



**DES PLAINES PLANNING AND ZONING BOARD MEETING  
June 13, 2023  
MINUTES**

The Des Plaines Planning and Zoning Board held its regularly scheduled meeting on Tuesday, June 13, 2023, at 7:00 p.m. in Room 102 of the Des Plaines Civic Center.

Chair Szabo called the meeting to order at 7:00 p.m. and roll call was established.

**PRESENT:** Weaver, Catalano, Fowler, Hofherr, Saletnik, Veremis, Szabo

**ABSENT:** None

**ALSO PRESENT:** Jonathan Stytz, AICP, Senior Planner  
Samantha Redman, Associate Planner  
Margie Mosele, Executive Assistant

A quorum was present.

**Call to Order and Roll Call**

**APPROVAL OF MINUTES FROM May 23, 2023**

**A motion was made by Board Member Fowler, seconded by Board Member Weaver to approve the meeting minutes of May 23, 2023.**

**AYES:** Fowler, Weaver, Catalano, Hofherr, Saletnik, Veremis, Szabo

**NAYES:** None

**ABSTAIN:** None

**\*\*\*MOTION CARRIES\*\***

**PUBLIC COMMENT ON NON-AGENDA ITEM - None**

Case 23-028-CU  
Case 23-020-TSUB-V  
Case 23-027-V

81 Broadway Street  
2285 Webster Lane  
65 Bradrock Drive

Conditional Use  
Tentative Plat of Subdivision/ Variation  
Variation

**Applications:**

1. **Address:** 81 N. Broadway Street **Case Number:** 23-028-CU

The petitioner is requesting a Conditional Use for a Commercially-Zoned Assembly Use in the C-3 General Commercial zoning district at 81 N. Broadway Street, and any other variations, waivers, and zoning relief as may be necessary.

**PIN:** 09-07-418-015-0000

**Petitioner:** Steven Bonica, 83 N. Broadway Street, Des Plaines IL 60016

**Owner:** Romanian Heritage Center NFP, 81 N. Broadway, Des Plaines, IL 60016

Case 23-028-CU  
Case 23-020-TSUB-V  
Case 23-027-V

81 Broadway Street  
2285 Webster Lane  
65 Bradrock Drive

Conditional Use  
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**COMMUNITY AND  
ECONOMIC  
DEVELOPMENT  
DEPARTMENT**

## MEMORANDUM

Date: June 8, 2023

To: Planning and Zoning Board (PZB)

From: Jonathan Stytz, AICP, Senior Planner

Cc: John T. Carlisle, AICP, Director of Community and

Economic Development Subject: Request to Continue 23-028-CU:

81 N. Broadway Street

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Due to the quantity of comments addressed by staff in the Official Review Letter, the petitioner has requested to continue the hearing to the Board's regular meeting on Tuesday, June 27, 2023. I recommend the Board grant this request, which is attached.

Case 23-028-CU  
Case 23-020-TSUB-V  
Case 23-027-V

81 Broadway Street  
2285 Webster Lane  
65 Bradrock Drive

Conditional Use  
Tentative Plat of Subdivision/ Variation  
Variation

**From:** [Steven Bonica](#)

**To:** [Jonathan Stytz](#)

**Subject:** Request for a continuance of our application to the June 27, 2023 PZB meeting.

**Date:** Tuesday, June 6, 2023 2:35:16 AM

**Attachments:** [Official Review Letter 81 N Broadway St.pdf](#)

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Good morning Jonathan.

**I just returned to Bucharest from our tour in the Transylvanian mountains. I will be returning to Chicago tomorrow late in the evening and will resume work partially on Thursday.**

**I hereby kindly ask for a continuance of our Application for Conditional Use of the facilities at 81 N. Broadway Street by the Romanian Heritage Center NFP, to be presented on the JUNE 27, 2023 PZB meeting.**

**I thank you for your continued support and look forward to submit all documentation in the next few days, upon my return home.**

**Best wishes to you all,**

**[STEVEN V. BONICA Cell. \(708\) 243-2727](#)**

**[Email: stevenbonica@yahoo.com](mailto:stevenbonica@yahoo.com)**

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Case 23-028-CU  
Case 23-020-TSUB-V  
Case 23-027-V

81 Broadway Street  
2285 Webster Lane  
65 Bradrock Drive

Conditional Use  
Tentative Plat of Subdivision/ Variation  
Variation

**On Monday, June 5, 2023 at 10:21:57 AM CDT, Jonathan Stytz  
<jstytz@desplaines.org> wrote:**

**Good morning Steven,**

**I hope you had a great weekend. In follow-up to my previous emails last week, I have not received revised documents addressing the staff comments in the official review letter. The deadline for these revised documents has passed. Given that there are items, especially those related to parking, that need to be addressed prior to the hearing of this case at PZB and we want to ensure that ample time is provided to address these items.**

