



**VILLAGE OF BARTLETT  
ZONING BOARD OF APPEALS  
AGENDA**

**BARTLETT MUNICIPAL CENTER  
228 MAIN STREET  
July 6, 2017**

**7:00 P.M.**

- I. Roll Call
- II. Approval of the April 6, 2017 meeting minutes
- III. (#17-13) **132 Amherst Drive  
Variation – Side Yard  
PUBLIC HEARING**
- IV. Old Business / New Business
- V. Adjournment

Village of Bartlett  
Zoning Board of Appeals  
Minutes

April 6, 2017

M. Werden called the meeting to order at 7:04 pm.

Roll Call

Present: M. Werden, G. Koziol, B. Bucaro, P. Hanson,

Absent: J. Banno and L. Hanson

Also Present: J. Plonczynski, CD Director, R. Grill, Asst. CD Director, Chief Ullrich, D.C. Preteklis, A. Ouper, M. Bushhouse, S. Lange, E. Frisch and D. McCallum

Approval of Minutes

A motion was made to approve the minutes of the February 2, 2017 meeting.

Motioned by: P. Hanson

Seconded by: G. Koziol

Roll Call

Ayes: M. Werden, G. Koziol, B. Bucaro, P. Hanson

Nays: None

Abstain: None

The motion carried.

**Case # 17-02 New Bartlett Police Building and Parking Lot  
PUBLIC HEARING**

**The Petitioners were all in sworn in by M. Werden**

**The following Exhibits were presented:**

- Exhibit A - Picture of Sign**
- Exhibit B - Mail Affidavit**
- Exhibit C - Notification of Publication**

**M. Werden** go ahead and present your case.

**R. Grill** stated she will do the presentation tonight and if there are any questions they can be answered by the Petitioners.

The existing Police Building was built in 1991 as part of the original Village Hall Addition/Expansion and Police Headquarters construction. The Police Building was approximately 21,000 sq. ft. in area and included both the 1<sup>st</sup> floor and basement.

The Site Plan for the existing Municipal Complex was approved in 2004 and included the complete demolition of the Village Hall, the approval of a new two-story building with a revised parking layout for both the village employees and police personnel and the rezoning of all the Village owned parcels to the P-1 Zoning District.

The Petitioners are requesting a Rezoning from the SR-4 Zoning District to the P-1 Zoning District and a Site Plan Review for the newly acquired 0.44 acre property along the west side of Oak Avenue. This property was purchased to provide additional parking for the Police Department and would become part of the overall Municipal Complex. Both items will be discussed at the Plan Commission meeting next Thursday, April 13.

A Site Plan Amendment which is going to be for the remainder portion on the east side of Oak Avenue Municipal Complex, is also being requested for the demolition of the existing Police Building, the construction of a new two-story Police Building, new parking areas and minor revisions to the parking area in front of the new Police Building and Village Hall. This too, will be discussed next Thursday at the Plan Commission meeting.

Construction of the new Police Building would occur in two phases. The first phase of development will take place along the north half of the site where the existing police parking area is located. This will take place at the north half of the site where the existing police parking area is located. This will enable the primary core responsibilities and day-to-day operations of the Police Department to continue to fully function within a majority of the existing building while construction begins for Phase one.

Once the north half of the building is completed, the Staff and operations will relocate to the new building so that demolition of the southern half of the existing building can take place. The only elements of the existing building to be preserved include the tower, the link/hallway leading from the existing Village Hall to the Police Department and the police storage/garage.

The building would be approximately 48,900 square feet in area with a proposed 23,233 square foot 1<sup>st</sup> floor, which would primarily include the lobby, office space, interrogation rooms, the booking area and roll call. The 2<sup>nd</sup> floor, consisting of approximately 10,891 square feet, would contain administrative offices, a conference room, training room and break rooms. The lower level or basement area would be approximately 14,800 square feet and would include police storage for files and evidence, the personnel lockers and changing areas, as well as the gun range and mechanical room.

The architect has designed the new Police Building to not only complement the existing Village Hall, but to also continue the overall architectural theme established by the Town Center. This new building will utilize similar building materials and colors, such as brick and stone accent features along the front façade, while also incorporating the use of natural stone as part of the proposed archway over the new entrance to the Police Building. In addition, the patterned accent feature, shown on the tower, will also be duplicated above this new arch. The new two-story building with its pitched roof and building height of 39' 3" will match the existing Village Hall height, and with the inclusion of the arched entry feature, will provide a visual balance to the front elevation of the Municipal Complex.

