VILLAGE OF BARTLETT

COMMITTEE AGENDA

OCTOBER 20, 2020

BUILDING & ZONING, CHAIRMAN REINKE

Bucky's on Stearns – Site Plan, Special Use and Variations

BCBP Lot 2A (Cook County)-Site Plan Review/Variations

County Farm & Stearns Concept Plan Review

630 Golfers Lane Variance

1070 Dartmouth Drive – Variations

FINANCE & GOLF, CHAIRMAN DEYNE

Golf Simulator Contract Extension

POLICE & HEALTH, CHAIRMAN CARBONARO

Discussion of Changes to Village Employee Benefit Plans

EXECUTIVE SESSION

To Discuss Sale of Village Owned Property Pursuant to Section 2(c)6 of the Open Meetings Act

Agenda Item Executive Summary

Item Name	Bucky's on Stearns - Site Plan, Special Use Permits and Variations	Committee or Board	Committee

BUDGET IMPACT

Amount:	N/A	*Budgeted*	N/A
List what fund	N/A		

EXECUTIVE SUMMARY

The Petitioner is requesting **Site Plan Review** for a proposed Bucky's convenience store and gas station on two lots (currently Mobil & Sonic) at the southwest corner of Route 59 and Stearns Road in the B-4 (Community Shopping) Zoning District.

The Petitioner is requesting **Special Use Permits** (a) for an automobile service station to bring the existing use into conformance, (b) to sell package liquor and (c) for outdoor sales.

This station would include a 4,700 square foot convenience store with ten pump islands (20 total stations) and would operate 24 hours, seven (7) days a week. The existing buildings and fuel canopy on the Mobil site would be demolished with the new convenience store proposed on the Sonic site that is oriented towards Route 59. It would have a maximum height of 22 feet and be constructed with concrete masonry units that have the appearance of brown brick and fiber cement panels in three (3) earth tones. A decorative metal canopy is located over the entrance of the convenience store. The posts for the fuel canopy are wrapped with the same material as the building.

The Petitioner is also requesting the following **Variations**:

- A 34 ft variation from the required 60 ft. front yard to allow the fuel pump canopy 26 feet from the north property line (W. Stearns Rd),
- A 25 ft variation from the required 60 ft. corner side yard to allow the fuel pump canopy 35 feet from the east property line (Route 59),
- To reduce the interior parkway landscaping requirement (Route 59 & Stearns Rd)

A Traffic Impact Analysis has been submitted by the Petitioner and is currently being reviewed by the Village's Traffic Engineer.

The Village's Environmental Consultant has provided recommendations that will protect the public health and the environment during the redevelopment of the site.

ATTACHMENTS (PLEASE LIST)

PDS Memo, Applicant Cover Letter, Application, Location Map, Site Plan, Color Elevations, Fuel Canopy Elevations, Landscape Plan, Rendering, and Floor Plan

ACTION REQUESTED

- ☑ For Discussion only- To discuss the Petitioner's requests and forward to the Zoning Board of Appeals and Plan Commission for further review and to conduct the required public hearings.
- ☐ Resolution
- ☐ Ordinance
- ☐ Motion

Staff:	Roberta Grill, Planning & Development Services Director	Date:	10/8/2020

PLANNING AND DEVELOPMENT SERVICES MEMORANDUM
20-155

DATE: October 8, 2020

TO: Paula Schumacher, Village Administrator

FROM: Roberta Grill, Planning & Development Services Director RBG

RE: **(#20-08) Bucky's on Stearns**

PETITIONER

Richard McMahon on behalf of Buchanan Energy

SUBJECT SITE

900 S Route 59 (Southwest corner of Stearns Rd and Route 59)

REQUESTS

Site Plan Review,
Special Use Permits –
a) automobile service station
b) to sell package liquor,
c) for outdoor sales,
Variations –
a) a 34 ft. variation from the required 60 ft. corner side yard (fuel canopy-W. Stearns Rd),
b) a 25 ft. variation from the required 60 ft. front yard (fuel canopy – Route 59)
c) to reduce the interior parkway landscape requirements (Route 59 & Stearns Rd)

SURROUNDING LAND USES

	Land Use	Comprehensive Plan	Zoning
Subject Site	**Gas Station**	**Commercial**	**B-4**
North	Gas Station/ Retail Center	Commercial	B-3 & B-3 PUD
South	Retail Center	Commercial	B-4
East	Bank	Commercial	B-3
West	Car Wash	Commercial	B-4

ZONING HISTORY

This property annexed into the Village of Bartlett and was rezoned to the Commercial District by Ordinance 1963-07. During the comprehensive rezoning of the Village in 1978,

the property was rezoned to the B-4 (Community Shopping) Zoning District. Automobile service stations were listed as permitted uses in the 1978 Zoning Ordinance. The Mobil gas station was issued a building permit in 1982. The 1983 Zoning Ordinance Amendment listed automobile service stations as a Special Use in the B-4 Community Shopping District, making the existing Mobil gas station a nonconforming use.

DISCUSSION

1. The Petitioner is requesting **Site Plan Review** for a proposed Bucky's convenience store and gas station on two lots (currently Mobil & Sonic) at the southwest corner of Route 59 and Stearns Road in the B-4 (Community Shopping) Zoning District.

2. The 4,700 sq. ft. convenience store will be located on Lot 4 of the Home Depot Subdivision (Sonic). The 10 pump islands (20 total stations), fuel canopy and fuel tanks will be located on the existing Mobil site. The existing Mobil building, fuel canopy, Sonic and drive-in canopies will be demolished. The existing underground fuel tanks will be removed and replaced in accordance with the State Fire Marshall's standards. The Village's Environmental Consultant has provided recommendations to protect the public health and environment during the redevelopment of the site.

3. The Petitioner is requesting **Special Use Permits** (a) for an automobile service station to bring the existing use into conformance, (b) to sell package liquor and (c) for outdoor sales.

4. The new convenience store would be oriented towards Route 59 and would operate 24 hours, seven (7) days a week. The building is accessible to patrons from both the east and west sides. It would have a maximum height of 22 feet and be constructed with concrete masonry units that have the appearance of brown brick and fiber cement panels in three (3) earth tones. A decorative metal canopy is located over the entrance of the convenience store. The posts for the fuel canopy are wrapped with the same material as the building.

5. The existing gas station originally had three (3) full access curb cuts, two (2) on Route 59 and one (1) on Stearns Rd. Sonic did not have direct access to Stearns Road. The northernmost curb cut on Route 59 was eliminated during the IDOT's intersection improvements and the remaining curb cut became a right-in/right-out due to the construction of a barrier median. At the request of DuPage County Highway, the curb cut on Stearns Road will be moved further west from the Route 59 intersection, it also functions as a right-in/right-out since a barrier median is in place along Stearns Road.

6. The site is also accessible on Stearns Road from the full access curb cut for the internal access drive in the Home Depot Subdivision and via two (2) existing cross access points from the parking lots to the south.

7. The Petitioner has submitted plans to IDOT (Route 59) and DuPage County Highway Department (W. Stearns Rd.) for their review.

8. The Petitioner is requesting the following setback **Variations:**
   - A 34 ft variation from the required 60 ft. front yard to allow the fuel pump canopy 26 feet from the north property line (W. Stearns Rd),
   - A 25 ft variation from the required 60 ft. corner side yard to allow the fuel pump canopy 35 feet from the east property line (Route 59)

9. A **Variation** is also being requested to reduce the interior parkway landscaping requirements. The Landscape Ordinance requires a 25-foot wide interior parkway that includes 1 tree per 30 feet of frontage and 3-ft tall shrubs that screen 75% of the parking areas. Due to installation of a bike path along W. Stearns Road and land takings as part of the intersection improvements, the interior parkway varies in width. The Petitioner is proposing shrub plantings along Route 59 and W. Stearns Road where there is adequate width; no trees are proposed within the interior parkways.

10. The Zoning Ordinance requires a total of 33 parking spaces, 13 parking spaces for the convenience store and two (2) parking spaces for each pump island. Thirty-five (35) spaces including one (1) accessible space are designated for the convenience store and two (2) parking spaces are at each island for the fuel center.

11. The Landscape Plan is currently under review by the Staff.

12. The Photometric Plan is under review by the Staff. The Plan indicates that the light fixtures under the fuel center canopy will be recessed into the canopy.

13. A revised Traffic Impact Analysis has been submitted by the Petitioner and is currently being reviewed by the Village's Traffic Engineer.

RECOMMENDATION

The Staff recommends forwarding the petition to the Zoning Board of Appeals and the Plan Commission to further review the plans and to conduct their respective public hearings.

A copy of the plans and background information are attached for your review.

kms/attachments

x:\comdev\mem2020\155_buckysonstearns_vbc.docx

Buck's Inc.

2500 BRICKVALE ROAD, ELK GROVE VILLAGE, IL 60007
(402) 718-6724
RMcMahon@BuchananEnergy.com

5 June 2020

President Kevin Wallace and Members of the Board of Trustees
Village of Bartlett
228 South Main Street
Bartlett, Illinois 60103

Dear President Wallace;

Buck's Inc., as the development arm of Buchanan Energy, is applying for the necessary Village entitlements to allow us to raze and rebuild the Mobil branded c-store we own on the southwest corner of the intersection of IL 59 and Stearns Road.

After the recent IDOT right of way takings the existing store, built in 1982, now sits on a lot containing only 30,000 s.f. which is far too small for a modern convenience store with fuel sales. To solve this problem, Buck's Inc. has entered into a contract to purchase the neighboring Sonic property which will add approximately 42,000 square feet.

For over a year, engineers and architects have designed and redesigned the site plan to keep all gasoline infrastructure on our Mobil lot and entirely off the Sonic lot which shall remain part of the Home Depot Subdivision and therefore is subject to the Home Depot Subdivision covenants. This site plan we are presenting positions the convenience store entirely on the Home Depot Lot 4 and keeps all fuel tanks and piping isolated on our Mobil lot. We have retained all the existing interior cross access points, the driveway on IL 59 recently rebuilt by IDOT, and we plan to move the Stearns Road driveway recently rebuilt by IDOT further west away from the intersection.

Stormwater management on the Mobil lot will be handled entirely on the Mobil lot and stormwater on the Sonic lot will continue to be managed as part of the Home Depot subdivision.

The 38 year old fuel storage tanks and all piping will be completely removed and any soil contamination discovered shall be remediated under the auspices of both the State Fire Marshall and the Illinois EPA. The new fuel tanks and piping will be state-of-the-art double walled systems.

The existing 690 s.f. convenience store with 6 fuel dispensers will be replaced by a 4,700 s.f. convenience store with 10 fuel dispensers reflecting the new dynamism of the neighborhood. When the store was built in 1982 Steans Road carried little traffic west and hosted a Clark gas station on the northeast corner on what is now the Walgreen's pharmacy.

To make this happen we are requesting a Special Use for an automobile service station, package liquor sales, outdoor sales for propane and seasonal items and certain variations to the Village setback, signage, and landscape requirements.

We believe these improvements shall be a positive contribution to the community on many different levels.

FOR THE COMPANY:

Richard J. McMahon

Richard J. McMahon

VILLAGE OF BARTLETT
DEVELOPMENT APPLICATION
REVISED AND RESUBMITTED

For Office Use Only
Case # 2020-08

RECEIVED
SEP 25 2020
PLANNING & DEVELOPMENT
VILLAGE OF
BARTLETT

PROJECT NAME Bucky's on Stearns Road

PETITIONER INFORMATION (PRIMARY CONTACT)

Name: Richard McMahon

Street Address: 2500 Brickvale Drive

City, State: Elk Grove Village, IL **Zip Code:** 60007

Email Address: RMcMahon@BuchananEnergy.com **Phone Number:** 402-718-6724

Preferred Method to be contacted: Email

PROPERTY OWNER INFORMATION

Name: Two Owners (See Attached)

Street Address:

City, State: **Zip Code:**

Phone Number: 402-718-6724

OWNER'S SIGNATURE: **Date:**
(OWNER'S SIGNATURE IS REQUIRED or A LETTER AUTHORIZING THE PETITION SUBMITTAL.)

ACTION REQUESTED (Please check all that apply)

___ Annexation
___ PUD (preliminary)
___ PUD (final)
___ Subdivision (preliminary)
___ Subdivision (final)
___ Site Plan (please describe use: commercial, industrial, square footage): Neighborhood Shopping- 4,700 s.f. retail
___ Unified Business Center Sign Plan
___ Other (please describe)

___ Text Amendment
___ Rezoning See Dropdown to See Dropdown
___ Special Use for: Automobile Service Station, Package Liquor sales, outdoor sales
___ Variation: Setbacks, and Landscaping

SIGN PLAN REQUIRED? Yes

(Note: A Unified Business Center Sign Plan is required for four or more individual offices or businesses sharing a common building entrance or private parking lot.)

PROPERTY INFORMATION

Common Address/General Location of Property: 900 S. Rt. 59 and 1121 W. Stearns Rd.

Property Index Number ("Tax PIN"/"Parcel ID"): 01-04-403-029 and 01-04-403-035

Zoning: Existing: B-4 (Refer to Official Zoning Map)
Proposed: B-4

Land Use: Existing: Commercial
Proposed: Commercial

Comprehensive Plan Designation for this Property: Commercial (Refer to Future Land Use Map)

Acreage: 1.75

For PUD's and Subdivisions:

No. of Lots/Units: _____

Minimum Lot: Area _____ Width _____ Depth _____

Average Lot: Area _____ Width _____ Depth _____

APPLICANT'S EXPERTS **(If applicable, including name, address, phone and email)**

Attorney Richard McMahon, Buck's Inc.
2500 Brickvale Rd., Elk Grove Village, IL 60007
402-718-6724 RMcMahon@BuchananEnergy.com

Engineer Steve Kudwa, Craig Knoche & Associates
24 N. Bennett, Geneva, IL 60134
630-845-1272 KudwaS@crk-eng.com

Other _____

FINDINGS OF FACT FOR SITE PLANS

Both the Plan Commission and Village Board must decide if the requested Site Plan meets the standards established by the Village of Bartlett Zoning Ordinance.

The Plan Commission shall make findings based upon evidence presented on the following standards: **(Please respond to each of these standards in writing below as it relates to your case. It is important that you write legibly or type your responses as this application will be included with the staff report for the Plan Commission and Village Board to review.)**

1. The proposed use is a permitted use in the district in which the property is located.

   The proposed 4,700 s.f. convenience store is a permitted use in the B-4 zoning district (10-6D-3) and retail motor fuel sales through an automobile service station is a special use (10-6D-4).

2. The proposed arrangement of buildings, off-street parking, access, lighting, landscaping, and drainage is compatible with adjacent land uses.

   The proposed development will replace an existing automobile service station with ancillary convenience store built in 1982 and is designed to be compatible with surrounding land uses. All existing cross access points into the surrounding Home Depot subdivision shall remain, and parking, lighting, drainage are designed to not only meet Village standards but to comply with the Home Depot Restrictive Covenants and Easement Agreement. The proposed development will have minimal impact upon adjacent land uses.

3. The vehicular ingress and egress to and from the site and circulation within the site provides for safe, efficient and convenient movement of traffic not only within the site but on adjacent roadways as well.

   The access driveway onto IL 59 is unchanged from what IDOT recently installed during the intersection redesign. The proposed driveway onto Stearns will be safer than the new driveway constructed during the intersection redesign in that it is moved further west from IL 59. Traffic circulation within the site and onto adjacent private driveways is safe and provides efficient and convenient movement of traffic. Cross access points with the Home Depot center shall be maintained.

4. The site plan provides for the safe movement of pedestrians within the site.

   The open unobstructed site plan provides clear visibility of those customers choosing to walk from their vehicles at the fuel pumps to the convenience store. Adequate parking for non-fuel customers is provided at both the east and west entrances to the c-store.

5. There is sufficient mixture of grass, trees and shrubs within the interior and perimeter (including public right-of-way) of the site so that the proposed development will be in harmony with adjacent land uses and will provide a pleasing appearance to the public. Any part of the site plan area not used for buildings, structures, parking or accessways shall be landscaped with a mixture of grass, trees and shrubs. (All landscape improvements shall be in compliance with Chapter 10-11A, Landscape Requirements)

   The site is designed to provide a pleasing appearance to the public consistent with the unique functional activities within this proposed development as a high-volume service station/gas station. Any deviations from the strict adherence with Chapter 10-11A are being sought through requested variations. (see Chapter 10-11A-4C and 10-11A-4E) Despite the IDOT takings along both Stearns and IL 59, total provided green space on the property is 31.6% of the total site (23,104 sf/73,229 sf)

6. All outdoor storage areas are screened and are in accordance with standards specified by this Ordinance.

   The trash dumpster and outdoor storage enclosure shall be screened in accordance with the Village's regulations.

FINDINGS OF FACT FOR SPECIAL USES **Automobile Service Station**

Both the Plan Commission and Village Board must decide if the requested Special Use meets the standards established by the Village of Bartlett Zoning Ordinance.

The Plan Commission shall make findings based upon evidence presented on the following standards: **(Please respond to each of these standards in writing below as it relates to your case. It is important that you write legibly or type your responses as this application will be included with the staff report for the Plan Commission and Village Board to review.)**

1. That the proposed use at that particular location requested is necessary or desirable to provide a service or a facility which is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community.

   The location has been operated as an automobile service station since 1982. The current facility is functionally and aesthetically obsolete both above and below ground.The proposed raze and rebuild including a 4,700 s.f. convenience store will allow the petitioner to continue to serve the pubic at this high traffic key intersection with the same conveniences but through a modern, updated facility including the potential to host EV charging in the future.

2. That such use will not under the circumstances of the particular case be detrimental to the health, safety, morals, or general welfare of persons residing or working in the vicinity or be injurious to property value or improvement in the vicinity.

   The proposed development, surrounded with B-4 and B-3 commercial uses, will enhance the surrounding property values. Replacing the 38 year old underground petroleum storage tanks and piping with state-of-the-art double walled tanks and piping with alarm sensors and automatic shutoff systems will be safer for the environment than than the current facility.

3. That the special use shall conform to the regulations and conditions specified in this Title for such use and with the stipulation and conditions made a part of the authorization granted by the Village Board of Trustees.

   The proposed Special Use as an automobile service station will conform with the regulations and conditions specified in the Village B-4 Community Shopping District which is intended to be located at the intersection of two (2) arterials for the express purpose of providing for community shopping needs of persons residing throughout the Village and surrounding municipalities.

FINDINGS OF FACT FOR SPECIAL USES **Package Liquor Sales**

Both the Plan Commission and Village Board must decide if the requested Special Use meets the standards established by the Village of Bartlett Zoning Ordinance.

The Plan Commission shall make findings based upon evidence presented on the following standards: **(Please respond to each of these standards in writing below as it relates to your case. It is important that you write legibly or type your responses as this application will be included with the staff report for the Plan Commission and Village Board to review.)**

1. That the proposed use at that particular location requested is necessary or desirable to provide a service or a facility which is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community.

   Large well managed convenience stores coupled with retail motor fuel sales provide a necessary public service to the community. The distinction between such a facility and a pharmacy is increasingly recognized as a distinction without a difference.

2. That such use will not under the circumstances of the particular case be detrimental to the health, safety, morals, or general welfare of persons residing or working in the vicinity or be injurious to property value or improvement in the vicinity.

   The requested special use for alcohol sales in a large 4,700 s.f. c-store will not be detrimental to the health, safety, morals, or general welfare of persons living and working in the area as is evidenced by the petitioner's faithful adherence to recent ordinance amendments in Carol Stream and in Wheaton allowing the petitioner to sell package alcohol in convenience stores with retail motor fuel sales recently razed and rebuilt within those communities.

3. That the special use shall conform to the regulations and conditions specified in this Title for such use and with the stipulation and conditions made a part of the authorization granted by the Village Board of Trustees.

   Adherence to the Village ordinances governing the sale of package liquor is a trust taken seriously by Steve Buchanan, the founder and owner of Buck's Inc. This is best evidenced by the record and the daily actions of the company and its employees.

FINDINGS OF FACT FOR SPECIAL USES **Outdoor Sales**

Both the Plan Commission and Village Board must decide if the requested Special Use meets the standards established by the Village of Bartlett Zoning Ordinance.

The Plan Commission shall make findings based upon evidence presented on the following standards: **(Please respond to each of these standards in writing below as it relates to your case. It is important that you write legibly or type your responses as this application will be included with the staff report for the Plan Commission and Village Board to review.)**

1. That the proposed use at that particular location requested is necessary or desirable to provide a service or a facility which is in the interest of public convenience and will contribute to the general welfare of the neighborhood or community.

   Convenience stores by their nature are where the public purhases propane and seasonal items because these items can be easily and safely loaded into their vehicles. Other conveinence stores in the area also provide this service and failure to allow this expected public service would put this project at a competitive disadvantage.

2. That such use will not under the circumstances of the particular case be detrimental to the health, safety, morals, or general welfare of persons residing or working in the vicinity or be injurious to property value or improvement in the vicinity.

   Offering this service to the public shall not be detrimental to the health, safety, morals, or general welfare of those living and working in the vicinity and shall not be detrimental to property values or improvements in the vicinity.

3. That the special use shall conform to the regulations and conditions specified in this Title for such use and with the stipulation and conditions made a part of the authorization granted by the Village Board of Trustees.

   The proposed Special Uses shall conform with the regulations and conditions specified in this Title.

FINDINGS OF FACT FOR VARIATIONS — Yard

Both the Zoning Board of Appeals and the Village Board must decide if the requested variation is in harmony with the general purpose and intent of the Zoning Ordinance and if there is a practical difficulty or hardship in carrying out the strict letter of the regulations of the Zoning Ordinance.

The Zoning Board of Appeals shall make findings based upon evidence presented on the following standards: **(Please respond to each of these standards in writing below as it relates to your case. It is important that you write legibly or type your responses as this application will be included with the staff report for the ZBA and Village Board to review.)**

1. That the particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.

   The Home Depot Restrictive Covenants prohibit underderground storage tanks (Sec. 10.02). The design of this project keeps the underground storage tanks and all petroleum infrastructure on the legal lot currently used by the petitioner as an automobile service station. This lot is outside the Home Depot subdivision. The convenience store is sited on the legal lot which is a part of the HD subdivision. In addition, the recent IDOT takings for the expansion of the intersection reduced the size of both lots. Strict applicaiton of the Village setback requirements would cause abandonment of the project.

2. That conditions upon which the petition for a variation is based are unique to the property for which the variation is sought and are not applicable, generally, to other property within the same zoning classifications.

   The unique legal status of the Buck's lot as a automobile service station outside but adjacent to the Home Deport subdivision being co-developed with the Sonic lot inside the Home Depot subdivision is unique to any other B-4 properties within the Village.

3. That the purpose of the variation is not based exclusively upon a desire to make more money out of the property.

   The age of the existing gas station on the Buck's lot, built in 1982, with outdated fuel storage and dispensing infrastructure is the primary driver of the request for the redevelopment.

4. That the alleged difficulty or hardship is caused by the provisions of this Title and has not been created by any person presently having an interest in the property.

   The difficulties and hardships in adhering to the ordinance has not been created by any person presently having an interest in the property.

5. That the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhoods in which the property is located.

   The granting of the proposed building and canopy setback variations will have no detriment to the neighboring properties nor to the public health. The granting of these variations will allow the complete rebuilding of an old facility with aged petroleum infrastructure and the cleanup of any latent environmental issues discovered during the construction.

6. That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the adjacent neighborhood.

   The proposed building and canopy setback variations will not impair the adequate supply of light and air to the adjacent property. They will not in any way increase congestion in the public streets, nor increase the danger of fire, endanger public safety, or diminish or impair property values in the adjacent neighborhood.

7. That the granting of the variance requested will not confer on the applicant any special privilege that is denied by the provisions of this Title to other lands, structures or buildings in the same district.

   The granting of the proposed building and canopy setback variations will not confer any special privelage denied to other lands, structures or buildings in the same district.

FINDINGS OF FACT FOR VARIATIONS — Landscape

Both the Zoning Board of Appeals and the Village Board must decide if the requested variation is in harmony with the general purpose and intent of the Zoning Ordinance and if there is a practical difficulty or hardship in carrying out the strict letter of the regulations of the Zoning Ordinance.

The Zoning Board of Appeals shall make findings based upon evidence presented on the following standards: **(Please respond to each of these standards in writing below as it relates to your case. It is important that you write legibly or type your responses as this application will be included with the staff report for the ZBA and Village Board to review.)**

1. That the particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.

   Strict application of the 25' interior parkway and 4' wide foundation planting reuirements would make the property incapable of redevelopment because of the unique physical constraints resulting from the IDOT intersection widening and the legal constraints imosed by the Covenants and Restrictions of the Home Depot subdivision. The design solutions presented combining narrower foundation planting areas and landscape urns represent an attempt to achieve the Village's goals by alternative methods recently used in the development of the retail strip center immediatly adjacent.

2. That conditions upon which the petition for a variation is based are unique to the property for which the variation is sought and are not applicable, generally, to other property within the same zoning classifications.

   The situation wherein the Buck's lot outside but adjacent to the Home Deport subdivision is being co-developed with the Sonic lot inside the Home Depot subdivision is unique to any other B-4 properties within the Village. This has governed the layout design of the project.

3. That the purpose of the variation is not based exclusively upon a desire to make more money out of the property.

   The age of the existing gas station on the Buck's lot, built in 1982, with outdated fuel storage and dispensing infrastructure is the primary driver of the request for the redevelopment.

4. That the alleged difficulty or hardship is caused by the provisions of this Title and has not been created by any person presently having an interest in the property.

   The difficulties and hardships in strictly adhering to the ordinance is a result of the IDOT takings and the Home Depot subdivision requirements were not created by any person presently having an interest in the property.

5. That the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhoods in which the property is located.

   The granting of the interior parkway setback variation and the foundation planting variation will have no detriment to the neighboring properties nor to the public health. The granting of these variations will allow the complete rebuilding of an old facility with aged petroleum infrastructure and the cleanup of any latent environmental issues discovered during the construction.

6. That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the adjacent neighborhood.

   The proposed interior parkway setback variation and the foundation planting variation will not impair the adequate supply of light and air to the adjacent property. They will not in any way increase congestion in the public streets, nor increase the danger of fire, endanger public safety, or diminish or impair property values in the adjacent neighborhood.

7. That the granting of the variance requested will not confer on the applicant any special privilege that is denied by the provisions of this Title to other lands, structures or buildings in the same district.

   The granting of the proposed interior parkway setback variation and the foundation planting variation will not confer any special privelage denied to other lands, structures or buildings in the same district.

ACKNOWLEDGEMENT

I understand that by signing this form, that the property in question may be visited by village staff and Board/Commission members throughout the petition process and that the petitioner listed above will be the primary contact for all correspondence issued by the village.

I certify that the information and exhibits submitted are true and correct to the best of my knowledge and that I am to file this application and act on behalf of the above signatures.

Any late, incomplete or non-conforming application submittal will not be processed until ALL materials and fees have been submitted.

SIGNATURE OF PETITIONER: Richard J. McMahon, attorney-in-fact

PRINT NAME: Richard J. McMahon

DATE: 25 September 2020

REIMBURSEMENT OF CONSULTANT FEES AGREEMENT

The undersigned hereby acknowledges his/her obligation to reimburse the Village of Bartlett for all necessary and reasonable expenses incurred by the Village for review and processing of the application. Further, the undersigned acknowledges that he/she understands that these expenses will be billed on an ongoing basis as they are incurred and will be due within thirty days. All reviews of the petition will be discontinued if the expenses have not been paid within that period. Such expenses may include, but are not limited to: attorney's fees, engineer fees, public advertising expenses, and recording fees. Please complete the information below and sign.

NAME OF PERSON TO BE BILLED: Buck's Inc. c/o Richard McMahon

ADDRESS: 2500 Brickvale Drive, Elk Grove Village, IL 60007

PHONE NUMBER: 402-718-6724

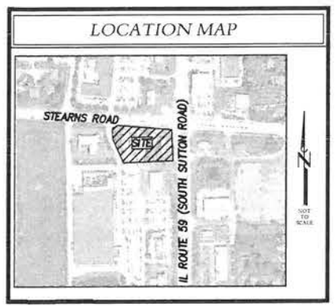
EMAIL: RMcMahon@BuchananEnergy.com

SIGNATURE: Richard J. McMahon attorney-in-fact

DATE: 25 September 2020

LOCATION MAP

20-08 Bucky's on Stearns
PINs: 01-23-403-403 & 01-04-403-035
Site Plan, Special Use Permits, Variations



Scale 1" = 30'

SITE ANALYSIS

SITE

SW Corner of IL Route 59 (Old Sutton Road) & County Route 29 (Stearns Road)
Bartlett, IL

Proposed Use	Convenience Store/Gas Station (Service Station, Outdoor Merchandise & Storage)	
Existing Zoning	B-4 Community Shopping District	
Required Zoning	B-4 Community Shopping District	
Parcel Area		73,229 sf ±1.68 Acres
Building Area		4,700 sf Service Station
Floor Area Ratio		0.06
Employees		2 - Service Station

PARKING

Quantity Reqd	12 = 12,359/200	(1 space for each 200 sf of customer floor area)
total)	1 = 1 x 2/2	(1 space per each 2 employees - 2 employees
	13 Required	
Provided	35 = 33 Standard + 2 ADA	
Stall Size Required	9' x 20' (Standard), 10' x 18' (Standard)	
Provided	9' x 20' (Standard), 16' x 20' (ADA)	
Driveway Width Minimum	24'	
Provided	24'	

LEGEND

- PROPOSED CURB & GUTTER
- EXISTING CURB & GUTTER
- PROPERTY LINE
- SETBACK LINE
- CONCRETE
- LIGHTS
- DECORATIVE LIGHTING INSTALLED IN BOLLARD
- PUMPS
- ADA DETECTABLE WARNING STRIP

SIGN LEGEND

- (A) M5-1
- (B) M3-1 — NORTH

SITE IMPERVIOUS

EXISTING IMPERVIOUS AREA = 54,954 SF OR 1.26 ACRES
PROPOSED IMPERVIOUS AREA = 50,344 SF OR 1.16 ACRES
PROPOSED IMPERIOUS AREA DECREASE = 4,610 SF OR 0.11 ACRES

VOLUME CONTROL IS NOT REQUIRED FOR THIS DEVELOPMENT PER SECTION 15-64 OF THE DUPAGE COUNTY CSFPO, AS THE NET NEW IMPERVIOUS AREA IS LESS THAN 2,500 SF.

SITE NOTES

1. ALL DIMENSIONS ARE BACK OF CURB UNLESS OTHERWISE NOTED.
2. ALL CURB RADII ARE BACK OF CURB UNLESS OTHERWISE NOTED.
3. CONTRACTOR TO VERIFY DIMENSIONS PRIOR TO STARTING WORK AND NOTIFY ENGINEER IF ANY DISCREPANCIES ARE FOUND.
4. SIDEWALK AROUND PERIMETER OF BUILDING SHALL BE WALK/PAVEMENT UNLESS OTHERWISE SPECIFIED ON PLANS.
5. CONTRACTOR WILL BE RESPONSIBLE FOR REPAIRING ALL EXISTING PAVEMENT DAMAGED DURING CONSTRUCTION.
6. SEE DETAILS FOR BITUMINOUS AND CONCRETE PAVEMENT SECTIONS.
7. CONTRACTOR TO PROVIDE TEMPORARY TRAFFIC CONTROL MEASURES DURING CONSTRUCTION OF ENTRANCE OF R.O.W. IN ACCORDANCE W/ ILLINOIS D.O.T. REQUIREMENTS.
8. ADA HANDICAP RAMPS SHALL BE INSTALLED AT ALL LOCATIONS DELINEATED ON PLANS AS WELL AS AT ALL LOCATIONS WHERE SIDEWALK ABUTS DRIVES OR ROADWAYS.
9. CONTRACTOR SHALL COMPARE ARCHITECTURAL AND ENGINEERING PLANS FOR INTERFACE COMPATIBILITY.
10. ALL CURB AND GUTTER SHALL BE B6.12 UNLESS OTHERWISE NOTED ON PLANS.
11. PAVEMENT STRIPING TO BE WHITE TWO COATS UNLESS OTHERWISE SPECIFIED ON PLANS.

REVISIONS					
NO.	DATE	DESCRIPTION	NO.	DATE	DESCRIPTION
3	9/22/20	SETBACK MATRIX REMOVED			
2	9/17/20	PER DUDOT COMMENTS			
1	7/28/20	PER VILLAGE COMMENTS			

SITE PLAN

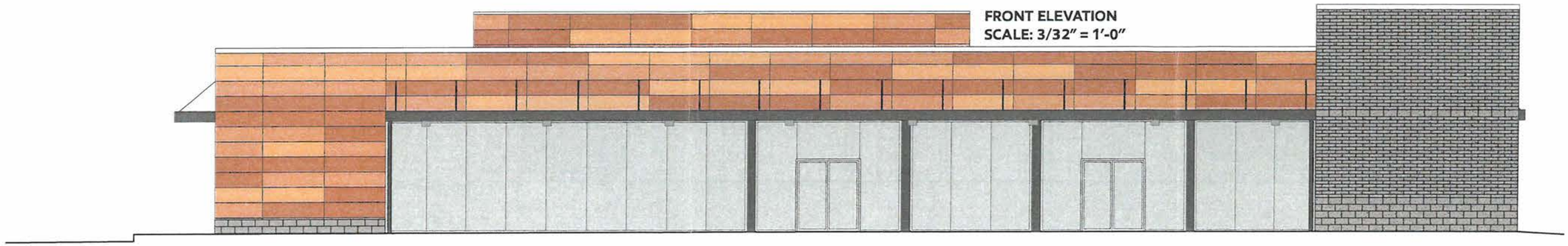
BUCKY'S
SWC IL 59 & STEARNS ROAD
BARTLETT, ILLINOIS

Craig R. Knoche & Associates, P.C. • Civil Engineers • Surveyors • Land Planners
1181 Commerce Drive • Geneva, IL 60134 • phone (630) 845-1270 • fax (630) 845-1275

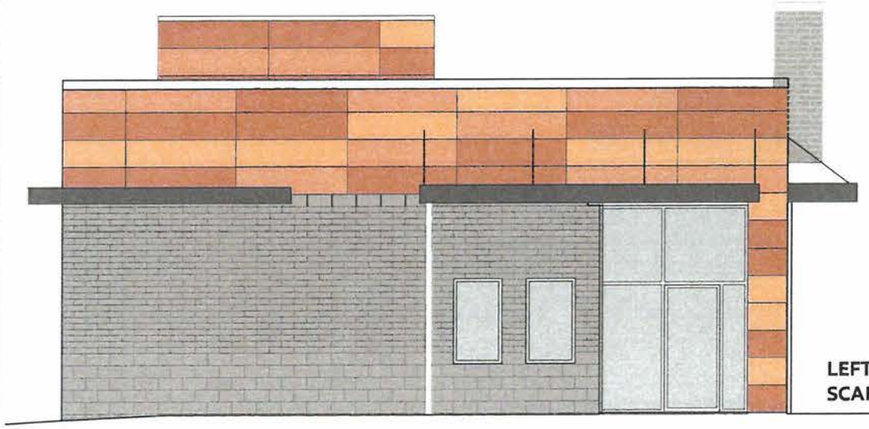
DATE: 6/2/20
FILE: 19-043 C10
JOB NO: 515
C1.1 SHEET NO.

