



**VILLAGE OF BARTLETT
ZONING BOARD OF APPEALS
AGENDA
228 MAIN STREET
July 5, 2018**

7:00 P.M.

- I. Roll Call
- II. Approval of the June 7, 2018 meeting minutes
- III. (#18-09) Galleria of Bartlett
Variations:
 - a) 30 foot reduction from the required 50 foot front yard (along Army Trail Road) to allow for parking,
 - b) 12 foot reduction from the required 20 foot side yard (east property line) to allow for parking,
 - c) 12 foot reduction from the required 20 foot side yard (west property line) to allow for parking, and
 - d) 17 foot reduction from the required 30 foot rear yard (north property line) to allow for parking

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



Village of Bartlett
Zoning Board of Appeals Minutes
June 7, 2018

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, A. Zubko, Village Planner

Approval of Minutes

A motion was made to approve the minutes of the May 3, 2018 meeting.

Motioned by: G. Koziol

Seconded by: J. Rasmussen

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
June 7, 2018

Case (#18-11) 250 Wilcox Court

Variation: Accessory Structure less than 10 feet from a Principal Structure

PUBLIC HEARING

The following Exhibits were presented:

Exhibit A - Picture of Sign

Exhibit B - Mail Affidavit

Exhibit C - Notification of Publication

Petitioners **Edward & Jennifer Paladino**, 250 Wilcox Court were sworn in by **M. Werden**.

Edward & Jennifer Paladino stated they have outgrown their garage with the kid's sports equipment and are looking to build a shed in their back yard which is dominated by easement space. There is a very small space next to their patio that the shed will be built. The setback is 10 feet and the **Paladino's** are requesting an 8 foot setback in order to have a larger shed. The shed materials will match the existing house, using 2 x 4 construction on a concrete slab and a few windows. **M. Werden** stated he went by the property and it looks like there is a lot of space and matching the shed to the home will make it look really nice. **G. Koziol** stated the fence that the Paladino's installed came out extremely well. Being there is limited space as to where they can put a shed **G. Koziol** felt this would be a perfect spot. **E. Paladino** stated this would be the last big project they would be looking at doing. **G. Koziol** asked if the Bartlett Fire District had any comments on this project. **A. Zubko** stated yes its number seven in her memo, that they reviewed this and there were no concerns or comments. This will be a 7 foot variation, 8 feet from the house and 3 feet from the covered patio. **E. Paladino** stated he goes overboard so this will be quality project. **B. Bucaro** asked if the ordinance on the patio side is also 10 feet. **A. Zubko** stated yes because it's a covered patio its considered part of the principle structure now, which needs to be 10 feet from both sides. **M. Werden** asked if all of the lots in that area have that large of a right of way in the back. **A. Zubko** stated no, theirs has the most.

The Public Hearing portion of the meeting was open to the Public. No one came forward.

M. Werden asked if there was any further discussion or motions from the Board.

G. Koziol made a motion to pass along a positive recommendation to the Village Board to approve Case #18-11, 250 Wilcox Court, Accessory Structure less than 10 feet from a Principal Structure.

Motioned by: G. Koziol

Seconded by: J. Banno

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

Roll Call

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

Nays: None

The motion carried.

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



Village of Bartlett
Zoning Board of Appeals Minutes
June 7, 2018

Case (#18-12) 220 Aron Court
Variations – Front and Rear Yards
Public Hearing

The following Exhibits were presented:

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

Petitioners **Kevin and April Wickey**, 220 Aron Court was sworn in by **M. Werden**.

K. Wickey stated when they realized they only had a 22 ft. rear yard setback and not 35 ft. as they had thought, they cannot do what they had planned for the back yard. They live on a cul-de-sac and many of the neighbors sit in front as the kids play. The plan is to put a covered porch on the front of the house extending the existing slab at the front door continuing to the beginning of the garage. **A. Wickey** stated after signing papers on the house they realized their back yard was virtually nonexistent and with a growing family they realized they are spending more time out in the front of the house with the neighbors. A covered porch would give them more comfort and shade. **M Werden** asked what type of roofing will be used. **K. Wickey** stated they were looking at metal clad roof, cost permitting or a similar shingle to the existing roof. **M Werden** asked Staff if there were any calls. **A. Zubko** stated no there were not. **M Werden** stated this is an unusually shaped lot and with the easements it can be very restrictive. **G. Koziol** stated when he drove through the neighborhood he was surprised to see the variety of porches on the homes in the area. **G. Koziol** stated he is a fan of front porches and was curious as to where the porch will end. **A. Wickey** stated where the flower bed is now will be replaced with concrete only up to the sidewalk but not past it. **J. Rasmussen** stated she lives on Hickory and everyone sits out in front and talks with their neighbors as well, because most of the back yards are tree preservations. She totally gets this idea and likes that everyone watches the kids while they are out playing and interacting. **K. Wickey** stated they wanted a space where four adults could actually sit out there comfortably. **B. Bucaro** stated he is not a fan of messing with front yard setbacks, however, since there isn't much of a back yard and the house being on a court he does doesn't have an issue with this project. **M Werden** stated being on the cul-de-sac it give the kids more room to play as opposed to the back yard.

The Public Hearing portion of the meeting was open to the Public. No one came forward.

M. Werden asked for a motion for Variations for the Front and Rear Yards.

B. Bucaro made a motion to pass along a positive recommendation to the Village Board to approve Case #18-12, 220 Aron Court, Variations for the Front and Rear Yards.

Motioned by: B. Bucaro

Seconded by: G. Koziol

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

Roll Call

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

Nays: None

The motion carried.

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



**Village of Bartlett
Zoning Board of Appeals Minutes
June 7, 2018**

Old Business/ New Business

J. Plonczynski stated there will be a meeting next month. It will be on July 5th in the upstairs Training Room because the Village Board will be using the Council Chambers. At the moment there is one item possibly, two, Park in the back lot since parking will be limited.

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 7:20 P.M.