Parking for police personnel would be located in three general locations – the new parking lot west of Oak Avenue, as well as a parking area north and south of the new building. Both the north and south parking areas have provided a space for turnarounds so that if these parking areas are full, vehicles would not have to back out of these parking lots. Cars can turn around and exit out, in a forward motion.

The new parking lot west of Oak and the north parking lot would both be secured parking areas with each having an electronic arm that would prohibit vehicular access without proper security. As an added security measure, the north parking area would contain a six (6) foot high black aluminum fence, located west of the existing police storage garage. A six (6) foot high solid, PVC or vinyl fence that would provide additional security east of the storage garage.

Metal canopies are also proposed for this north parking area that would protect police vehicles from inclement weather. These structures would be approximately 9' tall, providing 7' of clearance along the north property line, while taller vehicles would be able to park under the canopies attached to the building, which would be approximately 14' tall, providing 12' of clearance.

The parking lot west of Oak Avenue would contain 29 parking spaces and vehicular movements would consist of a one way pattern counter clockwise around the site. The existing dilapidated fence located on the site along the north property line and a small portion of the west property line (southwest corner) was built by the former property owner and will be removed and replaced with dense landscaping to screen this property from adjacent residential properties. Existing fences along the west property line on the adjacent residential properties will remain.

Ingress/egress to the new Police Building would consist of three curb cuts which would replace two existing curb cuts located along the east side of Oak Avenue - the aforementioned north parking lot entrance, the relocated southern curb cut for the south parking area and the sally port curb cut which is an exit-only.

The new parking lots proposed for the Police Department would contain 63 parking spaces. The additional ten (10) existing spaces behind Village Hall would bring the total to 73. Minor changes to the parking area in front of Village Hall and the Police Building would also occur due to the location of the new security planter/seating wall, the expanded building footprint and outdoor public space, the required one (1) additional accessible parking stall and the relocation of two (2) accessible spaces. According to the Zoning Ordinance, the Village Hall would require 100 parking spaces based upon the office space and maximum capacity of the council chambers. The Police Department would only require six (6) spaces, based upon the 1,600 square feet of public access areas. This would bring the total of 106 parking spaces required per the Zoning Ordinance. A total of 153 parking spaces have been provided on the entire Municipal Complex.

New LED lights on a motion sensor and timer are being proposed for the new parking lot west of Oak. These lights would turn on when any motion is detected and then dim after a certain period of time so as not to disturb the residential properties adjacent to this parking lot. In addition, the Village's decorative street lights will be installed within the right-of-way of the Municipal Complex properties along Oak Avenue, currently there aren't any decorative street lights.

As part of the overall upgrades to the front façade of the Municipal Complex, the pavers at the existing entrances will be removed and replaced with stamped concrete. The pavers have become a "tripping hazard" and require continued maintenance and Staff believes the new stamped concrete will improve the overall safety and aesthetics of the outdoor public space. In addition, a new large planter and seating wall will be constructed in front of the new Police Building to not only soften the large area of hardscape, but to continue the landscaped seating area theme existing in front of the Village Hall. This planter area will also serve as a security feature to prohibit a vehicle from potentially damaging the new building. Additional security bollards along with two landscaped security planters will also be placed along the curb line in front of the remaining outdoor space adjacent to the building for security purposes.

As part of the development review for the Municipal Complex and New Police Parking Lot, several **variations** are being requested: (a) a 10' reduction from the 25' front yard along Oak Avenue (east side) to allow for parking, (b) to allow a 6' high fence to be located in the front yard along Oak Avenue (east side), (c) a 20' reduction from the 25' side yard, (d) a 17' reduction from the 25' side yard, (e) an 10.5' reduction from the 30' rear yard, (f) a 10' reduction from the 25' front yard setback, (g) elimination of the required curbed planting areas at the end of a parking row.

The trash enclosure will be located along the west elevation and will be constructed with the same brick utilized in the construction of the building and would include the required gate. Landscaping would also be incorporated around the perimeter of this structure.

The Petitioners and Architects are present if anyone has any technical questions. Primarily the requests are for variations of the parking lot that encroaches in every setback including the front yard setback. Also, placement of a 6 ft. high fence in the front yard setback, which is black aluminum.

**M. Werden** asked if the new parking spaces are comparable to the existing parking spaces.

**R. Grill** stated some parking will be secured, some will not.

**G. Koziol** asked what type of fence will be on the west side of the storage garage. **R. Grill** stated black wrought iron-like fencing but actually aluminum.