BUCKY'S BARTLETT, ILLINOIS

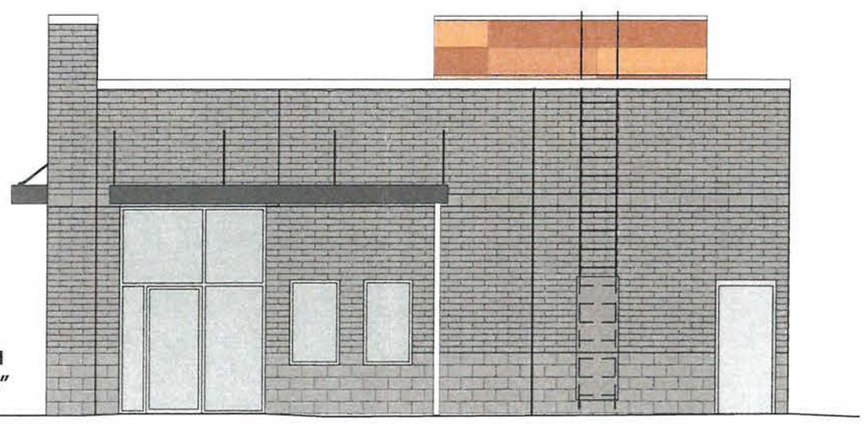
STORE #515
BUILDING ELEVATIONS



FRONT ELEVATION
SCALE: 3/32" = 1'-0"



LEFT ELEVATION
SCALE: 1/8" = 1'-0"



RIGHT ELEVATION
SCALE: 1/8" = 1'-0"

REAR ELEVATION
SCALE: 3/32" = 1'-0"

Omaha Neon Sign Co., Inc.
1120 N 18th Street · Omaha 68102
402.341.6077 · 402.341.7654 *fax*

DRAWING # : **125608**
PROJECT ID: **23111**

SALES PERSON: **Troy Panagiotis**
DRAWN BY: **Pat Hamell**

DATE: **10.08.20**
Revised:
DATE: 000000

Bucky's
Store #515
900 S Rt. 59
Barlett, IL 60103

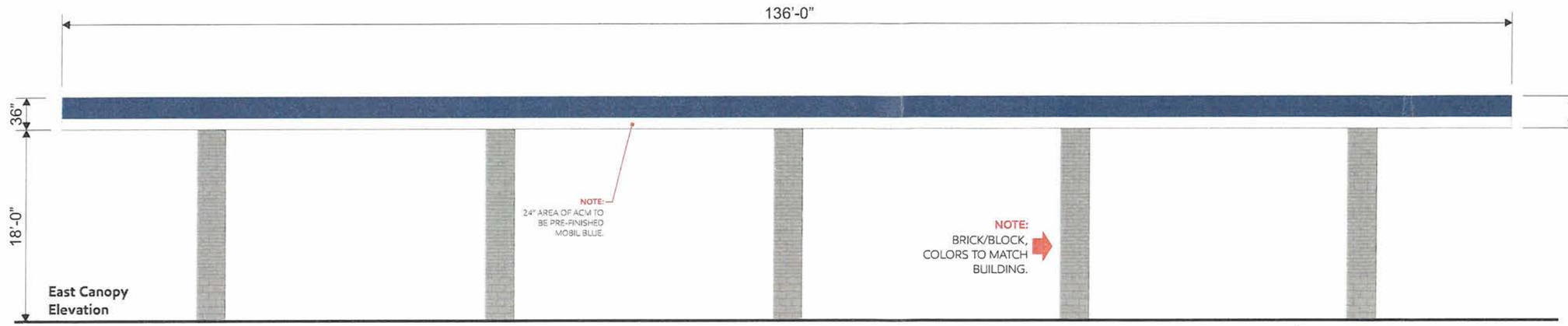
NOTICE:
ALL GRAPHIC REPRODUCTIONS ARE SUBJECTED BY APPROVAL OF AUTHORIZED CLIENT, AS OF APPROVAL BY THE UNDERSIGNED AND DATED PRIOR TO ANY FABRICATION OF PRODUCT. OMAHA NEON SIGN COMPANY, INC. HOLDS ALL AGREEMENTS FINAL AND TO CLIENT APPROVAL.

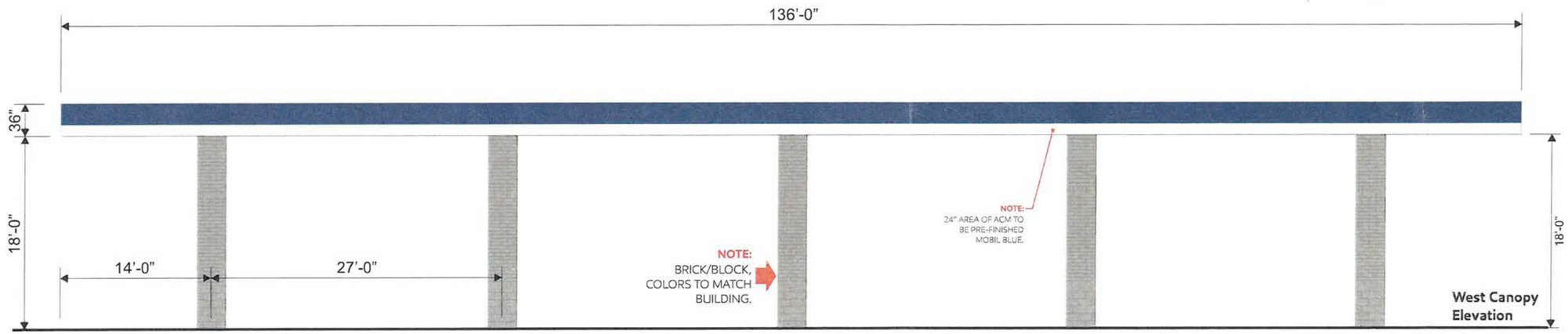
Signed_____ Date_____
Sales Rep._____ Date_____

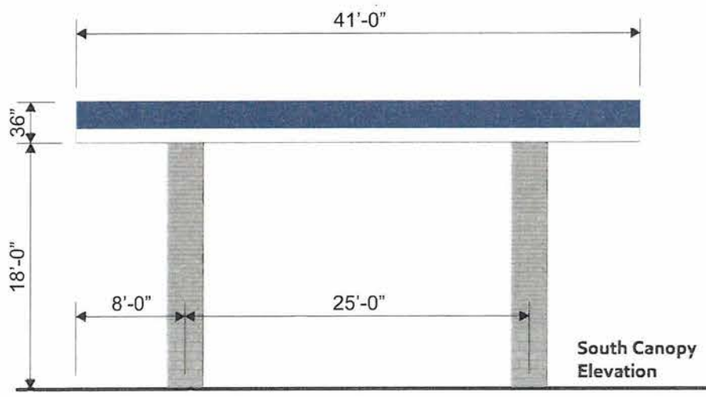
This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electric Code and/or other applicable local codes. This includes proper grounding and bonding of the sign.

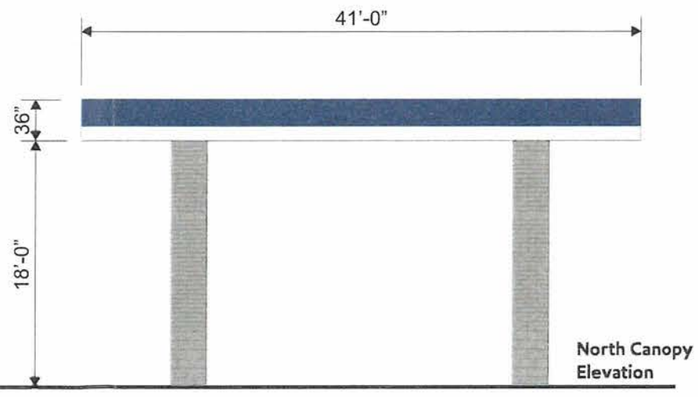
UL LISTED

STORE #515
GAS CANOPY ELEVATIONS









Omaha Neon Sign Co., Inc.
1120 N 18th Street · Omaha 68102
402.341.6077 · 402.341.7654 *fax*

DRAWING # : **125614**
PROJECT ID: **23111**

SALES PERSON: **Troy Panagiotis**
DRAWN BY: **Pat Hamell**

DATE: **10.09.20**
Revised:
DATE: **000000**

Bucky's
Store #515
900 S Rt. 59
Barlett, IL 60103

NOTICE:
ALL GRAPHIC REPRODUCTIONS ARE SUBJECTED BY APPROVAL OF AUTHORIZED CLIENT, AS OF APPROVAL BY THE UNDERSIGNED AND DATED PRIOR TO ANY FABRICATION OF PRODUCT. OMAHA NEON SIGN COMPANY, INC. HOLDS ALL AGREEMENTS FINAL AND TO CLIENT APPROVAL.

Signed_____ Date_____
Sales Rep._____ Date_____

This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electric Code and/or other applicable local codes. This includes proper grounding and bonding of the sign.

UL LISTED

PLANT LIST

SHADE TREES

KEY	QTY.	SIZE	BOTANICAL NAME	COMMON NAME
ARA	3	2.5"	Acer rubrum 'Armstrong'	Armstrong Maple
GPS	4	2.5"	Ginkgo biloba 'Princeton Sentry'	Princeton Sentry Ginkgo
GTS	3	2.5"	Gleditsia triacanthos var. 'Skyline'	Skyline Thornless Honeylocust

ORNAMENTAL TREES

KEY	QTY.	SIZE	BOTANICAL NAME	COMMON NAME
HAM	2	6'	Hamamelis vernalis	Vernal Witchhazel

SHRUBS

KEY	QTY.	SIZE	BOTANICAL NAME	COMMON NAME
BUX	10	24"	Buxus x 'Green Velvet'	Green Velvet Boxwood
COT	13	3'	Cotoneaster acutifolia	Peking Cotoneaster
FVB	20	24"	Forsythia viridissima 'Bronxensis'	Bronx Dwarf Forsythia
JCS	22	24"	Juniperus chinensis var. sargentii	Sargent Juniper
JSG	4	24"	Juniperus chinensis 'Sea Green'	Sea Green Juniper
JUH	9	24"	Juniperus horizontalis 'Hughes'	Hughes Juniper
RHG	23	24"	Rhus aromatica 'Gro-Low'	Gro-Low Fragrant Sumac
SYB	25	3'	Syringa 'SMSJBPT'	Dark Purple Bloomerang Lilac
TOT	12	6'	Thuja occidentalis 'Technyii'	Mission Arborvitae

PERENNIALS AND ORNAMENTAL GRASSES

KEY	QTY.	SIZE	BOTANICAL NAME	COMMON NAME
CMK	40	#1	Calamagrostis a. 'Karl Foerster'	Feather Reed Grass
HHR	41	#1	Hemerocallis 'Happy Returns'	Happy Returns Daylily
HPM	32	#1	Hemerocallis 'Pardon Me'	Pardon Me Daylily
SCH	21	#1	Schizachyrium scop. 'Standing Ovation'	Standing Ovation Little Bluestem

STEARNS ROAD

ILLINOIS ROUTE 59

MONUMENT SIGN
[4] 24" JUH
[5] #1 HHR
[3] 2.5" ARA
[4] 24" JSG
[6] #1 SCH
[2] 6' HAM
[5] 3' COT
[8] #1 HHR
[6] 24" RHG
[1] 2.5" GTS
[8] 3' COT
[10] #1 CMK
[1] 2.5" GPS
[6] 24" RHG
[8] #1 HPM
[10] 24" BUX
[6] 24" FVB
[1] 2.5" GPS
[8] #1 HPM
FDC
[6] 36" DIAMETER PLANTERS WITH SEASONAL ANNUALS
[6] 36" DIAMETER PLANTERS WITH SEASONAL ANNUALS
[1] 2.5" GTS
[6] 3' SYB
[1] 2.5" GTS
[6] 3' SYB
[5] 24" RHG
[21] #1 CMK
[10] #1 HHR
[8] #1 HPM
[12] 6' TOT
[4] #1 CMK
[8] 24" FVB
[1] 2.5" GPS
[6] 24" RHG
[1] 2.5" GPS
[6] 24" FVB
[8] #1 HPM
[6] #1 SCH
[5] 3' SYB
[22] 24" JCS
MONUMENT SIGN
[18] #1 HHR
[8] 3' SYB
[1] #1 SCH
HYDROSEED
SOD LIMIT LINE
SOD
EX. 7" AUTUMN BLAZE MAPLE TO REMAIN/ MEET PERIMETER LANDSCAPING REQUIREMENTS
EX. 4" ORNAMENTAL PEAR
EX. 8" LITTLELEAF LINDEN
EX. SHRUBS TO REMAIN
EX. LANDSCAPING TO REMAIN/MEET PERIMETER LANDSCAPING REQUIREMENTS
EX. 6" HACKBERRY
EX. 7" ORNAMENTAL PEAR
EX. 4" JAPANESE TREE LILAC
EX. SHRUBS TO REMAIN
EX. 10" NORWAY MAPLE
EX. 7" NORWAY MAPLE
EX. LANDSCAPING TO REMAIN/MEET PERIMETER LANDSCAPING REQUIREMENTS
EX. 6" RED MAPLE
EX. 6" RED MAPLE
EX. SHRUBS TO REMAIN
EX. LANDSCAPING TO REMAIN/MEET PERIMETER LANDSCAPING REQUIREMENTS

LANDSCAPE PLAN
SCALE: 1"=20'-0"
0 10' 20' 30' 40' 60'

NOT FOR CONSTRUCTION

CLIENT NAME:
Buck's Inc.

LANDSCAPE ARCHITECTURE
pamelaself
202 South Cook Street Ste #212-214
Barrington, Illinois 60010
847.458.4922
www.pamelaself.com

LICENSE # 157.000683
STAMP:
LICENSED LANDSCAPE ARCHITECT
PAMELA K. SELF
157-000683
STATE OF ILLINOIS
EXP. 8/31/2021

ARCHITECT:

CIVIL ENGINEER:

GENERAL CONTRACTOR:

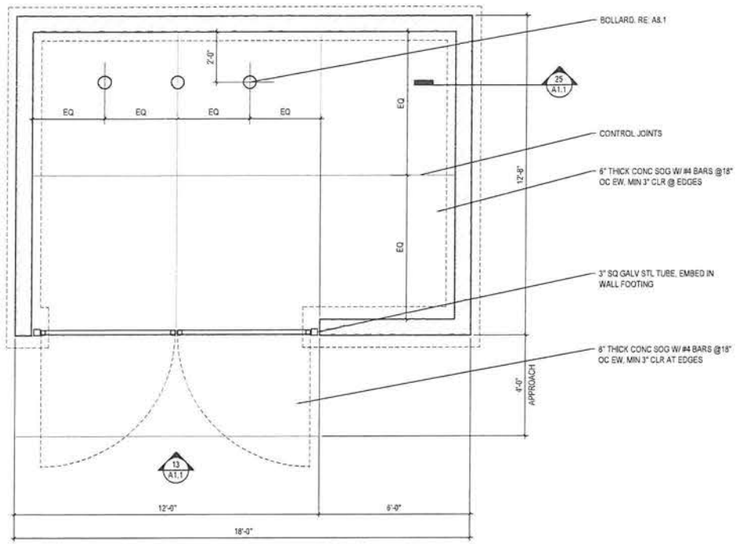
BUCKY'S
900 S. Illinois Route 59 and
1121 W. Stearns Road
Bartlett, Illinois

REVISIONS		
No	Description	Date
1	Site Plan Revisions	03.18.20
2	Light Pole Additions	05.18.20
3	Per Engineer Comments	06.19.20
4	Per Village Comments	07.29.20
5	Site Plan Revisions	09.22.20

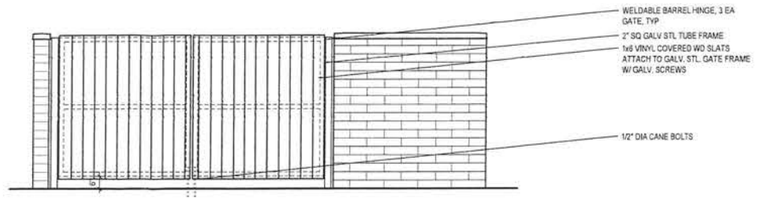
Design by: PKS
Drawn by: KWS
Checked by:
Start date: 12.09.2019
Project no.

LANDSCAPE PLAN

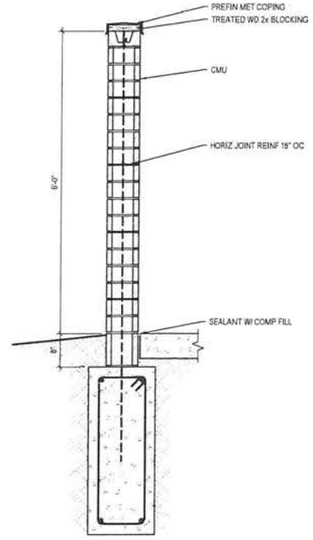
L-1.0



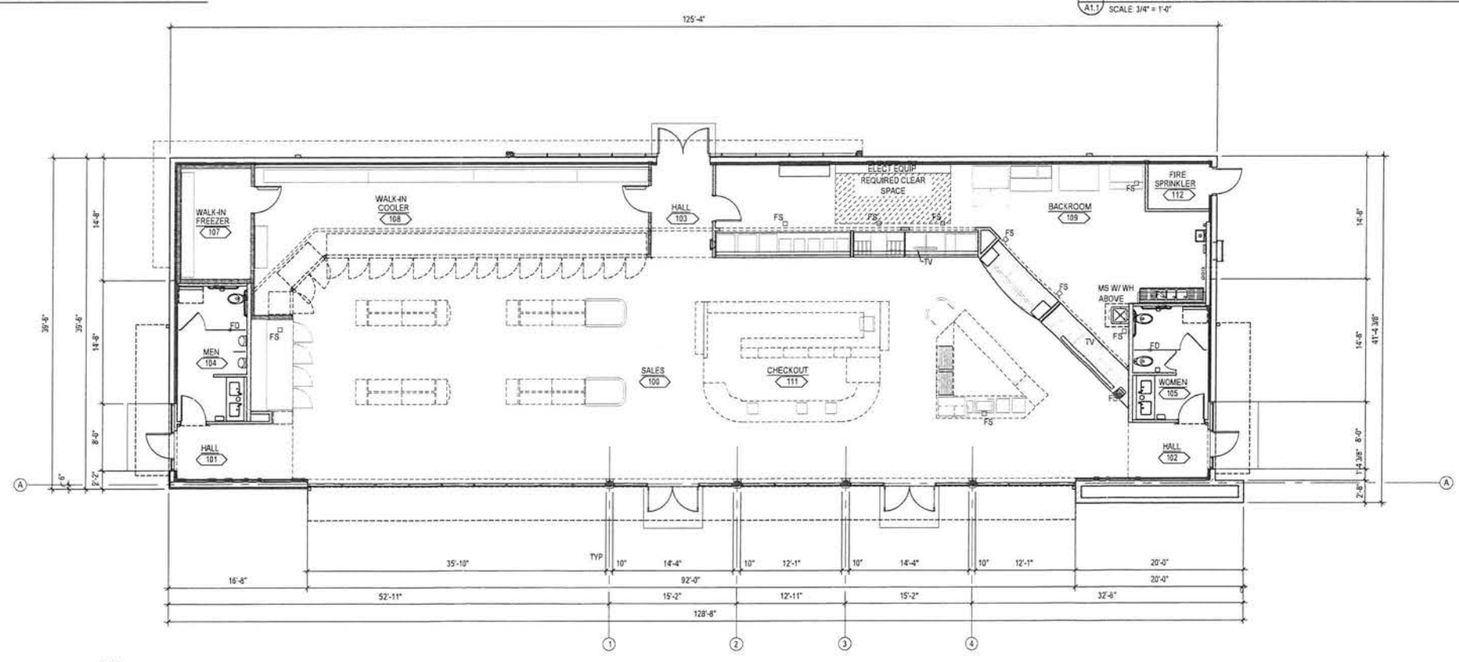
21 A1.1 DUMPSTER SCREEN PLAN
SCALE: 3/8" = 1'-0"



13 A1.1 DUMPSTER SCREEN ELEVATION
SCALE: 3/8" = 1'-0"



25 A1.1 SECTION
SCALE: 3/4" = 1'-0"



REAR
LEFT
RIGHT
FRONT

FLOOR PLAN
SCALE: 1/8" = 1'-0"

ROBERT W. ENGEL AND ASSOCIATES, ARCHITECTS
2443 South 156th Circle
Omaha, NE 68130-2503
(402) 330-8287 Fax: (402) 330-8331
email:RWEArchitects@RWEArchitects.com

PROGRESS PRINT (NOT FOR CONSTRUCTION)

BUCKY'S
HIGHWAY 59 & STEARNS ROAD
BARTLETT, ILLINOIS

Project Number:	—
Drawn by:	GS
Checked by:	RWE
Sheet Name:	PRELIMINARY FLOOR PLAN

Issue Date: September 18, 2020

Revisions to the Set			
No.	Date	No.	Date

A1.1

A1.1.dwg | 9/23/2020 | 4:19 PM

Agenda Item Executive Summary

Item Name	BCBP Lot 2A (Cook County) - Site Plan Review/Variations	Committee or Board	Committee

BUDGET IMPACT			
Amount:	N/A	*Budgeted*	N/A
List what fund	N/A		

EXECUTIVE SUMMARY

The Petitioner is requesting a **Site Plan Review** for a proposed 435,692 square foot warehouse building on 24.8 acres (Lot 2A) in the Cook County portion of the Brewster Creek Business Park. The building is designed with the potential for four (4) tenant spaces, each containing 2,500 square feet of office area.

The proposed 44-ft tall building would be constructed with insulated, pre-cast concrete panels with recessed pre-cast accent panels. The color palette proposed will consist primarily of varying shades of white and gray with blue color accents.

The Petitioner is requesting **Variations** for a reduction in the required number of parking spaces from 463 to 423 and to allow loading docks in the corner side yard (Jack Court). Landscaping, including evergreen trees, and the required parkway tree plantings along Jack Ct. will provide screening of this loading area from the roadway.

One (1) curb cut is proposed along Spitzer Road (west property line) and three (3) are proposed along Jack Court (south property line).

ATTACHMENTS (PLEASE LIST)

PDS Memo, Applicant Cover Letter, Application, Location Map, Site Plan, Color Renderings and Color Elevations, and Landscape Plan

ACTION REQUESTED

- ☑ For Discussion only- To discuss the Petitioner's requests and forward to the Zoning Board of Appeals to conduct the public hearing and the Plan Commission for further review
- ☐ Resolution
- ☐ Ordinance
- ☐ Motion

Staff:	Roberta Grill, Planning & Development Services Director	Date:	10/5/2020

PLANNING & DEVELOPMENT SERVICES MEMORANDUM
20-151

DATE: October 1, 2020

TO: Paula Schumacher, Village Administrator

FROM: Roberta B. Grill, Planning & Dev Services Director RBG

RE: **(#20-17) Brewster Creek Business Park Lot 2A (Cook County)**

PETITIONER

Brian Quigley on behalf of Conor Commercial Real Estate

SUBJECT SITE

Lot 2A of the Cook County portion of the Brewster Creek Business Park

REQUEST

Site Plan Review
Variations:
To allow loading docks in the corner side yard (south side – Jack Court),
To reduce the number of required parking spaces from 463 to 423

EXISTING AND PROPOSED CONDITIONS

	Land Use	Comprehensive Plan	Zoning
Subject Site	**Vacant**	**Mixed Use Business Park**	**I-2 EDA**
North	Vacant/Wetland	Mixed Use Business Park	I-2 EDA
South	Industrial Warehouse	Mixed Use Business Park	I-2 EDA
East	Wetland	Open Space	I-2 EDA
West	Vacant	Mixed Use Business Park	I-2 EDA

DISCUSSION

1. The Petitioner is requesting a **Site Plan Review** for a proposed 435,692 square foot warehouse building on 24.8 acres (Lot 2A) in the Cook County portion of the Brewster Creek Business Park.

2. The building is designed with the potential for four (4) tenant spaces, each containing 2,500 square feet of office area located at the corners of the building. The remaining 435,692 square feet of the building is designated for warehouse space.

3. The proposed 44-ft tall building would be constructed with insulated, pre-cast concrete panels with recessed pre-cast accent panels. The color palette proposed will consist primarily of varying shades of white and gray with blue color accents.

4. The Site Plan identifies 50 exterior docks, (25 on the north side and 25 on the south side) with four (4) drive-in doors proposed, two each on the north and south sides of the building. The I-2 EDA Zoning District requires the docks on the south side of the building to be enclosed and recessed 15 feet from the front building elevation due to their location along a corner side yard (Jack Court). The petitioner is requesting a **Variation** from this requirement. Landscaping, including evergreen trees, and the required parkway tree plantings along Jack Ct. will provide screening of this loading area from the roadway.

5. One (1) curb cut is proposed along Spitzer Road (west property line) and three (3) are proposed along Jack Court (south property line).

6. The Petitioner is also requesting a **Variation** to allow for a reduction in the required number of parking spaces on the property. The Site Plan identifies 423 parking spaces, including twelve (12) handicapped accessible spaces. The Zoning Ordinance requires 463 spaces.

7. The Site Plan also identifies 125 truck trailer stalls for additional parking along the north and east property lines.

8. The Photometric and Landscape plans are currently being reviewed by the Staff.

RECOMMENDATION

1. The Staff recommends forwarding the petition to the Zoning Board of Appeals and the Plan Commission for further review and to conduct the required public hearings.

2. Background materials are attached for your review and consideration.

kms/attachments
x:\comdev\mem2020\151_bcbp lot 2 (cook)_vbc1.docx

September 18, 2020

Mr. Kevin Wallace
Village Board
Village of Bartlett
228 South Main Street
Bartlett, IL 60103

RE: Conor Commercial – Building #1 | Brewster Creek Business Park

Dear Mr. Wallace and Village Board Trustees,

Conor Commercial Real Estate has entered into a contract to purchase the lot directly northeast of Spitzer Road and Jack Court in the Cook County of the Brewster Creek Business Park. The property is approximately 24.8 acres and the proposed development consists of a 435,692 square feet warehouse building along with surface parking lots.

The site is currently being mass graded by Elmhurst Chicago Stone in order to provide a compacted and buildable site. Conor Commercial and their construction partner, McShane Construction Company, plan to begin construction of the warehouse building as soon as they receive approval. We request that you approve the development application as submitted for the proposed development.

Please feel free to reach out to us with any questions you have regarding the development application.

Sincerely,
V3 Companies

Bryan C. Rieger, P.E.
Senior Project Manager

VILLAGE OF BARTLETT
DEVELOPMENT APPLICATION

For Office Use Only
Case # 2020-17

RECEIVED
(Village Stamp)
SEP 21 2020
PLANNING & DEVELOPMENT
VILLAGE OF
BARTLETT

PROJECT NAME Brewster Creek - Building #1

PETITIONER INFORMATION (PRIMARY CONTACT)

Name: Conor Commercial Real Estate: Brian Quigley

Street Address: 9500 W. Bryn Mawr Avenue, Ste. 200

City, State: Rosemont, IL **Zip Code:** 60018

Email Address: bquigley@conor.com **Phone Number:** 847-217-6551

Preferred Method to be contacted: Email

PROPERTY OWNER INFORMATION

Name: Elmhurst Chicago Stone Company

Street Address: 400 West First Street

City, State: Elmhurst, IL **Zip Code:** 60126

Phone Number: 630-832-4000

OWNER'S SIGNATURE: _____ **Date:** _____
(OWNER'S SIGNATURE IS REQUIRED or A LETTER AUTHORIZING THE PETITION SUBMITTAL.)

ACTION REQUESTED (Please check all that apply)

___ Annexation
___ PUD (preliminary)
___ PUD (final)
___ Subdivision (preliminary)
___ Subdivision (final)
X Site Plan (please describe use: commercial, industrial, square footage): 435,642 SF Industrial Building on 24.8 acres
___ Unified Business Center Sign Plan
___ Other (please describe) _____

___ Text Amendment
___ Rezoning See Dropdown to See Dropdown
___ Special Use for: _____
X Variation: Front Yard Loading Docks, Parking Reduction

SIGN PLAN REQUIRED? No

(Note: A Unified Business Center Sign Plan is required for four or more individual offices or businesses sharing a common building entrance or private parking lot.)

PROPERTY INFORMATION

Common Address/General Location of Property: Northeast corner of Spitzer Rd and Jack Ct

Property Index Number ("Tax PIN"/"Parcel ID"): 06-33-300-001 and 06-32-401-003

Zoning: Existing: I-2 EDA (Refer to Official Zoning Map)
Proposed: I-2 EDA

Land Use: Existing: Vacant
Proposed: Industrial

Comprehensive Plan Designation for this Property: Industrial (Refer to Future Land Use Map)

Acreage: 24.8

For PUD's and Subdivisions:

No. of Lots/Units: _____

Minimum Lot: Area _____ Width _____ Depth _____

Average Lot: Area _____ Width _____ Depth _____

APPLICANT'S EXPERTS (If applicable, including name, address, phone and email)

Attorney _____

_____

_____

Engineer V3 Companies, Ltd.

7325 Janes Avenue, Woodridge, IL 60517

Bryan Rieger, brieger@v3co.com, 630-333-3525

Other Harris Architects

4801 Emerson Ave. Suite 210, Palatine, Ill

Greg Loughran, gloughran@harrisarchitects.com, 847-303-1155

FINDINGS OF FACT FOR SITE PLANS

Both the Plan Commission and Village Board must decide if the requested Site Plan meets the standards established by the Village of Bartlett Zoning Ordinance.

The Plan Commission shall make findings based upon evidence presented on the following standards: **(Please respond to each of these standards in writing below as it relates to your case. It is important that you write legibly or type your responses as this application will be included with the staff report for the Plan Commission and Village Board to review.)**

1. The proposed use is a permitted use in the district in which the property is located.

   The proposed industrial building is supported under the existing zoning I-2 EDA, consistent with neighboring properties to the south.

2. The proposed arrangement of buildings, off-street parking, access, lighting, landscaping, and drainage is compatible with adjacent land uses.

   The applicant will provide a high quality building, with attractive architecture and extensive landscaping. The accesses, off-street parking, lighting, landscaping, and site drainage have been designed to meet Code.

3. The vehicular ingress and egress to and from the site and circulation within the site provides for safe, efficient and convenient movement of traffic not only within the site but on adjacent roadways as well.

   The ingress and egress to and from the site will provide for the safe, efficient, and convenient movement of traffic. Separate car and truck access points are provided for from both Spitzer Road and Jack Court.

4. The site plan provides for the safe movement of pedestrians within the site.

   The site plan provides for the safe movement of pedestrians within the site from the parking lots to the building entrances consistent with the adjacent industrial properties within the Brewster Creek Business Park.

5. There is sufficient mixture of grass, trees and shrubs within the interior and perimeter (including public right-of-way) of the site so that the proposed development will be in harmony with adjacent land uses and will provide a pleasing appearance to the public. Any part of the site plan area not used for buildings, structures, parking or accessways shall be landscaped with a mixture of grass, trees and shrubs. (All landscape improvements shall be in compliance with Chapter 10-11A, Landscape Requirements)

   The site landscape plan is in compliance with "Chapter 10-11A, Landscape Requirements", and is consistent with the adjacent industrial properties within the Brewster Creek Business Park.

6. All outdoor storage areas are screened and are in accordance with standards specified by this Ordinance.

   All outdoor storage areas shall conform to the Ordinance

FINDINGS OF FACT FOR VARIATIONS

Both the Zoning Board of Appeals and the Village Board must decide if the requested variation is in harmony with the general purpose and intent of the Zoning Ordinance and if there is a practical difficulty or hardship in carrying out the strict letter of the regulations of the Zoning Ordinance.

The Zoning Board of Appeals shall make findings based upon evidence presented on the following standards: (**Please respond to each of these standards in writing below as it relates to your case. It is important that you write legibly or type your responses as this application will be included with the staff report for the ZBA and Village Board to review.**)

1. That the particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.

   Loading in Front Yard: The site fronts on two streets, Spitzer Road and Jack Court. Spitzer Road is a thru street and Jack Court is a cul-de-sac. No loading is proposed on the west side fronting Spitzer Road. The market has shown that a double loaded building is appropriate for this site and loading docks is proposed on the south side.
   Parking Reduction: 463 stalls are required based on code. 423 stalls are proposed to be constructed as part of this development. This amount is sufficient for this development and the warehouse use expected.

2. That conditions upon which the petition for a variation is based are unique to the property for which the variation is sought and are not applicable, generally, to other property within the same zoning classifications.

   Loading in Front Yard: The loading docks will face south to a similarly configured building on the other side of Jack Court.

   Parking Reduction: The proposed use of this building does not demand the amount of parking which is required in the ordinance. On similar projects the parking shown is sufficient to meet the need of the potential tenant.

3. That the purpose of the variation is not based exclusively upon a desire to make more money out of the property.

   Loading in Front Yard: To provide a functional building on this property, a double loaded building is critical.

   Parking Reduction: The developer is confident that sufficient parking is provided with the development. The development is providing 91% of the code requirements.

4. That the alleged difficulty or hardship is caused by the provisions of this Title and has not been created by any person presently having an interest in the property.

   The loading and parking requirements for the I-2 EDA zoning district set forth by the provisions of this Title are the cause of the alleged difficulty.

5. That the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhoods in which the property is located.

   Loading in Front Yard: The loading in the front yard will not be detrimental to the public welfare or injurious to other property improvements in the neighborhoods. The building directly across Jack Court to the south has a similar configuration.
   Parking Reduction: The granting of the requested parking variation will not be detrimental to the public welfare nor will it be injurious to other property or improvements in neighboring area. Sufficient parking for the development is being provided.

6. That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the adjacent neighborhood.

   The granting of the proposed loading and parking variances will not impair the above listed items.

7. That the granting of the variance requested will not confer on the applicant any special privilege that is denied by the provisions of this Title to other lands, structures or buildings in the same district.

   The granting of the proposed loading and parking variances will not confer the application any special privilege that is denied by the provisions of this Title to other lands, structures, or buidlings in the same district.

ACKNOWLEDGEMENT

I understand that by signing this form, that the property in question may be visited by village staff and Board/Commission members throughout the petition process and that the petitioner listed above will be the primary contact for all correspondence issued by the village.

I certify that the information and exhibits submitted are true and correct to the best of my knowledge and that I am to file this application and act on behalf of the above signatures.

Any late, incomplete or non-conforming application submittal will not be processed until ALL materials and fees have been submitted.

SIGNATURE OF PETITIONER: _____

PRINT NAME: BRIAN QUIGLEY

DATE: OCT. 13, 2020

REIMBURSEMENT OF CONSULTANT FEES AGREEMENT

The undersigned hereby acknowledges his/her obligation to reimburse the Village of Bartlett for all necessary and reasonable expenses incurred by the Village for review and processing of the application. Further, the undersigned acknowledges that he/she understands that these expenses will be billed on an ongoing basis as they are incurred and will be due within thirty days. All reviews of the petition will be discontinued if the expenses have not been paid within that period. Such expenses may include, but are not limited to: attorney's fees, engineer fees, public advertising expenses, and recording fees. Please complete the information below and sign.

NAME OF PERSON TO BE BILLED: BRIAN QUIGLEY C/O CONOR COMMERCIAL

ADDRESS: 9500 W BRYN MAWR, SUITE 200
ROSEMONT, IL 60018

PHONE NUMBER: (847) 217-6551

EMAIL: BQUIGLEY@CONOR.COM

SIGNATURE: _____

DATE: OCT 13, 2020

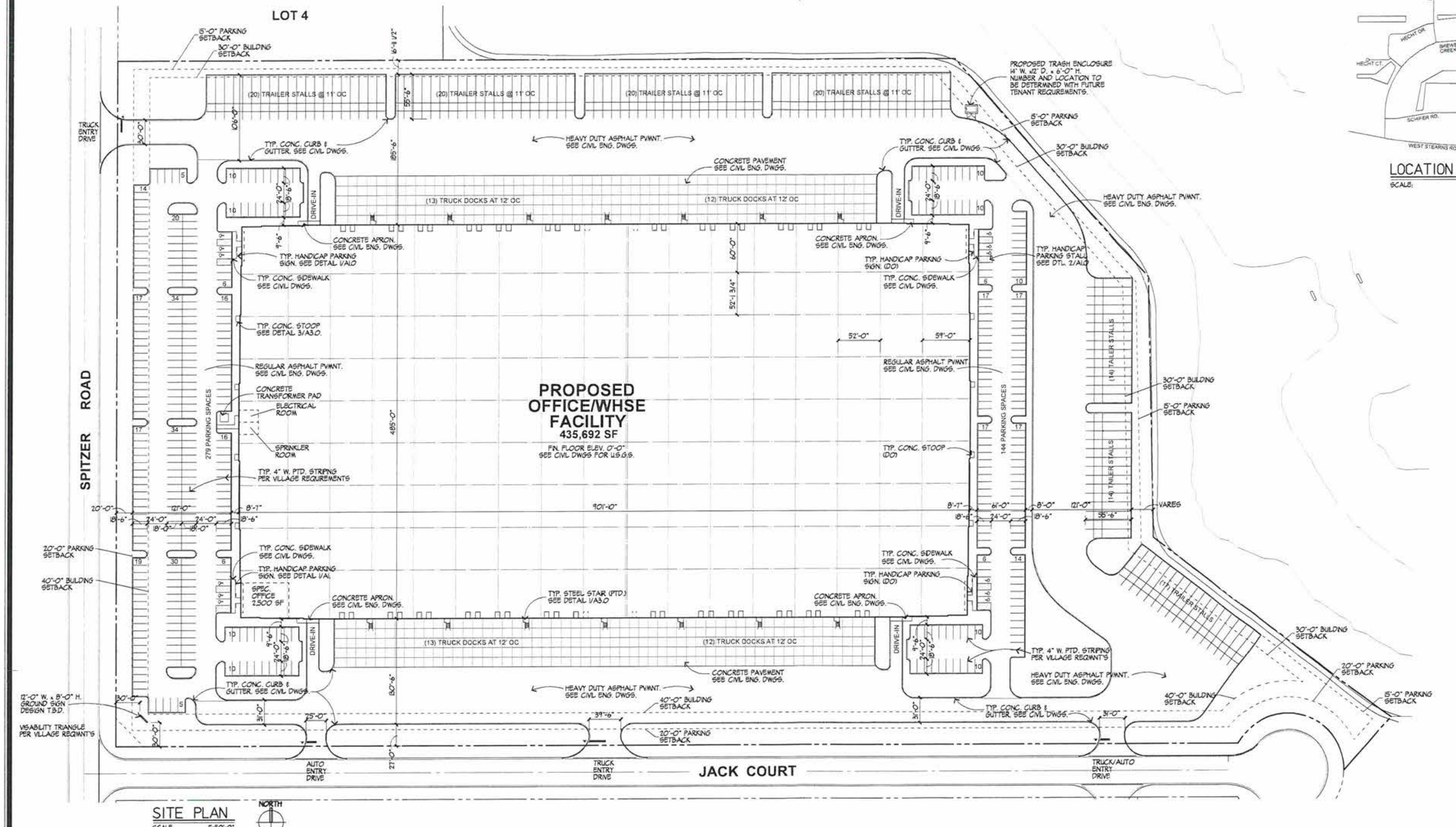
LOCATION MAP

20-17 BCBP Lot 2A (Cook County)
Site Plan, Variations

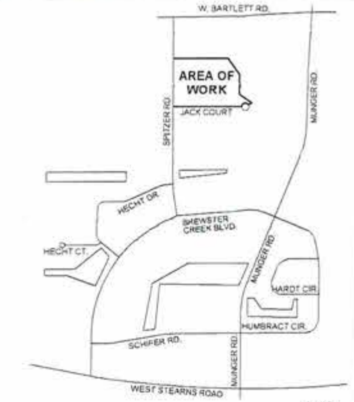
BUILDING 1

435,692 SF SPECULATIVE OFFICE/WAREHOUSE

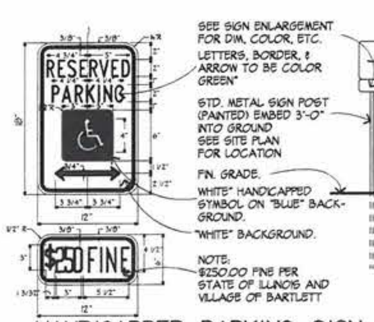
BREWSTER CREEK BUSINESS CENTER, BARTLETT ILLINOIS



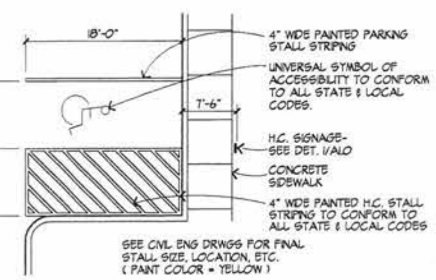
SITE PLAN
SCALE: 1"=50'-0"



LOCATION PLAN
SCALE: N.T.S.



