



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

**2nd FLOOR TRAINING ROOM
228 MAIN STREET
January 4, 2018**

7:00 P.M

- I. Roll Call
- II. Approval of the September 7, 2017 meeting minutes
- III. (#17-25) Lot 7 Alperin's First Addition to the Village of Bartlett Subdivision Variations:
 - a) 10 foot reduction from the required 25 foot side yard along the north property line,
 - b) 10 foot reduction from the required 25 foot side yard along the south property line,
 - c) 2,325 square foot reduction from the required 40,000 square foot required lot size; and
 - d) 42 foot reduction from the required 140 foot lot width

Public Hearing
- IV. Old Business/New Business
- V. Adjournment



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M. Werden called the meeting to order at 7:00 pm.

Roll Call

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

Absent: L. Hanson

Also Present: J. Plonczynski, CD Director, R. Grill, Assistant CD Director and A. Zubko, Village Planner

Approval of Minutes

A motion was made to approve the minutes of the August 3, 2017 meeting.

Motioned by: B. Bucaro

Seconded by: G. Koziol

Roll Call

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

Abstain: J. Banno

The motion carried.

M. Werden made mention that today would have been T.L. Arends 70th birthday.



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Case (# 17-05) Balance Chiropractic

Variations

- a) a 30 foot reduction from the required 50 foot front yard building setback,
- b) an 18 foot reduction from the required 50 foot front yard parking setback,
- c) a 10 foot reduction from the required 20 foot side yard (southern property line) building and parking setback,
- d) a 10 foot reduction from the required 20 foot side yard (northern property line) parking setback, and
- e) a 25 foot reduction from the required 30 foot rear yard parking setback

PUBLIC HEARING

The following Exhibits were presented:

Exhibit A - Picture of Sign

Exhibit B - Mail Affidavit

Exhibit C - Notification of Publication

Petitioners **Julie Salyers** and **Dr. Robin Ackerman** were sworn in by **M. Werden**.

J. Salyers stated they are looking for a variation for a 30 foot reduction from the required 50 foot front yard building setback, an 18 foot reduction from the required 50 foot front yard parking setback, a 10 foot reduction from the required 20 foot side yard (southern property line) building and parking setback, a 10 foot reduction from the required 20 foot side yard (northern property line) parking setback, and a 25 foot reduction from the required 30 foot rear yard parking setback.

M. Werden stated if everything goes as planned when is the moving date? **J. Salyers** stated the project includes demolishing the existing building to let **Dr. Ackerman** move her practice to a new building. There will be commercial space at the front of the building and two residential units on the back of the building. The prairie style building will be placed closer to the roadway to match the TOD Plan. Most of the finished space will be on the main floor with the second floor rear for the residential units. The bottom of the building will have a stone finish with cement board siding with decorative accents. Parking will be at the rear and side of the building. The four large existing trees along Main Street will be saved. The existing curb line will remain. The current entry and curb cut will be eliminated with only one entrance into the building. The building will have all new landscaping.

M. Werden asked if Staff was in agreement with eliminating the one curb cut. **A. Zubko** stated yes, it was a recommendation from the TOD Plan to eliminate some of the curb cuts and combine them along Main Street and South Bartlett Road. **M. Werden** asked if any Board members had any questions or comments. **G. Koziol** stated he was on the TOD Plan Committee and was excited to see that a project such as this come to the downtown area. **G. Koziol** went on to say he hopes this project becomes a seed for future projects to come to downtown Bartlett. **B. Bucaro** agreed, this is exactly what the TOD was meant to do and very refreshing to see a successful business stay and expand within the town. **M. Werden** stated the building design is very attractive. **J. Banno** asked how far this building will stick out verses the other properties along Main Street. It looks a little close to the main road. **A. Zubko** stated the building next to the proposed building will be a difference of about five feet. **Dr. Ackerman** stated CVS Pharmacy is fairly close to the street. This is part of the goal to see commercial when you enter downtown communities, like in Wheaton and Glen Ellyn. **Dr. Ackerman** stated she bought this property two years ago with the intension of renovating and



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it has been vacant since. This was her next plan. **A. Zubko** stated this project accomplishes the objective of the TOD Plan not only with the updated architecture of the building but by bringing the building closer to the street and locating the majority of the parking to the rear of the building and adding a bike rack and eliminating a curb cut. **R. Grill** stated the next chapter after the chapter being reviewed at tonight's meeting, will be all four of the commercial districts and Staff will look at what the setbacks should be in the downtown; Staff may propose changes. **J. Plonczynski** stated most of the downtown was zoned B-1 or PD. B-1 districts allow for zero lot lines and more reduced setbacks. When this building was built along with the building next to it, they were zoned B-3. This is not typical downtown zoning and has not been changed since. The zoning on this property could have been changed but the variances had the same effect. **J. Plonczynski** stated since the owner wanted to compliment the TOD Plan, this was the quickest and easiest way to do it within the existing zoning.

M. Werden stated back in 1971 when some of the zoning was changed, the B1 was the Historic District and this building was not considered downtown at that time. **R. Grill** stated the portion of the building we are sitting in, was pushed out from the original Village Hall closer to Main Street.

M. Werden then opened the meeting up to the public for further discussion or comments. No one came forward.

M. Werden then asked if there were any further discussions or motions.

A motion was made to pass a positive recommendation to the Village Board to approve.

M. Werden closed the public hearing portion of the meeting.

Motioned by: G. Koziol

Seconded by: B. Bucaro

Roll Call

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

Nays: None

The motion carried.



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Case (# 17-21) 1180 Lexington Drive

Variations

To allow a six (6) foot high fence where a four (4) foot high fence is permitted in the corner side yard

PUBLIC HEARING

The following Exhibits were presented:

Exhibit A - Picture of Sign

Exhibit B - Mail Affidavit

Exhibit C - Notification of Publication

Petitioner, **Shahbaz Hashmi** of 1180 Lexington Drive was sworn in by **M. Werden**.