COMMUNITY DEVELOPMENT MEMORANDUM
18-110

DATE: June 28, 2018
TO: The Chairman and Members of the Zoning Board of Appeals
FROM: Angela L Zubko, Community Development Planner
RE: **(#18-09) Galleria of Bartlett**

PETITIONER

Ron DeRosa on behalf of 59th and Army Trail, Inc. and Attorney Francis Bongiovanni

SUBJECT SITE

North side of Army Trail Road, approximately 450 feet east of Route 59

REQUESTS

Variations:

- a) 30 foot reduction from the required 50 foot front yard (along Army Trail Road) to allow for parking,
- b) 12 foot reduction from the required 20 foot side yard (east property line) to allow for parking,
- c) 12 foot reduction from the required 20 foot side yard (west property line) to allow for parking, and
- d) 17 foot reduction from the required 30 foot rear yard (north property line) to allow for parking

SURROUNDING LAND USES

Subject Site	<u>Land Use</u> Vacant	<u>Comprehensive Plan</u> Mixed Use Bus. Park/ Estate Residential	<u>Zoning</u> R-1*
North	Single Family	Estate Residential	ER-3 PUD
South	Commercial	Commercial/ Mixed Use	B-3, B-3 PUD
East	Vacant	Mixed Use Bus. Park/Estate Residential	R-1*
West	Commercial	Commercial	B-3 PUD

*Unincorporated DuPage County- Single Family

DISCUSSION

1. The Petitioner is requesting to Annex a 1.59 acre vacant parcel into the Village and to Rezone the property (upon annexation) from the ER-1 (Estate Residence) Zoning District to the B-3 (Neighborhood Shopping) Zoning District. *(The Annexation will be discussed by the Village Board at their meeting on July 17, 2018).*
2. The Petitioner is also requesting a Site Plan Review for a proposed 12,033 square foot commercial building to be constructed for seven future tenants. The proposed 12,033 square foot commercial building would be oriented towards Army Trail Road with a drive-thru window located on the west side of the building. *(The Site Plan Review will be discussed by the Plan Commission at their meeting on July 12, 2018).*
3. The proposed building will consist of multiple colors and be constructed of metal panels, EIFS, fiber cement panels, aluminum canopies and a stone veneer along the bottom of the building on all four sides. The tallest portion of the building will be 27'-6" due to the parapet walls screening the mechanical equipment; however, the average height of the building would be 23'-6", meeting the Zoning Code requirement of 25'.
4. Army Trail Road is under the jurisdiction of DuPage County and the Petitioner has requested one curb cut for full access to this shopping center. This curb cut would be located directly across from the existing eastern curb cut into the Bartlett Square Shopping Center (along the south side of Army Trail Road).
5. Per Staff's request, the Petitioner has shown a future cross-access easement to the property to the east when/if it develops to provide a vehicular connection between the two properties without having to access Army Trail Road.
6. The Site Plan identifies 79 parking stalls including 4 handicapped accessible parking stalls. This exceeds the Zoning Ordinance requirement of 74 stalls. A bike rack is also shown on the Site Plan. The Petitioner is revising their plans to add a turnaround stall to be located in the southwest corner of the parking lot. Adding the turnaround stall will modify the parking to 78 parking stalls, exceeding the Zoning Ordinance requirement of 74 stalls.
7. A wood fence exists along the western property line and the Petitioner proposes to install a 6' board-on-board fence along the north and east property lines to screen the proposed commercial center from adjacent residential uses. The property to the north is open space maintained by the Far Hills Subdivision Homeowners Association and is wooded along the property line. There are also bushes and trees located on the property to the east. The Petitioner will not preserve any trees or bushes that exist on the Subject Property.

8. The Village of Bartlett's Bike Path Map depicts a future bike path on the north side of Army Trail Road along the frontage of this property. As requested by Staff, a 10' wide bike path will be installed to connect this proposed center with the commercial center to the west. DuPage County has requested additional right-of-way be dedicated to include the bike path. The right-of-way dedication will take place after the Village Board approvals.
9. The Petitioner is also requesting the following **Variations**:
 - a. 30 foot reduction from the required 50 foot front yard (along Army Trail Road) to allow for parking,
 - b. 12 foot reduction from the required 20 foot side yard (east property line) to allow for parking,
 - c. 12 foot reduction from the required 20 foot side yard (west property line) to allow for parking, and
 - d. 17 foot reduction from the required 30 foot rear yard (north property line) to allow for parking.
10. A Special Use Permit is being requested to allow a drive-through pick-up window to be located on the west side of the building. The menu/order board will be located on the north side of the building and will provide stacking for five (5) vehicles in accordance with the Zoning Ordinance. Both the northern drive aisle and the western drive aisle would be one-way with angled parking and "Do Not Enter" signs to direct traffic. This configuration is consistent with every other building with a drive-thru in the Village of Bartlett. The one-way traffic pattern improves vehicular circulation and safety on the site. *(The Special Use Permit will be discussed by the Plan Commission at their meeting on July 12, 2018).*
11. A Special Use Permit is also being requested for the serving of alcohol for each of the future tenants. Each tenant would need to acquire the proper liquor license before serving. The Petitioner has not indicated if the restaurant will provide video gaming to their patrons. *(The Special Use Permit will be discussed by the Plan Commission at their meeting on July 12, 2018).*
12. The Petitioner is also requesting a Special Use Permit to allow outdoor seating for the entire shopping center in front of any of the commercial spaces, if the future tenant so chooses. A perimeter fence around the outdoor seating area will need to be installed if alcohol is to be served outside. *(The Special Use Permit will be discussed by the Plan Commission at their meeting on July 12, 2018).*
13. Stormwater will be located below the east parking lot and the Engineering Plans are being reviewed by our Village Engineer and Stormwater Consultant.
14. The Traffic Impact Analysis was submitted on June 20, 2018. The Village's Traffic Engineer is currently reviewing the plans.

