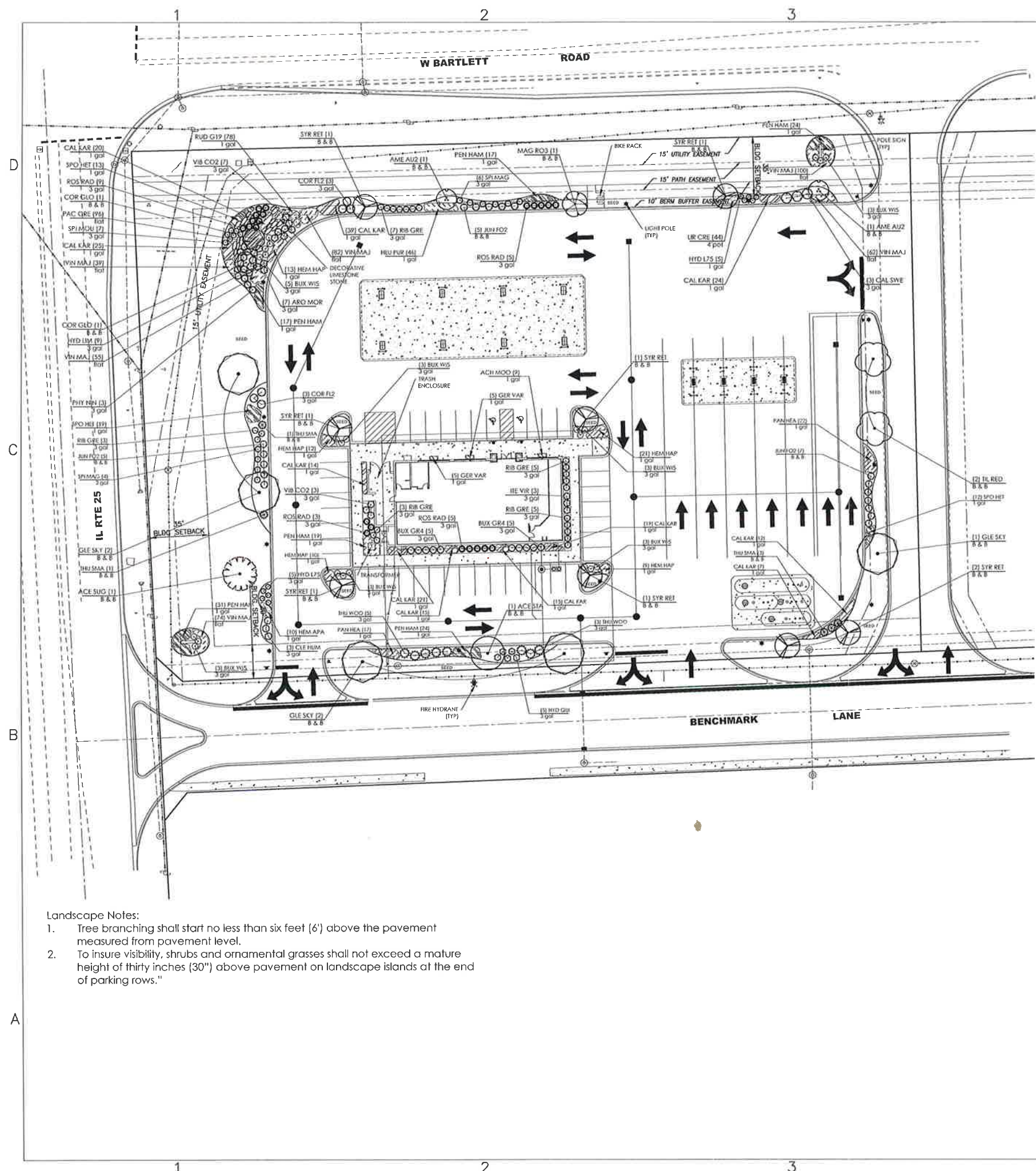
FOR OFFSITE IMPROVEMENTS. SEE PLANS BY OTHERS.