**G. Koziol** stated the elimination of raised planting beds in the parking lot is a great idea for the purpose of maintenance in such a confined area.

**R. Grill** stated this parking lot will also have permeable pavers in the parking lot.

**P. Hanson** asked if the main entrance will still be on the front by the new arch. **R. Grill** stated yes, but shifted north.

**P. Hanson** stated the Fire Barn will be right in front of the building.

**M. Werden** stated he likes the concept of blending the new building with the existing building, however was concerned about the 5 ft. setback on the south end and was wondering if this would set a good example with the public.

**B. Bucaro** questioned if Staff has received any comments or inquiries from residents around this lot.

**R. Grill** stated no, nor have the Police Department received any comments on the project.

**P. Hanson** stated the signs have been up for more than enough time and there isn't anyone here to voice their opinion.

**G. Koziol** questioned if the properties North and South of the new parking lot are occupied.

**R. Grill** stated one is a rental unit and the other is single family home. All have been notified. The Site Plan and the Public Hearing Notice are online for everyone to see.

**G. Koziol** was concerned that the new parking lot was very close to the two properties.

**P. Hanson** stated this is part of living in the downtown commercial area, growth and expansion is common.

**G. Koziol** stated point taken and just wanted to comment.

**B. Bucaro** requested the fencing on the West side of the lot be explained in more detail.

**R. Grill** stated originally there was a house on this lot that has now been demolished. There were three different types of fences that remain. The fences on this property were put up by the previous owner, will be taken down and there will be landscaping along the property line in place of the fences. The fences located on these residential lots to the west and south will remain.

**J. Plonczynski** stated the landscaping softens the look as opposed to a fence.

**M. Werden** questioned if the landscaping will be level with the sidewalk in front of the building on Oak Avenue.

**M. Bushhouse** stated the setback area on the west side of the building and Oak Street is currently a water detention area as part of the design, and maintaining this is crucial to keeping the Metropolitan Water Reclamation District and DuPage County content with the handling of storm water.

**P. Hanson** asked Chief Ullrich how many Sworn Officers and support staff are on duty over a twelve hour period on a regular basis. **Chief Ullrich** stated 30. **P. Hanson** asked how many existing police vehicles are anticipated being in the lot at any given time. **Chief Ullrich** stated if she meant fleet vehicles, which would be close to 40 vehicles. **R. Grill** stated this plan designates 73 spaces for the Police Department, however, this will need to include personal vehicles. **P. Hanson** stated she did not see a problem with the plan.

Ground breaking should start mid-July.

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

**M. Werden** asked if there was any other discussion or he would entertain a motion.

**A motion was made to approve #17-02 New Bartlett Police Building and Parking Lot variations sending a positive recommendation to the Board of Trustees and the Village Board for these variations.**

**Motioned by: P. Hanson**

**Seconded by: G. Koziol**

**M. Werden** stated Staff recommends approval of the Petitioner's requests for Case # 17-02 items A through G, as presented in the Staff report. At this time the Public Hearing portion of the meeting was closed.

**Roll Call:**

**Ayes:** M. Werden, G. Koziol, B. Bucaro, P. Hanson

**Nays:** None

**The motion carried**

**Old Business:**

**J. Plonczynski** reminded everyone to get their Ethic Statements in if they have not done so already. They are due by May 1<sup>st</sup>.

**New Business:**

**J. Plonczynski** stated next month's meeting will have a proposed text amendment and variances for projects that are coming up soon.

**Motion to adjourn:** P. Hanson

**Seconded:** G. Koziol

**All in favor:** Ayes

**The meeting was adjourned at 7:38 P.M.**

## COMMUNITY DEVELOPMENT MEMORANDUM

17-112

DATE: June 28, 2017  
TO: The Chairman and Members of the Zoning Board of Appeals  
FROM: Angela L Zubko, Community Development Planner  
RE: **(#17-13) 132 Amherst Drive**

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### PETITIONER

Michael Walsh on behalf of the Abts'

### SUBJECT SITE

132 Amherst Drive, Country Creek Unit 3 Subdivision

### REQUEST

Variation- Side Yard

### DISCUSSION

1. The subject property is zoned SR-2 (Suburban Residence Single Family).
2. The Petitioner is requesting a two and a half foot (2.5') variation from the required ten foot (10') side yard to bring the existing house into conformance to allow for a building permit to be issued for the construction of a sunroom addition along the rear elevation of the house.
3. The original zoning on the property in 1977 was RPD-Residential Planned Development. During the comprehensive rezoning of the Village in 1978 the property was rezoned to the SR-2 Suburban Residence Zoning District and 10' side yards were established. This zoning change made the existing house a non-conforming structure.
4. Section 10-10-5-A of the Zoning Ordinance states that: "Repairs and Alterations: Ordinary repairs and alterations may be made to a nonconforming building or structure. **No structural alterations shall be made in or to such building or structure except those required by law**, or except to make the building or structure, and use thereof, conform to the regulations of the district in which it is located." **Therefore, a variation must be granted to bring the existing structure into conformance prior to any alterations being made to the house.**
5. If the variation is approved, a building permit could be issued for the sunroom addition and any other modifications to the home.



