



Planning and Zoning Board Agenda

August 10, 2021

Room 102 – 7:00 P.M.

Call to Order:

Roll Call:

Approval of Minutes: June 22, 2021

Public Comment: For matters that are not on the Agenda

Old Business: None

New Business:

1. Address: 1773 E. Oakton Street

Case Number: 21-028-CU

Public Hearing

The petitioners are requesting a Conditional Use pursuant to Section 12-7-3(K) to locate a Trade Contractor use at the subject property, and the approval of any other such variations, waivers, and zoning relief as may be necessary.

PIN: 09-28-103-046-0000

Petitioner: David Lenart, 602 Elderberry Lane, Mount Prospect, IL 60056

Owner: David Lenart, 602 Elderberry Lane, Mount Prospect, IL 60056

2. Address: 1655 Lincoln Ave

Case Number: 21-029-V

Public Hearing

The petitioner is requesting a Standard Variation from Section 12-7-2(J) of the Des Plaines Zoning Ordinance, as amended, to install second story dormer additions onto an existing residence that is located 2.57-feet from the interior side property line, where the minimum setback required for the interior side yard is 5-feet, and the approval of any other such variations, waivers, and zoning relief as may be necessary.

PIN: 09-21-311-006-0000

Petitioner: Alex Tedeschi, 1655 Lincoln Avenue, Des Plaines, IL 60018

Owner: Alex Tedeschi, 1655 Lincoln Avenue, Des Plaines, IL 60018

Next Agenda – August 24, 2021

City of Des Plaines, in compliance with the Americans With Disabilities Act, requests that persons with disabilities, who require certain accommodations to allow them to observe and/or participate in the meeting(s) or have questions about the meeting(s) or facilities, contact the ADA Coordinator at 847-391-5486 to allow the City to make reasonable accommodations for these persons. The public hearing may be continued to a further date, time and place without publication of a further published notice such as this notice.

Case 21-025-FPLAT	10 S River Rd	Final Plat of Subdivision
Case 21-017-TSUB-V	1041 North Ave	Tentative Plat of Sub/Standard Var
Case 21-022-V	994 Hollywood Ave	Standard Variation
Case 21-019-PPUD-TSUB ...	1050 E Oakton ...	Prelim PUD/Cond Use/Map
Amend/Tent Plat		

June 22, 2021
Page 1



DES PLAINES PLANNING AND ZONING BOARD MEETING
June 22, 2021
MINUTES

The Des Plaines Planning and Zoning Board held its regularly scheduled meeting on Tuesday, June 22, 2021, at 7:00 p.m. in Room 101 of the Des Plaines Civic Center.

Acting Chairman Saletnik called the meeting to order at 7:00 p.m. and read this evening's cases. Roll call was established.

PRESENT: Catalano, Fowler, Hofherr, Saletnik

ABSENT: Bader, Veremis, Szabo

ALSO PRESENT: Michael McMahon, Director/Community & Economic Development
John Carlisle, AICP, Economic Development Manager/Community & Economic Development
Jonathan Stytz, Planner/Community & Economic Development
Wendy Bednarz/Recording Secretary

A quorum was present.

PUBLIC COMMENT

There was no public comment.

APPROVAL OF MINUTES

A motion was made by Board Member Hofherr, seconded by Board Member Fowler, to approve the minutes of June 8, 2021, as presented.

AYES: Hofherr, Fowler, Catalano, Saletnik

NAYES: None

ABSTAIN: None

*****MOTION CARRIED UNANIMOUSLY*****

Case 21-025-FPLAT	10 S River Rd	Final Plat of Subdivision
Case 21-017-TSUB-V	1041 North Ave	Tentative Plat of Sub/Standard Var
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Case 21-019-PPUD-TSUB ...	1050 E Oakton ...	Prelim PUD/Cond Use/Map
Amend/Tent Plat		

June 22, 2021
Page 2

OLD BUSINESS

None

NEW BUSINESS

1. Address: 10 S. River Road

Case Number: 21-025-FPLAT
Public Hearing

The petitioners are requesting a Final Plat of Subdivision to re-subdivide certain legal lots of record under Section 13-2 of the Subdivision Regulations.

PIN: 09-17-200-022-0000; -044-0000; -045-0000; -051-0000
Petitioner: Peter Damiano, Damiano Service Center and Damiano Properties, LLC, 10 S. River Road, Des Plaines, IL 60016 and 1415 Redeker Rd, LLC, 1415 – 1419 Redeker Road, Des Plaines, IL 60016
Owner: Carol A. Damiano and Peter S. E. Damiano, 10 S. River Road, Des Plaines, IL 60016 and 1415 Redeker Rd, LLC, 1415 – 1419 Redeker Road, Des Plaines, IL 60016

Acting Chairman Saletnik swore in Jason Doland, Doland Engineering, consultant and Peter Damiano, Damiano Service Center and Damiano Properties, LLC, Petitioner for the project. Mr. Doland provided an overview of the request. Mr. Doland stated that the Petitioner will comply with the three conditions suggested by the Public Works & Engineering Department, including, demolition of the existing annex, improving the gravel are with a surface with a hard surface, and modifying storm water management.

Acting Chairman Saletnik asked if the Board had any questions.

Member Catalano asked why Staff did not provide a recommendation. Director McMahon stated that similar to the application for tentative plat of subdivision, staff remains neutral since there is no net benefit or loss to the City. Director McMahon continued that although Redeker Road will be improved, there is no real benefit to the City as a whole.

Member Catalano asked if the Petitioner would be required to pave Redeker Road, Mr. Doland responded that the Petitioner would improve Redeker Road along with improving storm water drainage.

Member Catalano asked staff about the location of the storm basins, that approximately 2/3 of the water collected funneling into one drain, and the remainder of the water draining into the north basin. Director McMahon stated that the Engineering Department approved the locations and design.

Acting Chairman Saletnik asked the Petitioner to define the improvements to the property. Mr. Doland stated that the Petitioner will improve the hard surface with asphalt, Redeker Road will be striped for through traffic on the easterly side of road, striping for parking and stalls on the westerly side of the road, improving storm sewer drainage and updating the curb and apron, funneling traffic to the drive

Case 21-025-FPLAT	10 S River Rd	Final Plat of Subdivision
Case 21-017-TSUB-V	1041 North Ave	Tentative Plat of Sub/Standard Var
Case 21-022-V	994 Hollywood Ave	Standard Variation
Case 21-019-PPUD-TSUB ... Amend/Tent Plat	1050 E Oakton ...	Prelim PUD/Cond Use/Map

June 22, 2021
Page 3

aisle. Member Saletnik confirmed that the Petitioner was aware of the three conditions; the Petitioner and Consultant are aware and consent to the conditions.

Acting Chairman Saletnik asked if there were any questions or comments from the audience. There were no comments.

Acting Chairman Saletnik asked that the Staff Report be entered into record. Planner Stytz provided a summary of the following report:

Issue: The petitioner is requesting a Final Plat of Subdivision under Section 13-2 of the Des Plaines Subdivision Regulations to resubdivide and absorb a portion of 1415 Redeker Road located at 09-17-200-044-0000 in the M-1 zoning district at 10 S. River Road.

Analysis:

Address: 10 S. River Road
Owner: Carol A. Damiano Trust & Peter Damiano Trust, 10 S. River Road, Des Plaines, IL 60016
Petitioner: Peter Damiano, Damiano Service Center & Damiano Properties, LLC, 10 S. River Road, Des Plaines, IL 60016

Case Number: 21-025-FPLAT

Real Estate Index Number: 09-17-200-022-0000; -044

Ward: #1, Alderman Mark A. Lysakowski

Existing Zoning: M-1, Limited Manufacturing District

Existing Land Use: Automotive Repair Shop

Surrounding Zoning: North: C-3, General Commercial District
 South: C-3, General Commercial District
 East: R-1, Single Family Residential District
 West: M-1, Limited Manufacturing District

Surrounding Land Use: North: Commercial (Retail Store)
 South: Commercial (Retail Store)
 East: Cook County Forest Preserve
 West: Manufacturing (Multi-tenant industrial building)

Street Classification: River Road is classified as an arterial road and Redeker Road is classified as a local street.

Case 21-025-FPLAT	10 S River Rd	Final Plat of Subdivision
Case 21-017-TSUB-V	1041 North Ave	Tentative Plat of Sub/Standard Var
Case 21-022-V	994 Hollywood Ave	Standard Variation
Case 21-019-PPUD-TSUB ...	1050 E Oakton ...	Prelim PUD/Cond Use/Map
Amend/Tent Plat		

June 22, 2021
Page 4

Comprehensive Plan: The Comprehensive Plan designates the site as Commercial Industrial Urban Mix.

Project Description:

The petitioner, Peter Damiano, is requesting a Final Plat of Subdivision resubdivide and absorb a portion of 1415 Redeker Road located at 09-17-200-044-0000 in the M-1 zoning district at 10 S. River Road. The subject property is 10,862-square feet (0.249 acres) in size and is comprised of one lot, which is improved with a single building and parking area as shown in the Plat of Survey. The building on the subject property contains a 100-square foot office area, 3,906-square foot shop/storage area, and a separate 280-square foot mechanical area with restrooms. The petitioner also currently holds a Land Lease with ComEd to park within the ComEd right-of-way located south of the properties at 24 River Road and 1415 Redeker Road.

The petitioner is proposing to resubdivide and absorb a portion of 1415 Redeker Road (Parcel 09-17-200-044-0000) located west of the subject property and behind the properties located at 20 River Road and 24 River Road shown as Lot 2 on the Final Plat of Subdivision. Lot 2 is 12,684-square feet (0.291-acres) in size and is comprised of one lot, which is improved with a portion of the multi-tenant manufacturing building located on 1415 Redeker Road and a gravel drive aisle/parking area. The petitioner proposes to improve Lot 2 with a paved, dust-free hard surface and utilize it to access the leased parking area within the ComEd right-of-way as shown in the Select Final Engineering Plans. Given the proposed acquisition of Lot 2 by the petitioner, this portion of the building, denoted as the East Annex on the Existing Floor Plan, will be demolished as part of this request within a year of City Council approval. The petitioner recently submitted an application for a Tentative Plat of Subdivision and Major Variations for building setbacks and lot area, which was approved by Ordinance Z-30-21.

Final Plat of Subdivision Report

Name of Subdivision: Damiano-Merchandise Resubdivision
 Address: 10 S. River Road
 Requests: Approval of Final Plat of Subdivision
 Total Acreage of Subdivision: 0.541 acres

Lot Descriptions and Construction Plans:

The petitioner’s Final Plat of Subdivision shows the resubdivision and transfer of ownership of the Lot 2 parcel to the subject property. Lot 2 will have an area of 10,807-square feet and Lot 3 (subject property) will have an area of 8,520-square feet. The Plat shows the existing 8-foot non-exclusive easement on Lot 2, a new 24-foot ingress and egress easement on Lot 2 for use of Lots 1 and 3, and a new parking easement on Lot 2 for use of Lot 3.

Case 21-025-FPLAT	10 S River Rd	Final Plat of Subdivision
Case 21-017-TSUB-V	1041 North Ave	Tentative Plat of Sub/Standard Var
Case 21-022-V	994 Hollywood Ave	Standard Variation
Case 21-019-PPUD-TSUB ... Amend/Tent Plat	1050 E Oakton ...	Prelim PUD/Cond Use/Map

June 22, 2021
Page 5

Recommendation: Staff is not making a recommendation of the request for a Final Plat of Subdivision pursuant to 13-2 of the Des Plaines Subdivision Ordinance. If approval of this request is sought, staff recommends adding the following conditions.

Conditions of Approval:

- The Lot 2 property identified on the Final Plat of Subdivision to be acquired by the owner of 10 S. River Road shall be only utilized for the ingress/egress to the 10 S. River Road property and the parking of vehicles to be serviced. No equipment, materials, or other items shall be stored in this location.
- All existing structures located in Lot 2 property identified on the Final Plat of Subdivision shall be demolished and replaced with a dust-free hard surface within a year of City Council approval.
- The Lot 2 property identified on the Final Plat of Subdivision shall be demolished and replaced with a dust-free hard surface within a year of City Council approval.

Planning and Zoning Board Procedure: Under Section 13-2-5 (Approval of Final Plat By Planning and Zoning Board) of the Subdivision Ordinance, the Planning and Zoning Board has the authority to recommend approval, approval subject to conditions, or denial the above-mentioned Final Plat of Subdivision request for the property at 10 S. River Road.

A motion was made by Board Member Hofherr, seconded by Board Member Fowler, to recommend approval of the Final Plat of Subdivision request for the property at 10 S River Road, as presented:

AYES: Hofherr, Fowler, Catalano, Saletnik

NAYES: None

ABSTAIN: None

*****MOTION CARRIED UNANIMOUSLY*****

Case 21-025-FPLAT	10 S River Rd	Final Plat of Subdivision
Case 21-017-TSUB-V	1041 North Ave	Tentative Plat of Sub/Standard Var
Case 21-022-V	994 Hollywood Ave	Standard Variation
Case 21-019-PPUD-TSUB ... Amend/Tent Plat	1050 E Oakton ...	Prelim PUD/Cond Use/Map

June 22, 2021
Page 6

2. Address: 1041 North Ave

Case Number: 21-017-TSUB-V
Public Hearing

The petitioner is requesting the following items: (i) a Tentative Plat of Subdivision under Section 13-2-2 of the Subdivision Regulations to split an existing lot into two new lots of record; (ii) a Standard Variation under Section 12-7-2(J) of the Des Plaines Zoning Ordinance, as amended, to allow a lot width of 50-feet where a minimum lot width of 55-feet is required in the R-1 zoning district; and the approval of any other such variations, waivers, and zoning relief as may be necessary.

PIN: 09-17-302-003-0000
Petitioner: Helen Roman, 5734 W. Warwick Ave, Chicago, IL 60634
Owner: Helen Roman, 5734 W. Warwick Ave, Chicago, IL 60634

Acting Chairman Szabo swore in William Hepburn, Bono Consulting, engineering for the Petitioner and Helen Roman and Henry Roman, of Chicago.

Mr. Hepburn stated that the request is to subdivide the property into two lots of record; a variation of the minimum lot width is needed since the lots will only be 50-feet in width.

Acting Chairman Saletnik asked if the Board had any questions.

Acting Chairman Saletnik inquired about the square footage of the lots. Mr. Hepburn stated that each lots will be about 7,050 square feet, meeting the minimum lot size. The lots are deep but are not wide.

Member Hofherr commented on the width of neighboring lots, Mr. Hepburn stated that the two lots immediately west of the property are 50-feet wide, one is 45-feet wide, and continued that the majority of lots in the are 50-feet wide.

Member Fowler inquired about the build of the single-family homes. Mr. Hepburn stated the new homes will be built to engineering plans and will be within the max building size requirements.

Acting Chairman Saletnik confirmed that no additional zoning relief would be applied for in the future. Mr. Hepburn stated that no additional relief would be applied for, Ms. Roman plans on developing or selling the property, as is. The development will match the proposed engineering plan.

Member Catalano commented that he was impressed by the number of catch basins.

Acting Chairman Saletnik asked if there were any questions or comments from the audience. There were no comments.

Acting Chairman Saletnik asked that the Staff Report be entered into record. Planner Stytz provided a summary of the following report:

Case 21-025-FPLAT	10 S River Rd	Final Plat of Subdivision
Case 21-017-TSUB-V	1041 North Ave	Tentative Plat of Sub/Standard Var
Case 21-022-V	994 Hollywood Ave	Standard Variation
Case 21-019-PPUD-TSUB ... Amend/Tent Plat	1050 E Oakton ...	Prelim PUD/Cond Use/Map

June 22, 2021
Page 7

Issue: The petitioner is requesting: (i) a Tentative Plat of Subdivision under Section 13-2 of the Subdivision Regulations to subdivide the existing lot into two lots of record; (ii) a Standard Variation under Section 12-7-2(J) of the 1998 Des Plaines Zoning Ordinance, as amended, to allow a lot width of 50-feet where the minimum lot width permitted in the R-1 zoning district for an interior lot is 55-feet; and (iii) the approval of any other such variations, waivers, and zoning relief as may be necessary.

Analysis:

Address: 1041 North Avenue
Owner: Helen Roman, 5734 W. Warwick Avenue, Chicago, IL 60634
Petitioner: Helen Roman, 5734 W. Warwick Avenue, Chicago, IL 60634

Case Number: 21-017-TSUB-V

Real Estate Index Number: 09-17-302-003-0000

Ward: #3, Alderman Sean Oskerka

Existing Zoning: R-1, Single Family Residential District

Existing Land Use: Vacant Lot

Surrounding Zoning:
 North: M-2, General Manufacturing District
 South: R-1, Single Family Residential District
 East: R-1, Single Family Residential District
 West: R-1, Single Family Residential District

Surrounding Land Use:
 North: Manufacturing (Multi-tenant industrial building)
 South: Single Family Residences
 East: Single Family Residences
 West: Single Family Residences

Street Classification: North Avenue is classified as a local street.

Comprehensive Plan: The Comprehensive Plan designates the site as Single Family Residential.

Case 21-025-FPLAT	10 S River Rd	Final Plat of Subdivision
Case 21-017-TSUB-V	1041 North Ave	Tentative Plat of Sub/Standard Var
Case 21-022-V	994 Hollywood Ave	Standard Variation
Case 21-019-PPUD-TSUB ...	1050 E Oakton ...	Prelim PUD/Cond Use/Map
Amend/Tent Plat		

June 22, 2021
Page 8

Project Description: The petitioner, Helen Roman, is requesting a Tentative Plat of Subdivision and Standard Variations for lot width for the property located at 1041 North Avenue. The subject property is 14,161-square feet (0.325 acres) in size and is comprised of one lot, which was improved with a single-family residence, detached garage with driveway, sidewalk, and shed as shown in the Plat of Survey. However, the single-family residence has since been demolished as noted in the Existing Conditions Diagram.

The petitioner is proposing to subdivide the existing lot into two lots of record measuring 50-feet wide and 7,070.50-square feet in area. The existing detached garage, shed, and other pavement on the subject property will be removed as part of this request. There is a ten-foot public utility easement proposed for the rear of each lot as shown in the Tentative Plat of Subdivision. However, staff will require minimum five-foot public utility easements on the common line in between the proposed lots as part of the Final Plat of Subdivision submittal. There is a variation request for lot width, as the proposed lots will not meet the minimum 55-foot lot width requirement for interior lots in the R-1 district pursuant to Section 12-7-2(J) of the Zoning Ordinance.

Tentative Plat of Subdivision Report

Name of Subdivision: Helen Roman Subdivision

Address: 1041 North Avenue

Requests: Approval of Tentative Plat of Subdivision & Variation

Total Acreage of Subdivision: 0.325 acres

Lot Descriptions and Construction Plans:

The petitioner’s Tentative Plat shows the subdivision of the existing lot into two 7,070.50-square foot, 50-foot wide lots. A ten-foot public utility easement is proposed for the rear of each property. Note that the Preliminary Engineering Plans are conceptual and have not been approved by staff. All engineering comments will be addressed in the Final Engineering Plans at time of the Final Plat of Subdivision.

Compliance with the Comprehensive Plan

There are several parts of the 2019 Des Plaines Comprehensive Plan that align with the proposed project. Those portions are as follows:

Case 21-025-FPLAT	10 S River Rd	Final Plat of Subdivision
Case 21-017-TSUB-V	1041 North Ave	Tentative Plat of Sub/Standard Var
Case 21-022-V	994 Hollywood Ave	Standard Variation
Case 21-019-PPUD-TSUB ... Amend/Tent Plat	1050 E Oakton ...	Prelim PUD/Cond Use/Map

June 22, 2021

Page 9

- Under Overarching Principles:
 - The Comprehensive Plan seeks to promote a wider range of housing options and to encourage the reinvestment and preservation of established Des Plaines neighborhoods through the addition of new housing to fit diverse needs. The proposal seeks to reinvest in this vacant lot and provide additional housing options in this established neighborhood.

- Under Land Use Plan:
 - A primary goal of the Comprehensive Plan is to preserve and enhance established single-family neighborhoods while also expanding newer housing options. The proposal matches the existing character of the neighborhood and provides modern housing options that are prevalent in the immediate vicinity.

- Under Future Land Use Map:
 - The property is marked for Single-Family Residential land uses. These areas are designated for detached single-family residences to maintain and improve housing options for residents. The proposed use will transform an existing residential lot and provide an additional single-family housing option for the community as a whole.

While the aforementioned bullet points are only a small portion of the Comprehensive Plan, there is a large emphasis on maintaining detached single-family zoning areas and promoting the expansion of these developments to increase housing options for residents. The petitioner is proposing to take a 0.325-acre parcel for future development of two new residences for the community.

Variation Findings: Variation requests are subject to the standards set forth in Section 12-3-6(H) of the 1998 City of Des Plaines Zoning Ordinance, as amended.

1. **Hardship: No variation shall be granted pursuant to this subsection H unless the applicant shall establish that carrying out the strict letter of the provisions of this title would create a particular hardship or a practical difficulty:**

Comment: Requiring the petitioner to adhere to the minimum 55-foot lot width requirement would limit development on this property to one residence and would not meet the goals and objectives of the Comprehensive Plan to foster growth of residential areas and provide additional housing options. Furthermore, some of the surrounding properties in the area have similar lot widths as the proposal. Please see the Petitioner's responses to Standards for Variations.

2. **Unique Physical Condition: The subject lot is exceptional as compared to other lots subject to the same provision by reason of a unique physical condition, including presence of an existing use, structure, or sign, whether conforming or nonconforming; irregular or substandard shape or size; exceptional topographical features; or other extraordinary physical conditions peculiar to and inherent in the subject lot that amount to more than a mere inconvenience to the owner and that relate to or arise out of the lot rather than the personal situation of the current owner**

Case 21-025-FPLAT	10 S River Rd	Final Plat of Subdivision
Case 21-017-TSUB-V	1041 North Ave	Tentative Plat of Sub/Standard Var
Case 21-022-V	994 Hollywood Ave	Standard Variation
Case 21-019-PPUD-TSUB ... Amend/Tent Plat	1050 E Oakton ...	Prelim PUD/Cond Use/Map

June 22, 2021
Page 10

of the lot:

Comment: The existing property was platted with its current dimensions before the code was updated from a minimum lot width of 50-feet to 55-feet. Under the previous code, the property would have met the standards for a subdivision. However, the property is land-locked so it cannot be expanded to meet the requirements. Please see the Petitioner’s responses to Standards for Variations.

- 3. Not Self-Created: The aforesaid unique physical condition is not the result of any action or inaction of the owner or its predecessors in title and existed at the time of the enactment of the provisions from which a variance is sought or was created by natural forces or was the result of governmental action, other than the adoption of this title:**

Comment: The unique physical condition is not the result of the current owner or previous owners as the property was platted long before the zoning code update to change the minimum lot width required from 50-feet to 55-feet. Additionally, there is not a way for the petitioner to widen the lot to the meet the 55-foot lot width requirement. Please see the Petitioner’s responses to Standards for Variations.

