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DES PLAINES PLANNING AND ZONING BOARD MEETING

August 24, 2021

MINUTES

The Des Plaines Planning and Zoning Board held its regularly scheduled meeting on Tuesday, August 24, 2021, at 7:00 p.m. in Room 101 of the Des Plaines Civic Center.

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

PRESENT: Catalano, Saletnik, Szabo, Veremis

ABSENT: Bader, Fowler, Hofherr

ALSO PRESENT: 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 Saletnik, seconded by Board Member Catalano, to approve the minutes of August 10, 2021, as presented.

AYES: Saletnik, Catalano, Veremis, Szabo

NAYES: None

ABSTAIN: None

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

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OLD BUSINESS

None

NEW BUSINESS

1. Address: 1418-1424 Wedgewood Avenue

Case Number: 21-032-FPLAT
Public Hearing

The petitioners are requesting a Final Plat of Subdivision pursuant to Section 13-2-5 of the Subdivision Regulations to split an existing lot into two lots of record, and the approval of any other such variations, waivers, and zoning relief as may be necessary.

PIN: 09-19-405-009-0000
Petitioner: Daniel Beniek, Skycrest Homes, 26303 W. Merton Road Barrington, IL 60010
Owner: Daniel Beniek, Skycrest Homes, 26303 W. Merton Road, Barrington, IL 60010

Chairman Szabo swore in the Ken Kleinjan, from Haeger Engineering, representing the Petitioner. Mr. Kleinjan provided an overview of the request; stating that the lot is approximately 20,000 square feet, 100' wide by 200' deep. The Petitioner is requesting a variation to the lot width, with each lot 50' wide. Mr. Kleinjan stated that all Engineering requirements have been met.

Chairman Szabo asked if the Board had any questions. There were no questions from the Board.

Chairman Szabo 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 Subdivision Regulations to subdivide the existing vacant lot into two lots of record.

Address: 1418-1424 Wedgewood Avenue
Owner: Daniel Beniek, Skycrest Homes, 26303 W. Merton Road, Barrington, IL 60010
Petitioner: Daniel Beniek, Skycrest Homes, 26303 W. Merton Road, Barrington, IL 60010

Case Number: 21-032-FPLAT
Real Estate Index Number: 09-19-405-009-0000

Ward: #3, Alderman Sean Oskerka

Existing Zoning: R-1, Single Family District
Existing Land Use: Vacant Lot

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

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

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

Project Description: The petitioner, Daniel Beniek, is requesting a Final Plat of Subdivision for the property located at 1418-1424 Wedgewood Avenue. The subject property is 19,984 square feet (0.46 acres) in size and is comprised of one unimproved lot as shown in the Plat of Survey. A request to subdivide the subject property was approved in 2006 and addresses 1418 and 1424 Wedgewood were assigned. However, the Final Plat of Subdivision was never recorded. Thus, the petitioner obtained approval for a Tentative Plat of Subdivision and standard variation for lot width from the Planning and Zoning Board on June 8, 2021, and is now requesting the Final Plat of Subdivision.

The petitioner is proposing to subdivide the existing vacant lot into two lots of record for future single-family home development. However, this proposal does not include the immediate development of the two proposed lots at this time. Both lots will be 10,000 square feet in size and measure 50 feet in width with a 30-foot front building setback. There are five-foot public utility easements proposed for the sides and ten-foot public utility easements proposed for the front and rear of each lot based on the Final Plat of Subdivision.

Final Plat of Subdivision Report

Name of Subdivision: Skycrest Subdivision
Address: 1418-1424 Wedgewood Avenue
Request: Approval of Final Plat of Subdivision

Total Area of Subdivision: 19,984 square feet (0.46 acres)

Lot Descriptions:

The petitioner's Final Plat shows the subdivision of the existing lot into two 10,000-square-foot, 50-foot wide lots with a 30-foot building setback. The proposed public utility easements are five feet on the sides, ten-feet on the front, and ten-feet on the rear of each property.

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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:

- **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.

- **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.

- **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 with one residence 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 an 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 about half an acre of vacant land for future development of two new residences for the community.

