



**VILLAGE OF BARTLETT  
ZONING BOARD OF APPEALS  
AGENDA  
228 MAIN STREET  
October 1, 2020  
7:00 P.M.**

- I. Roll Call
- II. Approval of the September 3, 2020 Meeting Minutes
- III. **(#20-09) 1070 Dartmouth Drive**
  - 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 (CONTINUED FROM THE SEPTEMBER 3, 2020 MEETING)**
- IV. **(#20-12) 630 Golfers Lane**

Variation: A 5-foot reduction from the required 20-foot rear yard

**PUBLIC HEARING (CONTINUED FROM THE SEPTEMBER 3, 2020 MEETING)**
- V. Old Business/New Business
- VI. Adjournment



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M. Werden called the meeting to order at 7:07 pm.

Roll Call

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

Absent: G. Papa

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

Approval of Minutes

A motion was made to approve the August 6, 2020 meeting minutes.

Motioned by: J. Banno

Seconded by: B. Bucaro

Roll Call

Ayes: B. Bucaro, J. Banno, M. Sarwas, and M. Werden

Abstain: J. Banno, C. Deveaux, G. Koziol

Nays: None

The motion carried.



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**(#20-09) 1070 Dartmouth Drive**

Variations:

- A. To allow a six (6)-foot tall fence in the corner side yard
- B. To allow ground-mounted solar panels in the corner side yard

**PUBLIC HEARING (CONTINUED FROM AUGUST 6, 2020 MEETING)**

Petitioner **Cezary Lesniewski** came forward and was sworn in by **M. Werden**. **C. Lesniewski** of 1070 Dartmouth Drive stated that he has lived there for five (5) years and the main reason for the six (6)-foot fence is for privacy. We are on a cul-de-sac with a bike path and a school at the back of our yard. There is also a school there where parents drive in and out to pick and drop off up their children. For the past five (5) years that we have lived there, we have not been able to have a barbecue because of all the people walking by. It is like everybody is looking at you. The other reason is the solar installation that we want to do. The H.O.A. will not approve panels on the roof. We have no other option than to do a ground-mount. **Paul Szczesny** of Eco Solar stated that during our last meeting, we agreed to change the location of the fence to be two (2) feet away from the sidewalk. The revised plan is based on the things that we discussed last time. We also moved the fence that is facing the entrance to the bike path. We moved that over eight (8) feet so that people will be able to look around the corner. **C. Lesniewski** stated that there is also a tree that would have to be cut if the fence was any closer. We prefer not to have to cut the tree down. **M. Werden** asked the Petitioner if they were able to approach their Homeowner's Association for a variance. **C. Lesniewski** it has been very difficult to get a hold of the representative from the H.O.A. **P. Szczesny** there are some solar modules on the roof facing east and that is fine according to the H.O.A., but we need solar modules to be facing south and west in order to offset 100% of the energy use. That is why the ground mount is necessary. We use the highest wattage panels for the ground mount so that it does not take up a lot of square footage. **M. Werden** asked if there were any further questions or motions by the Board. **B. Bucaro** asked, how far is the fence going to be from the property line along the bike path and how far away will it be from the property line along Dartmouth Drive? **K. Stone** the property line is in the middle of the bike path. **B. Bucaro** how far will the proposed fence be from that property line? **K. Stone** it will be eight (8) feet from the property line. **B. Bucaro** how far from the drive? **K. Stone** they are bringing it in two (2) feet from the sidewalk, which is one (1) foot into the property. It is 1 foot from the property line and two (2) feet from the sidewalk. **C. Lesniewski** if we do more than two (2) feet, we would have to cut another tree on the corner because it is right in the middle. We would have to cut the whole tree down. The maximum we could move is about two (2) feet and eight (8) inches and then we would just have to cut some branches. I do not think it would look that great. **B. Bucaro** could you go on the other side of the tree? **C. Lesniewski** the tree is fairly big so we would have to go very far in to go behind the tree. This tree has triple trunks that go in different directions. It is a beautiful tree. **G. Koziol** if the tree was an issue it should have been indicated on the diagram. I understand your concern. I go back to earlier this year when we came to the decision that if you wanted a six (6)-foot fence, you would have to be 10 feet from the property line. A four (4)-foot fence could go up to the property line. I have a real problem with this six (6)-foot fence sitting one (1) foot into the property. We changed the ordinance to make it easier for people to put up a fence if they wanted a taller fence, but to move it back further from the sidewalk. **P. Szczesny** on the plan, there is a 10-foot offset from the property line. It would be right up against the solar panels shading them completely and cutting down the square footage available. **C. Lesniewski** if I do that it will bring down my property value and there would be



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no yard left. **G. Koziol** when I look at this proposal, I see a change from the original which is approximately the size of a notepad. I do not think that is noticeable along the property and again, I go back to what I said earlier. I believe that the six (6)-foot fence closer to the sidewalk than 10 feet in is not what we want to see in Bartlett. That is why we changed the ordinance to make it easier for people to put fences up. A four (4)-foot fence at the property line back to 10 feet you could put up a six (6)-foot fence. When I read that this was going to be reviewed, reworked, and re-presented here tonight, I thought there would be something more than one (1) foot. **C. Lesniewski** can you please explain to me the first statement? You said that the changes based on this versus the prior permit is not much of a change. **M. Werden** it looks like it was brought in about one (1) foot. **C. Lesniewski**, yes. **M. Werden** that does not meet our standards. We are not very agreeable to something like this. **P. Szczesny** we were just following the previous discussions that we had a month ago. **M. Werden** that is why we gave you a month to try to work it out with the Village Staff. I am very disappointed. You have done a poor job to convince us. I think you need to put more pressure on your Home Owner's Association. **P. Szczesny** I am sorry that you feel that way. No one let us know that we would have to move the fence 10 feet from the property line in order to have a six (6)-foot fence. **K. Stone** the 10 feet is where the zoning code allows it. I explained prior to January of this year that the fence would had to have been set back 25 feet, but the Zoning Board recommended approval of a text amendment to allow six (6)-foot fences 10 feet from the property line and that is what you are asking a variance for. The Zoning Board asked you to work with Staff to bring the fence in more than what was shown on the previous plan. I talked to the homeowner. I told the homeowner that I thought five (5) feet would be a good compromise for the Zoning Board, but the homeowner informed me that he just wanted to do one (1) foot because he wanted it where his proposal was originally. The issue is more in the corner side yard along Dartmouth Court, which is what I was explaining and why I was encouraging the homeowner to move that fence at least five (5) feet from the property line. When we spoke on the phone, I suggested that the fence be moved five (5) feet to show the Zoning Board that you were working with Staff and compromising on the 10-foot setback. The concern was not so much along the bike path as it was along the sidewalk. **M. Werden** it is going to have the look of a fortress there. We are not concerned about the back because the bike path is so far from the property line and not an issue, but we are concerned about the one on Dartmouth Court. Did we get any calls about this in the past month? **K. Stone** no. They were not required to renotify since the Public Hearing was continued. We did update the date on the sign, but were not required to resend notices. **G. Koziol** having looked at the proposal from last month and the proposal from this month, I was disappointed because I did not see enough effort to try to meet us in the middle. One foot is just not enough. Something else might have gotten our interest and concerned enough to be willing to make an exception, but one (1) foot is not what we want. **M. Werden** we have a Village Staff that works very hard to work with people to follow the zoning guidelines. Compared to a year ago, the guidelines have been liberalized. We do not like to have a fence so close to the sidewalk for sight and safety issues. **J. Banno** I am concerned about the safety of the children being dropped off and picked up by their parents. Having a fence that is 6 feet high so close to the property line is a concern for me for the safety of the children. The parents are not going to have the line of sight that they need towards the school. **M. Werden** asked if there were any other questions or comments from the Board.

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



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**G. Koziol** as long as we are talking about the height of the fence, I think from an aesthetics viewpoint on the cul-de-sac on the opposite side, someone is going to have to look at this six (6)-foot stockade wall that is going to be there forever and it is right up to the sidewalk. Again, that is another reason that a six (6)-foot fence at this proximity to the property line is inappropriate and as **M. Werden** and others have said, we modified the rules in January to make it easier to get a higher fence further from the building from 25 feet to 10 feet. This is not trying to meet us halfway and come to a better conclusion. **M. Werden** I think we would be more open to this if you were on a major roadway, but this is a residential area and even though this is considered your side yard area, it has a lot of frontage. We do not have height restrictions for bushes like we have for a fence. **P. Szczesny** if we did bushes instead of a fence is that something we could do? **M. Werden** if you are worried about people destroying the panels, you probably would want some type of fence there with bushes on both sides of the fence. I am surprised that there are not more people here that would be looking at this that do not have a problem with it. Sometimes people have their neighbors sign something that says they have no objection to it and sometimes Staff gets letters or emails that talk about the opposition to something. We try to take all of that into consideration, but we are talking about a change that is relatively permanent because this fence is going to last for years whether you stay in the house or not. It is just too close to the sidewalk for something that high. **C. Deveaux** I agree with what **G. Koziol** is saying. Meet us halfway with a five (5)-foot fence and something in between the 10-foot setback. The two (2)-foot setback is just not conducive. I would encourage you to try to come up with some other options. **M. Werden** as I recall, you were using material that would last long. It is not wood. **P. Szczesny** correct. We do not want the fence to be an eyesore. **C. Lesniewski** If there is anything we can do to make the fence look better, we will do that. **M. Werden** you have an odd shaped lot and this is an unusual circumstance. I think you need to put more pressure on the Home Owner's Association to change some of their policies.

**R. Grill** I would like to point out that the height of the solar panels is about five (5) feet, five (5) inches high. A six (6)-foot fence is the most appropriate height at this location to screen those panels. Staff is trying to compromise on the location and not the height. **G. Koziol** I think that is important to point out. If you take the fence down in height I think there is a strong probability that you will see the edge of the solar panels and that would be in poor taste. As **M. Werden** and I mentioned, for aesthetics, if the fence was moved further back, you could plant bushes to break up the view of the fence instead of having a massive wall. Again, that requires the fence to be moved further in. **P. Szczesny** we will take all of these points and work further with our H.O.A. to come up with a better plan if we could please get a continuance for another month. **B. Bucaro** looking at the minutes, we did discuss setting the fence back, but our conclusion was to work with Staff to come to a resolution on moving the fence back. Staff indicated they started with 5 feet as a compromise. That probably would have had a good chance. As **G. Koziol** said, one (1) foot in addition to where we were looking is not much of a compromise. **M. Werden** we do understand the need for a six (6)-foot fence with five and a half (5)-1/2-foot solar panel and wanting to hide them. Unlike the Plan Commission, we do not have the authority to negotiate. We will leave the Public Hearing open. I do not think this will pass tonight from the comments I have heard. We are willing to work with you, but you need to work harder with Staff to come up with something that is more palatable. We can leave the Public Hearing open. I do not think you are going to get passage with tonight with the comments I have heard. **C. Lesniewski** to clarify, the main problem is the offset of the cul-de-sac. **M. Werden** the fence is too close to the



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sidewalk bordering the cul-de-sac. **M. Werden** Staff has a good idea of what we are looking for and if you work with them harder, you may get a positive recommendation. We do not have the final say. The Village Board does, but in the vast majority of cases, the Board goes along with our recommendations. We are not trying to make it harder for you. We are trying to make it palatable to the people that have to look at it or might be walking along the sidewalk. **P. Szczesny** understood. **R. Grill** I just want to put it on the record that if you moved the fence back 10 feet you could get a building permit tomorrow. **C. Lesniewski** but then we would have no yard. **M. Werden** work with Staff on your options.

**G. Koziol** made a motion to continue the Public Hearing until the next meeting scheduled for October 1, 2020.

**Motioned by: G. Koziol**

**Seconded by: C. Deveaux**

**Roll Call: Voice Vote: Unanimous Ayes**

**The motion carried.**



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**(#20-10) 260 S. Western Avenue**

Variation: To allow an existing pool in the side yard on the proposed Lot 1 of the Cylwik Resubdivision

**The following exhibits were presented:**

**Exhibit A – Picture of Sign**

**Exhibit B – Mail Affidavit**

**Exhibit C – Notification of Publication**

The Petitioner, **Katarzyna Cylwik** of 260 S. Western Avenue was sworn in by **M. Werden** and asked to present her case. **K. Cylwik** stated that they bought the house with the existing pool on the side of the yard not in the back yard. **M. Werden** I believe the pool was built before we had a zoning ordinance that had setbacks for that type of structure. **K. Stone** the oldest aerial photo that I could find with the pool is from 1978. It was built some time prior to 1978 and after 1940. That is the range. There were no restrictions. Previously on the aerial there is a long driveway that made a turn. **M. Werden** somebody before you owned the house and put it there, and was not required to move it. **K. Cylwik** I have owned the house for two (2) years. **G. Koziol** is the pool in good condition? **K. Cylwik** yes. When we bought the house we just had to fix it a little bit. We have a privacy fence and a gate that is locked. **C. Deveaux** I had to drive by there 3 times to see that there is a pool there. The fence is very well designed. **G. Koziol** are there 3 lots? **K. Stone** it is currently 2 lots. It is an odd shape. There is a C-shaped lot and a rectangular lot in the center. **K. Cylwik** the buildings are divided into two (2) lots because the garage is on two (2) lots. **G. Koziol** from the aerial view, the pool is sitting in a portion of the south lot and in the north lot there is apparently some of the property that is in that lot also. I am not sure I understand. **K. Stone** it is a C-shaped lot now. There is a small strip to the west of the parcel. From the aerial because of the thickness of the line, you cannot tell that it is a C-shaped lot. The Petitioner is going to be re-subdividing this, which is before the Plan Commission and with that the pool will be completely on the northern lot. The lot lines are going to change from what you see now. The new lot line will be south of the existing pool and fence. **M. Werden** this is housekeeping that we are bringing into compliance. **K. Stone** correct. **G. Koziol** the middle lot will be adjusted to properly include the pool. **K. Stone** correct. There will be one large lot, which will have the Petitioner's current house and pool. The Petitioner will then be able to sell Lot 2 or have a house built on Lot 2. This will bring the property into conformance.