BENCHMARK LANE
DEDICATED PER DOC. NO. 2013K076343

ZONING PD BARTLETT

ZONING PD BARTLETT





PLANT SCHEDULE

TREES	BOTANICAL / COMMON NAME	CONT	SIZE	QTY
ACE STA	Acer miyabei 'Stale Street' / Miyabei Maple	B & B	2.5' Cal	1
ACE SUG	Acer saccharum / Sugar Maple	B & B	2.5' Cal	1
AME AU2	Amelanchier canadensis 'Autumn Brilliance' / Autumn Brilliance Serviceberry	B & B	3' Cal	2
COR GLO	Cornus mas 'Golden Glory' / Golden Glory Cornelian Cherry	B & B	2.5' Cal	2
GLE SKY	Gleditsia triacanthos 'Skyline' / Skyline Honey Locust	B & B	3' Cal	5
MAG RO3	Magnolia stellata 'Royal Star' / Royal Star Magnolia	B & B	2.5' Cal	1
SYR RET	Syringa reticulata / Japanese Tree Lilac	B & B	2.5' Cal	8
TIL RED	Tilia americana 'Redmond' / Redmond American Linden	B & B	3' Cal	2
SHRUBS	BOTANICAL / COMMON NAME	CONT	HEIGHT	QTY
ARO MOR	Aronia melanocarpa 'Marlon' TM / Iroquois Beauty Black Chokeberry	3 gal	18" H.	7
BUX WIS	Buxus microphylla 'Wintergreen' / Wintergreen Boxwood	3 gal	24" H.	23
BUX GR4	Buxus x 'Green Mountain' / Boxwood	B & B	36" H.	10
CAL SWE	Calycanthus floridus / Sweet Shrub	3 gal	18" H.	3
CLE HUM	Clethra alniifolia 'Hummingbird' / Summersweet	3 gal	24" H.	3
COR FL2	Cornus sericea 'Flaviramea' / Yellow Twig Dogwood	3 gal	24" H.	6
HYD LIM	Hydrangea paniculata 'Limelight' TM / Limelight Hydrangea	3 gal	24" H.	9
HYD L75	Hydrangea paniculata 'Little Quick Fire' / Little Quick Fire Hydrangea	3 gal	24" H.	10
HYD QUI	Hydrangea paniculata 'Quick Fire' / Hydrangea	3 gal	36" H.	5
IIE VIR	Itea virginica 'Henry's Garnet' / Henry's Garnet Sweetspire	3 gal	36" H.	3
JUN FO2	Juniper chinensis 'Sea Green' / Sea Green Juniper	B & B	36" H.	17
PHY NIN	Physocarpus opulifolius 'Summer Wine' / Summer Wine Ninebark	3 gal	24" H.	3
RIB GRE	Ribes alpinum 'Green Mound' / Green Mound Alpine Currant	3 gal	18" H.	23
ROS RAD	Rosa x 'Knockout' TM / Rose	3 gal	24" H.	22
SPI MAG	Spiraea japonica 'Magic Carpet' / Magic Carpet Spirea	3 gal	18" H.	10
SPI MOU	Spiraea x bumalda 'Goldmound' / Gold Mound Spirea	3 gal	18" H.	7
THU SMA	Thuja occidentalis 'Smaragd' / Emerald Green Arborvitae	B & B	4' H.	5
THU WOO	Thuja occidentalis 'Woodwardii' / Woodward Arborvitae	3 gal	36" H.	8
VIB CO2	Viburnum carlesii 'Compactum' / Korean Spice Viburnum	3 gal	24" H.	10
GROUND COVERS	BOTANICAL / COMMON NAME	CONTAINER	SPACING	QTY
ACH MOO	Achillea x 'Moonshine' / Moonshine Yarrow	1 gal	12" o.c.	9
CAL KAR	Calamagrostis x acutiflora 'Karl Foerster' / Feather Reed Grass	1 gal	24" o.c.	134
GER VAR	Geranium sanguineum striatum / Bloody Cranesbill	1 gal	24" o.c.	6
HEM APA	Hemerocallis x 'Chicago Apache' / Chicago Apache Daylily	1 gal	24" o.c.	10
HEM HAP	Hemerocallis x 'Happy Returns' / Happy Returns Daylily	1 gal	24" o.c.	65
HEU PUR	Heuchera micrantha 'Palace Purple' / Palace Purple Coral Bells	1 gal	18" o.c.	46
LIR CRE	Liriope spicata / Creeping Lily Turf	4' pot	12" o.c.	44
PAC GRE	Pachysandra terminalis 'Green Carpet' / Japanese Spurge	flat	12" o.c.	96
PAN HEA	Panicum virgatum 'Heavy Metal' / Blue Switch Grass	1 gal	24" o.c.	39
PEN HAM	Pennisetum alopecuroides 'Hameln' / Hameln Dwarf Fountain Grass	1 gal	24" o.c.	129
RUD G19	Rudbeckia fulgida 'Goldstrum' / Conellower	1 gal	12" o.c.	78
SPO HET	Sporobolus heterolepis / Prairie Dropseed	1 gal	24" o.c.	62
VIN MAJ	Vinca major / Periwinkle	flat	12" o.c.	411
SEED	Bluegrass, Rye and Fescue with Blanket	60,000 SF		

Landscape Notes:

1. Tree branching shall start no less than six feet (6') above the pavement measured from pavement level.
2. To insure visibility, shrubs and ornamental grasses shall not exceed a mature height of thirty inches (30") above pavement on landscape islands at the end of parking rows.