Shahbaz Hashmi stated his home is on the corner lot of Rt. 59 and Struckman Boulevard. He is requesting a six foot fence, a variation of two feet. The existing landscaping will stay and the fence will be 15 feet off the property line. **S. Hashmi** stated his back yard is on such a busy intersection and being the sound wall does not go to the end of his property this leaves his home exposed to traffic and noise. He has children and would like to close off his back yard to give his family some privacy and security and a four foot fence seemed too low. **S. Hashmi** stated he has was trying to follow the ordinance where a fence is located at the back of the house but there is a tree in his back yard that he would like to keep. If he did this, he would lose a majority of his backyard. He would like to go toward the storm easement and then finish it off. **M. Werden** questioned if this would not be on the storm easement. **A. Zubko** stated the storm easement is 15 feet off the property line and the fence would be directly south of it. **M. Werden** stated he went out to look at the property and it is a very unique lot situation being on the corner and the sound wall ends before his property. He doesn't have the same benefit as his neighbors. **M. Werden** stated this fence would enhance his property and make it safer. **S. Hashmi** stated the fence will be white PVC. **M. Werden** asked the Board if they had any questions. **G. Koziol** stated he was in agreement with **M. Werden** that this is a logical request. **B. Bucaro** also agreed and stated at that location the noise must be unbearable at times. With the bushes staying there, most of the fence will not be visible and still help to buffer the noise. **S. Hashmi** stated that was their goal and to keep his children safe as well. There is a fence on the other side of the property owned by his neighbor. **M. Werden** opened the meeting to the Public and asked if anyone had any questions or comments. **S. Hashmi's** neighbor, **Paul Flauter** of 1182 Lexington Drive spoke stating the house at 1180 Lexington Drive had a five foot fence at one time but the previous owners took it down. This house has been vacant for two years and now this family is making this house a home. **P. Flauter** stated he lives next door and has the sound wall and still hears the noise and can only imagine that **S. Hashmi** hears a lot more. Anything to help them and create a safe place for the kids and privacy would be great. **M. Werden** thanked **P. Flauter** and asked if anyone else had any comments or motions.

A motion was made to pass a positive recommendation to the Village Board to approve.

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

Motioned by: J. Rasmussen

Seconded by: J. Banno



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Roll Call

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

Nays: None

The motion carried.



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Case (# 17-11) Rana Meal Solutions Plan 2

Variations

- (a) To allow an eight (8) foot high fence where a four (4) foot high fence is permitted in the front and corner side yards; and
- (b) To reduce the number of required parking spaces (from 403 to 393)

PUBLIC HEARING

The following Exhibits were presented:

Exhibit A - Picture of Sign

Exhibit B - Mail Affidavit

Exhibit C - Notification of Publication

Petitioners, **Joe Iovenelli**, 700 Springer Drive, Lombard, **Salvatore Trupiano**, 550 Spritzer Road, Bartlett, **Jennifer Oslager**, 1152 Spring Lake Drive, Itasca, were sworn in by **M. Werden**.

Joe Iovenelli stated Rana Meal Solutions is proposing a 325,000 sq. foot building next to their existing plant in the Brewster Creek Business Park and are seeking two variances. One for the fence height and the second to reduce the number of required parking spaces. They are proposing an 8 foot, chain link fence which exceeds the height by four feet for security purposes and reducing the parking spaces from the required 403 to 393. **J. Iovenelli** stated the main reason for the reduction in parking is some of the operations will be automated and the amount of employees will be reduced.

Salvatore Trupiano stated they will have 370-380 employees within the next five years, since the building will be open in stages. **M. Werden** asked about the regulation that requires a security fencing. **S. Trupiano** stated yes with the USDA, they will need to have a security guard on premises 24/7, with the property being completely enclosed. **M. Werden** stated he went out to the site and was given a tour. The existing site has a black 8 foot chain link fence with low maintenance, high visibility and very safe.

M. Werden went on to say this will be an enhancement to the business park. **M. Werden** asked if the Board members had any questions or comments. **G. Koziol** stated he agreed and this is the logical and consistent with what is there already. **B. Bucaro** didn't have a concern with the fence but with the parking. Currently they are using a temporary lot, and questioned if that lot was on the land that will be developed. **R. Grill** stated yes the temporary lot is where the new building will be built. **S. Trupiano** stated they have made accommodations for parking during construction. Some jobs will be automated which will reduce the number of parking spaces needed at the new building. The workers will not lose their jobs they will be trained for other jobs within the company. **B. Bucaro** asked if the new facility will house the new North American headquarters. **S. Trupiano** stated that is correct. Currently Rana's headquarters are located in Oak Brook but in the next two years they will relocate to Bartlett. **B. Bucaro** stated this was a great development for Bartlett. **S. Trupiano** stated they have looked in Pennsylvania, Arizona and California. Once this project is finished they still plan on going to the west coast. They have large food based customers that are on the west coast. By building other facilities in the next five years this will save a tremendous amount of money in transportation costs. **B. Bucaro** stated it is great to see a local business doing so well and expanding. **M. Werden** stated he was glad to see Rana bring its headquarters to Bartlett. **G. Koziol** stated the parking request seems to be realistic and asked if Staff had any comments. **R. Grill** stated the petitioners have said this building and parking will meet their needs for at least five years and Staff concurs. **G. Koziol** stated he liked what he has seen from day one and congratulated them on being successful. **S. Trupiano** stated the building is always organized, clean and safe.



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M. Werden asked if anyone else had any comments or questions. No one came forward. The meeting was then opened to the Public.

M. Werden asked if anyone in the audience had any comments or questions. No one came forward.

M. Werden then asked if there was any other discussion or motions.

A motion was made to pass a positive recommendation to the Village Board to approve.

The public hearing portion of the meeting was closed.

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

Roll Call

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

Nays: None

The motion carried.



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Case (# 17-17) 802 E. Devon Avenue Addition

Variation

To reduce the number of required parking spaces (from 140 to 95)

PUBLIC HEARING

The following Exhibits were presented:

Exhibit A - Picture of Sign

Exhibit B - Mail Affidavit

Exhibit C - Notification of Publication

Petitioners, **Dimitri Pouloukefalos**, 27 Cutter Run, Barrington and **Charles Schwartz**, 1645 Ogden Ave., Chicago, **Bart Kalata**, 915 W. 58th, LaGrange were sworn in by **M. Werden**.