**M. Werden** opened the Public Hearing portion of the meeting. No one came forward.

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

**G. Koziol** made a motion to pass along a **positive recommendation** to the Village Board for case **(#20-10) 260 S. Western Avenue**, a variation to allow an existing pool in the side yard on the proposed Lot 1 of the Cylwik Resubdivision.

**Motioned by: G. Koziol**

**Seconded by: C. Deveaux**



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**Roll Call**

**Ayes: M. Sarwas, C. Deveaux, G. Koziol, J. Banno, B. Bucaro, and M. Werden**  
**Nays: None.**

**The motion carried.**





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**(#20-12) 630 Golfers Lane**

Variation: A five (5)-foot reduction from the required 20-foot rear yard

**The following exhibits were presented:**

**Exhibit A – Picture of Sign**

**Exhibit B – Mail Affidavit**

**Exhibit C – Notification of Publication**

**M. Werden** opened the Public Hearing portion of the meeting and asked if the Petitioners were present. **K. Stone** stated that the Petitioners were not present. The Petitioners formally requested that their case be continued to the October 1, 2020 Zoning Board of Appeals meeting.

**M. Werden** asked if there were any comments from the public. **Michael J. Stapleton**, Vicie M. Pruden's son-in-law of 992 McPhee Dr, Lake in the Hills, IL came forward and stated that he was in opposition to the request for a variance to the setback of the rear yard variation requirement namely for the view from the next-door deck at 626 Golfers Lane. This will significantly reduce the view when looking northward. We have family gatherings there quite a bit. The houses are close together and looking at a wall would be detrimental to our family gatherings. Please do not grant the variance. This is a major gathering place for our family. We have parties and get-togethers on that deck. **Vicie M. Pruden** of 626 Golfers Lane came forward and stated, I live about 10 feet away from where the proposed addition is going to be built. When I moved there 30 years ago, we paid a premium to live on a golf course. They gave us 20-foot yards because they said we did not need larger yard because we have open space from the golf course. Now I have a neighbor that moved in two (2) years ago and they want to build an addition. This is 10 feet, maybe less if you count my deck. Right now, if I look north or south, there is a beautiful tree-lined path. I can see our neighbor's decks. I can wave to them and converse with them. The Petitioner is going to put up a wall, which is what that addition will be. They are going to put up a wall, a roof, and platform stairs going around to the front of their addition. I understand the meeting to decide this is going to be called later because the Petitioner is not here.

**M. Werden** correct. We are going to continue this meeting until October 1. **M. Stapleton** asked if there was anything they should bring to the next meeting? **M. Werden** if you would like to bring pictures as an exhibit that show the view from the deck, we would like to see that. We are interested in hearing what your point of view is and why. **K. Stone** if you are bringing any photos, we need copies to maintain as part of the public record. **M. Stapleton** understood.

**M. Werden** made a motion to continue the Public Hearing until the next meeting scheduled for October 1, 2020.

**Motioned by: M. Sarwas**

**Seconded by: J. Banno**

**Roll Call: Voice Vote: Unanimous Ayes**

**The motion carried.**



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**Old Business/ New Business**

**K. Stone** We are having a meeting next month with these two items that were continued tonight.

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

**Motioned by: J. Banno**

**Seconded by: M. Sarwas**

**Motion passed by unanimous voice vote.**

**The meeting was adjourned at 8:02 pm.**

**PLANNING AND DEVELOPMENT SERVICES MEMORANDUM**

**20-145**

DATE: September 24, 2020  
TO: The Chairman and Members of the Zoning Board of Appeals  
FROM: Kristy Stone, Village Planner *Ks*  
RE: **(#20-09) 1070 Dartmouth Drive**

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**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**

	<b><u>Land Use</u></b>	<b><u>Comprehensive Plan</u></b>	<b><u>Zoning</u></b>
<b>Subject Site</b>	<b>Single Family (Duplex)</b>	<b>Suburban Residential</b>	<b>SR-3 PUD</b>
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

**UPDATE**

At the **August 6, 2020** Zoning Board of Appeals meeting, the Petitioner presented their variation requests. Members of the Zoning Board voiced concerns regarding the proposal to have the 6-foot tall fence located on the property line (one (1) foot from the sidewalk) along Dartmouth Court and six (6) feet from the west property line (one (1) foot from the bike path). The Zoning Board of Appeals directed the

Petitioner to meet with Staff and revise the location of the fence and continued the case to the September 3, 2020 Zoning Board of Appeals meeting. *The minutes of the August 6, 2020 Zoning Board of Appeals meeting are attached.*

The Petitioner submitted revised plans to Staff proposing to move the fence 1 foot inside the property along Dartmouth Court and an additional 2 feet from the bike path.

	ORIGINAL PLAN	REVISED PLAN
DISTANCE FROM DARTMOUTH CT PROPERTY LINE	<b>on property line</b>	<b>1 foot</b>
DISTANCE FROM DARTMOUTH CT SIDEWALK	<b>1 foot</b>	<b>2 feet</b>
DISTANCE FROM WEST PROPERTY LINE	<b>6 feet</b> (includes 5' wide bike path)	<b>8 feet</b> (includes 5' wide bike path)
DISTANCE FROM BIKE PATH	<b>1 foot</b>	<b>3 feet</b>

At the **September 3, 2020** Zoning Board of Appeals meeting, the Zoning Board of Appeals advised the Petitioner to further work with Staff and revise the plans to increase the setback of the fence from the sidewalk along Dartmouth Ct and continued the public hearing until the October 1, 2020 Zoning Board of Appeals meeting.

***The Petitioner met with Staff on September 22, 2020 to discuss options for the fence location. The Petitioner submitted plans at Friday September 25, 2020. The revised plan indicates that fence will be 5 feet from the sidewalk. The distance from the bike path is not clear, there is a label stating: "Moved 8' from property line" while there is an 11' dimension from the existing fence location to the proposed fence location. The existing fence is 6 feet from the property line. Staff did not have adequate time to review the plans to verify the proposed fence location; further clarification on the fence location will need to be provided by the Petitioner.***

## **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 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. Document #R94-189811 recorded a 15-foot wide bike path easement (7.5-ft wide on Lots 164 and 165) for the construction and maintenance of the 10-foot bike path 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  
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**(#20-09) 1070 Dartmouth Drive**

Variations:

- A. To allow a six (6)-foot tall fence in the corner side yard
- B. To allow ground-mounted solar panels in the corner side yard

**PUBLIC HEARING (CONTINUED FROM AUGUST 6, 2020 MEETING)**

Petitioner **Cezary Lesniewski** came forward and was sworn in by **M. Werden**. **C. Lesniewski** of 1070 Dartmouth Drive stated that he has lived there for five (5) years and the main reason for the six (6)-foot fence is for privacy. We are on a cul-de-sac with a bike path and a school at the back of our yard. There is also a school there where parents drive in and out to pick and drop off up their children. For the past five (5) years that we have lived there, we have not been able to have a barbecue because of all the people walking by. It is like everybody is looking at you. The other reason is the solar installation that we want to do. The H.O.A. will not approve panels on the roof. We have no other option than to do a ground-mount. **Paul Szczesny** of Eco Solar stated that during our last meeting, we agreed to change the location of the fence to be two (2) feet away from the sidewalk. The revised plan is based on the things that we discussed last time. We also moved the fence that is facing the entrance to the bike path. We moved that over eight (8) feet so that people will be able to look around the corner. **C. Lesniewski** stated that there is also a tree that would have to be cut if the fence was any closer. We prefer not to have to cut the tree down. **M. Werden** asked the Petitioner if they were able to approach their Homeowner's Association for a variance. **C. Lesniewski** it has been very difficult to get a hold of the representative from the H.O.A. **P. Szczesny** there are some solar modules on the roof facing east and that is fine according to the H.O.A., but we need solar modules to be facing south and west in order to offset 100% of the energy use. That is why the ground mount is necessary. We use the highest wattage panels for the ground mount so that it does not take up a lot of square footage. **M. Werden** asked if there were any further questions or motions by the Board. **B. Bucaro** asked, how far is the fence going to be from the property line along the bike path and how far away will it be from the property line along Dartmouth Drive? **K. Stone** the property line is in the middle of the bike path. **B. Bucaro** how far will the proposed fence be from that property line? **K. Stone** it will be eight (8) feet from the property line. **B. Bucaro** how far from the drive? **K. Stone** they are bringing it in two (2) feet from the sidewalk, which is one (1) foot into the property. It is 1 foot from the property line and two (2) feet from the sidewalk. **C. Lesniewski** if we do more than two (2) feet, we would have to cut another tree on the corner because it is right in the middle. We would have to cut the whole tree down. The maximum we could move is about two (2) feet and eight (8) inches and then we would just have to cut some branches. I do not think it would look that great. **B. Bucaro** could you go on the other side of the tree? **C. Lesniewski** the tree is fairly big so we would have to go very far in to go behind the tree. This tree has triple trunks that go in different directions. It is a beautiful tree. **G. Koziol** if the tree was an issue it should have been indicated on the diagram. I understand your concern. I go back to earlier this year when we came to the decision that if you wanted a six (6)-foot fence, you would have to be 10 feet from the property line. A four (4)-foot fence could go up to the property line. I have a real problem with this six (6)-foot fence sitting one (1) foot into the property. We changed the ordinance to make it easier for people to put up a fence if they wanted a taller fence, but to move it back further from the sidewalk. **P. Szczesny** on the plan, there is a 10-foot offset from the property line. It would be right up against the solar panels shading them completely and cutting down the square footage available. **C. Lesniewski** if I do that it will bring down my property value and there would be



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no yard left. **G. Koziol** when I look at this proposal, I see a change from the original which is approximately the size of a notepad. I do not think that is noticeable along the property and again, I go back to what I said earlier. I believe that the six (6)-foot fence closer to the sidewalk than 10 feet in is not what we want to see in Bartlett. That is why we changed the ordinance to make it easier for people to put fences up. A four (4)-foot fence at the property line back to 10 feet you could put up a six (6)-foot fence. When I read that this was going to be reviewed, reworked, and re-presented here tonight, I thought there would be something more than one (1) foot. **C. Lesniewski** can you please explain to me the first statement? You said that the changes based on this versus the prior permit is not much of a change. **M. Werden** it looks like it was brought in about one (1) foot. **C. Lesniewski**, yes. **M. Werden** that does not meet our standards. We are not very agreeable to something like this. **P. Szczesny** we were just following the previous discussions that we had a month ago. **M. Werden** that is why we gave you a month to try to work it out with the Village Staff. I am very disappointed. You have done a poor job to convince us. I think you need to put more pressure on your Home Owner's Association. **P. Szczesny** I am sorry that you feel that way. No one let us know that we would have to move the fence 10 feet from the property line in order to have a six (6)-foot fence. **K. Stone** the 10 feet is where the zoning code allows it. I explained prior to January of this year that the fence would had to have been set back 25 feet, but the Zoning Board recommended approval of a text amendment to allow six (6)-foot fences 10 feet from the property line and that is what you are asking a variance for. The Zoning Board asked you to work with Staff to bring the fence in more than what was shown on the previous plan. I talked to the homeowner. I told the homeowner that I thought five (5) feet would be a good compromise for the Zoning Board, but the homeowner informed me that he just wanted to do one (1) foot because he wanted it where his proposal was originally. The issue is more in the corner side yard along Dartmouth Court, which is what I was explaining and why I was encouraging the homeowner to move that fence at least five (5) feet from the property line. When we spoke on the phone, I suggested that the fence be moved five (5) feet to show the Zoning Board that you were working with Staff and compromising on the 10-foot setback. The concern was not so much along the bike path as it was along the sidewalk. **M. Werden** it is going to have the look of a fortress there. We are not concerned about the back because the bike path is so far from the property line and not an issue, but we are concerned about the one on Dartmouth Court. Did we get any calls about this in the past month? **K. Stone** no. They were not required to renotify since the Public Hearing was continued. We did update the date on the sign, but were not required to resend notices. **G. Koziol** having looked at the proposal from last month and the proposal from this month, I was disappointed because I did not see enough effort to try to meet us in the middle. One foot is just not enough. Something else might have gotten our interest and concerned enough to be willing to make an exception, but one (1) foot is not what we want. **M. Werden** we have a Village Staff that works very hard to work with people to follow the zoning guidelines. Compared to a year ago, the guidelines have been liberalized. We do not like to have a fence so close to the sidewalk for sight and safety issues. **J. Banno** I am concerned about the safety of the children being dropped off and picked up by their parents. Having a fence that is 6 feet high so close to the property line is a concern for me for the safety of the children. The parents are not going to have the line of sight that they need towards the school. **M. Werden** asked if there were any other questions or comments from the Board.

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





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**G. Koziol** as long as we are talking about the height of the fence, I think from an aesthetics viewpoint on the cul-de-sac on the opposite side, someone is going to have to look at this six (6)-foot stockade wall that is going to be there forever and it is right up to the sidewalk. Again, that is another reason that a six (6)-foot fence at this proximity to the property line is inappropriate and as **M. Werden** and others have said, we modified the rules in January to make it easier to get a higher fence further from the building from 25 feet to 10 feet. This is not trying to meet us halfway and come to a better conclusion. **M. Werden** I think we would be more open to this if you were on a major roadway, but this is a residential area and even though this is considered your side yard area, it has a lot of frontage. We do not have height restrictions for bushes like we have for a fence. **P. Szczesny** if we did bushes instead of a fence is that something we could do? **M. Werden** if you are worried about people destroying the panels, you probably would want some type of fence there with bushes on both sides of the fence. I am surprised that there are not more people here that would be looking at this that do not have a problem with it. Sometimes people have their neighbors sign something that says they have no objection to it and sometimes Staff gets letters or emails that talk about the opposition to something. We try to take all of that into consideration, but we are talking about a change that is relatively permanent because this fence is going to last for years whether you stay in the house or not. It is just too close to the sidewalk for something that high. **C. Deveaux** I agree with what **G. Koziol** is saying. Meet us halfway with a five (5)-foot fence and something in between the 10-foot setback. The two (2)-foot setback is just not conducive. I would encourage you to try to come up with some other options. **M. Werden** as I recall, you were using material that would last long. It is not wood. **P. Szczesny** correct. We do not want the fence to be an eyesore. **C. Lesniewski** If there is anything we can do to make the fence look better, we will do that. **M. Werden** you have an odd shaped lot and this is an unusual circumstance. I think you need to put more pressure on the Home Owner's Association to change some of their policies.