**As such, at your earliest convenience, please send me an email requesting a continuance of this application to the June 27, 2023 PZB meeting. No additional noticing requirements will be required with the continuation request. In the meantime, please address the staff comments in the official review letter and advise if you have any further questions. Thank you.**

*“How are we doing? Our department wants your feedback. Based on your recent experience with us, please take a few moments to complete this [customer satisfaction survey](#).”*

**Sincerely,**

JONATHAN STYTZ, AICP

SENIOR PLANNER

City of Des Plaines

1420 Miner Street, Des Plaines, IL 60016 P: 847.391.5392 W: [desplaines.org](http://desplaines.org)

Case 23-028-CU  
Case 23-020-TSUB-V  
Case 23-027-V

81 Broadway Street  
2285 Webster Lane  
65 Bradrock Drive

Conditional Use  
Tentative Plat of Subdivision/ Variation  
Variation

Chair Szabo swore in Steve Bonica, petitioner for the project. Mr. Bonica stated that he is requesting a continuance to be better prepared and revising the parking arrangements.

Mr. Bonica said he is looking to create a Romanian Heritage Cultural Center consisting of a large Library. The Library would hold exhibits and a museum. He is looking for a Conditional Use for assembly to hold community meetings, seminars, and gatherings. He plans to have a learning and tutoring center. He stated that the larger events would only happen once per month and would be around 75-80 people. He said he was here to listen to the neighbors' concerns.

Chair Szabo swore in Nita Rose of Seventh Avenue: Concerns about parking; was at the meeting when it was first heard. Concerned about traffic because there are lots of families walking small children. Also concerned about parking when they have large events.

Chair Szabo swore in Judith Garesele from Golf Rd: The place they are talking about is east of their parking lot. I have dealt with so many cars with the medical center and cars parking all over. Glad that the place is being bought by somebody but I do not understand how this site can hold 80 people. I love my neighborhood and I don't want any visual contamination. I am pleased by what I saw. There are two places – the office and the library area. She doesn't see that much of a problem with cars and parking. The medical center is going to be sold again, we are dealing with the same problems. The Romanian Church is somewhere people can park. I want to express this could be a good asset for the area. We used to have a tattoo parlor and the street has been so poor. Stores across the street are empty. It would be nice to bring something for the community.

Chair Szabo swore in Bob Crocker from Golf Rd: I live facing Seventh Avenue. I have had some concerns, specifically when Holy Family shut down and I lived by the medical center before it shut down. We have businesses that don't have people operating in it. Having no businesses affects my property values as much as anyone else. I think the petitioner has a really nice business, not a sleazy business. The issue seems to be parking. I hope you can work it out because I think he would make a fine neighbor.

Chair Szabo: As I said, we will hear this case in two weeks.

Chair Szabo swore in William Decker from Yale Ct: I am not familiar with the phrase conditional use permit. I would like to know what it means as clearly as possible and what the petitioner would get if it goes through. That is basically all I want to know. What does it involve? Does it include parking space? What does that include?

Chair Szabo: A conditional use is a use other than what the particular piece of property is zoned for. This is something that is not written in the text of the zoning code of Des Plaines. Should he get this conditional use, anyone else who comes in doesn't automatically get it, they would have to re-apply. What is the difference between the special use and conditional use.

Case 23-028-CU  
Case 23-020-TSUB-V  
Case 23-027-V

81 Broadway Street  
2285 Webster Lane  
65 Bradrock Drive

Conditional Use  
Tentative Plat of Subdivision/ Variation  
Variation

Jonathan Stytz, Senior Planner: They are synonymous.

William Decker: Does that mean it can be reversed?

Chair Szabo: If someone oversteps the bounds, then CED will get involved and tell them to comply or leave.

Chair Szabo swore in Daniel Kenly, 625 Yale Ct: You mentioned what people have already said. I have similar complaints, since you will do the continuance in a few weeks, I will just bring up a few. Our street is the primary parking area for the dentist, doctor, and the church. It overflows through there. Generally, people don't respect our property. Our house has large windows and people like to park there and look through the windows. It annoys me, I have three young kids under 7. We consistently see trash from the people parking there. If there were additional options for parking, it sounds like a great opportunity for the neighborhood. If it was just that without the 80 person once a month use, that would be great. I think they are also developing a few businesses next to it. There are 10 spots, I walked by. I am not sure if there are more, but that doesn't seem to fit 80 people. There are other options too I am sure you are familiar with.