Charles Schwartz stated the property at 802 E. Devon is an office/warehouse facility. They are requesting a variation to reduce the number of parking spaces from the required 140 to 95. There are four individual tenant spaces. The furthest space on the south is renovated and the other 3 to the north are added on. There are 13 loading docks and they are asking to reduce the required parking spaces. They have the flexibility to add more parking based on the final use of the tenant spaces by the individual users. **M. Werden** stated there has already been a great improvement of what was there previously. He met with Dimitri and was given a tour of the project and didn't realize how large the property actually was. **B. Bucaro** agreed with **M. Werden** the original property was an eye sore. **B. Bucaro** asked if the future parking lot agreement was complete. **A. Zubko** stated not at this time but is required to be completed before the Village Board meeting and it also needs to be recorded with the Recorder's Office. If they start using parking on the street which is not permitted on Devon Avenue, the Village can force them to add the extra parking spaces. Luckily for them this is in an already existing impervious area. They would just need to install two parking islands on the north side of the property and stripe the lot. **B. Bucaro** and **M. Werden** both stated they did not see a problem with the parking variation. **A. Zubko** stated the petitioner has come a long way. They originally had several variances and now it is just this one. **G. Koziol** also agreed that this is a great improvement to the area and perhaps someday Bartlett can say this is our eastern Brewster Creek. He also likes the idea of banking the parking, and would rather see green than asphalt. **A. Zubko** stated the building will not go any closer to the western property line near the residents. The truck loading is on the east side with a garage door, and loading will occur from the inside. This will help reduce noise. **M. Werden** asked if anyone had any other comments or questions. **J. Rasmussen** stated she agreed with everything that has been said, the empty building is not a good sign. It's a nice looking building and it's good to see a few more businesses in Bartlett with this new facility.

M. Werden opened the meeting up to the public.

Dana and Mark Lindstrom, 776 Dunmore Lane stated the rendering and site plans do not match what was presented by the petitioners. They have been residents since 1990 and have put up with Main Steel having trucks idling all hours of the day and night, summer and winter. **D. Lindstrom** stated the petitioners are asking for a reduction in parking spaces what if there is a back log of trucks, where will they go? As her husband stated they have a tendency to back up along the street, effecting their home as well as their neighbors. The trucks idle waiting for the business to open. The mailing didn't show that many businesses in one building. What they are doing is much better looking however, but with multiple businesses just how many semi-trucks will be there and who will control that. **D. Lindstrom** stated their privacy is being invaded, and they cannot enjoy their backyard because of the noise.



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At the moment it's a disaster back there and the noise is going to end soon but how many trucks will be back there? **M. Werden** asked what **D. Lindstrom** received in the mail that is different from what is shown on the slides. **M. Lindstrom** stated the site plan is different from the rendering. **A. Zubko** stated that they are the same, and offered to show him on larger site plans. **M. Lindstrom** stated he didn't want to argue. **M. Lindstrom** and **D. Lindstrom** asked if there will be a gate at the front preventing the trucks from coming in. **A. Zubko** stated the petitioner will answer everyone questions once everyone's had a chance to speak. **M. Lindstrom** stated in the past they would call Main Steel when the truck would sit idling on the street and accommodate the residents for a few weeks. The residents would also call the Police or the Village and they would take care of the situation. **R. Grill** stated there could be one tenant or up to four, **D. Pouloukefalos** is the property owner. The residents will likely need to call the tenants directly or call the Police/Village. **D. Lindstrom** stated it has been nice without the idling trucks. **R. Grill** stated the property owners have rights and it has been zoned industrial. **D. Lindstrom** stated when she moved in, Main Steel was here first and they had to deal with it. However, now they are gone and the residents are here first. **R. Grill** stated the petitioner can address the issue of the gate as well as other concerns. **D. Lindstrom** stated this affects her sleep.

Next to speak was **Angellique Draft** of 751 Sterling Court, D2. **A. Draft** stated the reason for her speaking was her concerns with mitigating a wetland. She asked if this would be discussed at this meeting. **A. Zubko** stated the wetland will be discussed next week, however if there are any concerns she wanted to hear them now in the event they need to be addressed before then. **A. Draft** stated that this is going on the 7th anniversary of the big flood and Hearthwood Farms was greatly affected. Mitigating usually means shrinking and if that's the case, how it would affect her subdivision. She also inquired if the fence would be replaced throughout the back of the property, the height, material used and what the projected hours of business would be. **M. Werden** stated the Plan Commission will address the wetlands at their meeting on September 14th. **M. Werden** also stated if he remembers correctly, there has been significant improvement to the north of this property to store storm water. **R. Grill** stated the engineer is in the audience and they can address the issue.

Next to speak was **Glen Bischoff** and **Mary McHugh** of 784 Dunmore Lane. **G. Bischoff** stated he has been a resident of Bartlett for 30 years, at this address for the last 10 years. He is also concerned about the noise as well. The situation along Ontarioville Road has become an issue because of the quarries out west. The trucks have found a shortcut along the back of his property to the Elgin O'Hare. This goes on all day and into the evening and the noise level makes it impossible to enjoy their back yards. **G. Bischoff** agrees this is a great opportunity for Bartlett but believes the noise level will only get worse. He asked what the ordinance says about the amount of noise a property can generate. Is there any kind of a threshold or limitation to the activity, is it a 24/7 operation? **M. Werden** stated there isn't a lot anyone can do about the truck traffic which does not impact this development. There is no way to know what kind of tenants will be. **G. Bischoff** stated it seems with 13 truck bays there is a potential for a lot of truck traffic in and out, all day long. Will there be any limits? **J. Plonczynski** stated that was the last of the witness forms.

G. Koziol asked staff how this project fits with the impervious surface rules. **A. Zubko** stated the Village follows the DuPage County Storm Water Regulations that have very strict standards which says how much impervious area with building and parking lots you need to account for the water runoff in that area. Since they are adding more additions and more parking area they need to add a detention area. Which they will do along Devon Avenue as well as underground storage directly east of the current building.



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G. Koziol stated he did not understand where the truck traffic was that the home owners were talking about. **J. Plonczynski** stated he believes they are referring to the gravel trucks that go through town, come up south Bartlett Road, go east on Devon, continue east on Ontarioville Road to the Elgin O'Hare. They are county highways. The Village has asked the county to limit the weights of the truck traffic on those roads but they will not do that. The trucks find that route and cut through to the Elgin O'Hare construction that is being done. The truck traffic will continue for some time. The Village was able to limit the weights on local streets but not on county or state roads. **B. Bucaro** asked about the **Lindstrom's** comments regarding the trucks idling on Devon Ave. **M. Lindstrom** stated when it was Main Steel the trucks would idle waiting in line for the business to open. **G. Koziol** asked if there is a sound issue in the future, shouldn't the police be called or addressed with the Village Board? **A. Zubko** stated the Public Works Director would put no parking signs on Devon Avenue if needed. **J. Banno** asked with the addition to the building, will this enable more trucks to be taken off the road so they are not idling on Devon Ave. **A. Zubko** stated the truck idling on Devon were when the property was Main Steel. There should be no trucks idling now. **M. Lindstrom** asked if there will be a gate at the entrance. The response was no, just an entrance. **G. Koziol** stated the amount of noise would be determined by the type of businesses that will occupy the space. **D. Pouloukefalos** stated there should be enough parking for several trucks so this should not be an issue. There are 13 interior docks that will cut the noise level. **J. Banno** asked what the plans are for the fence on the west side of the property. **A. Kolada** stated what they are proposing to do is to move the fence back in line with the existing fence to give more space for utilities, parking and landscaping. **A. Zubko** stated the new fence will be 8 foot tall treated lumber and will be added on to the existing 10 foot fence. Any needed repairs will be made on the existing fence. **J. Banno** asked if there are any exit doors or overhead doors on the west side of the building. **A. Kolada** stated the only doors are the ones that meet the egress requirements, there are no overhead doors however, there are several windows that are 25 to 30 feet from the floor.