**R. Grill** I would like to point out that the height of the solar panels is about five (5) feet, five (5) inches high. A six (6)-foot fence is the most appropriate height at this location to screen those panels. Staff is trying to compromise on the location and not the height. **G. Koziol** I think that is important to point out. If you take the fence down in height I think there is a strong probability that you will see the edge of the solar panels and that would be in poor taste. As **M. Werden** and I mentioned, for aesthetics, if the fence was moved further back, you could plant bushes to break up the view of the fence instead of having a massive wall. Again, that requires the fence to be moved further in. **P. Szczesny** we will take all of these points and work further with our H.O.A. to come up with a better plan if we could please get a continuance for another month. **B. Bucaro** looking at the minutes, we did discuss setting the fence back, but our conclusion was to work with Staff to come to a resolution on moving the fence back. Staff indicated they started with 5 feet as a compromise. That probably would have had a good chance. As **G. Koziol** said, one (1) foot in addition to where we were looking is not much of a compromise. **M. Werden** we do understand the need for a six (6)-foot fence with five and a half (5)-1/2-foot solar panel and wanting to hide them. Unlike the Plan Commission, we do not have the authority to negotiate. We will leave the Public Hearing open. I do not think this will pass tonight from the comments I have heard. We are willing to work with you, but you need to work harder with Staff to come up with something that is more palatable. We can leave the Public Hearing open. I do not think you are going to get passage with tonight with the comments I have heard. **C. Lesniewski** to clarify, the main problem is the offset of the cul-de-sac. **M. Werden** the fence is too close to the



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sidewalk bordering the cul-de-sac. **M. Werden** Staff has a good idea of what we are looking for and if you work with them harder, you may get a positive recommendation. We do not have the final say. The Village Board does, but in the vast majority of cases, the Board goes along with our recommendations. We are not trying to make it harder for you. We are trying to make it palatable to the people that have to look at it or might be walking along the sidewalk. **P. Szczesny** understood. **R. Grill** I just want to put it on the record that if you moved the fence back 10 feet you could get a building permit tomorrow. **C. Lesniewski** but then we would have no yard. **M. Werden** work with Staff on your options.

**G. Koziol** made a motion to continue the Public Hearing until the next meeting scheduled for October 1, 2020.

**Motioned by: G. Koziol**  
**Seconded by: C. Deveaux**

**Roll Call: Voice Vote: Unanimous Ayes**

**The motion carried.**



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**(#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

**The following exhibits were presented:**

**Exhibit A – Picture of Sign**

**Exhibit B – Mail Affidavit**

**Exhibit C – Notification of Publication**

**Paul Szczesny** of Eco Solar representing the homeowner was sworn in by **M. Werden**, Chair and presented his case for the Petitioner. **P. Szczesny** stated that they are asking for a Zoning Variance for a privacy fence and to install ground-mounted solar panels in the corner side yard. This property has a very unique outline. There is a school and a park that are adjacent north of the property. Parents and other people come to pick up their children and drop them off during the school year. The entire cul-de-sac is filled with vehicles with parents waiting. We are asking to raise the height of the fence to 6 feet to provide privacy. The other variance we are asking for is to install ground-mounted solar panels in the corner side yard. Typically, a homeowner would not have to go through a variance because the yard would be behind their house. The way this lot is shaped, we are asking to put the solar panels on the side of the house. One is going to be on the northeast corner and the other one will be directly east. We want to structure the system in such a way that the height would be five feet, six inches. No one would be able to see solar panels if the fence was raised to a height of 6 feet.

**M. Werden** asked the Petitioner if they want the whole fence on the property to be a height of six (6) feet. **P. Szczesny** answered, yes. Right now, the fence height is about 3 feet. **M. Werden** asked if the bushes in the back along the gas pipeline right-of-way would stay or come down. **P. Szczesny** stated that the bushes facing the back would stay, but they are open to removing them. **M. Werden** stated that the right-of-way is very wide and quite a distance to the bike path. Is this a drop-off point for students? **P. Szczesny** yes, the entire sidewalk and street, along the fence, the cul-de-sac, and the pathway is used. **M. Werden** you have a very unique situation. We liberalized our view on fences earlier this year, but we still do not like fences right along the sidewalk where people are walking, as it could be a potential hazard. It is going to look a little bit odd in the front. Were there any calls about this? **K. Stone** I received three calls from residents who had some concerns about the fence being that close to the sidewalk. No one stated a concern about the ground-mounted solar panels, but did state that the sidewalk is very heavily utilized and they were concerned that having the fence that close to the sidewalk could potentially be problematic. **M. Werden** were there any concerns about having the fence that high along Dartmouth Lane? **K. Stone** It is along Dartmouth Court that is the issue with the fence being six (6) feet tall. Their concerns are along the sidewalk. **B. Bucaro** asked Staff where the new fence would be. **K. Stone** stated that the Petitioner is proposing the new fence to be in the exact same location as the current fence. **B. Bucaro** asked if that met the 6-foot setback. **K. Stone** answered yes, from the



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property line. **P. Szczesny** stated that they could move the proposed fence closer to the east to be able to see more clearly around the corner where the bike path is. **B. Bucaro** asked if there was room on the roof for all of the solar panels. **P. Szczesny** stated that the Home Owner's Association does not allow any equipment installed on the side of the roof that faces the street. **B. Bucaro** asked if there was consideration made for a 4-foot fence, which would meet the Ordinance in place of the current 3-foot fence. **P. Szczesny** the same concern that people have raised about not being able to see around the corner is also the same as the homeowner's concern. A five (5) foot fence might provide better safety and security, but there is still not enough privacy. **B. Bucaro** I understand the unique shape of the lot, but was there any consideration given to moving the fence away from the sidewalk any distance rather than right on the lot line? **P. Szczesny** yes, and that is why I mentioned moving that portion of the fence. We have not discussed moving the fence on the entire property. We could move the fence about two (2) feet away from the current location that might help ease the concerns. **B. Bucaro** being right on the sidewalk, around the curve and along the other side being so high, I think both esthetically and for safety, there are concerns. **P. Szczesny** we could move it eight (8) feet or 10 feet and that would give clear site. **B. Bucaro** I would find that more appealing and less of a variance than what you are asking for. **M. Werden** I agree with that. **M. Sarwas** I agree. I think it needs to be pulled in from a safety standpoint. **P. Szczesny** the fence along the public sidewalk could be offset by two (2) feet and the smallest fence adjacent to the bike path could be moved in by eight (8) feet. **B. Bucaro** what will that do for the placement of the solar panels? **P. Szczesny** it will not have an impact as far as placement. It will have an impact on production on the system, but that is something we would be willing to work with and would be happy with that outcome. **M. Werden** asked if we have any panels in the Village that are ground level. **K. Stone** I do not believe I have ever reviewed one. **B. Bucaro** I believe there is a tree at the corner where the two sidewalks meet. Is that going to pose a problem for the tree? **P. Szczesny** that tree would be very close. We might have to move the fence a little bit further. **R. Grill** to clarify, their property line is actually one (1) foot in from the sidewalk. They are only truly moving the fence one (1) foot in from the property line. **B. Bucaro** is the current fence on the property line? **R. Grill** the fence is currently approximately six (6) inches from the property line.

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

Witness, **Monika Zakrzewski** of 1085 Dartmouth Drive came forward and stated that she lives across the street, one (1) house down from the Petitioner's property and has lived at that location for almost eight (8) years. I have observed many things throughout the years, which I have contacted the Village about. The biggest problem is with the school and parking. The cul-de-sac is a no parking zone during school days from 8:00 am to 2:00 pm, but people do park on Dartmouth Lane and around the corner to pick up their children. People cut through to the play yard to pick up kids from school and cars park there. I have observed numerous times people reaching over the Petitioner's fence and picking up their dog and kids throwing trash into the yard. I do not see a problem with them having a bigger fence. There is no privacy at all for the Petitioner. I do not see it as a safe place for children with the high traffic and people walking around. I would not feel



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safe leaving my children in their yard. There are other houses that have a six (6) foot fence. I fully support them having a six (6) foot fence for safety and privacy and the solar panels would be great.

**M. Werden** asked if there were any other questions or comments. No one came forward.

**R. Grill** the property line is through the middle of the bike path currently shown on the plan, the fence is about six (6) feet from the property line, and the bike path is about five (5) feet wide. From the east edge of the bike path, how far are you looking to pull the fence in? **P. Szczesny** are you saying that currently, the fence is past the property line? **K. Stone** the bike path is half on the property. It is split down the middle of the property line in an easement. **P. Szczesny** it does not look like there is a bike path there. Where the fence is, it looks like that is the property line. **K. Stone** the easement was recorded after the subdivision was created. **P. Szczesny** understood. **K. Stone** the previous owners for this lot and the one next to it granted an easement to put the bike path there once Sycamore Trails Elementary School was built. How far from the bike path are you willing to locate the fence? **P. Szczesny** we are willing to move the fence eight (8) feet from the current location, but I cannot tell you right now how many feet away from the bike path that would be. **K. Stone** it was 1 foot off the bike path. If you are moving it back eight (8) feet then you would be nine (9) feet from the bike path. **M. Werden** it is questionable how much we can negotiate. We are not the Plan Commission. **R. Grill** right. I just want to make sure what they are saying is clear. There is a difference between the distance from the property line and the path. **M. Sarwas** I think the concern is the bike path. You need to continue to talk about the distance from the bike path. If the property line is in the middle of the bike path that is kind of irrelevant. The bike path is already over the property line. What you really want to concentrate on is from the edge of the bike path because that is the concern. **R. Grill** the plan before your shows the fence off of the bike path and my question was, how far is this plan showing it currently off the bike path and they want to shift it even further? **P. Szczesny** currently, the fence is right up against the bike path just like it is up against the sidewalk. There is also a huge boulder on the property. **M. Werden** would you fence the boulder outside of the fence? **P. Szczesny** if we moved it 8 feet, it would still be right up against the fence on the property. **B. Bucaro** can they change their plan at this meeting without having to resubmit? **R. Grill** no. Their request before you tonight is as submitted. If you want to vote tonight, you can do that or we could continue it and work with the homeowner, or the homeowner could resubmit a new request. **M. Werden** could the Petitioner come back next month? **R. Grill** yes. **B. Bucaro** or, we could say no and the Village Board could say yes. **M. Werden** this has some major hurdles for us. I realize that the lot has a very odd configuration. I do not like setting a precedent although we are not bound by precedents with having the panels on the ground and having this fence so close to the sidewalk, especially now from what has been said, there is a lot of traffic there. I like the idea of continuing this until next month and coming back with a redesign that you work out with the Staff. That certainly is an option. **G. Papa** I agree. **M. Sarwas** I do not have an issue with the solar panels and I understand you are trying to work with the HOA regulations. I actually like the idea of a six (6) foot fence, but I would like to see this redesigned to bring the fence in especially if you are going to that height as a safety issue. I live



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on a bike path too and I understand the concerns and feeling like you are on public display. I understand that there are residents who do not necessarily have an appreciation for private property the fence is part of private property. **G. Papa** I think we all agree on the six (6) foot fence. I think we all like that, but it should be pulled back. **M. Werden** I think everybody is in agreement with moving forward with the project. We just need more details. **M. Werden** the fact that you do not have neighbors opposed to this makes a big difference. The fact that you do not have anyone opposed, we can go along with something, but this is so close to the sidewalk and personally would like to see us vote to continue this so that you can work with the Staff. **P. Szczesny** during this period of time during the month, we will be able to communicate with Staff as opposed to just resubmitting? **M. Werden** yes.

**G. Papa** continue for one (1) month and urge the homeowners and their representative to work with Staff to pull the fence back from the sidewalk.