Chair Szabo: When we hear this case in two weeks, we will go over parking with his full presentation. We will address that when the case is discussed officially.

Petitioner - Steven Bonica: The 80 people will be a once-a-month event in the evening when the other businesses are closed. Primarily what you will be looking at is a library. My wife, daughter and son in law teach in the area. We are very much into books and want to give something back to the community. It is not only our family involved, but also 25 Romanian churches involved. It will be a campus where students of high school age can get additional tutoring classes so they can get the best scores in ACT and SAT. It is critical you have the best score and place in college to get the best scholarship. If we did this same thing at the church, we are Baptists, Adventists, Pentecostals, etc. People say, "Why do you do this tutoring in the church?" We started the Romanian Church in Niles; because it is a Baptist church, other denominations don't want to go there. We want to have a non-denominational place.

Chair Szabo: If you don't mind, let's save the case for next week. Discussion from the board?

**A motion was made by Board Member Veremis, seconded by Board Member Catalano to recommend to approve continuance of the case at the Board's regular meeting on Tuesday, June 27, 2023.**

**AYES: Veremis, Catalano, Fowler, Hofherr, Saletnik, Weaver, Szabo**  
**NAYES: None**  
**ABSTAIN: None**

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

Case 23-028-CU  
Case 23-020-TSUB-V  
Case 23-027-V

81 Broadway Street  
2285 Webster Lane  
65 Bradrock Drive

Conditional Use  
Tentative Plat of Subdivision/ Variation  
Variation

2. **Address:** 2285 Webster Lane

**Case Number:** 23-020-TSUB-V

The applicant has requested a Tentative Plat of Subdivision pursuant to Section 13-2-2 of the Subdivision Regulations to split an existing lot into two lots of record and a standard variation for lot widths of 50 feet where a minimum lot width of 55 feet is required in the R-1 Single Family Residential zoning district, and any other variations, waivers, and zoning relief as may be necessary.

**PIN:** 09-29-302-042-0000

**Petitioner:** Jean Bonk, 2285 Webster Lane, Des Plaines, IL 60018

**Owner:** Jean Bonk, 2285 Webster Lane, Des Plaines, IL 60018

**Ward:** #5, Carla Brookman

**Existing Zoning:** R-1, Single Family Residential

**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  
West: R-1 Single Family Residential District

**Surrounding Land Use:** North: Single Family Dwellings (Residential)  
South: Single Family Dwellings (Residential)  
East: Single Family Dwellings (Residential)  
West: Single Family Dwellings (Residential)

**Street Classification:** Webster Lane is classified as a local road.

**Comprehensive Plan:** The Comprehensive Plan illustrates the site as single family residential.

**Zoning/Property History:** Based on City records, the subject property has been one parcel throughout known history and has been owned by the same property owner for several decades. A single-family detached home has been located on the north half property since approximately 1940, per the Cook County assessor. The area to be subdivided is currently grass and other vegetation.

**Project Description: Overview**

The petitioner, Jean Bonk, is requesting a Tentative Plat of Subdivision and a Standard Variation for lot width for the property at 2285 Webster Lane.

Below are the requirements for an R-1 zoned property per Section 12-7-2:

<b><u>Bulk Controls</u></b> <b>R-1, Interior Lot</b>	<b><u>Requirement</u></b>	<b><u>Proposed</u></b>
Maximum Height	2 ½ stories or 35 ft	≥ 35 ft for existing house and proposed house
Minimum Front Yard	25 ft	Existing house: 94.06 ft Proposed house: 25 ft minimum
Minimum Side Yard	5 ft	Existing house: 6.56 ft Proposed house: 5 ft minimum
Minimum Rear Yard	25 ft or 20% of lot depth	Existing house: 35 ft Proposed house: 25 ft minimum
Minimum Lot Width	55'	50' (variation requested)
Minimum Lot Area	6,875 square feet	9,341 square feet

The variation request is to reduce the minimum lot width from 55 feet to 50 feet. In R-1 zoning districts, only one house can be located on a property. With the subdivision of this 100-foot lot, an additional residence could be constructed on the undeveloped area of this property. Many parcels in the vicinity of this property have undergone a similar subdivision process (refer to Lot Width Comparison attachment).

*Easements and Areas of Dedication*

The property includes no easements, and the tentative plat does not propose any additional easements, but the plat notes utility lines including gas, water, and overhead electrical lines. The petitioner provided correspondence from ComEd and Nicor that no easements exist on the property for these utilities. Per correspondence between the petitioner and ComEd, easements may be required in the future for ComEd when a new residence is planned, but this location and size will be determined prior to approval of a building permit.