PZB Procedure and Recommended Conditions: Under Section 13-2-7 of the Subdivision Regulations, the PZB has the authority to recommend approval, approval subject to conditions, or denial of the request: A Final Plat of Subdivision to split an existing lot into two lots of record at 1418-1424 Wedgewood Avenue. The decision should be based on review of the information presented by the applicant and the standards and conditions met by Section 13-2-7 as outlined in the Subdivision Regulations. Staff does not suggest any conditions in the event of recommended approval.

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

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A motion was made by Board Member Catalano, seconded by Board Member Veremis, to recommend approval of a Final Plat of Subdivision as presented, located at 1418-1424 Wedgewood Avenue, pursuant to Section 13-2-5 of the Subdivision Regulations to split an existing lot into two lots of record, and the approval of any other such variations, waivers, and zoning relief as may be necessary.

AYES: Catalano, Veremis, Saletnik, Szabo

NAYES: None

ABSTAIN: None

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

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2. Address: 10 W. Golf Road

Case Number: 21-030-CU
Public Hearing

The petitioner is requesting a Conditional Use from Section 12-7-3(K) of the Des Plaines Zoning Ordinance, as amended, to locate a convenience mart fueling station at 10 W. Golf Road, which is a conditional use in the C-3, General Commercial District, and the approval of any other such variations, waivers, and zoning relief as may be necessary.

PIN: 08-13-202-007-0000
Petitioner: Faris Samawi, 10 W. Golf Road, Des Plaines, IL 60016
Owner: Shawket Samawi, 12118 Somerset Road, Orland Park, IL 60467

Chairman Szabo swore in Faris Samawi, Shawket Samawi, and Kal Muhammad. The Petitioners provided an overview of the request; the Petitioners stated that the request is to remove the three service bays and expand the convenience mart.

Chairman Szabo asked if the Board had any questions.

Chairman Szabo inquired about the parking plan. The Petitioner stated that new parking will be installed along the west lot line, while the existing parking will remain on the north side of the property. The Petitioner also stated that new landscape screening along the residential properties and a general site clean-up will also be completed.

Member Catalano asked if the Petitioners read and agreed to the conditions listed in the Staff report. The Petitioners stated that they read and agreed to the conditions.

Member Saletnik inquired about what the Petitioners believe the clientele of the convenience mart may be; people already stopping for gas versus those making the mart a destination. Mr. F. Samawi stated that the majority of those entering the convenience store are already stopping to get cash and go inside to purchase a drink or snack.

Mr. S. Samawi continued that expanding the current mart will mean an increase of inventory and ideally, patrons.

Member Saletnik continued about parking and the clientele, stating that most people will park at the pump and run into the store, versus using the additional parking stalls. The Petitioner agreed with Member Saletnik's statement and stated that the parking was based on zoning requirements.

Member Veremis inquired further about the convenience store. The Petitioners stated that the current store is quite small; and the elimination of the service bays and repair shop will be able to increase the store footprint.

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Member Veremis asked about any remediation that would need to take place on the property. The Petitioners stated that the current location is an operational gas station, no work will be done underground so, no further remediation is needed.

Chairman Szabo asked if anything would be changing regarding the location of the gas pumps. The Petitioner stated nothing would be changing regarding the gas pumps. The gas station recently opened in March 2021, and needed approval of the State Fire Marshall prior to opening, which the location received.

Chairman Szabo also asked about soil testing; soil testing was not needed since no work was completed underground. The gas station has four underground tanks that are sealed, and all appropriate tests are completed in accordance with the State of Illinois EPA and State Fire Marshall guidelines (including leak detection, mechanical tests and weight and measures testing).

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

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 Convenience Mart Fueling Center Use in the C-3 zoning district.

Address: 10 W. Golf Road
Owner: Faris Samawi, 10 W. Golf Road, Des Plaines, IL 60016
Petitioner: Shawket Samawi, 12118 Somerset Road, Orland Park, IL 60467

Case Number: 21-030-CU

Real Estate Index Number: 08-13-202-007-0000

Ward: #7, Alderman Patsy Smith

Existing Zoning: C-3, General Commercial District
Existing Land Use: Fueling Station

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

Surrounding Land Use: North: Single Family Residence
South: Pharmacy (Commercial)
East: Grocery Store (Commercial)
West: Restaurant (Commercial)

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Street Classification: Golf Road is classified as an Other Principal Arterial road and Mount Prospect Road is classified as a Major Collector.