M. Werden asked if there are any other comments, or questions from the Board. No one came forward.

A motion was made to pass a positive recommendation to the Village Board to approve.

M. Werden closed the public hearing portion of the meeting.

Motioned by: B. Bucaro

Seconded by: G. Koziol

Roll Call

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

Nays: None

The motion carried.



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Case (# 17-16) Home Depot Outlot 2

Variations:

- a) To reduce the required parking spaces for Lot 1 of the Home Depot Resubdivision from 450 to 399 spaces,
- b) A 14'-6" reduction in the required 30 foot side yard building setback along the southern property line,
- c) A 30 foot reduction from the required 30 foot side yard parking setback along the southeastern property line, and
- d) A 9'-4" reduction in the required 40 foot rear yard building setback along the western property line.

Public Hearing

The following Exhibits were presented:

Exhibit A - Picture of Sign

Exhibit B - Mail Affidavit

Exhibit C - Notification of Publication

Exhibit D - Forest Preserve Letter

Petitioners, **Lawrence Freedman**, 77. W Washington Street, Chicago, **David Mangurten**, 1161 Lake Cook Road, Deerfield and **Lynn Means** 625 Forest Edge Drive, Vernon Hills were sworn in by **M. Werden**.

L. Freedman stated the petitioner is proposing to subdivide off of a commercial outlot and also seek a special use permit for a drive through. As part of creating the new lot they are requesting three setback variations. Also, they are requesting a reduction in the number of parking spaces in the overall lot including the Home Depot lot.

D. Mangurten stated the whole concept is to take an underutilized corner of the Home Depot lot and create a sales tax revenue property. They plan on building an 8,200 sq. foot multi-tenant building that would have a coffee shop with drive through and three additional tenant spaces. They are seeking a reduction in the rear yard setback (west) from 40 feet to 30.8 feet. A 14'-6" reduction in the required side yard building setback along the southern property line. The last reduction is towards Rt. 59 where the panhandle of the property occurs. They are seeking these as technical variations, parking to parking, drive aisles to drive aisles. There will be no impact any residents or businesses. To clarify what L. Freedman stated, this lot is compliant with zoning. The reduction is for Lot1, which is the Home Depot lot and that is where the variation will be needed.

M. Werden stated there is a letter from the Forest Preserve that should be marked as Exhibit D. They are neutral on this request and have no objections.

L. Means stated a traffic impact and parking study was done on the Home Depot Outlot to consider a coffee shop with drive through and up to three additional tenants. Peak hour traffic counts were done during the week and on Saturday. They also did a comprehensive parking count to assess what the current occupancy is during the weekday and also on Saturdays. They had the benefit of being able to do observations during the peak sales month for Home Depot, which was May. They found during the peak time there were over 250 parking spaces available. With the area outlined for the Outlot, there is still a surplus of parking spaces during peak times. **M. Werden** stated since the Stearns Road intersection is to be done again, will this hinder their plans by taking up more of their land. **A. Zubko** stated this will not take up any of their land but will impact the Mobile gas station to



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the north of this property. Currently there are two access points off of Rt. 59, the one closest to the intersection will be closed, but the one closest to this lot will remain open. There will be a cross access easement between the gas station and this lot. **M. Werden** asked if there are any future plans to widen Rt. 59 to six lanes at this time. **J. Plonczynski** stated this intersection will be four lanes with turn lanes on each leg. **L. Means** stated the plans are what IDOT has under contract to construct. On both the northbound and southbound approaches of Rt. 59 there will dual left turn lanes. There will be two through lanes in both directions as well as a right turn lane in both the north and southbound lanes. This will be mirrored in both the eastbound and westbound direction on Stearns Road as well. **J. Banno** stated he frequents Home Depot and has never had a problem with parking and concurs with the parking and traffic study that there is ample parking. He asked if the Village's traffic consultants looked at the report and did they have any comments. **A. Zubko** stated they have looked at the comments and they agreed that there will be sufficient parking at the Home Depot and the Outlot as well. **M. Werden** asked if the fence be blocking access to the Mobile station. **A. Zubko** stated that will be open. **G. Koziol** asked if the southbound traffic would make a right turn into the corner of the Mobile station and go into the area. **A. Zubko** stated yes and the other access egress point is through the Home Depot parking lot. **B. Bucaro** stated this is a great improvement to an empty parking lot and doesn't see a parking issue. **M. Werden** stated when Home Depot was originally built, it was the hope of the Village that an Outlot would be built. **J. Banno** asked if this would finish the Outlots. **D. Mangurten** stated he could not speak for Home Depot, their plans are unknown. **J. Banno** questioned if the two additional parking spaces were included in the total number of 399 or are they additional? **D. Mangurten** stated there are 18 additional spaces, 7 on the north side and 11 on the west side, which are included in the 399.

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

A motion was made to pass a positive recommendation to the Village Board to approve.

M. Werden closed the public hearing portion of the meeting.

Motioned by: G. Koziol

Seconded by: J. Banno

Roll Call

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

Nays: None

The motion carried.



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Case (#17-20) Zoning Ordinance Updates

Chapter 5 – OR Office/Research District and
Chapter 3 – Accessory Uses, Building and Structures
PUBLIC HEARING

The following Exhibits were presented:

Exhibit A - Notification of Publication

A. Zubko stated this is going along with updating the Zoning Ordinances, one chapter at a time. Chapter 5 – OR Office/Research District. The previous chapter was 6 pages in length; the revised Chapter 5 has been condensed to just 3 pages. Charts are now being utilized to be more user friendly and categories are being condensed, thereby simplifying the Ordinance. There is a slight change to Chapter 3, Accessory Uses, to change the commercial vehicles which are no longer in subsection L, it is now in Chapter 4A which is the chapter on residential zoning. **J. Banno** stated this is easier to find what you are looking for, nice job. **M. Werden** and **G. Koziol** both agreed it took a lot of man hours and hard work to be able to reduce all of the verbiage down to something easy to read and understand.