HANDICAPPED PARKING SIGN 1/A1.0



H.C. STALL 2/A1.0

CODES

THIS IS TO CERTIFY THAT THE UNDERSIGNED IS FAMILIAR WITH THE BARTLETT BUILDING CODE, INCLUDING BUT NOT LIMITED TO, THE
2012 INTERNATIONAL BUILDING CODE W/AMENDMENTS
2012 INTERNATIONAL RESIDENTIAL CODE W/AMENDMENTS
2012 INTERNATIONAL MECHANICAL CODE W/AMENDMENTS
2014 ILLINOIS STATE PLUMBING CODE W/AMENDMENTS
2011 NATIONAL ELECTRIC CODE W/AMENDMENTS
2018 INTERNATIONAL ENERGY CONSERVATION CODE W/AMENDMENTS OR ANSI/ASHRAE/IES STANDARD 90.1-2010 W/AMENDMENTS
2012 INTERNATIONAL FIRE CODE W/AMENDMENTS
2012 INTERNATIONAL FUEL GAS CODE W/AMENDMENTS
2018 ILLINOIS ACCESSIBILITY CODE EACH
2011 VILLAGE OF BARTLETT ZONING CODE
2018 DUPAGE COUNTY COUNTRYWIDE STORMWATER FLOODPLAIN ORDINANCE OF WHICH HAS BEEN INCORPORATED THEREIN BY REFERENCE, AND THE UNDERSIGNED IS FAMILIAR WITH THE VILLAGE DELETIONS, MODIFICATIONS, ADDITIONS AND AMENDMENTS TO SAID REFERENCED CODES AND REGULATIONS. IT IS UNDERSTOOD THAT THE APPROVAL OF PLANS SUBMITTED TO THE BUILDING DEPT. FOR REVIEW IS A CONDITIONAL REVIEW ONLY AND CONSTRUCTION SHALL BE SUBJECT TO ALL PROVISIONS OF THE AFOREMENTIONED BARTLETT BUILDING CODE. IT IS FURTHER UNDERSTOOD THAT IN THE EVENT OF A CONFLICT BETWEEN THE APPROVED PLANS AND THE PROVISIONS OF THE BARTLETT BUILDING CODE, THE BARTLETT BUILDING CODE SHALL CONTROL AND BE THE FINAL AUTHORITY."

PATRICK C. HARRIS

CONSTRUCTION DATA

BUILDING CODE:	BBC ORDINANCE 2014-46-BC 2012
ZONING:	"I-2 EDA" ECONOMIC OVERLAY DISTRICT OVERLAY DISTRICT
CONSTRUCTION TYPE:	TYPE 2B-UNPROTECTED NON-COMBUSTIBLE, UN-LIMITED AREA
OCCUPANCY TYPE:	"B" BUSINESS (ACCESSORY TO MAJOR USE) "S-1" MODERATE HAZARD STORAGE
HANDICAPPED PARKING:	HANDICAPPED PARKING AND SIGNS PER APRIL, 1997 STATE OF ILLINOIS ACCESSIBILITY STANDARDS
FIRE PROTECTION:	BUILDING TO BE EQUIPPED THROUGHOUT WITH E.S.F.R. AUTOMATIC FIRE SUPPRESSION SYSTEM. REFER TO FIRE PROTECTION DRAWINGS BY OTHERS.

GENERAL NOTES:

1. SEE CIVIL ENGINEERING DRAWINGS FOR OTHER DIMENSIONS, NOTES AND DETAILS.
2. ALL DIMENSIONS ARE FROM BACK FACE OF CURB OR BUILDING UNLESS NOTED OTHERWISE.
3. EXACT LOCATION OR PLACEMENT OF NEW BLDG. INDICATED ABOVE SHALL BE DETERMINED BY LAND SURVEYOR HIRED BY G.C. AND SHALL COORDINATE & INFORM THE ARCHITECT OF ANY DISCREPANCY PRIOR TO STARTING WORK.

SITE DATA

SITE AREA (+-24.84 ACRES)	1,081,998 SF
GREENSPACE (15% REQ'D)	164,600/1,081,998 (100) = 15.2%
FLOOR AREA RATIO	435,692/1,081,998 (100) = 49.5%
BUILDING AREA	
OFFICE	10,000 SF
WAREHOUSE AREA	425,692 SF
ELECTRICAL/PUMP ROOM	- SF
TOTAL BUILDING	435,692 SF
PARKING - PER I-2 "EDA" ZONING	
OFFICE (1/275 SF)	37 STALLS
WAREHOUSE (1/1000 SF)	426 STALLS
TOTAL REQUIRED	463 STALLS
PARKING PROVIDED (9'x18')	411 STALLS
ACCESSIBLE STALLS	12 STALLS
TOTAL	423 STALLS
DRIVE-IN DOORS	4
EXTERIOR DOCKS	50
TRAILER STALLS	125
BUILDING CLEAR HEIGHT	36'-0"

McSHANE CONSTRUCTION COMPANY

CONOR COMMERCIAL

HARRIS ARCHITECTS INC.

NEW SPECULATIVE OFFICE/WAREHOUSE FACILITY
BUILDING 1
BREWSTER CREEK BUSINESS CENTER BARTLETT, ILLINOIS

DEVELOPMENT APPLICATION	09-18-2020
ISSUED FOR PRECAST	09-18-2020
ISSUED FOR PERMIT	09-30-2020
REVISED PER VILLAGE COMMENTS	10-08-2020

PROJECT NO. 220229
DRAWN BY: GL
DATABASE: 220229M.DB

SHEET NO. A1.0

CONCEPTUAL ARCHITECTURAL RENDERING

BREWESTER CREEK BUSINESS CENTER

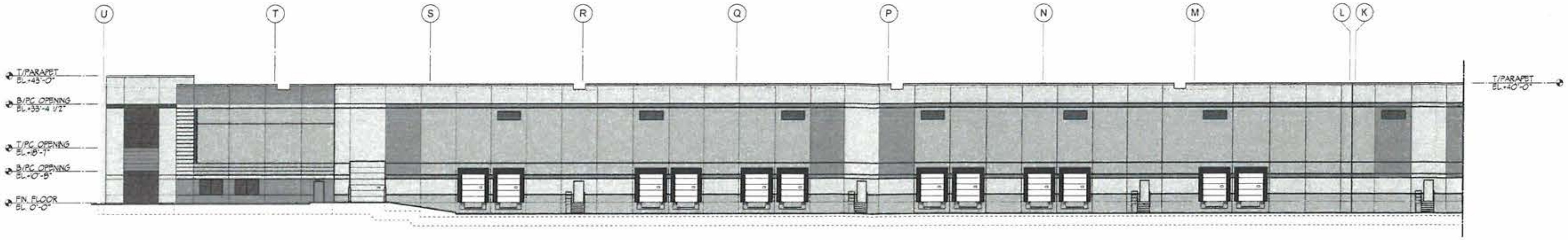
BARTLETT, IL

McSHANE CONSTRUCTION COMPANY

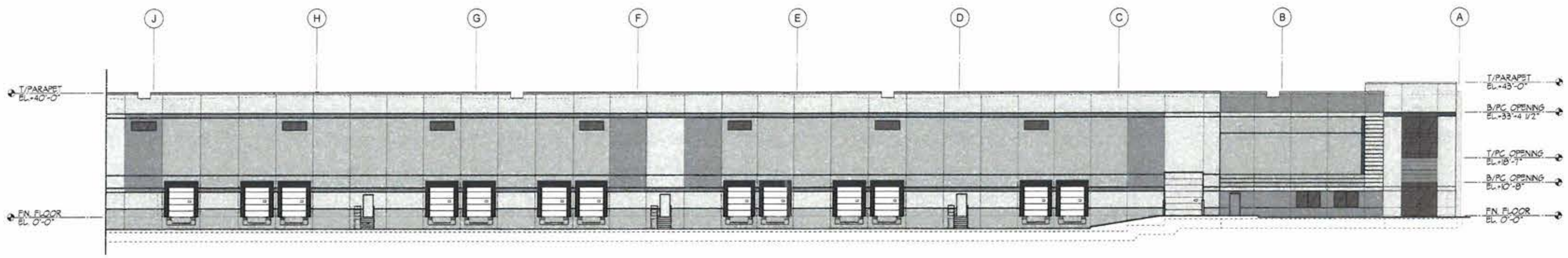
CONOR COMMERCIAL REAL ESTATE

HARRIS ARCHITECTS, INC.

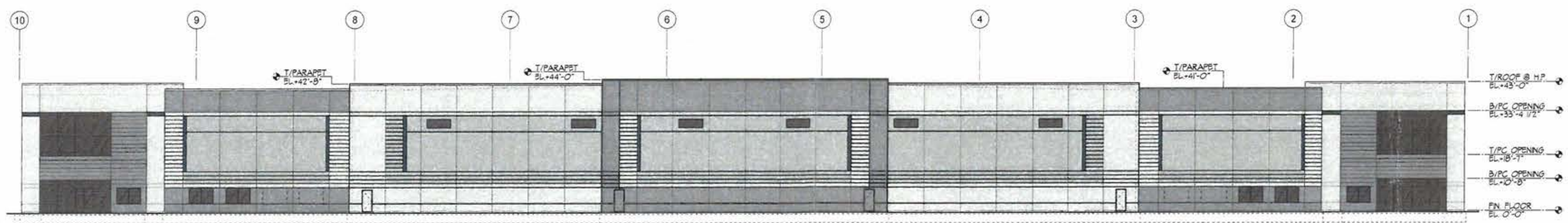
WWW.HARRISARCHITECTS.COM 847.303.1155



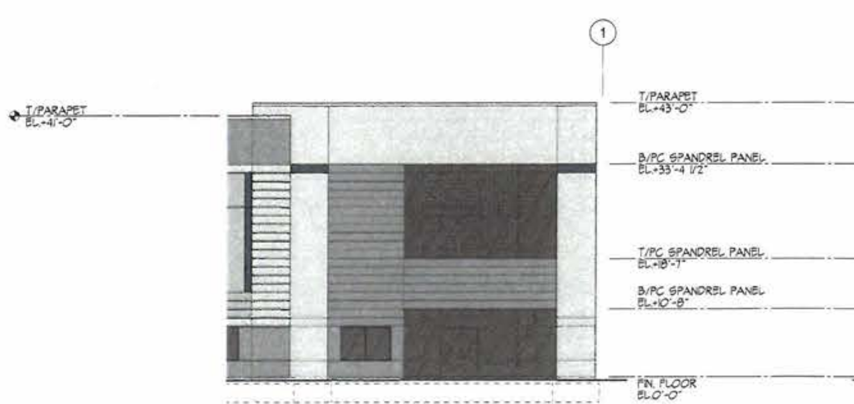
PARTIAL NORTH ELEVATION
SCALE: 1/16" = 1'-0"



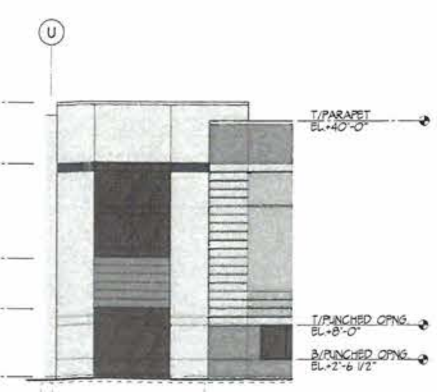
PARTIAL NORTH ELEVATION
SCALE: 1/16" = 1'-0"



EAST ELEVATION
SCALE: 1/16" = 1'-0"



ENLARGED ENTRY STOREFRONT
SCALE: 3/32" = 1'-0"



ENLARGED STOREFRONT
SCALE: 3/32" = 1'-0"

COLOR LEGEND

EXTERIOR PRECAST TO BE COLORED WITH LOXON VERTICAL CONCRETE STAIN BY SHERWIN WILLIAMS. G.C. TO MATCH SHERWIN WILLIAMS COLORS SELECTED BELOW

- 7070 - SITE WHITE SHERWIN WILLIAMS
- 7072 - ONLINE SHERWIN WILLIAMS
- 7074 - SOFTWARE SHERWIN WILLIAMS
- 6244 - NAVAL SHERWIN WILLIAMS

FASCIA & GRAVEL STOP
PAC-CLAD -

CURTAINWALL SYSTEM
FRAMES - CLEAR ANODIZED ALUMINUM
INSUL. GLASS - GREY TINTED

PUNCHED/CLEARSTORY WINDOWS
FRAMES - CLEAR ANODIZED ALUMINUM
INSUL. GLASS - GREY TINTED

INSUL. MTL. DOORS/FRAMES
FRAME -
DOOR -

OVERHEAD DOORS
DRIVE-IN DOORS - PREFINISHED WHITE
DOCK DOORS - PREFINISHED WHITE

PIPE BOLLARDS
SAFETY YELLOW

McSHANE CONSTRUCTION COMPANY

CONOR COMMERCIAL

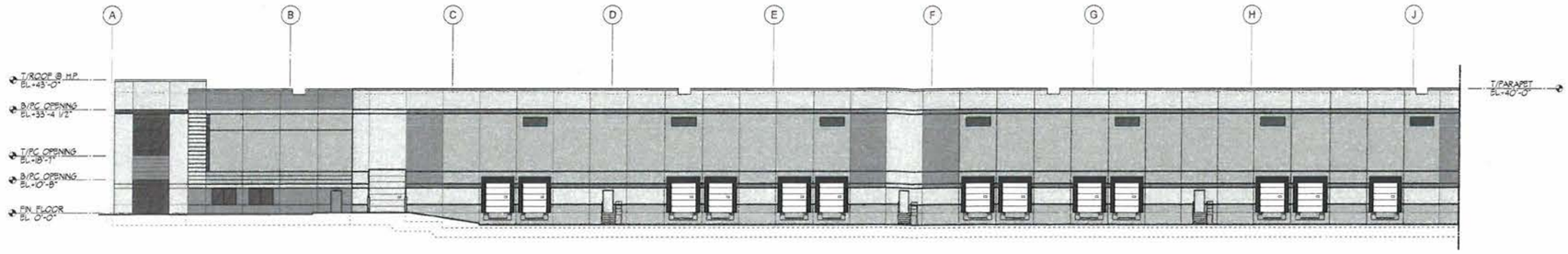
HARRIS ARCHITECTS INC.
4801 EMERSON AVENUE PALATINE, ILLINOIS 60067-7418 847.303.1155

NEW SPECULATIVE OFFICE/WAREHOUSE FACILITY
BUILDING 1
BREWSTER CREEK BUSINESS CENTER BARTLETT, ILLINOIS

DEVELOPMENT APPLICATION 09-18-2020

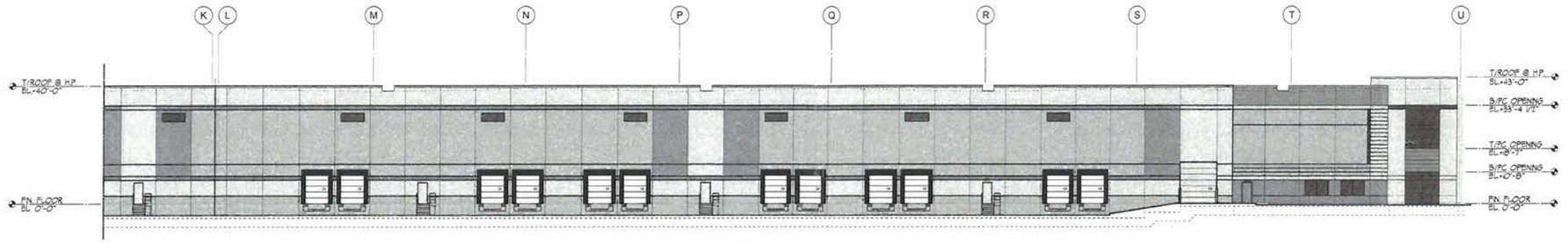
PROJECT NO. 220229
DRAWN BY: GL
DATABASE: 220229.MDB

SHEET NO. A2.0



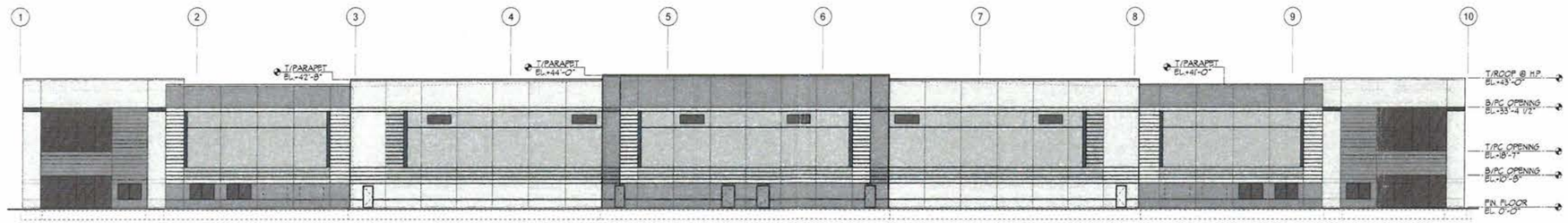
PARTIAL SOUTH ELEVATION

SCALE: 1/16" = 1'-0"



PARTIAL SOUTH ELEVATION

SCALE: 1/16" = 1'-0"



WEST ELEVATION

SCALE: 1/16" = 1'-0"

COLOR LEGEND

EXTERIOR PRECAST TO BE COLORED WITH LOXON VERTICAL CONCRETE STAIN BY SHERWIN WILLIAMS. G.C. TO MATCH SHERWIN WILLIAMS COLORS SELECTED BELOW

- 7070 - SITE WHITE SHERWIN WILLIAMS
- 7072 - ONLINE SHERWIN WILLIAMS
- 7074 - SOFTWARE SHERWIN WILLIAMS
- 6244 - NAVAL SHERWIN WILLIAMS

FASCIA & GRAVEL STOP
PAC-CLAD -

CURTAINWALL SYSTEM
FRAMES - CLEAR ANODIZED ALUMINUM
INSUL. GLASS - GREY TINTED

PUNCHED/CLEARSTORY WINDOWS
FRAMES - CLEAR ANODIZED ALUMINUM
INSUL. GLASS - GREY TINTED

INSUL. MTL. DOORS/FRAMES
FRAME -
DOOR -

OVERHEAD DOORS
DRIVE-IN DOORS - PREFINISHED WHITE
DOCK DOORS - PREFINISHED WHITE

PIPE BOLLARDS
SAFETY YELLOW

McSHANE CONSTRUCTION COMPANY

CONOR COMMERCIAL

HARRIS ARCHITECTS INC.
400 EMERSON AVENUE PALATINE, ILLINOIS 60067-7178 847.202.1515

NEW SPECULATIVE OFFICE/WAREHOUSE FACILITY

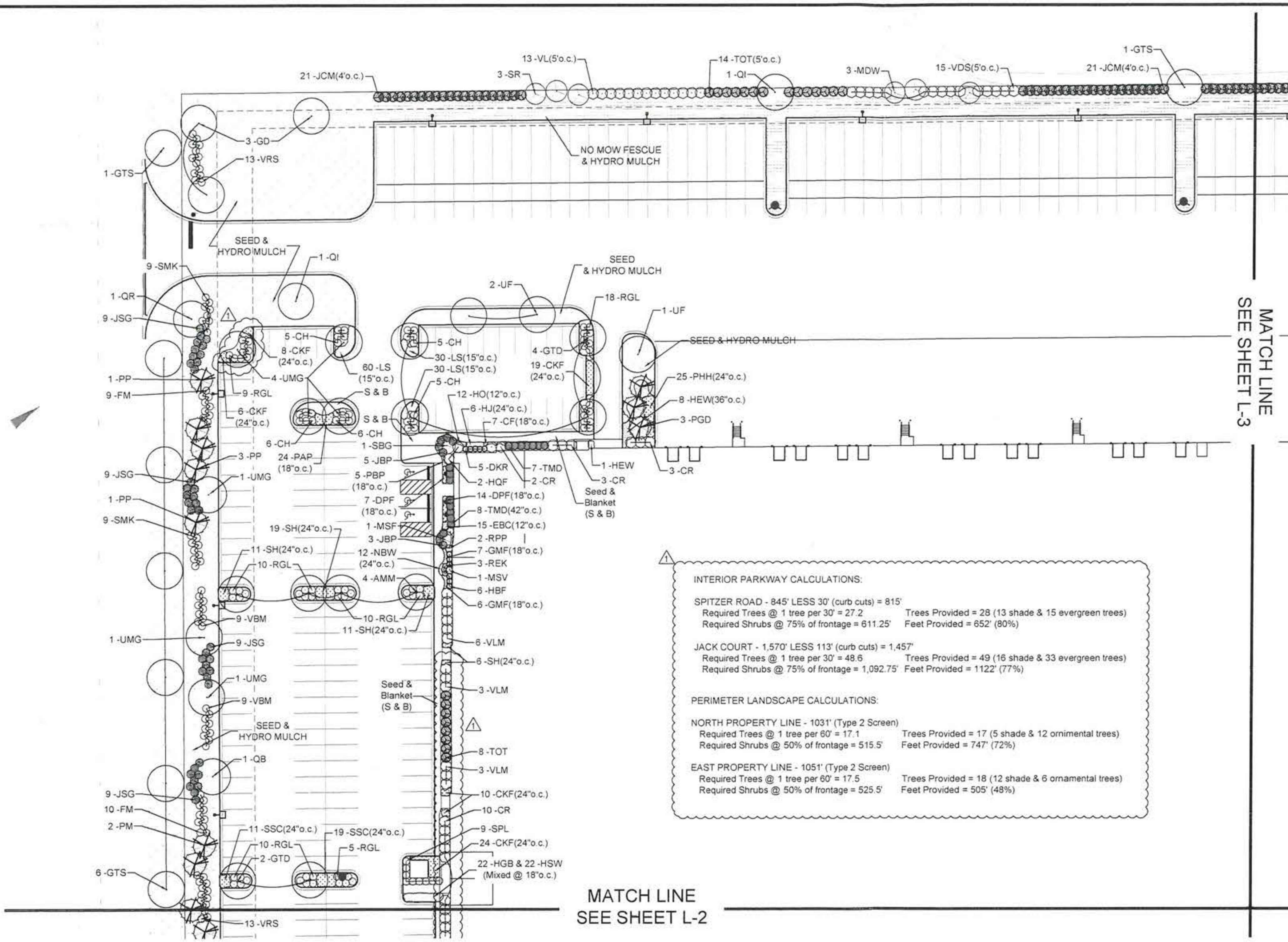
BUILDING 1

BREWSTER CREEK BUSINESS CENTER BARTLETT, ILLINOIS

DEVELOPMENT APPLICATION 09-18-2020

PROJECT NO. 220228
DRAWN BY: GL
DATABASE: 220228.MDB

SHEET NO. A2.1



INTERIOR PARKWAY CALCULATIONS:

SPITZER ROAD - 845' LESS 30' (curb cuts) = 815'
Required Trees @ 1 tree per 30' = 27.2 — Trees Provided = 28 (13 shade & 15 evergreen trees)
Required Shrubs @ 75% of frontage = 611.25' — Feet Provided = 652' (80%)

JACK COURT - 1,570' LESS 113' (curb cuts) = 1,457'
Required Trees @ 1 tree per 30' = 48.6 — Trees Provided = 49 (16 shade & 33 evergreen trees)
Required Shrubs @ 75% of frontage = 1,092.75' — Feet Provided = 1122' (77%)

PERIMETER LANDSCAPE CALCULATIONS:

NORTH PROPERTY LINE - 1031' (Type 2 Screen)
Required Trees @ 1 tree per 60' = 17.1 — Trees Provided = 17 (5 shade & 12 ornimental trees)
Required Shrubs @ 50% of frontage = 515.5' — Feet Provided = 747' (72%)

EAST PROPERTY LINE - 1051' (Type 2 Screen)
Required Trees @ 1 tree per 60' = 17.5 — Trees Provided = 18 (12 shade & 6 ornamental trees)
Required Shrubs @ 50% of frontage = 525.5' — Feet Provided = 505' (48%)

PLANT LIST

KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE/ TYPE
		DECIDUOUS SHADE TREES		
AFJ	7	Acer f.'Jeffersred'	Autumn Blaze Freeman Maple	2.5" BB
AMM	4	Acer m. 'Morton'	State Street Maple	3.0" BB
CO	9	Celtis occidentalis	Hackberry	3.0" BB
GAG	5	Ginkgo b. 'Autumn Gold'	Autumn Gold Ginkgo	3.0" BB
GTD	18	Gleditsia t.i.'Draves'	Street Kepper Honeylocust	2.5" BB
GTS	14	Gleditsia t.i.'Skyline'	Skyline Honeylocust	2.5" BB
GD	6	Gymnocladus dioicus	Kentucky Coffeetree	2.5" BB
QB	4	Quercus bicolor	Swamp White Oak	2.5" BB
QE	7	Quercus ellipsoidalis	Hills Oak	2.5" BB
QI	3	Quercus imbricaria	Shingle Oak	3.0" BB
QBO	2	Quercus macrocrapa	Burr Oak	2.5" BB
QR	3	Quercus rubra	Red Oak	3.0" BB
TSB	5	Taxodium d. 'Mickelson'	Shawnee Brave Bald Cypress	2.5" BB
TCG	24	Tilia c. 'Glenleven'	Glenleven Linden	2.5" BB
UF	8	Ulmus 'Frontier'	Frontier Elm	2.5" BB
UMG	17	Ulmus 'Morton'	Accolade Elm	2.5" BB
		EVERGREEN TREES		
PA	15	Picea abies	Norway Spruce	6' BB
PGD	20	Picea g. 'Densata'	Black Hills Spruce	6' BB
PP	15	Picea pungens	Colorado Green Spruce	8' BB
PM	10	Pseudotsuga menziesii	Douglas Fir	8' BB
		DECIDUOUS ORNAMENTAL TREES		
CVWK	3	Crataegus v. 'Winter King'	Winter King Hawthorn	6' BBcl.
MDW	9	Malus 'Donald Wyman'	Donald Wyman Crabapple	6' BBcl.
MSF	4	Malus s. 'Firebird'	Sargent Tina Crabapple	2.0" BB
SBG	4	Syringa p. 'Zhing Zhiming'	Beijing Gold Tree Lilac	6' BBcl.
SR	6	Syringa reticulata	Japanese Tree Lilac	6' BB
		DECIDUOUS SHRUBS & SHRUB ROSES		
AAB	54	Aronia a. 'Brilliantissima'	Red Chokeberry	3' BB
CR	90	Cornus racemosa	Grey Dogwood	3' BB
CH	74	Cotoneaster 'Hessei'	Hessei Cotoneaster	#5
DKR	20	Diervilla r. 'G2X885411'	Red Kodiak Diervilla	#3
FM	84	Forsythia x. 'Meadowlark'	Meadowlark Forsythia	3' BB
HV	20	Hamamelis Vernalis	Ozark Witch Hazel	3' BB
HQF	3	Hydrangea p. 'Bulk'	Quick Fire Hydrangea	#5
HBF	24	Hypericum k. 'SMHKBF'	Blue Festival St. Johnswort	#3
RGL	175	Rhus a.'Gro-Low'	Gro-Low Sumac	#5
REK	12	Rosa 'BAlmir'	Easy Elegance Kashmir Rose	#3
RFDH	6	Rosa r. 'Frau Dagmar Hastrup'	Frau Dagmar Hastrup Rose	#5
RPP	6	Rosa r. 'Purple Pavement'	Purple Pavement Rose	#5
SPL	9	Spiraea j. 'Mnapi'	Double Play Painted Lady Spirea	#3
SMK	81	Syringa p. 'Miss Kim'	Miss Kim Lilac	3' BB
VBM	110	Viburnum d. 'Christom'	Blue Muffin Arrowwood Viburnum	3' BB
VDS	30	Viburnum d. 'Synnestvedt'	Chicago Lustre Viburnum	3' BB
VRS	44	Viburnum d. 'Ralph Senior'	Autumn Jazz Viburnum	3' BB
VL	42	Viburnum lentana	Nannyberry Viburnum	3' BB
VLM	82	Viburnum l. 'Mohican'	Mohican Viburnum	3' BB
		EVERGREEN SHRUBS		
JKC	13	Juniperus c. 'Kalley's'	Kalleys Compact Juniper	#5
JCM	84	Juniperus c. 'Mountbatten'	Mountbattan Juniper	4' BB
JSG	159	Juniperus c. 'Sea Green'	Sea Green Juniper	36" BB
JHH	4	Juniperus h. 'Hughes'	Hughes Juniper	#5
JBP	32	Juniperus c. 'Blue Pacific'	Blue Pacific Juniper	#5
TMD	48	Taxis m. 'Densiformis'	Dense Yew	#5
TOS	11	Thuja c. 'Smaragd'	Emerald Green Arborvitae	5' BB
TOT	87	Thuja o. 'Techney'	Techney Arborvitae	4' BB
		ORNAMENTAL GRASS		
CKF	154	Calamgrostis a. 'Karl Foerster'	Feather Reed Grass	#1
DPF	84	Deschampsia c. 'Pixie Fountain'	Pixie Fountain Tufted Hair Grass	#1
MSV	6	Miscanthus s. 'Variegatus'	Variegated Silver Grass	#1
PHH	50	Panicum v. 'Haense Herms'	Haense Herms Switch Grass	#1
PNW	50	Panicum v. 'Northwind'	Northwind Switch Grass	#1
PAP	48	Pennisetum a. 'Piglet'	Piglet Fountain Grass	#1
SSC	74	Schizachyrium s. 'Carousel'	Carousel Little Bluestem	#1
SA	14	Sesleria autumnalis	Autumn Moor Grass	#1
SH	141	Sporobolus heterolepis	Prairie Dropseed	#1
		PERENNIALS		
CGS	10	Coreopsis v. 'Golden Showers'	Golden Showers Coreopsis	#1
EBS		Echinacea x 'Sunrise'	Big Sky Sunrise Coneflower	#1
EBC	68	Echinacea 'Cleopatra'	Butterfly Cleopatra Coneflower	#1
GMF	52	Geranium s. 'Max Frie'	Max Frie Geranium	#1
HGB	22	Hemerocallis 'Going Bananas'	Going Bananas Daylily	#1
HSW	22	Hemerocallis 'Summer Wine'	Summer Wine Daylily	#1
HO	24	Heuchera 'Obsidian'	Obsidian Coralbells	#1
HEW	18	Hosta 'Empress Wu'	Empress Wu Hosta	#3
HJ	12	Hosta 'June'	June Hosta	#1
NBW	48	Nepeta r. 'Blue Wonder'	Blue Wonder Catmint	#1
NJW	19	Nepeta f. 'Novanepjun'	Junior Walker Catmint	#1
PBP	20	Phlox p. 'Ditomfra'	Bubblegum Pink Phlox	#1
SOH	22	Stachys o. 'Hummelo'	Alpine Betony	#1
		GROUNDCOVERS & VINES		
CF	2	Carex flacca	Blue Sedge (20 plants)	from 10 flat
LS	36	Liriope spicata	Creeping Lilyturf (360 plants)	from 10 flat

MATERIAL & LABOR LIST:

QTY	ITEM	DESCRIPTION
7,212 SY	Native Seed w/ Hydro Mulch	No-Mow Fescue Seed Mix
10,834 SY	Seed w/ Hydro Mulch	Kentucky Bluegrass Blend w/Perennial Rye
958 SY	Seed w/ Straw Blanket	Kentucky Bluegrass Blend w/Perennial Rye S75 by North American Green (or equal)
280 CY	Mulch	Shredded Hardwood Bark
21 CY	Mulch	Compost (Yard Waste or Mushroom)
3 CY	Mulch	Southern Pine Bark Fines

GENERAL NOTES:

Plant material shall be nursery grown and be either balled and bur-lapped or container grown. Sizes and spreads on plant list represent minimum requirements.

The requirements for measurement, branching and ball size shall conform to the latest addition of ANSI Z60.1, AMERICAN STANDARD OF NURSERY STOCK by the American Nursery & Landscape Association.

Any materials with damaged or crooked/disfigured leaders, bark abrasion, sun scald, insect damage, etc. are not acceptable and will be rejected. Trees with multiple leaders will be rejected unless called for in the plant list as multi-stem or clump (cl.).

If any mistakes, omissions, or discrepancies are found to exist with the work product, the Landscape Architect shall be promptly notified so that they have the opportunity to take any steps necessary to resolve the issue. Failure to promptly notify the Landscape Architect and the Owner of such conditions shall absolve them from any responsibility for the consequences of such failure.

Under no circumstances should these plans be used for construction purposes without examining actual locations of utilities on site, and reviewing all related documents mentioned herein, including related documents prepared by the project Civil Engineer and Architect.

Civil Engineering or Architectural base information has been provided by others. The location of various site improvements on this set of drawings is only illustrative and should not be relied upon for construction purposes.

All bed lines and tree saucers shall require a hand spaded edge between lawn and mulched areas.

Quantity lists are supplied as a convenience. However, Bidders and the Installing Contractor should verify all quantities. The drawings shall take precedence over the lists. Any discrepancies shall be reported to the Landscape Architect.

Actions taken without the knowledge and consent of the Owner and the Landscape Architect or in contradiction to the Owner and the Landscape Architect's work product or recommendations, shall become the responsibility not of the Owner and the Landscape Architect, but for the parties responsible for the taking of such action.

Refer to Civil Engineering documents for detailed information regarding size, location, depth and type of utilities, as well as locations of other site improvements, other than landscape improvements.

Plant symbols illustrated on this plan are a graphic representation of proposed plant material types and are intended to provide for visual clarity. However, the symbols do not necessarily represent actual plant spread at the time of installation.

All plant species specified are subject to availability. Material shortages in the landscape industry may require substitutions. All substitutions must be approved by the Village, Landscape Architect and Owner.

The Landscape Contractor shall verify location of all underground utilities prior to digging by calling "J.U.L.I.E." (Joint Utility Location for Excavators) 1-800-892-0123 and any other public or private agency necessary for utility location.

Grading shall provide slopes which are smooth and continuous. Positive drainage shall be provided in all areas.

Sod shall be mineral base only.