The current property line extends into the area that is typically used for parkways and sidewalks along Webster Lane, creating a burden for the property owner in terms of maintenance and taxes, and reduces the ability for the city to easily expand the sidewalk to improve pedestrian connectivity. A 3,303-square-foot area (33.03 feet by 100.00 feet) is proposed to be dedicated to the city in the front area of the proposed parcels. Upon development of the adjacent parcel, the improvements required will include adding sidewalks and any necessary parkway trees or landscaping to extend the parkway through this area.

Presently, there is no sidewalk or parkway in front of the property. Discussion of these improvements will be included at the final plat stage. However, the petitioner provided a proposed site plan for the subdivided parcel, demonstrating a conceptual site plan for a new house in this location, including locations for utilities, engineering improvements, and sidewalk improvements. The building line for both parcels will be 25 feet from the new front property line. Refer to Proposed Site Plan for Subdivided Parcel attachment.

#### *Subdivision Process, Required Improvements*

Although the petitioner's request is for a Tentative Plat only at this time, the Board and public may benefit from understanding the requirements of a Final Plat, which is the second step in the subdivision approval process. The steps for Final Plat are articulated in Sections 13-2-4 through 13-2-8 of the Subdivision Regulations. In summary, the Final Plat submittal requires engineering plans that must be approved by the City Engineer, in particular a grading and stormwater management plan. Tentative Plat approval does not require submittal of engineering plans. The Engineering review is more detailed for plans at the Final Plat stage, as those are accompanied by civil drawings, which are not required at the Tentative Plat stage.

**Variation Findings:** Variation requests are subject to the standards set forth in Section 12-3-6(H) of the Zoning Ordinance. Rationale for how well the proposal addresses the standards is provided below and in the attached petitioner responses to standards. The Board may use the provided responses as written as its rationale, modify, or adopt its own.

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, many of the surrounding properties in the area have similar lot widths as the request. Refer to the Lot Width Comparison attachment.

PZB Additions or Modifications (if necessary): \_\_\_\_\_

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 property is land-locked so it cannot be expanded to meet the lot width requirement. Division into anything other than fifty-foot-wide lots would either create nonconformities (i.e., the existing house would be located too close to the proposed side property line) or would limit the development potential for the other property.

PZB Additions or Modifications (if necessary): \_\_\_\_\_

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. There is not a way for the petitioner to widen the lot to meet the 55-foot lot width requirement since it is landlocked.

PZB Additions or Modifications (if necessary): \_\_\_\_\_

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 enjoyed by neighboring property owners. The 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.

PZB Additions or Modifications (if necessary): \_\_\_\_\_

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. The petitioner does not plan to develop these lots at this time, but rather to subdivide them for future development. However, the petitioner did provide a conceptual plan for the Lot 2/proposed southern property, included in the attachments.

PZB Additions or Modifications (if necessary): \_\_\_\_\_

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 request would result in the future development of this site that would be in harmony with the surrounding neighborhood and would meet all other standards for R-1 properties in Section 12-7-2. This request seeks to develop this vacant property into two separate lots to add residential options in Des Plaines. It also adds a housing unit and land value.

PZB Additions or Modifications (if necessary): \_\_\_\_\_

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: The petitioner cannot 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 provide the opportunity for an additional residence.

PZB Additions or Modifications (if necessary): \_\_\_\_\_

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.

PZB Additions or Modifications (if necessary): \_\_\_\_\_

Case 23-028-CU  
Case 23-020-TSUB-V  
Case 23-027-V

81 Broadway Street  
2285 Webster Lane  
65 Bradrock Drive

Conditional Use  
Tentative Plat of Subdivision/ Variation  
Variation

**PZB Procedure:**

*Standard Variation*

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. 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.

*Tentative Plat of Subdivision*

Under Section Under Section 13-2-3 of the Subdivision Regulations, the PZB has the authority to approve, approve subject to conditions, or deny the Tentative Plat. A Final Plat of Subdivision, to involve the review of more detailed engineering and public improvements, would be required at a later time. The Final Plat requires review and approval of both the PZB and the City Council.

Chair Szabo swore in Jean Bonk, petitioner. She stated that she is looking for a Tentative Plat of Subdivision for her property. She would like to divide her lot into two 50-foot-wide properties. She stated that most lots in her neighborhood are 50 ft wide. She stated that she does not have plans for the second lot. She plans to continue living at her current home.