- 4. Denied Substantial Rights: The carrying out of the strict letter of the provision from which a variance is sought would deprive the owner of the subject lot of substantial rights commonly enjoyed by owners of other lots subject to the same provision:**

Comment: Carrying out the strict letter of the code would prevent the petitioner from subdividing the existing property for use of two single family residences as many of the surrounding properties have done, which would deny them the substantial rights of neighboring property owners. A majority of the existing lots in this area are less than 55-feet wide and do not meet the current minimum 55-foot lot width requirement. Please see the Petitioner’s responses to Standards for Variations.

- 5. Not Merely Special Privilege: The alleged hardship or difficulty is neither merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision, nor merely the inability of the owner to make more money from the use of the subject lot:**

Comment: The variation request would not provide the petitioner with any special privilege that is not already enjoyed by many of the surrounding property owners or allow him to make more money from the property. The petitioner does not plan to develop these lots at this time, but rather to subdivide them for future development. Please see the Petitioner’s responses to Standards for Variations.

- 6. Title And Plan Purposes: The variation would not result in a use or development of the subject lot that would be not in harmony with the general and specific purposes for which this title and the provision from which a variation is sought were enacted or the general purpose and intent of the comprehensive plan:**

Case 21-025-FPLAT	10 S River Rd	Final Plat of Subdivision
Case 21-017-TSUB-V	1041 North Ave	Tentative Plat of Sub/Standard Var
Case 21-022-V	994 Hollywood Ave	Standard Variation
Case 21-019-PPUD-TSUB ...	1050 E Oakton ...	Prelim PUD/Cond Use/Map
Amend/Tent Plat		

June 22, 2021
Page 11

Comment: The proposal would result in the future development of this site that would be in harmony with the specific purposes of Section 12-3-6 of the Zoning Ordinance or the Comprehensive Plan. This proposal sets to develop this vacant property into two separate lots to add residential options in Des Plaines. Please see the Petitioner’s responses to Standards for Variations.

- 7. No Other Remedy: There is no means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject lot.**

Comment: There is no way that the petitioner can alter the dimensions of the property to meet the 55-foot minimum lot width requirement, as the property is land-locked by developed properties. The variation is required for the petitioner to create two residential lots and expand housing options in Des Plaines. Please see the Petitioner’s responses to Standards for Variations.

- 8. Minimum Required: The requested variation is the minimum measure of relief necessary to alleviate the alleged hardship or difficulty presented by the strict application of this title.**

Comment: The variation request is the minimum measure of relief necessary to allow the petitioner to create two residential lots out of the large existing vacant lot. Please see the Petitioner’s responses to Standards for Variations.

Recommendation: Staff recommends approval of the request for a Tentative Plat of Subdivision pursuant to 13-2 of the Des Plaines Subdivision Ordinance and the Standard Variation request for lot width pursuant to Section 12-3-6 of the Des Plaines Zoning Ordinance.

Planning and Zoning Board Procedure: Under Section 13-2-7 (Approval of Tentative Plat By Planning and Zoning Board) of the Subdivision Ordinance and Section 12-3-6 (Approval of Variations), the Planning and Zoning Board has the authority to approve, approve subject to conditions, or deny the above-mentioned Tentative Plat of Subdivision and Standard Variation request for the property at 1041 North Avenue.

A motion was made by Board Member Catalano, seconded by Board Member Hofherr, for approval of the request for a Tentative Plat of Subdivision pursuant to 13-2 of the Des Plaines Subdivision Ordinance and the Standard Variation request for lot width pursuant to Section 12-3-6 of the Des Plaines Zoning Ordinance, for the property at 1041 North Avenue, as presented.

AYES: Catalano, Hofherr, Fowler, Saletnik
 NAYES: None
 ABSTAIN: None

*****MOTION CARRIED UNANIMOUSLY*****

Case 21-025-FPLAT	10 S River Rd	Final Plat of Subdivision
Case 21-017-TSUB-V	1041 North Ave	Tentative Plat of Sub/Standard Var
Case 21-022-V	994 Hollywood Ave	Standard Variation
Case 21-019-PPUD-TSUB ... Amend/Tent Plat	1050 E Oakton ...	Prelim PUD/Cond Use/Map

June 22, 2021
Page 12

3. Address: 994 Hollywood Avenue

Case Number: 21-022-V
Public Hearing

The petitioner is requesting the following items a Standard Variation under Section 12-7-2(J) of the Des Plaines Zoning Ordinance, as amended, to allow an accessory structure to be constructed within 2' of the property line when 5' is required and the approval of any other such variations, waivers, and zoning relief as may be necessary.

PIN: 09-17-301-020-0000
Petitioner: Erin Johnson, 994 Hollywood Ave, Des Plaines, IL 60016
Owner: Erin Johnson, 994 Hollywood Ave, Des Plaines, IL 60016

Acting Chairman Saletnik swore in Erin Johnson, Jim Johnson and Harry Johnson, of 994 Hollywood Ave, Petitioners for the property.

The Petitioners provided an overview of the request, stating that the variation is to replace a 25 year-old shed, the old shed currently attracts animals, has no doors, is rusted and generally is in bad shape. Ms. Johnson stated that the current City code only allows for accessory structures (sheds) to be located in the rear yard, however, due to the corner lot and not having a true rear yard the shed would need to be placed at the front of the property. The Petitioners stated that shed placement near the front of the home may have them susceptible to vandals and theft, the interior location provides some protection and lower street visibility.

Acting Chairman Saletnik asked if the Board had any questions.

Acting Chairman Saletnik inquired about the construction of the shed. Mr. Johnson stated that the shed is pre-fabricated kit.

Member Hofherr inquired about the size of the shed. The Petitioner stated that the shed will be approximately 17.3' X 7.10', the Petitioner stated the size of the shed is needed for storage. The current home is on a slab and the property only has a one-car garage.

Member Hofherr expressed a concern that the shed is much larger than only other accessory structure on the street, and suggested a reduction of size.

Member Catalano inquired about the space between the deck and the fence. The Petitioner could not recall the distance, Director McMahon stated that the shed is on the property line. The total distance from the deck to the fence is approximately 11 feet total. Director McMahon stated that the proposed shed is slightly narrower and the shed would be approximately two feet off the property line.

Member Catalano questioned the location of the shed, and if the shed could be built against the deck. Mr. Johnson stated that the shed will be built against the deck and currently there is a cut-out in the

Case 21-025-FPLAT	10 S River Rd	Final Plat of Subdivision
Case 21-017-TSUB-V	1041 North Ave	Tentative Plat of Sub/Standard Var
Case 21-022-V	994 Hollywood Ave	Standard Variation
Case 21-019-PPUD-TSUB ... Amend/Tent Plat	1050 E Oakton ...	Prelim PUD/Cond Use/Map

June 22, 2021
Page 13

deck for shed access. Member Catalano stated that his preference would be that the deck is built further off the fence/property line.

Director McMahon state the Building Department has also consulted with the Fire Department and there are no fire rating issues.

Acting Chairman Saletnik asked if were any questions or concerns form the public. There were several members of the audience in favor of the proposal. The following comments were heard:

- Alan Arsinow, 984 Hollywood Ave, Des Plaines: Mr. Arsinow urged the Board to approval this request. Mr. Arsinow’s property is the neighboring property and he would much rather look at a new shed rather than the shed in its current condition.
- Rosa Carrera, stated that the Petitioners are following the rules, and should be allowed to build the shed for storage.

Acting Chairman Saletnik asked that the Staff Report be entered into record. Planner Stytz provided a summary of the following report:

Issue: The petitioner is requesting Standard Variations under Section 12-8-1(C) of the 1998 Des Plaines Zoning Ordinance, as amended, to allow the installation of an accessory structure setback two-feet from the property line and located in the interior side yard at 994 Hollywood Avenue where the minimum setback for accessory structures in the R-1 Zoning District is five-feet and accessory structures are only permitted within the rear yard and buildable area.

Analysis:

Address: 994 Hollywood Avenue

Owner: Erin Johnson, 994 Hollywood Avenue, Des Plaines, IL 60016

Petitioner: Erin Johnson, 994 Hollywood Avenue, Des Plaines, IL 60016

Case Number: 21-022-V

PIN: 09-17-301-021-0000

Ward: #3, Alderman Sean Oskerka

Existing Zoning: R-1, Single Family Residential District

Existing Land Use: Single Family Residence

Surrounding Zoning: North: R-1, Single Family Residential District
South: R-1, Single Family Residential District
East: R-1, Single-Family Residential District

Case 21-025-FPLAT	10 S River Rd	Final Plat of Subdivision
Case 21-017-TSUB-V	1041 North Ave	Tentative Plat of Sub/Standard Var
Case 21-022-V	994 Hollywood Ave	Standard Variation
Case 21-019-PPUD-TSUB ... Amend/Tent Plat	1050 E Oakton ...	Prelim PUD/Cond Use/Map

June 22, 2021
Page 14

West: R-1, Single Family Residential District

Surrounding Land Use:
 North: Single Family Residence
 South: Single Family Residence
 East: Single Family Residence
 West: Single Family Residence

Street Classification: Hollywood Avenue and Second Avenue are classified as local streets.

Comprehensive Plan: The Comprehensive Plan designates the site as Single-Family Residential.

Project Description:

The petitioner, Erin Johnson, is requesting Standard Variations to allow the installation of an accessory structure setback two-feet from the property line and located in the interior side yard at 994 Hollywood Avenue where the minimum setback for accessory structures in the R-1 Zoning District is five-feet and accessory structures are only permitted within the rear yard and buildable area. This 7,333-square foot, 51.95-foot wide property contains a one-story residence with a deck, private front walk, driveway, and existing 81.60-square foot shed as shown on the Plat of Survey. The existing development is located at the very north portion of the on the subject property and the existing shed is located approximately 0.2-feet from the west property line straddling the interior side yard and buildable area of the subject property.

The petitioner is requesting the new 17'-1/4" long by 7'-10" wide prefabricated shed (133.33 sq. ft.), as noted in the Shed Specifications, to replace the existing shed that is in disrepair and is not functional for their use. The proposed shed is intended to be located two-feet from the west property line in between the existing deck area and the property line as shown on the Site Plan. Pursuant to Sections 12-7-1(C) and 12-8-1(C), accessory sheds may only be located in the rear yard and may be located no closer than five-feet from side and rear lot lines. The petitioner's request to allow a shed in the interior side yard that is located less than five-feet from the side and rear property lines constitutes the need for variations to Sections 12-7-1(C) and 12-8-1(C) of the 1998 Des Plaines Zoning Ordinance. Staff has spoken to the petitioner regarding alternative locations for the proposed shed that do not require the request variations. However, the petitioner is requesting to locate the proposed shed in a location that is not permitted by the Zoning Ordinance. Staff does not find a hardship with the land or unique circumstance with the property to warrant such variations.

Variation Findings: Variation requests are subject to the standards set forth in Section 12-3-6(H) of the 1998 City of Des Plaines Zoning Ordinance, as amended.

- 1. Hardship: No variation shall be granted pursuant to this subsection H unless the applicant shall establish that carrying out the strict letter of the provisions of this title would create a particular hardship or a practical difficulty.**

Comment: There are no found practical difficulties or particular hardship with the subject property to warrant the extent of the variance requests. There is ample room on the subject property

Case 21-025-FPLAT	10 S River Rd	Final Plat of Subdivision
Case 21-017-TSUB-V	1041 North Ave	Tentative Plat of Sub/Standard Var
Case 21-022-V	994 Hollywood Ave	Standard Variation
Case 21-019-PPUD-TSUB ... Amend/Tent Plat	1050 E Oakton ...	Prelim PUD/Cond Use/Map

June 22, 2021
Page 15

within the buildable area to install the proposed shed to avoid the variation requests. Please see the petitioner's responses to variations.

- 2. Unique Physical Condition: The subject lot is exceptional as compared to other lots subject to the same provision by reason of a unique physical condition, including presence of an existing use, structure, or sign, whether conforming or nonconforming; irregular or substandard shape or size; exceptional topographical features; or other extraordinary physical conditions peculiar to and inherent in the subject lot that amount to more than a mere inconvenience to the owner and that relate to or arise out of the lot rather than the personal situation of the current owner of the lot.**

Comment: There are no unique circumstances to this property as compared to any other lot on the block and compared to any other corner lot within the City. Even with the existing development mostly contained within the northern portion of the lot, there is still ample space in the buildable area for the proposed shed that would not be affected by any unique physical condition of the site. The requested variations to deviate from the location requirements for an accessory structure alleviates a personal situation versus a unique physical condition associated with the subject property. Please see the petitioner's responses to variations.

- 3. Not Self-Created: The aforesaid unique physical condition is not the result of any action or inaction of the owner or its predecessors in title and existed at the time of the enactment of the provisions from which a variance is sought or was created by natural forces or was the result of governmental action, other than the adoption of this title.**

Comment: The requested variances are self-created as the subject property already contains a deck, room addition on the principle structure, and other lawn features that reduce the available space for the proposed shed given their placement. Additionally, the petitioners have an option to remove the existing shed and install, with a permit, a shed size and orientation that could be accessible to the property owners and meet required accessory structure location requirements. Please see the petitioner's responses to variations.

- 4. Denied Substantial Rights: The carrying out of the strict letter of the provision from which a variance is sought would deprive the owner of the subject lot of substantial rights commonly enjoyed by owners of other lots subject to the same provision.**

Comment: No property rights will be diminished with the denial of these variation requests. The property owner has existing spaces to utilize as storage or has the option to replace the existing shed structure with a new shed with a size and orientation that can be better accommodated on the site and still fits within the guise of the Zoning Ordinance requirements. All single-family residences are governed by the same size, location, and setback requirements for accessory structures. Please see the petitioner's responses to variations.

Case 21-025-FPLAT	10 S River Rd	Final Plat of Subdivision
Case 21-017-TSUB-V	1041 North Ave	Tentative Plat of Sub/Standard Var
Case 21-022-V	994 Hollywood Ave	Standard Variation
Case 21-019-PPUD-TSUB ... Amend/Tent Plat	1050 E Oakton ...	Prelim PUD/Cond Use/Map

June 22, 2021
Page 16

- 5. Not Merely Special Privilege: The alleged hardship or difficulty is neither merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision, nor merely the inability of the owner to make more money from the use of the subject lot.**

Comment: Granting the two variances for the shed will create a special privilege for the subject property owner compared to all other homes on this block and within the City who have code compliant sheds. The owners have the capability to utilize the buildable area of their property for storage purposes while still complying with the Zoning Ordinance. There is no alleged hardship or practical difficulty with the subject property to warrant the variances. Please see the petitioner’s responses to variations.

- 6. Title And Plan Purposes: The variation would not result in a use or development of the subject lot that would be not in harmony with the general and specific purposes for which this title and the provision from which a variation is sought were enacted or the general purpose and intent of the comprehensive plan.**

Comment: The existing 81.60-square foot shed located in the interior side yard is not in harmony with the surrounding residential development in the area and does not match the goals and objects outlined in the Comprehensive Plan. Accessory structures in line with the size and location requirements specified in the Zoning Ordinance are prevalent throughout the surrounding area and the City as a whole. Allowing a shed in the current location and in violation of these code requirements will set a precedent for excessive shed requests in potentially unsafe locations. Please see the petitioner’s responses to variations.

- 7. No Other Remedy: There is no means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject lot.**

Comment: There are other remedies available, aside from the variations, which permit a reasonable use of the subject lot. One remedy would be to utilize existing unobstructed space on the site to locate the proposed shed. Another remedy could be the replacement or alteration of the existing obstructions in the area where the shed is proposed to meet the location requirements pursuant to the Zoning Ordinance. Please see the petitioner’s responses to variations.

- 8. Minimum Required: The requested variation is the minimum measure of relief necessary to alleviate the alleged hardship or difficulty presented by the strict application of this title.**

Comment: The minimum extent for the proposed variations have not been met. The subject property currently contains ample room within the buildable area to sufficiently accommodate the proposed shed without any variations. The alleged hardship raised by the property owner is

Case 21-025-FPLAT	10 S River Rd	Final Plat of Subdivision
Case 21-017-TSUB-V	1041 North Ave	Tentative Plat of Sub/Standard Var
Case 21-022-V	994 Hollywood Ave	Standard Variation
Case 21-019-PPUD-TSUB ... Amend/Tent Plat	1050 E Oakton ...	Prelim PUD/Cond Use/Map

June 22, 2021
Page 17

a personal hardship, not a physical hardship with the subject property. The extent of the requested variances are not warranted given the opportunity to fully utilize the available space on site and still meet the current zoning regulation.

Recommendation: Staff recommends denial of the requested variations based on review of the information presented by the applicant and the standards and conditions met by Section 12-3-6(H) (Findings of Fact for Variations) as outlined within the City of Des Plaines Zoning Ordinance, as amended, for the proposed variations at 994 Hollywood Avenue.

Planning and Zoning Board Procedure: Under Section 12-3-6(F) of the Zoning Ordinance (Standard Variations), the Planning and Zoning Board has the authority to approve, approve subject to conditions, or deny the above-mentioned variances for the installation of an accessory structure located within the interior side yard and located less than five-feet from the property line at 994 Hollywood Avenue.

A motion was made by Board Member Fowler, seconded by Board Member Hofherr, to approve s a Standard Variation under Section 12-7-2(J) of the Des Plaines Zoning Ordinance, as amended, to allow an accessory structure to be constructed within 2' of the property line when 5' is required and the approval of any other such variations, waivers, and zoning relief as may be necessary, at the property located at 994 Hollywood Avenue.

AYES: Fowler, Hofherr, Catalano, Saletnik

NAYES: None

ABSTAIN: None

*****MOTION CARRIES UNANIMOUSLY *****

Case 21-025-FPLAT	10 S River Rd	Final Plat of Subdivision
Case 21-017-TSUB-V	1041 North Ave	Tentative Plat of Sub/Standard Var
Case 21-022-V	994 Hollywood Ave	Standard Variation
Case 21-019-PPUD-TSUB ... Amend/Tent Plat	1050 E Oakton ...	Prelim PUD/Cond Use/Map

June 22, 2021
Page 18

4. Addresses: 1050 East Oakton Street
1090-1100 Executive Way, 1555 Times Drive

Case Number: 21-019-PPUD-TSUB-MAP-CU
Public Hearing

The petitioner is requesting the following items: (i) a Preliminary Planned Unit Development (PUD) under Section 12-3-5 of the Des Plaines Zoning Ordinance, as amended; (ii) a Conditional Use for a Planned Unit Development under Section 12-3-4 of the 1998 Des Plaines Zoning Ordinance as amended; (iii) Tentative Plat of Subdivision under Section 13-2-2 of the Subdivision Regulations; and (iv) a Map Amendment under Section 12-3-7 of the 1998 Des Plaines Zoning Ordinance as amended to rezone the subject property from C-3, General Commercial District to R-3, Townhouse Residential.

PINs: 09-20-316-020-0000; -021-0000; -023-0000; -024-0000; -025-0000; -026-0000;
09-20-321-005-0000; 09-20-322-001-0000

Petitioner: Marc McLaughlin, M/I Homes of Chicago, LLC

Owner: 1090-1100 Executive Way, LLC; Times Drive, LLC; Oakton Mannheim LLC

Acting Chairman Saletnik swore in Julie Workman of Levenfeld Pearlstein, LLC, Rich Olson of Gary R Weber and Associates , and Marc McLaughlin of M/I Homes of Chicago, LLC.

Ms. Workman provided an overview of the request and stated that all necessary actions have been completed; transit-orientated development will consist of 125 townhomes and is in line with the City's Comprehensive Plan.

Mr. McLaughlin provided an overview of M/I Homes and provided additional information on the proposed site.

Acting Chairman Saletnik asked if the Board had any questions.

Acting Chairman Saletnik inquired about current locations of developments built by M/I Homes. Mr. McLaughlin stated that there are townhome developments in nearby Arlington Heights, Rolling Meadows, and Northbrook. There is a single home development in Lake Zurich. Mr. McLaughlin also stated that M/I Home developments are split, with approximately 50% townhome developments/50% single family homes.

Member Fowler inquired about single-story townhomes. Mr. McLaughlin stated that M/I Homes is developing a two-story townhome to be released Spring 2022, however, that is not an option for the Halston Market development.

Member Hofherr expressed a desire for a ranch-style townhome development.

Acting Chairman Saletnik inquired about the floor plan of the homes and square footage. Mr. McLaughlin stated that each home will be between 1,600 and just under 2,000 square feet, with three levels; basement level (garage, foyer), main level (kitchen and living space), and second floor (bedrooms).

Case 21-025-FPLAT	10 S River Rd	Final Plat of Subdivision
Case 21-017-TSUB-V	1041 North Ave	Tentative Plat of Sub/Standard Var
Case 21-022-V	994 Hollywood Ave	Standard Variation
Case 21-019-PPUD-TSUB ... Amend/Tent Plat	1050 E Oakton ...	Prelim PUD/Cond Use/Map

June 22, 2021

Page 19

Member Fowler inquired about the price point of the units. Mr. McLaughlin stated that units begin in the \$200's, with closing in the \$300's, there will be five different unit templates, each with their own pricing.

Acting Chairman Saletnik stated that the development is high quality, attractive and adds value to the area.

Member Catalano inquired about moving the buildings near the property line to an area of green space. The Petitioner stated that the green space is the low point of the property and will be used to regulate stormwater. Mr. McLaughlin stated the pond relocation may be considered, but the pond is located in the outfall and may be difficult to move.

Member Fowler asked the Petitioners to address the issue with the fence, and to consider increasing the height of the fence at the north lot line for additional screening and privacy. Member Fowler commented that the proposed development is a marked improvement of what is existing and urged the Petitioners to "be good neighbors".

Member Fowler inquired about the timeline for the completion of the stoplight at Lee & Forest. Director McMahan stated that the project should be substantially complete by August.