Seed mixes shall be applied mechanically so that the seed is incorporated into the top one-half inch (1/2") of the seed bed. The seed shall then be covered with the specified blanket (installed per manufacturer's. specs) or Hydro-mulch.

All plant material shall be guaranteed for one (1) year from the date of acceptance.

All completed planting beds and tree saucers, except for groundcover beds, shall be mulched with three (3) inches of un-dyed shredded hardwood bark. All groundcover beds shall be mulched with three (3) inches of pine bark fines.

Tree branching shall start no less than six (6) feet above pavement, measured from pavement level.

To insure visibility, shrubs and ornamental grasses shall not exceed a mature height of thirty inches (30") above pavement on landscape islands at the end of parking rows.

811 Know what's below. Call before you dig.

SCALE 1" = 30'
0 30 60

REVISIONS

1 - Village Review #1 — 10-09-20

BREWSTER CREEK
BARTLETT, ILLINOIS

STATE OF ILLINOIS LICENSED LANDSCAPE ARCHITECT JOHN M. RYAN no. 157-000129
EXPIRES: 10/31/2021

IRG Ives/Ryan Group, Inc.
1741 S. WIESBROOK ROAD
WHEATON, IL 60189
PHONE: 630.738.0726
Landscape Architecture
Park & Recreation Design
Site & Community Planning
www.ivesryangroup.com

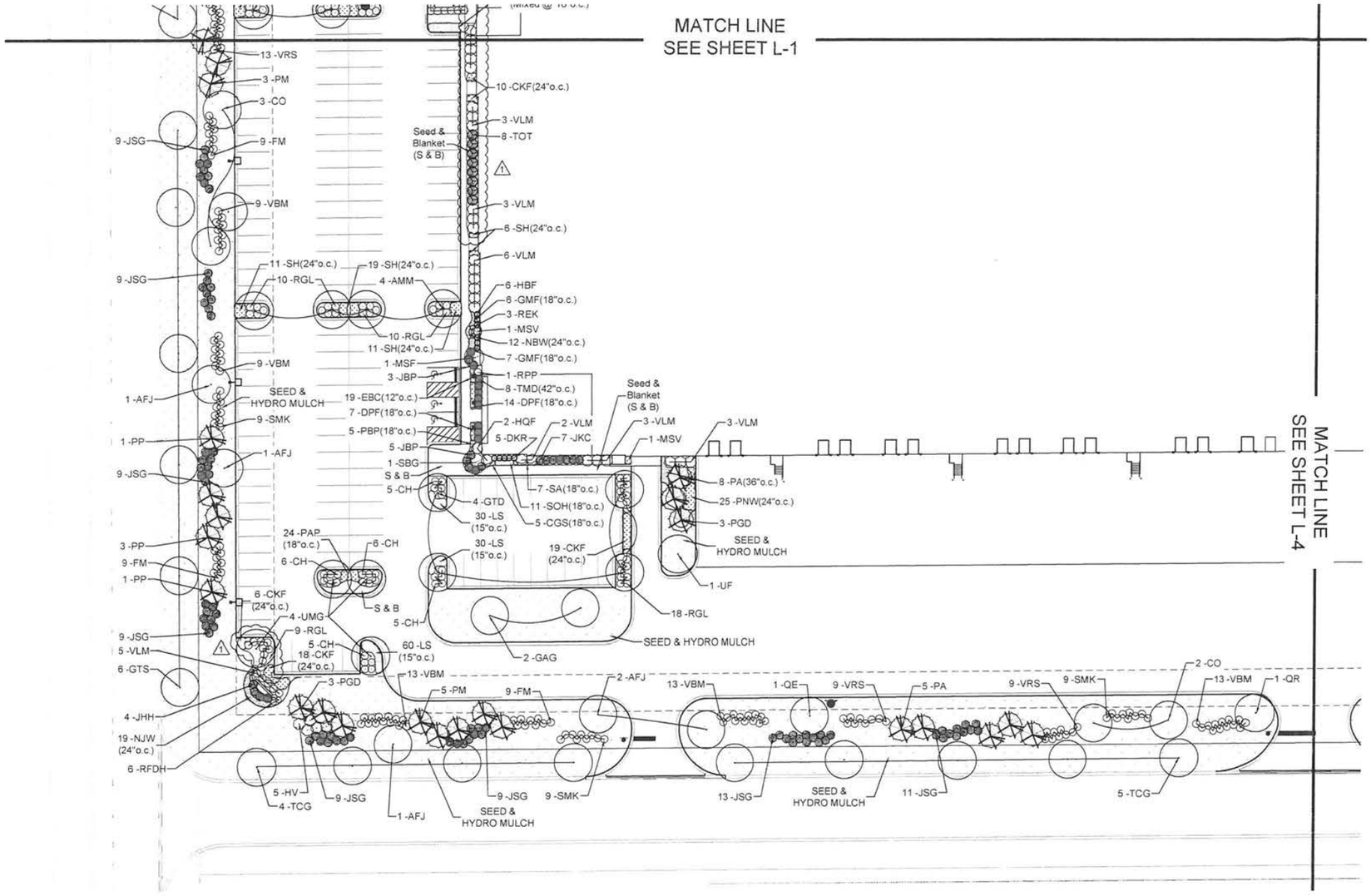
LANDSCAPE PLAN

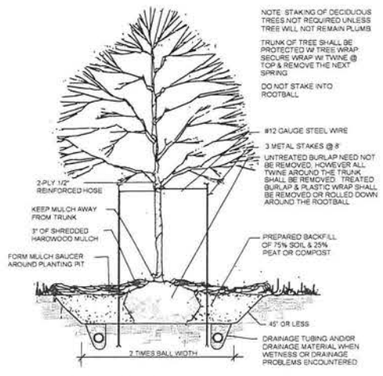
PROJECT NO.: JOB NO.:
L1520 - 9237

DATE: 09-16-20
SCALE: 1"=30'
PLANNER: JMR
DRAWN BY: RM
CHECKED:

SHEET L-1

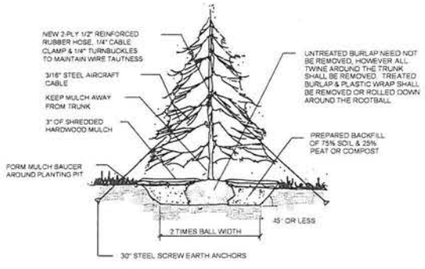
CAUTION: IF THIS SHEET IS NOT 24"x36", THEN IT IS NOT AT THE SCALE INDICATED





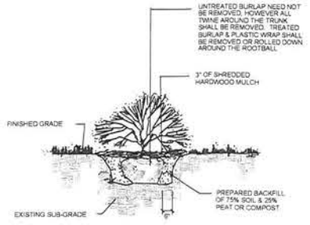
DECIDUOUS TREE

NTS



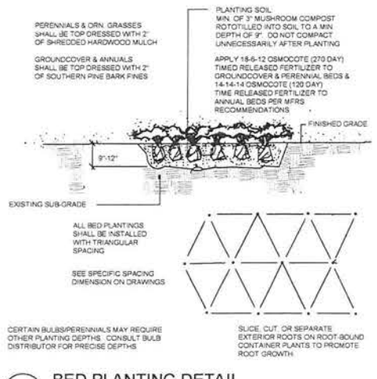
EVERGREEN TREE

NTS



SHRUBS

NTS



BED PLANTING DETAIL

(PERENNIALS, ORNAMENTAL GRASSES VINES, GROUNDCOVER & ANNUALS)

NTS

811 Know what's below. Call before you dig.

SCALE 1" = 30'

0 30 60

REVISIONS

1 - Village Review #1	10-09-20

BREWSTER CREEK

BARTLETT, ILLINOIS

STATE OF ILLINOIS
JOHN M. RYAN
No. 157-000129
LANDSCAPE ARCHITECT

EXPIRES: 10/31/2021

IRG Ives/Ryan Group, Inc.
1741 S. WIESBROOK ROAD
WHEATON, IL 60189
PHONE: 630.738.0726

Landscape Architecture
Park & Recreation Design
Site & Community Planning

www.ivesryangroup.com

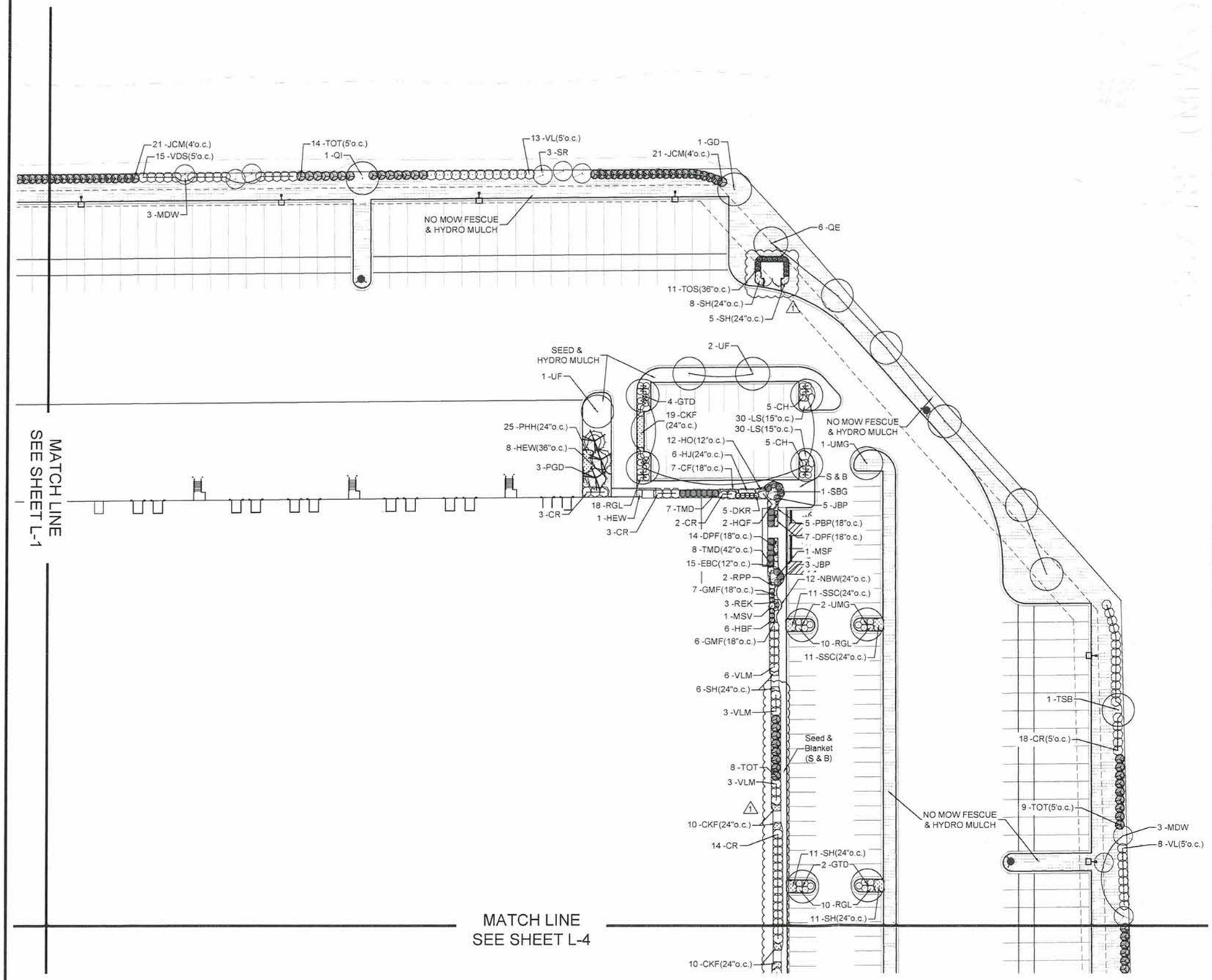
LANDSCAPE PLAN

PROJECT NO.: L1520 - 9237

JOB NO.:

DATE: 09-16-20
SCALE: 1"=30'
PLANNER: JMR
DRAWN BY: RM
CHECKED:

SHEET L-2



NO MOW FESCUE SEED MIX

Prairie Nursery Westfield, WI

COMMON NAME	PERCENT	GERMINATION
SR5100 Chewings Fescue	23.52%	85%
Sheep Fescue	23.52%	85%
Dawson Red Fescue	11.76%	85%
SR100 Hard Fescue	11.76%	85%
Scaidis Hard Fescue	11.76%	85%
Creeping Red Fescue	11.70%	85%
Annual Ryegrass	3.88%	90%

Seed Rate 5 lbs per 100 sq. ft. or 220 lbs per acre

"No-Mow" Maintenance Program

Mowing

"No-Mow" lawns may require occasional mowing during the first two (2) years of establishment to control weeds, especially with lawns that are seeded in spring. Most annual weeds can be controlled by mowing at a height of four inches (4") in the first growing season. If biennial weeds such as sweet clover, Queen Anne's Lace, burdock, etc. are a problem in the second year, they should be mowed at four inches (4") just as they begin to flower, usually around mid June. This carefully timed mowing will kill most biennials. A few may survive the mowing, and should be mowed at four inches (4") a second time when they re-bloom later in the season.

Once the "No-Mow" lawn is established there are four (4) basic mowing options:

- No mowing at all
- One late spring mowing, usually in early June when the seedheads appear
- Fall mowing with a mulching mower, especially in wooded areas to chop up fallen leaves
- Regular mowing, usually monthly, to maintain a more "cropped" appearance

No Mowing: This will result in a turf whose leaves grow to about six inches (6") in height that will drape over one another to create a low -growing meadow effect. Seedheads about two feet (2') tall will appear in early to mid June, creating a nice meadow effect. The seedheads will typically fall to the ground by late summer, and the lawn will revert to its normal height of about five to six inches.

Late Spring Mowing: Mowing the "No-Mow' lawn once a year in June when the seedheads appear at a height of four (4) to five (5) inches to remove the seedheads and the turf will re -grow to its normal height.

Fall Mowing: This as a good option for seedlings under or in open woodlands. The fescue grasses usually will not form seadhead s when growing in shade, so June mowing is not required to maintain a normal height. However, leaves from deciduous trees must either be raked up and removed, or chopped up with a mulching mower in order to prevent smothering of the turf over winter.

Regular Mowing: For a traditional manicured lawn look, regular mowing can be done every three (3) to four (4) weeks, or when the grass reaches a height of six inches (6"). Most fine fescues do not tolerate close mowing, and should be mowed no lower than 3.5 inches. Never remove more than one third of the total leaf material, or the turf will be damaged. Always cut grass with a sharp mower blade to minimize tearing of the leaves which will cause additional stress to the grass plant.

De-Thatching

Fine fescues tend to develop a thatch layer near the soil surface over time. Thatch is composed of dead grass that does not decompose. It can smother the growth of new grass shoots, reducing the density of the lawn and creating dead spots. The thatch layer also tends to retain moisture at the ground level, which can encourage the growth of fungal diseases. Thatch development is encouraged by high levels of soil Nitrogen, and is more common in rich soils and lawns that are regularly fertilized. If thatch builds up to a point where dead grass is visible and grass begins to thin out, the lawn should be de -thatched.

De-thatching can be accomplished using a mechanical de -thatcher or power rack, or by hand using a de -thatching rake. Set mechanical de -thatchers to a depth where they lift the tha tch without digging up the soil. If the thatch is particularly thick, the de -thatcher will need to be set deeper, and some soil disturbance will likely occur. The thatch should be racked out of the lawn and removed. If open soil is visible following de -thatching, the affected areas should then be over-seeded with "No-Mow' lawn mix.

Timing of de-thatching is very important. Cool season fescue lawns should be de -thatched in mid-spring after the grass has greened up and begun active growth. De-thatching in early spring before the lawn begins to grow tends to encourage weeds.

Know what's **below.** **Call** before you dig.

SCALE 1" = 30'
0 30 60

REVISIONS

1 - Village Review #1	10-09-20

BREWSTER CREEK

BARTLETT, ILLINOIS

JOHN M. RYAN
No. 157-000129
REGISTERED LANDSCAPE ARCHITECT
STATE OF ILLINOIS
EXPIRES: 10/31/2021

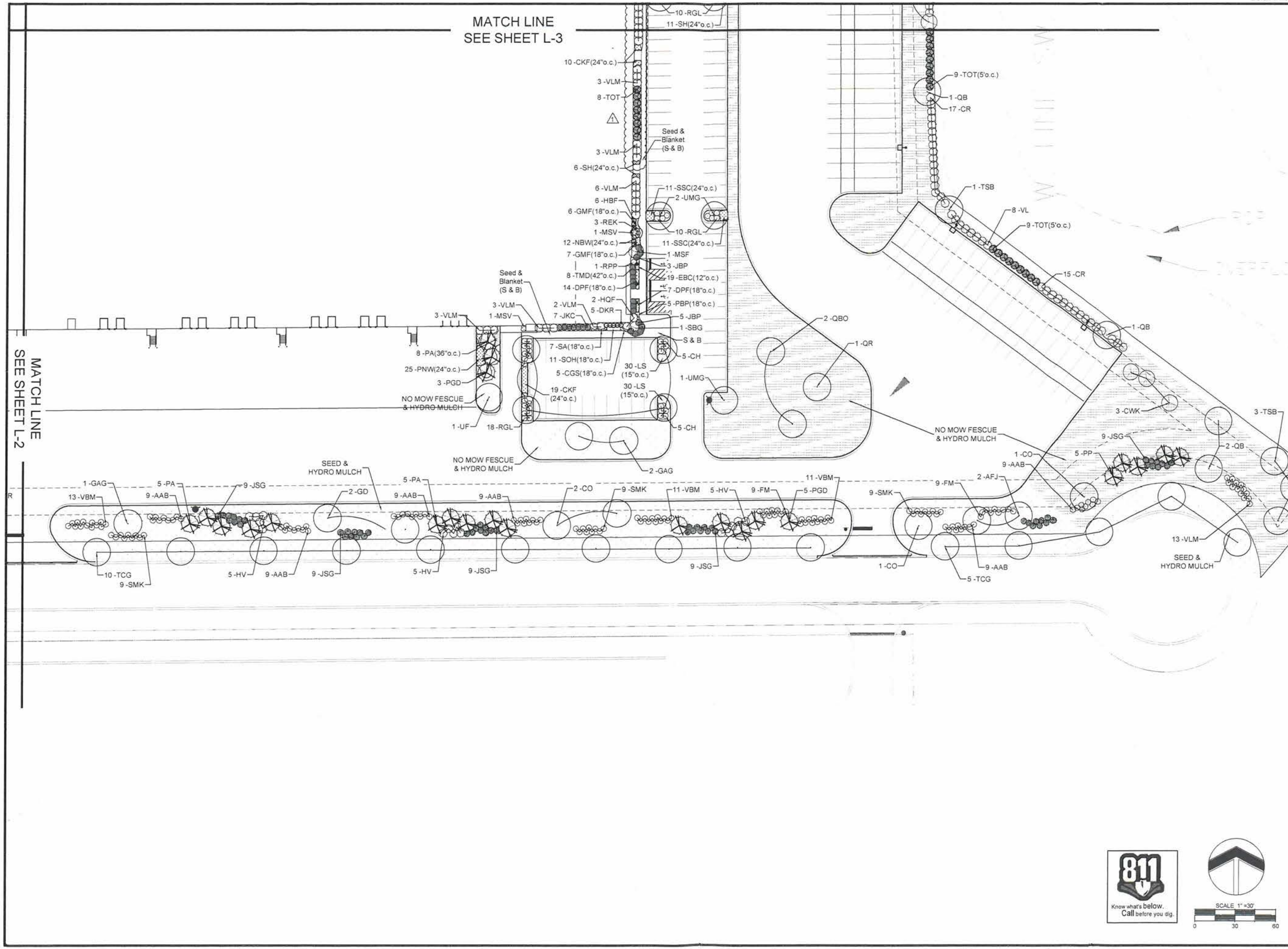
IRG Ives/Ryan Group, Inc.
1741 S. WIESBROOK ROAD
WHEATON, IL 60189
PHONE: 630.738.0726
Landscape Architecture
Park & Recreation Design
Site & Community Planning
www.ivesryangroup.com

LANDSCAPE PLAN

PROJECT NO.: JOB NO.:
L1520 - 9237

DATE: 09-16-20
SCALE: 1"=30'
PLANNER: JMR
DRAWN BY: RM
CHECKED:

SHEET L-3



CAUTION: IF THIS SHEET IS NOT 24"x36", THEN IT IS NOT AT THE SCALE INDICATED

REVISIONS

1 - Village Review #1 10-09-20

BREWSTER CREEK

BARTLETT, ILLINOIS

STATE OF ILLINOIS
JOHN M. RYAN
no. 157-000129
LICENSED LANDSCAPE ARCHITECT
EXPIRES: 10/31/2021

IRG Ives/Ryan Group, Inc.
1741 S. WIESBROOK ROAD
WHEATON, IL 60189
PHONE: 630.738.0726
Landscape Architecture
Park & Recreation Design
Site & Community Planning
www.ivesryangroup.com

LANDSCAPE PLAN

PROJECT NO.: JOB NO.:
L1520 - 9237

DATE: 09-16-20
SCALE: 1"=30'
PLANNER: JMR
DRAWN BY: RM
CHECKED:

SHEET L-4

Agenda Item Executive Summary

Item Name	County Farm & Stearns- Concept Plan Review	Committee or Board	Committee

BUDGET IMPACT

Amount:	N/A	*Budgeted*	N/A
List what fund	N/A		

EXECUTIVE SUMMARY

The petitioner is requesting a Concept Plan Review for a commercial development on a 4.62-acre property located at the northwest corner of County Farm and Stearns Road. The property is zoned B-3 (Neighborhood Shopping District).

The proposed commercial development includes a 6,079 sq. ft. day care center, a 5,500 sq. ft. restaurant with drive-thru and outdoor patio, a 14,000 sq. ft. retail center and a 3,760 sq. ft. car wash.

ATTACHMENTS (PLEASE LIST)

PDS Memo, Applicant Cover Letter, Application, Location Map, Site Plan, Elevations

ACTION REQUESTED

- ☑ For Discussion only- To review the Petitioner's proposal and provide direction prior to a full application submittal
- ☐ Resolution
- ☐ Ordinance
- ☐ Motion

Staff: Roberta Grill, Planning & Development Services Director Date: 10/7/2020

PLANNING AND DEVELOPMENT SERVICES MEMORANDUM

20-154

DATE: October 7, 2020

TO: Paula Schumacher, Village Administrator

FROM: Roberta Grill, Planning & Development Services Director RBG

RE: **(CP #19-03) County Farm & Stearns Concept Plan**

PETITIONER

Himanshu Modi

SUBJECT SITE

Northwest corner of County Farm Road and Stearns Road

REQUEST

Concept Plan Review *(A conceptual review of a proposed development project where the Petitioner requests input and direction from the Village Board Committee prior to their full submittal of an application.)*

SURROUNDING LAND USES

	Land Use	Comprehensive Plan	Zoning
Subject Site	**Vacant**	**Commercial**	**B-3**
North	Townhomes	Attached Residential (Medium Density)	SR-5
South	Single Family	Single Family	R-4 PUD*
East	Commercial	Commercial	B-3
West	Townhomes	Attached Residential (Medium Density)	SR-5

*Village of Hanover Park

DISCUSSION

1. The petitioner is requesting a Concept Plan Review for a commercial development on a 4.62-acre property located at the northwest corner of County Farm and Stearns Road. The property is zoned B-3 (Neighborhood Shopping District).

2. The proposed commercial development includes a 6,079 sq. ft. **day care center**, a 5,500 sq. ft. **restaurant with drive-thru and outdoor patio**, a 14,000 sq. ft. **retail strip center** and a 3,760 sq. ft. **car wash**.

3. The development proposal identifies a full access curb cut on both County Farm Road and Newport Boulevard. Two connections are also provided to the existing BP gas station which currently has full access curb cuts onto Stearns Road and County Farm Road. *Staff has directed the Petitioner to contact DuPage County Division of Transportation to determine how future improvements to County Farm Road may impact the proposed curb cut on this site and the existing curb cuts on the BP site.*

4. The site plan identifies a total of 153 parking spaces, including eight (8) handicapped accessible spaces which exceeds the Zoning Ordinance requirement of 149 parking spaces.

5. The proposed building elevations are comprised of stone masonry, EIFS and metal panels.

6. If the Petitioner chooses to move forward with a formal application, they would be requesting a Preliminary/Final PUD Plan approval and Special Use Permits for a PUD, outdoor seating, a drive-thru(s) and/or to serve liquor.

7. Stormwater detention and wetland requirements would be determined at the time of a formal application submittal.

8. A traffic study will be required at the time of a formal application submittal.

RECOMMENDATION

1. If the Village Board Committee gives a favorable review of this Concept Plan, the Petitioner could proceed with a full development application submittal.

2. A copy of the Concept Plan and additional background information are attached for your review.

kms/attachments

x:\comdev\mem2020\154_countyfarmandstearns_ concept_vbc.docx

HD REAL ESTATE VENTURES LLC

CONTACT

1710 W Armitage Ct
Addison, IL 60101
Email: babla33@hotmail.com
Telephone: 847.331.1879

VILLAGE OF BARTLETT

PLANNING & DEVELOPMENT SERVICES
228 S MAIN ST
BARTLETT, IL 60103

Date: 10/06/2020

Dear Village President and Board of Trustees:

We are requesting preliminary comments from the Village on the enclosed Concept Plan. The mixed-use development is proposed on an approximately 4.6 acre parcel located on the north side of Stearns Road between Newport Boulevard and County Farm Road. The site is currently being marketed to potential users; but in general, the development will consist of a restaurant, car wash facility, retail shopping, and a day care.

We look forward to working with the Village on this project and appreciate the opportunity to present the plan for preliminary discussion.

Sincerely,

Hemant Patel
HD Real Estate Ventures LLC

VILLAGE OF BARTLETT
CONCEPT PLAN APPLICATION

(Please type or complete in blue or black ink.)

For Office Use Only
Case # CP19-03
(Village Stamp)

PROJECT NAME Stearns Rd Mixed Use Development

PETITIONER INFORMATION (PRIMARY CONTACT)

Name: Hemant Patel

Street Address: 1710 W. Armitage Court

City, State: Addison, IL **Zip Code:** 60101

Email Address: babla33@hotmail.com **Phone Number:** 847-331-1879

Preferred Method to be contacted: Email

PROPERTY OWNER INFORMATION

Name: HD Real Estate Venture

Street Address: 1710 W Armitage Court

City, State: Addison, IL **Zip Code:** 60101

Phone Number: 847-331-1879

OWNER'S SIGNATURE: H Patel **Date:** 10/5/20

(OWNER'S SIGNATURE IS REQUIRED or A LETTER AUTHORIZING THE PETITION SUBMITTAL.)

PROPERTY INFORMATION

Common Address/General Location of Property: Stearn Rd between Newport & County Farm

Property Index Number ("Tax PIN"/"Parcel ID"): 01-01-425-045

Acreage: 4.62 **No. of Lots/Units:** 1

Zoning: Existing: B-3 (Refer to Official Zoning Map) **Land Use:** Existing: Vacant

Proposed: B-3 Proposed: Commercial

Comprehensive Plan Designation for this Property: Commercial (Refer to Future Land Use Map)

APPLICANT'S EXPERTS (If applicable, including name, address, phone and email)

Attorney

Engineer Geotech Incorporated (Thomas Carroll)
1207 Cedarwood Dr., Crest Hill, IL 60403
815-730-1010; tcarroll@geotechincorp.com

Other Nova Design Build (Himanshu Modi)
2044 Techny Road, Northbrook, IL 60062
847-514-0707; hjmodi@gmail.com

ACKNOWLEDGEMENT

I understand that by signing this form, that the property in question may be visited by village staff and Board/Commission members throughout the petition process and that the petitioner listed above will be the primary contact for all correspondence issued by the village.

I certify that the information and exhibits submitted are true and correct to the best of my knowledge and that I am to file this application and act on behalf of the above signatures.

Any late, incomplete or non-conforming application submittal will not be processed until ALL materials and fees have been submitted.

SIGNATURE OF PETITIONER: Hr Patel

PRINT NAME: Hemant Patel

DATE: 10/5/20

REIMBURSEMENT OF CONSULTANT FEES AGREEMENT

The undersigned hereby acknowledges his/her obligation to reimburse the Village of Bartlett for all necessary and reasonable expenses incurred by the Village for review and processing of the application. Further, the undersigned acknowledges that he/she understands that these expenses will be billed on an ongoing basis as they are incurred and will be due within thirty days. All reviews of the petition will be discontinued if the expenses have not been paid within that period. Such expenses may include, but are not limited to: attorney's fees, engineer fees, public advertising expenses, and recording fees. Please complete the information below and sign.

NAME OF PERSON TO BE BILLED: HD Real Estate Venture LLC

ADDRESS: 1710 W Armitage Court
Addison, IL 60101

PHONE NUMBER: 847-331-1879

EMAIL: babla33@hotmail.com

SIGNATURE: Hr Patel

DATE: 10/5/20

LOCATION MAP

CP 19-03 County Farm & Stearns
PIN: 01-01-425-045
Concept Plan

GRAPHIC SCALE 1"=30'

0 15 30 60

LOCATION MAP

NOTES:

1. DRAINAGE STRUCTURE TO BE PROVIDED NEAR OUTLET OF CAR WASH.
2. BUILDING DIMENSIONS ARE PRELIMINARY AND SUBJECT TO CHANGE DURING FINAL SITE DESIGN.
3. STORM WATER DETENTION DESIGN TO BE DETERMINED DURING FINAL ENGINEERING. DETENTION MAY BE COMBINATION OF A TRADITIONAL BASIN AND/OR UNDERGROUND DETENTION.
4. ENTRANCE TO COUNTY FARM ROAD WILL REQUIRE APPROVAL BY DUPAGE COUNTY.

SITE DATA TABLE

SITE AREA:	4.62 AC
IMPERVIOUS AREA:	3.04 AC (65.8%)
PERVIOUS AREA:	1.58 AC (34.2%)

PARKING TABLE

REQUIRED:

RETAIL PARKING STALLS (1/2,000 SF):	70
RESTAURANT PARKING STALLS (1/60 SF):	64
DAY CARE PARKING STALLS (10 EMPLOYEES):	10
CAR WASH PARKING STALLS (1 PER 2 EMPLOYEES) (10 EMPLOYEES):	5
TOTAL REQUIRED PARKING STALLS:	149
TOTAL PROVIDED PARKING STALLS:	153

DATE	REV	REVISION
9/28/20	3	SUB. FOR BOARD REVIEW
7/24/20	2	REV SITE LAYOUT
1/15/20	1	VILLAGE COMMENTS

CONCEPT PLAN

DRAWN BY: NW
CHECKED BY: TC
JOB: 20443
DATE: 8/28/19

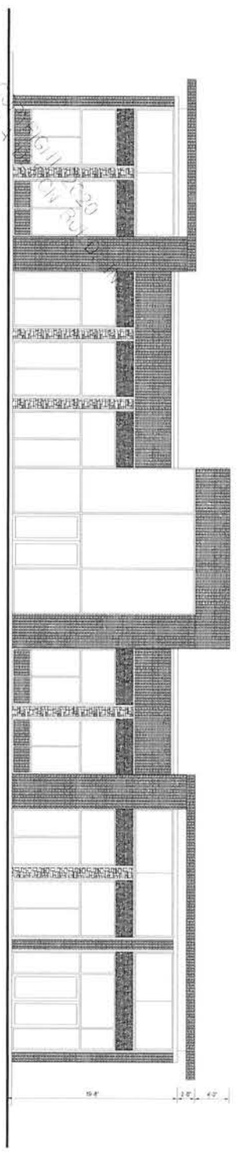
OUTLOT 15 BARTLETT SUB
UNIT ONE-L
BARTLETT, IL 60103

GEOTECH INC.
CONSULTING ENGINEERS - LAND SURVEYORS
1207 CEDARWOOD DRIVE CREST HILL, ILLINOIS 60403 815/730-1010

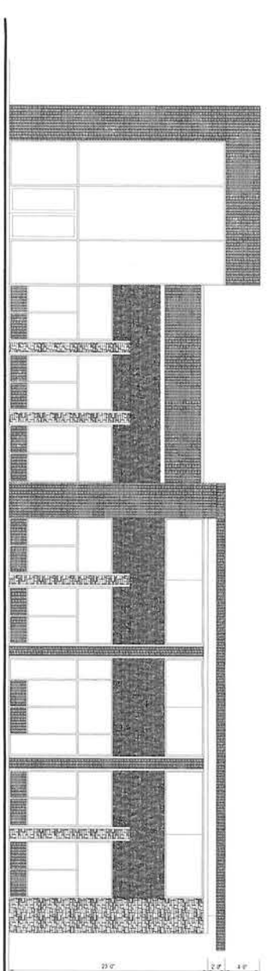
20443

1

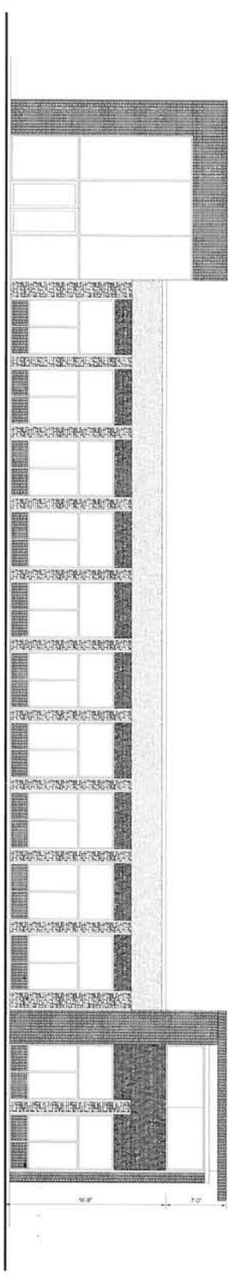
P:\Projects\GN\20443\Engineering\DWG\20443 Site Plan.dwg
Plotdate: 9/29/2020 1:16 PM - Layout: CONCEPT PLAN



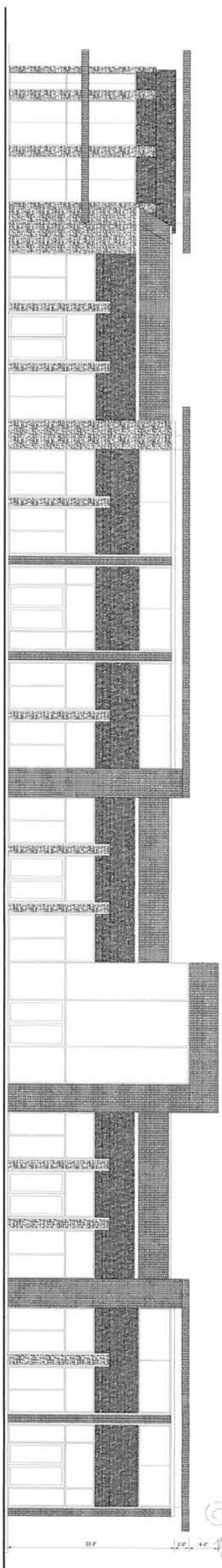
RESTAURANT
PROPOSED EXTERIOR ELEVATION



DAYCARE CENTER
PROPOSED EXTERIOR ELEVATION



CAR WASH
PROPOSED EXTERIOR ELEVATION



RETAIL BUILDING
PROPOSED EXTERIOR ELEVATION

EXTERIOR MATERIAL LEGEND:

- METALLIC GREY METAL ELEMENTS
- BEIGE STONE MASONRY
- LIGHT GREY E.I.F.S

NOTICE TO BIDDERS:
THIS DRAWING MAY NOT BE USED FOR BID AND/OR ESTIMATE PURPOSES AFTER 2 WEEKS FROM THE BID ISSUANCE DATE ON DRAWING WITHOUT FURTHER WRITTEN CONFIRMATION FROM NOVA DESIGN BUILD, INC.

NOTICE TO CONTRACTORS AND SUBCONTRACTORS:
THIS DRAWING MAY NOT BE USED FOR PERMIT OR CONSTRUCTION
IF NOT SIGNED AND STAMPED IN RED BY NOVA DESIGN BUILD, INC.

