

VILLAGE OF BARTLETT ZONING BOARD OF APPEALS (HYBRID MEETING) AGENDA 228 MAIN STREET May 6, 2021 7:00 P.M.

This meeting will be held in person and virtually through "Zoom." You may join the meeting online via <u>https://zoom.us/j/95293232267</u> or call (312) 626-6799 using Webinar ID 952 9323 2267

Public comments will be accepted during the meeting or may be emailed in advance to planningdivision@vbartlett.org

- I. Roll Call
- II. Approval of the December 3, 2020 meeting minutes
- III. (#21-06) 1306 Richmond Lane Variation: Rear yard PUBLIC HEARING
- IV. Old Business/New Business
- V. Adjournment



M. Werden called the meeting to order at 7:02 pm.

Roll Call

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

Also Present: Planning & Development Services Director, Roberta Grill, Village Planner, Kristy Stone, and Associate Planner, Devin Kamperschroer

Approval of Minutes

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

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

Roll Call

Ayes: G. Koziol, B. Bucaro, J. Banno, and M. Werden Nays: None Abstain: G. Papa

The motion carried.



(#20-02) Rana Cold Storage (1320-1340 Brewster Creek Blvd) Variation: To allow loading docks in the corner side yard PUBLIC HEARING (CONTINUED FROM NOVEMBER 5, 2020 MEETING)

The following exhibits were presented: Exhibit A – Picture of Sign Exhibit B – Mail Affidavit Exhibit C – Notification of Publication

Zoning Board of Appeals member C. Deveaux joined the meeting a 7:07 pm.

On behalf of the Petitioner, Chad Silvester of Partners in Design Architects, 2610 Lake Cook Road, Riverwoods, IL was sworn in by M. Werden. C. Silvester stated that Rana would like to construct angled docks on the south side of the building along Brewster Creek Boulevard. The existing site is a corner lot and the building is rectangular with docks on two sides. Rana is taking the east portion of the building, which presents challenges operationally where they need to receive products in the raw form and then ship out finished products as well. According to USDA regulations, those elements have to be on separate sides or separate parts of the building and because the docks are on the north and east sides, there is really no practical way inside the building to have product come in, turn 90 degrees through the coolers and required square footage, and then exit the building on the east. We have created angled docks on the south and a small access drive so that trucks are pulling in, backing into the dock, and then pulling out onto Brewster Creek Boulevard without obstructing any vehicular traffic. M. Werden the USDA requires this? C. Silvester yes, the USDA regulations require that finished and raw goods are separated. The landscaping and other elements of the project will comply with the building code and zoning code. There really are no detrimental affects to the project because it is selfcontained and away from other tenants. We feel it is consistent with other operations in the Brewster Creek Business Park. M. Werden will the landscaping be left in place? K. Stone they are adding landscaping to help screen the loading docks. They are putting in evergreen trees and shrubs. They are adding a lot more than what is out there currently. M. Werden I like that you are adding more landscaping. If we say no, you are driven to go somewhere else or not expand because of the USDA regulations. C. Silvester that is correct. We are very limited in this location and it would necessitate looking at other operations and potentially moving to another location. M. Werden you probably have grown faster than what was anticipated at the time you came here. G. Koziol if these four loading docks are outbound, where are the inbound goods? C. Silvester the inbound docks are on the north side of the building. **B. Bucaro** it is always nice when a Bartlett business is very successful and needs to expand. This is a minor variance and I am always happy to help a business. **G. Papa** I appreciate the landscaping that they are putting in.

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

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

M. Werden asked if there were any further questions or motions by the Commission.



J. Banno made a motion to pass along a positive recommendation to the Village Board to approve case (#20-02) Rana Cold Storage a variation to allow docks in the corner side yard subject to the conditions and Findings of Fact outlined in the Staff report.

Motioned by: J. Banno Seconded by: G. Koziol

<u>Roll Call</u> Ayes: G. Papa, B. Bucaro, C. Deveaux, J. Banno, G. Koziol, and M. Werden Nays: None

The motion carried.



