

**City of Prospect Heights
Plan/Zoning Board of Appeals
June 22, 2023**

I. MEETING COMMENCEMENT:

The regular meeting of the Plan/Zoning Board of Appeals was called to order at 7:03 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: Commissioners Patel, Rygiel and Mishevski 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 May 25, 2023 MINUTES

Motion made by Commissioner Saewert, seconded by Commissioner Simmons to approve the meeting minutes as corrected.

ROLL CALL VOTE:

AYES: Commissioners Rygiel, Simmons and Chairman Kempa

NAYS:

ABSENT: Commissioner Patel, Rygiel and Mishevski

ABSTAIN: Commissioner DeGraf

Motion carried 3:0:3:1

IV. OLD BUSINESS: - NONE

V. NEW BUSINESS

1. PZBA Case No. 23-06 V – Public Hearing

Applicant: Joy Quisano

Address: 414 Kerry Ct. Prospect Heights, IL 60070

Description of Request:

Public hearing seeking a variation to Section 5-3-4 G of the City of Prospect Heights Zoning Code to allow a playhouse in the front yard. The existing rear yard is a detention basin for the subdivision and Hintz Rd.

Chairman Kempa requests a motion to open the public meeting for 23-06 V at 7:05 pm

Motion by Commissioner DeGraf

Second by Commissioner Simmons

VOICE VOTE:

AYES: Commissioners Saewert, DeGraf, Simmons and Chairman Kempa

NAYS:

ABSENT: Commissioners Patel, Rygiel and Mishevski

ABSTAIN:

Approved: 4:0:3:0

Director Peterson gives a brief description of the variation request.

Chairman Kempa swears in the applicant.

The applicant, Joy Quisano of 414 Kerry Ct., Prospect Heights, IL 60070 presents her request.

Chairman Kempa requests any direct questions from the board members to the applicant.

The commissioners ask multiple questions including but not limited to if the applicant has taken into consideration any other location on the property or breaking the play house into multiple sections in different locations of the yard.

Chairman Kempa swears in all members of the public who wish to testify.

Robyn Riebman – 412 Kerry Ct. Prospect Heights, IL - opposed
Hyman Riebman – 412 Kerry Ct. Prospect Heights, IL - opposed
Todd Kaprak – 410 Kerry Ct. Prospect Heights, IL - opposed
Kristen Kaprak – 410 Kerry Ct. Prospect Heights, IL - opposed
Ed Pekovic – 1210 Woodview Dr. Prospect Heights, IL - opposed
Natalya Kolvsnokov – 1209 Woodview Dr. Prospect Heights, IL - opposed
Jaqueline Mariquina – 1430 Cornell Ct. Wheeling, IL – pro

Director Peterson reads and submits into evidence two letters received via US Postal Service.

Rick & Dina Sternquist – 406 Kerry Ct. Prospect Heights, IL – opposed
Ross & Josephine Calandreno – 413 Kerry Ct. Prospect Heights, IL - opposed

Chairman Kempa asks if the applicant would like to speak to the presented testimony.

Joy Quisano addresses the presented testimony.

Chairman Kempa explains to the applicant the requirements to zoning board uses to recommend an approval or non-approval to City Counsel.

Chairman Kempa states as there are not further questions or comments he would like a motion to close the public hearing 23-06V.

Chairman Kempa requests a motion to close the public hearing for 23-07 6 at 7:44 pm

Motion by Commissioner DeGraf
Second by Commissioner Saewert

ROLL CALL VOTE:

AYES: Commissioners Saewert, Simmons, DeGraf and Chairman Kempa

NAYS:

ABSENT: Commissioner Patel, Rygiel and Mishevski

ABSTAIN:

Approved 4:0:3:0

Chairman Kempa asks for commissioner comments and discussion.

Chairman Kempa suggests the applicant request a continuance to consider different alternatives prior to the board making their recommendation.

The applicant requests a formal continuance until the July 27, 2023 meeting.

Director Peterson advises the applicant she and he will have conversation of what will be required for the continuation.

Director Peterson states to the public that this is the public notice for the continuance and the web-site will be updated with the Agenda for the July 27, 2023 meeting.

Chairman Kempa requests a motion to continue the public hearing for 23-07 6 at 7:55 pm

Motion by Commissioner Saewert

Second by Commissioner DeGraf

ROLL CALL VOTE:

AYES: Commissioners DeGraf, Simmons, Saewert and Chairman Kempa

NAYS:

ABSENT: Commissioner Patel, Rygiel and Mishevski

ABSTAIN:

Approved 4:0:3:0

This case will reappear before the zoning board on Thursday July 27, 2023 at 7:00 pm.

2. PZBA Case No. 23-08 V – Public Hearing

Applicant: Steve Petersen

Address: 200 W Willow, Prospect Heights, IL 60070

Description of Request:

Public Hearing seeking a variation to Section 5-3-4 H1f(2) of the City of Prospect Heights Zoning Code to allow the reduction of the required corner yard setback from 25' to 10' for the construction of a 4' chain link fence.

Chairman Kempa requests a motion to open the public meeting for 23-08 V at 7:56 pm

Motion by Commissioner Simmons

Second by Commissioner Saewert

VOICE VOTE:

AYES: Commissioners Simmons, DeGraf, Saewert and Chairman Kempa

NAYS:

ABSENT: Commissioners Patel, Rygiel and Mishevski

ABSTAIN:

Approved: 4:0:3:0

Director Peterson gives a brief description of the variation request.

Chairman Kempa swears in the applicant.

The applicant, Steve Petersen of 200 W Willow, presents his request.

The commissioners ask questions of the applicant and Director Peterson.