Comprehensive Plan: The Comprehensive Plan illustrates this site as Commercial.

Project Description: The petitioner, Faris Samawi, has requested a Conditional Use Permit for a Convenience Mart Fueling Station Use at 10 W. Golf Road. The subject property is on the northwest corner of the Golf Road/Mount Prospect Road intersection. The property is located within the C-3 General Commercial district, where a Convenience Mart Fueling Station is a conditional use. The Plat of Survey shows a single-tenant building with seven fuel pumps and canopies, three accessory sheds behind the building, and off-street surface parking areas on the east and north sides of the property. Access to the subject property is available off Golf Road and Mount Prospect Road, each with two curb-cuts.

The existing one-story, 2,047-square-foot building consists of a small lobby area with counter, a restroom, three repair bays, and two storage areas at the rear. The petitioner wishes to renovate the existing floor plan by removing the three service bays to make room for the convenience mart, adding an employee restroom, and retaining the existing restroom and storage areas, based on the Floor Plan. The petitioner proposes to make façade and finishing changes to the south (front) elevation of the building where the existing service bays are located and retain the existing building material and façade finishes, based on the Elevations. Staff is recommending a condition that the proposed building materials on the front façade meet the requirements of Section 12-3-11 of the Des Plaines Zoning Ordinance. The petitioner's proposal also includes various site improvements including the removal of the three sheds, new rear pavement area, new eight-foot privacy fence, new landscaping buffer along the north property line, refaced pole sign, refurbished landscape area at the southeast corner of the property, and new dumpster enclosure at the northwest corner of the property, based on the Site Plan. Staff has added a condition that the proposed dumpster enclosure meets the requirements of Section 12-10-11 of the Zoning Ordinance.

The proposed floor plan includes a 1,208-square-foot retail area, and the site contains five fuel pumps. The following parking regulations apply to automotive fuel stations pursuant to Section 12-9-7 of the Zoning Ordinance:

- One parking space for every 200 square feet of accessory retail area; and
- Two parking spaces for each fuel pump.

A total of 16 off-street parking spaces are required including one handicap accessible parking space. The Site Plan provides 24 parking spaces including one handicap accessible parking space and two spaces per fuel pump, and 13 off-street parking spaces to meet this requirement.

The convenience mart fueling station will be open Monday through Friday from 5 a.m. to 11:59 p.m., Saturday from 7 a.m. to 11:59 pm, and Sunday from 7 a.m. to 10 p.m. The proposed convenience mart is intended to sell items such as cigarettes, lottery, beverages, foundation drinks, snacks, coffee, milk, bread, beer, wine, and similar items. The petitioner will have to obtain or update all necessary local and state licenses necessary to sell alcohol and tobacco. A maximum of five employees will be on site at a given time. Please see the Project Narrative for more details.

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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 Commercial 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 a commercial fuel station, the petitioner will work to enhance the subject property by renovating the interior and portions of the exterior of the existing building and making various site improvements including resurfacing the existing asphalt areas, the addition of landscaping, and new fence at the rear of the property.
- The subject property is located along the defined Golf Road and Mount Prospect corridors with single-family residences to the north, and commercial development to the south, east, and west. It contains a single-tenant building located in between established commercial developments along Golf Road. The request would assist in the retention and expansion of an existing commercial business at this location and provide additional retail goods and services for the residents of Des Plaines.

- **Landscaping and Screening:**

- The Comprehensive Plan seeks to encourage and actively pursue beautification opportunities and efforts, including the installation of landscaping, street furniture, lighting, and other amenities, to establish a more attractive shopping environment and achieve stronger corridor identity in Des Plaines.
- The proposal seeks to add a landscape buffer along the north property line to provide a more pronounced buffer between the building and the single family residences directly to the north. The addition of landscaping in this area is intended to capitalize on available space for screening of the property.
- The proposal also includes the replacement of the existing fence section along the north property line with an eight-foot solid wood fence to buffer the proposed use from surrounding properties.

