

**City of Prospect Heights
Plan/Zoning Board of Appeals
April 23, 2025**

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, Patel, Saewert, Simmons and Mishevski

Absent: Commissioner Rygiel absent by prior notice

Quorum is present.

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

Pledge of Allegiance

III. APPROVAL OF January 29, 2025 MINUTES

Motion made by Commissioner Patel seconded by Commissioner Saewert to approve the meeting minutes with corrections.

ROLL CALL VOTE:

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

NAYS:

ABSENT: Commissioner Rygiel

ABSTAIN:

Motion carried 5:0:1:0

IV. Old Business:

V. New Business:

1. PZBA Case #25-03 SU – Public Hearing

Applicant: Rajka Andelic, Gitibin & Associates, LLC. dba: Go Rentals

Address: 750 Pinecrest, Prospect Heights, IL 60070

Description of Request: Applicant is requesting a Special Use Permit to operate an Automobile Rental business in the Commercial, Wholesale & General Services District per 5-7-5 C of the City of Prospect Heights Zoning Code.

Chairman Kempa requests a motion to open the public meeting for 25-03 SU at 7:08 pm

Motion by Commissioner DeGraf

Second by Commissioner Simmons

VOICE VOTE:

AYES: Commissioners DeGraf, Saewert, Patel, Simmons, Mishevski and Chairman Kempa
NAYS:
ABSENT: Commissioner Rygiel
ABSTAIN:
Approved: 6:0

Chairman Kempa swears in all wanting to testify for case 25-03 SU.

Rajka Andelic representing Go Rentals presents the case that Go Rentals would like to use the property for the Regional Office administrative activities and to provide storage inside and outside for car rentals catering to Ascension Global Services and Signature Flight. There would be approximately 20-40 vehicles at any time.

Chairman Kempa expresses concern for criminal activity.

Director Peterson states according to Police Chief Derman there have been no reports of any criminal activity at that property within the last six months.

Ms. Andelic states there have been no criminal instances since they have been occupying the property and there are also security cameras surrounding the building. Ms. Andelic states there are 10-15 parking spots inside the building and 50-60 parking spots outside which are not all used and there is no agreed upon amount of space use in the lease with the landlord, however the limit is up to 40 vehicles at any given time.

Director Peterson confirms with the applicant that they have been occupying the space for a little over one year. He continues to explain they business was discovered because of the large numbers of cars parked outside. When approached the business was not aware they needed zoning approval and a business license. There have been no criminal instances since Go Rentals have been occupying the space.

Ms. Andelic states the largest number of vehicles that has been outside to date in 20 vehicles. This was during the winter when the aviation business was slow.

The commissioners discuss and ask questions of the applicant. The main concern seems to be for safety and criminal activity. The applicant states that neither she nor any of the employees have felt unsafe.

Chairman Kempa asks if there is anyone from the public that would like to address this case.

Chairman Kempa requests a motion to close the public hearing for 25-03 SU at 7:22 pm

Motion by Commissioner DeGraf

Second by Commissioner Patel

ROLL CALL VOTE:

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

NAYS:

ABSENT: Commissioner Rygiel

ABSTAIN:

Approved 6:0

Chairman Kempa requests a motion to accept into evidence presented this evening for case 25-03 SU.

Motion by Commissioner Saewert

Second by Commissioner Patel

ROLL CALL:

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

NAYS:

ABSENT: Commissioner Rygiel

ABSTAIN:

Approved 6:0:1:0

Chairman Kempa requests a motion to recommend that City Council approve case 25-03 SU a Special Use Permit to operate an Automobile Rental business in the Commercial, Wholesale & General Services District per 5-7-5 C of the City of Prospect Heights Zoning Code.

Motion by Commissioner Simmons

Second by Commissioner DeGraf

ROLL CALL:

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

NAYS:

ABSENT: Commissioner Rygiel

ABSTAIN:

Approved 6:0:1:0

This case will be presented to City Council on Monday May 12 at 6:30 pm.

2. PZBA Case #25-04 V – Public Hearing

Applicant: Joey Pascucci, Owner

Address: 697 Glendale Dr., Prospect Heights, IL 60070

Description of Request: Consideration of a variation to allow an approximately 300 sq. ft. roof addition to a 720 sq. ft. existing detached garage that exceeds the maximum allowed per section 5-3-4G Lot Coverage at the property in the City's R-1 Single Family Residential District.

Chairman Kempa requests a motion to open the public meeting for 25-04 V at 7:25 pm

Motion by Commissioner Saewert

Second by Commissioner Patel

VOICE VOTE:

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

NAYS:

ABSENT: Commissioner Rygiel

ABSTAIN:

Approved: 6:0

Chairman Kempa swears in all in attendance to testify for case 25-04 V.