Acting Chairman Saletnik asked if there were any questions or concerns from the public. The following comments were heard:

- Tony Chamas, 1061 Wicke Ave, Des Plaines: Stated that he moved into the neighborhood eight years ago and it is a quiet residential neighborhood. Mr. Chamas stated that he is uncomfortable with a 120-unit development 29 feet from his window. Mr. Chamas also stated that he was not aware of this development and did not receive notice.
- Rosa Carrerra and Sean Chizmel, 1099 Wicke Ave, Des Plaines: Stated that the development is right in their backyard and the area is currently a dump yard. Ms. Carrerra does not want a three-story building behind a fence. Ms. Carrerra also stated that the area also is highly congested with traffic due to the Jewel and construction projects; she appreciates the developers looking at Des Plaines for building, but urged a different site. Mr. Chizmel inquired about the traffic studies, current eastbound Oakton only has center lane turn lane. Mr. Chizmel also suggested a higher than six foot privacy fence if the development is approved.
- Mike and Vickie Benzinger, Des Plaines: The Benzingers' provided comments on traffic in the area, using the neighboring as a cut-through to bypass the Oakton & Lee light. They also commented on the traffic generated by Maine West High School and Beacon Tap. Ms. Benzinger also commented on public safety, especially a fire concern, and infrastructure concerns, and stated that she has pictures that she plans on sending to Ald. Brookman. Ms. Benzinger concluded that she would rather a single home development or warehouse use with Monday-Friday business hours. Overall, they want to enjoy their backyard and neighbors and are against the development.
- Michael Madden, Des Plaines: Mr. Madden inquired about the process for the public hearing and confirmed that this is the first step. Mr. Madden asked if there was any need for imminent

Case 21-025-FPLAT	10 S River Rd	Final Plat of Subdivision
Case 21-017-TSUB-V	1041 North Ave	Tentative Plat of Sub/Standard Var
Case 21-022-V	994 Hollywood Ave	Standard Variation
Case 21-019-PPUD-TSUB ...	1050 E Oakton ...	Prelim PUD/Cond Use/Map
Amend/Tent Plat		

June 22, 2021

Page 20

domain, regarding the two properties near Jewel, staff responded that there has been no discussion to that affect. Mr. Madden also commented on the eight foot fence near Jewel that is rodded and needs to be replaced, he suggested a minimum of a sixteen foot fence for privacy.

Mr. McLaughlin provided the following responses to resident comments:

- Resident notification was handled at the municipal level and the Developer was not involved in that process.
- The egress/ingress of the property is located off Oakton. The Developers have completed a traffic study completed by KLOA, the study dictated that an additional traffic light was not warranted. Mr. McLaughlin stated that traffic studies are determined by the frequency of movement, the movement dictates the need for additional traffic signals. City staff in receipt of the full version of the traffic study.
- Mr. McLaughlin stated that they plan on keeping the existing tree line, with the closest buildings 21-feet from the property line.

Rich Olson provided the following responses to resident comments:

- Mr. Olson highlighted the landscape plan including the buffering measures with heavy screening of vegetation. There are currently an excess of over 50 trees in the rear, near the property line and hope to continue the additional screening. Mr. Olson clarified which buildings are proposed to be sited within the rear yard (20-21-foot setback) There are four buildings that require this exception.
- Mr. Olson provided an orientation of the subdivision, parking and landscape features. The parking minimum requirement would be met.
- Mr. Olson also stated that this was a first submission and they are open to feedback.

Mr. Chamas had a concern about the vegetation and was offended by the statement “high quality brick for the area”. Mr. Olson responded that trees will be planted in accordance with the code requirements. Mr. Olson further stated that he did not mean for his comment to be offensive, but that the building materials are high quality and will be used in Des Plaines.

Mike Benzinger asked the Petitioners how far off the fence line the buildings would be built. Acting Chairman Saletnik referred to the site plan, there is green space and parking adjacent to the property line; one building is approximately 21 feet from a fence line, while another is approximately 45 feet from a side lot, with the area heavily landscaped.

Mr. Benzinger inquired further about the traffic study, stating that three people have been killed in the area over the past ten years. Mr. Benzinger also questioned putting a single-family home development in the location instead of townhomes. Ms. Workman stated that due to the proximity of the proposed Oakton Metra station, the City had a wish list item for a transit-orientated development, this project hopes to meet that need. The project is well-suited to achieving the City’s goals as in line with the Comprehensive Plan and Oakton Street Corridor plan.

Case 21-025-FPLAT	10 S River Rd	Final Plat of Subdivision
Case 21-017-TSUB-V	1041 North Ave	Tentative Plat of Sub/Standard Var
Case 21-022-V	994 Hollywood Ave	Standard Variation
Case 21-019-PPUD-TSUB ... Amend/Tent Plat	1050 E Oakton ...	Prelim PUD/Cond Use/Map

June 22, 2021
Page 21

Ms. Workman also stated that the conclusions of the traffic study can be found on page 52 of the informational packet. Ms. Workman continued that IDOT approves traffic signals, and from the findings of the traffic study a signal would not be warranted. The development will have pedestrian walkways to promote safety. Ms. Workman provided some information on the increase of traffic due the pandemic, with people being home, picking-up/dropping-off children, and that traffic should normalize as we move toward pre-pandemic normalcy.

Ms. Vickie Benzinger expressed concern over traffic, especially with the state of parking lots for Jewel and Starbucks. Ms. Workman stated that the development plans to having walking paths for connectivity to local shopping centers.

Ms. Carrera inquired about the building process and how long the project would take to completed. Mr. McLaughlin stated that one the development is approved through the municipal process, they plan to break ground Spring 2022. The development will be completed in two phases, a north and south, and should take approximately six months for land development and a model, pending adequate approvals.

Acting Chairman Saletnik asked Staff to walk through the application process. Direct McMahon responded with the following process:

1. Public Hearing for Preliminary Planned Unit Development at Planning & Zoning Board Meeting
2. Preliminary Planned Unit Development item at City Council Meeting
3. Engineering Department Review
4. Public Hearing Final Planned Unit Development at Planning & Zoning Board Meeting
5. Final Planned Unit Development at City Council Meeting

Acting Chairman Saletnik reminded the audience that the Public Hearing is an opportunity for positive dialogue with the Developers.

Acting Chairman Saletnik stated that this development has been the most sensitive and to scale compared to other developments is the same site.

Member Catalano inquired about how long the property has been vacant. Mr. Carlisle stated that the previous building was demolished in 2013, and the property has been cleared throughout the years. Mr. Carlisle noted that there have been several code violations on the site. He also mentioned large vacancies in neighborhoods are a drag to property values.

Acting Chairman Saletnik asked that the Staff Report be entered into record. Economic Development Manager Carlisle provided a summary of the following report:

Issue: The petitioner is requesting the following under the Zoning Ordinance: (i) a Preliminary PUD under Section 12-3-5; (ii) a Conditional Use for a PUD under Section 12-3-4; and (iii) a Map Amendment to rezone the subject property from C-3, General Commercial District to R-3, Townhouse Residential under Section

Case 21-025-FPLAT	10 S River Rd	Final Plat of Subdivision
Case 21-017-TSUB-V	1041 North Ave	Tentative Plat of Sub/Standard Var
Case 21-022-V	994 Hollywood Ave	Standard Variation
Case 21-019-PPUD-TSUB ... Amend/Tent Plat	1050 E Oakton ...	Prelim PUD/Cond Use/Map

June 22, 2021
Page 22

12-3-7. The petitioner also requests a Tentative Plat of Subdivision under Section 13-2-2 of the Subdivision Regulations. Finally, under Section 8-1-9 of the Municipal Code, the petitioner will seek a Vacation of Public Streets to be approved by the City Council.

Owner: 1090-1100 Executive Way, LLC; Times Drive, LLC;
Oakton Mannheim, LLC

Petitioner: Marc McLaughlin, M/I Homes of Chicago, LLC

Case Number: 21-019-PPUD-TSUB-MAP-CU

PINs: 09-20-316-020-0000; -021-0000; -023-0000; -024-0000; -025-0000; -
026-0000; 09-20-321-005-0000; 09-20-322-001-0000

Ward: #5, Carla Brookman

Existing Zoning: C-3, General Commercial District

Existing and Historical

Land Use: Vacant; site formerly contained Grazie restaurant and banquet hall, which was demolished in 2013, as well as office buildings and surface parking

Surrounding Zoning: North: R-1, Single-Family Residential
South: C-3, General Commercial and C-4, Regional Shopping
East: C-3, General Commercial, and C-4 Regional Shopping
West: C-3, General Commercial

Surrounding Land Use: North: Single-family detached homes
South: Restaurants and retail goods
East: Services (Vision Care), restaurants, retail goods (Jewel-Osco grocer)
West: Post office

Street Classification: Oakton Street is classified as an arterial roadway. Times Drive and Executive Way are local roadways.

Comprehensive Plan

Illustration The Comprehensive Plan illustrates this property as commercial

Case 21-025-FPLAT	10 S River Rd	Final Plat of Subdivision
Case 21-017-TSUB-V	1041 North Ave	Tentative Plat of Sub/Standard Var
Case 21-022-V	994 Hollywood Ave	Standard Variation
Case 21-019-PPUD-TSUB ... Amend/Tent Plat	1050 E Oakton ...	Prelim PUD/Cond Use/Map

June 22, 2021
Page 23

Preliminary Planned Unit Development (PUD)

Project Summary:

The petitioner is proposing a full redevelopment of 11.2 contiguous acres of vacant property at 1050 East Oakton Street, 1090-1100 Executive Way, and 1515 Times Drive. The proposal is for a residential-only development of 125 townhouses, tentatively branded as Halston Market. Seven townhouses would have two bedrooms, and 118 would have three bedrooms. The units would be horizontally connected to each other and spread across 23 separate buildings. Each building would be three stories with each unit having a ground-floor, two-car, rear-loaded garage (i.e. facing inward, not toward public streets or private drives). Walkways would connect unit front doors to public and private sidewalks.

Each building will also have balconies and include landscaped grass front yards. However, the amount of private open space per unit is minimal, as the concept is built around shared open space. Centrally located on the site would be a landscaped common plaza area of 14,000 square feet with benches, plantings, walkways, and open green space.

There is also a 10,605-square-foot common area oriented north-south between the buildings in the southwest portion. In the southeast portion, a stormwater detention area ("dry" basin, not a pond) of approximately 69,050-square feet (1.6 acres) is shown, with 21 adjacent surface parking spaces intended for visitors. Fifteen additional spaces intended for visitors are interspersed through the development for a total of 286, which would meet the parking minimum of Section 12-9-7.

The Building Design Review requirement under Section 12-3-11 would apply. In general, the applicant is proposing that for the elevations that would face public streets, the primary material is face brick on all three stories with projections of complementary vinyl. Elevations that would not face public streets contain face brick only on the ground floor, and where garage doors are shown, the brick is interrupted.

Considering the large scale of the redevelopment, the proposal is somewhat restrained in tree removal. According to the petitioner, healthy trees in the existing row at the north lot line will be preserved and augmented where necessary. Together, these plantings along with existing and proposed fencing should serve as effective screening and separation between the development and the single-family residential neighborhood to the north and the commercial development to the east. New plantings throughout the development appear to provide both functional and aesthetic benefits.

At this time, the petitioner is requesting the following bulk exceptions under Section 12-3-5 from the regulations for the proposed R-3 district:

Minimum lot area: Seventy-nine units are proposed with a lot area of 923 square feet, and 46 units are proposed at 1,038 square feet. The proposed lot area for each unit includes only the livable space inside the building and a small landscaped front yard. All other area in the development (e.g. open space,

Case 21-025-FPLAT	10 S River Rd	Final Plat of Subdivision
Case 21-017-TSUB-V	1041 North Ave	Tentative Plat of Sub/Standard Var
Case 21-022-V	994 Hollywood Ave	Standard Variation
Case 21-019-PPUD-TSUB ... Amend/Tent Plat	1050 E Oakton ...	Prelim PUD/Cond Use/Map

June 22, 2021
Page 24

driveways, stormwater detention) is allocated not to dwelling units but instead to the development overall. The minimum lot area per dwelling unit is 2,800 square feet.

Minimum rear yard (north): A setback of 20.63 feet is proposed where the minimum rear yard setback is 25 feet.

Regarding streets and access, the petitioner proposes that the north-south portion of Executive Way – where it connects to Oakton and borders the post office – would remain a public street. However, at the curve it would become a private drive, which requires a public street vacation of approximately 21,000 square feet. Similarly, a portion of Times Drive (approximately 7,700 square feet) would also be vacated and become private. This does not align with the submitted Tentative Plat of Subdivision.

The traffic statement discusses the parking and trip generation for the proposed townhouse development in more detail. The Illinois Department of Transportation (IDOT), citing existing signalized intersections at Lee Street and Webster Lane (1,600 feet apart), does not support the creation of an additional signalized intersection at Oakton. For pedestrians this will require using the north side of Oakton before reaching a marked crossing, approximately 700-800 feet in each direction (three-to-five-minute walk for an able-bodied person).

Map Amendment & Conditional Use

Request Summary:

The petitioner has requested a map amendment to rezone the subject property from C-3 General Commercial to R-3 Townhouse Residential. Although the site is illustrated as commercial in the 2019 Comprehensive Plan, the 2009 Oakton-Elmhurst Plan sets forth a vision with residential occupying much of the site – albeit with some commercial fronting Oakton Street. Nonetheless, R-3 is present about 1,000 feet to the west and does directly border Oakton Street (Fairmont Place development).

In general, residential is necessary proximate to commercial areas to support their vitality, and while this project would front Oakton Street, it would not front Lee Street, which would preserve commercial use at the main intersection of the Oakton-Lee area. The creation of the Oakton-Lee TIF district, as well as the City’s vision to establish a Metra commuter train station at Oakton and the North Central Service line, calls for adding residential units in the vicinity and activating vacant sites through unsubsidized development to raise the assessed value of the TIF. Improving the vacant land with this proposal would accomplish those goals

Case 21-025-FPLAT	10 S River Rd	Final Plat of Subdivision
Case 21-017-TSUB-V	1041 North Ave	Tentative Plat of Sub/Standard Var
Case 21-022-V	994 Hollywood Ave	Standard Variation
Case 21-019-PPUD-TSUB ... Amend/Tent Plat	1050 E Oakton ...	Prelim PUD/Cond Use/Map

June 22, 2021
Page 25

Other than the listed exceptions under Preliminary Planned Unit Development, the proposed development would meet all other R-3 bulk regulations as excerpted in the table to follow:

Bulk Regulations for R-3 Townhouse Residential

Yard	Required	Proposed
Front Yard (South)	Min.: 25 Feet	25 Feet
<i>Rear Yard (North)*</i>	<i>Min.: 25 Feet, if Building Height < 35 feet</i>	<i>About 21 Feet</i>
Side Yard (East)	Min: 5 Feet	22 Feet
Corner Side Yard (West)	Min: 10 Feet	21 feet
Building Height	Max: 45 Feet	Three stories (About 35 feet)

****An exception would be required to the minimum required rear yard.***
A conditional use is required in R-3 by virtue of the proposed PUD.

Tentative Plat of Subdivision

Request Summary:

The petitioner is requesting a Tentative Plat of Subdivision to resubdivide the subject property. Under Section 13-3-1 the Subdivision Regulations require improvement of adjacent rights-of-way, which means, for example, that Executive Way next to the Post Office will receive new curb, gutter, and resurfacing. Further, under Section 13-4 the Subdivision Regulations require park land dedication and/or fee-in-lieu, although proposed private open space could provide a partial offset.

The existing property contains eight lots, which would be divided into lots for each individual townhouse unit (125), plus six lots for common areas, private drives, and the stormwater detention area for a total of 131. The new subdivision will encompass the entire 11.2-acres as shown in Attachment 6. The petitioner’s Tentative Plat shows that the size of each townhouse parcel will vary from 923 square feet in size for interior units to 1,038 square feet in size for end units. The Tentative Plat also shows the following existing easements: (i) a 13-foot Public Utility Easement and 20-foot building line on both sides of Executive Way throughout the development; (ii) a 13-foot Public Utility Easement and 20-foot building line on both sides of Times Drive throughout the development; (iii) a 20-foot building line along Oakton Street on the south side of the lot; (iv) a ten-foot electric and telephone easement and 24-foot ingress, egress, and driveway easement behind the commercial development on the south side of the lot; (v) a 23-foot public utility easement along the existing drive aisle east of the proposed detention area; (vi) a 15-

Case 21-025-FPLAT	10 S River Rd	Final Plat of Subdivision
Case 21-017-TSUB-V	1041 North Ave	Tentative Plat of Sub/Standard Var
Case 21-022-V	994 Hollywood Ave	Standard Variation
Case 21-019-PPUD-TSUB ... Amend/Tent Plat	1050 E Oakton ...	Prelim PUD/Cond Use/Map

June 22, 2021
Page 26

foot public utility easement along the east property line of the development; and (vii) a five-foot public utility easement located along the north property line of the development.

The proposal includes vacating a portion of Executive Way and Times Drive with their respective easements, which is described in more detail below.

Vacation of Public Streets

Request Summary:

As described in the Project Summary on Pages 2-3, the applicant will seek vacations of public streets. It is unclear in the submission if the private drives will be gated at the point they intersect with public street segments (for example, at the Executive Way curve). Furthermore, regarding Times Drive, the commercial property at the northeast corner of Times and Oakton relies on Times for access, so it is recommended the City retain the southernmost approximately 110 linear feet, with the redevelopment agreement stating that townhouse owners will be responsible for maintenance of this segment. The City is in the process of appraising the right-of-way areas, and staff recommends that executing the agreement(s) and recording the corresponding plat is a condition for final approval.

Alignment with the 2019 Comprehensive Plan

Under Overarching Principles:

The principle to “Provide a Range of Housing Options” mentions “high-quality townhomes” in general and recommends, “For the Oakton Street Corridor, it is recommended that the City update ... zoning ... to permit townhomes, rowhomes, and mixed-used development.”

Under Land Use & Development:

The Future Land Use Plan illustrates the property as commercial. While the proposal does not align, it may be seen as a reasonable concept to support nearby commercial uses and the theme that the Oakton-Lee intersection should be anchored by commercial.

Under Housing:

There is a recommendation to “Ensure the City has several housing options to fit diverse needs.” Townhouses appeal to a wide range of potential households and provide a middle ground between the heavy supply (proportionally) of single-family detached homes and apartments/condominiums.

Alignment with the 2009 Oakton Street/Elmhurst Road Corridor Plan

- This proposal coincides with the vision to develop a portion of a large site with residential, although the plan calls for multifamily and the proposal is for single-family attached. However, because residential would occupy the entire site, it is likely the number of units envisioned in the general area is more or less aligned.
- However, the proposal does not include any commercial, and the plan called for both residential and commercial (mixed use). In the concept sketch, generally small, standalone

Case 21-025-FPLAT	10 S River Rd	Final Plat of Subdivision
Case 21-017-TSUB-V	1041 North Ave	Tentative Plat of Sub/Standard Var
Case 21-022-V	994 Hollywood Ave	Standard Variation
Case 21-019-PPUD-TSUB ... Amend/Tent Plat	1050 E Oakton ...	Prelim PUD/Cond Use/Map

June 22, 2021
Page 27

commercial buildings akin to Vision Care, Dunkin Donuts, and Charcoal Delights are shown at the Oakton frontage.

Alignment with the 2019 Oakton Station Feasibility Study

- The study includes the subject site in the proposed station area because it is within a half-mile radius (10-minute walk). The study suggested that a new Metra station could attract transit-oriented development (TOD) in the form of multifamily, office, and retail. However, TOD tends to follow after the transit operator has formally committed to the station or after it is operational.
- While not as dense as the multifamily residential typically found next to Metra stations, this proposed townhouse residential development would add an estimated 300 residents to the area (based on the resident projections in the Subdivision Regulations). These new residents would grow the market of potential riders and bolster the City’s case for having a station.

PUD and Conditional Use Findings

As required, the proposed development is reviewed below in terms of the findings contained in 12-3-4 and 12-3-5 of the Zoning Ordinance:

A. The extent to which the Proposed Plan is or is not consistent with the stated purpose of the PUD regulations in Section 12-3.5-1 and is a stated Conditional Use in the subject zoning district:

Comment: A PUD is a listed conditional use in the R-3 zoning district. The proposed project meets the stated purpose of the PUD. Additionally, the redevelopment of the subject parcels will enhance the neighboring area, but also be cognizant of nearby land uses. Please also see the responses from the applicant.

B. The extent to which the proposed plan meets the prerequisites and standards of the planned unit development regulations:

Comment: The proposed development will be in keeping with the City’s prerequisites and standards regarding planned unit development regulations. Please also see the responses from the applicant.

C. The extent to which the proposed plan departs from the applicable zoning and subdivision regulations otherwise applicable to the subject property, including, but not limited to the density, dimension, area, bulk, and use and the reasons why such departures are or are not deemed to be in the public interest:

Comment: The proposed project is in-line with the intent of a PUD as there are exceptions being requested to accommodate the specific design of this mixed-use development, which allocates much of its land to common areas to appeal to households to whom it is marketed. Please also see the responses from the applicant.

Case 21-025-FPLAT	10 S River Rd	Final Plat of Subdivision
Case 21-017-TSUB-V	1041 North Ave	Tentative Plat of Sub/Standard Var
Case 21-022-V	994 Hollywood Ave	Standard Variation
Case 21-019-PPUD-TSUB ... Amend/Tent Plat	1050 E Oakton ...	Prelim PUD/Cond Use/Map

June 22, 2021
Page 28

D. The extent to which the physical design of the proposed development does or does not make adequate provision for public services, provide adequate control of vehicular traffic, provide for, protect open space, and further the amenities of light and air, recreation and visual enjoyment:

Comment: All provisions for public services, adequate traffic control and the protection of open space are would be accommodated in the proposed development. Please also see the responses from the applicant.

E. The extent to which the relationship and compatibility of the proposed development is beneficial or adverse to adjacent properties and neighborhood:

Comment: The proposed development serves as a transition between single-family development to the north and corridor commercial development to the south and east. Additionally, considerations will be made to mitigate impact on the nearby residential uses from light and noise pollution. Please also see the responses from the applicant.

F. The extent to which the proposed plan is not desirable to physical development, tax base, and economic well-being of the entire community:

Comment: The proposed project will contribute to an improved physical appearance by removing a large, vacant, visually unappealing property. Such a significant improvement will contribute positively to the tax base – of the City overall and the Oakton-Lee TIF – and economic well-being of the community. Please also see the responses from the applicant.

G. The extent to which the proposed plan is in conformity with the recommendations of the 2019 Comprehensive Plan:

Comment: The proposed development meets general goals and objectives of the Comprehensive Plan. Please also see the responses from the applicant.

Map Amendment Findings

As required, the proposed development is reviewed below in terms of the findings contained in 12-3-7 of the Zoning Ordinance:

A. Whether the proposed amendment is consistent with the goals, objectives, and policies of the comprehensive plan, as adopted and amended from time to time by the city council:

Comment: The proposed amendment is consistent with general guidance and vision, if not the property illustration future land use map. Please also see the responses from the applicant.

B. Whether the proposed amendment is compatible with current conditions and the overall character of existing development in the immediate vicinity of the subject property;

Case 21-025-FPLAT	10 S River Rd	Final Plat of Subdivision
Case 21-017-TSUB-V	1041 North Ave	Tentative Plat of Sub/Standard Var
Case 21-022-V	994 Hollywood Ave	Standard Variation
Case 21-019-PPUD-TSUB ...	1050 E Oakton ...	Prelim PUD/Cond Use/Map
Amend/Tent Plat		

June 22, 2021
Page 29

Comment: Townhouse residential is already present on the north side of Oakton in the vicinity and would be complementary to and bolstering of desired commercial character nearby. Please also see the responses from the applicant.