15. The Annexation Agreement was submitted on May 10, 2018. The Village Staff and Village Attorney are currently reviewing this document.
16. The Engineering Plans and Landscape Plans are currently under Staff Review.

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 variations are based are unique to the property for which the variation is sought and are not applicable, generally, to other property within the same zoning classifications.
- C. That the purpose of the variations are 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 variations 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 variations 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 variances 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.

Variations 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 and consideration.

ZONING/LOCATION MAP

Galleria of Bartlett

Case #18-09 - Annexation, Rezoning, Special Uses, Variations, Site Plan and Unified Sign Plan



LAW OFFICES OF
FRANCIS J. BONGIOVANNI

108 BOKELMAN STREET
ROSELLE, IL 60172

PHONE (630) 295-8555
FAX (630) 295-9555
FBONGILAW@SBCGLOBAL.NET

April 12, 2018

SENT VIA HAND DELIVERY

Village President and Board of Trustees
Village of Bartlett
228 S. Main Street
Bartlett, Illinois 60103

RE: Galleria of Bartlett Application for
Annexation and Rezoning

Dear Village President and Board of Trustees:

I represent 59th and Army Trail Road, Inc., the owner of property located at 30 W 100 Army Trail Road. Petitioner is seeking to annex 1.59 acres located in unincorporated DuPage County and rezone it from ER-1 to B-3. Petitioner is seeking to build a seven unit commercial retail center with at least one restaurant and a drive-thru. In addition, Petitioner is seeking parking variances and special uses for a drive-thru, outdoor seating and service of alcohol.

Petitioner has submitted a Development Application with all the required materials. Myself as well as Mr. DeRosa and Petitioner's experts will be available in person to discuss the request and answer any questions that the Village Board may have.

Thank you for your consideration.

Sincerely,


Francis Bongiovanni
RECEIVED
COMMUNITY DEVELOPMENT

APR 13 2018

C: Ron DeRosa



VILLAGE OF BARTLETT DEVELOPMENT APPLICATION

For Office Use Only
 Case # 18-09
RECEIVED
COMMUNITY DEVELOPMENT
(Village Stamp)
APR 13 2018
VILLAGE OF BARTLETT

PROJECT NAME Galleria of Bartlett

PETITIONER INFORMATION (PRIMARY CONTACT)

Name: Ron DeRosa; Francis Bongiovanni

Street Address: 1550 Hecht Road; 108 N. Bokelman St.

City, State: Bartlett, Illinois; Roselle, IL

Zip Code: 60103; 60172

Email Address

Phone Number: 630-837-9900
630-295-8555

Preferred Method to be contacted: Email

PROPERTY OWNER INFORMATION

Name: 59th & Army Trail, Inc.

Street Address: 1301 Schiferl Road

City, State: Bartlett, Illinois

Zip Code: 60103

Phone Number: 630-837-9900

OWNER'S SIGNATURE: _____ **Date:** April 12, 2018
(OWNER'S SIGNATURE IS REQUIRED or A LETTER AUTHORIZING THE PETITION SUBMITTAL.)

ACTION REQUESTED (Please check all that apply)

- Annexation
 - PUD (preliminary)
 - PUD (final)
 - Subdivision (preliminary)
 - Subdivision (final)
 - Site Plan (please describe use: commercial, industrial, square footage):
7 unit commercial retail center with a restaurant and drive-through. Site are is 1.59 acres; Building area is 12,033 sq. ft.
 - Unified Business Center Sign Plan
 - Other (please describe) _____
- Text Amendment
 - Rezoning ER-1 to B-3
 - Special Use for: outdoor seating; drive-thru; serving alcohol
 - Variation: Parking -14 spaces less and parking setback

SIGN PLAN REQUIRED? Yes

(Note: A Unified Business Center Sign Plan is required for four or more individual offices or businesses sharing a common building entrance or private parking lot.)

PROPERTY INFORMATION

Common Address/General Location of Property: 30W100 Army Trail Road/Army Trail E of 59

Property Index Number ("Tax PIN"/"Parcel ID"): 01-16-401-003

Zoning: Existing: ER-1
(Refer to Official Zoning Map)

Land Use: Existing: Vacant

Proposed: B-3

Proposed: Commercial

Comprehensive Plan Designation for this Property: Estate Residential
(Refer to Future Land Use Map)

Acreage: 1.59

For PUD's and Subdivisions:

No. of Lots/Units: 1/7 units

Minimum Lot: Area 69,313 Width 308 Depth 277

Average Lot: Area _____ Width _____ Depth _____

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

Attorney Francis Bongiovanni
108 N. Bokelman Street
Roselle, IL 6017

Engineer William Zalewski
80 Main Street, Suite 17
Lemont, Illinois 60439

Other Chad Sivester - Architect
2610 Lake Cook Road, Suite 280 Riverwoods, IL 60015
Riverwoods, IL 60015

FINDINGS OF FACT (Standards)

The Village of Bartlett Zoning Ordinance requires that certain findings of fact, or standards, must be met before a special use permit, variation, site plan or planned unit development may be granted. Each application for a hearing before the Plan Commission or Zoning Board of Appeals for a special use, variation, site plan or planned unit development must address the required findings of fact for each particular request. The petitioner should be aware that he or she must present specific testimony at the hearing with regards to the findings. **(On the following pages are the findings of fact, or standards, to be met. Please respond to each standard, in writing, as it relates to the case.)**

****PLEASE FILL OUT THE FOLLOWING FINDINGS OF FACT AS THEY
RELATE TO YOUR PETITION****

Findings of Fact for **Site Plans**: Pages 4-5

Findings of Fact for **Planned Unit Developments**: Pages 6-9

Findings of Fact for **Special Uses**: Page 10

Findings of Fact for **Variations**: Pages 11-12

FINDINGS OF FACT FOR SITE PLANS

Both the Plan Commission and Village Board must decide if the requested Site Plan meets the standards established by the Village of Bartlett Zoning Ordinance.

