



Village of Bartlett
Zoning Board of Appeals Minutes
January 4, 2017

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

Meeting was held in the second floor conference room # 201.

Roll Call

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

Absent: L. Hanson

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

Petitioners: J. Kampert and L. Ferguson

Approval of Minutes

A motion was made to approve the minutes of the September 7, 2017 meeting.

Motioned by: G. Koziol

Seconded by: J. Banno

Roll Call

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

Abstain: none

The motion carried.



Village of Bartlett
Zoning Board of Appeals Minutes
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Case (# 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;
- d) 42 foot reduction from the required 140 foot lot width

PUBLIC HEARING

The following Exhibits were presented:

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

Petitioners **J. Kampert**, 8N650 IL Rt. 59 and **L. Ferguson**, 6N801 Willow Brook Drive, St. Charles were both sworn in by **M. Werden**.

J. Kampert stated his family have owned the properties since 1952, building on one lot and leaving Lot 7 empty. Both parents have since passed away leaving the properties to **J. Kampert** and his siblings. **J. Kampert** came and spoke with **J. Plonczynski** and **A. Zubko** regarding zoning of the Lot 7, and what can be done with it. They discussed rezoning of the property to ER-3 20,000 sq. ft. which is more conforming to Lot 7. Most other lots are zoned ER-2, with lot sizes of 40,000 sq. ft. **J. Kampert** stated the issue is that the lot is 95 to 98 feet at the building width and the variation of side setback of 25 feet on each side. Before they went in for a variation, they put the lot up for sale with a real estate broker. There has been some interest in the lot with a proposed footprint of 59 feet wide which leaves about 18 feet on each side. **J. Kampert** stated he discussed with **A. Zubko** about cleaning up the setbacks or make it more conforming to what is out there. This is somewhat of a hardship being the lot is restricted to a 45 ft. footprint on a country lot. Also, the zoning was changed in 1978. Many of the homes are closer than 25 ft. off of the lot lines. **J. Kampert** stated his home is only 19.8 ft. off of the lot line from his neighbors. The neighbors north of him are about 20 ft. off of the lot line. This wouldn't alter anything out there and would not alter the view of the surrounding properties. **J. Kampert** stated his neighbors just south of his property, are present at this meeting. None of the properties in that area are conforming to ER-2. **J. Kampert** stated this would be the right thing to do to make the change and would not alter the landscape view. This is case they are trying to make and they do have an interested party in the lot. **J. Kampert** has seen some of the plans the potential buyers have. The home is about 2000 sq. ft., similar to the homes that are currently there.

M. Werden stated this is a very unique area. He has been on the Zoning Board since 1979 and this has always been a zoning nightmare. Originally this was Cook County rural zoning and that the width of the lots didn't conform to any zoning within the Village. It needed its own little island of zoning. This is very similar to the front yard setbacks on Stearns Road and Sycamore. There wasn't room for four lanes on Stearns Road because the setbacks are so close to the road. **M. Werden** stated he thinks it's remarkable what they want to do with the lot being with what they have to work with.

M. Werden asked if any of the Commissioners had any questions for Staff. **G. Koziol** asked Staff if any of the other homes out there if they were going to do any building they would come to the Village



Village of Bartlett
Zoning Board of Appeals Minutes
January 4, 2017

for review and a grandfather type issue. **A. Zubko** stated yes if anyone wanted to do any additions or alterations they would have to come to us for a variance to make it conforming. **G. Koziol** stated with this lots setback and the setback on the adjacent lots, this isn't any different than the issues with other lots in the area. Being the lots are so narrow, a house fills the majority of the width of the lot. **A. Zubko** stated 8 of the 11 lots have homes on them. She has only found 4 lot drawings and only one of the lots (the largest) meets the setback requirements. There was a variation granted on lot 4, for 7 ft. on the north side yard setback that was done in 1985. Most of the homes are 10 to 20 ft. off of the property line which is what they are looking to do as well. **G. Koziol** stated he agreed with **M. Werden** that this is a very unique situation, and he has never seen anything like it in his 15 years on the ZBA. **M. Werden** stated in order for anything to fit without a variance on this lot, it would need to be like a Chicago row house. **G. Koziol** and **J. Banno** both agreed that this is a reasonable request on the part of the owner. **J. Banno** stated he lives across the street and he didn't know that this was even a part of Bartlett. **J. Kampert** stated his father didn't either. **J. Banno** asked if this was on Bartlett water and sewer. **A. Zubko** stated no all the properties on the west side are on well & septic. There is water in front of lot 7 and the property to the south. The new lot will hook up to water but not sewer. Sewer is only on the east side of Rt. 59, but this lot will be the first lot to hook up to Bartlett water.