C. Whether the proposed amendment is appropriate considering the adequacy of public facilities and services available to this subject property;

Comment: Public facilities and services must be made available to the subject property, even after public street vacations. Please also see the responses from the applicant.

D. Whether the proposed amendment will have an adverse effect on the value of properties throughout the jurisdiction; and

Comment: The amendment would likely lead to redevelopment and the elimination of a large, vacant property that is a drag on property value. To that end, it would be an enhancement of property value. Please also see the responses from the applicant.

E. Whether the proposed amendment reflects responsible standards for development and growth.

Comment: The proposed development complements existing development and is a good first step in achieving the revitalization desired through the Oakton-Lee TIF and Oakton train station feasibility study. Additionally, screening considerations, particularly at the north lot line, will be made to reduce any impact on the nearby residential uses from light and noise pollution. Please also see the responses from the applicant.

Recommendation:

Staff supports the Preliminary PUD; Conditional Use for PUD, Map Amendment from C-3 to R-3, and Tentative Plat of Subdivision subject to the following conditions:

1. The necessary redevelopment agreement and Plat of Vacation should be negotiated with and approved by the City prior to recording of any Final PUD Plat or Final Plat of Subdivision. All preliminary or tentative plats should be revised, if necessary, to reflect the agreed-upon vacations.
2. The governing documents for the subject parcels will be reviewed and approved by the City Attorney prior to the recording of any Final PUD Plat or Final Plat of Subdivision.
3. All proposed improvements and modifications shall be in full compliance with all applicable codes and ordinances. Drawings may have to be modified to comply with current codes and ordinances.

Planning and Zoning Board Procedure:

The Planning and Zoning Board may vote to *recommend* approval, approval with modifications, or disapproval. The City Council has final authority over the Preliminary Planned Unit Development, the Conditional Use, the Map Amendment, the Tentative Plat of Subdivision, and the Vacation of Public Streets requests for 1050 East Oakton Street.

Case 21-025-FPLAT	10 S River Rd	Final Plat of Subdivision
Case 21-017-TSUB-V	1041 North Ave	Tentative Plat of Sub/Standard Var
Case 21-022-V	994 Hollywood Ave	Standard Variation
Case 21-019-PPUD-TSUB ... Amend/Tent Plat	1050 E Oakton ...	Prelim PUD/Cond Use/Map

June 22, 2021
Page 30

A motion was made by Board Member Hofherr, seconded by Board Member Catalano, to approve the Preliminary Planned Unit Development, the Conditional Use, the Map Amendment, the Tentative Plat of Subdivision, and the Vacation of Public Streets requests for 1050 East Oakton Street, with the following conditions: (i) The necessary redevelopment agreement and Plat of Vacation should be negotiated with and approved by the City prior to recording of any Final PUD Plat or Final Plat of Subdivision. All preliminary or tentative plats should be revised, if necessary, to reflect the agreed-upon vacations (ii) The governing documents for the subject parcels will be reviewed and approved by the City Attorney prior to the recording of any Final PUD Plat or Final Plat of Subdivision and (iii) All proposed improvements and modifications shall be in full compliance with all applicable codes and ordinances. Drawings may have to be modified to comply with current codes and ordinances.

AYES: Hofherr, Catalano, Fowler, Saletnik

NAYES: None

ABSTAIN: None

*****MOTION CARRIES UNANIMOUSLY *****

Case 21-025-FPLAT	10 S River Rd	Final Plat of Subdivision
Case 21-017-TSUB-V	1041 North Ave	Tentative Plat of Sub/Standard Var
Case 21-022-V	994 Hollywood Ave	Standard Variation
Case 21-019-PPUD-TSUB ...	1050 E Oakton ...	Prelim PUD/Cond Use/Map
Amend/Tent Plat		

June 22, 2021

Page 31

ADJOURNMENT

The next scheduled Planning & Zoning Board meeting is Tuesday, July 13, 2021.

Acting Chairman Saletnik adjourned the meeting by voice vote at 8:36 p.m.

Sincerely,

Wendy Bednarz, Recording Secretary

cc: City Officials, Aldermen, Zoning Board of Appeals, Petitioners



MEMORANDUM

Date: July 27, 2021
To: Planning and Zoning Board (PZB)
From: Jonathan Stytz, Planner JS
Cc: John Carlisle, AICP, Economic Development Manager
Subject: Consideration of Conditional Use for a Trade Contractor Use at 1773 E. Oakton Street, Case 21-028-CU (2nd Ward)

Issue: The petitioner is requesting a Conditional Use under Section 12-7-3(K) of the 1998 Des Plaines Zoning Ordinance, as amended, to allow a Trade Contractor use in the C-3 zoning district at 1773 E. Oakton Street.

Address: 1773 E. Oakton Street
Owners: Dawid Lenart, 602 Elderberry Lane, Mount Prospect, IL 60056
Petitioner: Dawid Lenart, 602 Elderberry Lane, Mount Prospect, IL 60056
Case Number: 21-028-CU
Real Estate Index Number: 09-28-103-046-0000
Ward: #2, Alderman Colt Moylan
Existing Zoning: C-3, General Commercial District
Existing Land Use: Vacant Building
Surrounding Zoning: North: C-3, General Commercial District
South: R-1, Single Family Residential District
East: C-3, General Commercial District
West: C-3, General Commercial District
Surrounding Land Use: North: Multi-Family Residence
South: Single Family Residence

East: Multi-Family Residence
West: Office (Commercial)

Street Classification: Oakton Street is classified as a Minor Arterial road.

Comprehensive Plan: The Comprehensive Plan illustrates this site as Lower Density Urban Mix with Residential.

Project Description: The petitioner, Dawid Lenart, owner and operator of DGL Home Improvement, has requested a Conditional Use Permit for a Trade Contractor use at 1773 E. Oakton Street. The subject property is on the south side of Oakton Street in between Sycamore and Maple Streets with an improved alley running between the two streets behind the commercial development. The subject property is located within the C-3, General Commercial district and a Trade Contractor is a conditional use in the C-3 zoning district. The Plat of Survey (Attachment 4) shows a single-tenant building and an off-street surface parking area to its south. On-street parking along Oakton Street is directly adjacent to the north. Access to the subject property is limited to the on-street parking area to the north and the alley to the south.

The existing one-story, 1,849-square-foot building consists of an open floor plan with an existing restroom, overhead garage door, pedestrian door, and concrete ramp at the rear of the space. The petitioner wishes to use the front portion of the building as an office/showroom area and the rear portions of the building as a short-term storage area, based on the Architectural Plan/Site Plan (Attachment 5). The petitioner's proposal does not include any changes to the exterior of the building. However, the petitioner does plan to remodel the interior to construct the proposed improvements. The dumpster for this suite will be stored inside the building, except on garbage pickup days, in compliance with Section 12-10-11 of the Des Plaines Zoning Ordinance.

The proposed Floor Plan includes an 843-square foot office/showroom space and 705-square foot warehouse space. The following parking regulations apply pursuant to Section 12-9-7 of the Des Plaines zoning Ordinance:

- One parking space for every 250 square feet of gross floor area for office spaces; and
- One parking space for every 1,500 square feet of gross floor area for warehouse space (i.e. accessory storage).

Thus, a total of four off-street parking spaces are required including one handicap accessible parking space. The existing pavement area does not meet the current code requirements for off-street parking and is a non-conforming structure governed under Section 12-5-6 of the Zoning Ordinance. Section 12-5-6(A) allows the non-conforming parking area to continue as long as it remains otherwise lawful to Section 12-5-3 of this section. Thus, a variation for parking requirements is not required.

DGL Home Improvement will be open Monday through Friday from 9 a.m. to 5 p.m. Their services will include repairs and replacement of roofing, siding, and gutters; installation of windows and skylights; interior renovations; and

public adjusting. There will be occasional deliveries of office, siding, and roofing supplies at this site. A maximum of three employees will be on site at a given time. Please see the Project Narrative (Attachment 1) for more details.

Alignment with the Comprehensive Plan

The proposed project, including the proposed site improvements, addresses various goals and objectives of the 2019 Comprehensive Plan including the following aspects:

- **Future Land Use Plan:**

- This property is designated as Lower Density Urban Mix with Residential on the Future Land Use Plan. The Future Land Use Plan strives to create a well-balanced development area with a healthy mixture of commercial uses. While the current use is commercial, the petitioner will work to enhance the subject property by renovating the interior of existing building and resurfacing the existing asphalt area at the rear of the building. All activities and items stored will be inside to reduce any negative impacts.
- The subject property is located along the defined Oakton Street commercial corridor with single-family residences to the south, and commercial development to the north, east, and west. It contains a single-tenant building located in between established commercial developments along Oakton Street. The request would assist in the retention of a new commercial business at this location and provide additional retail goods and services for the residents of Des Plaines.

While the aforementioned aspects represent a small portion of the goals and strategies of the Comprehensive Plan, there is a large emphasis on improving existing commercial developments and enhancing commercial corridors throughout Des Plaines.

Conditional Use Findings: Conditional Use requests are subject to the standards set forth in Section 12-3-4(E) of the Zoning Ordinance. In reviewing these standards, staff has the following comments:

A. The proposed Conditional Use is in fact a Conditional Use established within the specific Zoning district involved:

Comment: The proposed use is classified as “Trade Contractor”, and the subject property is in the C-3 zoning district. Please see the petitioner’s responses to Standards for Conditional Uses.

B. The proposed Conditional Use is in accordance with the objectives of the City’s Comprehensive Plan:

Comment: The proposed Trade Contractor is a service-oriented use that primarily serves day-to-day needs of local residents. Additionally, the subject property is in the Oakton Business District, close to residential neighborhoods. The proposed nearby home-improvement business gives the households in those neighborhoods convenient access to the business’s services. Please see the petitioner’s responses to Standards for Conditional Uses.

C. The proposed Conditional Use is designed, constructed, operated and maintained to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity:

Comment: The new business will transform the existing vacant space into a new commercial use. The proposal includes enhancements to the asphalt parking area in the rear and an interior building remodel. Please see the petitioner’s responses to Standards for Conditional Uses.

D. The proposed Conditional Use is not hazardous or disturbing to existing neighboring uses:

Comment: All activities and storage of materials will take place inside the building. The existing building is set back away from the neighboring residences to the south, and no building footprint changes are proposed,

which will help minimize the impact of the proposed use on surrounding properties. Please see the petitioner's responses to Standards for Conditional Uses.

E. The proposed Conditional Use is to be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or, agencies responsible for establishing the Conditional Use shall provide adequately any such services:

Comment: The subject property is served adequately by essential public facilities and services since it is currently accessible by Oakton Street and the alley area behind the property. The proposed Trade Contractor use will not affect the existing public facilities and services for this property. Please see the petitioner's responses to Standards for Conditional Uses.

F. The proposed Conditional Use does not create excessive additional requirements at public expense for public facilities and services and will not be detrimental to the economic well-being of the entire community:

Comment: The proposed use will operate within existing infrastructure and is not expected to have a uniquely high service demand. Further, it will transform a vacant building into a new asset for Des Plaines and can help improve the local economy. Please see the petitioner's responses to Standards for Conditional Uses.

G. The proposed Conditional Use does not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke fumes, glare or odors:

Comment: The proposed Trade Contractor use will include an office/showroom space and short-term storage area, neither of which will produce excessive production of noise, smoke fumes, glare, or odors. Additionally, there is no fabrication of materials or products conducted on site. Please see the petitioner's responses to Standards for Conditional Uses.

H. The proposed Conditional Use provides vehicular access to the property designed so that it does not create an interference with traffic on surrounding public thoroughfares:

Comment: The subject property does not create interference with traffic in the area with the existing access points and configuration. The proposed Trade Contractor use does not intend to alter these access points or the overall configuration of the site. Please see the petitioner's responses to Standards for Conditional Uses.

I. The proposed Conditional Use does not result in the destruction, loss, or damage of natural, scenic, or historic features of major importance:

Comment: The subject property is currently developed and improved with a building and surface parking area. The proposed Trade Contractor use will not lead to the loss or damage of natural, scenic, or historic features of major importance on this property. Please see the petitioner's responses to Standards for Conditional Uses.

J. The proposed Conditional Use complies with all additional regulations in the Zoning Ordinance specific to the Conditional Use requested:

Comment: The proposed Trade Contractor use will comply with all additional regulations of the zoning Ordinance. Please see the petitioner's responses to Standards for Conditional Uses.

PZB Procedure and Recommended Conditions: Under Section 12-3-4(D) (Procedure for Review and Decision for Conditional Uses) of the Zoning Ordinance, the PZB has the authority to recommend that the City Council approve, approve subject to conditions, or deny the above-mentioned conditional use for a Trade Contractor use at 1773 E. Oakton Street. The City Council has final authority on the proposal.

Consideration of the request should be based on a review of the information presented by the applicant and the findings made above, as specified in Section 12-3-4(E) (Standards for Conditional Uses) of the Zoning Ordinance. If the PZB recommends and City Council ultimately approves the request, staff recommends the following conditions:

1. A minimum of two four-foot long landscape planter boxes are installed along the front of the building and are populated with perennials.
2. No outside storage of raw materials or fabricated goods is permitted on site.

Attachments:

- Attachment 1: Project Narrative
- Attachment 2: Petitioner's Responses to Standards
- Attachment 3: Location Map
- Attachment 4: Plat of Survey
- Attachment 5: Architectural Plan/Site Plan
- Attachment 6: Site and Context Photos

Project Narrative for 1773 E Oakton St Des Plaines IL 60018

Business description:

We sell quality roofing services to the Chicagoland area. In addition, we handle residential and commercial insurance claims. We are all licensed and bonded for the following services:

- Roofing repairs and replacement
- Siding repair and installation
- Gutters repairs and installation
- Window installation
- Skylight installation
- Interior renovations
- Public adjusting

Our goal:

To achieve success with every job we undertake by creating that customer experience that keeps them coming back to us in the future, as well as refer us to their families and friends.

- Offering quality craftsmanship
- Using high grade materials
- Licensed and bonded
- Continually educating our team to keep up with real world construction practices
- Continually furthering our education and certifications

Daily Business Operations 9am-5pm:

General activities at our location of 1773 E Oakton St Des Plaines IL 60018 are as follows:

- ¾ of the building will be used for the office staff, numbers range from 1-3 employees, full time Monday – Friday
- Occasional deliveries of office supplies
- Occasional deliveries of siding and/or roofing supplies

- 1.) The proposed conditional use is in fact a conditional use established within the specific zoning district involved:

RESPONSE: DGL Home Improvement DBA Lion Roofing, Inc is currently seeking to occupy 1773 E Oakton Ave., Des Plaines, IL 60018. We would be a good neighbor to the surrounding retail businesses and the residents on the North side of Oakton Ave. We will have a welcoming office space in the front of the space and storage for our supplies and materials in the rear of the space.

- 2.) The proposed conditional use is in accordance with the objectives of the city's comprehensive plan and this title;

RESPONSE: DGL Home Improvement DBA Lion Roofing, Inc is operating within the comprehensive plan, bringing economic opportunities to the Oakton Avenue retail corridor.

- 3.) The proposed conditional use is designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity;

RESPONSE: DGL Home Improvement DBA Lion Roofing, Inc shall be harmonious with neighboring businesses, occupying the space will significantly improve the current building and space both inside and out.

- 4.) The proposed conditional use is not hazardous or disturbing to existing neighboring uses;

RESPONSE: The use of 1773 E Oakton will not be used for any hazardous materials, nor will our activity disturb the existing neighbors.

- 5.) The proposed conditional use is to be served adequately by essential public facilities and services such as highways, streets, police, and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or the persons or agencies responsible for the establishment of the proposed conditional use shall provide adequately and such services;

RESPONSE: DGL Home Improvement DBA Lion Roofing, Inc will work with the City of Des Plaines and ensure that adequate services will be acquired to maintain a proper office.

- 6.) The proposed conditional use does not create excessive additional requirements at public expense for public facilities and services and not be detrimental to the economic welfare of the community;

RESPONSE: DGL Home Improvement DBA Lion Roofing, Inc will not create or require excessive need for public facilities or services and will help build up the economy by bringing business opportunities to the surrounding businesses.

- 7.) The proposed conditional use does not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors;

RESPONSE: The use of 1773 E Oakton Avenue will not involve any conditions that will be detrimental to any persons or properties. Lion Roofing, Inc will not produce excessive traffic, noise, smoke, fumes, glare or odors while in operation. We will maintain a clean environment.

8.) The proposed conditional use provides vehicular access to the property designed that does not create an interference with traffic on surrounding public thoroughfares;

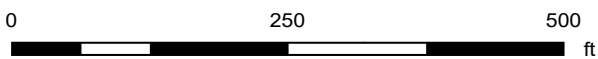
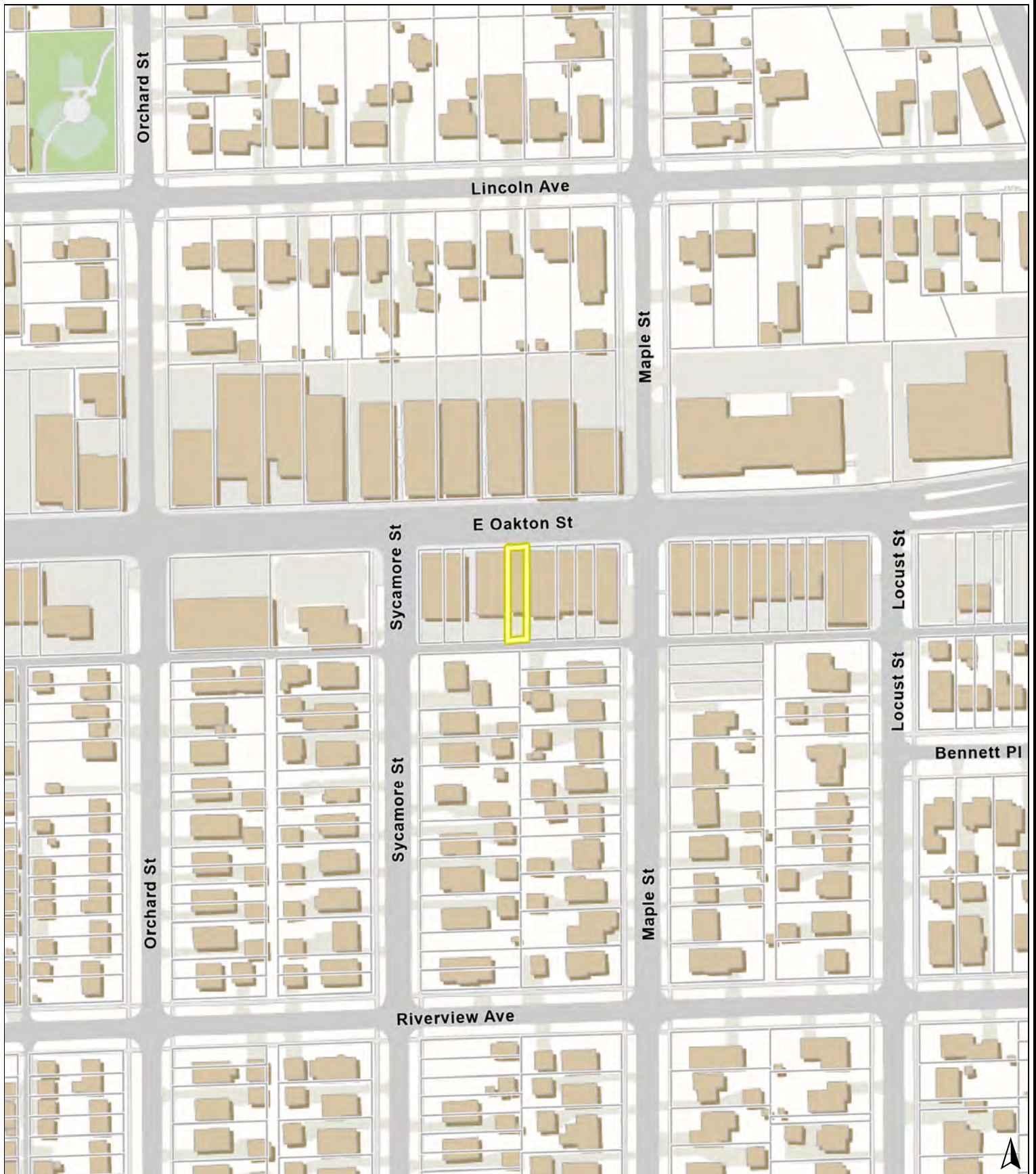
RESPONSE: 1773 E Oakton Avenue had it's own front and rear entrance that will not interfere with traffic, neighboring businesses, nor traffic on surrounding public streets, sidewalks, and alleys.

9.) The proposed conditional use does not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance; and

RESPONSE: 1773 E Oakton Avenue is an existing building, and there is no need for any reconstruction that will result an any destruction, loss, or damages to the building or its surroundings.

10.)The proposed conditional use complies with all additional regulations in this title specific to the conditional use requested.

RESPONSE: DGL Home Improvement DBA Lion Roofing, Inc will abide by all rules and regulations within the roofing industry while maintaining the property's upkeep that will enhance the Oakton Avenue Retail Corridor.



Print Date: 8/5/2021

Notes

Disclaimer: The GIS Consortium and MGP Inc. are not liable for any use, misuse, modification or disclosure of any map provided under applicable law. This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently confirm for accuracy. The map does not constitute a regulatory determination and is not a base for engineering design. A Registered Land Surveyor should be consulted to determine precise location boundaries on the ground.

5812 W. HIGGINS AVENUE
CHICAGO, ILLINOIS 60630



MM SURVEYING CO., INC.