(#20-17) Brewster Creek Business Park, Lot 2A

Variations:

- A. To allow loading docks in the corner side yard
- B. To reduce the number of required parking spaces from 463 to 423

PUBLIC HEARING (CONTINUED FROM NOVEMBER 5, 2020 MEETING)

The following exhibits were presented: Exhibit A – Picture of Sign Exhibit B – Mail Affidavit Exhibit C – Notification of Publication

The Petitioners, Brian Quigley of Conor Commercial Real Estate, 9500 W. Bryn Mawr, Rosement, IL and Bryan Rieger of V3 Civil Engineering Group, 7325 Janes Avenue, Woodridge, IL were sworn in by M. Werden. B. Quigley stated that Conor Commercial is proposing to develop a 435,000 square foot warehouse building for bulk product in and bulk product out. It is not for food use. This is a speculative building. We do not have a user in mind for the building. We are proposing a warehouse where bulk product is going to be stored, come in on the north side of the building and exit on the south side. We have a truck court on the north side and a truck court on the south side, and car parking on the east and west. Conor Commercial is the contract purchaser. We do not own the lot. We are proposing to start construction maybe next month. We are going to close in December and start construction next month. This is a speculative warehouse and is very similar to the building to the south, which is the McKesson building. The design is for bulk storage. Trucks are going to deliver pallets on one side and ship smaller quantities out on the other side. One of the variances that we are requesting is for car parking for 423 cars versus the code requirement of 463 car spaces. We are going to put in 90% of what is required. Based on our experience, we think the car parking need is going to be 200-300. We think 423 car spaces are more than enough. We just finished a building very similar to this at 2601 Galvin Drive in Elgin. That is a 385,000 square foot cross-dock building that was built as a speculative building where we put in 300 parking spaces and they are using about 90 spaces. If we put this building next that one in Elgin, 423 parking spaces currently as shown, would exceed the requirement in Elgin. There are a couple of examples within Brewster Creek Business Park that have a 50% reduction in parking. The McKesson building at 375 Spitzer Road has 272 car stalls and 400,00 square feet, which is about 50% of code and The Animal Supply Company at 1315 Brewster Creek Boulevard, which is a 421,000 square foot building of similar design has 227 parking spaces, which is also about 50% of code. Those are two examples in Brewster Creek Business Park where 50% of code has been provided in terms of parking spaces without much of an issue and we are providing 90% on day one. M. Werden were your parking projections made before the Covid problem? B. Quigley yes. The way we break it down is how many parking spaces do we need for warehouse workers and how many do we need for the office. We do not know what is going to go in the building or how much office is going to be there, but typically, these buildings are 5% office. We are building a 435,000 square foot building, we would probably have 25,000 square feet of office with 5 parking spaces 1,000 square feet of office, which would be 125 for the office workers and another 100 or so for the warehouse workers. There is going to be about 80 racked aisles in the building and each aisle can support one to two workers. That is how we came to that number. We are building a Class A institutional-quality building and want maximum flexibility. We should be able to capture 90% of the user market with this design. We are going into this



without a tenant so we want to be able to lease the building and want to be very flexible in terms of design and functionality. M. Werden I am intrigued to see this get off the ground because for years, it just looked like wasteland out there after the gravel pits were done. B. Quigley one of the problems is that this is in Cook County, so there is a risk, but we are hoping for the best. M. Werden I admire you for being willing to venture out into Cook County for that tax reason. C. Deveaux are you still going to maintain the 12 handicapped spots? B. Quigley yes. B. Bucaro regarding the parking, I do not have any big issues with that based on the information that was provided. It seems like a lot of trailer parking, but if it is a warehouse, it is best to have that parking rather than cars. As a point of clarification, you cited two buildings in Brewster Creek Business Park with reduced automobile parking. There is a chance that one or both may have had landbank greenspace as part of the agreement. K. Stone in both of those cases that were cited, 1315 Brewster Creek Boulevard and 375 Spitzer, they have land banked all of the parking that would be required to bring them up to 100% to meet code and there are landbank agreements for that. We do have several lots that did receive variations that did not do landbank agreements; 1570 Hecht Court is 30% short without a landbank agreement, 1340 Munger Road is 68% short without a landbank agreement, and 1370 Brewster Creek Boulevard is 2% short without a landbank agreement. B. Bucaro I personally like the landbank concept. In the future, if things change, since it is a speculative building and we do not know what is going in, with the landbank that would ensure that parking is not going to be an issue. In this case, a variance with 90%, I am fine with that. M. Werden I think that is a valid concern. Typically, our parking requirements probably are on the conservative side. K. Stone for warehousing, we tend to require more parking than what other towns require. M. Werden land banking is a good idea, but in this case, they are not short by that many at 90%. **R. Grill** for the record, there is no parking permitted on the public streets within the Brewster Creek Business Park.