M. Werden opened the meeting to the Public.

Santos Urso, 8N620 IL. Rt. 59. **S. Urso** owns 4 lots, and asked if the ZBA is willing to back off on the width of the lots. He can only build one more house on his 4 acres. Will the ZBA be changing the 140 ft. lot widths to 100 ft. as they are now for tax purposes? **M. Werden** stated the ZBA looks at each case individually. This is a unique area, staff is very open to looking at different options, since it doesn't fit into any zoning criteria within the Village. Considering the depth of the lots they are extremely narrow. **S. Urso** stated his lot is 400 ft. x 400 ft., and **J. Kampert** is asking him to give up some of his free area, by allowing 10 ft. taken off of his lot line. At the moment there is 150 ft. between properties this will reduce it to 45 ft. **M. Werden** stated **S. Urso** can object to this if he chooses which is the purpose of this meeting. The ZBA does not make the final decision, just recommendations. **S. Urso** stated this would not be necessary if they would just build a smaller home. The house could be a 100 ft. deep and 50 ft. wide with a three car garage. **M. Werden** stated it may look odd but it's a possibility. **S. Urso** stated there are 4,000 sq. ft. homes that are built on a 60 ft. lot, but they are deep. This is the type of home that needs to go there and they wouldn't need approval. **M. Werden** stated whichever way the ZBA votes on this case, it will still need to be approved by the Village Board. **S. Urso** will have another opportunity to voice his opinion at the Village Board. **B. Bucaro** stated the ZBA doesn't have the authority to change anything on **S. Urso** properties without going to the Plan Commission and the Village Board. **A. Zubko** stated **S. Urso** has four separate lots and they would just be considered non-conforming on their own if they had four different owners. **M. Werden** stated the Village would not arbitrarily change a lot. Someone would need to propose an alteration, and request a change through the ZBA. **G. Koziol** stated the lots will stay the same, what is up for discussion is the footprint, placement of the house on the lot and how close the purposed structure is to the lot line. **G. Koziol** addressed **S. Urso** by stating there will be 30 ft. between structures. **S. Urso** would not be losing any of his property or trees. The new property owners may or may not need to take down trees to fit the home where they want it built. **S. Urso** stated they are asking for 10 ft. on each side and he is taking away from 140 ft. that he never had, unless he keeps the properties contiguous. **J. Kampert** stated it's an empty lot that is already subdivided. Everyone has a right to build on this, and the **Urso's** have enjoyed the open space having this lot vacant, as did his parents. **M. Werden** asked **S. Urso** how long has he lived in Bartlett? **S. Urso** replied 50 years and his house is on lot 9 and he has two garages that spread across two other lots. A three car garage and another 2



**Village of Bartlett
Zoning Board of Appeals Minutes
January 4, 2017**

car with a rec room above it. One garage may be between lots 8 & 9. **B. Bucaro** asked if someone wanted to buy lots 8 & 9 (tearing down the structure already built on them) they would need the approval from the Village to build a home in the middle of both lots. **A. Zubko** stated yes it would become one zoning lot. **S. Urso** asked if there are any other properties that are less than two lots. **A. Zubko** stated yes, there are eleven lots and seven owners and **S. Urso** owns four of them. **A. Zubko** stated lots 1 and 2 are the largest lots, being 200 ft. wide, all others are 100 ft. wide and separately owned.

G. Koziol made a motion to pass along a positive recommendation to the Village Board to approve Case #17-25, Lot 7, of the Alperin's Subdivision.

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.

M. Werden advised to stay in touch with **A. Zubko** as to when this case will be on the Village Board agenda.

Old Business/ New Business

None

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

Motioned by: B. Bucaro

Seconded by: G. Koziol

All in favor.

Motion Carried

The meeting was adjourned at 7:25 P.M.