PROFESSIONAL DESIGN FIRM No. 184-003233

PLAT OF SURVEY

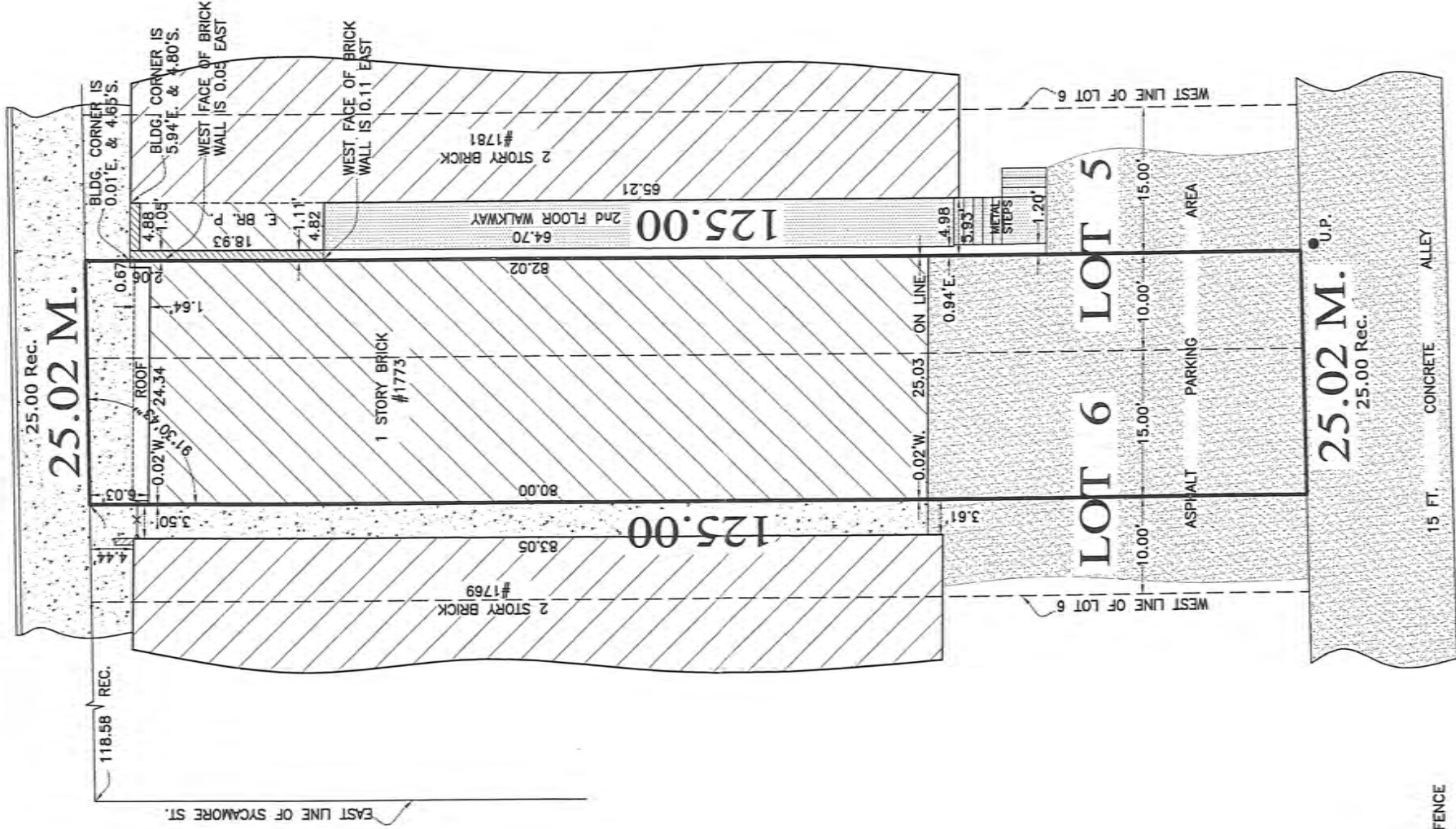
OF

PHONE: (773) 282-5900
FAX: (773) 282-9424
mmsurvey1285@sbcglobal.net

LOT 5 (EXCEPT THE EAST 15 FEET) AND LOT 6 (EXCEPT THE WEST 10 FEET THEREOF) IN BLOCK 4 OF WHITE'S RIVERVIEW ADDITION, A SUBDIVISION OF THE NORTHWEST ¼ OF SECTION 28, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 1773 E. OAKTON ST., DES PLAINES, IL 60018
TOTAL LAND AREA = 3,126 sq.ft.

E. OAKTON ST.



- LEGEND:**
- x-x-x- CHAIN LINK FENCE
 - o-o-o- WOOD FENCE
 - o-o-o- IRON FENCE
 - CONCRETE PAVEMENT
 - ENCLOSED FRAME PORCH
 - OPEN FRAME PORCH
 - OPEN BRICK PORCH
 - OPEN METAL PORCH
 - OPEN CONC. PORCH
 - EDGE OF CONCRETE
 - EDGE OF BRICK
 - UTILITY POLE
- E.F.R.P.
O.F.R.P.
O.B.R.P.
O.M.P.
O.C.P.
E.C.
E.BR.
U.P.

ORDER NO. 101356
SCALE: 1 INCH = 16 FEET
FIELDWORK
COMPLETION DATE: FEBRUARY 20, 2021
ORDERED BY: JAKUBCO, RICHARDS & JAKUBCO



State of Illinois ss
County of Cook

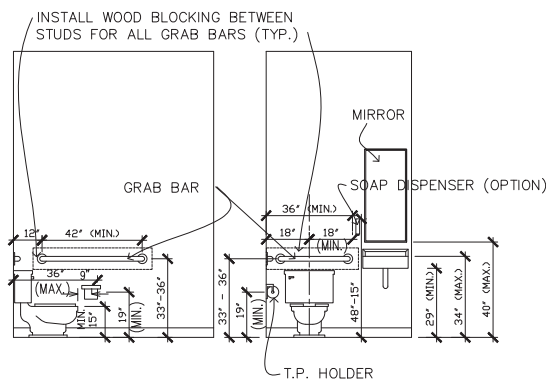
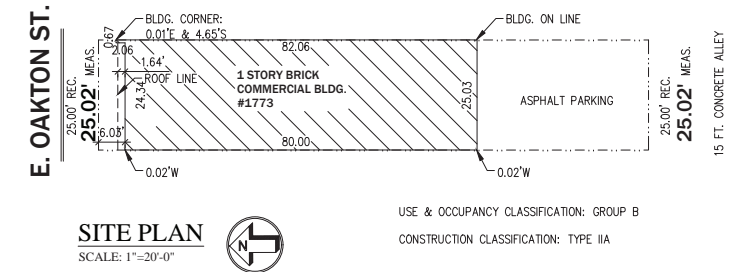
We, M M Surveying Co., Inc., do hereby certify that we have surveyed the above described property and that the plat hereon drawn is a correct representation of said survey.

Signature: Ms. Domozych
Date: FEBRUARY 22-2021
REG. ILL. Land Surveyor No. 35-3758
LIC. EXP. NOVEMBER 30, 2022

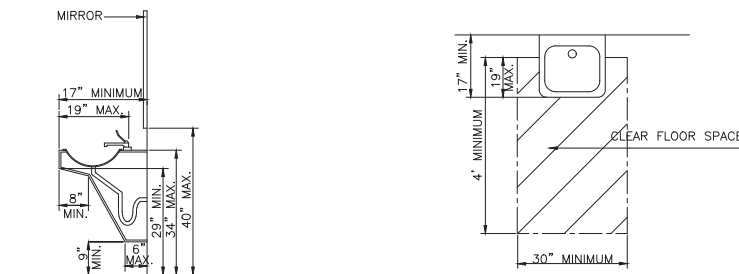
THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.
FOR BUILDING LINES, EASEMENTS AND OTHER RESTRICTIONS NOT SHOWN HEREON, REFER TO YOUR DEED, TITLE POLICY AND LOCAL ZONING ORDINANCE, ETC.
LEGAL DESCRIPTION NOTED ON THIS PLAT WAS PROVIDED BY THE CLIENT AND MUST BE COMPARED WITH DEED AND/OR TITLE POLICY.
ALL DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.
NO CORNERS WERE MONUMENTED PER CUSTOMER REQUEST.

INTERIOR RENOVATION OF THE EXISTING 1-STORY COMMERCIAL BUILDING

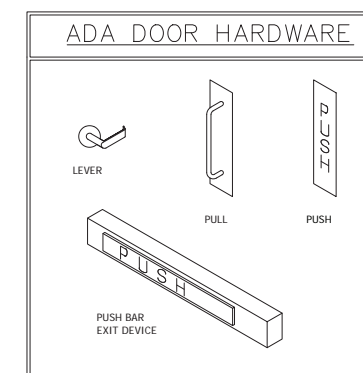
1773 E OAKTON ST. DES PLAINES, IL 60018



ADA TOILET ELEVATION
SCALE: 1/4"=1'-0"



ADA CLEAR SPACE REQUIREMENTS
SCALE: 1/2"=1'-0"



DOOR SCHEDULE						
DOOR No.	SIZE	QTY.	TYPE	MATERIAL	HARDWARE	
1	2'-4" x 7'-0" x 1 3/4"	1	SWING	SOLID CORE WOOD	LEVER HANDLE, 3 HINGES, PRIVACY LOCK	
2	3'-0" x 7'-0" x 1 3/4"	2	SWING	SOLID CORE WOOD	LEVER HANDLE, 3 HINGES	
3	3'-0" x 7'-0" x 1 3/4"	1	SWING	SOLID WOOD	LEVER HANDLE, 3 HINGES, CLASS "C"	
4	3'-0" x 7'-0" x 1 3/4"	1	SWING	SOLID CORE WOOD	LEVER HANDLE, 3 HINGES, PRIVACY LOCK	
5	3'-0" x 6'-8" x 1 3/4"	1	SWING	ALUMINUM GLASS	CLOSER, UNIT LOCKSET, PANIC HARDWARE W/PULL ON REVERSE	

SCOPE OF WORK	
RENOVATE THE EXISTING TOILET.	
NEW METAL STUDS PARTITION WALLS.	
NEW METAL STUDS FURRING WALL WITH INSULATION.	
NEW FLOOR FINISH.	
NEW DRYWALL CEILING.	
NEW BREAKROOM.	
NEW SHOWROOM AND OFFICE ROOMS.	
ELECTRICAL WORK. NEW 200 AMP ELECTRICAL PANEL.	
NEW HVAC SERVICE.	
NEW PLUMBING SERVICE.	

DRAWING INDEX	
A-1	SITE PLAN, ADA TOILET PLAN & ELEVATIONS, DOOR SCHEDULE, WALL/CEILING TAGS
A-2	EXISTING & PROPOSED PLANS
A-3	BUILDING & WALL SECTIONS, PLUMBING DIAGRAM
A-4	ELECTRICAL PLAN, PANEL SCHEDULE, ELECTRICAL SERVICE DIAGRAM
A-5	MECHANICAL PLAN, LIGHT & VENT SCHEDULE

WALL/CEILING TAGS		
TAG	LEGEND	DESCRIPTION
◊	[Hatched Pattern]	EXISTING BRICK WALL
◊	[Hatched Pattern]	EXISTING BRICK WALL WITH NEW INTERIOR FURRING WALL: 1 1/2" 16-GA. STEEL STUDS @ 16" O.C. WITH 5/8" GYP. BOARD WALL FINISH & R-7.5 FOAM BOARD INSULATION
◊	[Hatched Pattern]	EXISTING INTERIOR PARTITION WALL
◊	[Hatched Pattern]	NEW INTERIOR PARTITION WALL: 3/8" 16 GA STEEL STUDS @ 16" O.C. WITH 5/8" GYP. BOARD WALL FINISH
◊	[Hatched Pattern]	NEW INTERIOR PARTITION WALL: 3/8" 16 GA STEEL STUDS @ 16" O.C. WITH 5/8" GYP. BOARD WALL FINISH & R-15 FIBERGLASS INSULATION
◊	[Hatched Pattern]	9'-10" HIGH NEW 5/8" GYPSUM BOARD CEILING ON 3/8" 16 GA STEEL JOISTS @ 16" O.C., R-38 FIBERGLASS INSULATION
◊	[Hatched Pattern]	EXISTING CONCRETE SLAB
◊	[Hatched Pattern]	NEW ENGINEERING FLOOR FINISH ON THE EXISTING CONCRETE SLAB

FLOOR PLAN LEGEND	
○	DOOR NUMBER
◊	WALL/CEILING TAG
WC	WATER CLOSET
SK	SINK
LAV	LAVATORY
REF	REFRIGERATOR
FD	FLOOR DRAIN
GM	GAS METER
EM	ELECTRICAL METER
[Symbol]	ELECTRICAL PANEL
FE	FIRE EXTINGUISHER
△	REVISION NUMBER

- NOTES:**
- VERIFY THAT ALL EXISTING EGRESS DOORS ARE OPERABLE AND KEYLESS FROM THE SIDE OF WHICH EGRESS IS MADE.
 - DOOR HANDLES, PULLS, LATCHES, LOCKS AND OTHER OPERATING DEVICES SHALL BE AT A MAX. HEIGHT OF 48" A.F.F. THE OPERATING DEVICES SHALL BE CAPABLE OF OPERATION WITH ONE HAND AND SHALL NOT REQUIRE TIGHT GRASPING, TIGHT PINCHING OR TWISTING OF THE WRIST TO OPERATE.
 - THE MAXIMUM FORCE FOR PUSHING OR PULLING OPEN A DOOR SHALL BE 5.0 LBS, 8.5 LBS @ EXTERIOR DOOR.
 - EXIT DOOR SHALL NOT BE PROVIDED WITH A LATCH OR LOCK UNLESS IT IS PANIC HARDWARE OR FIRE EXIT HARDWARE.
 - GLAZING IN WINDOW & DOOR, WITH THE BOTTOM EDGE LESS THAN 18" A.F.F. & EXPOSED AREA OF INDIVIDUAL PANE GREATER THAN 9 SQ.FT., SHALL BE TEMPERED SAFETY GLAZING.

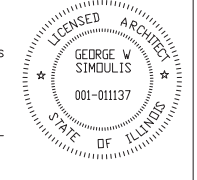
BUILDING CODE
WITH VILLAGE OF DES PLAINES AMENDMENTS

2015 International Building Code.
2014 National Electric Code.
2015 International Mechanical Code.
Illinois State Plumbing Code effective April 24, 2014 or Current Adopted Edition.
2018 International Energy Conservation Code w/State Amendments or Current Adopted Edition.
2015 International Fire Code.
2015 International Property Maintenance Code.
2015 International Fuel Gas Code.
NFPA 101 Life Safety Code - 2000 Edition or Current Adopted Edition.
Illinois Accessibility Code - 1997 or 2018.

CERTIFICATION

I HEREBY CERTIFY THAT THESE PLANS WERE PREPARED UNDER MY SUPERVISION, AND TO THE BEST OF MY KNOWLEDGE, COMPLY WITH THE ORDINANCES AND CODES OF THE VILLAGE OF DES PLAINES AND THE STATE OF ILLINOIS.

REGISTERED ARCHITECT: GEORGE W. SIMOULIS
LICENSE EXP. 11/30/22



ERR ARCHITECTURAL DESIGN, LLC.
GEORGE W. SIMOULIS ARCHITECT
EWA ROMANOWSKA PROJECT DESIGNER

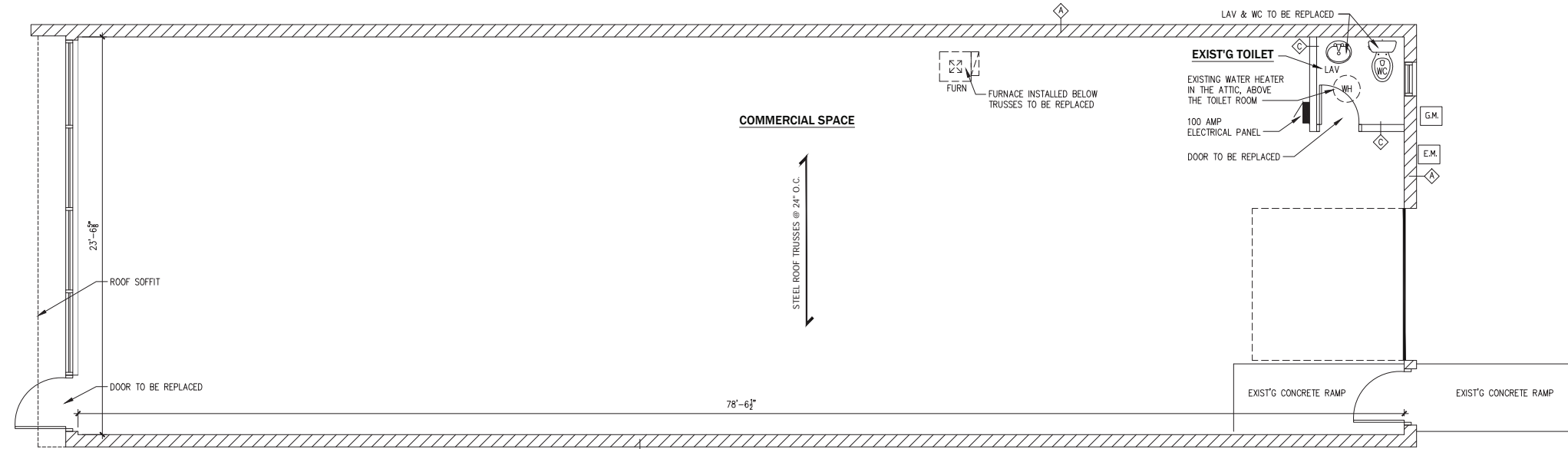
2540 HIGHPOINT DR.
LINDENHURST, IL 60046
TEL: (847) 347-0837

**INTERIOR RENOVATION OF THE EXISTING
1-STORY COMMERCIAL BUILDING**
1773 E OAKTON ST. DES PLAINES, IL 60018

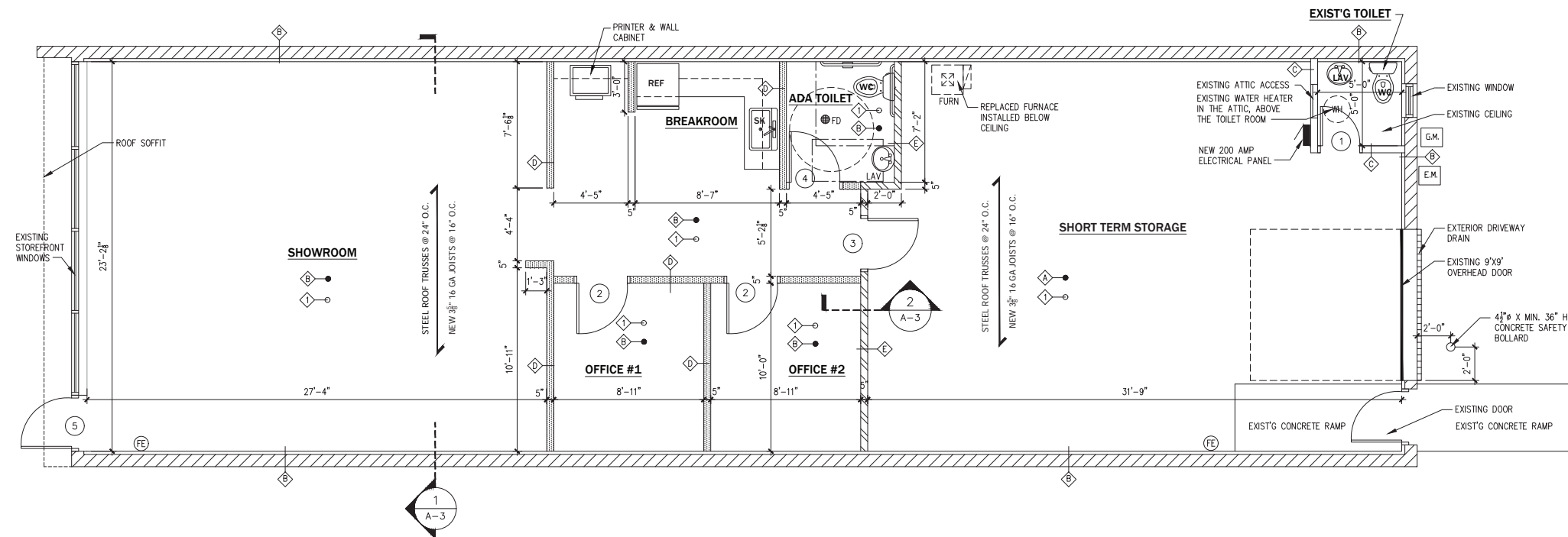
SITE PLAN,
ADA TOILET PLAN & ELEVATIONS
DOOR SCHEDULE
WALL/CEILING TAGS

PERMIT
DATE: 06/21/2021
CORRECTIONS:
DATE:

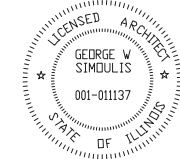
A-1



EXISTING COMMERCIAL SPACE PLAN
SCALE: 1/4"=1'-0"



PROPOSED PLAN
SCALE: 1/4"=1'-0"



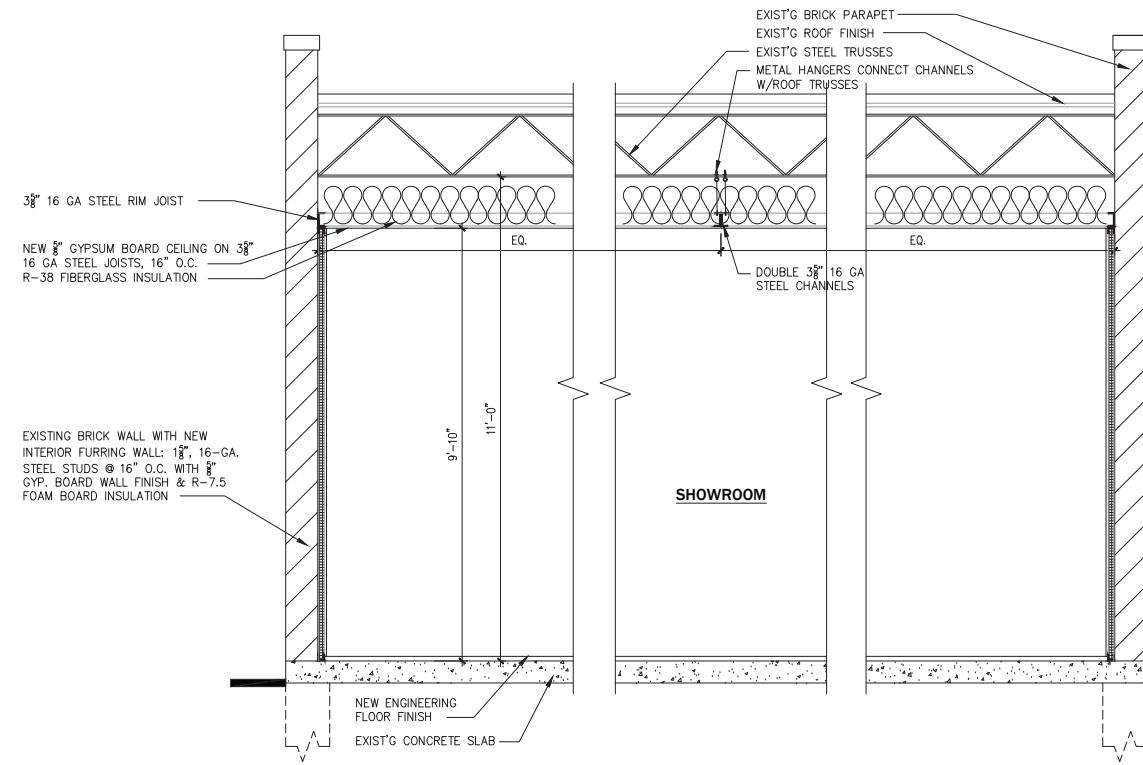
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GEORGE W. SIMOULIS ARCHITECT
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**INTERIOR RENOVATION OF THE EXISTING
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1773 E OAKTON ST. DES PLAINES, IL 60018