Samantha Redman, Planner, gave the staff report through a PowerPoint presentation for 2285 Webster for a Tentative Plat of Subdivision and Variation. She went over the Location Map. She showed site photos including the required sign. Ms. Redman explained the Tentative Plat of Subdivision and subdividing the property into two 50-foot-wide lots. She explained the R-1 Zoning and Bulk Summary. She discussed the variation for 50-foot-wide instead of 55-foot-wide. She explained that sometime between 1965 and 1998 Zoning Ordinance change the lot wide regulations were changed from 50 to 55 feet widths. Ms. Redman stated that Ms. Bonk's request is consistent with properties in the area. Ms. Redman explained the PZB considerations.

For Standard Variation, the PZB has the authority to approve, approve subject to conditions, or deny the request. For the Tentative Plat of Subdivision, the PZB has the authority to approve, approve subject to conditions, or deny the Tentative Plat. A Final Plat of Subdivision, to involve the review of more detailed engineering and public improvements, would be required at a later time. The Final Plat requires review and approval of both the PZB and the City Council.

**A motion was made by Board Member Weaver, seconded by Board Member Hofherr to recommend to approve the standard variation and Tentative Plat of Subdivision.**

**AYES:** Weaver, Hofherr, Catalano, Fowler, Saletnik, Veremis, Szabo  
**NAYES:** None  
**ABSTAIN:** None

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

Case 23-028-CU  
Case 23-020-TSUB-V  
Case 23-027-V

81 Broadway Street  
2285 Webster Lane  
65 Bradrock Drive

Conditional Use  
Tentative Plat of Subdivision/ Variation  
Variation

3. **Address:** 65 Bradrock Drive

**Case Number:** 23-027-V

The petitioner is requesting a standard variation to allow a building addition to be located 9 feet from the side property line where the minimum side yard setback is 25 feet in the M-2 General Manufacturing zoning district, and any other variations, waivers, and zoning relief as may be necessary.

**PINs:** 09-30-100-048-0000 and 09-30-100-039-0000

**Petitioner:** Herbert Rizzo, 520 S. Rose Farm Rd, Woodstock, IL 60098

**Owner:** Herbert Rizzo, 520 S. Rose Farm Rd, Woodstock, IL 60098

**Ward:** #5, Alderman Carla Brookman

**Existing Zoning:** M-2 General Manufacturing District

**Existing Land Use:** Multi-Unit Industrial Building

**Surrounding Zoning:** North: M-2 General Manufacturing district  
South: M-2 General Manufacturing district  
East: M-2 General Manufacturing district  
West: M-2 General Manufacturing district

**Surrounding Land Use:** North: Industrial Building (Manufacturing)  
South: Industrial Building (Manufacturing)  
East: Industrial Building (Manufacturing)  
West: Industrial Building (Manufacturing)

**Street Classification:** Bradrock Drive is classified as a local road.

**Comprehensive Plan:** The Comprehensive Plan illustrates the site as industrial.

Case 23-028-CU  
Case 23-020-TSUB-V  
Case 23-027-V

81 Broadway Street  
2285 Webster Lane  
65 Bradrock Drive

Conditional Use  
Tentative Plat of Subdivision/ Variation  
Variation

**Zoning/Property History:**

Based on City records, the subject property was annexed into the city in 1960 as vacant piece of land and has been an industrial building since at least 1972. At one point, a single property owner operated on both the subject property and the 55 Bradrock property directly west, utilizing a bridge to connect the buildings on each property. The subject property has undergone some site improvements since then—including the removal of the bridge connection— but has been consistently utilized as an industrial building.

**Project Description:** *Overview*

The petitioner has requested a standard variation to allow an addition to the existing building at 65 Bradrock Drive with a side yard building setback of nine feet where a minimum 25 feet is required for interior lots in the M-2 district. The subject property consists of two lots totaling 50,957 square feet (1.17 acres) with a 20,237-square-foot one-story industrial building, walkways, multiple paved parking areas, and two concrete driveways off Bradrock Drive, as shown in the ALTA/ACSM Land Title Survey and Photos of Existing Conditions.

The petitioner proposes to install a new 2,054-square-foot, one story addition onto the northwest corner of the existing industrial building to house a new product line. The addition would be 79 feet long by 26 feet wide and 13 feet tall. It would be built over a majority of the existing 35 feet between the west building wall and the property line, which is currently improved with a paved drive aisle. Building setback requirements, or the required yards, for the M-2 district vary based on whether the subject property is either: (i) adjacent to manufacturing zoning and is not on a major thoroughfare; or (ii) adjacent to another zoning district that is not manufacturing or is on a major thoroughfare. The subject property is located on a local street and is surrounded by properties in a manufacturing district. The proposed addition encroaches into the 25-foot required side yard, which cannot be permitted without a standard variation. The table compares the required building setback requirements in Section 12-7-4.H and the new building setback dimensions with the proposed addition.