M. Werden asked if anyone had any other comments or questions.

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

A motion was made to pass a positive recommendation to the Village Board to approve.

M. Werden closed the public hearing portion of the meeting.

Motioned by: G. Koziol

Seconded by: J. Rasmussen

Roll Call

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

Nays: None

The motion carried.



Village of Bartlett
Zoning Board of Appeals Minutes
September 7, 2017

Case (#17-10) Zoning Ordinance Updates

Chapter 13 – Administration & Enforcement (Partial)
Chapter 9 – Planned Unit Development (Partial), and
Chapter 2 – Rules & Definitions (Partial)

PUBLIC HEARING

The following Exhibit were presented:

Exhibit A - Notification of Publication

A. Zubko stated this Text Amendment would allow Site Plans, Site Plan Amendments and Minor Amendments to approved Final PUD Plans to be reviewed and approved administratively as part of the Building Permit Application. This would still include the typical departmental reviews (if needed) and could save approximately three (3) months of review time from the current process. The proposed procedure would not go to any board or committee meeting provided there are no other variations, all codes are met, no special uses, they would strictly go through the building permit process. **M. Werden** stated this was something that was requested many times in the past. Streamlining was one of the reasons for proposing the combining of the Zoning Board and Plan Commissions. **J. Banno** asked if any developers that will be affected by the changes had any comments. **A. Zubko** stated they are very excited about this since most of the projects that come through from the Brewster Creek or Blue Herron Business Park are strictly site plan reviews. As of now, petitioners have to go to three or four meetings so this would make it so they will only need to apply for a building permits and not attend any meetings. **R. Grill** stated if the petitioners have a variance request they will still need to go through the whole process. **G. Koziol** asked for an example as to how this would speed up the process. **A. Zubko** stated right now for a site plan, the petitioner usually goes through two different reviews for comments. Then the meeting process starts, going to the Village Board Committee (Committee of the Whole) meeting. They listen to the project and forward it on to the Plan Commission meeting, which is not a public hearing. The Plan Commission makes a recommendation, then it goes back to the Committee of the Whole and they forward the project on to the Village Board for a final vote. All of these steps can be eliminated with this proposed text amendment. A project would go through a staff review until its ready for approval for a building permit. **J. Plonczynski** stated the best example are the thirteen examples listed on **A. Zubko's** memo. All of the projects would have been reviewed in a shorter time frame, built quicker and less meetings. Acton Mobile is a great example. They wanted to build a bigger building than originally planned, they had to repeat the whole process. With this update, they would just need a permit to expand. **A. Zubko** stated another good example is with Hanover Township parking lot, they wanted to add six parking spaces and they had to go through the whole process to do this. **J. Plonczynski** stated another example of going through this process is the Bartlett Little League storage shed. This will help Staff and the Village's image to get projects moving more quickly. **G. Koziol** stated if he understands this correctly this will allow Staff to make the decision and move it along if appropriate. **J. Plonczynski** stated it's not just our Staff this will include Fire District, Police Department and Engineering. **A. Zubko** stated that is only if they meet all of the requirements and don't need any rezoning, variances or special uses.

M. Werden asked if anyone had any other comments or questions.

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

A motion was made to pass a positive recommendation to the Village Board to approve.



**Village of Bartlett
Zoning Board of Appeals Minutes
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M. Werden closed the public hearing portion of the meeting.

Motioned by: J. Rasmussen

Seconded by: J. Banno

Roll Call

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

Nays: None

The motion carried.



**Village of Bartlett
Zoning Board of Appeals Minutes
September 7, 2017**

Old Business/ New Business

J. Plonczynski stated he was not sure if there will be a meeting next month. There are a few projects in the works but we are unsure if they will need variances at this time.

M. Werden mentioned Heritage Days and encouraged everyone to come out and support the Village. The following weekend is the Historical Society's Cemetery walk.

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

Motioned by: G. Koziol

Seconded by: J. Rasmussen

All in favor.

Motion Carried

The meeting was adjourned at 8:32 P.M.

COMMUNITY DEVELOPMENT MEMORANDUM
17-241

DATE: December 27, 2017
TO: The Chairman and Members of the Zoning Board of Appeals
FROM: Angela L Zubko, Community Development Planner
RE: **(#17-25) Lot 7 Alperin's First Addition to the Village of Bartlett Subdivision**

PETITIONER

Jim Kampert, Kathleen Knodell and Linda Ferguson

SUBJECT SITE

West side of IL Route 59, approximately 0.4 miles north of W. Bartlett Road (Lot 7 of the Alperin's First Addition to the Village of Bartlett Subdivision)

REQUESTS

Variations:

- a) a 10 foot reduction from the required 25 foot side yard along the north property line,
- b) a 10 foot reduction from the required 25 foot side yard along the south property line,
- c) a 2,325 square foot reduction from the required 40,000 square foot required lot size, and
- d) a 42 foot reduction from the required 140 foot lot width

SURROUNDING LAND USES

	<u>Land Use</u>	<u>Comprehensive Plan</u>	<u>Zoning</u>
Subject Site	Vacant	Estate Residential	ER-2
North	Single Family	Estate Residential	ER-2
South	Single Family	Estate Residential	ER-2
East	Vacant/Golf Course	Open Space/Recreation	ER-2
West	Vacant	Open Space/Recreation	ER-2

DISCUSSION

1. This lot was part of the original Bartlett boundaries of 1891 and according to the 1941 Zoning Map was zoned F-Farming. The subject property is located in the Alperin's First Addition to the Village of Bartlett Subdivision that was platted in 1950. The 1962 zoning map showed this area as zoned R-1 Single Family Residence District.