**Motioned by: G. Papa**  
**Seconded by: M. Sarwas**

**Roll Call**

**Ayes: G. Papa, B. Bucaro, M. Sarwas, M. Werden**  
**Nays: None**

**The motion carried.**

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 Lesniowski

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

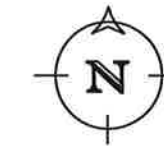
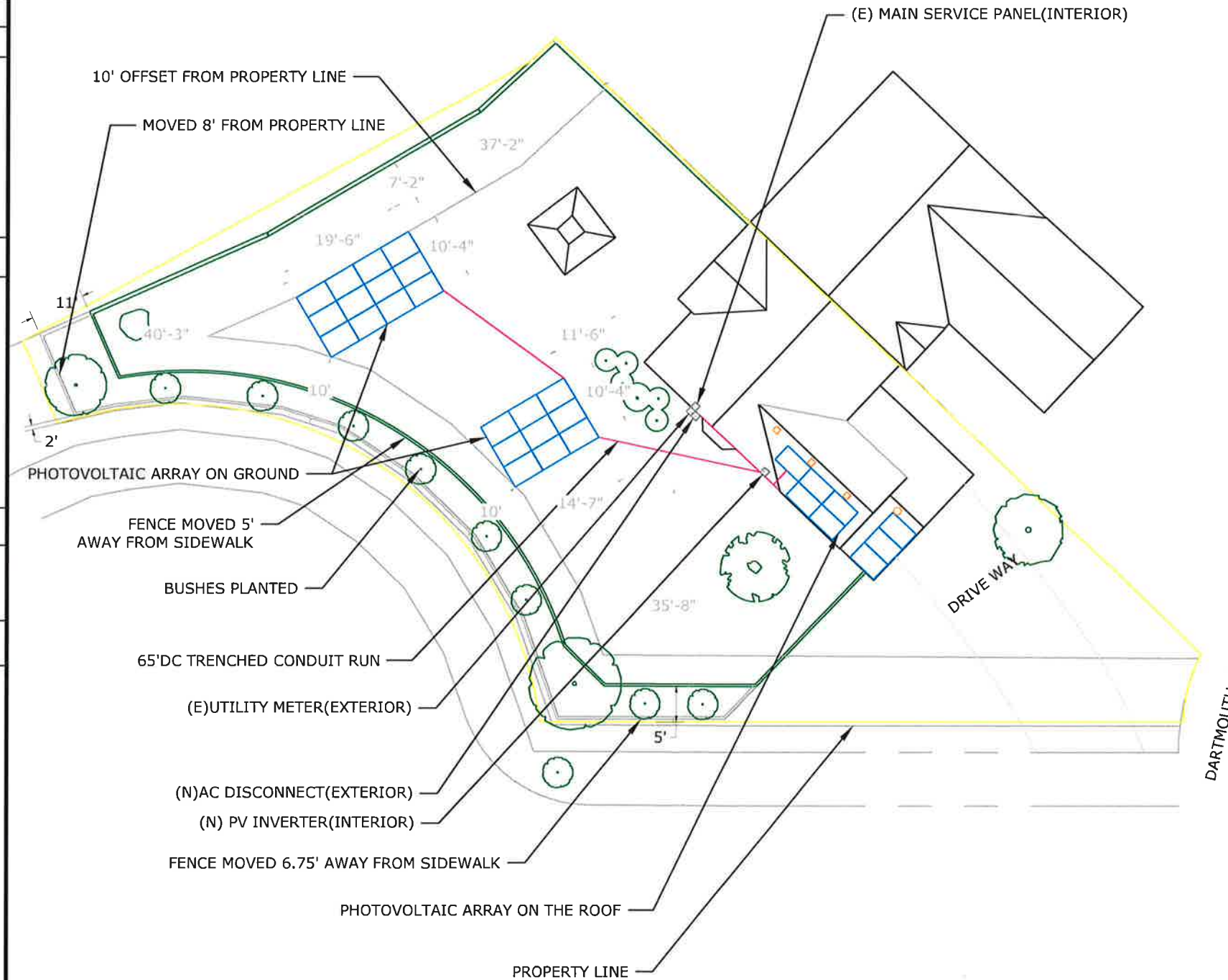
SHEET CATALOG	
INDEX NO.	DESCRIPTION
T-1	COVER PAGE
M-1	ELEVATION VIEW-1
M-2	ELEVATION VIEW-2
SS	SPEC SHEET(S)

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

## VICINITY MAP



## SITE PLAN LAYOUT



## SCOPE OF WORK

GENERAL SYSTEM INFORMATION:  
 SYSTEM SIZE:  
 11,600W DC, 10,000W AC  
 MODULES:  
 (29) SOLARIA POWER XT-400R-PM  
 INVERTER:  
 (1) SOLAREGE TECHNOLOGIES  
 SE1000H-US(240V)  
 OPTIMIZER:  
 (29) SOLAREGE 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

SCALE: 1" = 20'-0"



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

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SCALE: AS NOTED	REV: A
DATE: 8/18/2020	T-1

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

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

## VICINITY MAP



## SITE PLAN LAYOUT



## SCOPE OF WORK

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

## APPLICABLE CODES

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

## GENERAL NOTES

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SCALE: 1"=20'-0"

**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

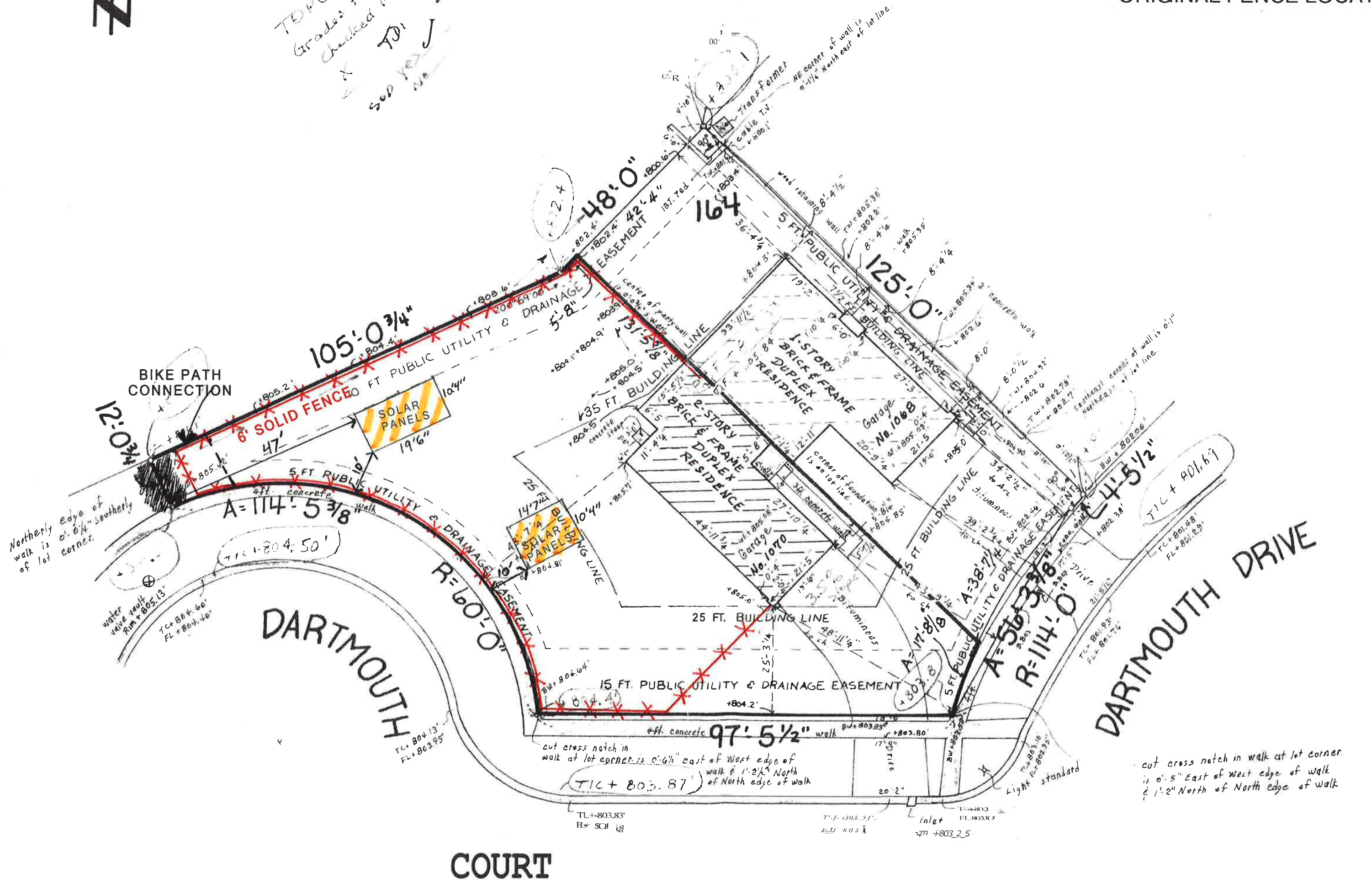


## COVER PAGE

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SCALE: AS NOTED	REV: A
DATE: 8/18/2020	T-1



*TOPG  
Grades to  
checked in  
500 102 J  
no*



COURT

DARTMOUTH DRIVE

*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*

*Northerly walk is 0'-8 1/4" Southerly corner.*

BIKE PATH CONNECTION

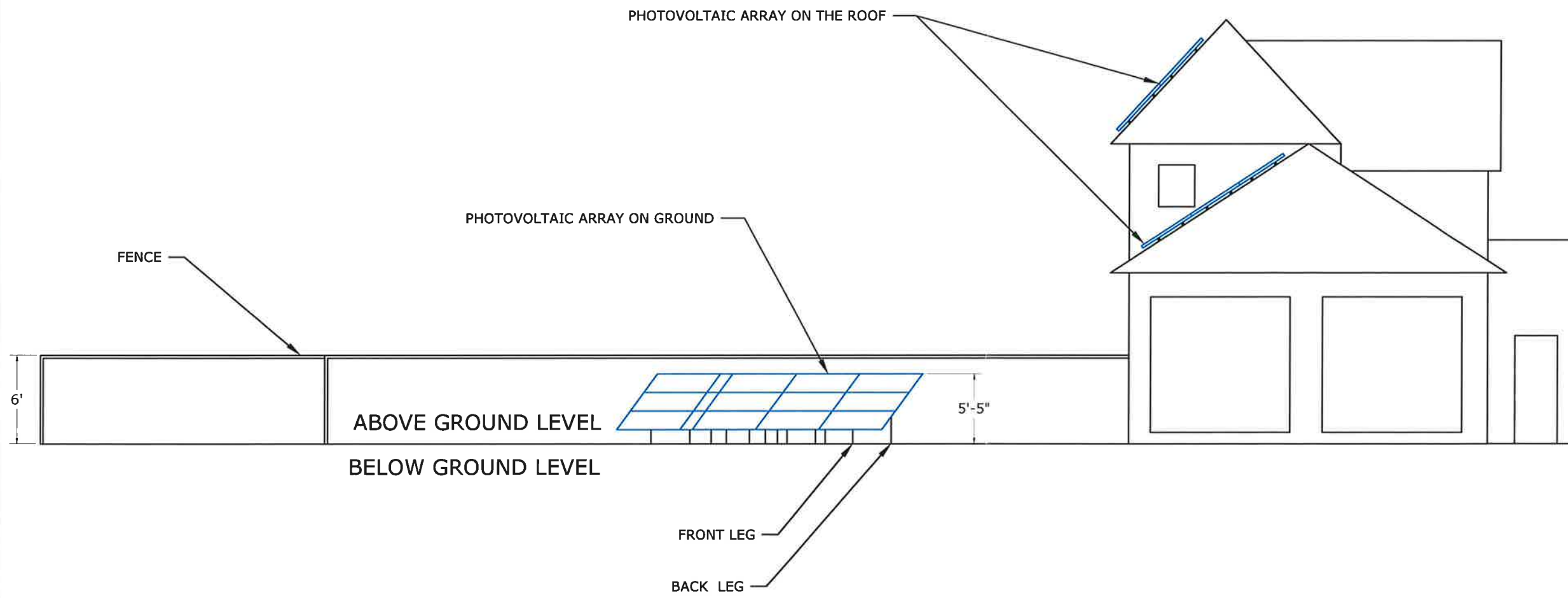
6' SOLID FENCE

DARTMOUTH

*cut cross notch in walk at lot corner is 0'-6 1/4" East of West edge of walk & 1'-2 1/2" North of North edge of walk*

*Light standard*

# FRONT ELEVATION



## AERIAL VIEW



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  
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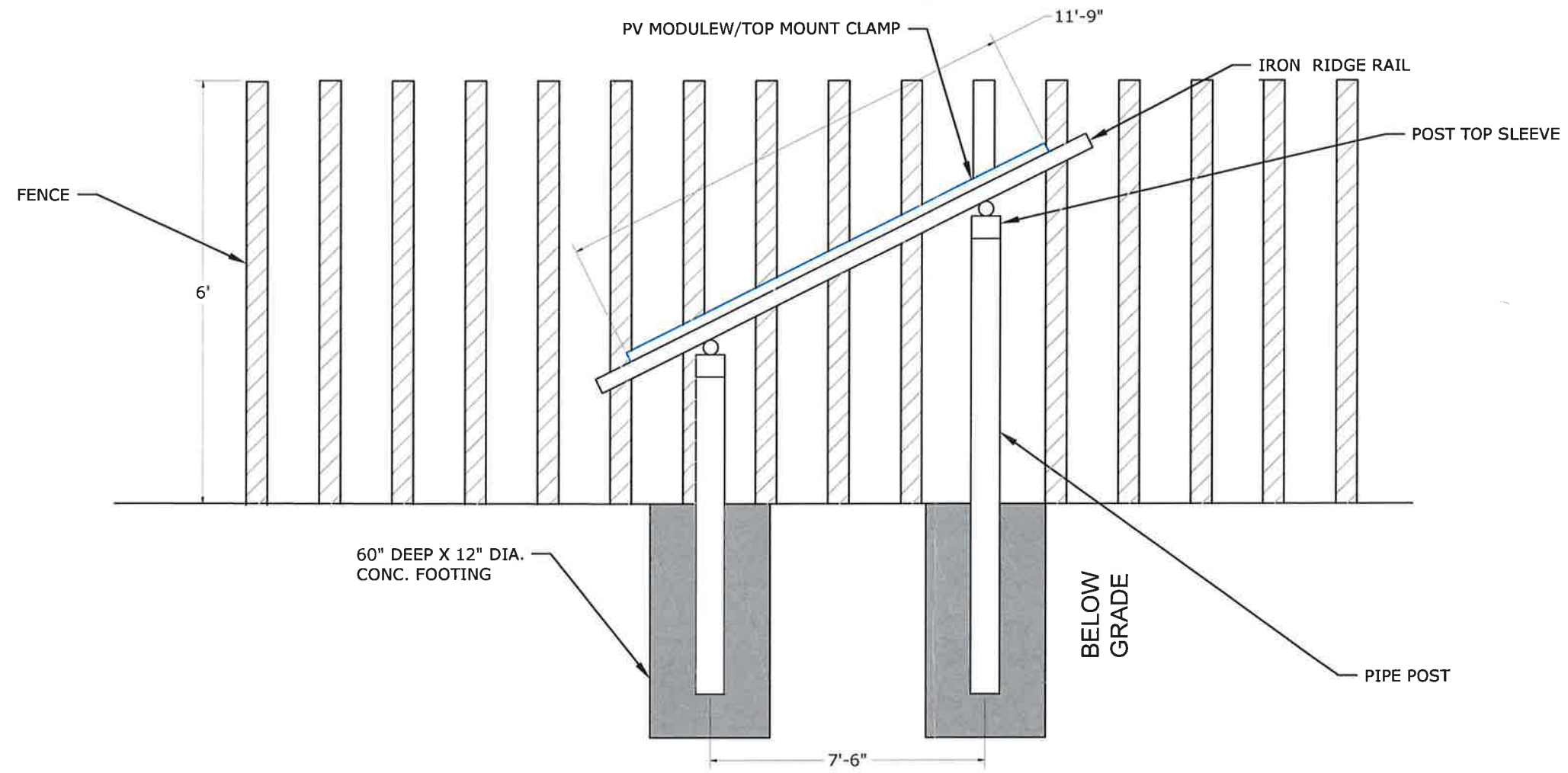
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## ELEVATION VIEW-1