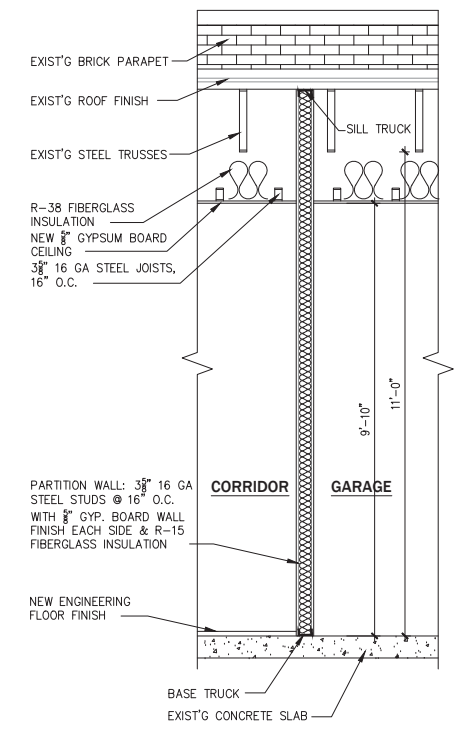
EXISTING & PROPOSED PLANS

PERMIT
DATE: 06/21/2021
CORRECTIONS:
DATE:

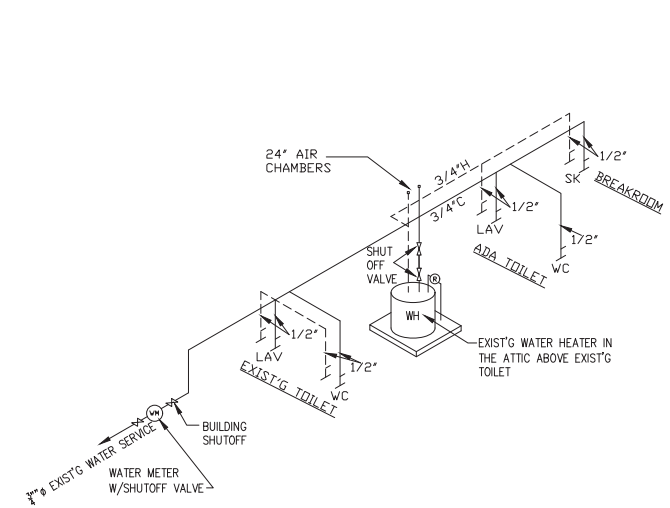
A-2



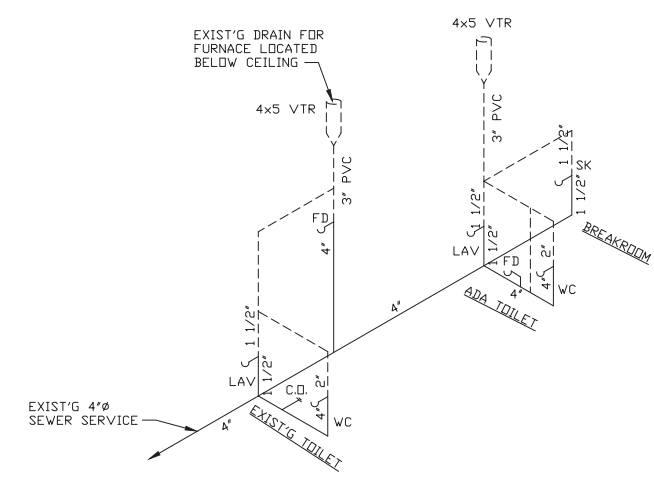
1 BUILDING SECTION
A-3 SCALE: 1/2"=1'-0"



2 WALL SECTION
A-3 SCALE: 1/2"=1'-0"



SUPPLY DIAGRAM
NOT TO SCALE



SANITARY LINE DIAGRAM
NOT TO SCALE

PLUMBING NOTES

USE ONLY WATER SAVER SILENT FLUSH TOILETS.
 ALL FLOOR DRAINS TO BE VENTED.
 PROVIDE SHUTOFFS AT ALL APPLIANCE LOCATIONS.
 PROTECT WATER PIPING AT BASE OF WALLS WITH NAIL GUARDS.
 2'-0" AIR CHAMBERS ARE TO BE INSTALLED AT THE TOP OF ALL MAIN RISERS.
 ALL PIPING TO BE PROPERLY SUSPENDED AND BRACED.
 ALL FIXTURES ARE TO BE CONTROLLED INDIVIDUALLY WITH ANGLE STOPS OR VALVES.
 UNDERGROUND WASTE MUST BE 4" CAST IRON MIN.
 USE PROPER IRON TO PVC CAULK ADAPTER AT SEWER SERVICE CONNECTION.
 20% OF TOTAL VENT ALLOWED IN HORIZONTAL POSITION.
 MINIMUM 4" VENT INCREASER THRU ROOF.
 MUST USE LEAD FLASHING ON ROOF VENTS.
 FACTORY MADE AIR CHAMBERS NOT ALLOWED.
 MUST USE LONG SWEEP DRAINAGE FITTINGS.
 OVERFLOW MUST CONNECT TO TUB WITHOUT FACEPLATE.
 MUST USE FULL FLOW BALL VALVES ON ALL SHUT OFF VALVES.
 ALL WASTE, VENT, WATER AND GAS PIPING SHALL BE TESTED WITH WATER OR AIR AND WITNESSED BY PLUMBING INSPECTOR.
 SADDLE VALVES NOT ALLOWED.
 FLEXIBLE CONNECTOR FOR GAS, OR WATER MAY ONLY BE USED IF INTEGRAL TO FIXTURE OR FIXTURE IS DESIGNED TO BE MOVED.
 DO NOT CUT OR DRILL THRU THE BOTTOM OF ANY JOIST.
 ALL PIPING MUST BE SECURED WITH PROPERLY SPACED HANGERS.
 3" PVC ALLOWED FOR 2 WATER CLOSETS PER STACK.
 2ND VENT STACK MUST BE SAME SIZE AS BRANCH WASTE LINE (UNLESS CONNECTION TO MAIN STACK IS MADE).
 SOLID PIPE OR TUBING WATER SUPPLY IS REQUIRED.
 ALL BUILDINGS DRAINS PASSING THROUGH A FOUNDATION WALL TO A POINT 4' OUTSIDE THE WALL, SHOULD BE OF CAST IRON MATERIAL.
 ABOVE GROUND VENT & WASTE PIPE TO BE COPPER "M", "L", OR "K" TYPE, CAST IRON OR SCH. 40 PVC.
 UNDERGROUND SANITARY TO BE SERVICE WEIGHT CAST IRON OR SCH. 40 PVC MINIMUM 4".
 WATER LINES WITHIN BUILDING SHALL BE CONSTRUCTED OF THE FOLLOWING MATERIALS:
 BELOW GRADE: COPPER TYPE "K"
 ABOVE GRADE: COPPER TYPE "L" OR "M" WITH NO LEAD SOLDER.

WATER SERVICE FIXTURE UNIT CALCULATION			
	QUANTITY	LOAD VALUES (W.S.F.U.)	TOTAL
WATER CLOSET (FLUSH TANK)	2	3	6
LAVATORY	2	1	2
SINK	1	2	2
GRAND TOTAL W.S.F.U.			10

EXISTING WATER MAIN PIPE SIZE: 2", EXISTING METER SIZE 2"

- ABBREVIATIONS**
- CW COLD WATER
 - HW HOT WATER
 - WC WATER CLOSET
 - LAV LAVATORY
 - SK SINK
 - FD FLOOR DRAIN
 - FCD FLOOR CLEAN-OUT
 - VTR VENT THRU ROOF
-
- COLD WATER LINE
 - - - - HOT WATER LINE
 - - - - WASTE LINE
 - - - - VENT LINE

ERR ARCHITECTURAL DESIGN, LLC.
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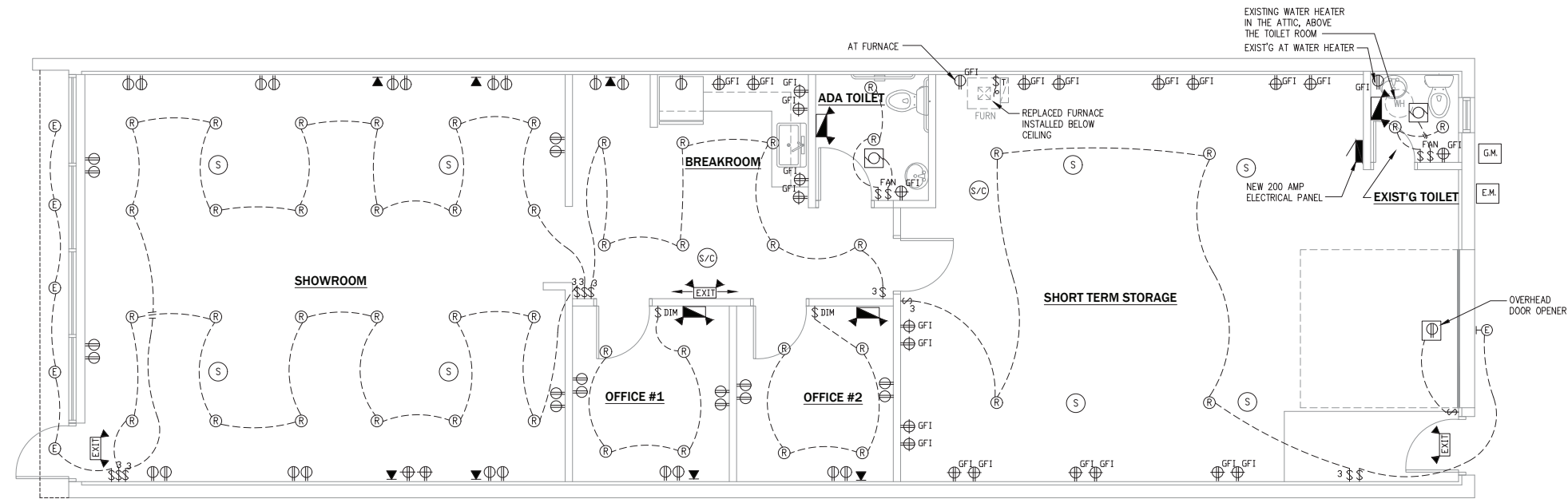
INTERIOR RENOVATION OF THE EXISTING 1-STORY COMMERCIAL BUILDING
 1773 E OAKTON ST. DES PLAINES, IL 60018

BUILDING & WALL SECTIONS
 PLUMBING DIAGRAM

PERMIT
 DATE: 06/21/2021
 CORRECTIONS:
 DATE:



A-3



ELECTRICAL PLAN
SCALE: 1/4"=1'-0"

ELECTRICAL SYMBOL LIST

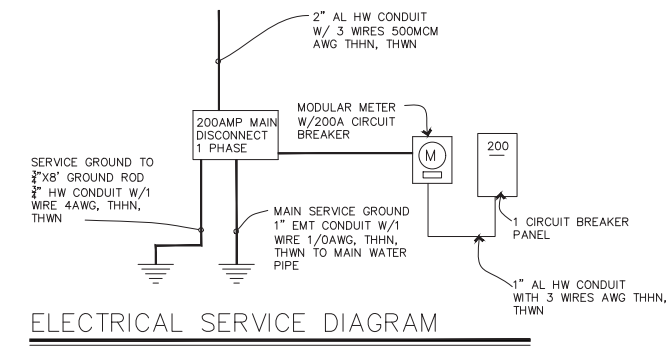
- ⌚ SINGLE POLE SWITCH
- ⌚3 THREE-WAY SWITCH
- ⌚DIM SWITCH WITH BUILT-IN DIMMER
- ⌚T THERMAL DISCONNECT SWITCH
- ⊕ 110 V DUPLEX ELECTRICAL OUTLET, 44" ABOVE THE FLOOR
- ⊕ 110 V DUPLEX ELECTRICAL OUTLET, 12" ABOVE THE FLOOR
- ▼ INTERNET OUTLET
- I INTERIOR SCONCE LIGHT
- ⊕-I EXTERIOR SCONCE LIGHT
- ⊕-R INTERIOR RECESSED INCANDESCENT LIGHT
- ⊕-E EXTERIOR RECESSED INCANDESCENT LIGHT
- ⊕-S IN-CEILING SPEAKER
- E.M. ELECTRICAL METER
- ⊕ ELECTRICAL PANEL
- GF1 GROUND FAULT INTERRUPTER DEVICE
- EXIT EXIT SIGN W/EMERGENCY LIGHTING ON 24HR. CIRCUIT
- EMERGENCY BATTERY PACK UNIT W/LIGHT HEADS ON 24HR. CIRCUIT
- S/C 120V SINGLE STATION SMOKE/CARBON MONOXIDE DETECTOR

ELECTRICAL NOTES

1. COPPER WIRE ONLY.
2. STYLE FINISHES, ETC. OF ALL FIXTURES AND DEVICES SHALL BE SELECTED BY OWNER AND SHALL BEAR A UL LABEL. ALL LIGHT FIXTURES TO BE INSTALLED IN MIN. 3" FROM INSULATION.
3. ALL SMOKE DETECTORS SHALL BE INSTALLED IN COMPLIANCE WITH NATIONAL ELECTRICAL CODE, AND SHALL BE PLACED IN LOCATIONS SHOWN ON PLANS. PROVIDE BATTERY BACK-UP.
4. SMOKE DETECTORS SHALL BE INTERCONNECTED SO WHEN ALARM IS ACTIVATED THEY ALL ACTIVATE.
5. ALL CEILING BOXES IN HABITABLE SPACES TO BE FAN RATED.
6. ALL RECEPTACLES TO BE AUTO-GROUND OR A BONDING WIRE SHALL BE INCLUDED.
7. RECESSED LIGHT FIXTURES IN INSULATED AREAS SHALL BE IC-RATED.
8. AC DISCONNECT SHALL BE OVER 3' FROM THE UNIT FOR ACCESS.
9. THE NEWLY WIRED SECTION REQUIRES ALL OUTLETS TO BE TAMPED RESISTANT.
10. INSTALL SEPARATE 20A BRANCH CIRCUITS FOR THE SMALL APPLIANCE, AND BATHROOM OUTLET LOADS.
11. PROVIDE "GF1" (GROUND FAULT INTERRUPTER) PROTECTION FOR ALL BATH ROOM AND OTHER DAMP LOCATION CIRCUITS

	LOAD (VA)			AMPS/POLE			LOAD (VA)			SERVES MOTOR (VA)		
	A #	B #	C #	1	2	3	A #	B #	C #	HEATING (VA) OR SPACE (VA)	REF.	SPACE (VA)
LIGHTING	800			15	1	2	15	1	1	800	LIGHTING	
LIGHTING		800		15	3	4	15	1		800	LIGHTING	
LIGHTING	800			15	5	6	15		800	LIGHTING		
RECEPTACLES			1000	15	7	8	15	1		1000	RECEPTACLES	
FURNACE			1300	20	11	12	20	1		1000	RECEPTACLES	
AIR CONDITIONER	1800			30	13	14	20	1		1000	RECEPTACLES	
EXTERIOR LIGHTING		1000		15	15	16	20	1		1100	WATER HEATER	
LIGHTING	800			15	17	18	20	1		1000	REF.	
LIGHTING		800		15	19	20	20	1		1500	MICROWAVE	
EXIT SIGNS	300			15	21	22	15	1		200	EMERGENCY LIGHTS	
EMERGENCY LIGHTS		200		15	23	24					SPACE	
SPACE					25	26						
					27	28						
					29	30						
					31	32						
					33	34						
					35	36						
					37	38						
					39	40						
					41	42						

TOTAL WATTS: 20,800
 TOTAL PANEL LOAD 20.8 KVA 86.7 AMPS
 120/240 VOLTS 1 PHASE 3 WIRE, S.N.
 200 AMP. MAIN LUGS AMP.MAIN BRK.



ELECTRICAL SERVICE DIAGRAM

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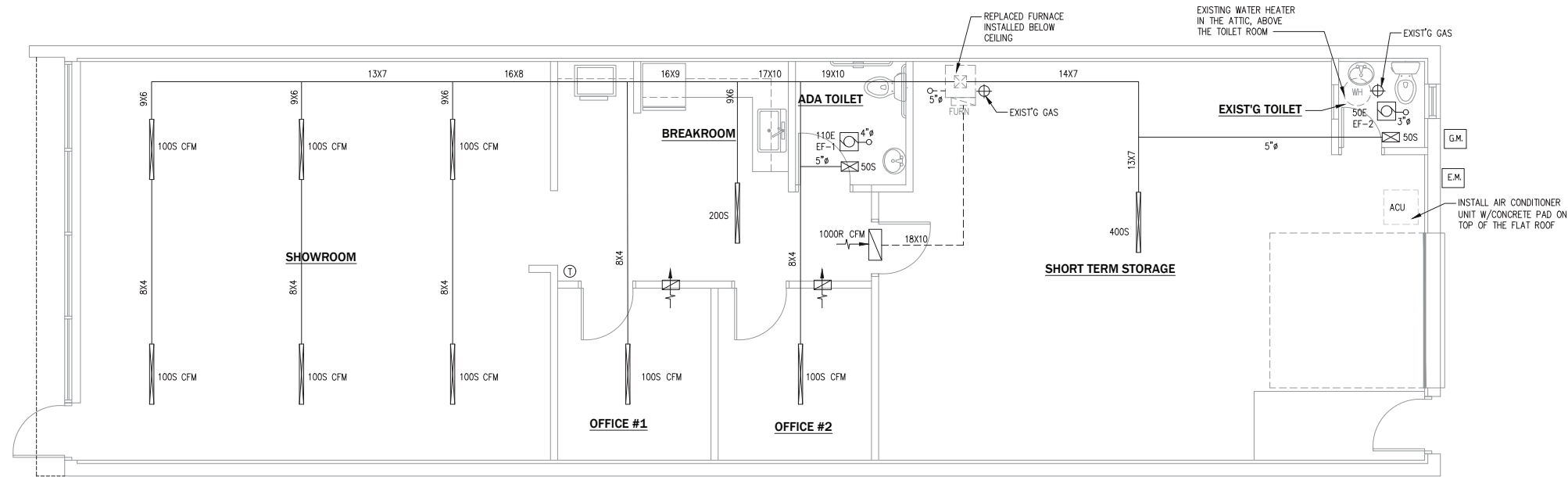
INTERIOR RENOVATION OF THE EXISTING 1-STORY COMMERCIAL BUILDING
 1773 E OAKTON ST. DES PLAINES, IL 60018

ELECTRICAL PLAN
 PANEL SCHEDULE
 ELECTRICAL SERVICE DIAGRAM

PERMIT
 DATE: 06/21/2021
 CORRECTIONS:
 DATE:



A-4



MECHANICAL PLAN
SCALE: 1/4"=1'-0"

SPACE	FLOOR AREA	LIGHT AND VENT SCHEDULE							
		NATURAL				MECHANICAL VENTILATION			
		REQ.	ACT.	REQ.	ACT.	REQ. CFM	EXH. CFM	SUPPLY CFM	EXH. CFM
SHORT TERM STORAGE	691	N.R.	--	N.R.	--	N.R.	N.R.	400	--
EXIST'G TOILET	25	N.R.	5.64	N.R.	2.82	N.R.	50	50	50
SHOWROOM	634	N.R.	130.00	N.R.	20.00	380.4	190.2	600	600
OFFICE #1	89	N.R.	--	N.R.	--	53.4	26.7	100	50
OFFICE #2	89	N.R.	--	N.R.	--	53.4	26.7	100	50
BREAKROOM	101	N.R.	--	N.R.	--	151.5	151.5	200	200
ADA TOILET	46	N.R.	--	N.R.	--	N.R.	92	50	110
TOTAL								1,500	1,060

GAS FURNACE
CARRIER, MODEL # 59SC2D100E21-20,
100,000 BTU, 92% AFUE

4 TON EVAPORATOR N. COIL
CARRIER, MODEL # CNHP4821ALA

4 TON AIR CONDITIONER
CARRIER, MODEL # CA13NA048BNG,
13 SEER, REFRIGERANT R-410A

EF-1: QTY. 1
MANUFACTURER "BROAN", MODEL AE110K,
FAN UNIT
110 CFM 1.0 SONES
INCLUDED 4" DUCT
120V/60 Hz/0.3 AMPS

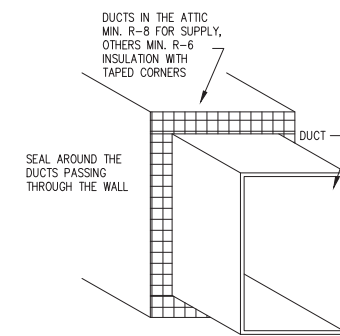
EF-2: QTY. 1
MANUFACTURER "BROAN", MODEL 670,
FAN UNIT
50 CFM 3.5 SONES
INCLUDED 3" DUCT
120V/60 Hz/0.8 AMPS

MECHANICAL SYMBOL LIST

- SUPPLY AIR REGISTER
- RETURN AIR REGISTER
- SUPPLY DUCT
- RETURN DUCT
- CFM CUBIC FEET OF AIR PER MINUTE
- 100E CFM EXHAUST
- 100S CFM SUPPLY
- 100R CFM RETURN
- THERMOSTAT
- GAS
- EF EXHAUST FAN
- VENT UP TO ROOF
- EXHAUST FAN

MECHANICAL NOTES

- ALL DUCT WORK MUST CONFORM TO SMACNA.
- CLEARANCES FOR FORCED AIR FURNACES MUST CONFORM TO MANUFACTURER'S REQUIREMENTS.
- NO VOLUME DAMPERS ARE PERMITTED IN THE AIR INLET TO FURNACES.
- FUEL-BURNING DEVICES THAT PRODUCE CONDENSATE MUST BE DRAINED.
- OVERFLOW DRAINS SHOULD DISCHARGE IN A CONSPICUOUS LOCATION.
- NATURAL GAS PIPING SHALL BE SCHEDULE 40 BLACK PIPE WITH 150# MALLEABLE IRON FITTINGS. GAS PIPING LARGER THAN 2" INSIDE DIA. OR CARRYING MORE THAN 5 PSIG SHALL BE SCHEDULE 40 WELDED BLACK PIPE WITH STANDARD WELD FITTINGS.
- COMBUSTION AIR INTAKE SHOULD NOT BE LESS THAN 2 SQ. INCHES PER 1,000 BTU OUTPUT.
- OUTSIDE AIR NOT TO BE TAKEN FROM TOILET ROOMS, BATHROOMS, KITCHENS, GARAGES OR MECHANICAL ROOMS.
- ALL ATTIC DUCTS SHALL BE INSULATED.
- CONNECTION TO THE DIFFUSER AND REGISTER CAN BE MADE WITH INSULATED RIGID DUCT. THE MAXIMUM LENGTH SHALL BE 5'-0".