DWG. TITLE: PROPOSED EXTERIOR ELEVATIONS

NO.	DATE	REMARKS
	10-05-20	ISSUED FOR ZONING APPROVAL

A-2-1

PROPOSED
MIXED-USE DEVELOPMENT
AT
OUTLOT 15 IN BARTLETT SUBDIVISION UNIT ONE-L,
BARTLETT IL 60103

NOVA DESIGN BUILD, INC.
ARCHITECTS ENGINEERS
2044 TECHNY ROAD NORTHBROOK IL, 60062
PHONE NO. (847) 514 0704 / FAX NO. (888) 769 6358

Agenda Item Executive Summary

Item Name	630 Golfers Lane	Committee or Board	Committee

BUDGET IMPACT			
Amount:	N/A	*Budgeted*	N/A
List what fund	N/A		

EXECUTIVE SUMMARY

The Petitioners are requesting a 5-foot variation from the 20-foot required rear yard for a three-season room addition in a PD (Planned Development) Zoning District. This represents a 25% reduction in the required rear yard and exceeds the maximum 20% variation. *(According to the Zoning Ordinance, a super majority vote by the Village Board (i.e. five trustees or the Village President and four trustees) is required to grant a variation that would permit a required yard to be reduced by more than 20%.)*

The residence is currently located 25.25 feet from the rear property line. The existing deck is located 15 feet from the rear property line. (Decks are allowed to encroach 10 feet into the rear yard.) The Petitioners are proposing to build a 14.5'x10.25' three-season room in the same location as the existing deck and construct a new deck north of the three season-room. The proposed three-season room addition and deck would be located 15 feet from the rear property line.

At the **September 3, 2020 Zoning Board of Appeals** meeting, the Petitioners submitted a written request to have the case continued to the next meeting. The Zoning Board of Appeals opened the public hearing, during which two (2) members of the public voiced their concerns regarding the variation request. The Zoning Board of Appeals **continued the public hearing** to their October 1, 2020 meeting.

At the **October 1, 2020 Zoning Board of Appeals** meeting, the Petitioners presented their case and submitted photos of other three-season rooms in the subdivision and a letter from a realtor indicating her opinion that the addition would improve property values within the neighborhood. The public hearing was reopened and several members of the public, including the neighbor to the south, voiced opposition to the request and presented photos from their deck while other property owners in the subdivision indicated they were in favor of the proposal. The Zoning Board of Appeals discussed the Petitioners' variation request and believed the views to the golf course would not be obstructed by this three-season room. They conducted the public hearing and recommended **approval.**

ATTACHMENTS (PLEASE LIST)

PDS Memo, Zoning Board of Appeals Meeting Minutes, Applicant Cover Letter, Application, Location Map, Plat of Survey, Elevations, Photos and Distance Map

ACTION REQUESTED

- ☑ For Discussion Only – To review the Petitioner's variation request and forward to the Village Board for a final vote.
- ☐ Resolution
- ☐ Ordinance
- ☐ Motion

Staff: Roberta Grill, Planning and Development Services Director Date: 10/8/2020

PLANNING AND DEVELOPMENT SERVICES MEMORANDUM
20-152

DATE: October 8, 2020

TO: Paula Schumacher, Village Administrator

FROM: Roberta Grill, Planning & Development Services Director RBG

RE: **(#20-12) 630 Golfers Lane**

PETITIONER

Dan & Lori Palmer

SUBJECT SITE

630 Golfers Ln.

REQUEST

Variation – 5-ft. reduction from the 20-ft. required rear yard

According to the Zoning Ordinance, a super majority vote by the Village Board (i.e. five trustees or the Village President and four trustees) is required to grant a variation that would permit a required yard to be reduced by more than 20%.

ZONING BOARD OF APPEALS ACTION

At the **September 3, 2020** Zoning Board of Appeals meeting, the Petitioners submitted a written request to have the case continued to the next meeting. The Zoning Board of Appeals opened the public hearing, during which two (2) members of the public voiced their concerns regarding the variation request. The Zoning Board of Appeals continued the public hearing to their October 1, 2020 meeting.

At the **October 1, 2020** Zoning Board of Appeals meeting. the Petitioners presented their case and submitted photos of other three-season rooms in the subdivision and a letter from a realtor indicating her opinion that the addition would improve property values. The public hearing was reopened and several members of the public, including the neighbor to the south, voiced opposition to the request and presented photos from their deck while other property owners in the subdivision indicated they were in favor of the proposal.

ZONING HISTORY

The property was annexed into the Village in 1967 by Ordinance 1967-19 and zoned R-1 Single Family Residence upon annexation. The property was rezoned to RDP Residential Planned Development by Ordinance 1974-10.

The property is within the Bartlett on the Greens Subdivision which was approved by Ordinance 1987-42 *An Ordinance Rezoning the Villa Olivia Property and Granting Special Uses for the Planned Unit Development Thereof*. The Ordinance rezoned the property from the RPD Residential Planned Development Zoning District to PD Planned Development Zoning District. The rear yard setback for Bartlett on the Greens Subdivision is 30 feet; however, the rear yard setback is reduced to 20 feet if the lot abuts the golf course.

DISCUSSION

1. The subject property is zoned PD (Planned Development).

2. The Petitioners are requesting a 5-foot variation from the 20-foot required rear yard for a three-season room addition. This represents a 25% reduction in the required rear yard and exceeds the maximum 20% variation.

3. The residence is currently located 25.25 feet from the rear property line and backs up to the Villa Olivia Golf Course. The existing deck is located 15 feet from the rear property line. (Decks are allowed to encroach 10 feet into the rear yard.) The Petitioners are proposing to build a 14.5'x10.25' three-season room in the same location as the existing deck and to construct a new deck north of the three season-room. The existing stairs which come out south of the deck will be removed with new stairs that wrap around the three-season room. The proposed three-season room addition and deck would be located 15 feet from the rear property line.

4. The house has a walkout basement, therefore the existing deck is located on the first floor rather than the ground level to provide direct access from the main living level.

5. If the variation is approved, the Petitioners could then apply for a building permit for the proposed three-season room and deck.

RECOMMENDATION

1. The **Zoning Board of Appeals** reviewed the Petitioner's variation request, conducted the public hearing and recommended **approval** at their October 1, 2020 meeting based upon the following Findings of Fact:

A. That the particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.

B. That conditions upon which the petition for variation is based are unique to the property for which the variation is sought and are not applicable, generally, to other property within the same zoning classifications.

C. That the purpose of the variation is not based exclusively upon a desire to make money out of the property.

D. That the alleged difficulty or hardship is caused by the provision of this Title and has not been created by any person presently having an interest in the property.

E. That the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhoods in which the property is located.

F. That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the adjacent neighborhood.

G. That the granting of the variance requested will not confer on the applicant any special privilege that is denied by the provisions of this Title to other lands, structures or buildings in the same district.

The minutes from the Zoning Board of Appeals meetings and background information are attached for your review and consideration.

kms/attachments

x:\comdev\mem2020\152_630golfers_vbc.docx

(#20-12) 630 Golfers Lane
Variation: A five (5) foot reduction from the required 20-foot rear yard
PUBLIC HEARING (CONTINUED FROM SEPTEMBER 3, 2020 MEETING)

The following exhibits were presented:
Exhibit A – Picture of Sign
Exhibit B – Mail Affidavit
Exhibit C – Notification of Publication
Exhibit D – Photos from witness Mark Siwik of 569 Rose Lane
Exhibit E – Written statement from Vicie Pruden of 626 Golfers Lane
Exhibit F – Letter from Mary McFarland of RE/MAX Central

The Petitioner, **Dan Palmer** of 630 Golfers Lane came forward and was sworn in by **M. Werden**. **D. Palmer** read from a letter. I guess this is all my fault. Lori and I have lived in Bartlett all our adult lives. This is our third home here. Our last home is where we lived the longest and raised our children. Getting older and not needing the big home anymore, we moved to our current address four years ago. Bartlett on the Greens is one of the few single-family ranch subdivisions in Bartlett. This home is smaller and it has an open space behind us that we have never had before. It's perfect for us. I knew about this particular subdivision because my mother was an original owner way back in 1988. Recently, Lori asked about building a three-season room and when I hesitated, she reminded me that shortly before we moved here, had said let us do that at the next house and so, we are at the next house and as you can see, it is my fault. I explained that there were several hoops that we had to jump through here. I knew about the H.O.A. and their reputation for being difficult, but I also knew that others had built these rooms, so we pressed forward, and we received H.O.A. approval. After that, I consulted with the Building Department because I wanted to get an idea of what was involved. Bartlett's codes are stiffer than many towns and I needed to figure out if it was feasible. They informed me that I would also need a variance since homes that border Villa Olivia in Bartlett on the Greens had reduced back yards. Those backyards were reduced in part because of the open space behind it, but make no mistake, the lots are smaller because the builder could fit more homes in the PUD that way. I imagine that the ZBA had to consider that alteration way back in the 1980s. The golf course lots commanded lot premiums when first sold. Those premiums do not evaporate, they become part of the value of a property. We paid that price when we purchased the home. The sellers commanded a higher price based on the location. After that, I spoke with Community Development Staff and learned about the process necessary to gain approval. I specifically asked what types of projects and to what extent the ZBA generally responds favorably to. I know they cannot speak for you, but I do know they can speak from experience. We planned this room accordingly. I have learned that my neighbor to the south has objected to our plans because she felt it would impair her view. I guess I look at it as I am just trying to enjoy our own property. Any time you live in close proximity, there are going to be things that you do not necessarily like. Maybe I do not like that I cannot park my car in my driveway because her tree hovers over it and drops debris three out of the four seasons of the year. Maybe I do not like that I cannot park my car across the street from our own home because my neighbor backed into my wife's car and then she asked us not to park there. I guess it is too much to look behind you when you are backing up, but we did not say anything because, you know, neighbors. These things happen. Now I am told that my planned three-season room will create a hardship to their view. The room is less than

160 square feet; enough room for a few chairs and a table. It would impact very little of their 180-degree view from their deck. And what do they think I am looking at when I look to the south? Their deck, which seems allowable extends into the set back nearly as far as mine does and is three times the size. They added roof structure to it at some point and that would seem to me to trigger the same kind of ZBA review requirements that we are going through. Aside from that, it does impact our views. It just never dawned on me that something they have in their yard is any of my business. In general, views are not protected. This structure could be built most anywhere else in town requiring only a building permit. In our subdivision alone, there are other structures that impact more than the 10-foot depth of my planned project. There are trees, bushes, and privacy fences on decks and all sorts of view obstructions that exist already on many properties in Bartlett on the Greens. The only reason this has come up is because of my rear yard variance request. The rear yard variance request is to extend five (5) feet into the setback. If my understanding of a rear yard setback is correct, it means that they do not want me to get too close to anything built behind me. The structures behind me are over 500 feet away. The golf course will remain open space for the foreseeable future. Villa Olivia must remain a golf course through 2022 based on the agreement and covenant when the Village first approved the subdivision. After that, it must remain open space into the 2040s. That requirement was added when the Park District purchased the land and reannexed it to Bartlett after the Villa Olivia lawsuit. We are not asking for any side yard variance. My neighbor characterized the room as being within 10 feet of her home. There is more distance than that between the two (2) homes alone as per Village Code and there is another 12 feet to the structure from the corner of my home. All we are asking for is to build this small three-season room so that we too can enjoy our home and our view. This size of this structure was deliberately kept small in the hope of gaining a favorable review from this board. In a balancing of interests, we believe that what we are seeking is not unreasonable. Lori sits out on our back porch religiously. This room would allow use in more inclement weather. We just want to enjoy our property the same as any other homeowner in that subdivision does. I apologize for the long missive, but this is important to us. **M. Werden** basically you are proposing the same footprint as the deck has right now. **D. Palmer** same footprint, no bigger. Obviously, I would like to have a bigger room, but we cannot have a bigger room. If I was on a bigger lot with no rear yard I could build it 20 x 20 feet. **K. Stone** they are adding a deck north of the room addition, which is outlined in green on the plat of survey. **M. Werden** how does that compare to the one that exists right now? **K. Stone** it is about the same size. It comes out just as far as the current deck. Decks are allowed to encroach up to 10 feet into the required rear yard. The deck does not require a variation. **Loir Palmer** of 630 Golfers Lane stated that she asked a realtor to give an opinion as to the benefits or negatives to putting this on a home and her letter states; she thinks these are positive benefits to both the property and the neighbors if a three-season room is added. The existing deck is old and not aesthetically pleasing. Additional outdoor space to be used by the owner later in the fall and earlier in the spring would be a positive. Again, replacing a deck that is in excess of 20 years of age would be a positive to the property and the renovation would be a high quality, more house-like looking structure, which is what a lot of the existing three-season rooms currently look like. In closing, she said, I do not see any negatives to the resale value to either the homeowner or neighboring properties. **C. Deveaux** is the three-season room on the second floor. **L. Palmer** yes, where the existing deck is. **G. Koziol** does the proposed addition extend past the footprint of the existing deck or is it exactly in line with the outer edge of the deck? Inaudible. Why do they need a variation? **K. Stone** decks are allowed to encroach 10 feet into the required rear yard. The required rear yard is 20 feet. A deck can encroach 10 feet into that. Once

you put a roof over it, it is no longer considered a deck. It is considered a room addition and that has to meet the rear yard setback. **G. Koziol** thank you for the explanation. That makes sense. **D. Palmer** we are not going to build it any longer than the deck that exists there already. **G. Koziol** I could not get onto other properties, but from what I could see, it appeared that there were a large number of decks and three-season rooms. You are proposing a three-season room over the ground level. Will the ground level also be enclosed? **D. Palmer** no, the ground level will not be enclosed. **G. Koziol** the proposed future addition is not larger than the current deck. **L. Palmer** yes, what we are proposing will not go any further into the rear yard or be any wider than the existing deck. We have a walk-out basement that has a pretty old concrete and we will be replacing that. **D. Palmer** we are looking to make that a usable patio and by moving the stair case from the side of the house to under the deck, it becomes usable. You can walk down to the lower level without going through the house. The room will be the same footprint as the existing deck. We will add an additional deck to the north. **G. Koziol** can Staff comment about other properties and about the number of other structures? **K. Stone** a lot of the homes were built right up to the 20-foot setback. A lot of them have decks that are at grade. Decks 18 inches or below are allowed to extend up to five feet from the property line, but not within the easement. There have been two variations granted by the Zoning Board and the Village Board. One is on Golfers Lane. The other one was on Rose Lane in 1999. One of the variations was for six feet. The other one was a 13-foot encroachment that was permitted. There have been two variations approved previously in this neighborhood, but for the most part, what you see out there, the patios are allowed to encroach and do not have to meet the 20-foot setback that the Petitioners must for theirs being on the second story. **L. Palmer** there are a lot of decks there that have privacy fencing on either end of the deck so that you cannot see the neighbor's property. We have provided you with a lot of pictures of other structures in the neighborhood and pictures of our property as well as the house to the south. **M. Werden** when I was out there, I noticed that you keep the house open with the shades up and typically in a three-season room there are a lot of windows. I would think that you could see through that. **D. Palmer** the idea is to leave the windows open and not even close them.

M. Werden reopened the Public Hearing portion of the meeting.

Witness **Vicie Pruden** of 626 Golfers Lane came forward and stated that she lives right next door to the Petitioners, **L. Palmer** and **D. Palmer**, and is here to oppose the variance because the purpose is to allow a room addition to be constructed on the upper level of a small open deck facing Villa Olivia Golf Course. As far as I know, there are not supposed to be any room additions of any kind on the golf course. The golf course homes were marketed as open green space with unobstructed views of the golf course. It was to remain this way for 35 years making it a great place to spend your retirements years. Buyers paid a large premium for the golf course sites. The yards are smaller than is typical in Bartlett and because of the open green space and views afforded by the golf course it was reasoned that we did not need bigger yards. We cannot build playsets, swings, storage sheds, or anything that cannot be put away at day's end. I am sure this would not work with a room addition. The north and south sides of this addition will have walls, a door, windows, stairs, and a roof. My view to the north will be totally blocked and partially my views to the west. This will look like a small house on top of a deck. There is only 10 feet separating our two homes. This will definitely block my view and compromise my open space. I believe it will be an eyesore that will adversely affect my property value. It certainly will have a negative impact on the quality of life I have enjoyed using my deck for the past 30 plus years.

When I walk out onto the deck, I see open green space of the golf course, a clear view on both sides with neighboring decks almost in an unobstructed line. it is important to me not to have the open view to the north blocked. Most of my activities are carried on the north side as are the patio doors leading from my dining room and my kitchen. It is frustrating to me having lived there for over 30 years for someone to move next door for only about two (2) years and then make significant changes that affect me and eventually, I believe the whole community. I ask you not to approve this variance. **Mike Stapleton** of 992 McPhee Drive, Lake in the Hills, IL, **V. Pruden's** son-on law stated, I am here to summarize the packet, pages 39 and 40. This gives reason for recommendation for this approval is that there is no detrimental impact. As my mother-in-law just said, the view from the deck will be greatly hampered by this, especially the south elevation. The view would be blocked totally to the north. We have a lot of gatherings there and family events. This has caused great distress for her in the past two (2) months with her health seeing that she is going to have that view blocked if the variance is granted. I know that the Board has their rules, but if this is granted, to me this is a slippery slope. If it is granted for one, it will be granted for another. This is a great expense with loss of property value. When she bought the property back in 1987 or 1988, she paid $12,000 extra just to have that view. We want to ask the Board for flexibility with this and with the fixed code requirement that is already in place. We do not want the variance granted because of the various reasons that we already stated. **M. Werden** I went out and viewed the property and from her deck, the view will not be obstructed from the golf course directly behind her. It is not a real scenic view of the property to the Petitioner's that would be blocked. **M. Stapleton** I submitted an email with photos that show the view looking north and west, and what we would see would be a structure/room addition. We would see a wall on the south elevation with stairs coming down. **G. Koziol** when I look at the aerial view looking down on 630 Golfers Lane to the left of the deck and house proper, there is a tree and since that is not being removed and part of the new construction, it has a certain degree of blockage. Are there other structures like this surrounding this area? **K. Stone** on this side of Villa Olivia, there is one that received a variation. Everything else met the setback. There is only one that received a variation on this side of the golf course. There is one on Rose Lane that had to receive a variation. Everything else that does not back up to the course on Golfers Lane has met the setback. Witness **Sue Pruden** of 140 W. Wood Street, Palatine, IL, **V. Pruden's** daughter stated, this has been my family's home for over 30 years with three generations having lived there. When my parents built their house, they had to pay a high premium to live on the golf course so that they could enjoy the expansive green open views. It is my understanding that the Home Owner's Association has approved this. My mother was never informed by the Home Owner's Association about meetings regarding the **Palmer's** room addition. The Home Owner's Association approval of the room addition was unethical and an abuse of power in my opinion. I do not understand why you would build something so large on top of your deck knowing that it would have a negative impact on my mom's quality of life after 30 years. I am asking the Zoning Board to not approve the variance. **M. Werden** we have nothing to do with the Home Owner's Association. Apparently, they got approval, but we do not enforce the bylaws of the Home Owner's Association. **G. Koziol** has the Home Owner's Association made a statement about their ruling on this property? **K. Stone** there was a member of the Home Owner's Association who came in and said the Board had voted for approval, but she was contemplating whether that was the right way to vote. She felt she did not have enough information, but they had already made their decision. Again, that has no bearing on this variation request. We request that the homeowner tries to get Home Owner's Association approval, but it is not required to get a building permit from us. It is two separate processes.

Witness **Mark Siwik** of 569 Rose Lane stated that he is a member of the H.O.A. and was part of the re-writing of the bylaws. They do have the right to make approval on this based on the bylaws. A lot of the decks along the second hole and the fifth hole have a privacy wall. Our view is out towards the golf course. I bought the house to look at the golf course not to look at my neighbor's deck. I do not think this is going to knock down the value of our homes whatsoever. I think we are all better for it and I do not have an issue with it. I think this is a nice addition. Witness **Patrick Conrardy** of 683 Rose Lane stated, I also back up to the golf course. I brought pictures that depict all of the different six (6) foot high privacy fences that are on just about every deck on Rose Lane. My neighbor to the east planted trees and bushes for privacy. I have no view of the golf course to the left of my house and I am fine with that. There is no view ordinance in our bylaws. There is no automatic right to preserve status quo with respect to light, air, view or privacy with one exception. That exception is if somebody maliciously blocks a view with structure that has no reasonable use to the owner. This is not the case. It is their right to build this addition. **G. Koziol** I live in a community where there were premium lots. The focal point of my lot is not so much to the side, left and right, but to the back and as you look out further to the back. When you are looking out that is when you see the open view. I think these homes on the golf course seek to take advantage of that open view onto the golf course and as this gentleman said, over time, people plant trees and bushes, which changes the view. It is within reason that they made those changes. I think it is within reason that the homeowners here are asking for a reasonable change to the rules. Witness, **Susan Camiliere** of 618 Golfers Lane stated, I came tonight wanting to hear both sides. I am far enough away that this does not affect me. Seeing the aerial view, I do not see the problem. It is not going to go any further out to the north, and there is really nothing there. Looking out straight ahead to the golf course is the view. If it was my neighbor, I would not have a problem with this. Witness **Dawn Daluge** of 565 Rose Lane stated I am currently the Home Owner's Association Treasurer. I am not here in an official capacity. I am here as a homeowner. I do agree with several of the statements made by the previous commenters, one of them being that many of the homes have three-season rooms. Rose Lane and Golfers Lane have views to the golf course. We also paid a premium to have a golf view, as it was still part of the home when we purchased it. Our deck has a privacy screen. We built it within the past six (6) years with approval from the Village of Bartlett. I cannot see the house to the north or south, but our view to the golf course remains as beautiful as the day we moved in. Over a period of time, people make improvements. I think that is normal. I think that the way we live today is different than the way it was promoted in 1988. I see this as an improvement to the home and to the neighborhood as a whole. Witness **Luis Garcia** of 635 Golfers Lane stated that they are across the street from the Petitioner and the golf course view is limited. I like the proposal. It is an improvement.

M. Werden asked if there were comments from the Board. **B. Bucaro** asked **M. Stapleton** if you look to your property from the Petitioner's property, would they be looking at your deck in a similar manner. **M. Stapleton** yes, but that is a deck and not a room addition. **B. Bucaro** it has a roof. **M. Stapleton** it is a lattice roof to keep the golf balls from coming onto the deck. **K. Stone** the roof is lattice so the Building Department does not consider that to be an enclosed structure. It does not have to meet the same setback as a room addition. However, the pergola was done without a permit. The homeowner at 626 Golfers Lane has been contacted to submit a building permit application after the fact for the roof and the pergola. This came to my attention as part of my due diligence. When we see something that looks like it may be a nonconforming structure or done without a permit, we notify the Building

Division and they go through their records. **M. Stapleton** this was done in 1988. **G. Papa** just to clarify, you live in Lake in the Hills. **M. Stapleton** yes. My mother-in-law lives there. **G. Papa** so you do not live at this property. **M. Stapleton** correct. **C. Deveaux** when was the deck and lattice work built? **M. Stapleton** it was built with the house. **K. Stone** there was a permit issued for the deck. There was no permit issued for the pergola. **M. Stapleton** we understand the builder did that and that it was all built at the same time. **K. Stone** not according to the building permit submittal. **M. Werden** I do not see what the problem is with the people to the north with the view. You are looking at the golf course and that is not being obstructed. I am not sure that the view of the deck is a valid concern. **M. Stapleton** the deck is not what is in question. What is in question is putting a structure on top of that deck. **M. Werden** there argument was that this will block the view of the other people's deck if this gets granted and I do not see that she is losing much of a view. Putting up a structure it will totally block the view to the north. **M. Werden** what is so spectacular about the view to the north? **M. Stapleton** it is open space. **M. Sarwas** you are looking at a line of trees. The view is to the golf course. **M. Stapleton** the whole idea is to have open space and a view. There was a premium price paid for that view and we recommend that you do not grant the variance. **B. Bucaro** what I am struggling with is that we are looking at a couple of degrees. The golf course view is not going to be compromised. **M. Stapleton** I do not agree. The view to the north is definitely going to be impaired by another wall the same level as the deck at 626 Golfers Lane. When we look down the way we will be seeing another wall. **B. Bucaro** when you look directly north. **M. Stapleton** exactly. The deck they have now is fine that is not an obstruction, but once you put a roof and structure in the same footprint it is very obtrusive. **G. Papa** I do not believe that this will be intrusive based on the testimony that we have from other home owners that live in that area. In addition, we have an affidavit from Mary McFarland from RE/MAX stating in her opinion, as a real estate broker, she does not see any negative effects, only positive effects. I do not see this being an obstruction. **M. Sarwas** I think when you are talking about paying a premium price, you are paying a premium price for the view of the golf course, not a premium for the neighbors that have an open yard or something that I view down the way. You are paying for the view of the golf course. You are guaranteed that it will stay a golf course and the property will remain. I think it is a little bit of a stretch that the view of your neighbor's yard is part of the view that you were charged a premium for. **M. Stapleton** it is the panoramic view from the deck. **C. Deveaux** when I walked out there, the deck at 626 Golfers Lane obstructs the view of the panoramic view of 630 Golfers Lane. I think your panoramic view argument is not valid. Your argument that the structure would interfere with the view I do not believe is valid. You have a great view of the golf course. I believe that the Petitioners are entitled to improve their deck. **M. Werden** you have plenty of open space behind you. It does not seem valid to me either. **G. Koziol** when I visited the property, the deck on 630 Golfers Lane does show its age. It needs something to be done with it to make it better. I think the proposal to put in the deck and the three-season room is very reasonable and adds to the value of their home and adds to their interest and willingness to stay in Bartlett. I do not see the view being blocked. There is a slight blockage to the side, but that is up close. As you take in the panoramic view, it is not the immediate property to your right and left. I think the request is reasonable for the property that the Petitioner has and what they want to do. **M. Stapleton** are they keeping the tree by the stairs? **K. Stone** the stairs will actually curve around the three-season room. The tree is significantly further from that and should not be impacted by the construction. **L. Palmer** the tree is not going anywhere. **V. Pruden** what I am objecting to is the feeling of open space. Now when I go out to the deck I will be looking at a wall and that is going to make a difference. This is not ground level it is up high and that is what I think is bad. That is

what disturbs me. It will be closed in and I think will affect my property value. It is the open space that is going to be compromised. **M. Werden** there will be windows in the three-season room. You should still be able to see through towards the neighbors to the north. You should be able to see through the three-season room once it is built because there will be windows on three sides. I do not see that it will be a real blocked view. **V. Pruden** if it were a lower level, it would not be so bad, but since it is up high it just takes away from the whole feeling of open space. It is going to make a difference. **J. Banno** in regard to the new stairs, do they stick out further than the current deck? **K. Stone** steps are allowed to encroach into a setback. They do not have to follow setback regulations. It is an access issue. **M. Werden** thank you for the clarification.

G. Koziol made a motion to pass along a **positive recommendation** to the Village Board to approve case **(#20-12)** 630 Golfers Lane to allow a five (5) foot reduction from the required 20-footrear yard subject to the conditions and Findings of Fact outlined in the Staff report.

Motioned by: G. Koziol
Seconded by: B. Bucaro

M. Werden closed the Public Hearing portion of the meeting.

Roll Call
Ayes: G. Papa, B. Bucaro, G. Koziol, M. Sarwas, C. Deveaux, and M. Werden,
Nays: J. Banno

The motion carried.

(#20-12) 630 Golfers Lane
Variation: A five (5)-foot reduction from the required 20-feet rear yard

The following exhibits were presented:
Exhibit A – Picture of Sign
Exhibit B – Mail Affidavit
Exhibit C – Notification of Publication

M. Werden opened the Public Hearing portion of the meeting and asked if the Petitioners were present. **K. Stone** stated that the Petitioners were not present. The Petitioners formally requested that their case be continued to the October 1, 2020 Zoning Board of Appeals meeting.

M. Werden asked if there were any comments from the public. **Michael J. Stapleton,** Vicie M. Pruden's son-in-law of 992 McPhee Dr, Lake in the Hills, IL came forward and stated that he was in opposition to the request for a variance to the setback of the rear yard variation requirement namely for the view from the next-door deck at 626 Golfers Lane. This will significantly reduce the view when looking northward. We have family gatherings there quite a bit. The houses are close together and looking at a wall would be detrimental to our family gatherings. Please do not grant the variance. This is a major gathering place for our family. We have parties and get-togethers on that deck. **Vicie M. Pruden** of 626 Golfers Lane came forward and stated, I live about 10 feet away from where the proposed addition is going to be built. When I moved there 30 years ago, we paid a premium to live on a golf course. They gave us 20-foot yards because they said we did not need larger yard because we have open space from the golf course. Now I have a neighbor that moved in two (2) years ago and they want to build an addition. This is 10 feet, maybe less if you count my deck. Right now, if I look north or south, there is a beautiful tree-lined path. I can see our neighbor's decks. I can wave to them and converse with them. The Petitioner is going to put up a wall, which is what that addition will be. They are going to put up a wall, a roof, and platform stairs going around to the front of their addition. I understand the meeting to decide this is going to be called later because the Petitioner is not here. **M. Werden** correct. We are going to continue this meeting until October 1. **M. Stapleton** asked if there was anything they should bring to the next meeting? **M. Werden** if you would like to bring pictures as an exhibit that show the view from the deck, we would like to see that. We are interested in hearing what your point of view is and why. **K. Stone** if you are bringing any photos, we need copies to maintain as part of the public record. **M. Stapleton** understood.

M. Werden made a motion to continue the Public Hearing until the next meeting scheduled for October 1, 2020.

Motioned by: M. Sarwas
Seconded by: J. Banno

Roll Call: Voice Vote: Unanimous Ayes

The motion carried.

Old Business/ New Business

K. Stone We are having a meeting next month with these two items that were continued tonight.

M. Werden asked if there was a motion to adjourn.

Motioned by: J. Banno
Seconded by: M. Sarwas

Motion passed by unanimous voice vote.

The meeting was adjourned at 8:02 pm.

September 24, 2020

Zoning Board of Appeals Members,

Honorable members of the Board. Our request for a variance from the rear yard setback requirement is before you for consideration. We believe our situation is somewhat unique in that the many homes that border the golf course at Villa Olivia were built with reduced backyards because of the open space they abut. The homes in Bartlett on the Greens (BOTG) number 120 with about half of them having rear yards that are on the Villa Olivia Golf Course. There are also similarly situated homes south and east that run along portions of this same course.

In short, we seek to build a 3-Season Room so that we can enjoy the open space on more days of the year. This room would provide shelter from wind, rain and from insects. With the windows closed, it can be used into November or December and as early as March and April in the spring.

When we first embarked on this project, we knew that there would be several hurdles to obtaining approval. The first was to seek and obtain approval from the BOTG HOA. That approval came after several back and forth discussions via email. That approval took 1 ½ months. It was unanimously approved by the BOTG HOA Architectural Committee and then by the Executive Board after that.

We do know that the ZBA does not involve themselves in HOA matters, but we feel it is incumbent upon us to dispel the belief that some residents have that 3 season rooms are restricted. Their belief is that the HOA does not allow additions to be added to the rear of houses in our HOA and specifically not homes that have backyards on the golf course. That is simply not true. The current rules as well as the original rules say that HOA approvals are based upon quality and aesthetics. If 3 season rooms were forbidden, the rules would say that. They do not. Additionally, there are a few different types of 3 season rooms throughout our 120 home HOA. I am including some pictures of some of them. These are by no means all the different structures that exist in our subdivision, but they illustrate that not only are these rooms allowed, they also have been constructed and have existed for some time. If they were forbidden, they would not be there.

Another concern is that our project would restrict views from the home to the south of me. Our request is for a 10 by 16-foot room, 160 square feet. It is about enough room for a couple of chairs and a table. This variance is required because five feet of the 10 feet extend into the rear yard setback requirement. If constructed without the variance, we could only build a 5 by 16-foot room. In fact, it would not be a room at all; it would be a balcony.

In planning, we simply wish to construct a room where our existing deck now stands. Of course, we would enclose the room as that is the whole point of the project. Regarding views, the homes on either side of us have essentially a 180-degree view of the golf course. Building a 10-foot extension 16 feet parallel to the back of my house would be a slight reduction reducing a sliver of their entire 180 degrees. Aside from that, there are no air rights or easements through our property. The request is for a backyard reduction from the 20-foot setback requirement. The homes behind us are nearly 600 feet to the west across the 17th fairway, a pond, and the 15th fairway of Villa Olivia Golf Course. We are not seeking a side yard variance of any sort.

As stated earlier, there are any number of 3 season rooms already in existence in our HOA. Further, there are many (most?) lots that have lined their property lines with bushes, trees, and privacy fences. All these things restrict views, they just do not trigger the variance requirement that I am seeking.

The project we hope to build is a significant improvement over the deck and patio below it. The deck is constructed of wood whereas, we plan to make our 3 Season Room meld into and mirror the house by making it look like it is part of the home. It is not like the many metal and glass rooms that are common. This was our first inclination because we wanted it to look nice. We believe it enhances the value of our home, but also other homes as it is a nice-looking room. Further, the concrete below would be replaced as well. The existing patio below looks to be original from 1988 and is dirty and uneven.

As we've needed to investigate everything to provide you with a full accounting of our request, we've learned that there are other rooms that may have been constructed and may have been constructed without permits, or in other cases, in excess of what the permit was granted for. In fact, one of those homes impacts our view as much as we are alleged to impact theirs. And unfortunately, the village preparation of our case has triggered certain follow ups by village officials. That was not our intent at all. Our intent was to simply build a room that could be enjoyed more months of the year. We believe it is a reasonable request and we do hope that we have convinced the Board that this request is reasonable too.

We have attached some photos for reference. They illustrate some of the points covered in this letter.