The Plan Commission 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 Plan Commission and Village Board to review.)**

1. The proposed use is a permitted use in the district in which the property is located.

Since the property is located in the County of Dupage the property would come in as ER. The future land use map show this property as ER/Office. Petitioner is requesting rezoning to B3 District. Upon annexation and rezoning the proposed use will be a permitted use in the B3 District.

2. The proposed arrangement of buildings, off-street parking, access, lighting, landscaping, and drainage is compatible with adjacent land uses.

The proposed use and building is compatible with the property adjacent to the West and property across the street. The site plan attached attached provides the compatibility for parking, lighting and landscaping.

3. The vehicular ingress and egress to and from the site and circulation within the site provides for safe, efficient and convenient movement of traffic not only within the site but on adjacent roadways as well.

The site plan is in conformity with the standard and customary guidelines for ingress and egress and also for circulation within the site. The site will have easement for ingress and egress with the adjacent parcels to the east and west if requested by the Village.

4. The site plan provides for the safe movement of pedestrians within the site.

The site plan will provide for safe movement of pedestrians within the site and around the perimeter.

5. There is sufficient mixture of grass, trees and shrubs within the interior and perimeter (including public right-of-way) of the site so that the proposed development will be in harmony with adjacent land uses and will provide a pleasing appearance to the public. Any part of the site plan area not used for buildings, structures, parking or accessways shall be landscaped with a mixture of grass, trees and shrubs. (All landscape improvements shall be in compliance with Chapter 10-11A, Landscape Requirements)

Per the Landscaping Plan attached hereto the proposed plan is compliant with existing Village codes.

6. All outdoor storage areas are screened and are in accordance with standards specified by this Ordinance.

Outdoor storage is in compliance with Village ordinance per the sheet 4 of the engineering plans and sheet 1 of the landscaping plans.

FINDINGS OF FACT FOR SPECIAL USES

Both the Plan Commission and Village Board must decide if the requested Special Use meets the standards established by the Village of Bartlett Zoning Ordinance.

The Plan Commission 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 Plan Commission and Village Board to review.)**

1. That the proposed use at that particular location requested is necessary or desirable to provide a service or a facility which is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community.

The proposed outdoor seating, drive-thru and service of alcohol is ancillary to the restaurants which are the primary uses of the Center. Outdoor seating and a drive-thru is desirable and convenient to the public. The property is located on Army Trail Road just East of Route 59 which provides for the potential of many customers. Further a restaurant that serves alcohol is a desirable use in the community. They are necessary uses and desirable in the community and will contribute to the general welfare of the neighborhood and community.

2. That such use will not under the circumstances of the particular case be detrimental to the health, safety, morals, or general welfare of persons residing or working in the vicinity or be injurious to property value or improvement in the vicinity.

The Special Uses will not, under the circumstances, be detrimental to the health, safety, morals, or general welfare of the persons residing or working in the vicinity or be injurious to the property value or improvements in the vicinity. These uses will not only be compatible with all the uses surrounding the property which are commercial in nature but will add to the community. It will provide an additional restaurants for the community to enjoy.

3. That the special use shall conform to the regulations and conditions specified in this Title for such use and with the stipulation and conditions made a part of the authorization granted by the Village Board of Trustees.

The Special Uses will conform to the regulations and conditions as specified for such use and we agree that those conditions will be made part of the formal authorization granted by the Village Board of Trustees. The Special Uses will adhere to applicable Village Ordinances and requirements.

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.

Applicant is seeking a minimal variances for location of parking spaces to be located outside the parking building set back lines and for a reduction of 14 spaces. The shape of the lot and size of building require this variance. Based upon the shape of this particular property not too allow this slight variance would be of great hardship.

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.

Applicant is seeking a minimal variances for reduction in the number of parking spaces and location of parking spaces to be located outside the parking building set back lines. The shape of the lot and size of building require this variance. This variance makes it feasible to develop this property.

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

The purpose of the variations is to allow a better flow of traffic and for more safety in the use of the site and maximize the development potential. It is needed to comply with the Village parking requirements. The granting of the variance is not for the the exclusive desire to make more 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.

The Owner has not created the difficulties associated with this property. The difficulties and hardships are similar to other properties in the area and they have been granted similar variances. With these variances there will still be sufficient parking for the proposed uses.

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.

Other properties in the Village have been granted similar variances. This variation will allow development of this property. The granting of the variations will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhoods in which the property is located.

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 granting of the variances will not have a negative effect on surrounding properties nor impair their light and air. The variance does not increase congestion on public streets or danger of fire or endanger the public safety. The variance will not diminish adjacent neighborhood value.

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 granting of the variances will allow maximum development of the uses on the property. The granting of this variance will not confer any special privileges to this property. Other properties in the Village have been granted similar variances.

ACKNOWLEDGEMENT

I understand that by signing this form, that the property in question may be visited by village staff and Board/Commission members throughout the petition process and that the petitioner listed above will be the primary contact for all correspondence issued by the village.

I certify that the information and exhibits submitted are true and correct to the best of my knowledge and that I am to file this application and act on behalf of the above signatures.

Any late, incomplete or non-conforming application submittal will not be processed until ALL materials and fees have been submitted.

SIGNATURE OF PETITIONER: 

PRINT NAME: Ron DeRosa

DATE: April 12, 2018

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: Ron DeRosa, 59th & Army Trail, Inc.

ADDRESS: 1301 Schiferl Road
Bartlett, IL 60103

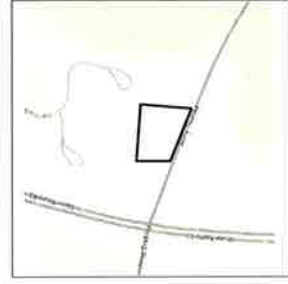
PHONE NUMBER: 630-837-9900

EMAIL: 

SIGNATURE: 

DATE: April 12, 2018

VICINITY MAP



(NOT TO SCALE)

PLAT OF ANNEXATION

PART OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 40 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN IN DUPAGE COUNTY, ILLINOIS.