Joseph Pascucci – 697 Glendale Dr. states he has a garage and built an overhang porch off the side and does not meet the standards of the code of the City of Prospect Heights. He states it was built in 2018 and he had had a conversation with the previous inspector, Darrell Taylor, in which the height of the roof of the garage was too high as a result of the cement mason putting one block too many at the base which resulted in the roof height being 8"-10" too high. As a result, the roof was removed and re-built. He states there was verbal approval from the inspector to place a roof overhang/porch off the side of the structure as long as no concrete was placed underneath the overhang. The verbal approval has led to the application for this variance for approval to something that has already been built.

Chairman Kempa asks if there is any supporting documentation for the approval in the field.

Mr. Pascucci states the one document he has is the final inspection. He states that in a conversation with the builder who was there at the time in 2018, the roof was lowered and Mr. Taylor measured the height of the roof and said, "you're good". Mr. Pascucci states he was not at the property for the final inspection and states what he understands to have taken place.

Commissioner Saewert asks if the extension was on the structure at that time.

Mr. Pascucci states that he believes it was but it was added on and talked about when the roof was taken off.

Commissioner Patel asks if there is a final inspection report. Mr. Pascucci produces said report. Commissioner Patel asks to see it.

The final inspection report is dated 8/28/2018, final on garage approved by Darrell Taylor.

Commissioner Patel asks if there is a record of any other inspections.

Director Peterson states there is an inspection of the helical piers and the pre-pour. Director Peterson states the rough inspection report has been misplaced however that is when the height of the roof was noted and a conversation about option took place in the office. To his recollection he was not included in any further conversations other than the roof was to be lowered and the garage was finalized.

Director Peterson states this spring, Mr. Pascucci applied for a swimming pool and during the plan review, Plan Examiner Hart observed the garage listed on the application submittal did not match the approved permit for the garage in 2018, therefore failed the initial swimming pool plan review.

Director Peterson describes a conversation he had with the City Attorney in regard to options on how to move forward with the discrepancies that have been discovered.

Chairman Kempa asks the applicant to describe what flood zone approved means in regard to the patio.

Mr. Pascucci states when building the garage specific protocols had to be met as the garage is in the flood plain. He states the bottom of the garage has flood through vents so for the 100 year flood plain so water can flow through. The patio underneath the overhang is brick not cement to meet the flood plain requirement.

Chairman Kempa questions the base of the project.

Commissioner Patel states the garage is sitting on helical piers.

Chairman Kempa asks what the columns supporting the roof overhang are attached to.

Mr. Pascucci states the columns are on concrete.

Chairman Kempa describes the dilemma the ZBA Board is having approving this type of after the fact request.

Director Peterson explains that concrete is allowed in a floodplain but it cannot create a damning situation.

Discussion about square footage, lot coverage and the issues concerning this case take place.

Commissioner Patel asks what the exact dimensions are because there is conflicting information in the documents.

Director Peterson states the civil engineer who worked on the pool for the 697 Glendale property put together a lot coverage table that does not match any of the numbers. Director Peterson states he spoke with Mr. Toberman and he still cannot figure out how he came up with the numbers for the garage. According to the lot coverage schedule by Mr. Toberman the garage structure is almost 850± sq. ft. which is on exhibit four.

Discussions on different approaches on how to handle this variation request continue.

Director Peterson confirms the concern is not the floodplain as the overhang will not impede the flow of water, but the main concern is the overage on lot size coverage allowed by ordinance.

Commissioner Saewert asks if the accessory structure code has changed since the original variation request for the garage in 2017.

Director Peterson responds that neither the definitions nor the code has changed and the quandary that has initiated this variation request is based on the 2017 approval what is there today does not match.

The commissioners continue discussions.

Chairman Kempa asks if there is anyone else from the public that wishes to testify.

Chairman Kempa requests a motion to close the public hearing for 25-04 V at 8:25 pm

Motion by Commissioner DeGraf

Second by Commissioner Mishevski

ROLL CALL VOTE:

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

NAYS:

ABSENT: Commissioner Rygiel

ABSTAIN:

Approved 6:0

Director Peterson states staff has four exhibits they would like entered into the record.

- 1) The approved engineering plan for permit 2018-40
- 2) Site plan used for the ordinance O-17-22
- 3) Building exhibit from the original garage from permit 2018-40
- 4) Final inspection report from permit 2018-40

The commissioners discuss the case.

Director Peterson confirms with the commissioners what clarification and information they would like to receive from the City Attorney.

Chairman Kempa requests a motion to continue the public hearing for 25-06 V at 8:50 pm

Motion by Commissioner Saewert

Second by Commissioner DeGraf

ROLL CALL VOTE:

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

NAYS: Commissioner Patel

ABSENT: Commissioner Rygiel

ABSTAIN:

Approved 5:1

VI. Public Comment – Non-Agenda Items

VII. Previous Application Updates

1. Cell Tower
2. Fire Department addition

VIII. Communications –

1. Economic Interest

IX. Adjournment

Chairman Kempa requests a motion to adjourn at 8:55 pm

Motion by Commissioner DeGraf

Second by Commissioner Saewert

VOICE VOTE:

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

NAYS:

ABSENT: Commissioner Rygiel

ABSTAIN:

Approved: 6:0