While the aforementioned aspects represent a small portion of the goals and strategies of the Comprehensive Plan, there is an 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:

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Comment: The proposed Convenience Mart Fueling Station Use is a conditional use in the C-3 zoning district where the subject property is located. 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 Convenience Mart Fueling Station Use is a retail-oriented use that primarily serves day-to-day needs of local residents. Additionally, the subject property is along two major corridors in Des Plaines and in close proximity to residential neighborhoods. The proposed convenience mart will enhance the existing building and property as a whole as well as provide additional retail opportunities for residents nearby aside from fuel. 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 Convenience Mart Fueling Station Use will transform the existing fuel station into a more pronounced commercial use similar to nearby businesses. The proposal includes enhancements to the asphalt parking areas, interior and exterior building remodel, new landscaping, and sign refurbishments, which will be harmonious and appropriate with the neighboring business. 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: The existing fueling station does not create adverse effects to the surrounding properties and the Convenience Mart Fueling Station Use will not have negative effect on the surrounding area. The proposal strives to enhance the property as a whole and expand an existing business to provide additional retail opportunities for residents. 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 both Golf Road and Mount Prospect Road. The proposed Convenience Mart Fueling Station 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 larger service demand than the existing use. Further, it will enhance an existing building and use 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.

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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 Convenience Mart Fueling Station Use will include an enlarged retail area within the existing building footprint and site improvements within the existing property boundaries, neither of which will produce excessive production of noise, smoke fumes, glare, or odors. Additionally, the building and site enhancements will improve the property as a whole from both a functional and aesthetic standpoint. 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 traffic concerns in the area with the existing access points and configuration pursuant to the Traffic Statement (Attachment 8). The proposed Convenience Mart Fueling Station 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 Convenience Mart Fueling Station 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 Convenience Mart Fueling Station 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 Convenience Mart Fueling Station at 10 W. Golf Road. 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 three four-foot-long landscape planter boxes are installed along the front of the building and are populated with perennials.
2. The existing pavement areas are resurfaced and re-striped.
3. Plans for the dumpster enclosure in compliance with Section 12-10-11 of the Des Plaines Zoning Ordinance shall be submitted to staff at time of building permit.

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4. A Photometric Plan in compliance with Section 12-12-10 of the Zoning Ordinance shall be submitted to staff at time of building permit.
5. No repair or storage of vehicles and equipment is permitted on the property at any time.
6. Plans submitted at time of building permit may need to be adjusted to meet all code requirements.

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

A motion was made by Board Member Saletnik, seconded by Board Member Catalano, for approval of the request with the conditions in the staff report for a Conditional Use from Section 12-7-3(K) of the Des Plaines Zoning Ordinance, as amended, to locate a convenience mart fueling station at 10 W. Golf Road, which is a conditional use in the C-3, General Commercial District, and the approval of any other such variations, waivers, and zoning relief as may be necessary.

AYES: Saletnik, Catalano, Veremis, Szabo

NAYES: None

ABSTAIN: None

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

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3. Address: 1316 Webford Ave

Case Number: 21-016-V
Public Hearing

The petitioner is requesting a Major Variation under Section 12-8-1(C) of the Des Plaines Zoning Ordinance, as amended, to allow for the installation of a detached garage that exceeds the maximum area of 720-square feet in the R-1 zoning district, and the approval of any other such variations, waivers, and zoning relief as may be necessary.

PIN: 09-17-306-028-0000
Petitioner: Chris Colldock, 1316 Webford Avenue, Des Plaines, IL 60016
Owner: Chris Colldock, 1316 Webford Avenue, Des Plaines, IL 60016

The petitioner was unable to attend the meeting on August 24, 2021 due to an unforeseen conflict.

A motion was made by Board Member Catalano, seconded by Board Member Veremis, to continue Case Number 21-016-V, a Major Variation under Section 12-8-1(C) of the Des Plaines Zoning Ordinance, as amended, to allow for the installation of a detached garage that exceeds the maximum area of 720-square feet in the R-1 zoning district, at 1316 Webford Avenue, until September 14, 2021.

AYES: Catalano, Veremis, Saletnik, Szabo

NAYES: None

ABSTAIN: None

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

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ADJOURNMENT

The next scheduled Planning & Zoning Board meeting is Tuesday, September 14, 2021.

Chairman Szabo adjourned the meeting by voice vote at 7:25 p.m.

Sincerely,

Wendy Bednarz, Recording Secretary

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