LOT 3 IN SMITH'S ASSESSMENT PLAT, OF PART OF THE SOUTH EAST QUARTER OF SECTION 16, TOWNSHIP 40 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, REFERENCE BEING HAD TO THE PLAT THEREOF RECORDED ON OCTOBER 13, 1949 AS DOCUMENT 578127 IN DUPAGE COUNTY, ILLINOIS DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 3; THENCE NORTH 68 DEGREES, 22 MINUTES, 49 SECONDS WEST, 307.80 FEET; THENCE NORTH 00 DEGREES, 18 MINUTES, 00 SECONDS EAST, 185.50 FEET; THENCE SOUTH 85 DEGREES, 50 MINUTES, 00 SECONDS EAST, 308.00 FEET; THENCE SOUTH 04 DEGREES, 33 MINUTES, 04 SECONDS WEST, 277.40 FEET TO THE POINT OF BEGINNING.

TO THE VILLAGE OF BARTLETT

PIN: 01-16-401-003



Lot 1
Sue E. Denny's
Subdivision
Recorded 2/28/87
Doc. No. R87-092212

Out Lot 59
Far Hills
Subdivision
Recorded 1/19/89
Doc. No. R89-007340

Lot 28
Far Hills
Subdivision
Recorded 1/19/89
Doc. No. R89-007340

Lot 4
Smith's
Assessment Plat
Recorded 10/13/49
Doc. No. R48-567127

66820.8 Sq. Feet
1.6 Acres
"HEREBY ANNEXED"

Army Trail Road
100' PUBLIC RIGHT OF WAY
PER DEC. NO. 359125

RECORDER'S CERTIFICATE
STATE OF ILLINOIS)
COUNTY OF DUPAGE) SS
THIS INSTRUMENT WAS FILED FOR RECORD IN THE RECORDERS OFFICE OF DUPAGE COUNTY, ILLINOIS, THIS _____ DAY OF _____, 2018, AT _____ O'CLOCK _____ M. AND RECORDED IN MAP BOOK _____ PAGE _____ AS DOCUMENT NO. _____ BY: _____ COUNTY RECORDER

OWNERS AND SCHOOL DISTRICT CERTIFICATE
STATE OF ILLINOIS)
COUNTY OF DUPAGE) SS
THIS IS TO CERTIFY THAT THE UNDERSIGNED IS (ARE) THE LEGAL OWNERS OF THE LAND DESCRIBED ON THE SUBJECT PLAT, AND HAS (HAVE) CAUSED THE SAME TO BE SURVEYED AND INDICATED THEREON, FOR THE USES AND PURPOSES HEREIN SET FORTH.
ALSO, THIS IS TO CERTIFY THAT THE PROPERTY BEING ANNEXED AFORESAID AND, TO THE BEST OF MY KNOWLEDGE AND BELIEF, SAID PROPERTY LIES ENTIRELY WITHIN THE BOUNDARIES OF THE 046 SCHOOL DISTRICT.

DATED THIS _____ DAY OF _____ A.D. 2018.

OWNER _____

OWNER _____

NOTARY'S CERTIFICATE
STATE OF ILLINOIS)
COUNTY OF DUPAGE) SS
I, HEREBY CERTIFY THAT _____ WHOSE NAME (NAMES) IS (ARE) SUBSCRIBED TO THE FORGOING CERTIFICATE IS (ARE) KNOWN TO ME AS SUCH OWNER(S)
GIVEN UNDER MY NOTARY SEAL, THIS _____ DAY OF _____, 2018.

NOTARY PUBLIC _____

THIS PLAT HAS BEEN SUBMITTED FOR RECORDING BY AND RETURN TO:
NAME: VILLAGE OF BARTLETT
ADDRESS: 228 S. MAIN STREET
BARTLETT, IL 60103
TELEPHONE: 630-837-0800

ANNEXATION CERTIFICATE
STATE OF ILLINOIS)
COUNTY OF DUPAGE) SS
THIS IS TO CERTIFY THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF THE TERRITORY ANNEXED TO THE VILLAGE OF BARTLETT, DUPAGE COUNTY, ILLINOIS BY ORDINANCE NO. _____ APPROVED ON _____ DATED AT BARTLETT, ILLINOIS THIS _____ DAY OF _____ A.D. 2018.

BY: _____ VILLAGE PRESIDENT
_____ VILLAGE CLERK

COUNTY HIGHWAY CERTIFICATE
STATE OF ILLINOIS)
COUNTY OF DUPAGE) SS
THIS PLAT HAS BEEN APPROVED BY THE DUPAGE COUNTY HIGHWAY DEPARTMENT WITH RESPECT TO ROADWAY ACCESS TO COUNTY HIGHWAY 11 ARMY TRAIL ROAD PURSUANT TO 765 ILCS 205/2. HOWEVER, A HIGHWAY PERMIT FOR ACCESS IS REQUIRED OF THE OWNER OF THE PROPERTY PRIOR TO CONSTRUCTION WITHIN THE COUNTY RIGHT OF WAY.
DATED THIS _____ DAY OF _____, 2018.

BY: _____ COUNTY ENGINEER

LAND SURVEYOR CERTIFICATE
STATE OF ILLINOIS)
COUNTY OF KENDALL) SS

THIS IS TO CERTIFY THAT I, JAMES L. HARPOLE, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT I HAVE SURVEYED, SUBDIVIDED AND PLATTED FOR THE OWNERS THEREOF THAT PART OF THE SOUTHEAST QUARTER OF SECTION 16, TOWNSHIP 40 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

LOT 3 IN SMITH'S ASSESSMENT PLAT, OF PART OF THE SOUTH EAST QUARTER OF SECTION 16, TOWNSHIP 40 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, REFERENCE BEING HAD TO THE PLAT THEREOF RECORDED ON OCTOBER 13, 1949 AS DOCUMENT 578127 IN DUPAGE COUNTY, ILLINOIS.