**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 information is attached for your review.

Village of Bartlett  
Variation Application

To the Bartlett President, Kevin Wallace and the Board of Trustees:

We are seeking a variation on an existing, non-conforming structure, our home, to construct an attached sunroom on the back. The required side yard setback for our SR-2 zoning district is 10 feet. The house was built as new construction by Wayne Deeke with a 7.78 foot side yard setback and was approved for permit at the time of construction. We were told that a variation will be required in order to expand the non-conforming house and be in compliance. We would like to add a sunroom to be able to enjoy the south exposure of our property and be protected from intense sunlight and insects. Mr. Abts is a stem-cell patient and cancer survivor who must avoid the sun and insect bites due to a compromised immune system. The sunroom plans meet all the required setbacks and a plan has been submitted.

Sincerely,

Paul and Sharon Abts  
Homeowners



# VILLAGE OF BARTLETT VARIATION APPLICATION

For Office Use Only  
Case # 2017-13  
RECEIVED  
COMMUNITY DEVELOPMENT  
MAY 19 2017

VILLAGE OF  
BARTLETT

### PETITIONER INFORMATION (PRIMARY CONTACT)

Name: Michael Walsh

Street Address: 10009 Lija Rd.

City, State: Harvard, IL

Zip Code: 60033

Email Address: michael@walshfamily.com

Phone Number: 630-816-3726

Preferred Method to be contacted See Dropdown

### PROPERTY OWNER INFORMATION

Name: Sharon Abts

Street Address: 132 Amherst Drive

City, State: Bartlett, IL

Zip Code: 60103

Phone Number: 630-837-6051

OWNER'S SIGNATURE: Sharon Abts Date: 5 June 2017  
(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.)

The side yard set back is 7.78 ft. The side yard set back variance would be 2.2 ft.

### PROPERTY INFORMATION

Common Address/General Location of Property: 132 Amherst Dr.

Property Index Number ("Tax PIN"/"Parcel ID"): 01-02-105-011

Acres: 0.45

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.

No physical surroundings or topographical condition have caused hardship. The permit for this construction was granted with existing side yard setback.

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

The permit with the existing side yard setback was granted at the time of construction.

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

This variance request is not based on a desire for more income or money.

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.

A zoning change caused this property to be non-conforming.

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.

Granting this variation will not be detrimental or injurious in any way to the public welfare or neighbors.

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 variance 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 with the adjacent neighborhood.

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

This variance will not confer any special privilege.