REV.	COMMENT	DATE
1	VILLAGE REVIEW	6/1/20

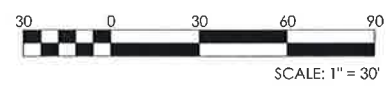
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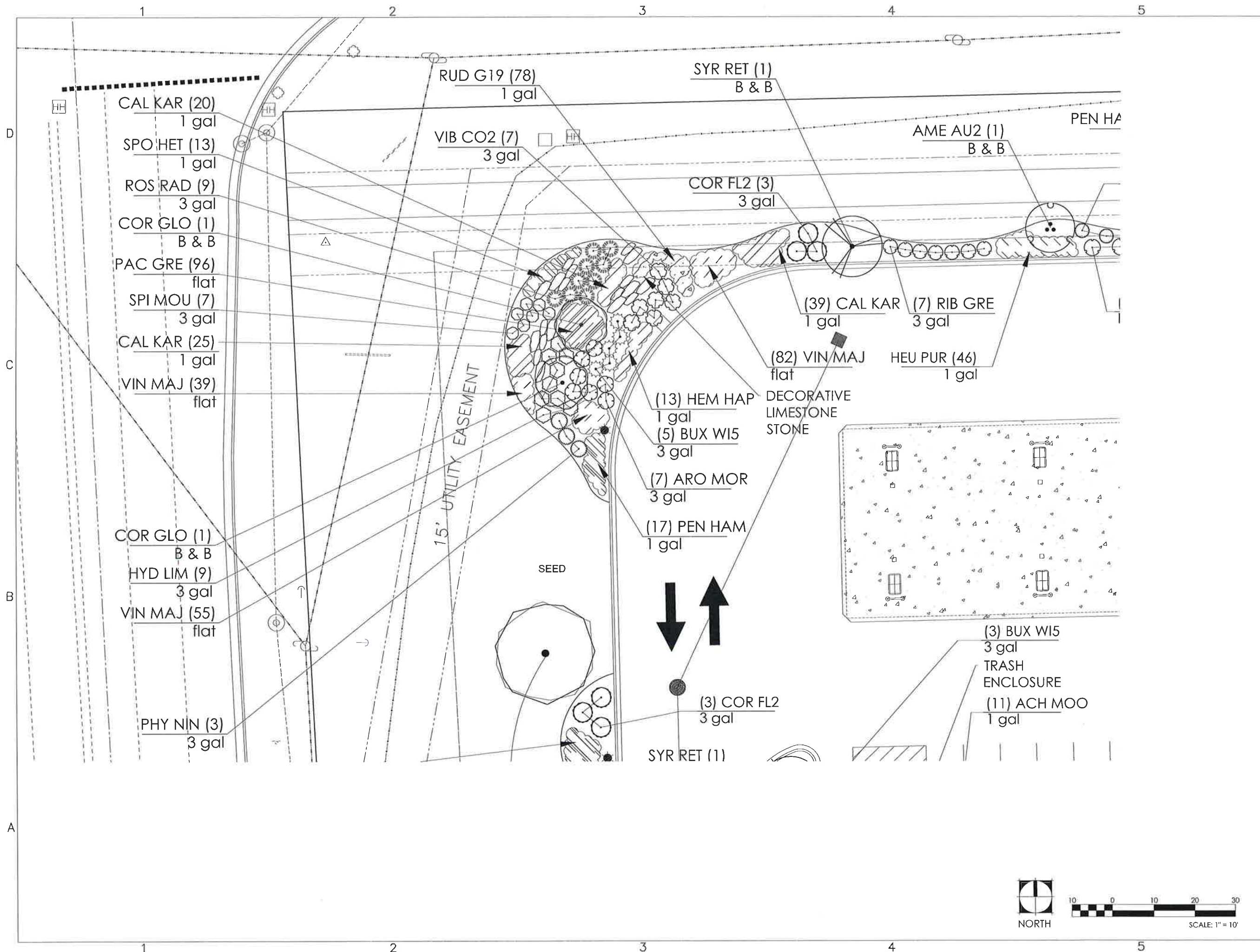


DATE: 4/10/2020
JOB NO.: 19-311Z
DRAWN BY: CE
CHECKED BY: TS

DRAWING TITLE:
LANDSCAPE PLAN

SHEET NO.:
LP-100





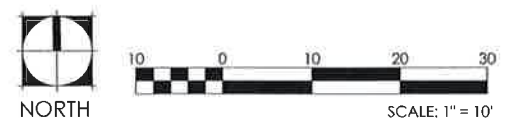
REV.	COMMENT	DATE
1	VILLAGE REVIEW	6/1/20



DATE: 4/10/2020
JOB NO.: 19-311Z
DRAWN BY: CE
CHECKED BY: TS

DRAWING TITLE:
LANDSCAPE PLAN -
GATEWAY
ENLARGEMENT
SHEET NO.:

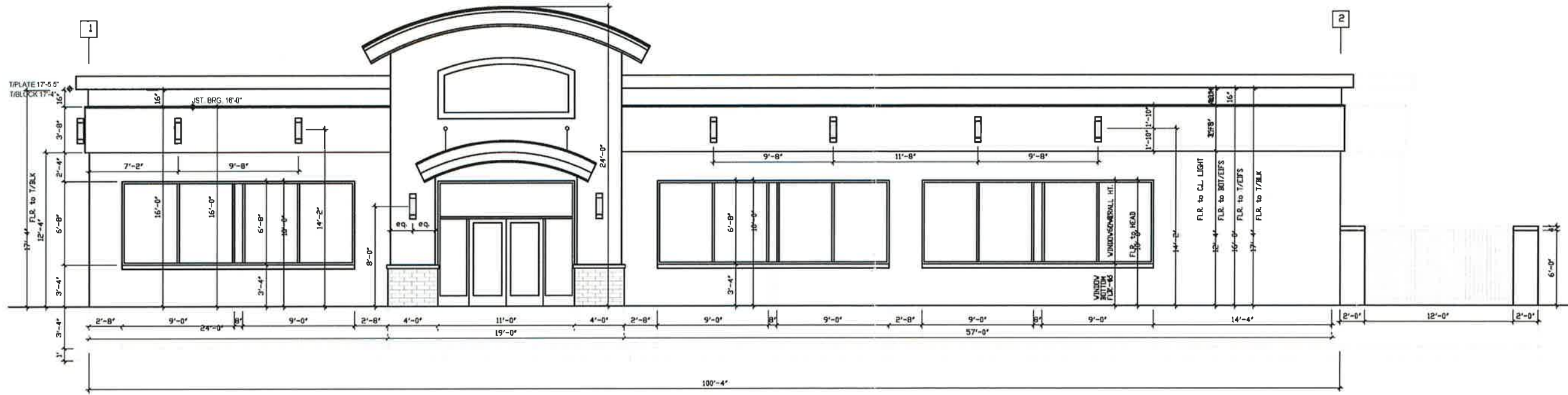
LP-101
© DESIGN PERSPECTIVES INC. ALL RIGHTS RESERVED



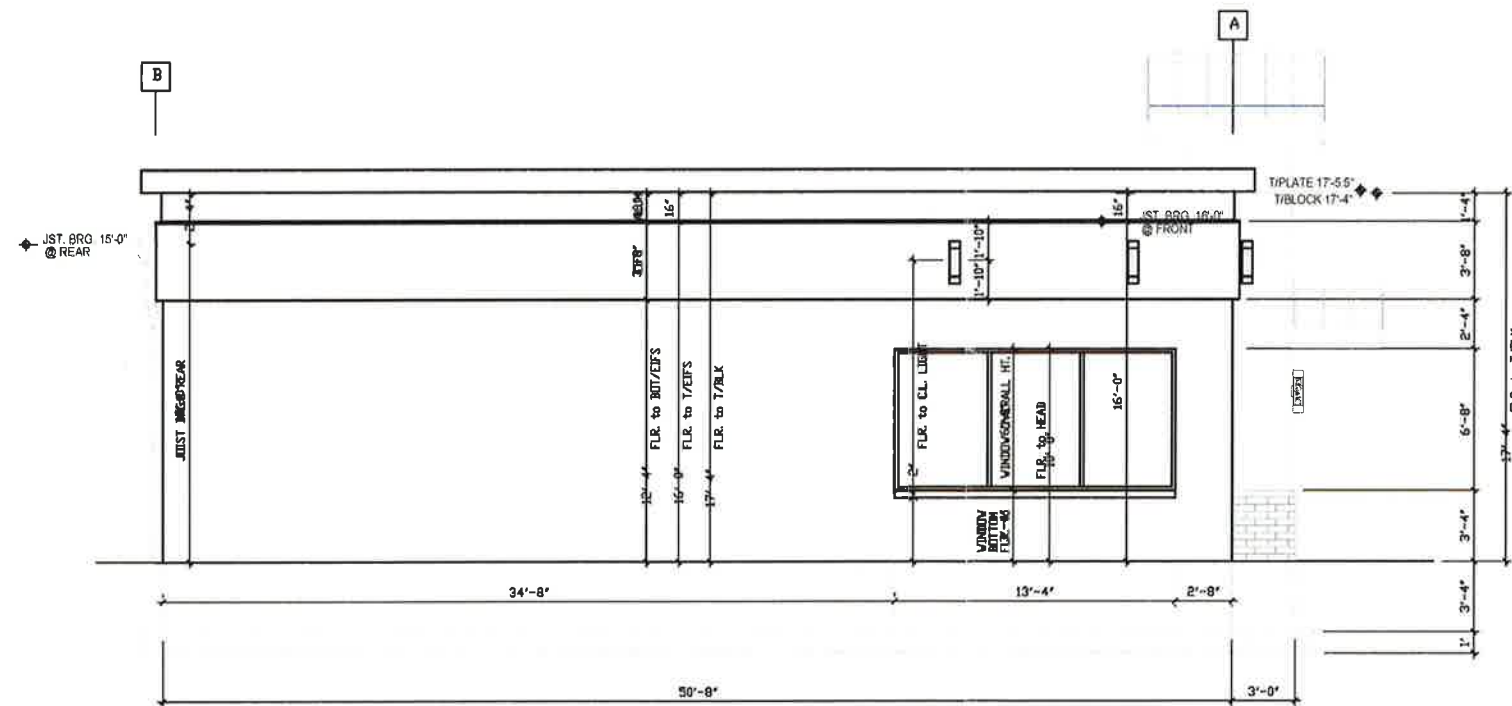








FRONT ELEVATION
SCALE: 1/4" = 1'-0"