I FURTHER CERTIFY THAT IRON STAKES HAVE BEEN SET AT ALL LOT CORNERS, POINTS OF CURVATURE AND TANGENCY, EXCEPT WHERE CONCRETE MONUMENTS ARE INDICATED, AND THAT THE PLAT HEREON DRAWN CORRECTLY REPRESENTS SAID SURVEY AND ANNEXATION. DIMENSIONS ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF.

I FURTHER CERTIFY THAT THE FOREGOING PROPERTY FALLS WITHIN THE CORPORATE LIMITS OF THE VILLAGE OF BARTLETT, AND I FURTHER CERTIFY THAT NO PART OF SAID PROPERTY IS SITUATED WITHIN A FLOOD-HAZARD AREA, AS PER NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAP 17045C0105H, COMMUNITY PANEL NUMBER 0105H, EFFECTIVE DATE DECEMBER 16, 2004.

DATED AT PLAINFIELD, ILLINOIS, THIS _____ DAY OF _____, 2018.

JLH LAND SURVEYING, INC.
JAMES L. HARPOLE, ILLINOIS PROFESSIONAL
LAND SURVEYOR NO. 3190
EXPIRES 11/30/2018



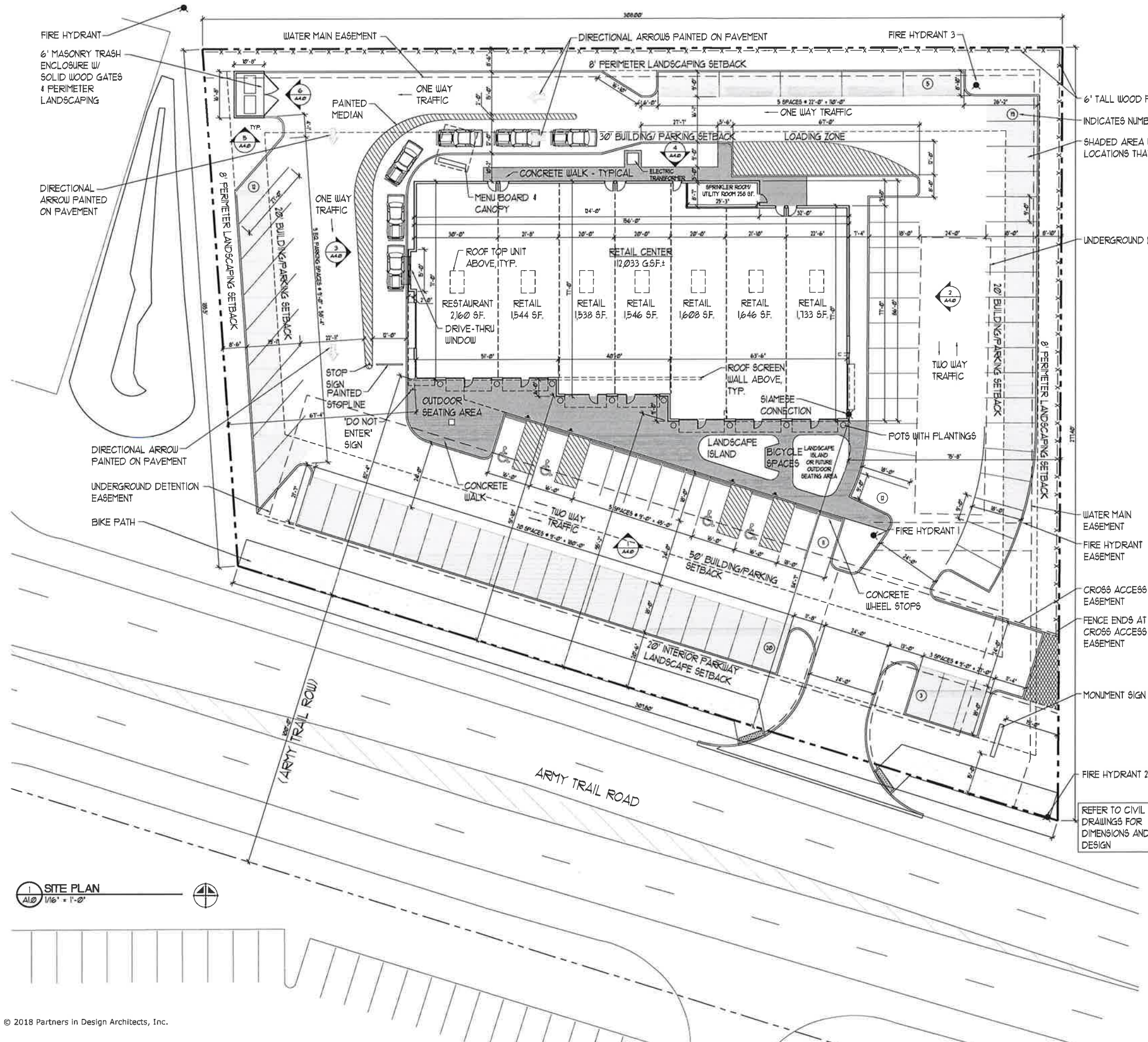
JLH Land Surveying Inc.

Land Surveying Construction Services
Illinois Professional Design Firm No. 04-00720
910 Geneva Street, Shorewood, Illinois 60404
630-729-4000 www.jlhasurvey.com

DATE	REVISION
1/12/18	REVISE CERTIFICATES
3/12/18	VILLAGE REVIEW
5/15/18	VILLAGE REVIEW

LOT 3 IN SMITH'S ASSESSMENT PLAT
BARTLETT, ILLINOIS
ADVANTAGE CONSULTING ENGINEERS

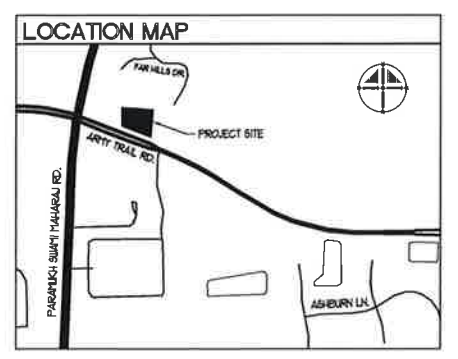
PROJ. NO.: JH
DRAWN BY: JH
CHECKED BY: JH
DATE: 1/19/2018
SCALE: 1"=30'
SHEET 1 OF 1
17-835-118B