DESIGNER /CHECKED BY: SR/HK	PAPER SIZE: 17"X11"
SCALE: AS NOTED	REV: A
DATE: 8/18/2020	M-1

# SIDE VIEW OF GROUND MOUNTING:



## 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

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SCALE: AS NOTED REV: A

DATE: 8/18/2020 M-2



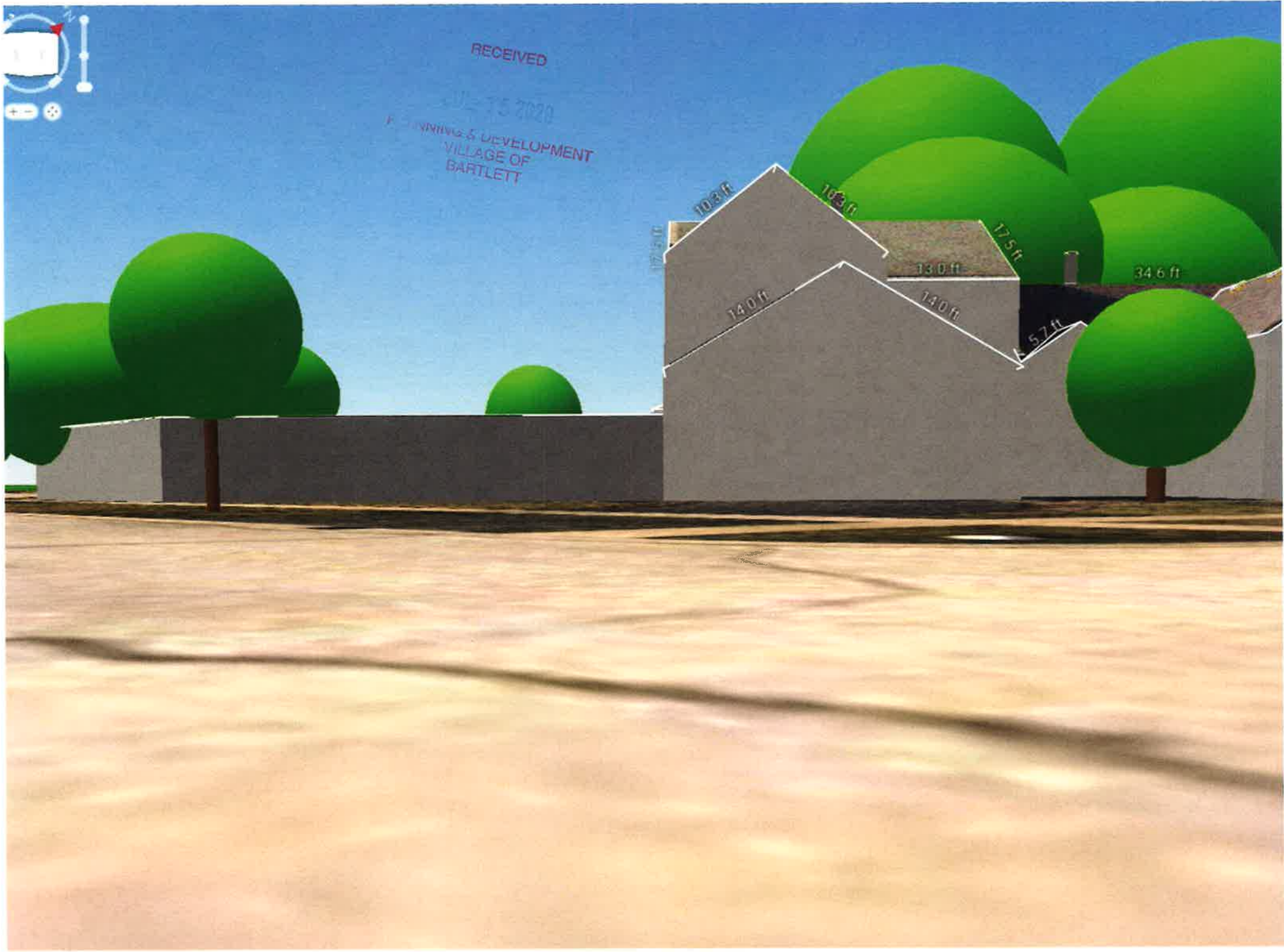


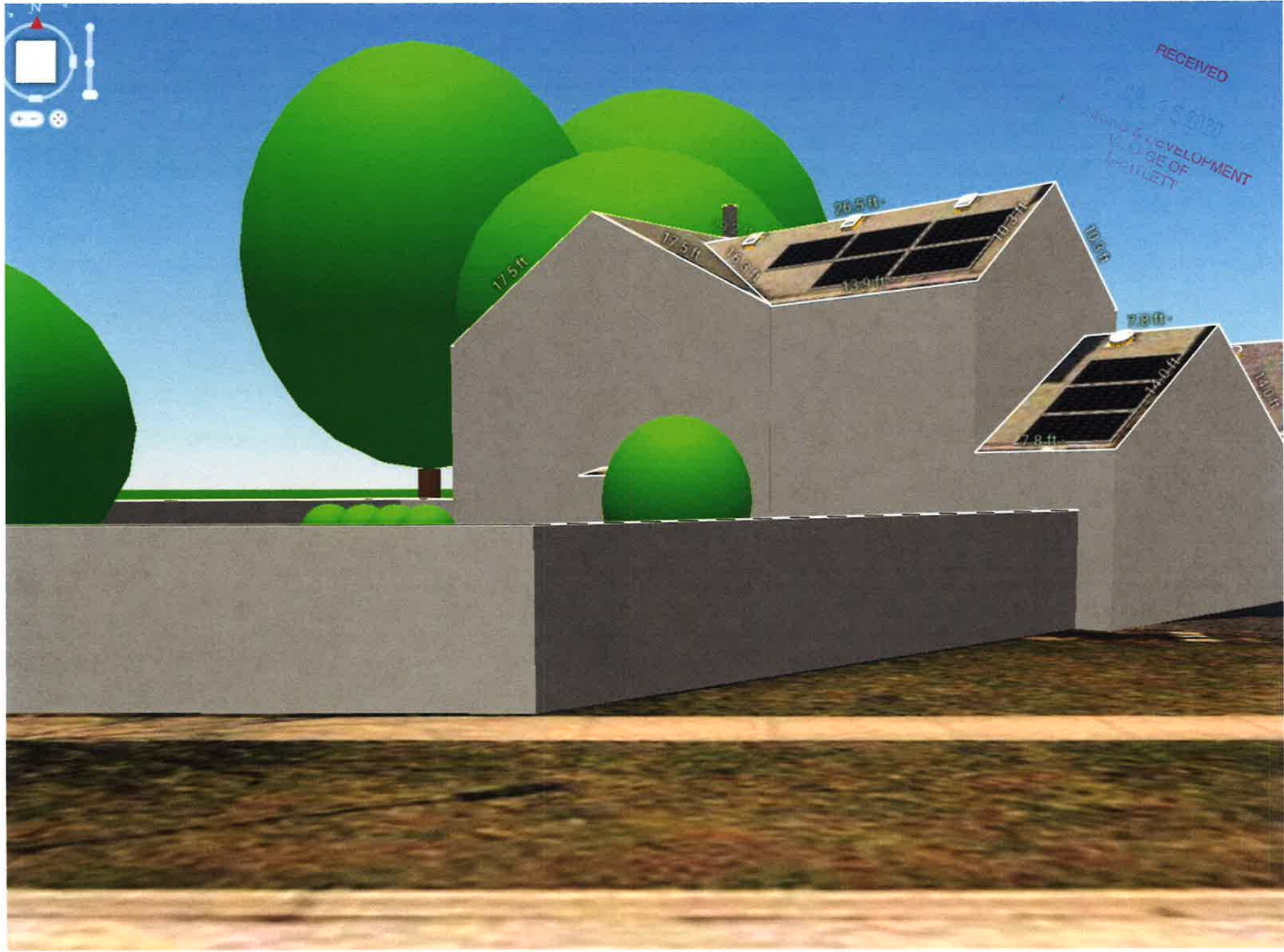


RECEIVED

JUL 25 2020

PLANNING & DEVELOPMENT  
VILLAGE OF  
BARTLETT





RECEIVED  
PLANNING & DEVELOPMENT  
CITY OF  
BELLLEVILLE

17.5 ft

17.5 ft

15.5 ft

26.5 ft

13.9 ft

10.5 ft

10.9 ft

7.8 ft

14.0 ft

14.0 ft

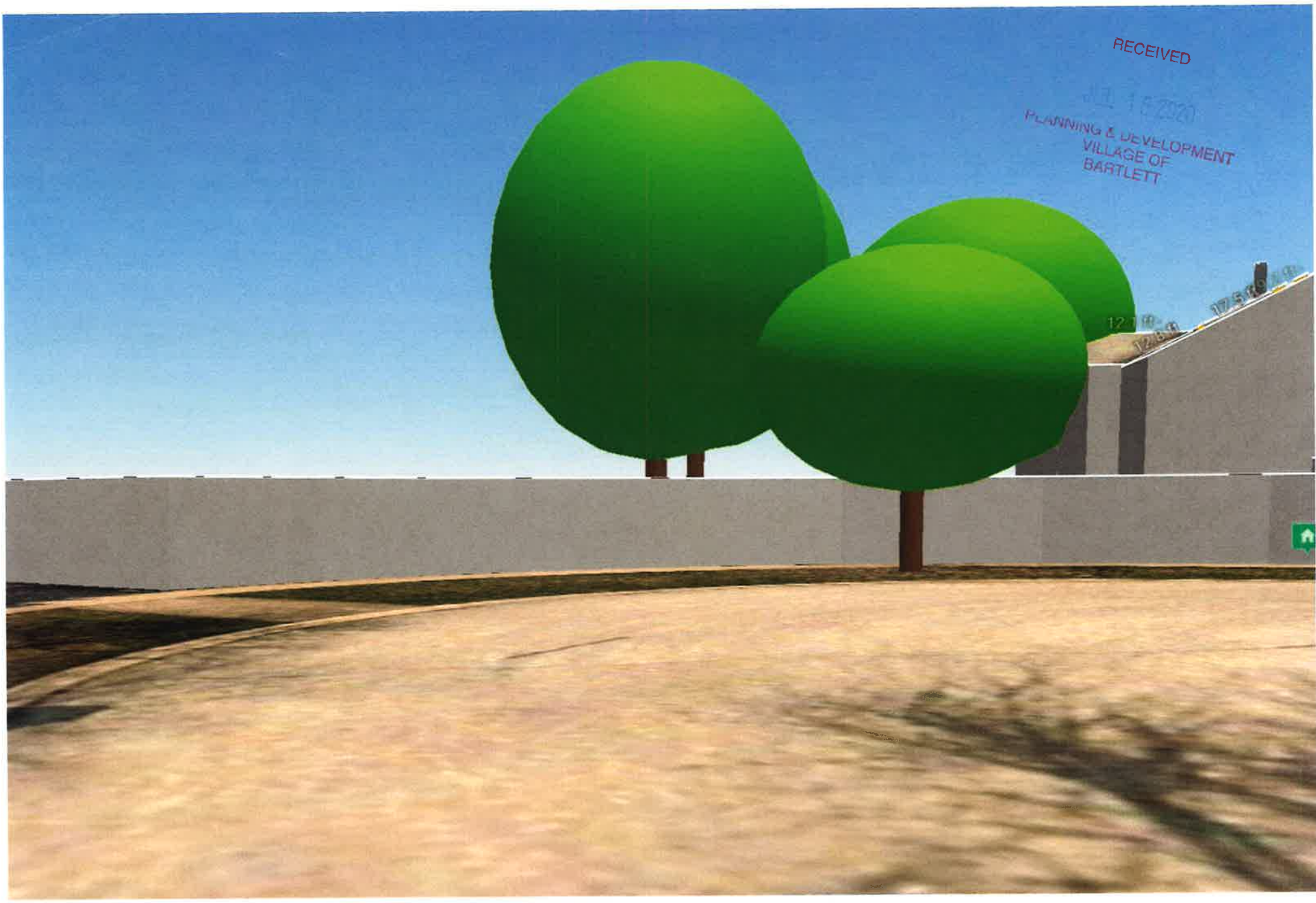
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JUL 15 2020

