

**City of Prospect Heights
Plan/Zoning Board of Appeals
August 25, 2022**

I. MEETING COMMENCEMENT:

The regular meeting of the Plan/Zoning Board of Appeals was called to order at 7:05 pm by Chairman Kempa, at City Hall, 8 N. Elmhurst Road, in Prospect Heights, Illinois.

II. ROLL CALL:

Present: Chairman Kempa, Commissioners DeGraf, Saewert and Simmons

Absent: Commissioner Tammen, Patel & Rygiel absent by prior notice

Quorum is present.

Present at the meeting: Director of Building & Development Daniel A. Peterson and
Recording Secretary: Jenn Myzia

III. APPROVAL OF July 28, 2022 MINUTES

Motion made by Commissioner DeGraf, seconded by Commissioner Saewert to approve the meeting minutes as is.

ROLL CALL VOTE:

AYES: Commissioners DeGraf, Saewert, Simmons and Chairman Kempa

NAYS:

ABSENT: Commissioner Tammen, Patel & Rygiel

ABSTAIN:

Motion carried 4:0

IV. OLD BUSINESS: NONE

V. NEW BUSINESS

1. PZBA – Zoning Public Hearing: Case 22-15 V 111 Garden Lane – Public Hearing

Applicant: Darius Supinski & Agata Szczukowska

Address: 111 Garden Lane., Prospect Heights, IL 60070

Description of Request:

- A. Variation to encroach from 5' to 0' Side Yard Setback for a driveway encroachment.

Chairman Kempa requests a motion to re- open the public meeting for 22-15 V at 7:07 pm

Motion by Commissioner Saewert

Second by Commissioner Simmons

VOICE VOTE:

AYES: Commissioners Saewert, DeGraf, Simmons and Chairman Kempa

NAYS:

ABSENT: Commissioner Tammen, Patel and Rygiel

ABSTAIN:

Approved 4:0

Director Peterson summarizes the case and the legal opinion requested as to legal non-conforming status of the property. The legal opinion of the City Attorney, James Hess, is that it is legal non-conforming and the action of such does not warrant the variation request. In regard to this decision, the driveway can stay there as-is and be maintained as-is but cannot be expanded upon.

Chairman Kempa requests a motion to accept the legal opinion in as Exhibit 9.

Motion by Commissioner Saewert

Second by Commissioner DeGraf

VOICE VOTE:

AYES: Commissioners Simmons, DeGraf, Saewert and Chairman Kempa

NAYS:

ABSENT: Commissioner Tammen, Patel & Rygiel

ABSTAIN:

Approved 4:0

Chairman Kempa requests a motion to close the public meeting for 22-15 V at 7:10 pm

Motion by Commissioner Saewert

Second by Commissioner Simmons

VOICE VOTE:

AYES: Commissioners DeGraf, Saewert, Simmons and Chairman Kempa

NAYS:

ABSENT: Commissioner Tammen, Patel & Rygiel

ABSTAIN:

Approved 4:0

Public Hearing is closed.

VI. Public Comment

VII. Previous Application Updates

- A. ZBA 22-14 V – 41 S. Wildwood has been approved by City Council.
- B. ZBA 22-18 SU – Lily's Tamales 17 S. Wolf Rd has been approved by City Council and has submitted the permit application.
- C. ZBA 22-17 SU – Evropa Grill 5 S. Wolf Rd. was deemed a first reading and will reappear before City Council for a final deliberation.
- D. ZBA 22-07 SU-V Wing Stop / Jet's Pizza 1312 N Rand Rd. has submitted permit application which are being reviewed.
- E. ZBA 22-11 SU – Space Cat Tattoo 1311 N. Rand Rd, is under construction.
- F. ZBA 22-03 SU – Bar Salotto 1241 N. Rand Rd.
- G. ZBA 20-02 SU – 10 E Camp McDonald, cell phone tower is up and operational.
- H. ZBA 22-16 V – 113 Garden Lane, the resident reached out to the utility companies and received approval to do improvements in the easement allowing the property to have a 5' setback. The resident is confirming with the 5' setback and the case has been withdrawn by the applicant.
- I. The Allstate property has been annexed to Glenview. This is pending final execution.
- J. ZBA 20-08 MAP, TA, PUD, SU Lexington Homes 1001 Lexington is still in negotiation with the owner.

VIII. Communications

- A. There will be a ZBA meeting on September 22, 2022

IX. Adjournment 7:27 pm

Motion to Adjourn: Commissioner DeGraf

Second: Commissioner Saewert

ROLL CALL:

AYES: Commissioners Saewert, DeGraf, Simmons and Chairman Kempa

NAYS:

ABSENT: Commissioners Tammen, Patel & Rygiel

ABSTAIN:

Approved 4:0