SITE DATA TABLE:

SITE	
SITE AREA	159 ACRES
OPEN SPACE (15% MIN)	242 %
FAR (2.4 MAX)	0.17
LOADING ZONE	1
BUILDING MEAN HEIGHT	23'-6"
BICYCLE PARKING SPACES AS REQUIRED	
PARKING SPACES PROVIDED	
PARKING SPACES	79
HC PARKING SPACES (4 REQ'D)	4
PARKING SPACES REQUIRED*	
RESTAURANT FAST FOOD OR CARRY-OUT (1 PER 50 S.F.)	74
RETAIL (1 PER 200 S.F.)	30
	44
BUILDING AREA	
RESTAURANT FLOOR AREA*	12,033 G.S.F.
RETAIL FLOOR AREA*	2,160 S.F.
	9,873 S.F.
PARKING CALCULATION	
RESTAURANT FLOOR AREA*	1512 S.F.
RETAIL FLOOR AREA*	8,886 S.F.

*FOR THE PURPOSES OF CALCULATING THE ZONING 'FLOOR AREA', THE GROSS RETAIL AREA HAS BEEN CONSERVATIVELY REDUCED BY 10% AND THE RESTAURANT BY 30% TO ACCOUNT FOR BACK OF HOUSE STORAGE, RESTROOMS, UTILITY ROOMS & A VESTIBULE.



REFER TO CIVIL DRAWINGS FOR DIMENSIONS AND DESIGN

1 SITE PLAN
A1.0 1/16" = 1'-0"

2610 Lake Cook Road Suite 200 Rosemead, IL 60015
 Ph: (847)940-0300 Fax: (847)940-1045

GALLERIA OF BARTLETT
 Army Trail Road, Bartlett, IL

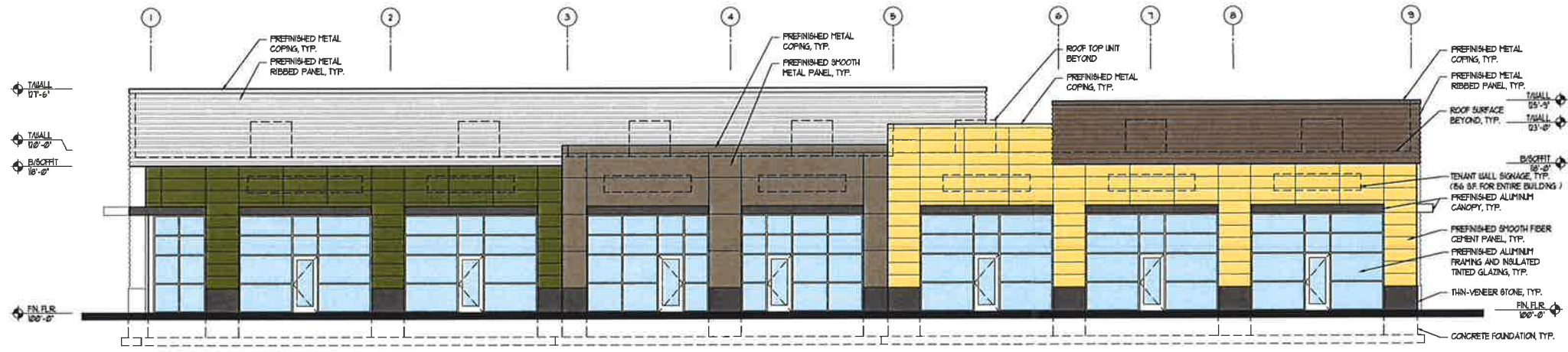
Partners in Design
 ARCHITECTS

SITE PLAN

PROJECT NO: 015.11.043
 DRAWN BY: CTS CHECKED BY: WHB
 DATE: 03.05.18
 SHEET NO:

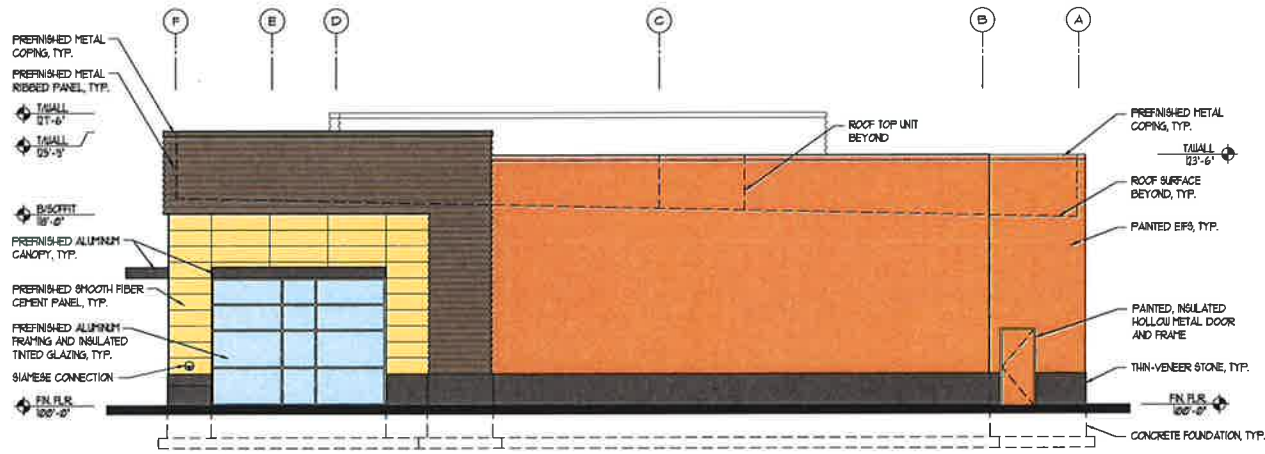
05/15/18 CD SUBMITTAL
 06/20/18 REV. CD SUBMITTAL