PLANNING & DEVELOPMENT  
VILLAGE OF  
BARTLETT

12710

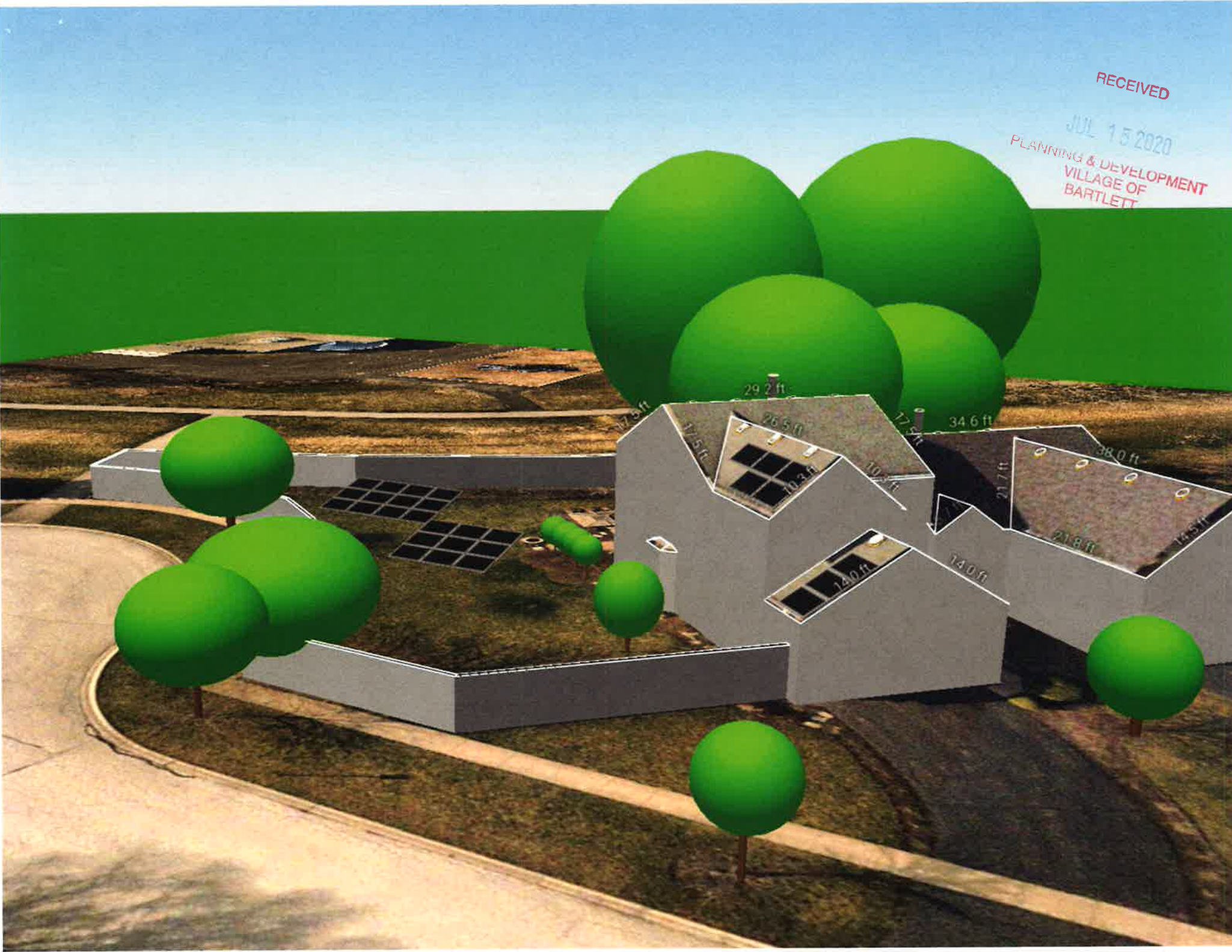
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JUL 15 2020

PLANNING & DEVELOPMENT  
VILLAGE OF  
BARTLETT



**PLANNING AND DEVELOPMENT SERVICES MEMORANDUM**  
**20-146**

DATE: September 25, 2020  
TO: The Chairman and Members of the Zoning Board of Appeals  
FROM: Kristy Stone, Village Planner *KS*  
RE: **(#20-12) 630 Golfers Lane**

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**PETITIONER**

Dan & Lori Palmer

**SUBJECT SITE**

630 Golfers Ln.

**REQUEST**

Variation – Rear Yard

At the **September 3, 2020** Zoning Board of Appeals meeting, the Petitioners submitted a written request to have the case continued to the following date. **The Zoning Board of Appeals opened the public hearing, during which two (2) members of the public voiced their concerns regarding the variation request.** The Zoning Board of Appeals continued the public hearing to their October 1, 2020 meeting. *The minutes of the September 3, 2020 Zoning Board of Appeals meeting are attached.*

**ZONING HISTORY**

The property was annexed into the Village in 1967 by Ordinance 1967-19 and zoned R-1 Single Family Residence upon annexation. The property was rezoned to RDP Residential Planned Development by Ordinance 1974-10.

The property is within the Bartlett on the Greens Subdivision which was approved by Ordinance 1987-42 *An Ordinance Rezoning the Villa Olivia Property and Granting Special Uses for the Planned Unit Development Thereof.* The Ordinance rezoned the property from the RPD Residential Planned Development Zoning District to PD Planned Development Zoning District. The rear yard setback for Bartlett on the Greens Subdivision is 30 feet; however, the rear yard setback is reduced to 20 feet if the lot abuts the golf course. The subject property does back up to the golf course therefore the rear yard setback is 20 feet.

**DISCUSSION**

1. The subject property is zoned PD (Planned Development).
2. The petitioner is requesting a 5-foot variation from the 20-foot required rear yard for a three-season room addition. This represents a 25% reduction in the required rear yard and exceeds the maximum 20% variation.
3. The residence is currently located 25.25 feet from the rear property line. The existing deck is located 15 feet from the rear property line. (Decks are allowed to encroach 10 feet into the rear yard.) The Petitioners are proposing to build a 14.5'x10.25' three-season room in the same location as the existing deck and construct a new deck north of the three season-room. The proposed three-season room addition and deck would be located 15 feet from the rear property line.
4. The house has a walkout basement, therefore the existing deck is located on the first floor rather than the ground level. The proposed three-season room will be built at the first floor (rather than at the ground level) so that it can be accessed from the main living level.
5. If the variation is approved, the petitioner could then apply for a building permit for the proposed three-season room and deck.

**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 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.
- 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, sustains all the conditions enumerated above.

Background material is attached for your review and consideration.

//Attachments





Village of Bartlett  
Zoning Board of Appeals Minutes  
September 3, 2020

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**(#20-12) 630 Golfers Lane**

Variation: A five (5)-foot reduction from the required 20-foot rear yard

**The following exhibits were presented:**

**Exhibit A – Picture of Sign**

**Exhibit B – Mail Affidavit**

**Exhibit C – Notification of Publication**

**M. Werden** opened the Public Hearing portion of the meeting and asked if the Petitioners were present. **K. Stone** stated that the Petitioners were not present. The Petitioners formally requested that their case be continued to the October 1, 2020 Zoning Board of Appeals meeting.

**M. Werden** asked if there were any comments from the public. **Michael J. Stapleton**, Vicie M. Pruden's son-in-law of 992 McPhee Dr, Lake in the Hills, IL came forward and stated that he was in opposition to the request for a variance to the setback of the rear yard variation requirement namely for the view from the next-door deck at 626 Golfers Lane. This will significantly reduce the view when looking northward. We have family gatherings there quite a bit. The houses are close together and looking at a wall would be detrimental to our family gatherings. Please do not grant the variance. This is a major gathering place for our family. We have parties and get-togethers on that deck. **Vicie M. Pruden** of 626 Golfers Lane came forward and stated, I live about 10 feet away from where the proposed addition is going to be built. When I moved there 30 years ago, we paid a premium to live on a golf course. They gave us 20-foot yards because they said we did not need larger yard because we have open space from the golf course. Now I have a neighbor that moved in two (2) years ago and they want to build an addition. This is 10 feet, maybe less if you count my deck. Right now, if I look north or south, there is a beautiful tree-lined path. I can see our neighbor's decks. I can wave to them and converse with them. The Petitioner is going to put up a wall, which is what that addition will be. They are going to put up a wall, a roof, and platform stairs going around to the front of their addition. I understand the meeting to decide this is going to be called later because the Petitioner is not here. **M. Werden** correct. We are going to continue this meeting until October 1. **M. Stapleton** asked if there was anything they should bring to the next meeting? **M. Werden** if you would like to bring pictures as an exhibit that show the view from the deck, we would like to see that. We are interested in hearing what your point of view is and why. **K. Stone** if you are bringing any photos, we need copies to maintain as part of the public record. **M. Stapleton** understood.

**M. Werden** made a motion to continue the Public Hearing until the next meeting scheduled for October 1, 2020.

**Motioned by: M. Sarwas**

**Seconded by: J. Banno**

**Roll Call: Voice Vote: Unanimous Ayes**

**The motion carried.**



Village of Bartlett  
Zoning Board of Appeals Minutes  
September 3, 2020

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**Old Business/ New Business**

**K. Stone** We are having a meeting next month with these two items that were continued tonight.

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

**Motioned by: J. Banno**  
**Seconded by: M. Sarwas**

**Motion passed by unanimous voice vote.**

**The meeting was adjourned at 8:02 pm.**

September 24, 2020

Zoning Board of Appeals Members,

Honorable members of the Board. Our request for a variance from the rear yard setback requirement is before you for consideration. We believe our situation is somewhat unique in that the many homes that border the golf course at Villa Olivia were built with reduced backyards because of the open space they abut. The homes in Bartlett on the Greens (BOTG) number 120 with about half of them having rear yards that are on the Villa Olivia Golf Course. There are also similarly situated homes south and east that run along portions of this same course.

In short, we seek to build a 3-Season Room so that we can enjoy the open space on more days of the year. This room would provide shelter from wind, rain and from insects. With the windows closed, it can be used into November or December and as early as March and April in the spring.

When we first embarked on this project, we knew that there would be several hurdles to obtaining approval. The first was to seek and obtain approval from the BOTG HOA. That approval came after several back and forth discussions via email. That approval took 1 ½ months. It was unanimously approved by the BOTG HOA Architectural Committee and then by the Executive Board after that.

We do know that the ZBA does not involve themselves in HOA matters, but we feel it is incumbent upon us to dispel the belief that some residents have that 3 season rooms are restricted. Their belief is that the HOA does not allow additions to be added to the rear of houses in our HOA and specifically not homes that have backyards on the golf course. That is simply not true. The current rules as well as the original rules say that HOA approvals are based upon quality and aesthetics. If 3 season rooms were forbidden, the rules would say that. They do not. Additionally, there are a few different types of 3 season rooms throughout our 120 home HOA. I am including some pictures of some of them. These are by no means all the different structures that exist in our subdivision, but they illustrate that not only are these rooms allowed, they also have been constructed and have existed for some time. If they were forbidden, they would not be there.

Another concern is that our project would restrict views from the home to the south of me. Our request is for a 10 by 16-foot room, 160 square feet. It is about enough room for a couple of chairs and a table. This variance is required because five feet of the 10 feet extend into the rear yard setback requirement. If constructed without the variance, we could only build a 5 by 16-foot room. In fact, it would not be a room at all; it would be a balcony.

In planning, we simply wish to construct a room where our existing deck now stands. Of course, we would enclose the room as that is the whole point of the project. Regarding views, the homes on either side of us have essentially a 180-degree view of the golf course. Building a 10-foot extension 16 feet parallel to the back of my house would be a slight reduction reducing a sliver of their entire 180 degrees. Aside from that, there are no air rights or easements through our property. The request is for a backyard reduction from the 20-foot setback requirement. The homes behind us are nearly 600 feet to the west across the 17<sup>th</sup> fairway, a pond, and the 15<sup>th</sup> fairway of Villa Olivia Golf Course. We are not seeking a side yard variance of any sort.

As stated earlier, there are any number of 3 season rooms already in existence in our HOA. Further, there are many (most?) lots that have lined their property lines with bushes, trees, and privacy fences. All these things restrict views, they just do not trigger the variance requirement that I am seeking.

The project we hope to build is a significant improvement over the deck and patio below it. The deck is constructed of wood whereas, we plan to make our 3 Season Room meld into and mirror the house by making it look like it is part of the home. It is not like the many metal and glass rooms that are common. This was our first inclination because we wanted it to look nice. We believe it enhances the value of our home, but also other homes as it is a nice-looking room. Further, the concrete below would be replaced as well. The existing patio below looks to be original from 1988 and is dirty and uneven.