<b>M-2 District Bulk Controls</b>	<b>Standard</b>	<b>Proposed</b>
Maximum height	60 ft.	18.5 ft. <sup>1</sup>
Minimum front yard (Adjacent manufacturing, not on major thoroughfare <sup>2</sup> ):	50 ft.	50 ft.
Minimum side yard (Adjacent manufacturing):	25 ft.	East: 45 ft., <b>West: 9 ft.*</b>
Minimum rear yard (Adjacent manufacturing):	25 ft.	24 ft.**
Maximum building coverage	70%	44%

*\*Requires a standard variation; \*\*Existing non-conformity not created by petitioner and not being expanded as part of this request*

<sup>1</sup> While the proposed addition is approximately 13 feet tall, the existing industrial building is 18.5-feet-tall. The table identifies the height of the tallest portion of the building.

<sup>2</sup> For purposes of this report, the term “major thoroughfare” is defined as a roadway classified by the Illinois Department of Transportation (IDOT) as an arterial road. The subject property is located on a local street which does not meet this definition.

#### *Proposed Floor Plan & Elevations*

As noted above and shown in the attached elevations, the proposed addition will be about 13 feet in height compared to 18.5 feet of the existing industrial building, which is well within the maximum height restrictions. The proposed one-story addition would be connected to the existing building by a single opening near the existing shipping area and contain an additional door at its rear facing south as illustrated on the attached Existing and Proposed Floor Plans. The addition space would contain several approximately 19-foot-long and eight-foot-wide shelving units to be utilized for storage of pre-packaged products before they are shipped to the end user. Aside from the new opening in the west side of the existing building, there are no proposed changes to the existing building itself or its floor plan.

#### *Building Design Standards*

Section 12-3-11 requires that building design standards are met for projects that consist of appearance-altering renovations to the front or corner facades of a principal structure. Since the proposal does alter the front façade of the existing building, the exterior building material regulations in this section are required to be met. In regard to exterior building materials, the attached Elevation plans identify that the new addition will be constructed with face brick and metal coping on the top—both of which are permitted ground-story materials for an industrial building—to match the brick on a majority of the residence.

As for the transparency requirements, Section 12-3-11 requires that all street-facing building facades shall not contain a windowless area greater than 30 percent of the story's façade—as measured from the floor of one story to the floor of the next story—and no windowless area that is greater than a horizontal distance of 15 feet. With the proposed addition, the north (front) building façade, which faces Bradrock, will be extended to the west. Holistically, the existing building plus the addition are required to meet these standards. The attached elevations show there are no openings proposed for the north elevation of the addition, which does not comply with either standard above. As such, staff recommends a condition requiring that the proposed elevation be revised to meet the building design standards, or that necessary relief is obtained.

**Variation Findings:** Variation requests are subject to the standards set forth in Section 12-3-6(H) of the Zoning Ordinance. Rationale for how well the proposal addresses the standards is provided below and in the attached petitioner responses to standards. The Board may use the provided responses as written as its rationale, modify, or adopt its own.

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:* Considering other potential design opportunities to enlarge the building, the challenges encountered may not necessarily rise to the level of hardship or practical difficulty. The petitioner identifies that the location and scale of the proposed addition is necessary given the existing building floor plan and the anticipated storage necessary for the new product. However, this does not refute the fact that multiple alternatives exist for the addition both within and in addition to the existing building. That said, in their consideration of the testimony in the public hearing or via the submitted responses, the Board should review, question, and evaluate whether a hardship or practical difficulty exists.

PZB Additions or Modifications (if necessary): \_\_\_\_\_

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 subject property is a typical rectangular, interior lot comparable in width and area to other manufacturing-zoned properties in Des Plaines. This property is outside the floodplain and is relatively flat. There is an overhead ComEd utility service

on the west side of the existing building servicing buildings on 55 and 65 Bradrock Street. While this circumstance is not present on every manufacturing-zoned property, it is not necessarily a unique characteristic. As the subject property is generally similar to other manufacturing-zoned lots in Des Plaines, the PZB should review whether the variation request appears to be based more on a personal preference of the property owner or a definable physical condition of the property.

PZB Additions or Modifications (if necessary): \_\_\_\_\_

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:* While the subject property’s location, size, and existing development may not be a result of any action or inaction of the property owner, the subject property was purchased with the understanding of these attributes and conditions. Given the existing 35-foot-setback provided from the building’s west elevation to the west property line and the petitioner’s understanding of the required 25-foot-setback requirement, the requested variation appears to stem directly from an action of the property owner. As such, the PZB should determine if the proposal does or does not adequately utilize the available space on the site or appropriately designs the proposed addition to avoid the need for a variation.