A1.0



1 SOUTH ELEVATION
A4.0 1/8" = 1'-0"

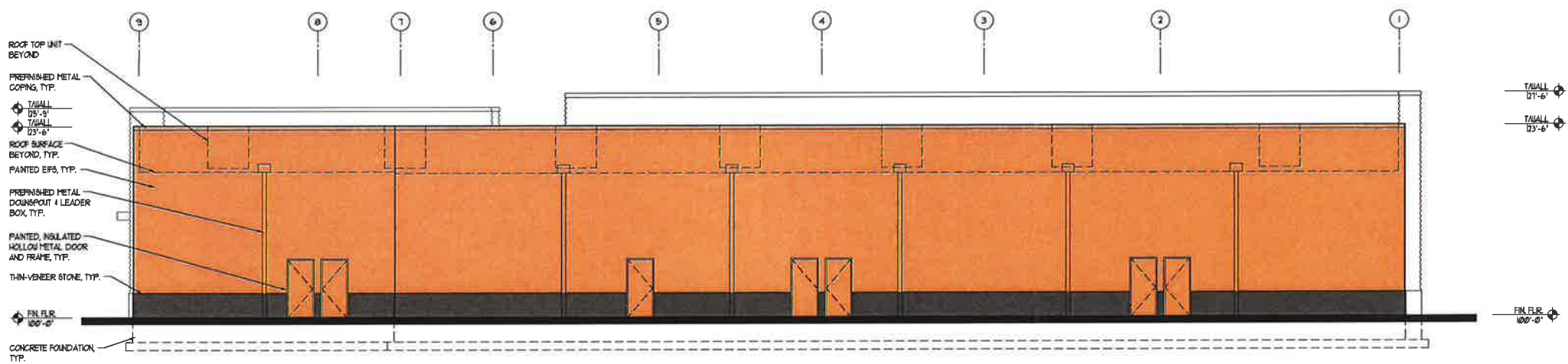
NOTE: ALL ROOFTOP MECHANICAL UNITS ARE SCREENED ON ALL SIDES FROM LINE OF SIGHT FROM PUBLIC STREETS OR PROPERTY LINES.



2 EAST ELEVATION
A4.0 1/8" = 1'-0"



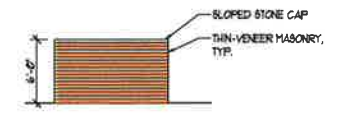
3 WEST ELEVATION
A4.0 1/8" = 1'-0"



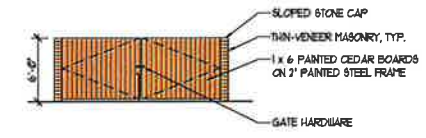
4 NORTH ELEVATION
A4.0 1/8" = 1'-0"

EXTERIOR MATERIALS LEGEND:

- NOTE: THE BUILDING COLORS GRAPHICALLY REPRESENTED WILL VARY IN APPEARANCE WHEN PRINTED WITH DIFFERENT PRIMERS AND VIELED IN A PDF.
- EAST RETAIL WALLS:
MATERIAL: FIBER CEMENT PANELS
COLOR: DARK YELLOWORANGE
 - WEST RETAIL WALLS:
MATERIAL: FIBER CEMENT PANELS
COLOR: DARK GREEN
 - CENTER RETAIL WALLS:
MATERIAL: SMOOTH METAL PANELS
COLOR: GRAY METALLIC
 - TYPICAL REAR & SIDE WALLS:
MATERIAL: EPS
COLOR: DARK RED
 - TYPICAL REAR & SIDE WALL ROOF COPING:
MATERIAL: PRE-FINISHED METAL
COLOR: MATCH EPS COLOR
 - EAST RETAIL ROOF SCREEN PARAPET:
MATERIAL: RIBBED METAL PANELS & METAL ROOF COPING
COLOR: DARK BROWN
 - WEST RETAIL ROOF SCREEN PARAPET:
MATERIAL: RIBBED METAL PANELS & METAL ROOF COPING
COLOR: LIGHT GRAY
 - TYPICAL BUILDING BASE:
MATERIAL: THIN VENEER STONE
COLOR: DARK GRAY
 - TYPICAL STOREFRONT FRAMING:
MATERIAL: PRE-FINISHED ANODIZED ALUMINUM
COLOR: BLACK
 - TYPICAL EXTERIOR SINGLE DOOR:
MATERIAL: PAINTED HOLLOW METAL FRAME & DOOR
COLOR: MATCH ADJACENT WALL SURFACE
 - TYPICAL GLAZING:
MATERIAL: TINTED INSULATED GLAZING
COLOR: GRAY TINT
 - TYPICAL CANOPY:
MATERIAL: PAINTED STEEL FRAMING WITH METAL TE-RODS
COLOR: BLACK
 - TRASH ENCLOSURE:
WALL MATERIAL: THIN VENEER MASONRY WITH STONE CAP
COLOR: DARK RED WITH GRAY CAP
GATE MATERIAL: PAINTED BOARD ON BOARD SOLID WOOD SLATS
COLOR: LIGHT BROWN
 - EXTERIOR FENCE:
MATERIAL: 6" HIGH PAINTED BOARD ON BOARD SOLID WOOD SLATS
COLOR: LIGHT BROWN



5 TYPICAL TRASH ENCLOSURE
A4.0 1/8" = 1'-0"



6 TRASH ENCLOSURE GATE
A4.0 1/8" = 1'-0"

2610 Lake Cook Road, Suite 280, Northbrook, IL 60062
 Phone: (847)940-0300, Fax: (847)940-1045
Partners in Design ARCHITECTS
 PROJECT NO: 015.11.043
 DRAWN BY: CTG, CHECKED BY: UWB
 DATE: 03.05.18
 SHEET NO: A4.0