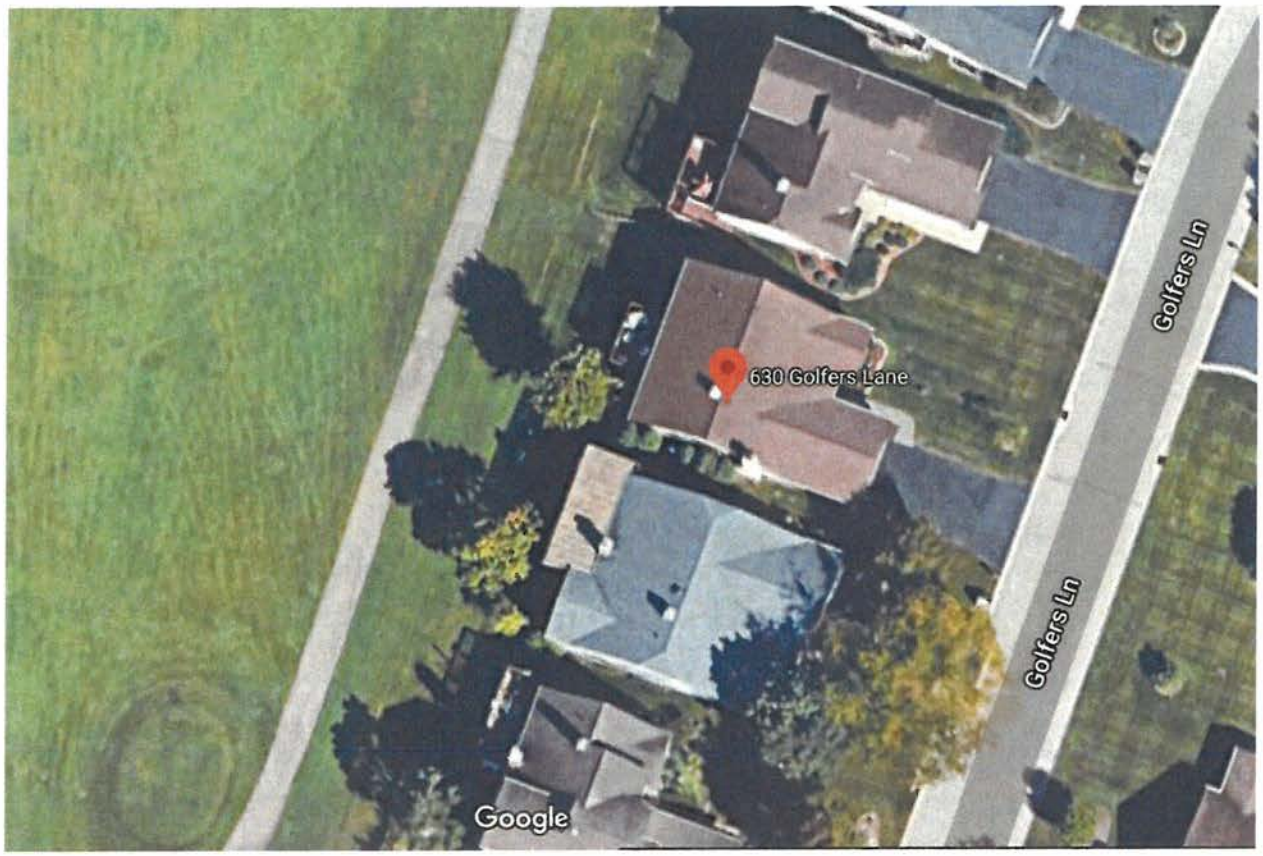
Sincerely yours,

Dan and Lori Palmer

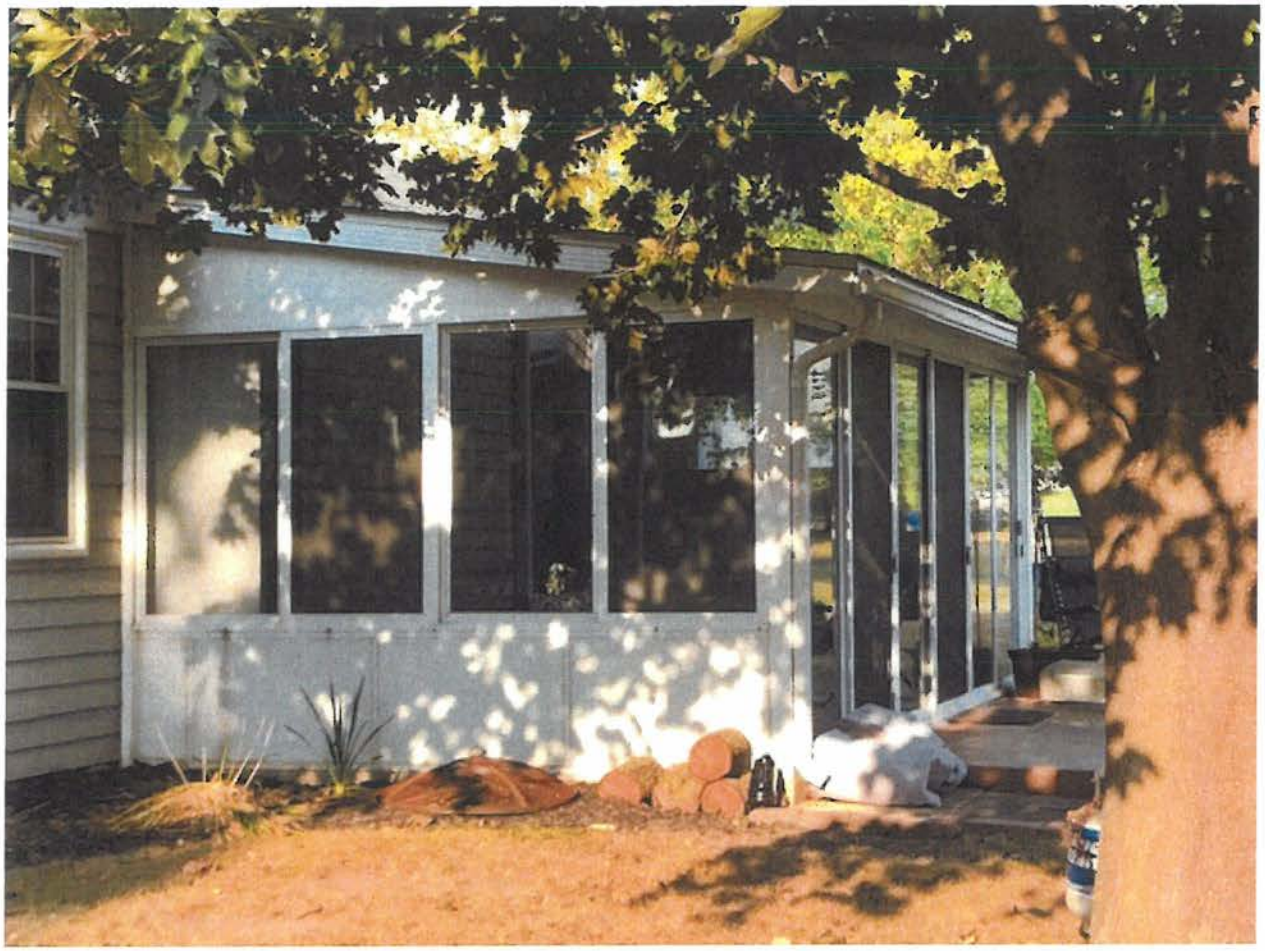
630 Golfers Lane

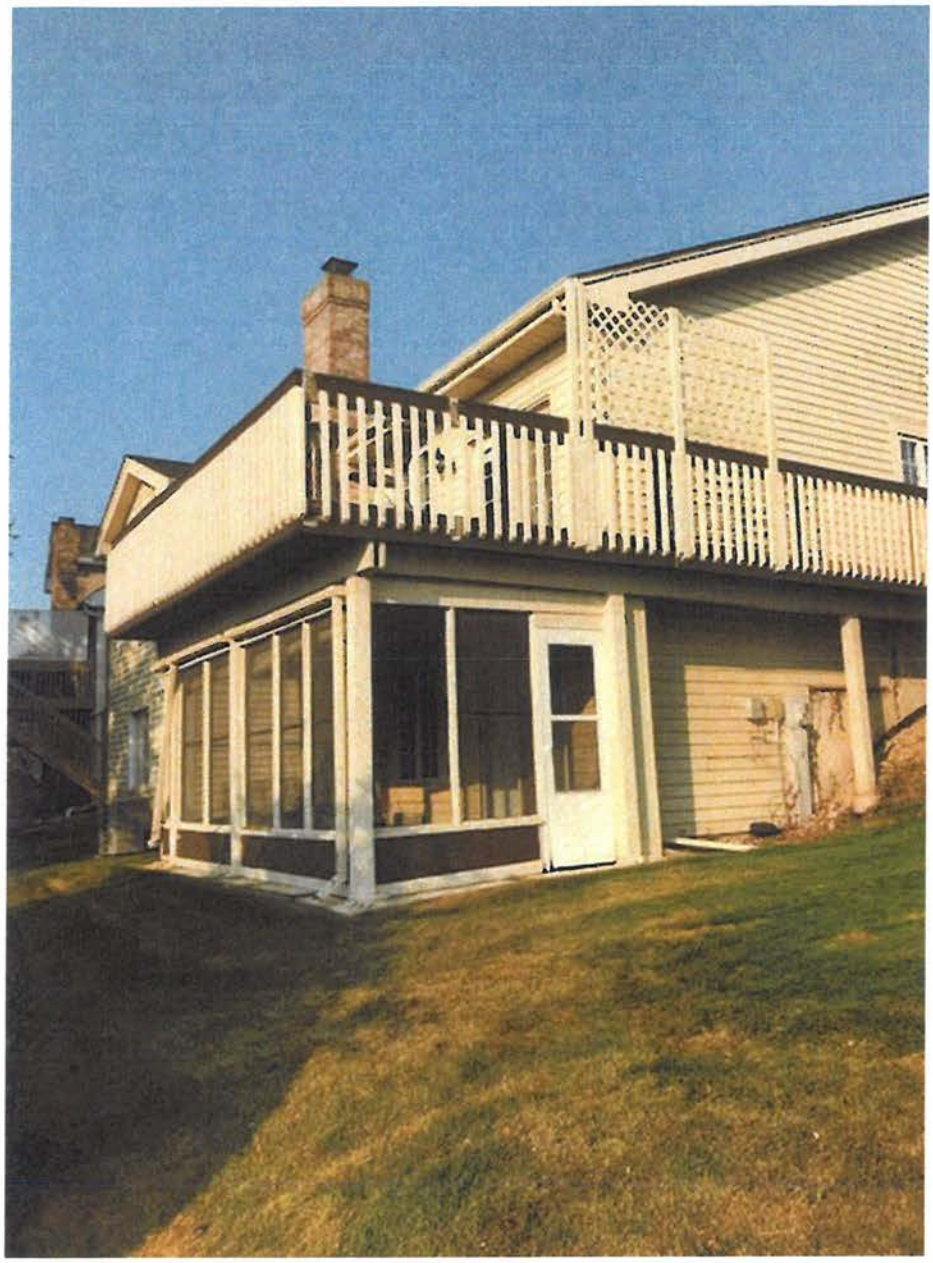
Bartlett, IL 60103

This picture was taken from Google satellite view. Our house shows the existing deck we seek to replace. You can see that the home to the south of us has a structure that extends nearly as far into the backyard. It is three times the size of what we propose to build, and it too obstructs views.



The following four pictures illustrate existing 3 season rooms within several hundred feet of our home. They are not the only 3 season structures in the subdivision but depict what is common. Please also note that they are deeper than 10 feet.





And finally, here are pictures of the home to the immediate south of us. It shows the size and scope as well as how it too obstructs views.

VILLAGE OF BARTLETT
VARIATION APPLICATION

For Office Use Only
Case # 20-12

PETITIONER INFORMATION (PRIMARY CONTACT)

Name: Dan Palmer

Street Address: 630 Golfers Lane

City, State: Bartlett, IL **Zip Code:** 60103

Email Address: [redacted] **Phone Number:** [redacted]

Preferred Method to be contacted Email

PROPERTY OWNER INFORMATION

Name: Daniel D. and Lori A. Palmer

Street Address: 630 Golfers Lane

City, State: Bartlett, IL **Zip Code:** 60103

Phone Number: [redacted]

OWNER'S SIGNATURE: _____ **Date:** 08/06/20

(OWNER'S SIGNATURE IS REQUIRED or A LETTER AUTHORIZING THE PETITION SUBMITTAL.)

DESCRIPTION OF VARIATION REQUEST (i.e. setback, fence height) including SIZE OF REQUEST (i.e. 5ft., 10 ft.)

Requesting a 5 foot variance to the rear yard set back to replace an existing deck with a 3 season room. The 3 season room requires a variance whereas the existing deck doesn't.

PROPERTY INFORMATION

Common Address/General Location of Property: 630 Golfers Lane, Bartlett, IL 60103

Property Index Number ("Tax PIN"/"Parcel ID"): 06-29-401-007-0000

Acreage: .139 Acres

Zoning: PD (Refer to Official Zoning Map)

APPLICANT'S EXPERTS (If applicable, including name, address, phone and email)

Attorney NA

Surveyor NA

Other Architect: Mark Lindstrom

FINDINGS OF FACT FOR VARIATIONS

Both the Zoning Board of Appeals and the Village Board must decide if the requested variation is in harmony with the general purpose and intent of the Zoning Ordinance and if there is a practical difficulty or hardship in carrying out the strict letter of the regulations of the Zoning Ordinance.

The Zoning Board of Appeals shall make findings based upon evidence presented on the following standards: **(Please respond to each of these standards in writing below as it relates to your case. It is important that you write legibly or type your responses as this application will be included with the staff report for the ZBA and Village Board to review.)**

1. That the particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.

   The homes along Golfers lane were built with reduced backyards as they border Villa Olivia Golf Course. The closest homes to the west are across two fairways and an open lake in the City of Elgin over 500 feet away. We seek to convert an existing deck into a 3-season room. The proposed room would be the same size as the existing deck and a new deck will be adjacent to the the 3 sason room to the north. Homes on either side of 630 also have existing decks of the same or similar reach.

2. That conditions upon which the petition for a variation is based are unique to the property for which the variation is sought and are not applicable, generally, to other property within the same zoning classifications.

   Homes along Golfers were built with reduced yards because they abut the Villa Olivia Golf Course. The closest homes to the rear are in Elgin, across two fareways and a retention pond.

3. That the purpose of the variation is not based exclusively upon a desire to make more money out of the property.

   This variation is not intended to make any money at all, but rather to get more use out of the back of our house. It would do this by allowing more use in the spring and fall portions of the year as well as when it is raining.

4. That the alleged difficulty or hardship is caused by the provisions of this Title and has not been created by any person presently having an interest in the property.

   We purchased this property in 2016. It was built in 1988 with reduced backyards because it abutted the golf course. We are the third owner of this particular property and didn't have a property interest here when it was built.

5. That the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhoods in which the property is located.

   We believe it improves the property. Though the creation of this 3 season room activates the variation requirement, we are proposing to create a room that is sided and matches the house as opposed to rooms that are predominantly aluminum. Other than adjacent homeowners, other homeowners could view it only from the golf course.

6. That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the adjacent neighborhood.

   It will not impair any light to adjacent properties. The proposed room that requires the variation is about 10 1/4 by 14 1/2 feet. It will not cause any detrimental affects in our neighborhood.

7. That the granting of the variance requested will not confer on the applicant any special privilege that is denied by the provisions of this Title to other lands, structures or buildings in the same district.

   We understand this. We believe the golf course open space mitigates the encroachment.

ACKNOWLEDGEMENT

I understand that by signing this form, that the property in question may be visited by village staff and Board/Commission members throughout the petition process and that the petitioner listed above will be the primary contact for all correspondence issued by the village.

I certify that the information and exhibits submitted are true and correct to the best of my knowledge and that I am to file this application and act on behalf of the above signatures.

Any late, incomplete or non-conforming application submittal will not be processed until ALL materials and fees have been submitted.

SIGNATURE OF PETITIONER: _____

PRINT NAME: Dan Palmer, Lori Palmer

DATE: August 6, 2020

REIMBURSEMENT OF CONSULTANT FEES AGREEMENT

The undersigned hereby acknowledges his/her obligation to reimburse the Village of Bartlett for all necessary and reasonable expenses incurred by the Village for review and processing of the application. Further, the undersigned acknowledges that he/she understands that these expenses will be billed on an ongoing basis as they are incurred and will be due within thirty days. All reviews of the petition will be discontinued if the expenses have not been paid within that period. Such expenses may include, but are not limited to: attorney's fees, engineer fees, public advertising expenses, and recording fees. Please complete the information below and sign.

NAME OF PERSON TO BE BILLED: Dan and Lori Palmer

ADDRESS: 630 Golfers Lane

Bartlett, IL 60103

PHONE NUMBER: [redacted]

EMAIL: [redacted]

SIGNATURE: _____

DATE: August 6, 2020

Location Map

2020-12 630 Golfers Ln.
Variation - Rear Yard
PIN: 06-29-401-007

BASIS OF BEARING

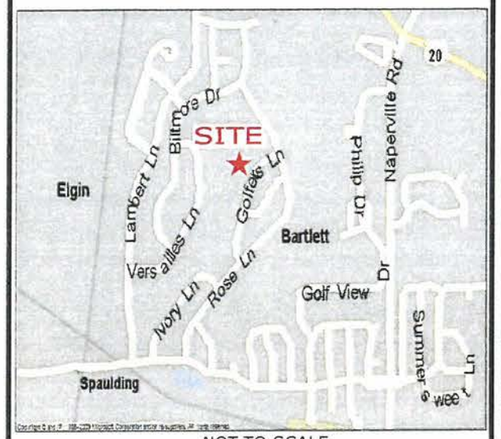
BEARINGS SHOWN HEREON ARE BASED ON ILLINOIS STATE PLANE, EAST ZONE, NAD83 (2011)

SCALE : 1" = 20'

0' 10' 20' 40'

11" X 17" PRINT IS THE FULL SCALE FORMAT OF THIS SURVEY. ANY OTHER SIZE IS AT AN ADJUSTED SCALE.

LOCATION MAP

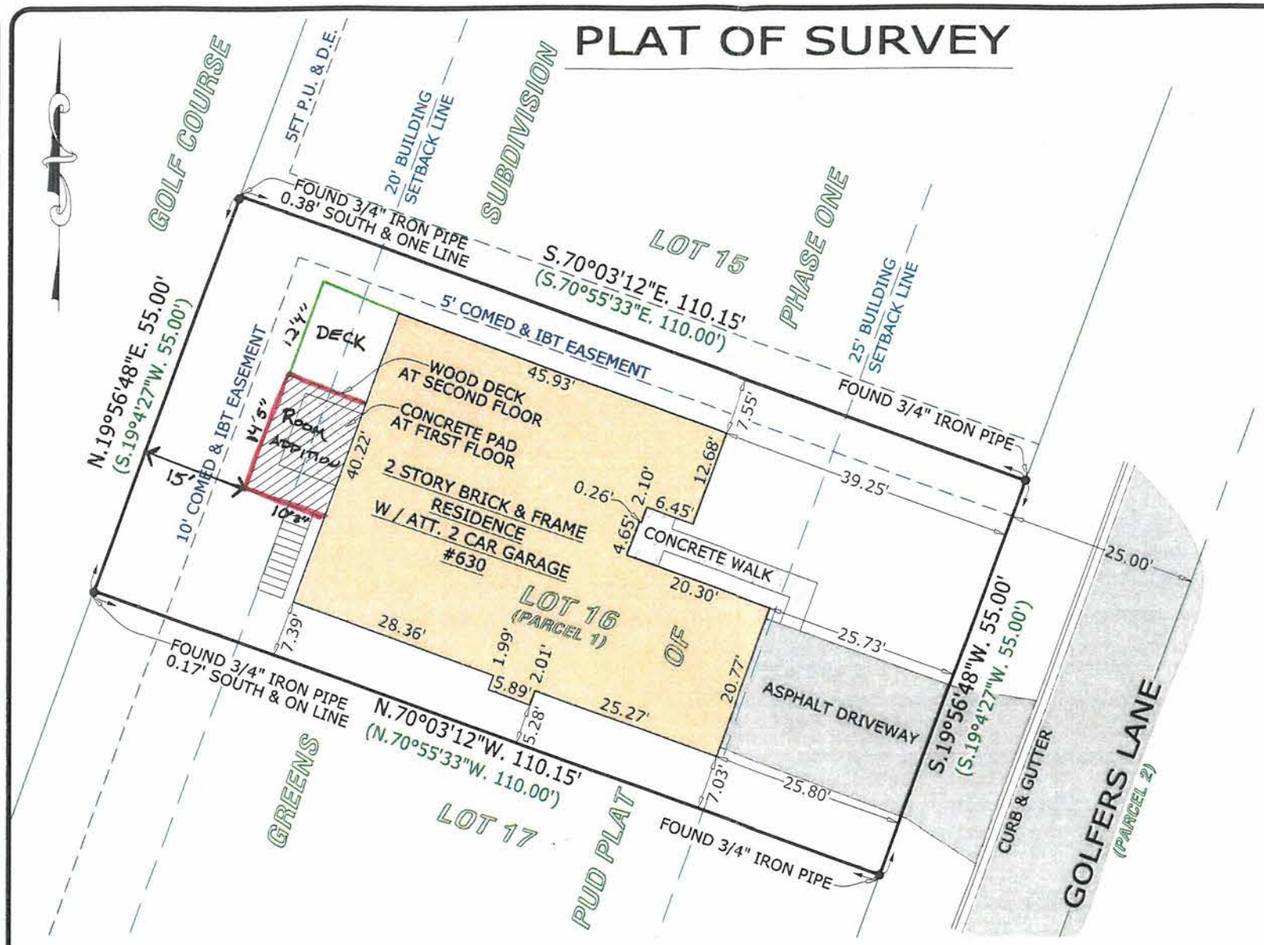


NOT TO SCALE

LEGEND

●	Found or Set Monument
✢	Found or Set Cut Cross
■	Found or Set Concrete Monument
59.75'	Measured
(60.00')	Record
	Property Line
	Concrete
	Asphalt
	Building
P.U. & D.E.	Public Utility & Drainage Easement

PLAT OF SURVEY



PARCEL 2: NON-EXCLUSIVE PERPETUAL EASEMENT APPURTENANT TO AND FOR THE BENEFIT OF PARCEL 1, AFORESAID, AS CREATED BY AGREEMENT DATED NOVEMBER 5, 1987 AND RECORDED DECEMBER 3, 1987 AS DOCUMENT 87640493 FOR INGRESS AND EGRESS OVER AND UPON THE FOLLOWING DESCRIBED PARCEL OF LAND: THAT PART OF THE NORTHEAST ¼ OF SECTION 29, TOWNSHIP 41 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 29, THENCE SOUTH 87 DEGREES 40 MINUTES 20 SECONDS WEST ALONG THE SOUTH LINE OF THE NORTHEAST ¼ OF SAID SECTION 29, A DISTANCE OF 129.36 FEET; THENCE NORTH 19 DEGREES 38 MINUTES 58 SECONDS WEST, 143.95 FEET; THENCE NORTH 35 DEGREES 40 MINUTES 06 SECONDS WEST, 103.91 FEET; THENCE NORTH 89 DEGREES 59 MINUTES 30 SECONDS WEST, 241.97 FEET TO THE POINT OF BEGINNING; THENCE NORTH 44 DEGREES 10 MINUTES 28 SECONDS WEST, 394.85 FEET; THENCE NORTHERLY 506.21 FEET ALONG THE ARC OF A CIRCLE, TANGENT TO THE LAST DESCRIBED COURSE, CONVEX WESTERLY HAVING A RADIUS OF 500.00 FEET AND WHOSE CHORD BEARS NORTH 15 DEGREES 10 MINUTES 15 SECONDS WEST, A DISTANCE OF 484.86 FEET; THENCE NORTH 13 DEGREES 49 MINUTES 58 SECONDS EAST, TANGENT TO THE LAST DESCRIBED COURSE, 933.56 FEET; THENCE NORTH 56 DEGREES 50 MINUTES 08 SECONDS EAST, 19.01 FEET TO A POINT ON THE SOUTHERLY LINE OF US ROUTE 20 (LAKE STREET); THENCE WESTERLY 109.09 FEET ALONG THE LAST MENTIONED SOUTHERLY LINE, BEING THE ARC OF A CIRCLE, CONVEX SOUTHERLY HAVING A RADIUS OF 2,253.87 FEET AND WHOSE CHORD BEARS NORTH 78 DEGREES 56 MINUTES 24 SECONDS WEST, A DISTANCE OF 109.08 FEET; THENCE SOUTH 13 DEGREES 49 MINUTES 58 SECONDS WEST, 913.11 FEET; THENCE SOUTHERLY 573.03 FEET ALONG THE ARC OF A CIRCLE, TANGENT TO THE LAST DESCRIBED COURSE, CONVEX WESTERLY HAVING A RADIUS OF 566.00 FEET AND WHOSE CHORD BEARS SOUTH 15 DEGREES 10 MINUTES 15 SECONDS EAST, A DISTANCE OF 548.87 FEET; THENCE SOUTH 44 DEGREES 10 MINUTES 32 SECONDS EAST, 66.00 FEET; THENCE NORTH 44 DEGREES 10 MINUTES 28 SECONDS WEST, 51.33 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

LEGAL DESCRIPTION

PARCEL 1: LOT 16 IN BARTLETT ON THE GREENS SUBDIVISION AND PUD PLAT OF PHASE ONE, BEING A SUBDIVISION OF PART OF THE NORTHEAST 1/4 AND PART OF THE SOUTHEAST 1/4 OF SECTION 29, TOWNSHIP 41 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JANUARY 8, 1988 AS DOCUMENT 88010837, IN COOK COUNTY, ILLINOIS.

PARCEL 2: SEE BELOW

SURVEY NOTES

EASEMENTS AND SETBACKS SHOWN HEREON ARE BASED UPON THE RECORDED SUBDIVISION PLAT UNLESS NOTED OTHERWISE.

ALL BUILDING TIES ARE TO THE SIDING / BRICK CORNERS.

THE PERMANENT PARCEL INDEX NUMBER FOR THE PROPERTY DESCRIBED HEREON IS 06-29-401-007.

THE PROPERTY DESCRIBED HEREON CONTAINS 6,058.2 SQ. FT. OR 0.139 ACRES, MORE OR LESS.

PROPERTY COMMONLY KNOWN AS:
630 GOLFERS LANE
BARTLETT, IL 60103

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS } SS
COUNTY OF KANE }

I, CHARLES S. MARSHALL, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PLAT SHOWN HEREON, BEING COMPLETED IN THE FIELD ON 07/07/2016, IS A CORRECT REPRESENTATION OF A SURVEY PERFORMED AT AND UNDER MY DIRECTION.

THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND BOUNDARY SURVEYS SET FORTH BY ILLINOIS STATE LAW.

ALL DIMENSIONS ARE IN FEET AND DECIMAL PARTS THEREOF.

GIVEN UNDER MY HAND AND SEAL
THIS 29TH DAY OF JULY, A.D. 2016.

CHARLES S. MARSHALL
STATE OF ILLINOIS NO. 035-003377 BATAVIA
CHARLES S. MARSHALL PROFESSIONAL LAND SURVEYOR

CHARLES S. MARSHALL
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-3377
LICENSE EXPIRES 11/30/2016

ADVANCED SURVEYING & MAPPING
Putting the Pieces Together....
Since 1984

PREPARED BY:

ASM Consultants, Inc.
16 E Wilson St, Batavia IL 60510
Tel (630) 879-0200 Fax (630) 454-3774
advanced@advct.com
Professional Design Firm #184-006014 expires 4/30/2017

PREPARED FOR:

Law Offices of Angela M. Tricoci P.C.
162 East Chicago Street
Elgin, IL 60120
(847) 477-3508

NO.	DATE	REVISION
1.	07/07/2016	FIELD SURVEY COMPLETED
2.	07/29/2016	FINAL SURVEY COMPLETED

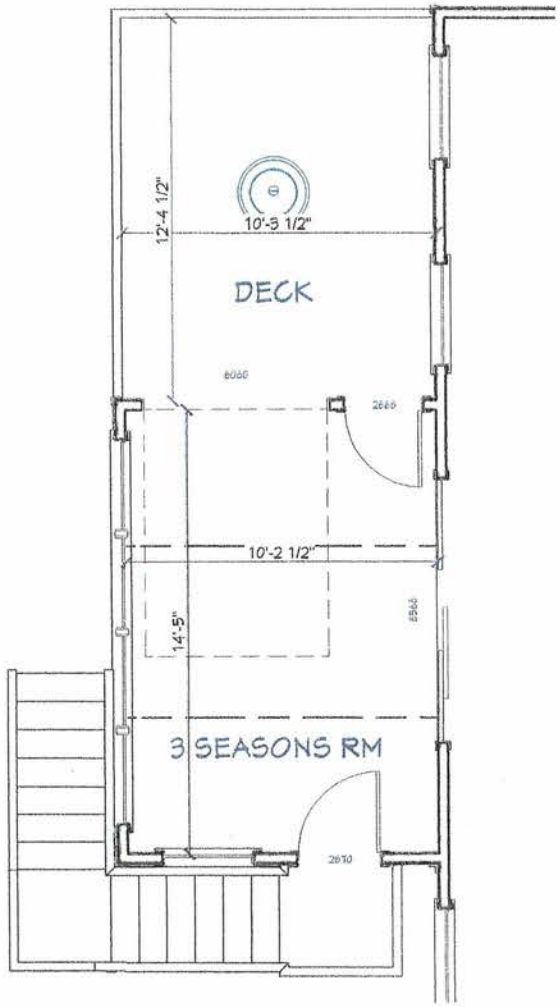
SITE DESIGNATION INFORMATION:
630 GOLFERS LANE
BARTLETT, IL 60103

DRAWN BY: AH | CHECKED BY: CSM

PROJECT NO. 758029

L-1

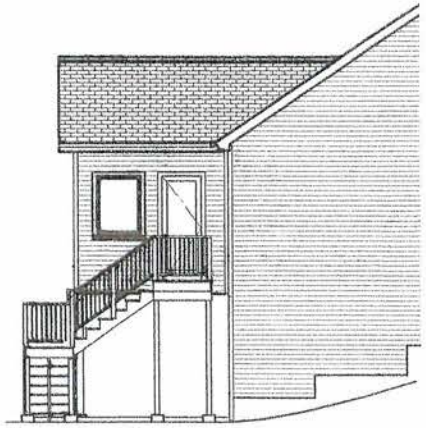
SHEET 1 OF 1



PROPOSED 3 SEASONS ROOM

SCALE: 1/4" = 1'-0"

0 2'-0" 4'-0" 8'-0"



PARTIAL SOUTH ELEVATION

PARTIAL NORTH ELEVATION

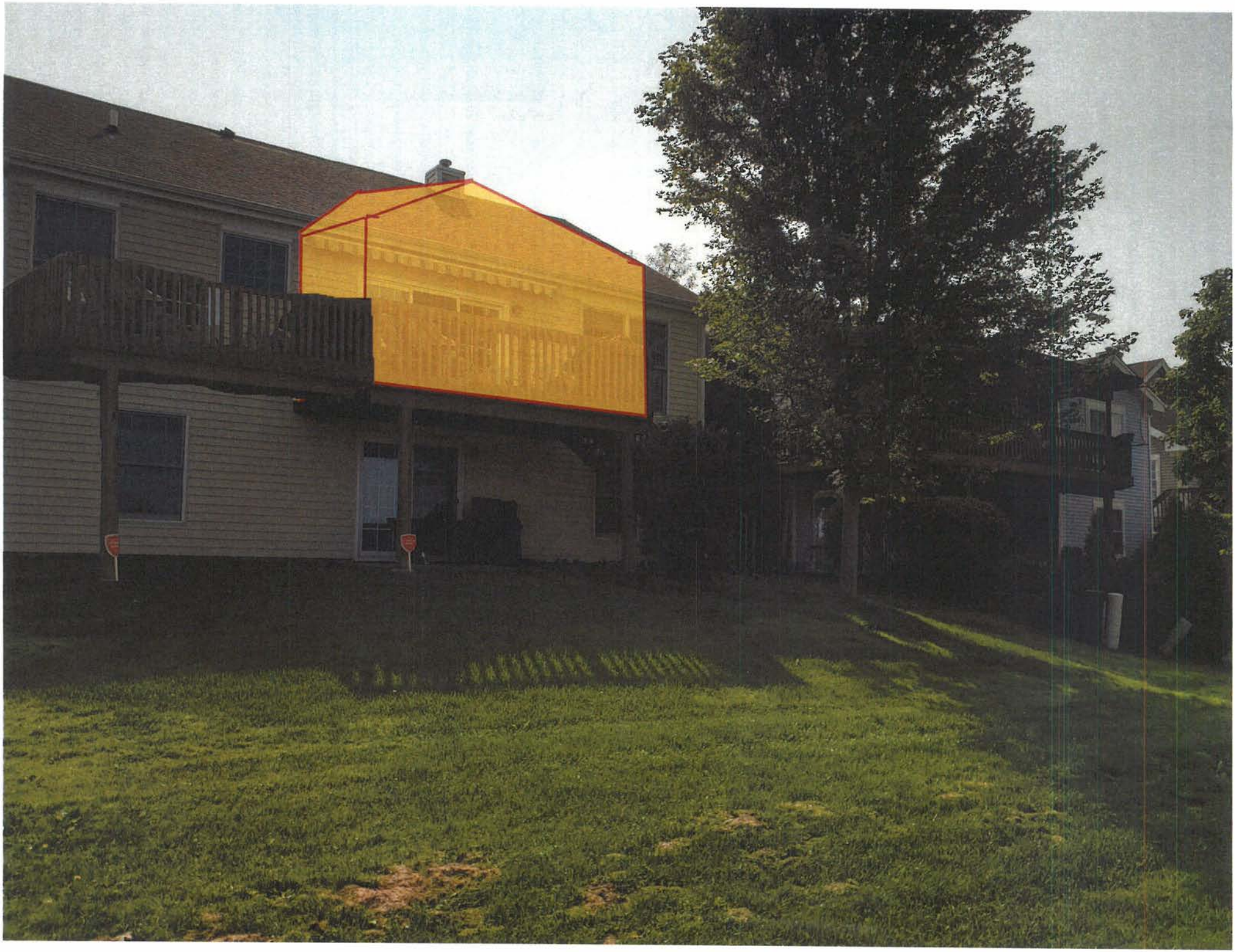
WEST ELEVATION

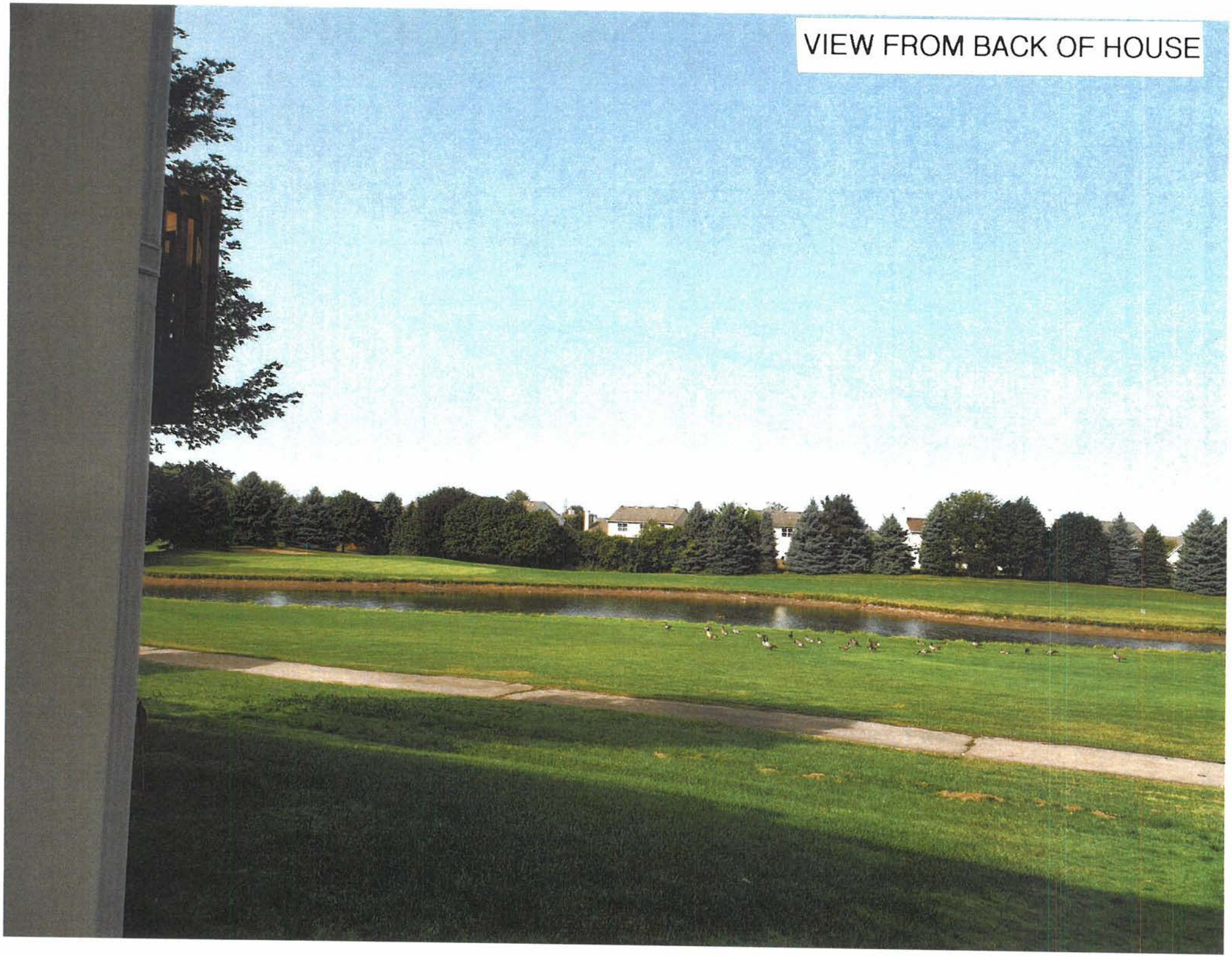
6/9/20

LINDSTROM ASSOCIATES

PROPOSED 3 SEASONS ROOM
630 GOLFERS LANE
BARTLETT, IL

SHEET
2




VIEW FROM BACK OF HOUSE

Location Map

2020-12 630 Golfers Ln.
Variation - Rear Yard
PIN: 06-29-401-007

AGENDA ITEM EXECUTIVE SUMMARY

Item Name	1070 Dartmouth Drive - Variations	Committee or Board	Committee

BUDGET IMPACT

Amount:	N/A	*Budgeted*	N/A
List what fund	N/A		

EXECUTIVE SUMMARY

The Petitioners are requesting to construct a 6-ft tall, solid vinyl fence in the corner side yard to replace the existing 3-ft tall wood fence in a SR-3 (Suburban Residence) Zoning District. The Zoning Ordinance allows 6-foot tall fences in the corner side yard provided the fence is setback at least 10 feet from the property line while fences up to 4-feet tall are permitted at the property line. *(The west property line of the subject property is located in the center of the 10-ft wide bike path that connects to Sycamore Trails Elementary School.)*

The Petitioners are also proposing to install two (2) 5.42-ft tall, ground-mounted solar panel arrays (19'6"x 10'4" and 14'7"x 10'4") in the required corner side yard. The Zoning Ordinance requires ground-mounted solar panels to be located within the rear yard. Both arrays would be located 10 feet from the corner side property line and more than 15 feet from the house.

At the **August 6, 2020 Zoning Board of Appeals** meeting, the Petitioner presented their variation requests. Members of the Zoning Board voiced concerns regarding the proposal to have the 6-foot tall fence located on the property line along Dartmouth Court and six (6) feet from the west property line (one (1) foot from the bike path). The Zoning Board of Appeals directed the Petitioner to meet with Staff and revise the location of the fence and **continued the public hearing** to the September 3, 2020 Zoning Board of Appeals meeting.

The public hearing was reopened at the **September 3, 2020 Zoning Board of Appeals** meeting. The Petitioners revised their plans to have the 6-foot tall fence located 2 feet from the sidewalk along Dartmouth Court and three (3) feet from the bike path. The Zoning Board of Appeals advised the Petitioner to further work with Staff and revise the plans to increase the setback of the fence from the sidewalk along Dartmouth Ct and **continued the public** hearing until the October 1, 2020 Zoning Board of Appeals meeting.