2. As a result of the comprehensive rezoning of the Village in 1978, the property was rezoned to the ER-2 Estate Residence Zoning District which established 25' side yard setbacks, a 40,000 square foot minimum lot size requirement and 140' minimum lot width.
3. The 1978 comprehensive rezoning made the subject property lot width and lot size non-conforming. From measuring off the GIS (geographic information system) and aerials most of the 11 lots do not meet the lot size and lot width requirements of the ER-2 District. Therefore, the Petitioners are requesting the following **Variations** to bring Lot 7 into conformance:
 - a) a 2,325 square foot reduction from the required 40,000 square foot required lot size, and
 - b) a 42 foot reduction from the required 140 foot lot width
4. Section 10-10-3-A of the Zoning Ordinance states "Site and Structure Provisions: The use of any nonconforming lot for a conforming use permitted in the zoning district in which the lot is located is subject to the site and structure bulk regulations and other requirements of that zoning district except those specific requirements that directly resulted in the lot's nonconforming status."
5. Alperin's First Addition to the Village of Bartlett Subdivision is an 11 lot subdivision in which 8 of the lots currently have single family homes built on. The lots range in size from 32,000 square feet to 74,000 square feet with widths from 95' to 205'. There are no plats of survey for the other lots but most of the lots do not appear to meet the required 25 foot setback. There are 7 separate owners of the 11 lots. The owners/successors of Lot 7 also own the lot to the north (lot 6).
6. The Petitioners are also requesting the following **Variations** for a proposed home 59' wide to be constructed:
 - a) a 10 foot reduction from the required 25 foot side yard along the north property line, and
 - b) a 10 foot reduction from the required 25 foot side yard along the south property line,
7. If the variations are approved, a building permit could be issued to build a single family home.
8. The Petitioner has contacted IDOT to ensure a permit for a new driveway will be issued.

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.

alz/attachments

x:\comdev\mem2017\241_Lot 7 Alperin's Subdivision_variations_zba.docx

November 30, 2017

James Kampert
Kathleen Knodell, Linda Ferguson
8n650 Il Rte 59
Elgin, Il 60120

Subject : Lot 7 Alperin's Variation request


Dear President and Bartlett Board of Trustees,

With this letter and application it is my task to request a variation of the side setbacks called for in the current zoning (ER-2) of (vacant) Lot 7 in Alperin's first addition to the Village of Bartlett. My sisters and I are the owners of Lot 7 as well as the family residence to the north on Lot 6, through inheritance as of my mother's passing 11/10/16. Alperin's is an 11 lot subdivision incorporated in 1950 located on the west side of Rte 59 just north of West Bartlett Road. Lot 7 has been listed for sale since September , 2017.

Several weeks ago we procured a prospective buyer for Lot 7 who has proposed a home plan 59' wide. This could not be built without either a Bartlett zoning revision or more simply a variation to ER-2 side setback requirements. The current Lot 7 setbacks rules in its ER-2 zoning require a minimum of 25' on each side of any proposed new single family home. Lot 7 has a width of approximately 95' in the logical building area, given that the 100' frontage on Rte59 is at an angle and the lot width narrows towards the rear. At 95' width the current setback rule leaves only a 45' width allowable for any proposed single family home with attached garage (25+45+25 =95) . The aggregate side setbacks actually represent greater than 50% of the total width of Lot 7 in its current zoning.

As owners, we respectfully propose that Bartlett offer relief of this rule by considering allowing variation of side setbacks on Lot 7 to be reduced to a minimum of 15' on either side and in the aggregate a minimum of 34' of setback, both sides. This would allow some play in the exact location of a building foundation. A minimum of 34' aggregate setback would still represent 36% (34 / 95) of the lot effective width. As you will note visiting the site, such a variation should not affect conformity to adjacent homes.

My family and I are pleased to work with the Village of Bartlett and I thank you very much for your close review of the points described in this letter. If you have any questions or require further documentation please feel free to call me at 630-624-0901 or email me at jkamp425@gmail.com. If a field visit to the subject Lot 7 is necessary, you may pull in to the driveway to the north and walk the lot.