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



expires: 11-30-2020
signature: _____
date: _____

Subject to review in accordance with the Illinois Architecture Practice Act of 1989 (225 ILCS 305.10) expiration date as listed references the current expiration date

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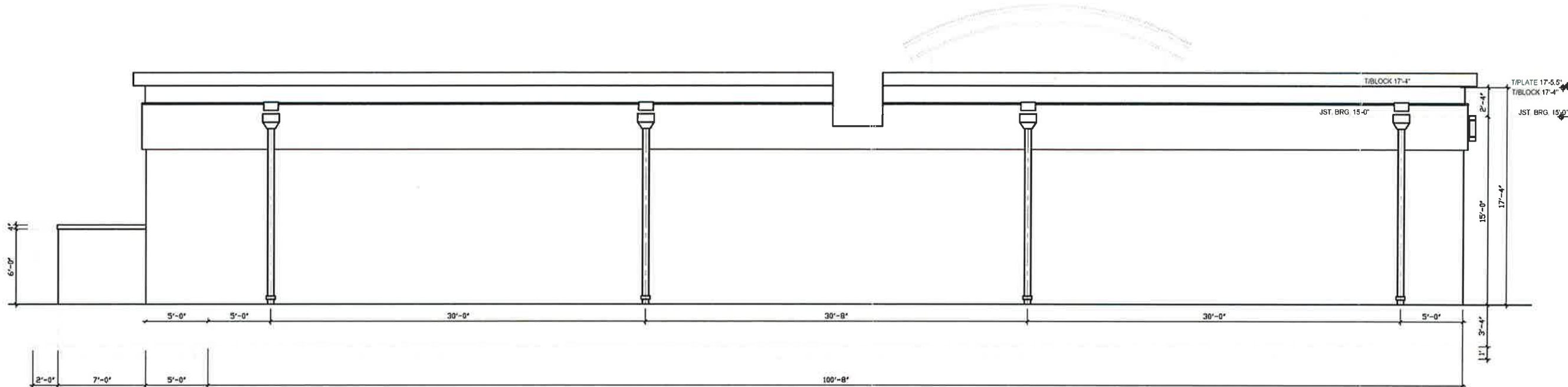


F. A. Ross - Architects
P.O. BOX 5073
NEW CASTLE, PA 16105
PHONE: (724) 658-7886
FAX: (724) 658-7892

drawn by: **Front & Side Elevation dimensions & notes**
project: **Truennorth Bartlett, IL**

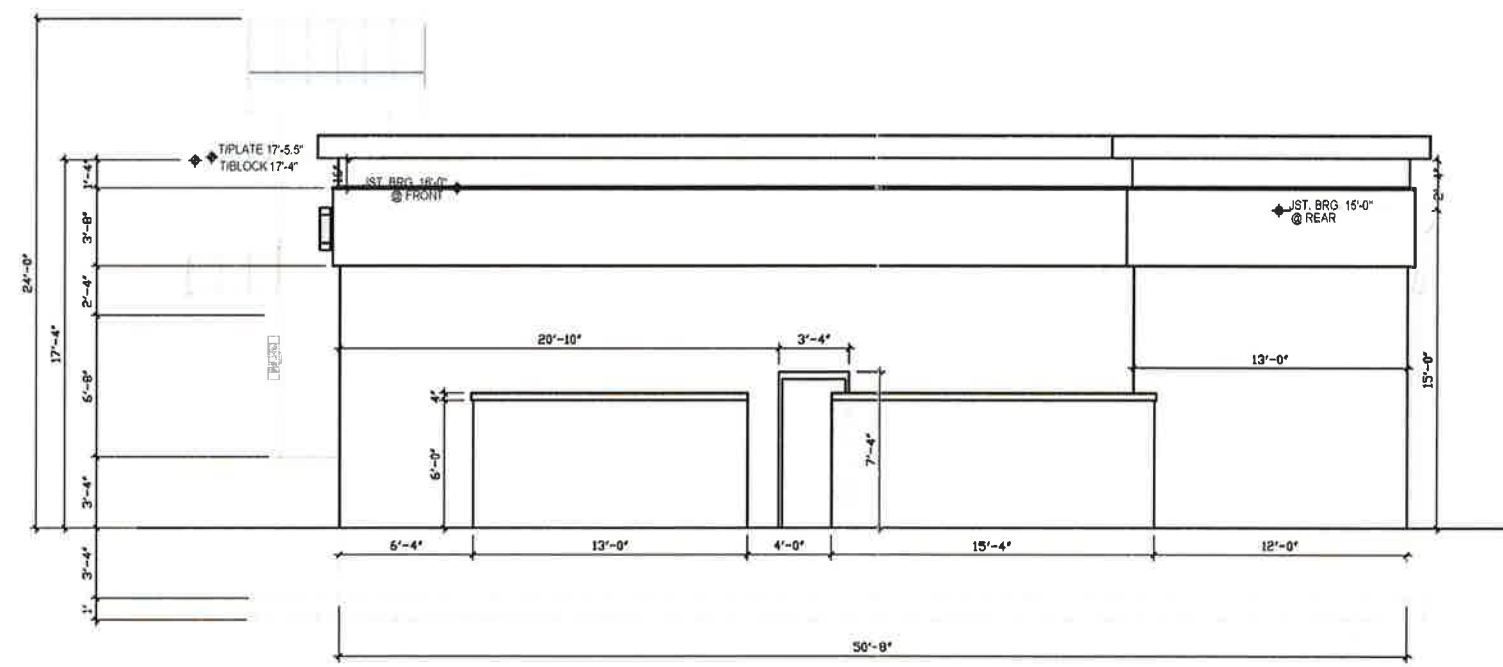
date: 03/15/2020
project number: TN
sheet:

A-400



REAR ELEVATION

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



RIGHT ELEVATION

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



expressed: 11-30-2020
 signature: _____
 date: _____

Subject to removal in accordance with the Tennessee Architecture Practice Act of 1989 (25-15-101, 102, 103, 104) expiration date as listed references the current expiration date

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F. A. Ross - Architects
 P.O. BOX 5073
 NEWCASTLE, PA 16105
 PHONE: (724) 658-7886
 FAX: (724) 658-7892

drawn by: _____
 checked by: _____
 project: Truvenorth
 Bartlett, Illinois

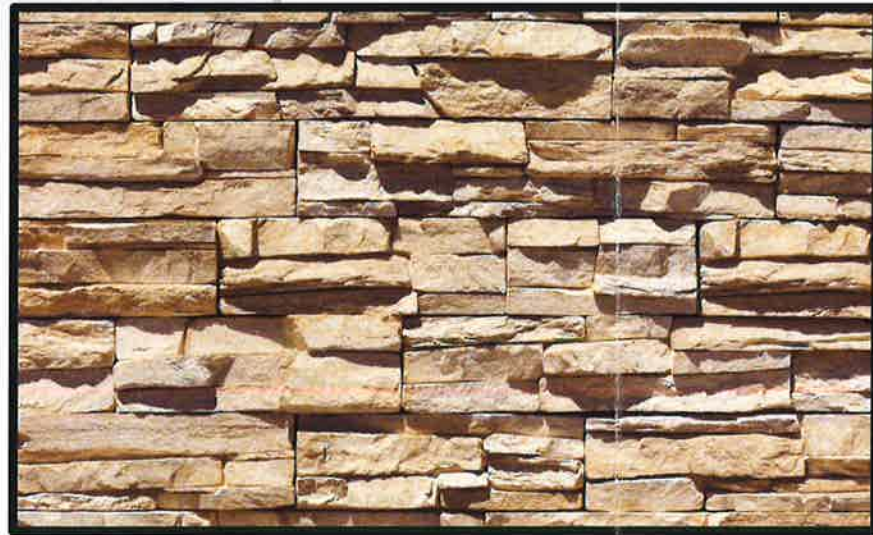
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A-402

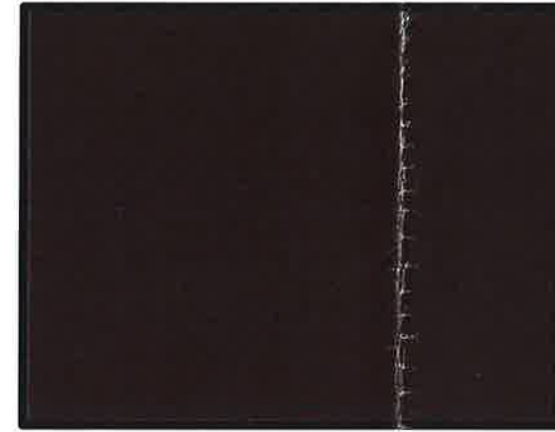
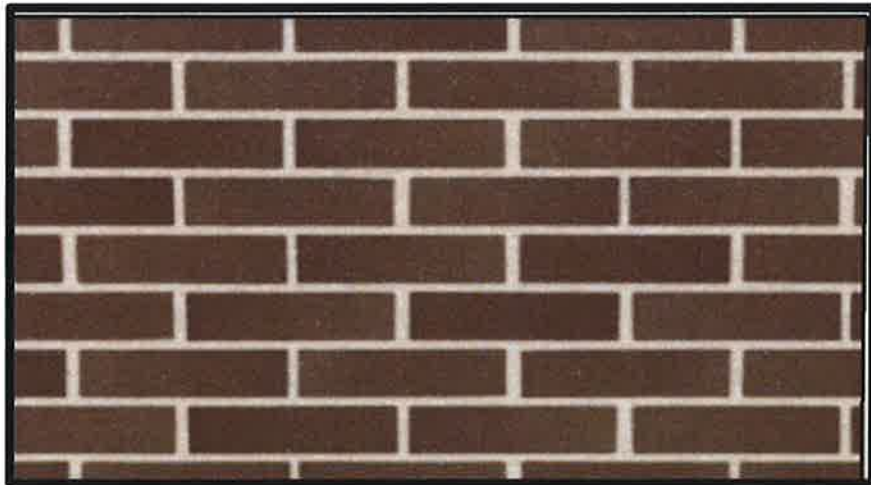