The public hearing was reopened at the **October 1, 2020 Zoning Board of Appeals** meeting. The Petitioners presented revised plans showing the 6-foot tall fence located five (5) feet from the sidewalk along Dartmouth Court and fourteen (14) feet from the bike path and also submitted photos of their property and letters of support from the surrounding property owners. The **Zoning Board of Appeals** reviewed the variation requests, conducted the public hearing and **recommended approval** of the revised variation requests (the solar panels in the corner side yard and the 6-foot tall fence located five (5) feet from the sidewalk along Dartmouth Court and fourteen (14) feet from the bike path).

ATTACHMENTS (PLEASE LIST)

PDS Memo, Zoning Board of Appeals Meeting Minutes, Applicant Cover Letter, Application, Location Map, Site Plan submitted 9/24/2020, Site Plan submitted 8/18/2020, Original Plat of Survey, Elevations, Photo of Existing Fence

ACTION REQUESTED

- ☑ For Discussion Only – To review the Petitioner's variation requests and forward to the Village Board for a final vote.
- ☐ Resolution
- ☐ Ordinance
- ☐ Motion

Staff: Roberta Grill, Planning and Development Services Director Date: 10/7/2020

PLANNING AND DEVELOPMENT SERVICES MEMORANDUM

20-153

DATE: October 7, 2020

TO: Paula Schumacher, Village Administrator

FROM: Roberta Grill, Planning & Development Services Director RBG

RE: **(#20-09) 1070 Dartmouth Drive**

PETITIONER

Magdalena & Cezary Lesniewski

SUBJECT SITE

1070 Dartmouth Drive, part of Lot 164 in the Orchards of Bartlett Phase 2

REQUESTS

Variations –
(a) To allow a 6-foot tall fence in the corner side yard
(b) To allow ground-mounted solar panels in the corner side yard

SURROUNDING LAND USES

	Land Use	Comprehensive Plan	Zoning
Subject Site	**Single Family (Duplex)**	**Suburban Residential**	**SR-3 PUD**
North	Single Family (Duplex)	Suburban Residential	SR-3 PUD
South	Single Family	Suburban Residential	SR-3 PUD
East	Single Family	Suburban Residential	SR-3 PUD
West	Utility/School	Utility/Institutional	P-1

ZONING BOARD OF APPEALS ACTION

At the **August 6, 2020 Zoning Board of Appeals** meeting, the Petitioner presented their variation requests. Members of the Zoning Board voiced concerns regarding the proposal to have the 6-foot tall fence located on the property line along Dartmouth Court and six (6) feet from the west property line (one (1) foot from the bike path). The Zoning Board of Appeals directed the Petitioner to meet with Staff and revise the

location of the fence and **continued** the public hearing to the September 3, 2020 Zoning Board of Appeals meeting.

The public hearing was reopened at the **September 3, 2020 Zoning Board of Appeals** meeting. The Petitioners revised their plans to have the 6-foot tall fence located 2 feet from the sidewalk along Dartmouth Court and three (3) feet from the bike path. The Zoning Board of Appeals advised the Petitioner to further work with Staff and revise the plans to increase the setback of the fence from the sidewalk along Dartmouth Ct and **continued** the public hearing until the October 1, 2020 Zoning Board of Appeals meeting.

The public hearing was reopened at the **October 1, 2020 Zoning Board of Appeals** meeting. The Petitioners presented revised plans showing the **6-foot tall fence located five (5) feet from the sidewalk along Dartmouth Court and fourteen (14) feet from the bike path** and also submitted photos of their property and letters of support from the surrounding property owners.

DISCUSSION

1. The subject property is zoned SR-3 PUD (Suburban Residence Planned Unit Development). The duplex property is part of Lot 164 in the Orchards of Bartlett Phase 2.

2. The Petitioners are requesting to construct a 6-ft tall, solid vinyl fence in the corner side yard to replace the existing 3-ft tall wood fence. The Zoning Ordinance allows 6-foot tall fences in the corner side yard provided the fence is setback at least 10 feet from the property line while fences up to 4-feet tall are permitted at the property line.

3. Document #R94-189811 recorded a 15-foot wide bike path easement (7.5-ft wide on Lots 164 and 165) for the construction and maintenance of the 10-foot bike path to Sycamore Trails Elementary School.

4. The Petitioners are also proposing to install two 5.42-ft tall, ground-mounted solar panel arrays (19'6"x10'4" and 14'7"x 10'4") in the required corner side yard. The Zoning Ordinance requires ground-mounted solar panels to be located within the rear yard. Both arrays would be located 10 feet from the corner side property line and more than 15 feet from the house.

5. The proposed impervious surface ratio of this lot is 28% which meets the 45% maximum impervious surface for a duplex lot.

6. If the variations are approved, the Petitioners could then apply for building permits for the proposed fence and solar panels.

RECOMMENDATION

1. At the **October 1, 2020** meeting, the **Zoning Board of Appeals** reviewed the variation requests to allow solar panels in the corner side yard and a 6-foot tall fence located five (5) feet from the sidewalk along Dartmouth Court and fourteen (14) feet from the bike path, conducted the public hearing and recommended **approval** based on the following Findings of Fact:

   A. That the particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.

   B. That conditions upon which the petition for variation is based are unique to the property for which the variation is sought and are not applicable, generally, to other property within the same zoning classifications.

   C. That the purpose of the variation is not based exclusively upon a desire to make money out of the property.

   D. That the alleged difficulty or hardship is caused by the provision of this Title and has not been created by any person presently having an interest in the property.

   E. That the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhoods in which the property is located.

   F. That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the adjacent neighborhood.

   G. That the granting of the variance requested will not confer on the applicant any special privilege that is denied by the provisions of this Title to other lands, structures or buildings in the same district.

The minutes from the Zoning Board of Appeals meetings and background information are attached for your review and consideration.

kms/attachments
x:\comdev\mem2020\153_1070dartmouth_vbc.docx

(#20-09) 1070 Dartmouth Drive
Variations:
A. To allow a six (6) foot tall fence in the corner side yard
B. To allow ground-mounted solar panels in the corner side yard
PUBLIC HEARING (CONTINUED FROM SEPTEMBER 3, 2020 MEETING)

The following exhibits were presented:
Exhibit A – Picture of Sign
Exhibit B – Mail Affidavit
Exhibit C – Notification of Publication
Exhibit D – Photos from Petitioner showing proposed fence location
Exhibit E – Letters from surrounding property owners

M. Werden reopened the Public Hearing and asked if the Petitioners were present. The Petitioners were not present.

M. Werden asked for a motion to continue the Public Hearing until after the next case.

Motioned by: M. Sarwas
Seconded by: C. Deveaux

Roll Call
Ayes: G. Papa, B. Bucaro, J. Banno, M. Werden, G. Koziol, M. Sarwas, and C. Deveaux
Nays: None

The motion carried.

M. Werden reopened the Public Hearing for **Case (#20-09)** that was continued from earlier during the meeting.

M. Werden asked if the Petitioners were present. The Petitioner, **Cezary Lesniewski** came forward and stated that he apologized for being late and wanted to thank everyone who went out to look at the property because it is much different than a picture from when you are there. The Petitioner passed around a packet of photos that showed the property from every direction showing the location of the proposed fence. **K. Stone** the original plat of survey showed the sidewalk in the right-of-way. At some point in time, the sidewalk was reconstructed. When it was reconstructed, it encroached on part of the Petitioner's property. It is not entirely within in the right-of-way. It varies. Sometimes it encroaches and sometimes it does not. We did not know that before. The Petitioner has a plat of survey that is dated several years after the original plat of survey that we were using and it clearly shows that the sidewalk is within the Petitioner's property. **C. Lesniewski** yes, you can see on the picture that is marked with a cross that represents the border. Picture #2 shows it from the opposite side and picture #3 shows where the sidewalk is. **K. Stone** as the sidewalk gets closer to the bike path it moves entirely into the right-of-way. That portion is not on the Petitioner's property, but as you get closer to Dartmouth Drive, it does encroach. **C. Lesniewski** you can see that on picture #11. **M. Werden** it looks like you made improvements. There will be a better view of the school from the cul-de-sac. **C. Lesniewski** yes, as you can see from the pictures we moved the fence another three and a half (3-1/2) feet towards our property. The tree will also be outside the fence and that area will be completely repaired with sod to create new grass and plants will be added so that it looks nice. **M. Werden** picture #15 shows where the fence is going to cut through. **C. Lesniewski** yes, where the person in the yellow shirt is standing. If a car is on the east side of the bike path they will be able to see the entrance of the school. **K. Stone** we received this site plan towards the end of the day on Friday. Staff did not have a lot of time to review the site plan. There is not a clear dimension on where the fence is going to be from the bike path or the property line. None of the dimensions clearly show what the set back is from the bike path or the property line. **C. Lesniewski** the fence will be 14' from the bike path. **M. Werden** the bike path is partially on the Petitioner's property. **K. Stone** correct. The property line is in the center of the bike path. There was an easement granted in 1994. **M. Werden** this is bringing the fence in considerably more than originally planned. **K. Stone** correct. Originally, the fence was right up against the bike path. **C. Lesniewski** we could move the fence further out, but then we would have to move the large boulder. **M. Werden** it would be an unreasonable request to move the boulder and not an easy task. **C. Lesniewski** the boulder is like a landmark for me and I would not want to move it. **J. Banno** how many feet from the property line along the bike path will the proposed fence be? **C. Lesniewski** it will be 14 feet from the bike path and the tree will be on the outside of the fence. **M. Werden** originally the tree was going to be inside the fence. **K. Stone** the property line is about five (5) feet into the bike path. We are using the bike path as a measurement because that is easier to visualize. **J. Banno** along the curved part of the property line, how many feet back from the property line will the fence be? **C. Lesniewski** it will be about five (5) feet from the property line. We used the sidewalk as a guide. I brought a sample of the material that we are going to use for the fence. It will be a composite material. The Petitioner passed around the sample fence for the commission to examine. **K. Stone** the nicer side of the fence that looks like wood grain is required to face out. **C. Lesniewski** this fence material has a 50-year warranty. We are also going to add bushes along the fence on the cul-de-sac side so that it looks nice. **M. Werden** you had mentioned the people across the street in the cul-de-sac are supportive

of your ideas. **C. Lesniewski** yes, we have supportive letters from the surrounding neighbors. **M. Werden** I am impressed with what have done with bringing the pictures and I am glad that you got letters from the neighbors that would have to look at the fence and that they do not have a problem with it. **G. Koziol** do you have an idea of what color you would like to use for the fence? **Maggie Lesniewski** of 1070 Dartmouth Drive stated that they are looking at a neutral color that will be a light beige to match the house and the neighborhood. Aesthetics are very important to us and this will be an improvement to the neighborhood. Also, the neighbors took the time write letters to say that they do not have any objection, that is a testament that this is not going to bother the neighbors who will have to see the fence every day. **G. Koziol** I was glad to see that you did go to the neighbors and speak with them. You have to share the space of the neighborhood. I am happy to see on the new plan that greenery is going to be planted on the outside of the fence. That is going to soften the view of the fence. **M. Werden** you are dealing with something unusual with the property line variation with the sidewalk being beyond your control. I think you are doing the best you can because it is an unusual configuration on the lot. You can see from the last hearing, unless you get people to testify for you and write the letters that you are more likely to have people opposed to something. I am impressed that people are not opposed to something that large, but you have an unusual lot shape. I am impressed with what you have done and the things that you have brought before us so that we have better ammunition to base our decisions on. **M. Sarwas** I think the new plan is a nice compromise. I drove by for the third time today and when you look at the actual available space, it is not that much. I think it is nice that this comes in and gives you privacy. **G. Koziol** asked why solar panels are not allowed to be put on the roof. **K. Stone** the Petitioner's Home Owner's Association told them they could not. The Village does not prohibit roof-mounted solar panels. It meets our building code. Their Home Owner's Association denied their request. The Village does not enforce that. If the Petitioner came in for a building permit, we would issue a building permit because it meets code. There is a disclosure on the building permit application that says if the Home Owner's Association exists, they are doing so at their own risk. The Petitioner is trying to cooperate with their Home Owner's Association. **G. Koziol** that is a strong commitment. **C. Lesniewski** the Home Owners' Association told us that the solar panels cannot be visible from any street. **B. Bucaro** my concern initially was the fence being at the sidewalk. I saw it as a safety issue. I understand why you cannot go back 10 feet. Moving the fence back the way you have it now alleviates any safety concerns and is a nice compromise helping to meet the ordinance as best you can. **M. Werden** that is key, as best you can. You are somewhat limited. I am impressed with how much you have striven to work with us and have compromised.

M. Werden closed the Public Hearing portion of the meeting.

C. Deveaux made a motion to pass along a **positive recommendation** to the Village Board to approve case **(#20-09)** 1070 Dartmouth Drive to allow a six (6) foot high fence in the corner side yard and to allow ground-mounted solar panels in the corner side yard subject to the conditions and Findings of Fact outlined in the Staff report.

Motioned by: C. Deveaux
Seconded by: M. Sarwas

Roll Call
Ayes: G. Papa, B. Bucaro, J. Banno, M. Werden, G. Koziol, M. Sarwas, and C. Deveaux
Nays: None

The motion carried.

(#20-09) **1070 Dartmouth Drive**
Variations:
A. To allow a six (6)-foot tall fence in the corner side yard
B. To allow ground-mounted solar panels in the corner side yard
PUBLIC HEARING (CONTINUED FROM AUGUST 6, 2020 MEETING)

Petitioner **Cezary Lesniewski** came forward and was sworn in by **M. Werden**. **C. Lesniewski** of 1070 Dartmouth Drive stated that he has lived there for five (5) years and the main reason for the six (6)-foot fence is for privacy. We are on a cul-de-sac with a bike path and a school at the back of our yard. There is also a school there where parents drive in and out to pick and drop off up their children. For the past five (5) years that we have lived there, we have not been able to have a barbecue because of all the people walking by. It is like everybody is looking at you. The other reason is the solar installation that we want to do. The H.O.A. will not approve panels on the roof. We have no other option than to do a ground-mount. **Paul Szczesny** of Eco Solar stated that during our last meeting, we agreed to change the location of the fence to be two (2) feet away from the sidewalk. The revised plan is based on the things that we discussed last time. We also moved the fence that is facing the entrance to the bike path. We moved that over eight (8) feet so that people will be able to look around the corner. **C. Lesniewski** stated that there is also a tree that would have to be cut if the fence was any closer. We prefer not to have to cut the tree down. **M. Werden** asked the Petitioner if they were able to approach their Homeowner's Association for a variance. **C. Lesniewski** it has been very difficult to get a hold of the representative from the H.O.A. **P. Szczesny** there are some solar modules on the roof facing east and that is fine according to the H.O.A., but we need solar modules to be facing south and west in order to offset 100% of the energy use. That is why the ground mount is necessary. We use the highest wattage panels for the ground mount so that it does not take up a lot of square footage. **M. Werden** asked if there were any further questions or motions by the Board. **B. Bucaro** asked, how far is the fence going to be from the property line along the bike path and how far away will it be from the property line along Dartmouth Drive? **K. Stone** the property line is in the middle of the bike path. **B. Bucaro** how far will the proposed fence be from that property line? **K. Stone** it will be eight (8) feet from the property line. **B. Bucaro** how far from the drive? **K. Stone** they are bringing it in two (2) feet from the sidewalk, which is one (1) foot into the property. It is 1 foot from the property line and two (2) feet from the sidewalk. **C. Lesniewski** if we do more than two (2) feet, we would have to cut another tree on the corner because it is right in the middle. We would have to cut the whole tree down. The maximum we could move is about two (2) feet and eight (8) inches and then we would just have to cut some branches. I do not think it would look that great. **B. Bucaro** could you go on the other side of the tree? **C. Lesniewski** the tree is fairly big so we would have to go very far in to go behind the tree. This tree has triple trunks that go in different directions. It is a beautiful tree. **G. Koziol** if the tree was an issue it should have been indicated on the diagram. I understand your concern. I go back to earlier this year when we came to the decision that if you wanted a six (6)-foot fence, you would have to be 10 feet from the property line. A four (4)-foot fence could go up to the property line. I have a real problem with this six (6)-foot fence sitting one (1) foot into the property. We changed the ordinance to make it easier for people to put up a fence if they wanted a taller fence, but to move it back further from the sidewalk. **P. Szczesny** on the plan, there is a 10-foot offset from the property line. It would be right up against the solar panels shading them completely and cutting down the square footage available. **C. Lesniewski** if I do that it will bring down my property value and there would be

no yard left. **G. Koziol** when I look at this proposal, I see a change from the original which is approximately the size of a notepad. I do not think that is noticeable along the property and again, I go back to what I said earlier. I believe that the six (6)-foot fence closer to the sidewalk than 10 feet in is not what we want to see in Bartlett. That is why we changed the ordinance to make it easier for people to put fences up. A four (4)-foot fence at the property line back to 10 feet you could put up a six (6)-foot fence. When I read that this was going to be reviewed, reworked, and re-presented here tonight, I thought there would be something more than one (1) foot. **C. Lesniewski** can you please explain to me the first statement? You said that the changes based on this versus the prior permit is not much of a change. **M. Werden** it looks like it was brought in about one (1) foot. **C. Lesniewski**, yes. **M. Werden** that does not meet our standards. We are not very agreeable to something like this. **P. Szczesny** we were just following the previous discussions that we had a month ago. **M. Werden** that is why we gave you a month to try to work it out with the Village Staff. I am very disappointed. You have done a poor job to convince us. I think you need to put more pressure on your Home Owner's Association. **P. Szczesny** I am sorry that you feel that way. No one let us know that we would have to move the fence 10 feet from the property line in order to have a six (6)-foot fence. **K. Stone** the 10 feet is where the zoning code allows it. I explained prior to January of this year that the fence would had to have been set back 25 feet, but the Zoning Board recommended approval of a text amendment to allow six (6)-foot fences 10 feet from the property line and that is what you are asking a variance for. The Zoning Board asked you to work with Staff to bring the fence in more than what was shown on the previous plan. I talked to the homeowner. I told the homeowner that I thought five (5) feet would be a good compromise for the Zoning Board, but the homeowner informed me that he just wanted to do one (1) foot because he wanted it where his proposal was originally. The issue is more in the corner side yard along Dartmouth Court, which is what I was explaining and why I was encouraging the homeowner to move that fence at least five (5) feet from the property line. When we spoke on the phone, I suggested that the fence be moved five (5) feet to show the Zoning Board that you were working with Staff and compromising on the 10-foot setback. The concern was not so much along the bike path as it was along the sidewalk. **M. Werden** it is going to have the look of a fortress there. We are not concerned about the back because the bike path is so far from the property line and not an issue, but we are concerned about the one on Dartmouth Court. Did we get any calls about this in the past month? **K. Stone** no. They were not required to renotify since the Public Hearing was continued. We did update the date on the sign, but were not required to resend notices. **G. Koziol** having looked at the proposal from last month and the proposal from this month, I was disappointed because I did not see enough effort to try to meet us in the middle. One foot is just not enough. Something else might have gotten our interest and concerned enough to be willing to make an exception, but one (1) foot is not what we want. **M. Werden** we have a Village Staff that works very hard to work with people to follow the zoning guidelines. Compared to a year ago, the guidelines have been liberalized. We do not like to have a fence so close to the sidewalk for sight and safety issues. **J. Banno** I am concerned about the safety of the children being dropped off and picked up by their parents. Having a fence that is 6 feet high so close to the property line is a concern for me for the safety of the children. The parents are not going to have the line of sight that they need towards the school. **M. Werden** asked if there were any other questions or comments from the Board.

M. Werden opened the Public Hearing portion of the meeting.

G. Koziol as long as we are talking about the height of the fence, I think from an aesthetics viewpoint on the cul-de-sac on the opposite side, someone is going to have to look at this six (6)-foot stockade wall that is going to be there forever and it is right up to the sidewalk. Again, that is another reason that a six (6)-foot fence at this proximity to the property line is inappropriate and as **M. Werden** and others have said, we modified the rules in January to make it easier to get a higher fence further from the building from 25 feet to 10 feet. This is not trying to meet us halfway and come to a better conclusion. **M. Werden** I think we would be more open to this if you were on a major roadway, but this is a residential area and even though this is considered your side yard area, it has a lot of frontage. We do not have height restrictions for bushes like we have for a fence. **P. Szczesny** if we did bushes instead of a fence is that something we could do? **M. Werden** if you are worried about people destroying the panels, you probably would want some type of fence there with bushes on both sides of the fence. I am surprised that there are not more people here that would be looking at this that do not have a problem with it. Sometimes people have their neighbors sign something that says they have no objection to it and sometimes Staff gets letters or emails that talk about the opposition to something. We try to take all of that into consideration, but we are talking about a change that is relatively permanent because this fence is going to last for years whether you stay in the house or not. It is just too close to the sidewalk for something that high. **C. Deveaux** I agree with what **G. Koziol** is saying. Meet us halfway with a five (5)-foot fence and something in between the 10-foot setback. The two (2)-foot setback is just not conducive. I would encourage you to try to come up with some other options. **M. Werden** as I recall, you were using material that would last long. It is not wood. **P. Szczesny** correct. We do not want the fence to be an eyesore. **C. Lesniewski** If there is anything we can do to make the fence look better, we will do that. **M. Werden** you have an odd shaped lot and this is an unusual circumstance. I think you need to put more pressure on the Home Owner's Association to change some of their policies.

R. Grill I would like to point out that the height of the solar panels is about five (5) feet, five (5) inches high. A six (6)-foot fence is the most appropriate height at this location to screen those panels. Staff is trying to compromise on the location and not the height. **G. Koziol** I think that is important to point out. If you take the fence down in height I think there is a strong probability that you will see the edge of the solar panels and that would be in poor taste. As **M. Werden** and I mentioned, for aesthetics, if the fence was moved further back, you could plant bushes to break up the view of the fence instead of having a massive wall. Again, that requires the fence to be moved further in. **P. Szczesny** we will take all of these points and work further with our H.O.A. to come up with a better plan if we could please get a continuance for another month. **B. Bucaro** looking at the minutes, we did discuss setting the fence back, but our conclusion was to work with Staff to come to a resolution on moving the fence back. Staff indicated they started with 5 feet as a compromise. That probably would have had a good chance. As **G. Koziol** said, one (1) foot in addition to where we were looking is not much of a compromise. **M. Werden** we do understand the need for a six (6)-foot fence with five and a half (5)-1/2-foot solar panel and wanting to hide them. Unlike the Plan Commission, we do not have the authority to negotiate. We will leave the Public Hearing open. I do not think this will pass tonight from the comments I have heard. We are willing to work with you, but you need to work harder with Staff to come up with something that is more palatable. We can leave the Public Hearing open. I do not think you are going to get passage with tonight with the comments I have heard. **C. Lesniewski** to clarify, the main problem is the offset of the cul-de-sac. **M. Werden** the fence is too close to the

sidewalk bordering the cul-de-sac. **M. Werden** Staff has a good idea of what we are looking for and if you work with them harder, you may get a positive recommendation. We do not have the final say. The Village Board does, but in the vast majority of cases, the Board goes along with our recommendations. We are not trying to make it harder for you. We are trying to make it palatable to the people that have to look at it or might be walking along the sidewalk. **P. Szczesny** understood. **R. Grill** I just want to put it on the record that if you moved the fence back 10 feet you could get a building permit tomorrow. **C. Lesniewski** but then we would have no yard. **M. Werden** work with Staff on your options.

G. Koziol made a motion to continue the Public Hearing until the next meeting scheduled for October 1, 2020.

Motioned by: G. Koziol
Seconded by: C. Deveaux

Roll Call: Voice Vote: Unanimous Ayes

The motion carried.

(#20-09) 1070 Dartmouth Drive

Variations:

A. To allow a 6-foot tall fence in the corner side yard
B. To allow ground-mounted solar panels in the corner side yard

The following exhibits were presented:
Exhibit A – Picture of Sign
Exhibit B – Mail Affidavit
Exhibit C – Notification of Publication

Paul Szczesny of Eco Solar representing the homeowner was sworn in by **M. Werden**, Chair and presented his case for the Petitioner. **P. Szczesny** stated that they are asking for a Zoning Variance for a privacy fence and to install ground-mounted solar panels in the corner side yard. This property has a very unique outline. There is a school and a park that are adjacent north of the property. Parents and other people come to pick up their children and drop them off during the school year. The entire cul-de-sac is filled with vehicles with parents waiting. We are asking to raise the height of the fence to 6 feet to provide privacy. The other variance we are asking for is to install ground-mounted solar panels in the corner side yard. Typically, a homeowner would not have to go through a variance because the yard would be behind their house. The way this lot is shaped, we are asking to put the solar panels on the side of the house. One is going to be on the northeast corner and the other one will be directly east. We want to structure the system in such as way that the height would be five 5 feet, six 6 inches. No one would be able to see solar panels if the fence was raised to a height of 6 feet.

M. Werden asked the Petitioner if they want the whole fence on the property to be a height of six (6) feet. **P. Szczesny** answered, yes. Right now, the fence height is about 3 feet. **M. Werden** asked if the bushes in the back along the gas pipeline right-of-way would stay or come down. **P. Szczesny** stated that the bushes facing the back would stay, but they are open to removing them. **M. Werden** stated that the right-of-way is very wide and quite a distance to the bike path. Is this a drop-off point for students? **P. Szczesny** yes, the entire sidewalk and street, along the fence, the cul-de-sac, and the pathway is used. **M. Werden** you have a very unique situation. We liberalized our view on fences earlier this year, but we still do not like fences right along the sidewalk where people are walking, as it could be a potential hazard. It is going to look a little bit odd in the front. Were there any calls about this? **K. Stone** I received three calls from residents who had some concerns about the fence being that close to the sidewalk. No one stated a concern about the ground-mounted solar panels, but did state that the sidewalk is very heavily utilized and they were concerned that having the fence that close to the sidewalk could potentially be problematic. **M. Werden** were there any concerns about having the fence that high along Dartmouth Lane? **K. Stone** It is along Dartmouth Court that is the issue with the fence being six (6) feet tall. Their concerns are along the sidewalk. **B. Bucaro** asked Staff where the new fence would be. **K. Stone** stated that the Petitioner is proposing the new fence to be in the exact same location as the current fence. **B. Bucaro** asked if that met the 6-foot setback. **K. Stone** answered yes, from the

property line. **P. Szczesny** stated that they could move the proposed fence closer to the east to be able to see more clearly around the corner where the bike path is. **B. Bucaro** asked if there was room on the roof for all of the solar panels. **P. Szczesny** stated that the Home Owner's Association does not allow any equipment installed on the side of the roof that faces the street. **B. Bucaro** asked if there was consideration made for a 4-foot fence, which would meet the Ordinance in place of the current 3-foot fence. **P. Szczesny** the same concern that people have raised about not being able to see around the corner is also the same as the homeowner's concern. A five (5) foot fence might provide better safety and security, but there is still not enough privacy. **B. Bucaro** I understand the unique shape of the lot, but was there any consideration given to moving the fence away from the sidewalk any distance rather than right on the lot line? **P. Szczesny** yes, and that is why I mentioned moving that portion of the fence. We have not discussed moving the fence on the entire property. We could move the fence about two (2) feet away from the current location that might help ease the concerns. **B. Bucaro** being right on the sidewalk, around the curve and along the other side being so high, I think both esthetically and for safety, there are concerns. **P. Szczesny** we could move it eight (8) feet or 10 feet and that would give clear site. **B. Bucaro** I would find that more appealing and less of a variance than what you are asking for. **M. Werden** I agree with that. **M. Sarwas** I agree. I think it needs to be pulled in from a safety standpoint. **P. Szczesny** the fence along the public sidewalk could be offset by two (2) feet and the smallest fence adjacent to the bike path could be moved in by eight (8) feet. **B. Bucaro** what will that do for the placement of the solar panels? **P. Szczesny** it will not have an impact as far as placement. It will have an impact on production on the system, but that is something we would be willing to work with and would be happy with that outcome. **M. Werden** asked if we have any panels in the Village that are ground level. **K. Stone** I do not believe I have ever reviewed one. **B. Bucaro** I believe there is a tree at the corner where the two sidewalks meet. Is that going to pose a problem for the tree? **P. Szczesny** that tree would be very close. We might have to move the fence a little bit further. **R. Grill** to clarify, their property line is actually one (1) foot in from the sidewalk. They are only truly moving the fence one (1) foot in from the property line. **B. Bucaro** is the current fence on the property line? **R. Grill** the fence is currently approximately six (6) inches from the property line.

M. Werden opened the Public Hearing portion of the meeting.

Witness, **Monika Zakrzewski** of 1085 Dartmouth Drive came forward and stated that she lives across the street, one (1) house down from the Petitioner's property and has lived at that location for almost eight (8) years. I have observed many things throughout the years, which I have contacted the Village about. The biggest problem is with the school and parking. The cul-de-sac is a no parking zone during school days from 8:00 am to 2:00 pm, but people do park on Dartmouth Lane and around the corner to pick up their children. People cut through to the play yard to pick up kids from school and cars park there. I have observed numerous times people reaching over the Petitioner's fence and picking up their dog and kids throwing trash into the yard. I do not see a problem with them having a bigger fence. There is no privacy at all for the Petitioner. I do not see it as a safe place for children with the high traffic and people walking around. I would not feel

safe leaving my children in their yard. There are other houses that have a six (6) foot fence. I fully support them having a six (6) foot fence for safety and privacy and the solar panels would be great.

M. Werden asked if there were any other questions or comments. No one came forward.

R. Grill the property line is through the middle of the bike path currently shown on the plan, the fence is about six (6) feet from the property line, and the bike path is about five (5) feet wide. From the east edge of the bike path, how far are you looking to pull the fence in? **P. Szczesny** are you saying that currently, the fence is past the property line? **K. Stone** the bike path is half on the property. It is split down the middle of the property line in an easement. **P. Szczesny** it does not look like there is a bike path there. Where the fence is, it looks like that is the property line. **K. Stone** the easement was recorded after the subdivision was created. **P. Szczesny** understood. **K. Stone** the previous owners for this lot and the one next to it granted an easement to put the bike path there once Sycamore Trails Elementary School was built. How far from the bike path are you willing to locate the fence? **P. Szczesny** we are willing to move the fence eight (8) feet from the current location, but I cannot tell you right now how many feet away from the bike path that would be. **K. Stone** it was 1 foot off the bike path. If you are moving it back eight (8) feet then you would be nine (9) feet from the bike path. **M. Werden** it is questionable how much we can negotiate. We are not the Plan Commission. **R. Grill** right. I just want to make sure what they are saying is clear. There is a difference between the distance from the property line and the path. **M. Sarwas** I think the concern is the bike path. You need to continue to talk about the distance from the bike path. If the property line is in the middle of the bike path that is kind of irrelevant. The bike path is already over the property line. What you really want to concentrate on is from the edge of the bike path because that is the concern. **R. Grill** the plan before your shows the fence off of the bike path and my question was, how far is this plan showing it currently off the bike path and they want to shift it even further? **P. Szczesny** currently, the fence is right up against the bike path just like it is up against the sidewalk. There is also a huge boulder on the property. **M. Werden** would you fence the boulder outside of the fence? **P. Szczesny** if we moved it 8 feet, it would still be right up against the fence on the property. **B. Bucaro** can they change their plan at this meeting without having to resubmit? **R. Grill** no. Their request before you tonight is as submitted. If you want to vote tonight, you can do that or we could continue it and work with the homeowner, or the homeowner could resubmit a new request. **M. Werden** could the Petitioner come back next month? **R. Grill** yes. **B. Bucaro** or, we could say no and the Village Board could say yes. **M. Werden** this has some major hurdles for us. I realize that the lot has a very odd configuration. I do not like setting a precedent although we are not bound by precedents with having the panels on the ground and having this fence so close to the sidewalk, especially now from what has been said, there is a lot of traffic there. I like the idea of continuing this until next month and coming back with a redesign that you work out with the Staff. That certainly is an option. **G. Papa** I agree. **M. Sarwas** I do not have an issue with the solar panels and I understand you are trying to work with the HOA regulations. I actually like the idea of a six (6) foot fence, but I would like to see this redesigned to bring the fence in especially if you are going to that height as a safety issue. I live

on a bike path too and I understand the concerns and feeling like you are on public display. I understand that there are residents who do not necessarily have an appreciation for private property the fence is part of private property. **G. Papa** I think we all agree on the six (6) foot fence. I think we all like that, but it should be pulled back. **M. Werden** I think everybody is in agreement with moving forward with the project. We just need more details. **M. Werden** the fact that you do not have neighbors opposed to this makes a big difference. The fact that you do not have anyone opposed, we can go along with something, but this is so close to the sidewalk and personally would like to see us vote to continue this so that you can work with the Staff. **P. Szczesny** during this period of time during the month, we will be able to communicate with Staff as opposed to just resubmitting? **M. Werden** yes.

G. Papa continue for one (1) month and urge the homeowners and their representative to work with Staff to pull the fence back from the sidewalk.

Motioned by: G. Papa
Seconded by: M. Sarwas

Roll Call
Ayes: G. Papa, B. Bucaro, M. Sarwas, M. Werden
Nays: None

The motion carried.

Magdalena and Cezary Lesniewski

June 9, 2020

VARIATION REQUEST

Kevin Wallace
Village President
Bartlett, IL 60103
(630) 837-0800
kwallace@ybartlett.org

Dear Mr. Wallace,

We kindly thank you in advance for reviewing our variation request. In summary, our property is located in a cul-de-sac, and as a result has a highly irregularly shaped lot, and high traffic due to it's proximity to Bartlett Trail and Sycamore Trails Elementary School. Parents love to pickup and drop off their kids, and we understand.

We are requesting that we are allowed to replace the existing and dated fence, with one that is taller. Also, I think, one that looks a lot better. This in no way would be an inconvenience to our friends, neighbors and Bartlett residents, but it would provide us the much relief from hardship as a result of the number of people that are passing and waiting during school year.

Our second request is that we are allowed a much smaller offset for installation of Solar Photovoltaic equipment in our backyard. The PV equipment will not be seen by anyone as it'll be below the height of our requested fence. The current offset requirement and the shape of our lot make placing the array very hard.

We look forward to discussing this matter in front of the committee. Thank you.

Best regards,

Magdalena and Cezary Lesniewski

1070 Dartmouth Dr, Bartlett, IL 60103 • Tel 630.345.2964 • cezar@eco-solar-solutions.com

VILLAGE OF BARTLETT
VARIATION APPLICATION

For Office Use Only
Case # 2020-09

PETITIONER INFORMATION (PRIMARY CONTACT)

Name: Magdalena & Cezary Lesniewski

Street Address: 1070 Darthmouth Dr

City, State: Bartlett, IL **Zip Code:** 60103

Email Address: [redacted] **Phone Number:** [redacted]

Preferred Method to be contacted Phone

PROPERTY OWNER INFORMATION

Name: Madgalena & Cezary Lesniewski

Street Address: 1070 Darthmouth Dr

City, State: Bartlett, IL **Zip Code:** 60103

Phone Number: [redacted]

OWNER'S SIGNATURE: Cezary Lesniewski **Date:** 6/9/2020
(OWNER'S SIGNATURE IS REQUIRED or A LETTER AUTHORIZING THE PETITION SUBMITTAL.)

DESCRIPTION OF VARIATION REQUEST (i.e. setback, fence height) including SIZE OF REQUEST (i.e. 5ft., 10 ft.)

A) 6ft fence to replace existing fence in a high traffic area. B) Additionally, a 1' setback for ground mounted solar array, of which height will be below the height of the fence.

PROPERTY INFORMATION

Common Address/General Location of Property: 1070 Darthmouth Dr Bartlett, IL 60103

Property Index Number ("Tax PIN"/"Parcel ID"): 01-10-211-072

Acreage: _____

Zoning: See Dropdown (Refer to Official Zoning Map)

APPLICANT'S EXPERTS (If applicable, including name, address, phone and email)

Attorney _____

Surveyor _____

Other _____

FINDINGS OF FACT FOR VARIATIONS

Both the Zoning Board of Appeals and the Village Board must decide if the requested variation is in harmony with the general purpose and intent of the Zoning Ordinance and if there is a practical difficulty or hardship in carrying out the strict letter of the regulations of the Zoning Ordinance.

The Zoning Board of Appeals shall make findings based upon evidence presented on the following standards: (**Please respond to each of these standards in writing below as it relates to your case. It is important that you write legibly or type your responses as this application will be included with the staff report for the ZBA and Village Board to review.**)

1. That the particular physical surroundings, shape or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.

   Our lot is adjacent, and is part of a cul-de-sac. This makes the shape of our lot very irregular, compared to others. Additionally, the rear of our property is adjacent to Sycamore Trails Elementary School and bike path. There is a walkway from the end of our cul-de-sac, along the edge of our property, through the backyard of the school and into the school compound. During the school year, our cul-de-sac is being used by parents to drop of and pickup their children. Over the course of one day, we may have as much as 200 people pass by, and as many as 10-20, congregating around our property. Lastly, due to the irregular shape of our yard, in order for us to observe a 10' offset for our ground mounted Photovoltaic Array, it would place it in the center of our yard.