PROVIDE INSULATION FOR DUCTS IN UNHEATED SPACE

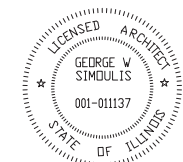
DUCT INSULATION

**INTERIOR RENOVATION OF THE EXISTING
1-STORY COMMERCIAL BUILDING**

1773 E OAKTON ST. DES PLAINES, IL 60018

**MECHANICAL PLAN
LIGHT & VENT SCHEDULE**

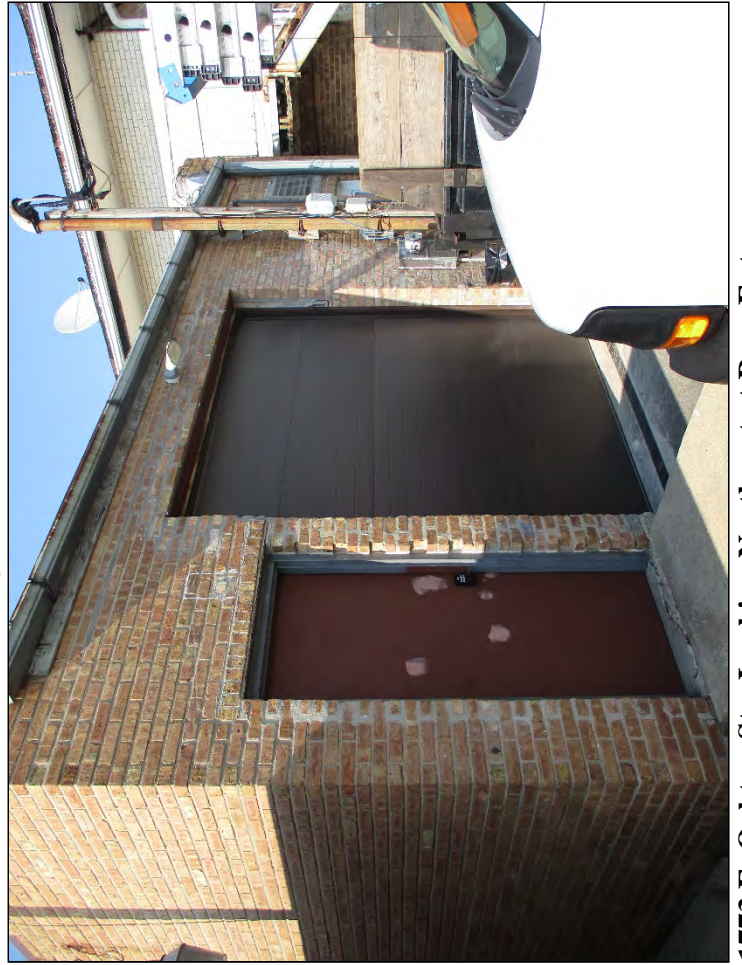
PERMIT
DATE: 06/21/2021
CORRECTIONS:
DATE:



A-5



1773 E. Oakton St – Looking South at Front of Site



1773 E. Oakton St – Looking Northeast at Rear Entrance



1773 E. Oakton St – Public Notice



1773 E. Oakton St – Looking Northeast at Rear Parking Area



MEMORANDUM

Date: July 27, 2021
To: Planning and Zoning Board (PZB)
From: Jonathan Stytz, Planner JS
Cc: John Carlisle, AICP, Economic Development Manager
Subject: Consideration of Variation Request to Allow an Addition at 1655 Lincoln Avenue

Issue: The petitioner is requesting a Standard Variation under Section 12-7-2(J) of the 1998 Des Plaines Zoning Ordinance, as amended, to allow for second-story dormer additions to an existing single-family residence that does not meet the minimum five-foot side yard setback requirement for a principal structure in the R-1 zoning district at 1655 Lincoln Avenue.

Address: 1655 Lincoln Avenue
Owner: Alex Tedeschi, 1655 Lincoln Avenue, Des Plaines, IL 60018
Petitioner: Alex Tedeschi, 1655 Lincoln Avenue, Des Plaines, IL 60018
Case Number: 21-029-V
PIN: 09-21-311-006-0000
Ward: #2, Alderman Colt Moylan
Existing Zoning: R-1, Single Family Residential District
Existing Land Use: Single Family Residence
Surrounding Zoning: North: R-1, Single Family Residential District
South: C-3, General Commercial District
East: R-1, Single-Family Residential District
West: R-1, Single Family Residential District
Surrounding Land Use: North: Single Family Residence
South: Multi-Family Residence
East: Single Family Residence

West: Single Family Residence

Street Classification: Lincoln Avenue is classified as a local road.

Comprehensive Plan: The Comprehensive Plan illustrates the site as Single-Family Residential.

Project Description: The petitioner, Alex Tedeschi, is requesting a Standard Variation to allow for second-story dormer additions to an existing single-family residence at 1655 Lincoln Avenue. The existing house does not meet the minimum five-foot side yard setback requirement for principal structures in the R-1 zoning district. The subject property is approximately 11,309 square feet and 60 feet wide. It is improved with a two-story (20.5-foot tall), 1,131-square-foot residence, an uncovered patio with stairs, private walks, a 336-square-foot detached garage accessed from the street, and an asphalt driveway, as shown in the Plat of Survey (Attachment 3). A building permit was issued in May 2021 for a 440-square-foot detached garage with an attached 154-square-foot covered porch area and a widened concrete driveway for this property that are not shown on the Plat of Survey. The existing single family residence is set back 2.57-feet from the east (side) property line and 19.64-feet from the north (front) property line. The minimum requirement for side yards is 5 feet, and the minimum for front yards is 25 feet. Please see the Existing Condition Photos (Attachment 6) for additional information on the existing conditions of the single-family residence on this property.

The petitioner is requesting the dormer additions to make the existing second story into a livable space complete with three bedrooms, closet areas, and restroom as shown in the Architectural Plan/Site Plan (Attachment 5). The proposal includes the interior remodel of the second story and the addition of four dormers, two on the east side and two on the west side. The east building elevation is currently located 2.57-feet off the property line. The two proposed dormers on the east side of the building will be flush with the existing 2.57-foot building elevation setback, which extends the nonconformity vertically and triggers the need for the variance to reduce the minimum side yard (Section 12-7-2.J). Aside from the addition of the four dormers, the proposal does not include any changes to the existing single family residence (i.e., height, size, location, exterior building materials, etc.). There is an existing second-story dormer on the north (front) building elevation of the single family residence that encroaches into the required front yard. However, this dormer is not part of this proposal and will remain as is without any changes. There are no proposed changes to the first floor of the residence.

Alignment with the Comprehensive Plan

The proposed project, including the proposed site improvements, addresses various goals and objectives of the 2019 Comprehensive Plan including the following aspects:

- Future Land Use Plan:
 - The property is marked for the Single Family Residential land use. The Future Land Use Plan strives to create a well-balanced development area with a healthy mixture of commercial and residential uses. The petitioner strives to make functional and aesthetic improvements to the existing property in an effort to utilize existing space in the building while still maintaining the character of the single family residence.

While the aforementioned aspects represent a small portion of the goals and strategies of the Comprehensive Plan, there is a large emphasis on encouraging reinvestment in residential properties in order to enhance the residential corridors throughout Des Plaines and to increase the quality of life for residents.

Variation Findings: Variation requests are subject to the standards set forth in Section 12-3-6(H) of the Zoning Ordinance. Staff has the following comments based on the standards.

- 1. Hardship: No variation shall be granted pursuant to this subsection H unless the applicant shall establish that carrying out the strict letter of the provisions of this title would create a particular hardship or a practical difficulty.**

Comment: The physical constraints of the property's current configuration, including the location of buildings, prevent the petitioner from realistically complying with the Zoning Ordinance. The existing single family residence was constructed less than five feet from the side property line. Requiring the petitioner to relocate the existing residence could create a financial and physical hardship for the petitioner. Please see the responses to standards from the Petitioner.

- 2. Unique Physical Condition: The subject lot is exceptional as compared to other lots subject to the same provision by reason of a unique physical condition, including presence of an existing use, structure, or sign, whether conforming or nonconforming; irregular or substandard shape or size; exceptional topographical features; or other extraordinary physical conditions peculiar to and inherent in the subject lot that amount to more than a mere inconvenience to the owner and that relate to or arise out of the lot rather than the personal situation of the current owner of the lot.**

Comment: The existing structure two and a half feet from the lot line is unique. The existing residence location and configuration limit the optimal locations for a dormer making it difficult for the petitioner to comply with all applicable zoning regulations. Please see the responses to standards from the Petitioner.

- 3. Not Self-Created: The aforesaid unique physical condition is not the result of any action or inaction of the owner or its predecessors in title and existed at the time of the enactment of the provisions from which a variance is sought or was created by natural forces or was the result of governmental action, other than the adoption of this title.**

Comment: The size and shape of the property have not changed due to any action of the petitioner. The unique physical constraints of the property are unavoidable due to the fact that the property is land-locked. Please see the responses to standards from the Petitioner.

- 4. Denied Substantial Rights: The carrying out of the strict letter of the provision from which a variance is sought would deprive the owner of the subject lot of substantial rights commonly enjoyed by owners of other lots subject to the same provision.**

Comment: Carrying out of the strict letter of the Zoning Ordinance would not allow the petitioner to adequately and intuitively utilize and expand the second story area of the residence. Please see the responses to standards from the Petitioner.

- 5. Not Merely Special Privilege: The alleged hardship or difficulty is neither merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision, nor merely the inability of the owner to make more money from the use of the subject lot.**

Comment: The approval of this variation would not provide the petitioner with any special privilege or additional right, as these exact circumstances occurring on a different property would warrant similar consideration. The proposal would allow the petitioner to make improvements to an existing

property by improving the existing second story area of the residence with additional living space. Please see the responses to standards from the Petitioner.

- 6. Title And Plan Purposes: The variation would not result in a use or development of the subject lot that would be not in harmony with the general and specific purposes for which this title and the provision from which a variation is sought were enacted or the general purpose and intent of the comprehensive plan.**

Comment: The approval of this variation would contribute to a harmonious neighborhood by accommodating a proposed investment in a single-family residence that upon completion will be in context with the surrounding area. Reinvestment in and retention of the illustrated single-family neighborhoods is supported by the Comprehensive Plan. Please see the responses to standards from the Petitioner.

- 7. No Other Remedy: There is no means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject lot.**

Comment: It would be impractical for the applicant to design the dormers in a way that maintained the five-foot minimum side yard. The location of the existing residence is nonconforming with the current side yard, so reducing the side yard to allow for the proposed project is the most reasonable way to encourage and support the planned reinvestment in the property. Please see the responses to standards from the Petitioner.

- 8. Minimum Required: The requested variation is the minimum measure of relief necessary to alleviate the alleged hardship or difficulty presented by the strict application of this title.**

Comment: The approval of this variation would be the minimum measure of relief for the petitioner to overcome the existing physical hardship on the property and make improvements to the existing residence. Please see the responses to standards from the Petitioner.

PZB Procedure and Recommended Conditions: Under Section 12-3-6(F) of the Zoning Ordinance (Standard Variations), the PZB has the authority to approve, approve subject to conditions, or deny the request: A variance allowing a two and a half foot wide side yard setback from east lot line to accommodate the proposed second-story dormer addition to an existing single-family residence at 1655 Lincoln Avenue. The decision should be based on review of the information presented by the applicant and the standards and conditions met by Section 12-3-6(H) (Findings of Fact for Variations) as outlined in the Zoning Ordinance.

If the PZB supports approving the request, staff recommends the following conditions.

1. No portion of the single family residence overhangs the property line.
2. No easements are affected or drainage concerns are created with the construction of the detached garage addition and all roof downspouts are directed away from the neighbor to the north.
3. All construction with a fire separation distance of less than five feet is required to comply with the requirements of the 2015 International Residential Code, 'Section R302 Fire – Resistant Construction.' The current design requires that the dormer additions proposed for the East side of the principal structure will be required to comply with the fire resistant construction requirements. All required documentation should be included with building permit submittal.
4. All debris shall be removed from the property.
5. That all appropriate building permit documents and fire-rated separation details are submitted as necessary depending on the use classification of the proposed space. All permit documents shall be

sealed and signed by a design professional licensed in the State of Illinois and must comply with all City of Des Plaines building codes.

Attachments:

Attachment 1: Petitioner's Standards for Variation

Attachment 2: Location Map

Attachment 3: Plat of Survey

Attachment 4: Architectural Plan/Site Plan

Attachment 5: Existing Condition Photos

Attachment 6: Site Photos

Standards for Variations

Subject Property: 1655 E Lincoln Ave

Request: Standard Variation to reduce Side Yard Setback from 5' to 2.57' for existing non-conforming home and second floor dormer addition

1. Hardship: No variation shall be granted pursuant to this subsection H unless the applicant shall establish that carrying out the strict letter of the provisions of this title would create a particular hardship or practical difficulty.

The existing structure (single family residence) is existing non-conforming over the front and side yard lot lines. The Owner proposes adding dormers to the second story to provide adequate headroom and adequate structural member sizing to bring their existing second story up to code requirements. (Current member sizing is inadequate, and the resulting headroom would be inadequate as well) The existing front dormer will be updated to conform with the Village's "ordinary maintenance and repair" requirements, and the Owners propose reducing the required side yard setback (5') to the existing side yard setback of 2.57'. The hardship demonstrated is bringing the inadequate structural members for the existing second floor up to code would create to little headroom for the second story to be occupiable. Dormering out would provide adequate headroom, but the existing non-conforming side yard setback would not allow building up and "increasing the degree of non-conformity". This requested variation would relieve these hardships.

2. Unique Physical Condition: The subject lot is exceptional as compared to other lots subject to the same provision by reason of a unique physical condition, including presence of an existing use, structure, or sign, whether conforming or nonconforming; irregular or substandard shape or size; exceptional topographical features; or other extraordinary physical conditions peculiar to and inherent in the subject lot that amount to more than a mere inconvenience to the owner and that relate to or arise out of the lot rather than the personal situation of the current owner of the lot.

This is an historic bungalow located on a narrow lot (60 feet wide, 55 feet is minimum) that has no rear alley. Thus the driveway is located on the side of the home to a garage at the rear. This was likely the reason for the house's situation so near the side yard lot line.

3. Not Self Created: The aforesaid unique physical condition is not the result of any action or inaction of the owner or its predecessors in title and existing at the time of the enactment of the provisions from which a variance is sought or was created by natural forces or was the result of governmental action, other than the adoption of this title.

This is an historic bungalow located in the downtown district of Des Plaines. The house was situated on its lot in the 1920's. The existing non-conforming status was not self-created. The Owner wishes to improve the home and keep this traditional home which are so important to this area of Des Plaines, rather than building new. The existing floor joists and roof joists are original and have become outdated to current structural codes.

4. Denied Substantial Rights: The carrying out of the strict letter of the provision from which a variance is sought would deprive the owner of the subject lot of substantial rights commonly enjoyed by owners of other lots subject to the same provision.

Each historic house in Des Plaines is uniquely situated on their lot - most comply with the existing zoning ordinance requirements. This is a unique lot that is narrow, has a side driveway and no alley, and the exterior wall is 2.57' from the property line. Many other owners of historic properties in Des Plaines are able to improve their homes, bring their structures up to current codes, and utilize their second floor living spaces. This particular structure would not be able to make these same changes while following the strict letter of the law.

5. Not Merely Special Privilege: The alleged hardship or difficulty is neither merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision, nor merely the inability of the owner to make more money from the use of the subject lot.

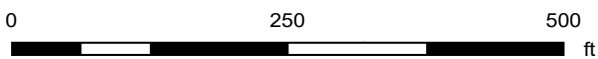
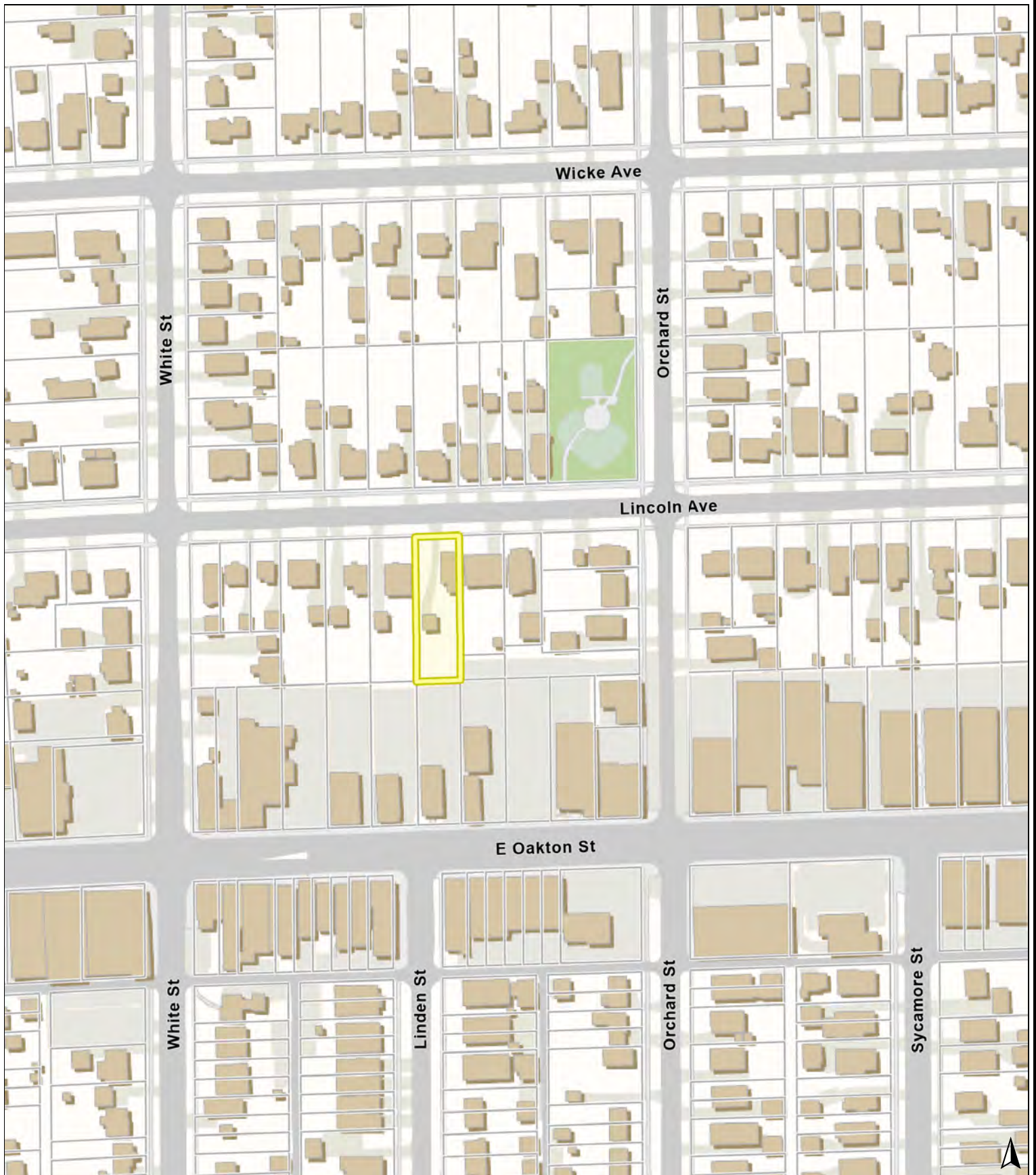
The hardship and proposed solution above is not merely some special privilege and would not allow the owner to make more money from the use of the subject lot.

6. Title and Plan Purposes: The variation would not result in a use or development of the subject lot that would not be in harmony with the general and specific purposes for which this title and the provision from which a variation is sought were enacted or the general purpose and intent of the comprehensive plan.

The variation will result in the same use as exists currently - a single family residence.

7. No Other Remedy: There is no means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject lot.

As described above - this 2-story residence is unable to be used as such without this requested variation.



Print Date: 8/5/2021

Notes

Disclaimer: The GIS Consortium and MGP Inc. are not liable for any use, misuse, modification or disclosure of any map provided under applicable law. This map is for general information purposes only. Although the information is believed to be generally accurate, errors may exist and the user should independently confirm for accuracy. The map does not constitute a regulatory determination and is not a base for engineering design. A Registered Land Surveyor should be consulted to determine precise location boundaries on the ground.



PROPERTY ADDRESS: 1655 E LINCOLN AVE., DES PLAINES, ILLINOIS 60018

SURVEY NUMBER: IL1908.5924

FIELD WORK DATE: 8/28/2019

REVISION DATE(S): (REV D 9/4/2019)

IL1908.5924
BOUNDARY SURVEY
COOK COUNTY

LOT 5 IN BLOCK 14 IN ARTHUR T. MCINTOSH AND COMPANY'S ADDITION TO DES PLAINES HEIGHTS BEING A SUBDIVISION OF THAT PART EAST OF RAILROAD OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 20, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND OF THAT PART WEST OF DES PLAINES ROAD OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 (EXCEPT 4 ACRES IN THE NORTHEAST CORNER THEREOF) OF SECTION 21, TOWNSHIP 41 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

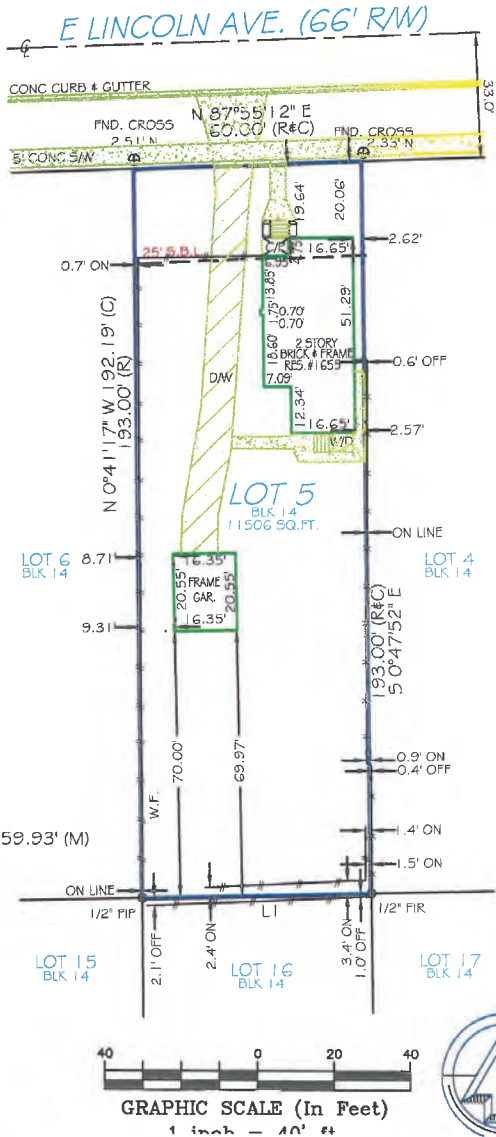


TABLE:
L1 60.00' (R)
S 88°41'36" W 59.93' (M)

STATE OF ILLINOIS } 55
COUNTY OF DU PAGE

THIS IS TO CERTIFY THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. GIVEN UNDER MY HAND AND SEAL THIS 3RD DAY OF SEPTEMBER, 2019 AT 312 S. HALE STREET IN WHEATON, IL 60187.