PZB Additions or Modifications (if necessary): \_\_\_\_\_

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:* Having the ability to construct an addition, in and of itself, is not a right granted to property owners, if that addition does not conform to bulk limitations. Enforcing the building setback requirements may not deny the property owners from constructing an addition on their property if they explore alternatives. It is unclear if the petitioner exhausted options for a small, multi-story addition (in other words, “build up” instead of “build out”), which would be permitted without a variation. The PZB may balance this possibility with the realities of owning a manufacturing building and property like the subject property to determine this is a right to which Des Plaines property owners are entitled.

PZB Additions or Modifications (if necessary): \_\_\_\_\_

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: Other interior lots in Des Plaines of various sizes and shapes have designed additions that meet the required building setback regulations. The aforementioned consideration for building setbacks indicates to staff that variation decisions are made on a case-by-case, project-by-project basis upon applying the variation standards. In those evaluations, the determining body (e.g. PZB and/or City Council) usually looked to see if the applicant exhausted design options that do not require a variation. *The PZB may wish to ask what, if any, alternative plans the petitioner considered prior to requesting the variation request.* Granting a variation for this design, if other viable options are available, could be too lenient and tread into the territory of allowing a special privilege. Nonetheless, the PZB should decide.

PZB Additions or Modifications (if necessary): \_\_\_\_\_

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: On one hand, the project would allow re-investment on an existing industrial building, which the Zoning Ordinance and Comprehensive Plan want to encourage. It also is facilitating a business expansion. However, the existing 20,237-square-foot, one-story industrial building is of considerable size for the lot, and it is proposed to cover more than 40 percent of the subject property. While this would not exceed the maximum building coverage, the location and scale of the addition would encroach quite noticeably toward a neighboring property.

PZB Additions or Modifications (if necessary): \_\_\_\_\_

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: Possible alternatives to the proposed building setback variation being requested relate to the location, scale, and design of the addition. Given the existing building height of 18.5 feet and height allowance of 60 feet, there is an option to install a smaller, multi-level addition. A smaller single-story addition with a redesigned floor plan on a different portion of the property (e.g., east building elevation) where additional

setback room exists also appears to be possible. The PZB may wish to ask why certain alternative designs are not feasible.

PZB Additions or Modifications (if necessary): \_\_\_\_\_

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:* Unless the petitioner demonstrates why alternatives are infeasible, it seems the alleged hardship related to the building addition for a new product line could be satisfied with a plan that does not require variation. While the anticipated location and work associated with a ground-level, single-story addition may be more convenient and less intensive than the alternative plans, such as a second-story addition, it is unclear why the full 16 feet of additional allowable width (beyond the Ordinance allowance) is necessary. The Board may give the petitioner an opportunity to explain why 5, 10, etc. feet are not sufficient.

PZB Additions or Modifications (if necessary): \_\_\_\_\_

**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. 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 approves the request, staff recommends the following conditions.

Conditions of Approval:

1. No easements are affected or drainage concerns created.
2. That a minimum three-foot-wide foundation landscape bed shall be installed along the north elevation of the proposed addition and populated with shrubs and perennials.
3. That the elevation plans are revised to conform with the building design standards in Section 12-3-11 of the Zoning Ordinance at time of permitting, or additional relief is approved.
4. That all appropriate building permit documents and details, including all dimensions and labels necessary to denote the addition are submitted as necessary for the proposal. 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 and life safety codes.

Case 23-028-CU  
Case 23-020-TSUB-V  
Case 23-027-V

81 Broadway Street  
2285 Webster Lane  
65 Bradrock Drive

Conditional Use  
Tentative Plat of Subdivision/ Variation  
Variation

Chair Szabo swore in Herb Rizzo and Laura Rizzo Owners and Petitioners for the project: Mrs. Rizzo stated they are looking for a Variation on the property at 65 Bradrock. She stated that they own the property and two businesses that occupy it. She stated that they own a third company in Iowa that they would like to relocate to Des Plaines. The northwest corner of the property would be the best location for the addition of the building. The company makes radio control model airplanes. They are in the hobby industry. They grew up with this hobby. They bought the building 10 yrs ago. They are excited about doing the addition and bringing the new business to Des Plaines.

Chair Szabo: Is your building fully sprinklered?

Mr. Rizzo: I had all kinds of contractors in the building (architects, HVAC, sprinkler company). We looked at what was the most economical. Com Ed is right down the middle of the property and the sewer is in the middle too. We wanted to make the building more square. Putting it on the other side is not economical because it has parking. We are hoping this gets passed and we can get it rolling. Once we bring that company here, the building in Iowa is for sale and I don't have much time left there. You can see we had the building tuckpointed. We invested money into the building, and we love Des Plaines. We are really happy here. We have 12 employees; we will add 3-4 more.