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

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

M. Werden asked if there were any further questions or motions by the Commission.

B. Bucaro made a motion to pass along **a positive recommendation** to the Village Board to approve case **(#20-17) Brewster Creek Business Park, Lot 2A** variations to allow loading docks in the corner side yard and to reduce the number of required parking spaces from 463 to 423 subject to the conditions and Findings of Fact outlined in the Staff report.

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

<u>Roll Call</u> Ayes: G. Papa, B. Bucaro, J. Banno, C. Deveaux, G. Koziol, and M. Werden, Nays: None

The motion carried.

Village of Bartlett Zoning Board of Appeals Minutes



Old Business/ New Business

R. Grill I don't think we have a meeting planned for next month. **K. Stone** the deadline is not until the week of the 14th, but at this point, we do not have anything that has been submitted. --**R. Grill** for the record, this year, because we are not getting together in person, we are going to drop off appreciation gifts to your homes and we will let you know what day we will be doing that.

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

Motioned by: B. Bucaro Seconded by: J. Banno

Motion passed by unanimous voice vote.

The meeting was adjourned at 7:30 pm.

PLANNING AND DEVELOPMENT SERVICES MEMORANDUM 21-49

DATE: April 27, 2021

TO: The Chairman and Members of the Zoning Board of Appeals

FROM: Devin Kamperschroer, Associate Planner

RE: (#21-06) 1306 Richmond Ln

PETITIONER

Ed & Lori Pomeroy

SUBJECT SITE

1306 Richmond Ln.

<u>REQUEST</u>

Variation – Rear Yard

ZONING HISTORY

The property was annexed into the Village in 1973 by Ordinance #1973-09 and zoned A-3 Multi Planned Development subject to the annexation agreement dated February 23, 1973. The property was rezoned to SR-3 PUD by Ordinance #1984-29.

The property is located within the Silvercrest Subdivision Unit 5 which was approved by Ordinance #1992-15 An Ordinance Approving the Final PUD Plan and Final Subdivision Plat for Silvercrest Unit 5.

DISCUSSION

- 1. The subject property is zoned SR-3 PUD (Suburban Residence Single Family).
- 2. In 2006, a 403 sq. ft. addition was built on the northeast side of the house. This addition complied with the setback regulations and was approved with a general building permit.

CD Memo 21-49 April 27, 2021 Page 2

- 3. The petitioner is requesting an 11-foot variation from the 40-foot required rear yard for a three-season room addition. This represents a 27% reduction in the required rear yard and exceeds the maximum 20% variation.
- 4. The residence is currently located 45.49 feet from the rear property line. The petitioners are proposing to build a 20 foot by 11.71 foot three-season room off the back of the house. The proposed three-season room addition would be located 29 feet from the rear property line.
- 5. The proposed addition will match the existing house architecturally.
- 6. If the variation is approved, the petitioner could then apply for a building permit for the proposed three-season room and deck.
- 7. The existing lower level deck will be removed and replaced with a concrete slab to support the room addition. The proposed slab foundation would bring the total impervious surface area to 37%, which exceeds the 35% maximum impervious surface allowed on a lot of this size. A building permit cannot be issued for the addition until 250 square feet of impervious surface is removed to meet the 35% maximum. The petitioner is proposing to remove the 256 sq. ft. patio as depicted on the attached survey.

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

March 11, 2021

Mr. Kevin Wallace Village president 228 S. Main Street Bartlett, IL 60103

RECEIVED MAR 12 2021

VILLAGE OF

LARTLETT

CC: Village Board of Trustees

Re: Rear setback zoning variation Custom residential addition 1306 Richmond Lane Bartlett, IL 60103

Mr. President,

We are is seeking a zoning variation in regard to the SR-3 PUD rear set back requirement of 40Ft. we would like to have this set back amended to 29Ft. in order to construction a 3-season room at the first-floor level over the existing walk out deck/patio below. We have prepared drawings that define the structure and its location.