MATERIAL LISTING

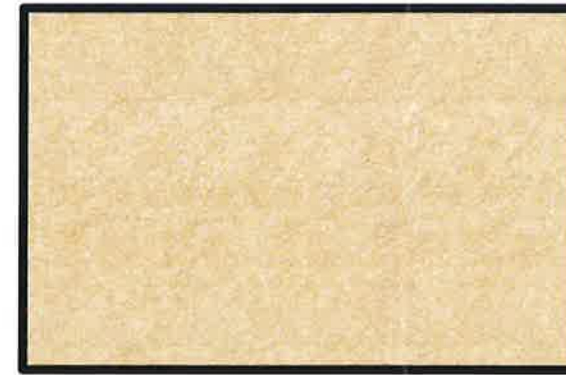
Front Entry: Eldorado Dry Creek Stacked Stone



12" Half High Thru the Wall Unit,
4"H x 16"L x 12"T
Masonry in running bond, Spec-Brik
by Oberfields in Syracuse Blend



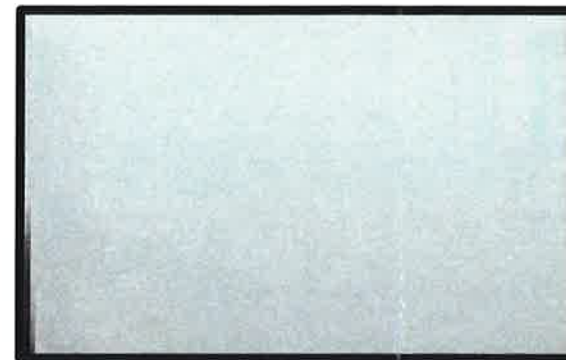
ATAS metal color
Classic Bronze 01 for:
Top metal coping
band, 17" EIFS
band, and all standing
seam metal awnings



EIFS 3'-9" band to
be custom colored
matched to Eldorado
Stone color



Storefront frames:
Anodized finish
In Dark Bronze #40



Sungate 400 passive
Low-E glass in clear &
clear, 76% VLT,
SHGC IS .63, U value
is .32 to meet the
energy codes