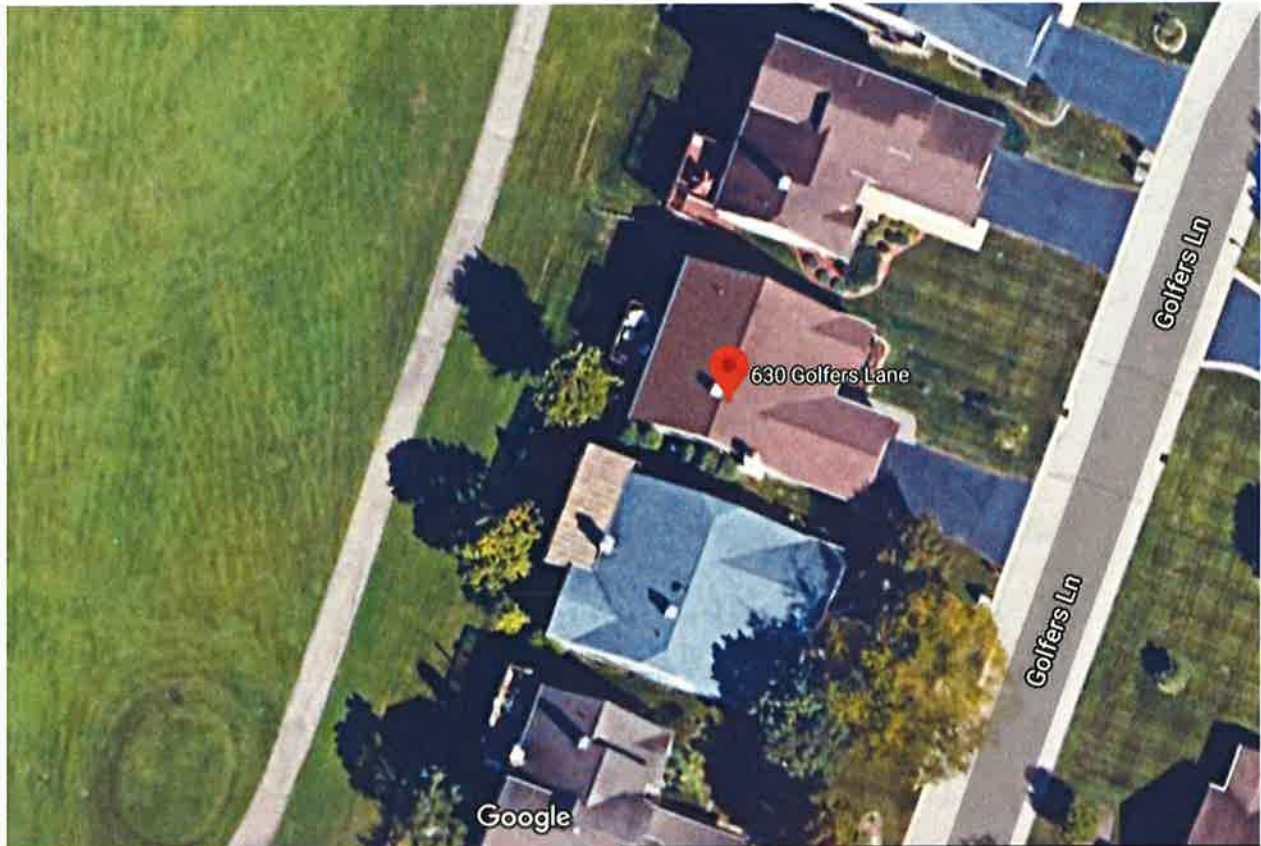
As we've needed to investigate everything to provide you with a full accounting of our request, we've learned that there are other rooms that may have been constructed and may have been constructed without permits, or in other cases, in excess of what the permit was granted for. In fact, one of those homes impacts our view as much as we are alleged to impact theirs. And unfortunately, the village preparation of our case has triggered certain follow ups by village officials. That was not our intent at all. Our intent was to simply build a room that could be enjoyed more months of the year. We believe it is a reasonable request and we do hope that we have convinced the Board that this request is reasonable too.

We have attached some photos for reference. They illustrate some of the points covered in this letter.

Sincerely yours,

Dan and Lori Palmer  
630 Golfers Lane  
Bartlett, IL 60103

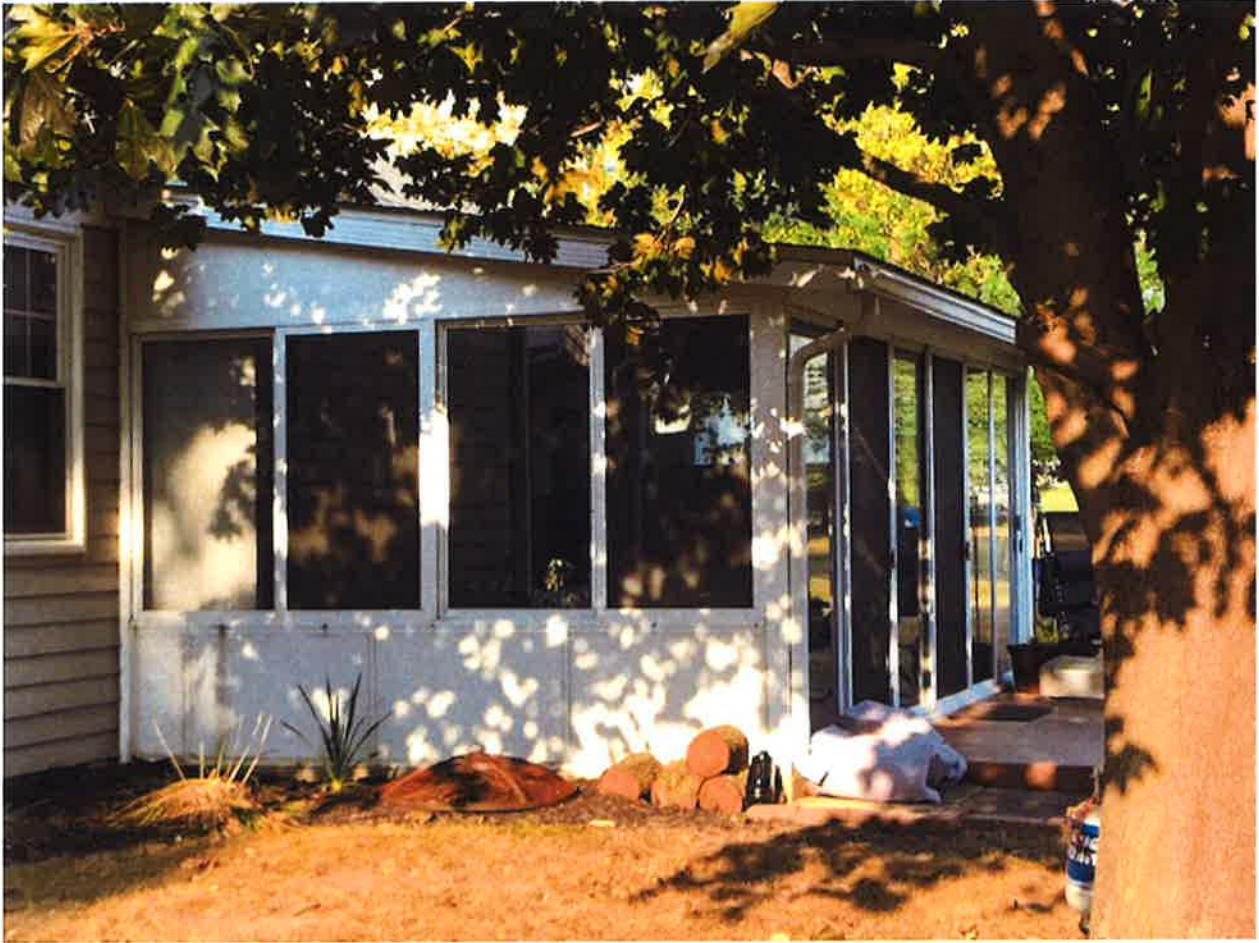
This picture was taken from Google satellite view. Our house shows the existing deck we seek to replace. You can see that the home to the south of us has a structure that extends nearly as far into the backyard. It is three times the size of what we propose to build, and it too obstructs views.



The following four pictures illustrate existing 3 season rooms within several hundred feet of our home. They are not the only 3 season structures in the subdivision but depict what is common. Please also note that they are deeper than 10 feet.











And finally, here are pictures of the home to the immediate south of us. It shows the size and scope as well as how it too obstructs views.







# VILLAGE OF BARTLETT VARIATION APPLICATION

<b>For Office Use Only</b>
Case # _____

### PETITIONER INFORMATION (PRIMARY CONTACT)

Name: Dan Palmer

Street Address: 630 Golfers Lane

City, State: Bartlett, IL

Zip Code: 60103

Email Address: [REDACTED]

Phone Number: [REDACTED]

Preferred Method to be contacted Email

### PROPERTY OWNER INFORMATION

Name: Daniel D. and Lori A. Palmer

Street Address: 630 Golfers Lane

City, State: Bartlett, IL

Zip Code: 60103

Phone Number: [REDACTED]

OWNER'S SIGNATURE: [Signature] Date: 08/06/20

*(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.)

Requesting a 5 foot variance to the rear yard set back to replace an existing deck with a 3 season room. The 3 season room requires a variance whereas the existing deck doesn't.

### PROPERTY INFORMATION

Common Address/General Location of Property: 630 Golfers Lane, Bartlett, IL 60103

Property Index Number ("Tax PIN"/"Parcel ID"): 06-29-401-007-0000

Acreage: .139 Acres

Zoning: PD  (Refer to Official Zoning Map)

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

Attorney NA

Surveyor NA

Other Architect: Mark Lindstrom

## 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 homes along Golfers lane were built with reduced backyards as they border Villa Olivia Golf Course. The closest homes to the west are across two fairways and an open lake in the City of Elgin over 500 feet away. We seek to convert an existing deck into a 3-season room. The proposed room would be the same size as the existing deck and a new deck will be adjacent to the the 3 sason room to the north. Homes on either side of 630 also have existing decks of the same or similar reach.

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.

Homes along Golfers were built with reduced yards because they abut the Villa Olivia Golf Course. The closest homes to the rear are in Elgin, across two fareways and a retention pond.

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 not intended to make any money at all, but rather to get more use out of the back of our house. It would do this by allowing more use in the spring and fall portions of the year as well as when it is raining.

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.

We purchased this property in 2016. It was built in 1988 with reduced backyards because it abutted the golf course. We are the third owner of this particular property and didn't have a property interest here when it was built.

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 believe it improves the property. Though the creation of this 3 season room activates the variation requirement, we are proposing to create a room that is sided and matches the house as opposed to rooms that are predominantly aluminum. Other than adjacent homeowners, other homeowners could view it only from the golf course.

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.

It will not impair any light to adjacent properties. The proposed room that requires the variation is about 10 1/4 by 14 1/2 feet. It will not cause any detrimental affects in our 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.


We understand this. We believe the golf course open space mitigates the encroachment.

**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: Dan Palmer, Lori Palmer \_\_\_\_\_

DATE: August 6, 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: Dan and Lori Palmer \_\_\_\_\_

ADDRESS: 630 Golfers Lane \_\_\_\_\_

Bartlett, IL 60103 \_\_\_\_\_

PHONE NUMBER:  \_\_\_\_\_

EMAIL:  \_\_\_\_\_

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

DATE: August 6, 2020 \_\_\_\_\_

# Location Map

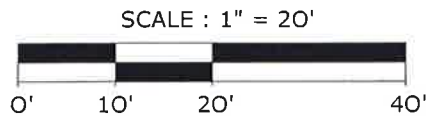
2020-12 630 Golfers Ln.  
Variation - Rear Yard  
PIN: 06-29-401-007





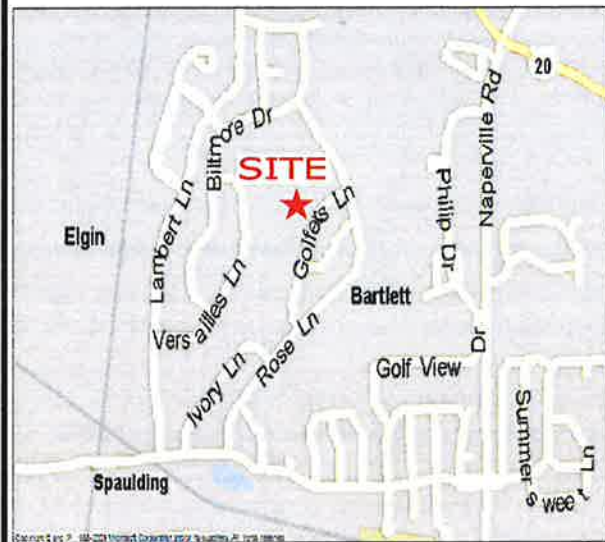
### BASIS OF BEARING

BEARINGS SHOWN HEREON ARE BASED ON ILLINOIS STATE PLANE, EAST ZONE, NAD83 (2011)



11" X 17" PRINT IS THE FULL SCALE FORMAT OF THIS SURVEY. ANY OTHER SIZE IS AT AN ADJUSTED SCALE.

### LOCATION MAP

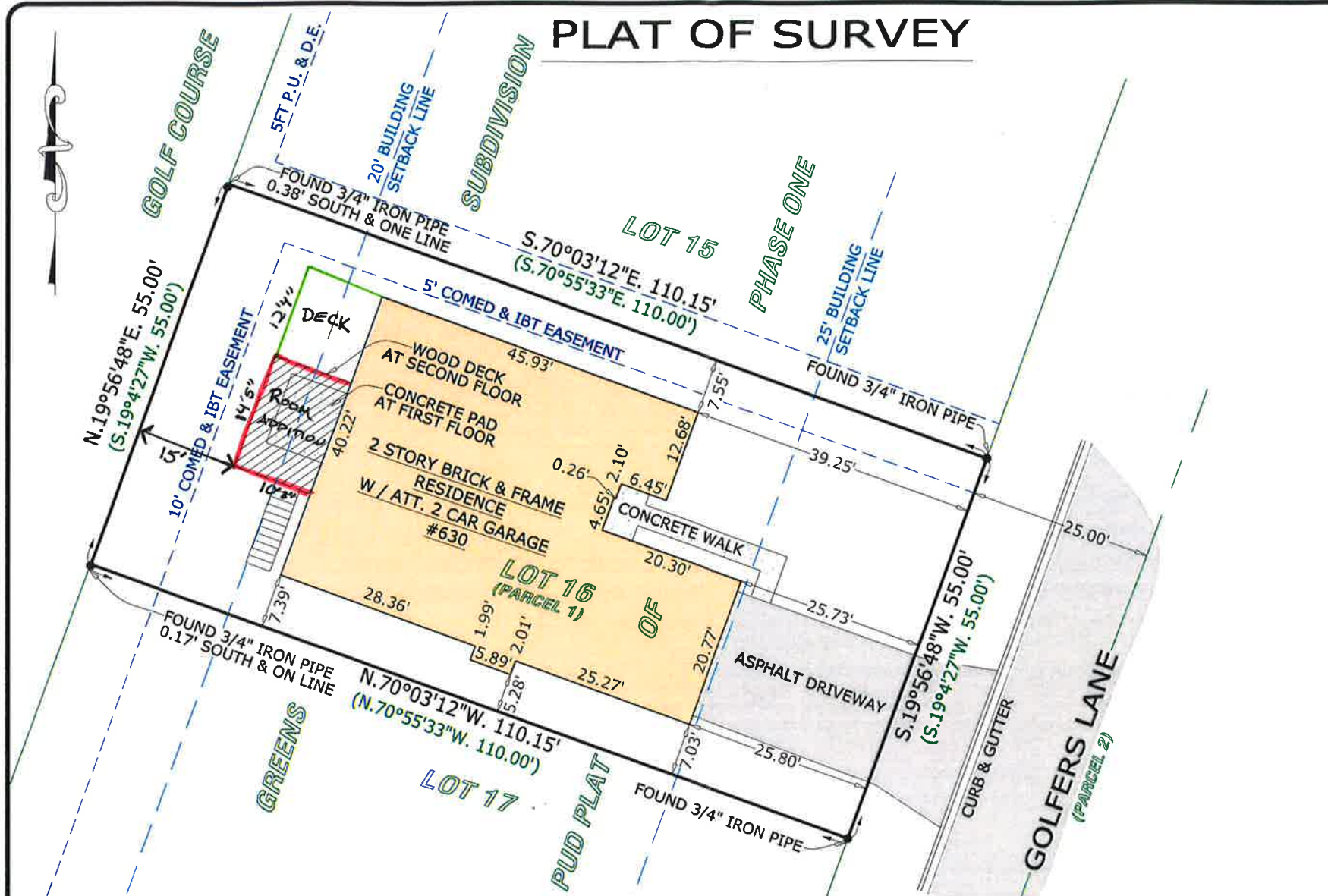


NOT TO SCALE

### LEGEND

- Found or Set Monument
- ✦ Found or Set Cut Cross
- Found or Set Concrete Monument
- 59.75' (60.00') Measured Record
- Property Line
- Concrete
- Asphalt
- Building
- P.U. & D.E. Public Utility & Drainage Easement