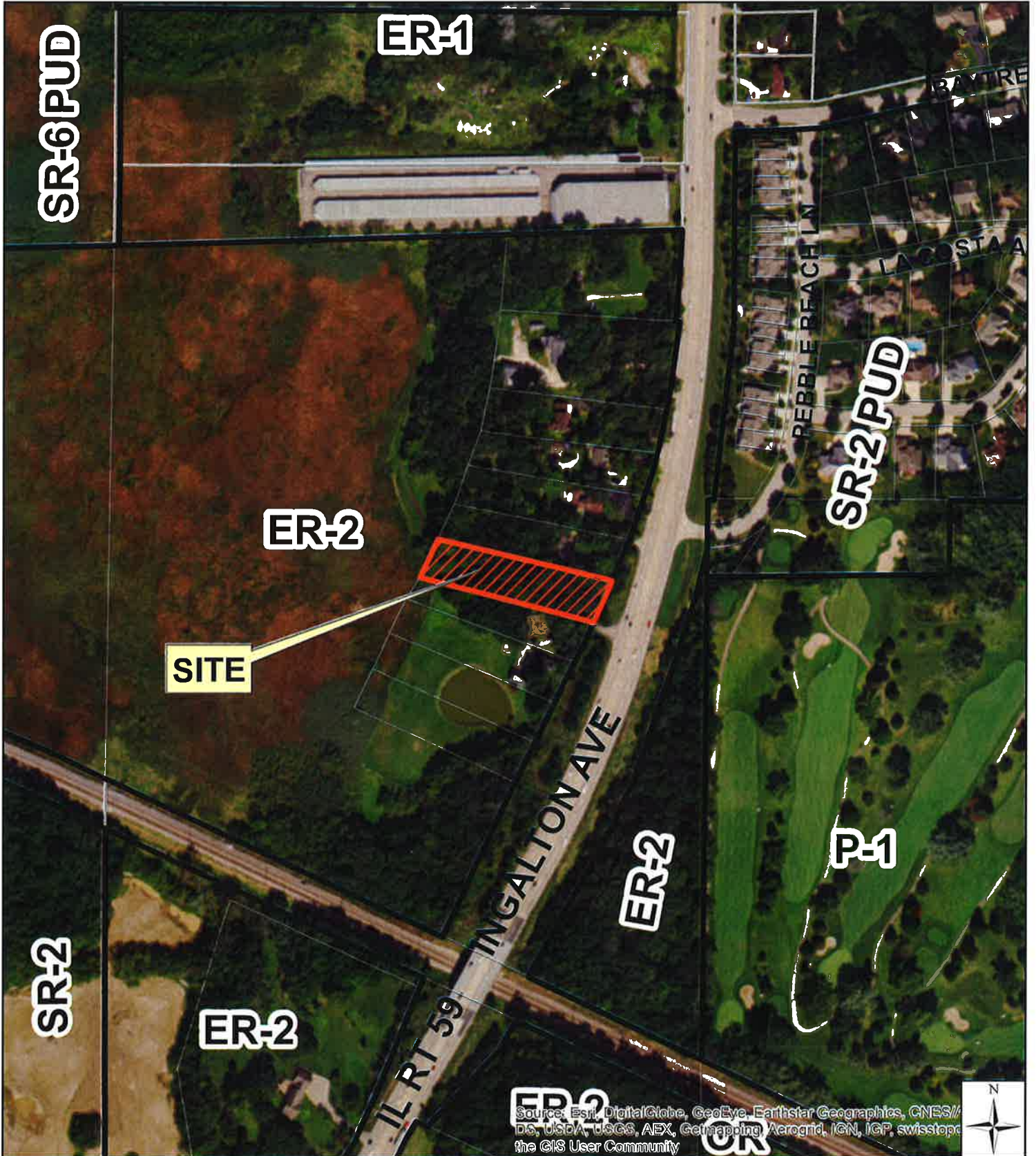
Best regards,

Jim Kampert

ZONING/LOCATION MAP

Lot 7 Alperin's Subdivision

Case #17-25 - Rezoning

PIN: 06-33-201-009



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



VILLAGE OF BARTLETT VARIATION APPLICATION

For Office Use Only
Case # 2017-25
RECEIVED
COMMUNITY DEVELOPMENT
NOV 20 2017
VILLAGE OF
BARTLETT

PROJECT NAME: LOT 7 ALPERIN'S; ER-2 to ER-3

PETITIONER INFORMATION (PRIMARY CONTACT)

Name: JIM KAMPERT } ELGIN P.O.
Street Address: 8N650 IL RTE 59 } MAILING ADDRESS
City, State: ELGIN, (technically Bartlett) IL Zip Code: 60120
Email Address: jkamp25@gmail.com Phone Number: 630-624-0901
Preferred Method to be contacted See Dropdown

PROPERTY OWNER INFORMATION

Name: JAMES KAMPERT, KATHLEEN KNODELL, LINDA FERGUSON: SIBLINGS
Street Address: SAME AS ABOVE
City, State: _____ Zip Code: SAME
Phone Number: _____

<i>Kathleen Knodell</i>	dotloop verified 11/16/17 9:40PM EST 20Y3-QJNP-UCZF-HZ1M
<i>Linda Ferguson</i>	dotloop verified 11/16/17 9:42PM EST 88E0-MNLF-KIZW-MMZ2

OWNER'S SIGNATURE: James J Kampert Date: 11/16/17
(OWNER'S SIGNATURE IS REQUIRED or A LETTER AUTHORIZING THE PETITION SUBMITTAL.)

PROPERTY INFORMATION

Common Address/General Location of Property: (NOT FORMALLY ASSIGNED) 8N636 IL RTE 59 / ALPERIN'S FIRST ADD'N TO BARTLETT, LOT 7
Property Index Number ("Tax PIN"/"Parcel ID"): 06-33-201-009 HANOVER TWP.
Zoning: Existing: See Dropdown ER-2 Land Use: Existing: See Dropdown RES
(Refer to Official Zoning Map)
Proposed: See Dropdown ER-2 Proposed: See Dropdown RES
Comprehensive Plan Designation for this Property: See Dropdown
(Refer to Future Land Use Map)
Acreage: 0.86 ACRE Number of Lots/Units: 1 LOT

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

Attorney: RAY DALTON, South Elgin, ~~with~~ ray@daltonlaw.com 847-695-4100
Surveyor: STEVE PANKOW, PLS INC., 630-778-1757, steve@plslisle.com
Other: _____

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: James J Kampert

PRINT NAME: JAMES L. KAMPERT

DATE: 11/16/17

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: Jim KAMPERT

ADDRESS: 8N650 IL RTE 59
ELGIN, IL 60120

PHONE NUMBER: 630-624-0901

EMAIL: jkamp425@gmail.com

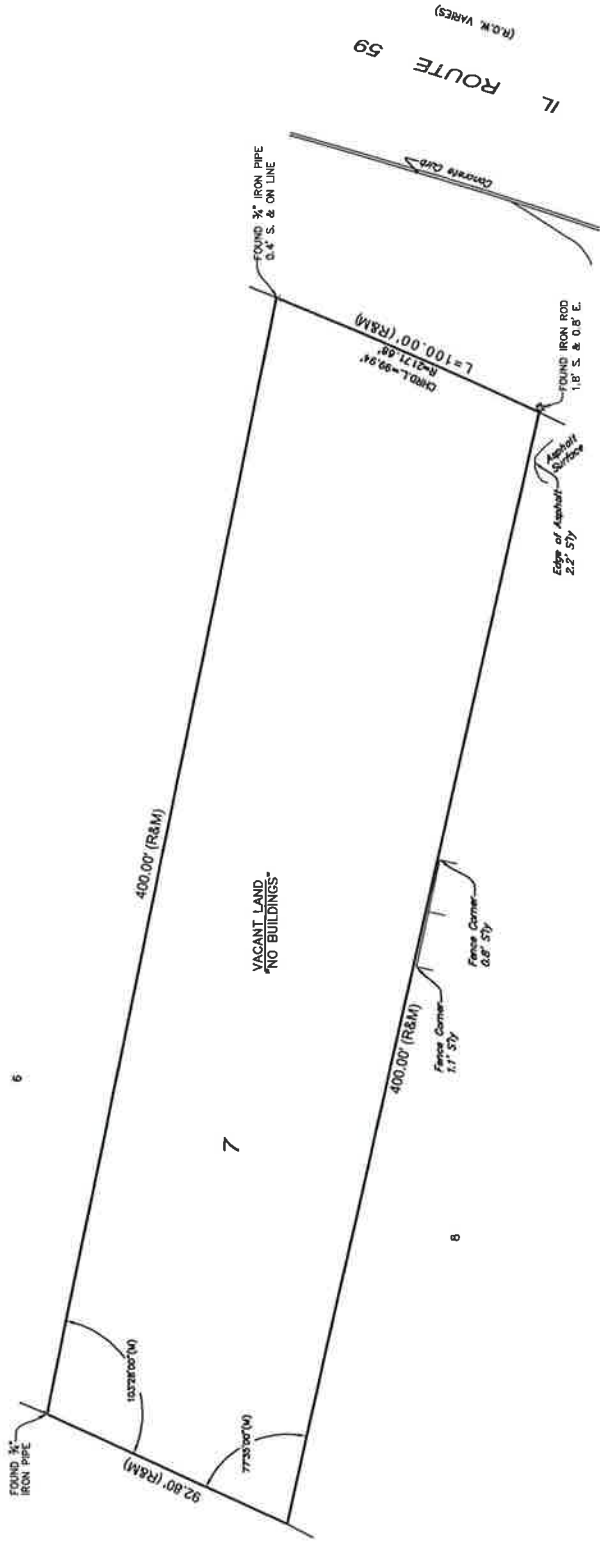
SIGNATURE: James J. Kampert

DATE: 11/16/17

PLAT OF SURVEY

PROFESSIONAL LAND SURVEYING, INC.
 3080 OGDEN AVENUE SUITE 307
 LISLE, ILLINOIS 60532
 PHONE: 630-778-1757
 PROF. DESIGN FIRM # 184-004196
 E-MAIL: info@plis.com