If there are any questions or concerns, please feel free to contact our office to discuss.

Respectfully Submitted,

Edward Pomeroy

Homeowner

	OF BARTLETT N APPLICATION	For Office Use Only Case # Corz (-06 Case # RECEIVED PLANNING & DEVELOPMENT MAR 3 1 2021 VILLAGE OF BARTLETT
PETITIONER INFORMATION (PRIMA Name: EDWARD POMEROY	ARY CONTACT)	
Street Address: 1306 RICHMOND LN		
City, State: BARTLETT, IL	2	Cip Code: <u>60103</u>
Email Address: EDF1FAN@YAHOO.C	OM Phone 1	Number:
Preferred Method to be contacted Email		
PROPERTY OWNER INFORMATION		
Name: EDWARD POMEROY		
Street Address: 1306 RICHMOND LAN	IE	
City, State: BARTLETT, IL	Z	ip Code: <u>60103</u>
Phone Number:630 920 3751		
OWNER'S SIGNATURE:	Date: 3/2 or A LETTER AUTHORIZIN	
DESCRIPTION OF VARIATION REQU	JEST (i.e. setback, fence he	ight) including SIZE OF REQUEST
<u>(i.e. 5ft., 10 ft.)</u>		
Variation to reduce the rear setback t	o 29ft to allow for the cor	nstruction of a room addition.
PROPERTY INFORMATION		
Common Address/General Location of P	roperty:1306 RICHMON	
Property Index Number ("Tax PIN"/"Par Acreage:	rcel ID"):01-11-401-003	}
Zoning: SR-3 PUD (Refer	to Official Zoning Map)	
APPLICANT'S EXPERTS (If applicable,	including name, address, p	bhone and email)
Attorney		
Surveyor		
Other		

Variation Application

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 EXISTING SETBACK WILL NOT ALLOW THE PROPERTY TO IMPROVE OR FURTHER DEVELOP. THE OWNERS HAVE LIVED IN THE HOUSE FOR 20 YEARS AND DO NOT DESIRE TO MOVE. HOWEVER, THEY NEED ADDITIONAL ROOM FOR BOTH OWNERS TO WORK REMOTELY AND FOR THEIR SIX CHILDREN TO ATTEND SCHOOL REMOTELY, AS NEEDED. THEY ALSO NEED ADDITIONAL ROOM TO POTENTIALLY ACCOMMODATE ELDERLY INLAWS WHO NEED ASSISTANCE.

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 NO NEIGHBORING PROPERTY TO THE REAR YARD. THIS PROPERTY BACKS UP TO A LARGE OPEN GRASS AREA. OTHER PROPERTIES SHARE REAR YARDS WITH NEIGHBORS.

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

AS NOTED ABOVE, THIS VARIATION WILL ALLOW FOR ADDITIONAL SQUARE FOOTAGE FOR THE OWNERS TO WORK REMOTELY, FOR THEIR CHILDREN TO ATTEND SCHOOL REMOTELY AND TO ACCOMMODATE ELDERLY INLAWS WHO MAY NEED ASSISTANCE. 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.

40FT SETBACK BY ZONING ORDINANCE SR-3 PUD

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.

VARIATION WILL ALLOW FOR THE CONSTRUCTION OF THE SUNROOM WHICH WILL NOT ENCROACH ON TO NEIGHBORING PROPERTIES. THIS PROPERTY BACKS UP TO A LARGE OPEN GRASS AREA.

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

THE PROPERTY BACKS UP TO A OPEN GRASS AREA. DEVELOPMENT AND CONSTRUCTION WILL IMPROVE NEIGHBORHOOD VALUES AND APPEAL.

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

THE VARIANCE WILL ALLOW FOR FURTHER DEVELOPMENT OF THE PROPERTY AS ABOVE DESCRIBED.

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 O	F PETITIONER:	
PRINT NAME:	EDWARD POMEROY	
DATE:	3/31/2021	

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: EDWARD POMEROY

ADDRESS: 1306 RICHMOND LANE

BARTLETT IL 60103

PHONE NUMBER: 630 920 3751

EMAIL: edf1fan@yahoo.com

SIGNATURE:

DATE: 3/26/2021