## 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.

- X SIGNATURE OF PETITIONER: Sharon Abts
- X PRINT NAME: SHARON ABTS
- X DATE: 19 May 2017

## 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: SHARON ABTS

ADDRESS: 132 AMHERST DR  
BARTLETT

PHONE NUMBER: 630.837.6051

EMAIL: sharonabts@gmail.com

SIGNATURE: Sharon Abts

DATE: 5 June 2017

# ZONING/LOCATION MAP

132 Amherst Drive

Case #17-13

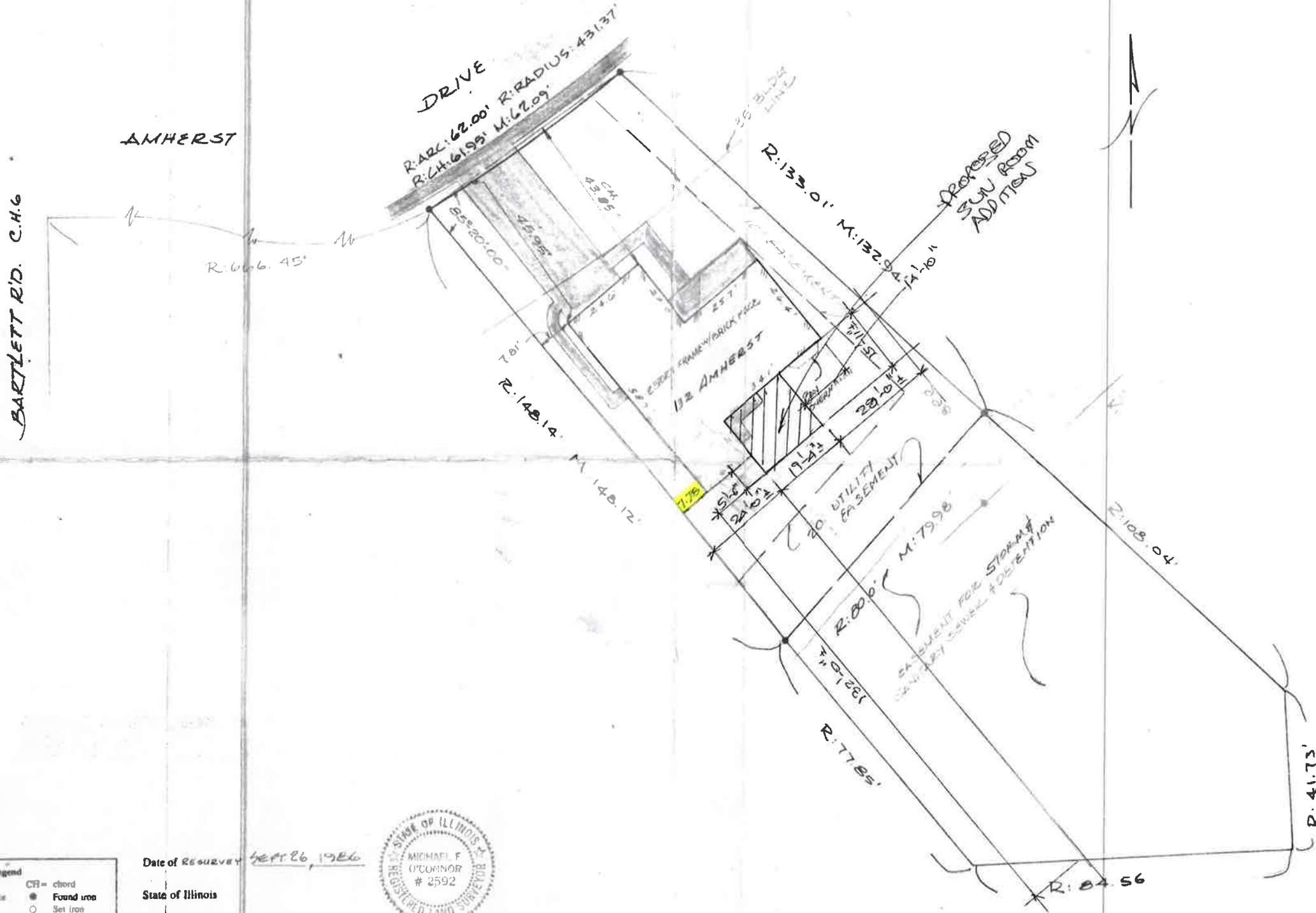
Variation



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus, USDA, USGS, AeroX, Getmapping, Aerogrid, IGN, IGP, swisstopo, GIS User Community

# PLAT OF SURVEY

Of Lot 34 in Country Creek Unit No. 13, being a subdivision of part of the Northwest quarter of Section 2, Township 40 North, Range 9, East of the Third Principal Meridian, according to the plat thereof recorded January 26, 1978 as Document R78-07757, in DuPage County, Illinois.



AMHERST

BARTLETT RD. C.H.G.

PROPOSED  
SUN ROOM  
ADDITION

20' UTILITY  
EASEMENT

BASEMENT FOR STORMY  
WEATHER FLOOD PROTECTION

Date of RESURVEY Sept 26, 1986  
State of Illinois  
County of Du Page



I hereby certify that the above described property has been surveyed, under my supervision, according to the official record and that the above plat correctly represents said survey. All distances are in feet and decimals thereof.

I hereby further certify that unless otherwise shown, the buildings on the parcel are within property lines and the adjoining improvements do not encroach on the above described property.

*M.F. O'Connor*

Compare the description of this plat with deed. Refer to title policy for items of record not shown above.

**Legend**

- R = record distance
- M = measured distance
- D = deed
- Concrete show's shaded
- — — — — Power line
- — — — — Limits of Building
- Scale 1" = 20' feet

- CH = chord
- Found iron
- Set iron

**SCHLAF • SEDIG  
& ASSOCIATES, INC.**  
410 W Irving Park Road  
Itasca, Illinois 60143  
(312) 773-1761

Sunroom Addition  
132 Amherst