PARCEL INDEX NUMBER
 06-33-201-009



NOTE:
 POSSIBLE EXISTENCE OF ANY PUBLIC SERVICE
 CONDUITS, UTILITY POLES AND/OR WIRES ON SUBJECT LAND.

SYMBOL LEGEND

- CONCRETE SURFACE
- FENCE LINE
- (R) - RECORD DATA
- (M) - MEASURED DATA
- UTILITY POLE
- OVERHEAD WIRES

LEGAL DESCRIPTION

LOT 7 IN ALPERIN'S FIRST ADDITION TO THE
 VILLAGE OF BARTLETT, A SUBDIVISION OF
 THE VILLAGE OF BARTLETT, IN THE NORTH
 SECTION 33, TOWNSHIP 41 NORTH, RANGE 9
 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN
 COOK COUNTY, ILLINOIS.

PREPARED FOR: KAMBEERT
 ADDRESS: JANSO, IL RT. 58 ELGIN, ILLINOIS
 BOOK & PG: 133/50 DATE: 11/08/17 JOB NO: 1715008
 DRAWN BY: JLK CHECK BY: DEB
 REVISED:



STATE OF ILLINOIS) SS
 COUNTY OF DUPAGE)

PROFESSIONAL LAND SURVEYING, INC. HEREBY CERTIFIES THAT IT HAS
 SURVEYED THE LAND SHOWN ON THIS PLAT AND THE
 HEREON DRAWN PLAT IS A CORRECT REPRESENTATION THEREOF.

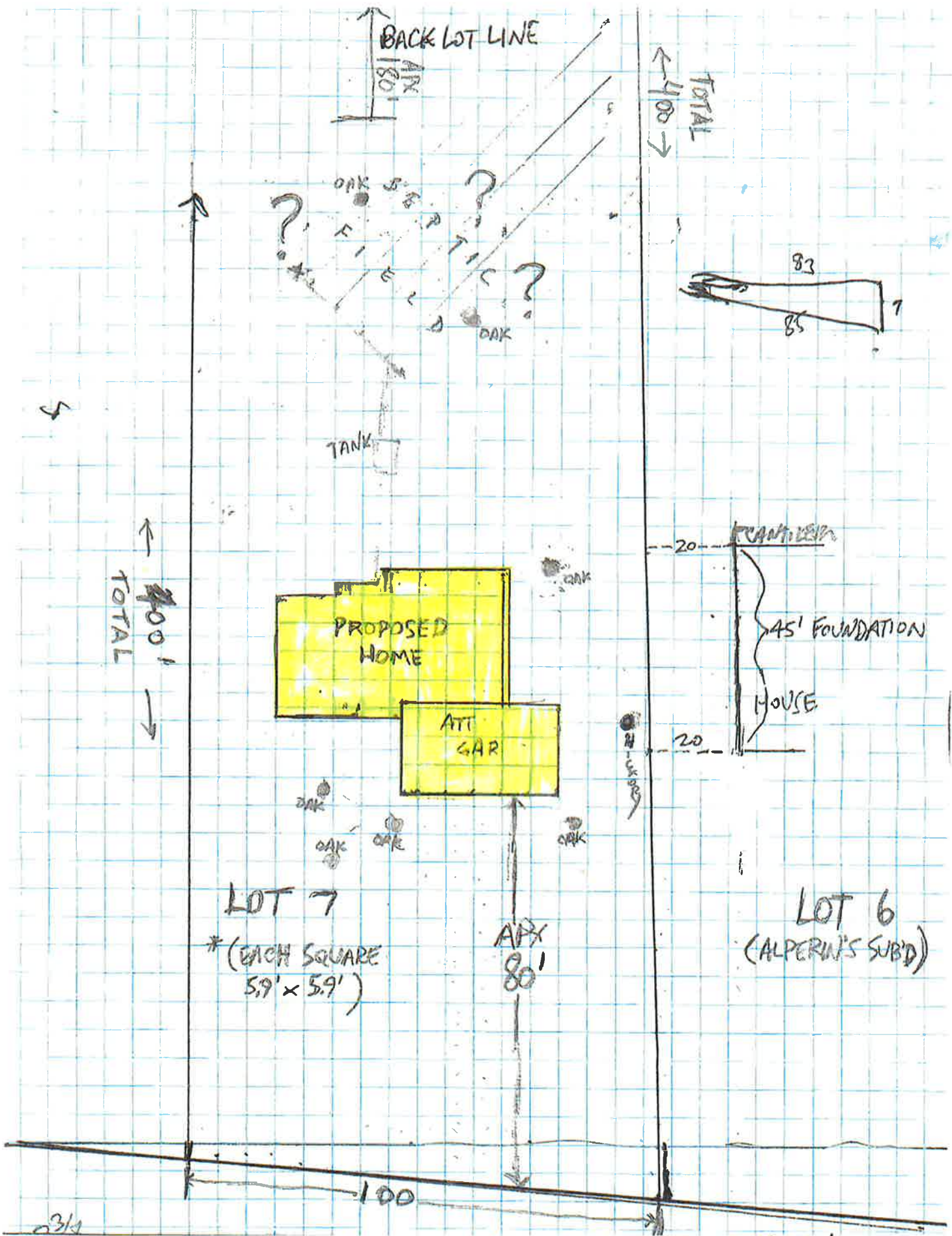
FIELD WORK COMPLETED AND DATED
 THIS 7TH DAY OF NOVEMBER, 2017.



PLS No. 3483
 MY LICENSE EXPIRES 11/09/2019

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT
 ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

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* LOT 7 ALPERIN'S VARIATION REQUEST *