Chairman Kempa requests a motion to close the public hearing for 23-08 V at 8:03 pm

Motion by Commissioner DeGraf

Second by Commissioner Saewert

ROLL CALL VOTE:

AYES: Commissioners DeGraf, Simmons, Saewert and Chairman Kempa

NAYS:

ABSENT: Commissioner Patel, Rygiel and Mishevski

ABSTAIN:

Approved 4:0:3:0

Chairman Kempa requests any discussion from the commissioners.

Chairman Kempa requests a motion to receive into the public record the evidence and exhibits presented for the application 23-08 V

Motion by Commissioner DeGraf

Second by Commissioner Simmons

VOICE VOTE:

AYES: Commissioners Saewert, DeGraf, Simmons & Chairman Kempa

NAYS:

ABSENT: Commissioner Patel, Rygiel and Mishevski

ABSTAIN:

Approved 4:0:3:0

Chairman Kempa requests a motion to recommend that City Council approve the variation case 23-08 V to Section 5-3-4 H1f(2) of the City of Prospect Heights Zoning Code to allow the reduction of the required corner yard setback from 25' to 10' for the construction of a 4' chain link fence. The condition stipulated is the variation must stay at 4' chain link fence.

Motion by Commissioner Saewert

Second by Commissioner Simmons

ROLL CALL:

AYES: Commissioners Simmons, DeGraf, Saewert & Chairman Kempa

NAYS:

ABSENT: Commissioner Patel, Rygiel and Mishevski

ABSTAIN:

Approved 4:0:3:0

This case will appear before City Council on Monday July 10 at 6:30pm.

3. PZBA Case No. 23-09 SU – Public Hearing

Applicant: Fortune Plus Prospect Heights LLC

Address: 1313 E Rand Rd. Arlington Heights, IL 60004

Description of Request:

Public hearing seeking approval for a sit down restaurant build out of an existing 2,046 ± sq. ft. vacant retail space. The parking classification per code is Class #16. Based upon the requirement for off-street parking, the restaurant would require 21 parking spaces. The existing parking lots in the front and rear of the property appear to be adequate to accommodate the required parking demand of the center. The existing parking lots need maintenance and striping to confirm compliance.

Chairman Kempa requests a motion to open the public meeting for 23-09 SU at 8:10 pm
Motion by Commissioner Saewert
Second by Commissioner Simmons

VOICE VOTE:

AYES: Commissioners Saewert, DeGraf, Simmons and Chairman Kempa

NAYS:

ABSENT: Commissioners Patel, Rygiel and Mishevski

ABSTAIN:

Approved: 4:0:3:0

Director Peterson gives a brief description of the variation request.

Chairman Kempa swears in the applicant.

The applicant Shehal Thakkar of 657 Cathy lane Schaumburg, IL 60173 presents his case.

The commissioners ask questions of the applicant.

Chairman Kempa asks for any questions or comments.

Chairman Kempa requests a motion to close the public hearing for 23-09 SU at 8:22 pm

Motion by Commissioner Simmons

Second by Commissioner DeGraf

ROLL CALL VOTE:

AYES: Commissioners DeGraf, Saewert, Simmons and Chairman Kempa

NAYS:

ABSENT: Commissioner Patel, Rygiel and Mishevski

ABSTAIN:

Approved 4:0:3:0

Chairman Kempa requests any discussion from the commissioners.

Commissioner Saewert would like to add a condition for signage in the right of way.

Chairman Kempa requests a motion to receive into the public record the evidence and exhibits presented for the application 23-09 SU

Motion by Commissioner Saewert

Second by Commissioner DeGraf

VOICE VOTE:

AYES: Commissioners Saewert, Simmons, DeGraf & Chairman Kempa

NAYS:

ABSENT: Commissioner Patel, Rygiel and Mishevski

ABSTAIN:

Approved 4:0:3:0

Chairman Kempa requests a motion to recommend that City Council approve case 23-09 SU, the special use for a sit down restaurant build out of an existing 2,046 ± sq. ft. vacant retail space. The parking classification per code is Class #16. Based upon the requirement for off-street parking, the restaurant would require 21 parking spaces. The existing parking lots in the front and rear of the property appear to be adequate to accommodate the required parking demand of the center. The existing parking lots need maintenance and

striping to confirm compliance. The conditions requested by the commissioners are the signage will be brought to code, building permits are required, the parking plans will be submitted and reviewed prior to occupancy including properly striped and dedicated handicap parking area per code.

Motion by Commissioner Saewert

Second by Commissioner DeGraf

ROLL CALL:

AYES: Commissioners Saewert, Simmons, DeGraf & Chairman Kempa

NAYS:

ABSENT: Commissioner Patel, Rygiel and Mishevski

ABSTAIN:

Approved 4:0:3:0

This case will appear before City Council on Monday July 10 at 6:30pm.

VI. Public Comment

VII. Previous Application Updates

- A. ZBA 20-02 SU – 10 E. Camp McDonald, Crown Castle cell tower
- B. ZBA 22-03 SU – Bar Salotto 1241 N. Rand Rd. is moving forward with estimated August 1st opening.
- C. ZBA 23-07 V – 1307 Williams Way
- D. Fire update at 1301-1311 N Elmhurst
- E. Update on Zoning Code update

VIII. Communications

- A. There will be a ZBA meeting on July 27 2023

IX. Adjournment 8:38 pm

Motion to Adjourn: Commissioner DeGraf

Second: Commissioner Simmons

ROLL CALL:

AYES: Commissioners Saewert, Simmons, DeGraf and Chairman Kempa

NAYS:

ABSENT: Commissioners Patel, Rygiel and Mishevski

ABSTAIN:

Approved 4:0:3:0