## PLAT OF SURVEY



PARCEL 2: NON-EXCLUSIVE PERPETUAL EASEMENT APPURTENANT TO AND FOR THE BENEFIT OF PARCEL 1, AFORESAID, AS CREATED BY AGREEMENT DATED NOVEMBER 5, 1987 AND RECORDED DECEMBER 3, 1987 AS DOCUMENT 87640493 FOR INGRESS AND EGRESS OVER AND UPON THE FOLLOWING DESCRIBED PARCEL OF LAND: THAT PART OF THE NORTHEAST 1/4 OF SECTION 29, TOWNSHIP 41 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 29, THENCE SOUTH 87 DEGREES 40 MINUTES 20 SECONDS WEST ALONG THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 29, A DISTANCE OF 129.36 FEET; THENCE NORTH 19 DEGREES 38 MINUTES 58 SECONDS WEST, 143.95 FEET; THENCE NORTH 35 DEGREES 40 MINUTES 06 SECONDS WEST, 103.91 FEET; THENCE NORTH 89 DEGREES 59 MINUTES 30 SECONDS WEST, 241.97 FEET TO THE POINT OF BEGINNING; THENCE NORTH 44 DEGREES 10 MINUTES 28 SECONDS WEST, 394.85 FEET; THENCE NORTHERLY 506.21 FEET ALONG THE ARC OF A CIRCLE, TANGENT TO THE LAST DESCRIBED COURSE, CONVEX WESTERLY HAVING A RADIUS OF 500.00 FEET AND WHOSE CHORD BEARS NORTH 15 DEGREES 10 MINUTES 15 SECONDS WEST, A DISTANCE OF 484.86 FEET; THENCE NORTH 13 DEGREES 49 MINUTES 58 SECONDS EAST, TANGENT TO THE LAST DESCRIBED COURSE, 933.56 FEET; THENCE NORTH 56 DEGREES 50 MINUTES 08 SECONDS EAST, 19.01 FEET TO A POINT ON THE SOUTHERLY LINE OF US ROUTE 20 (LAKE STREET); THENCE WESTERLY 109.09 FEET ALONG THE LAST MENTIONED SOUTHERLY LINE, BEING THE ARC OF A CIRCLE, CONVEX SOUTHERLY HAVING A RADIUS OF 2,253.87 FEET AND WHOSE CHORD BEARS NORTH 78 DEGREES 56 MINUTES 24 SECONDS WEST, A DISTANCE OF 109.08 FEET; THENCE SOUTH 13 DEGREES 49 MINUTES 58 SECONDS WEST, 913.11 FEET; THENCE SOUTHERLY 573.03 FEET ALONG THE ARC OF A CIRCLE, TANGENT TO THE LAST DESCRIBED COURSE, CONVEX WESTERLY HAVING A RADIUS OF 566.00 FEET AND WHOSE CHORD BEARS SOUTH 15 DEGREES 10 MINUTES 15 SECONDS EAST, A DISTANCE OF 548.87 FEET; THENCE SOUTH 44 DEGREES 10 MINUTES 32 SECONDS EAST, 66.00 FEET; THENCE NORTH 44 DEGREES 10 MINUTES 28 SECONDS WEST, 51.33 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

### LEGAL DESCRIPTION

PARCEL 1: LOT 16 IN BARTLETT ON THE GREENS SUBDIVISION AND PUD PLAT OF PHASE ONE, BEING A SUBDIVISION OF PART OF THE NORTHEAST 1/4 AND PART OF THE SOUTHEAST 1/4 OF SECTION 29, TOWNSHIP 41 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 8, 1988 AS DOCUMENT 88010837, IN COOK COUNTY, ILLINOIS.

PARCEL 2: SEE BELOW

### SURVEY NOTES

EASEMENTS AND SETBACKS SHOWN HEREON ARE BASED UPON THE RECORDED SUBDIVISION PLAT UNLESS NOTED OTHERWISE.

ALL BUILDING TIES ARE TO THE SIDING / BRICK CORNERS.

THE PERMANENT PARCEL INDEX NUMBER FOR THE PROPERTY DESCRIBED HEREON IS 06-29-401-007.

THE PROPERTY DESCRIBED HEREON CONTAINS 6,058.2 SQ. FT. OR 0.139 ACRES, MORE OR LESS.

PROPERTY COMMONLY KNOWN AS:  
630 GOLFERS LANE  
BARTLETT, IL 60103

### SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS }  
COUNTY OF KANE } SS

I, CHARLES S. MARSHALL, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PLAT SHOWN HEREON, BEING COMPLETED IN THE FIELD ON 07/07/2016, IS A CORRECT REPRESENTATION OF A SURVEY PERFORMED AT AND UNDER MY DIRECTION.

THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND BOUNDARY SURVEYS SET FORTH BY ILLINOIS STATE LAW.

ALL DIMENSIONS ARE IN FEET AND DECIMAL PARTS THEREOF.

GIVEN UNDER MY HAND AND SEAL THIS 29TH DAY OF JULY, A.D. 2016.

CHARLES S. MARSHALL  
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-3377  
LICENSE EXPIRES 11/30/2016



PREPARED BY:



ASM Consultants, Inc.

16 E Wilson St, Batavia IL 60510  
Tel (630) 879-0200 Fax (630) 454-3774  
advanced@advct.com

Professional Design Firm #184-006014 expires 4/30/2017

PREPARED FOR:



Law Offices of Angela M. Tricoci P.C.  
162 East Chicago Street  
Elgin, IL 60120  
(847) 477-3508

NO.	DATE	REVISION
1.	07/07/2016	FIELD SURVEY COMPLETED
2.	07/29/2016	FINAL SURVEY COMPLETED

SITE DESIGNATION INFORMATION:  
630 GOLFERS LANE  
BARTLETT, IL 60103

PROJECT NO.  
758029

DRAWN BY: AH CHECKED BY: CSM

L-1



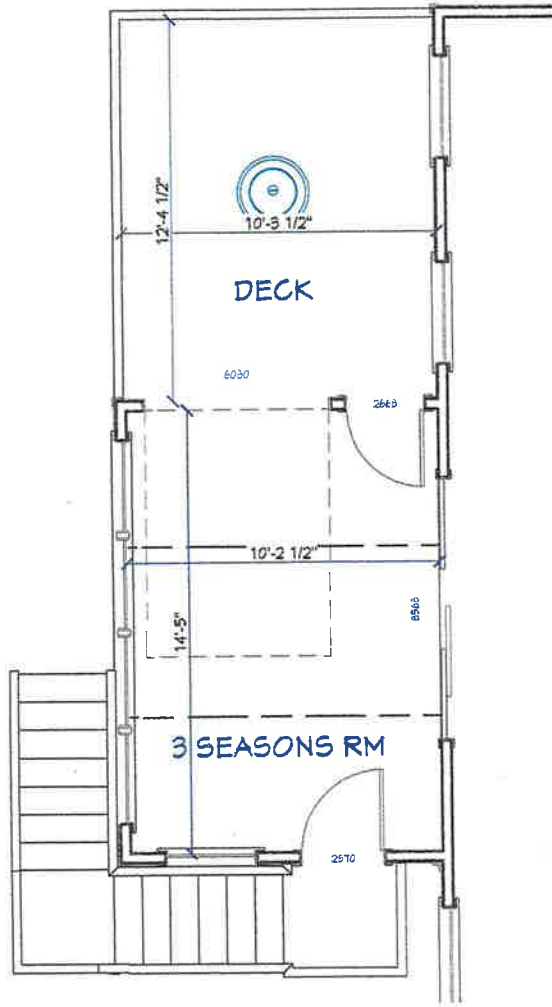
6/9/20

**LINDSTROM**  
ASSOCIATES  
PHONE: 630-294-0252  
LINDSTROM@LINDSTROM.COM

PROPOSED 3 SEASONS ROOM  
630 GOLFERS LANE  
BARTLETT, IL

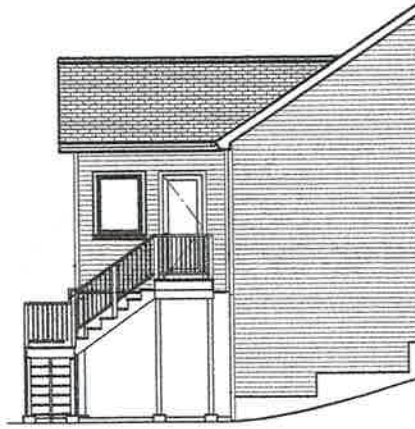
SHEET

2



**PROPOSED 3 SEASONS ROOM**

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



**PARTIAL SOUTH ELEVATION**



**PARTIAL NORTH ELEVATION**

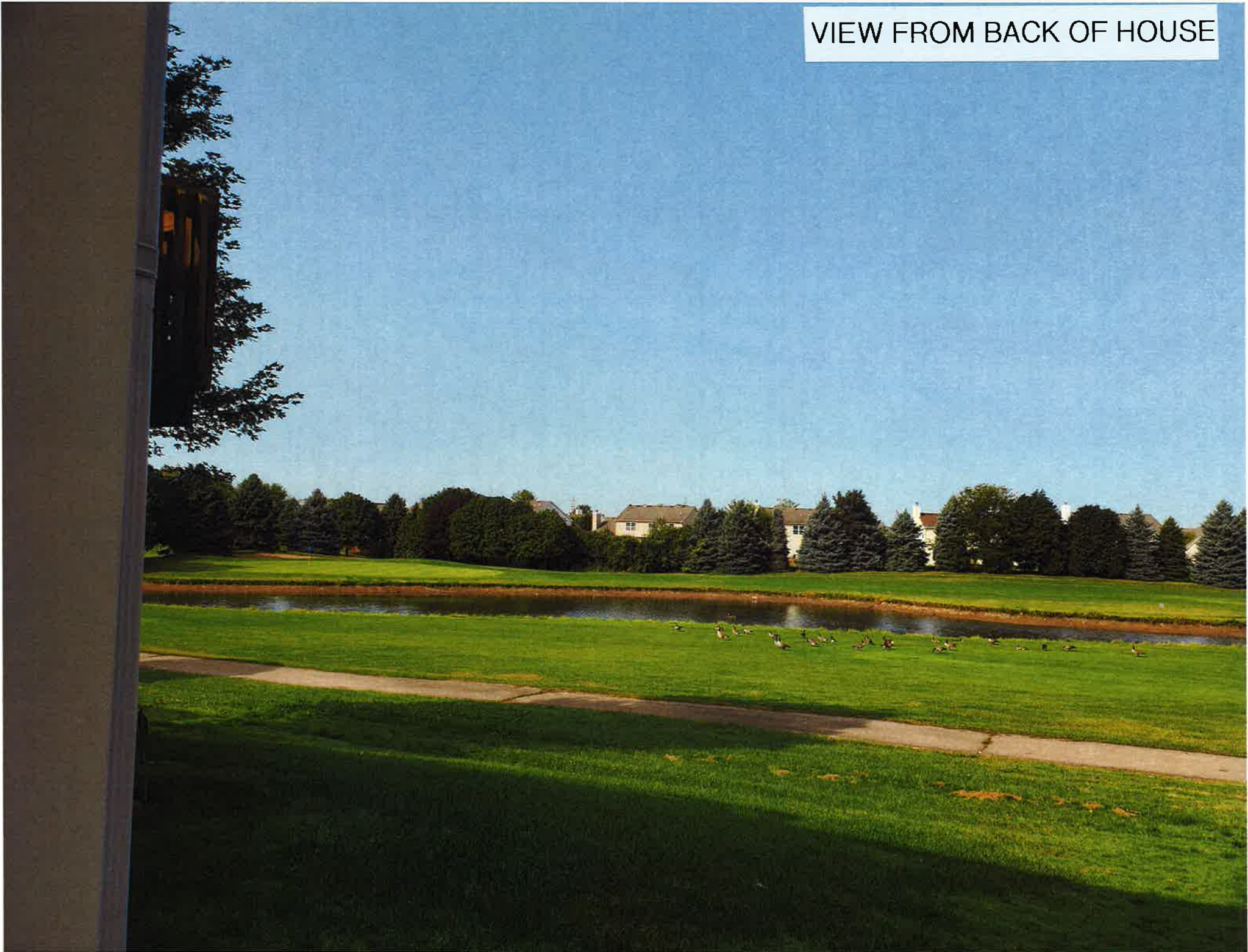


**WEST ELEVATION**





VIEW FROM BACK OF HOUSE



# Location Map

2020-12 630 Golfers Ln.  
Variation - Rear Yard  
PIN: 06-29-401-007