MATERIAL LISTING

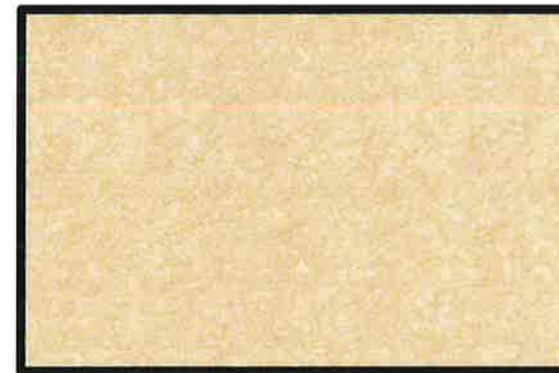


Sloped Standing seam
Metal awning in ATAS color
in Classic Bronze 01

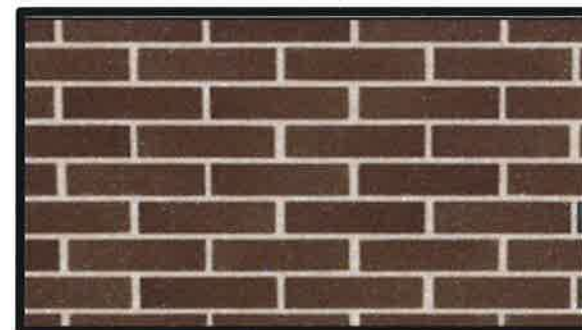


Curved standing metal
awning over entry door
in ATAS color
in Classic Bronze 01

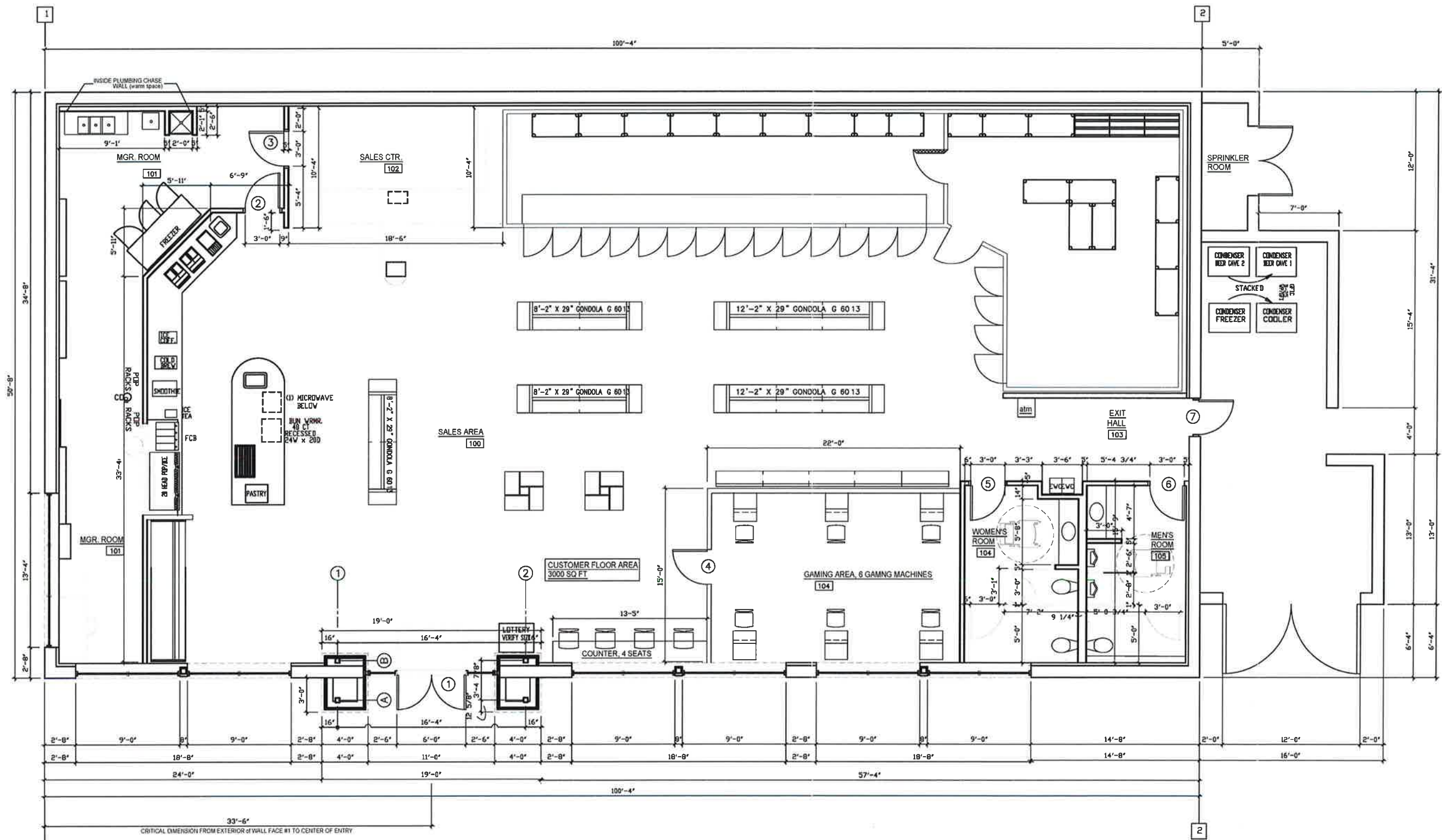
Decorative sconces,
LED up and down
lighting, Besa Lighting
decorative accents in
bronze metal, diffuser
in Opal Matte
24" h x 6" w x 7" d,
3000K temp



EIFS 3'-9" band to
be custom matched
to Eldorado Stone



12" Half High Thru the Wall
Unit, 4"H x 16"L x 12"T
Masonry in running bond,
Spec-Brik by Oberfields
in Syracuse Blend



PROPOSED FLOOR PLAN
 SCALE: 1/4" = 1'-0"
 0 1 2 3 4 5 10 15



express: 11-30-2020
 signature: _____
 date: _____

Subject to approval in accordance with the Building Architecture Planning Act of 1989 (25 U.S.C. 305.16) expiration date as listed references the current expiration date

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F. A. Ross - Architects
 P.O. BOX 5073
 NEW CASTLE, PA 16105
 PHONE: (724) 658-7866
 FAX: (724) 658-7892

drawing: **FLOOR PLAN**
 dimensions & notes
 project: **Truonorth**
 Bartlett, IL

date: 3-15-20
 project number: TN
 sheet:

A-400