ILLINOIS PROFESSIONAL LAND SURVEYOR No. 2971
LICENSE EXPIRES 11/30/2020
EXACTA LAND SURVEYORS
PROFESSIONAL DESIGN FIRM 184008059-0008



GRAPHIC SCALE (In Feet)
1 inch = 40' ft



THE ABOVE SURVEY IS A PROFESSIONAL SERVICE IN COMPLIANCE WITH THE MINIMUM STANDARDS OF THE STATE OF ILLINOIS. NO IMPROVEMENTS SHOULD BE MADE ON THE BASIS OF THIS PLAT ALONE. PLEASE REFER ALSO TO YOUR DEED, TITLE POLICY AND LOCAL ORDINANCES. COPYRIGHT BY EXACTA ILLINOIS SURVEYORS. THIS DOCUMENT MAY ONLY BE USED BY THE PARTIES TO WHICH IT IS CERTIFIED. PLEASE DIRECT QUESTIONS OR COMMENTS TO EXACTA ILLINOIS SURVEYORS, INC. AT THE NUMBER IN THE BOTTOM RIGHT CORNER.

POINTS OF INTEREST

CLIENT NUMBER:	DATE: 09/04/19
BUYER: ALEX TEDESCHI	
SELLER: MARK CUMMINGS	
CERTIFIED TO: ALEX TEDESCHI; CHICAGO TITLE; QUICKEN LOANS	

Exacta Proudly Supports

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transforming lives...

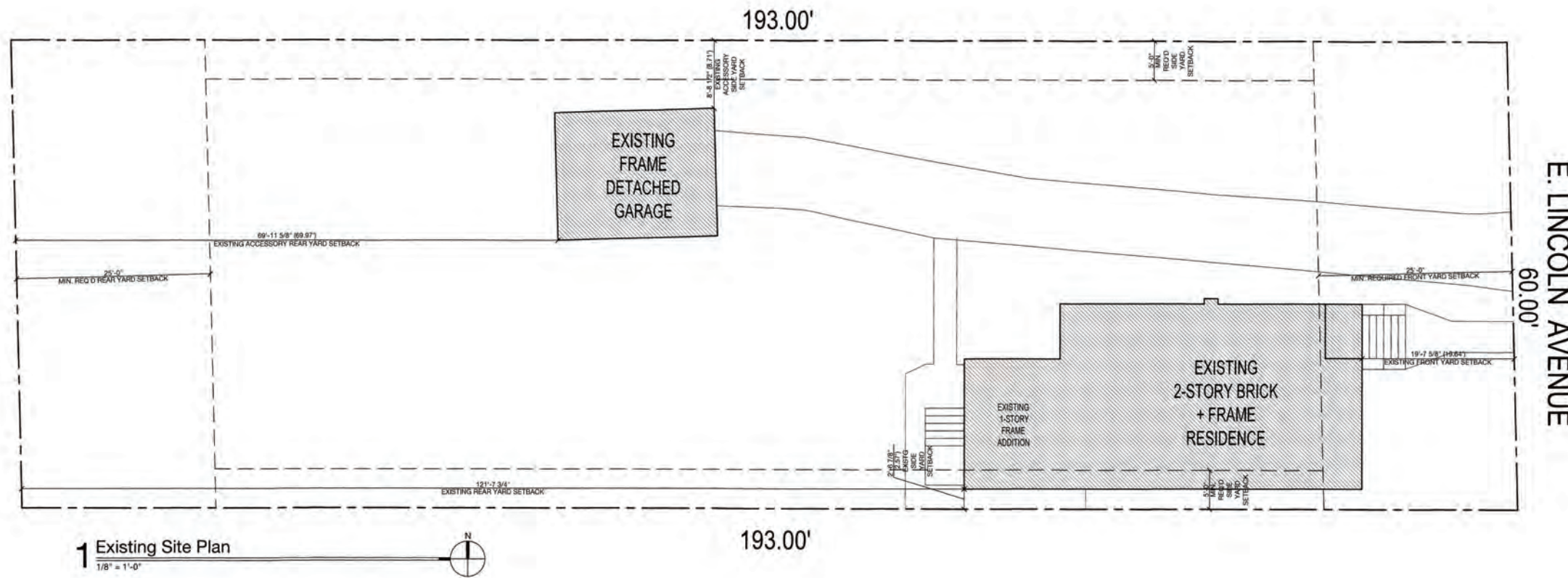
www.thecaraprogram.org

Since 1991, The Cara Program has placed more than a 100 national adults into new (or old) quality independent living. The large number of facilities to enter the market of senior care are generated by the need.

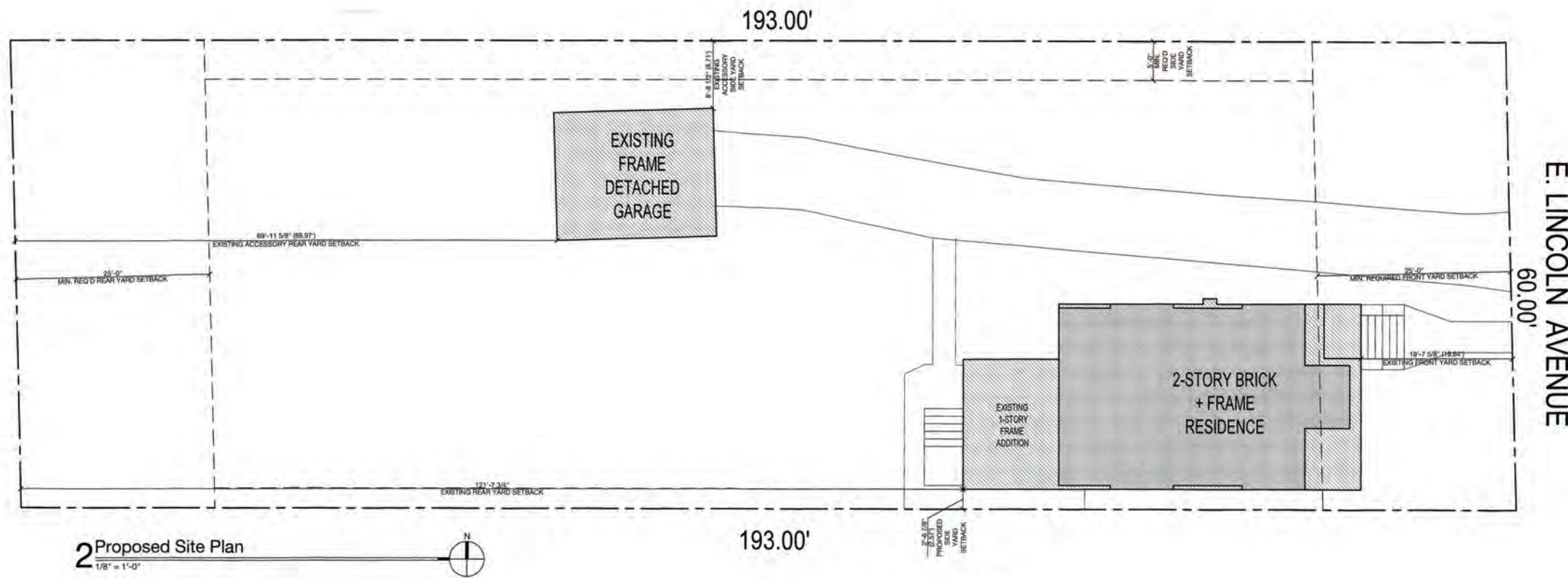
EXACTA LAND SURVEYORS, LLC.

LB# 184008059
316 East Jackson Street, Morris, IL 60450
Phone: 773-305-4011

Please remit payment to: 2232 E 9th St, Suite 310 / Cleveland, OH 44115



1 Existing Site Plan
1/8" = 1'-0"



2 Proposed Site Plan
1/8" = 1'-0"

ZONING INFORMATION	
LOCATION:	1655 E LINCOLN AVE
ZONING:	R-1
USE:	SINGLE FAMILY RESIDENTIAL
PROPOSED HT.:	20.5' EXISTING
LOT AREA:	11,580 SF

LOT COVERAGE INFORMATION	
PRIMARY STRUCTURE:	EXISTING: 1,131 SF PROPOSED: 1,131 SF
ACCESSORY STRUCTURE:	EXISTING: 336 SF PROPOSED: 336 SF
REAR YARD:	EXISTING: 7,299 SF PROPOSED: 7,299 SF
BUILDING COVERAGE (MAX 30%):	EXISTING: 12.88% PROPOSED: 12.88%
REAR YARD COVERAGE (MAX 60%):	EXISTING: 11.3% PROPOSED: 11.3%

SETBACK INFORMATION		
SETBACK:	REQUIRED:	EXISTING:
FRONT YARD:	25'	19.64'
REAR YARD:	5'	121.65'
SIDE YARD:	5'	2.57'

DEW Design Company LLC
2800 Canterfield Pkwy E West Dundee, IL
Unit #115
(708)363-0258
www.dewdesignchicago.com

IL PROFESSIONAL DESIGN FIRM
LICENSE NO: 184.008460-0001
EXPIRES 4/30/2023

IL LICENSE NO: 001.023956
EXPIRES 11/30/2022

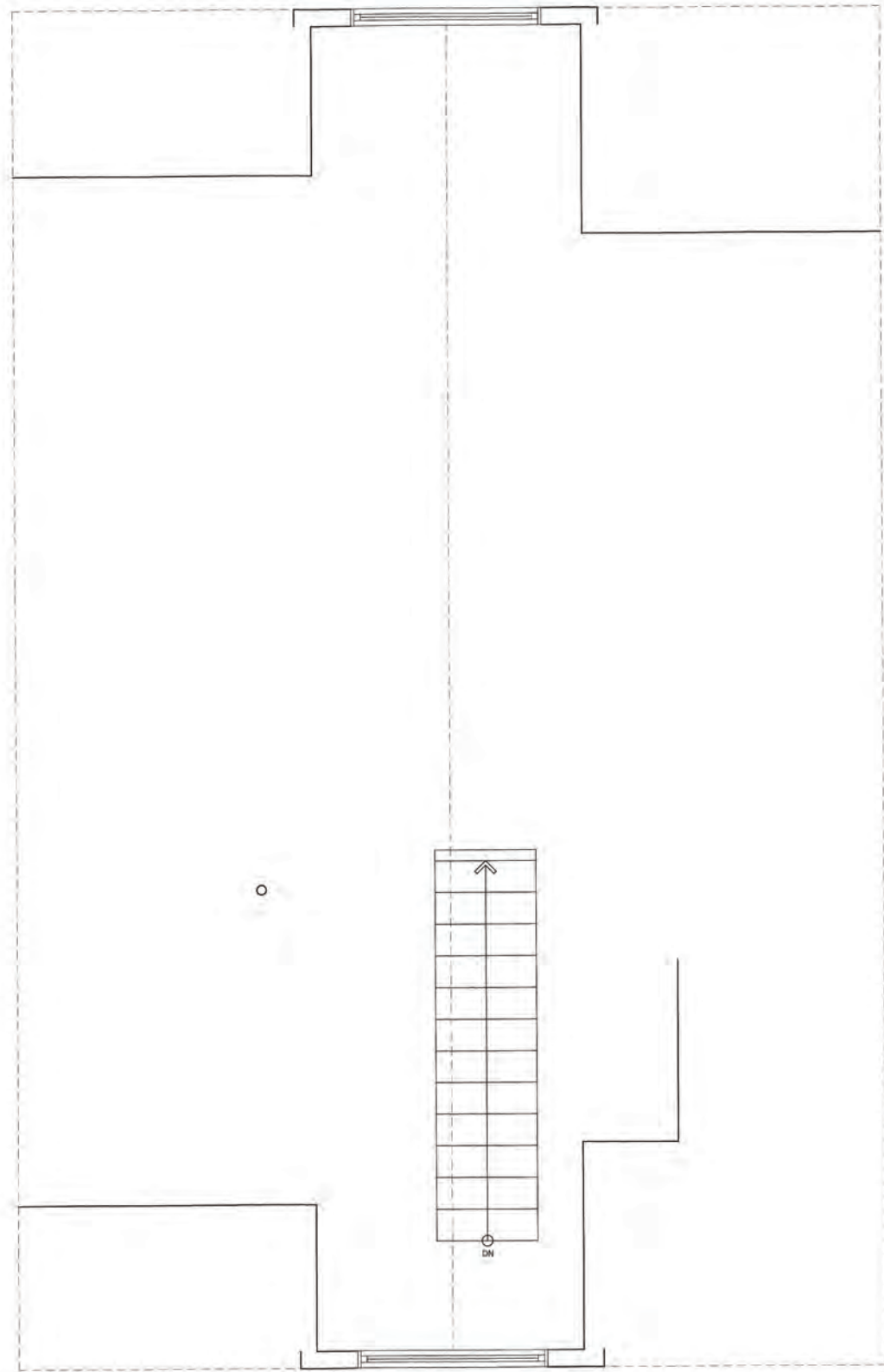


PLOT DATE: 6/21/2021

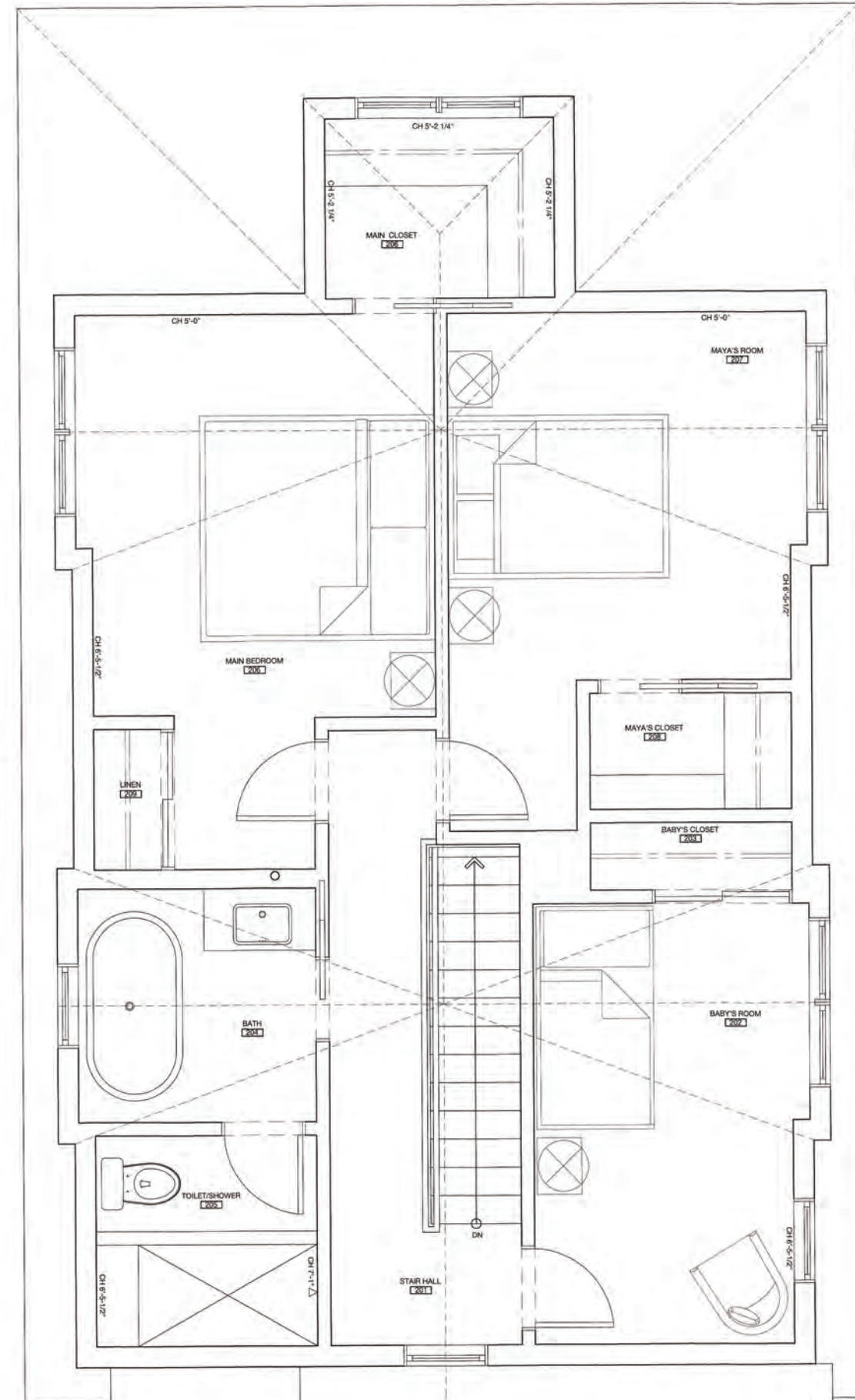
The Tedeschi Residence
1655 E Lincoln Ave Des Plaines, IL
EXISTING + PROPOSED SITE
PLANS

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1 Existing Second Floor Plan
1/2" = 1'-0"



2 Proposed Second Floor Plan
1/2" = 1'-0"



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 Unit #1115
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PLOT DATE: 6/7/2021

The Tedeschi Residence
 1655 E Lincoln Ave Des Plaines, IL
**EXISTING + PROPOSED
 SECOND FLOOR PLANS**

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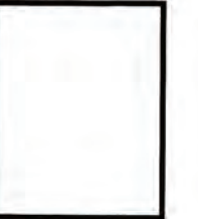
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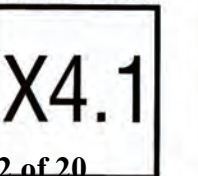
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 EXPIRES 11/30/2022



PLOT DATE: 6/7/2021

The Tedeschi Residence
 1655 E Lincoln Ave Des Plaines, IL
**EXISTING EXTERIOR
 ELEVATIONS**

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1 North Exterior Elevation
 1/4" = 1'-0"



2 West Exterior Elevation
 1/4" = 1'-0"



3 South Exterior Elevation
 1/4" = 1'-0"



4 East Exterior Elevation
 1/4" = 1'-0"



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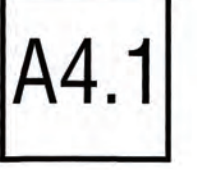
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 IL LICENSE NO: 001.023956
 EXPIRES 11/30/2022



PLOT DATE: 6/7/2021

The Tedeschi Residence
 1655 E Lincoln Ave Des Plaines, IL
PROPOSED EXTERIOR ELEVATIONS

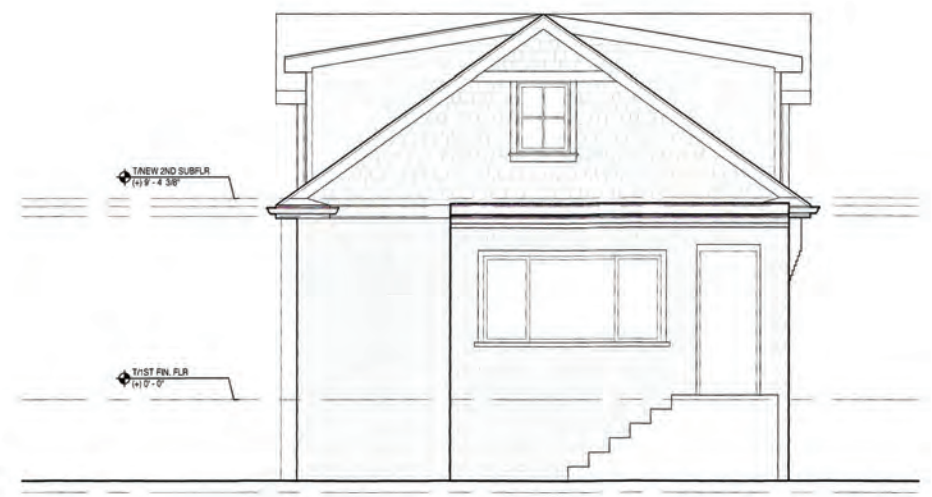
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1 North Exterior Elevation
 1/4" = 1'-0"



2 West Exterior Elevation
 1/4" = 1'-0"



3 South Exterior Elevation
 1/4" = 1'-0"



4 East Exterior Elevation
 1/4" = 1'-0"















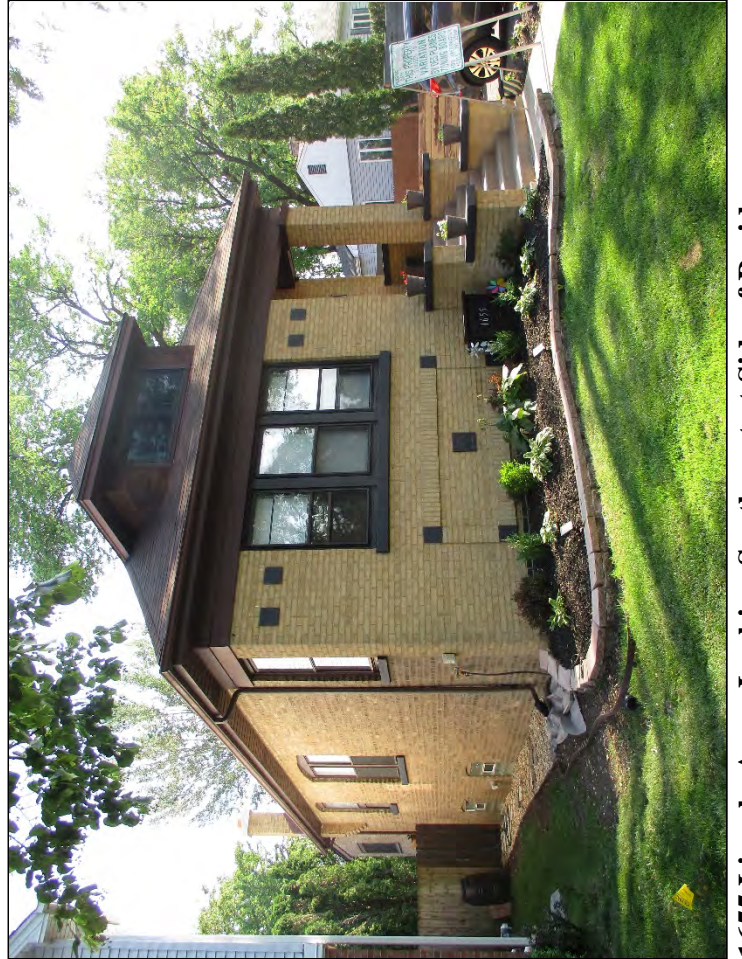
1655 Lincoln Ave – Looking South at Front of Site



1655 Lincoln Ave – Looking Southeast at Side of Residence



1655 Lincoln Ave – Public Notice



1655 Lincoln Ave – Looking Southwest at Side of Residence