

**City of Prospect Heights
Plan/Zoning Board of Appeals
September 28, 2023**

I. MEETING COMMENCEMENT:

The regular meeting of the Plan/Zoning Board of Appeals was called to order at 7:02 pm by Chairman Kempa, at City Hall, 8 N. Elmhurst Road, in Prospect Heights, Illinois.

II. ROLL CALL:

Present: Chairman Kempa, Commissioners DeGraf, Saewert, Simmons and Mishevski

Absent: Commissioner Patel is absent by prior notice. Commissioner Rygiel

Quorum is present.

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

III. APPROVAL OF August 24, 2023 MINUTES

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

ROLL CALL VOTE:

AYES: Commissioners Saewert, Simmons, Mishevski and Chairman Kempa

NAYS:

ABSENT: Commissioners Patel and Rygiel

ABSTAIN: Commissioner DeGraf

Motion carried 4:0:1:1

IV. OLD BUSINESS:

V. NEW BUSINESS:

1. PZBA Case No. 23-13 V – Public Hearing

Applicant: Jack & Elizabeth Van Orden

Address: 1418 E Olive, Arlington Heights, IL 60004

Description of Request:

The applicants are requesting the following variations:

1. Section 5-6-1 D1 – Lot Size: Request approval a 10' reduction from the required minimum 100' front building line width to 90'; and
2. Section 5-6-1 E2 – Yard Areas: Request a reduction of the required side yard setback from 15' to 10'.

Purpose: For the construction of a new single-family home on a buildable legal non-conforming lot.

Chairman Kempa requests a motion to re-open the public meeting for 23-13 V at 7:04 pm

Motion by Commissioner Simmons

Second by Commissioner DeGraf

VOICE VOTE:

AYES: Commissioners Mishevski, Simmons, DeGraf, Saewert, and Chairman Kempa

NAYS:

ABSENT: Commissioners Patel and Rygiel

ABSTAIN:

Approved: 5:0:2:0

Director Peterson describes the case about to be presented.

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

Jack Van Orden of 1418 E Olive St. Arlington Heights, IL – presents the case.

Gary Lira, Architect of Gary Lira & Associates. 2015 S Arlington Heights Rd, Suite 118C, describes the hardship of the non-conforming lot while designing the home.

Terry Benjamin 1504 E Olive St. Arlington Heights, IL – neighbor in support with one concern of drainage as Mr. Benjamin is the lowest property on the street. He requests proper drainage takes place during construction.

The commissioners ask questions of the applicants, their representative and Director Peterson.

Director Peterson states that if the variation is granted, access to the rear yard for any future structures would become a self-imposed hardship.

Chairman Kempa requests a motion to close the public hearing for 23-13 V at 7:20 pm

Motion by Commissioner DeGraf

Second by Commissioner Saewert

ROLL CALL VOTE:

AYES: Commissioners Saewert, DeGraf, Simmons, Mishevski and Chairman Kempa

NAYS:

ABSENT: Commissioner Patel and Rygiel

ABSTAIN:

Approved 5:0:2:0

Chairman Kempa opens discussion for the commissioners. The commissioners ask Director Peterson if he received any calls from neighbors in regards to the notice.

Elizabeth Van Orden – 1418 E Olive St. Arlington Heights, IL 60004 – speaks in regard to communication with the neighbors prior to the public hearing.

Chairman Kempa requests a motion to receive into the public record the evidence & testimony presented including the submission of the green cards for the certified mailing presented by the applicant for the application 23-13 V

Motion by Commissioner Simmons

Second by Commissioner DeGraf

VOICE VOTE:

AYES: Commissioners Saewert, DeGraf, Simmons, Mishevski & Chairman Kempa

NAYS:

ABSENT: Commissioner Patel and Rygiel

ABSTAIN:

Approved 5:0:2:0

Chairman Kempa requests a motion to recommend that City Council approve case 23-13 V, a variation to Section 5-6-1 D1 – Lot Size: approval of a 10' reduction from the required minimum 100' front building line width to 90'

Motion by Commissioner Saewert

Second by Commissioner DeGraf

ROLL CALL:

AYES: Commissioners Mishevski, Saewert, Simmons, DeGraf & Chairman Kempa

NAYS:

ABSENT: Commissioner Patel and Rygiel

ABSTAIN:

Approved 5:0:2:0

Chairman Kempa requests a motion to recommend that City Council approve case 23-13 V, a variation to Section 5-6-1 E2 – Yard Areas: approval of a reduction of the requires side yard setback from 15' to 10' for the construction of a single family home.

Motion by Commissioner Simmons

Second by Commissioner Saewert

ROLL CALL:

AYES: Commissioners Simmons, DeGraf, Mishevski, Saewert & Chairman Kempa

NAYS:

ABSENT: Commissioner Patel and Rygiel

ABSTAIN:

Approved 5:0:2:0

This case will reappear before the zoning board on October 9, 2023 at 6:30 pm.

VI. Public Comment

VII. Previous Application Updates

- A. ZBA 23-13 V – 910 Sherwood
- B. Introduction to L Development 506/508 E Camp McDonald Rd at City Council
- C. ZBA 22-03 SU – Bar Salotto 1241 N. Rand Rd. is moving forward opening soon
- D. ZBA 20-02 SU – 10 E. Camp McDonald, Crown Castle cell tower.
- E. ZBA 17-08 SU Lexington/Jolly Fun House project status

VIII. Communications

IX. Adjournment 7:52 pm

Motion to Adjourn: Commissioner DeGraf

Second: Commissioner Saewert

ROLL CALL:

AYES: Commissioners Saewert, Simmons, DeGraf, Mishevski and Chairman Kempa

NAYS:

ABSENT: Commissioners Patel and Rygiel

ABSTAIN:

Approved 5:0:2:0