Jonathan Stytz, Senior Planner, gave the staff report. He explained that the petitioner is looking for a standard variation for 65 Bradrock. He showed the location map and background. This building has two surface parking lots as highlighted on the screen and your report. The property area is 1.17 acres and zoned general manufacturing. Site photos of the property were shown. The top is the front of the building. At the top right is the parking which is on the east side of the building for employee parking. The top left is the west side of the building with the Com Ed easement. The bottom right is where the proposed addition will be, from the northwest of the building.

Mr. Stytz described the existing and proposed addition and the existing floor plan and the proposed addition. The main purpose of this is the storage of model planes after they have been produced and awaiting shipping. This lays out what the inside of the building will look like. He showed the elevations for the existing versus proposed. You can see the north elevation will have the additional 26 ft of width. You can see the various elevations here in your packet.

Staff has recommended these conditions of approval.

1. No easements are affected, or drainage concerns created.
2. That a minimum three-foot-wide foundation landscape bed shall be installed along the north elevation of the proposed addition and populated with shrubs and perennials.
3. That the elevation plans are revised to conform with the building design standards in Section 12-3-11 of the Zoning Ordinance at time of permitting, or additional relief is approved.

Case 23-028-CU  
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81 Broadway Street  
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Conditional Use  
Tentative Plat of Subdivision/ Variation  
Variation

4. That all appropriate building permit documents and details, including all dimensions and labels necessary to denote the addition are submitted as necessary for the proposal. 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 and life safety codes.

Member Weaver stated that there are currently two loading docks. He asked if any loading docks will be added?

Mr. Rizzo stated that they will be using the existing docks.

Member Veremis asked if there will still be 9 ft to the lot line?

Mr. Rizzo stated that the Des Plaines Fire Department came and looked. He said that's fine for them because they have 25 feet access in the back of the property and 40+ feet on the other side where the employees park. He also stated that they just repaved the whole parking lot.

Member Veremis said that it looks really nice. Where is that paint store going on at Aldi? Did you see how close that is to JB Metals? It can be that close because it is commercial?

Jonathan Stytz stated Yes, it is zoned C-3 General Commercial.

Mr. Rizzo said **on** our block there are several buildings within a few feet of each other. At one point, DP must have given a variance. We are in an industrial area. We take pride in our neighborhood.

Chair Szabo asked, "What about your neighbors?"

Mr. Rizzo: Oh yeah we're all friends in that area. We are all good neighbors, plowing, taking care of each other. The gun business is expanding too, they were excited we were expanding.

Mrs. Rizzo: We will also have an additional 15 ft to the lot line from the neighbor to the west.

Mr. Rizzo: Once you get past the addition, you get the Com Ed poles, they said it was \$100,000 to move them. We had trouble with power in the building and they came out with three big boom trucks to fix the pole. I should have taken a pic to show it wouldn't be an issue with the fire department, being able to access back there with the big trucks!

Chair Szabo: Anyone in the audience in favor? Anyone objecting?

One Audience Member: Sounds fine to me!

Member Weaver said staff has drafted four conditions of approval. Are you aware of these? Read the four conditions.

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Mr. Rizzo: I was aware of the variation and the floor plan layout. Yes, I am fine with the conditions.

**A motion was made by Board Member Weaver, seconded by Board Member Veremis to recommend approving the standard variation subject to the four conditions drafted by the staff.**

**AYES: Weaver, Veremis, Catalano, Fowler, Hofherr, Saletnik, Szabo**  
**NAYES: None**  
**ABSTAIN: None**

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

Member Veremis asked if there was any feedback from last week's PZB Workshop and if the developer was happy with the meeting.

Samantha Redman stated that we collected all the comments. We received 10 comment cards. We are opening a form on the website to get public comments. The developer is taking all the comments and they will hopefully be submitting a petition in the next few weeks. They were interested in what the community had to say. They seemed happy with the meeting. It was a good venue to have people talk about the property. The developer is taking consideration on building material, driveways and access and a few other notable things. Once the developer submits a petitioner, we will have the full public hearing.

## **ADJOURNMENT**

The next scheduled Planning & Zoning Board meeting is Tuesday June 27, 2023.

Chairman Szabo adjourned the meeting by voice vote at 7:49 p.m.

Sincerely,

Margie Mosele, Executive Assistant/Recording Secretary

cc: City Officials, Aldermen, Planning & Zoning Board, Petitioners