2. That conditions upon which the petition for a variation is based are unique to the property for which the variation is sought and are not applicable, generally, to other property within the same zoning classifications.

   There is not another property except for us, and our neighbor west of us, that has similar circumstances within Bartlett. These circumstances are: being adjacent to school and bike path, having a walkway connecting the school with a public road that ends with no way out, irregular shape of lot due to cul-de-sac.

3. That the purpose of the variation is not based exclusively upon a desire to make more money out of the property.

   The purpose of variation A) to replace existing 3' fence with a 6' fence, is for us to protect our property including but not limited to loitering, privacy, from within our house and yard. The purpose of variation B) is to position the PV array such that it would not take up majority of our yard. This PV system will save us money on utility bills, however, that will be the case no matter where it will be located within our yard. Thus there is no monetary advantage for variation B. Our proposed location of PV array is attached as Exhibit A.

4. That the alleged difficulty or hardship is caused by the provisions of this Title and has not been created by any person presently having an interest in the property.

   None of the circumstances listed here: irregularly shaped lot due to cul-de-sac, high traffic area due to location of school / bike path, and large amounts of parents congregating, have been in any way, shape or form, been altered or created, by us. Furthermore, while we do not mind, and understand parents coming by, we have placed signage on our driveway as we have often found people parked in our driveway waiting for their kids.

5. That the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhoods in which the property is located.

   We have deliberated greatly about the affects that these two provisions will have, and none will pose any safety issues. The higher fence will make it that the PV array will not be seen from any vantage point below 6'. Since we are part of the cul-de-sac, there aren't any intersecting streets where the fence would cut any visibility. Please see attached Exhibit A, showing what the field of view will be like from different points around our property. Variation B, 1' setback instead of 10', will not impact the public welfare, as children will not have the opportunity to touch the array behind the fence.

6. That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the adjacent neighborhood.

   Exhibit B shows the frontal shot of our property, along with pictures and specifications of a fence we think would look best with our home and the neighborhood. We believe that replacing the current and dated 3' fence will make the neighborhood look better. And since the PV array will not be seen, it will have no impact on the "look of the neighborhood". The fence will be exactly within our property lines, and would not have any impact on public safety, being able to get from point A to point B. Please see attached play of survey.

7. That the granting of the variance requested will not confer on the applicant any special privilege that is denied by the provisions of this Title to other lands, structures or buildings in the same district.

   Looking at the map of Bartlett, and following Bartlett trail, we do not see any other homes or lots, that are under the same circumstances, except for our direct neighbor located at 1072 Dartmouth Dr. They are across from the walkway that connects our cul-de-sac and the Bartlett Trail. I don't believe variation A and B would apply to any other property in Bartlett.

ACKNOWLEDGEMENT

I understand that by signing this form, that the property in question may be visited by village staff and Board/Commission members throughout the petition process and that the petitioner listed above will be the primary contact for all correspondence issued by the village.

I certify that the information and exhibits submitted are true and correct to the best of my knowledge and that I am to file this application and act on behalf of the above signatures.

Any late, incomplete or non-conforming application submittal will not be processed until ALL materials and fees have been submitted.

SIGNATURE OF PETITIONER: Cezary Lesniewski

PRINT NAME: Cezary Lesniewski

DATE: 6/9/2020

REIMBURSEMENT OF CONSULTANT FEES AGREEMENT

The undersigned hereby acknowledges his/her obligation to reimburse the Village of Bartlett for all necessary and reasonable expenses incurred by the Village for review and processing of the application. Further, the undersigned acknowledges that he/she understands that these expenses will be billed on an ongoing basis as they are incurred and will be due within thirty days. All reviews of the petition will be discontinued if the expenses have not been paid within that period. Such expenses may include, but are not limited to: attorney's fees, engineer fees, public advertising expenses, and recording fees. Please complete the information below and sign.

NAME OF PERSON TO BE BILLED: Cezary Lesniewski

ADDRESS: 1070 Dartmouth Dr

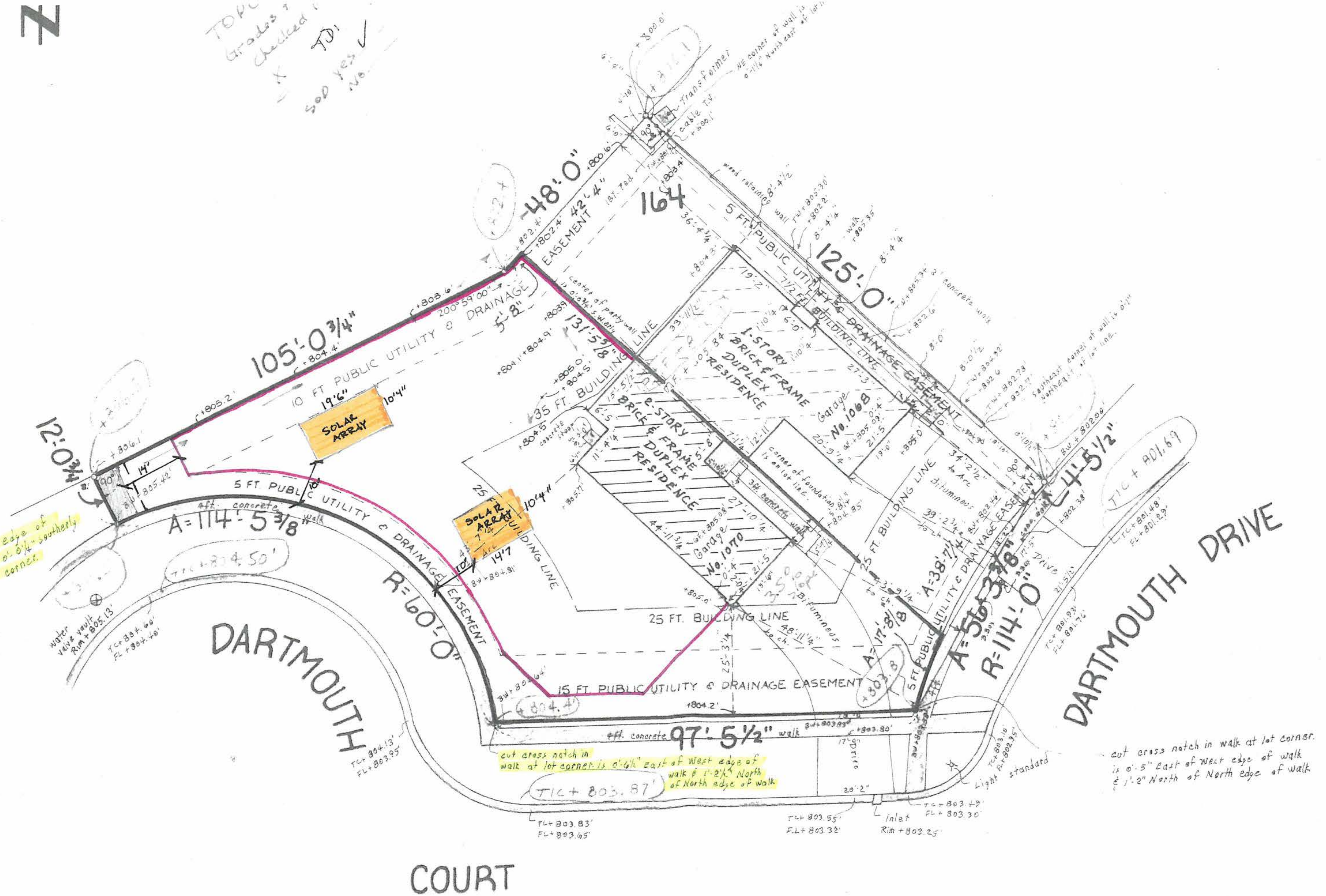
Bartlett, IL 60103

PHONE NUMBER: [redacted]

EMAIL: [redacted]

SIGNATURE: Cezary Lesniewski

DATE: 6/9/2050


N
TOPO Grades checked
sod yes ✓ No
164
48'-0"
105'-0 3/4"
125'-0"
12'-0 3/4"
131'-5 5/8"
97'-5 1/2"
A=114'-5 3/8"
R=60'-0"
A=56'-3 3/8"
R=114'-0"
4'-5 1/2"
200° 59' 00"
10 FT PUBLIC UTILITY & DRAINAGE EASEMENT
5 FT PUBLIC UTILITY & DRAINAGE EASEMENT
15 FT PUBLIC UTILITY & DRAINAGE EASEMENT
35 FT. BUILDING LINE
25 FT. BUILDING LINE
1-STORY BRICK & FRAME DUPLEX RESIDENCE
2-STORY BRICK & FRAME DUPLEX RESIDENCE
Garage No. 1068
Garage No. 1070
SOLAR ARRAY
19'6"
10'4"
14'7
14'
10'
Transformer
cable T.V.
NE corner of wall is 0'-1 1/4" North east of lot line
Southeast corner of wall is 0'-1" Northeast of lot line.
center of party wall is 0'-0 3/4" S.W.erly
corner of foundation is on lot line.
wood retaining wall
concrete walk
4ft. concrete walk
Bituminous
Drive
Northerly edge of walk is 0'-0 1/4" southerly of lot corner.
water valve vault Rim +805.13'
cut cross notch in walk at lot corner is 0'-6 1/2" East of West edge of walk & 1'-2 1/2" North of North edge of walk
cut cross notch in walk at lot corner is 0'-5" East of West edge of walk & 1'-2" North of North edge of walk
Light standard
Inlet Rim +803.25'
T/C + 801.69
T/C + 803.87'
DARTMOUTH COURT
DARTMOUTH DRIVE

PLAN SUBMITTED 9/24/2020

SHEET CATALOG

INDEX NO.	DESCRIPTION
T-1	COVER PAGE
M-1	ELEVATION VIEW-1
M-2	ELEVATION VIEW-2
SS	SPEC SHEET(S)

SCOPE OF WORK

GENERAL SYSTEM INFORMATION:
SYSTEM SIZE:
11,600W DC, 10,000W AC
MODULES:
(29)SOLARIA POWER XT-400R-PM
INVERTER:
(1)SOLAREDGE TECHNOLOGIES SE10000H-US(240V)
OPTIMIZER:
(29)SOLAREDGE P320 POWER OPTIMIZER

APPLICABLE CODES

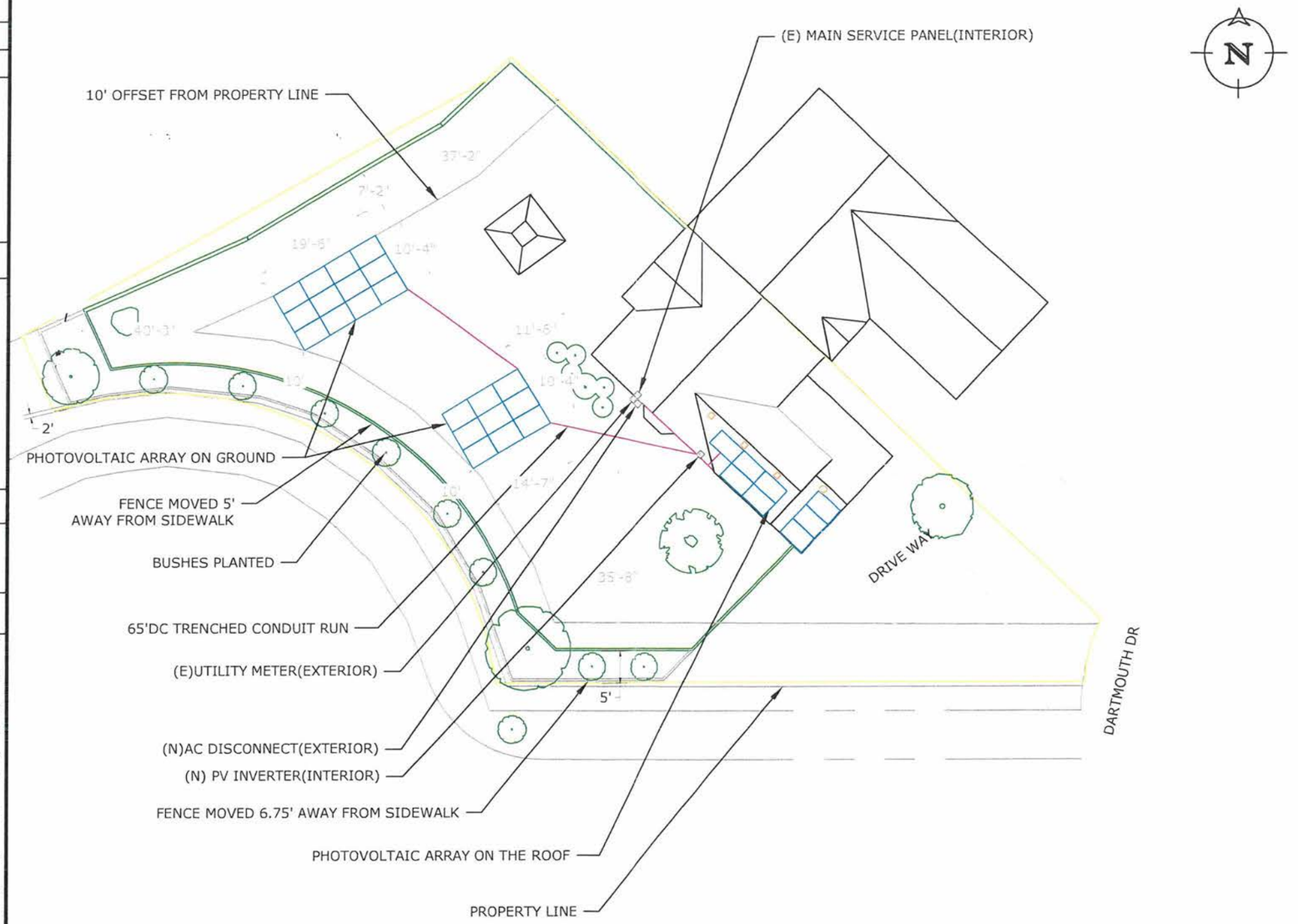
- ELECTRIC CODE:NEC 2011
- FIRE CODE:IFC 2012
- BUILDING CODE:IBC 2012
- RESIDENTIAL CODE:IRC 2012

GENERAL NOTES

1.MODULES ARE LISTED UNDER UL 1703 AND CONFORM TO THE STANDARDS.
2.INVERTERS ARE LISTED UNDER UL 1741 AND CONFORM TO THE STANDARDS.
3.DRAWINGS ARE DIAGRAMMATIC, INDICATING GENERAL ARRANGEMENT OF THE PV SYSTEM AND THE ACTUAL SITE CONDITION MIGHT VARY.
4.WORKING CLEARANCES AROUND THE NEW PV ELECTRICAL EQUIPMENT WILL BE MAINTAINED IN ACCORDANCE WITH NEC 110.26.
5.ALL GROUND WIRING CONNECTED TO THE MAIN SERVICE GROUNDING IN MAIN SERVICE PANEL/ SERVICE EQUIPMENT.
6.ALL CONDUCTORS SHALL BE 600V, 75°C STANDARD COPPER UNLESS OTHERWISE NOTED.
7.WHEN REQUIRED, A LADDER SHALL BE IN PLACE FOR INSPECTION IN COMPLIANCE WITH OSHA REGULATIONS.
8.THE SYSTEM WILL NOT BE INTERCONNECTED BY THE CONTRACTOR UNTIL APPROVAL FROM THE LOCAL JURISDICTION AND/OR THE UTILITY.
9.ROOF ACCESS POINT SHALL BE LOCATED IN AREAS THAT DO NOT REQUIRE THE PLACEMENT OF GROUND LADDERS OVER OPENINGS SUCH AS WINDOWS OR DOORS, AND LOCATED AT STRONG POINTS OF BUILDING CONSTRUCTION WHERE THE ACCESS POINT DOES NOT CONFLICT WITH OVERHEAD OBSTRUCTIONS SUCH AS TREES, WIRES OR SIGNS.
10.PV ARRAY COMBINER/JUNCTION BOX PROVIDES TRANSITION FROM ARRAY WIRING TO CONDUIT WIRING

CEZARY AND MAGDALENA LESNIEWSKI - 11.600kW DC, 10.000kW AC

SITE PLAN LAYOUT



SCALE:1"=20'-0"

VICINITY MAP

ECO SOLAR
NABCEP CERTIFIED
PV Installation Professional
CERT# PV-102415-012838

CUSTOMER INFORMATION

NAME:CEZARY AND MAGDALENA LESNIEWSKI

ADDRESS:1070 DARTMOUTH DR, BARTLETT, IL 60103

41.967637, -88.190566
APN: 011-02-11-072

AHJ:IL- VILLAGE OF BARTLETT

PRN NUMBER:ESS-010958

ILLUMINE i
Because quality matters

COVER PAGE

DESIGNER /CHECKED BY: SR/HK	PAPER SIZE:17"X11"
SCALE:AS NOTED	REV:A
DATE:8/18/2020	T-1

REVISED FENCE LOCATION

SHEET CATALOG

INDEX NO.	DESCRIPTION
T-1	COVER PAGE
M-1	ELEVATION VIEW-1
M-2	ELEVATION VIEW-2
SS	SPEC SHEET(S)

SCOPE OF WORK

GENERAL SYSTEM INFORMATION:
SYSTEM SIZE:
11,600W DC, 10,000W AC
MODULES:
(29)SOLARIA POWER XT-400R-PM
INVERTER:
(1)SOLAREDGE TECHNOLOGIES
SE10000H-US(240V)
OPTIMIZER:
(29)SOLAREDGE P320 POWER OPTIMIZER

APPLICABLE CODES

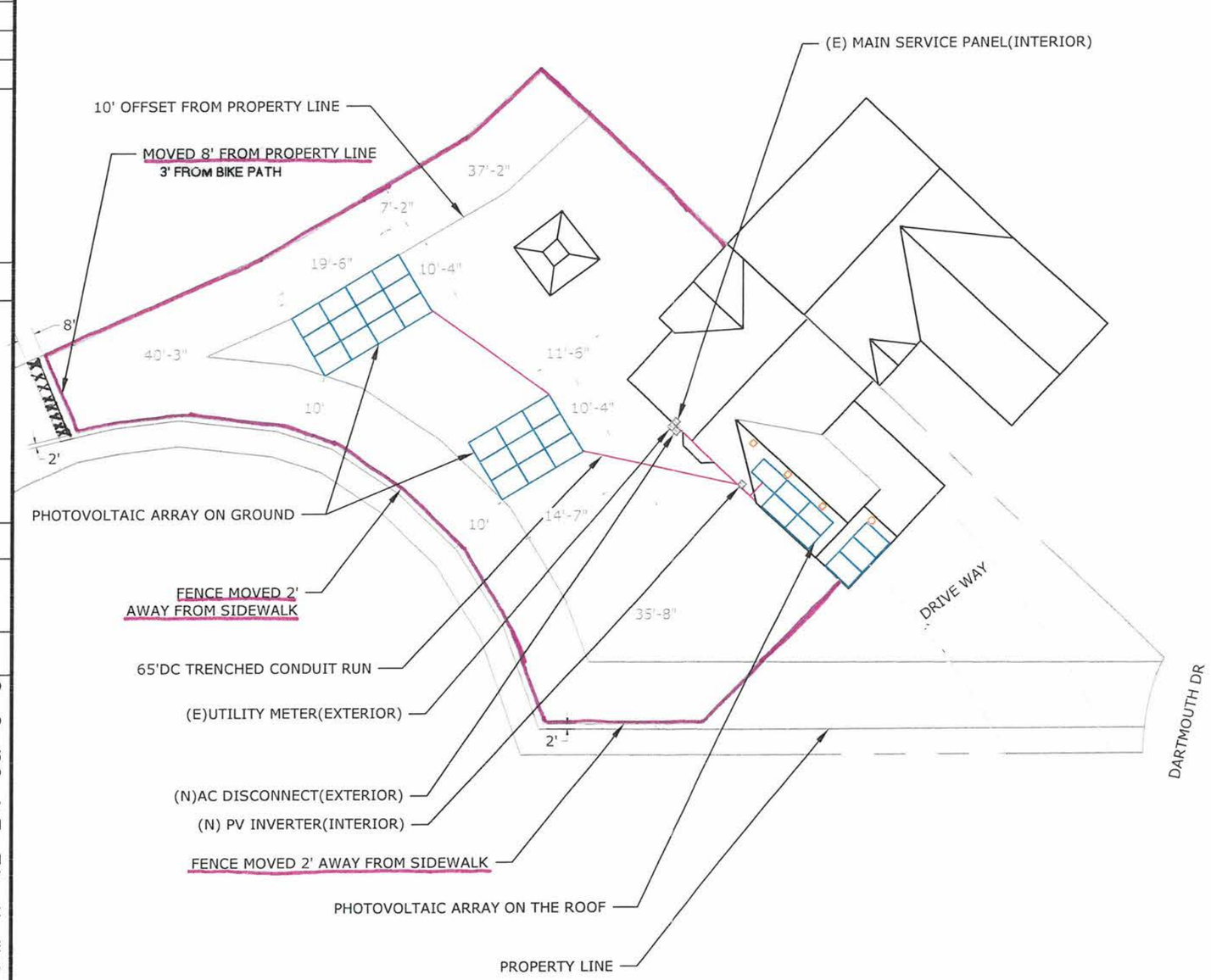
- ELECTRIC CODE:NEC 2011
- FIRE CODE:IFC 2012
- BUILDING CODE:IBC 2012
- RESIDENTIAL CODE:IRC 2012

GENERAL NOTES

1.MODULES ARE LISTED UNDER UL 1703 AND CONFORM TO THE STANDARDS.
2.INVERTERS ARE LISTED UNDER UL 1741 AND CONFORM TO THE STANDARDS.
3.DRAWINGS ARE DIAGRAMMATIC, INDICATING GENERAL ARRANGEMENT OF THE PV SYSTEM AND THE ACTUAL SITE CONDITION MIGHT VARY.
4.WORKING CLEARANCES AROUND THE NEW PV ELECTRICAL EQUIPMENT WILL BE MAINTAINED IN ACCORDANCE WITH NEC 110.26.
5.ALL GROUND WIRING CONNECTED TO THE MAIN SERVICE GROUNDING IN MAIN SERVICE PANEL/ SERVICE EQUIPMENT.
6.ALL CONDUCTORS SHALL BE 600V, 75°C STANDARD COPPER UNLESS OTHERWISE NOTED.
7.WHEN REQUIRED, A LADDER SHALL BE IN PLACE FOR INSPECTION IN COMPLIANCE WITH OSHA REGULATIONS.
8.THE SYSTEM WILL NOT BE INTERCONNECTED BY THE CONTRACTOR UNTIL APPROVAL FROM THE LOCAL JURISDICTION AND/OR THE UTILITY.
9.ROOF ACCESS POINT SHALL BE LOCATED IN AREAS THAT DO NOT REQUIRE THE PLACEMENT OF GROUND LADDERS OVER OPENINGS SUCH AS WINDOWS OR DOORS, AND LOCATED AT STRONG POINTS OF BUILDING CONSTRUCTION WHERE THE ACCESS POINT DOES NOT CONFLICT WITH OVERHEAD OBSTRUCTIONS SUCH AS TREES, WIRES OR SIGNS.
10.PV ARRAY COMBINER/JUNCTION BOX PROVIDES TRANSITION FROM ARRAY WIRING TO CONDUIT WIRING

CEZARY AND MAGDALENA LESNIEWSKI - 11.600kW DC, 10.000kW AC

SITE PLAN LAYOUT



SCALE:1"=20'-0"

VICINITY MAP

ECO SOLAR

NABCEP CERTIFIED

PV Installation Professional

CERT# PV-102415-012838

CUSTOMER INFORMATION

NAME:CEZARY AND MAGDALENA LESNIEWSKI

ADDRESS:1070 DARTMOUTH DR, BARTLETT, IL 60103

41.967637, -88.190566
APN: 011-02-11-072

AHJ:IL- VILLAGE OF BARTLETT

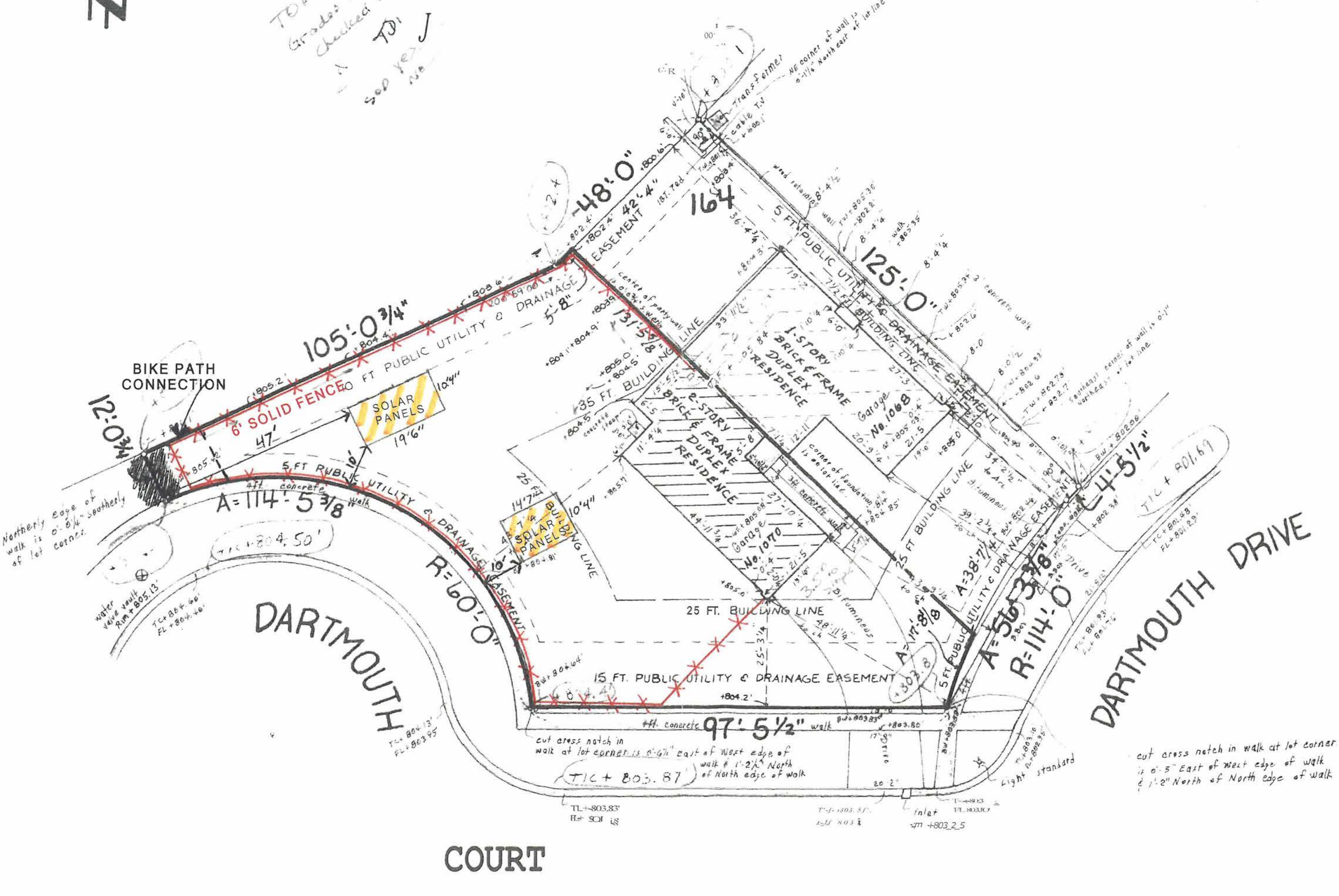
PRN NUMBER:ESS-010958

ILLUMINE i
Because quality matters

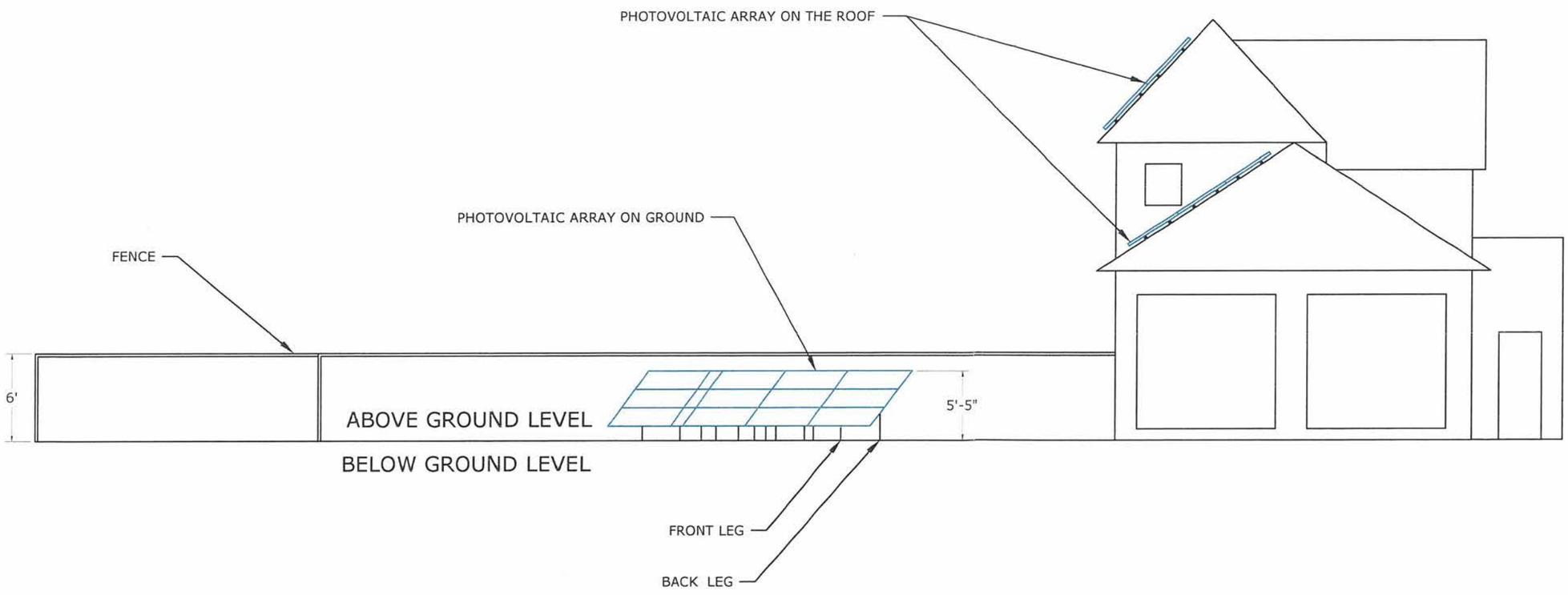
COVER PAGE

DESIGNER /CHECKED BY: SR/HK	PAPER SIZE:17"X11"
SCALE:AS NOTED	REV:A
DATE:8/18/2020	T-1

ORIGINAL FENCE LOCATION



FRONT ELEVATION



AERIAL VIEW

ECOSOLAR

NABCEP CERTIFIED

PV Installation Professional

CERT# PV-102415-012838

CUSTOMER INFORMATION

NAME:CEZARY AND MAGDALENA LESNIEWSKI

ADDRESS:1070 DARTMOUTH DR, BARTLETT, IL 60103

41.967637, -88.190566
APN: 011-02-11-072

AHJ:IL- VILLAGE OF BARTLETT

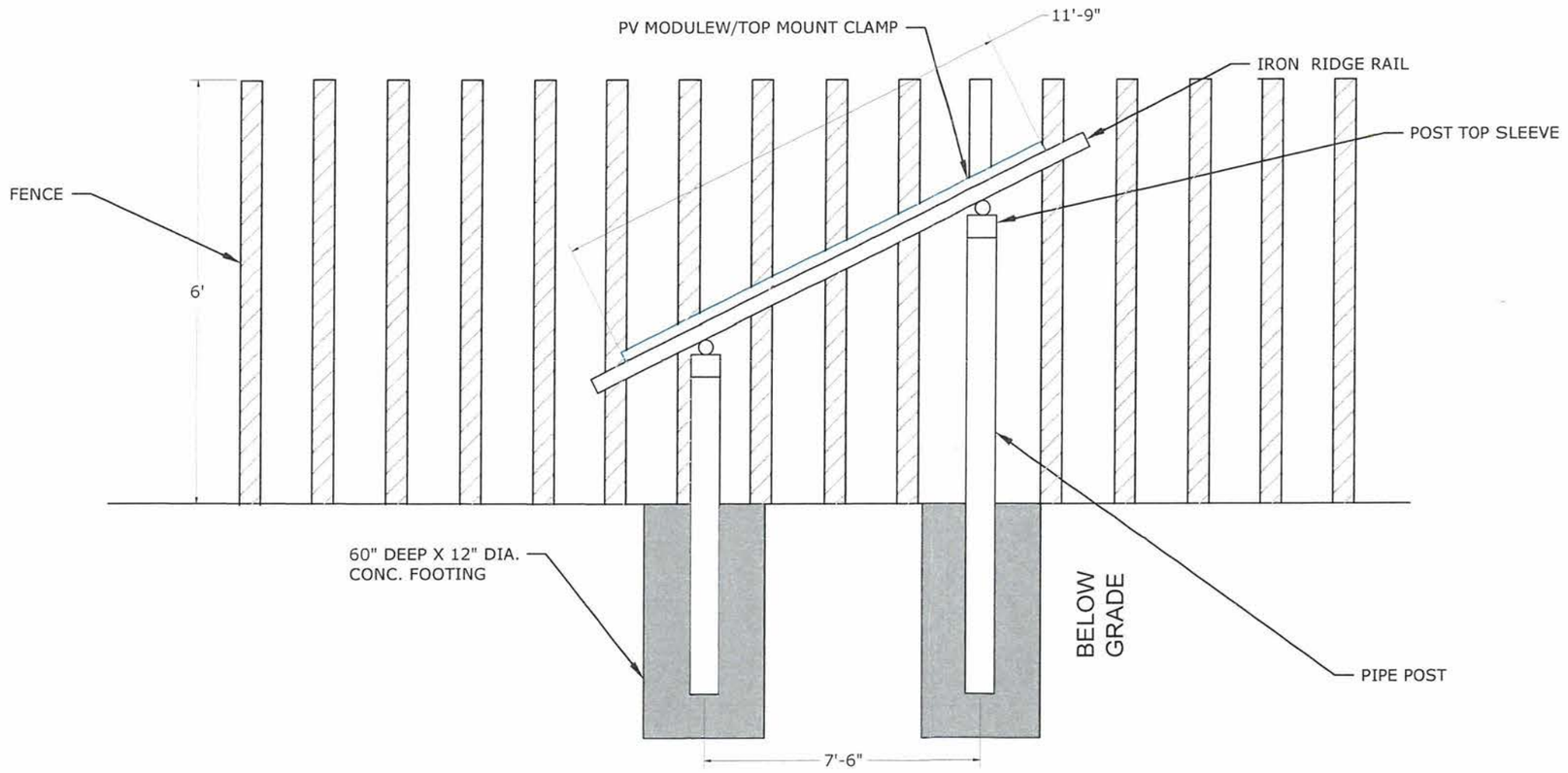
PRN NUMBER:ESS-010958

ILLUMINEi
Because quality matters

ELEVATION VIEW-1

DESIGNER /CHECKED BY: SR/HK	PAPER SIZE:17"X11"
SCALE:AS NOTED	REV:A
DATE:8/18/2020	M-1

SIDE VIEW OF GROUND MOUNTING:



MODULES DATA	
SOLARIA POWER XT-400R-PM	
MODULE DIMS	64.7"x47.4"x1.57"

ECOSOLAR

NABCEP CERTIFIED

PV Installation Professional

CERT# PV-102415-012838

CUSTOMER INFORMATION

NAME:CEZARY AND MAGDALENA LESNIEWSKI

ADDRESS:1070 DARTMOUTH DR, BARTLETT, IL 60103

41.967637, -88.190566
APN: 011-02-11-072

AHJ:IL- VILLAGE OF BARTLETT

PRN NUMBER:ESS-010958

ILLUMINEi
Because quality matters

ELEVATION VIEW-2

DESIGNER /CHECKED BY: SR/HK	PAPER SIZE:17"X11"
SCALE:AS NOTED	REV:A
DATE:8/18/2020	M-2


Google

Agenda Item Executive Summary

Item Name	Golf Simulator Contract	Committee or Board	Committee

BUDGET IMPACT

Amount:	N/A	*Budgeted*	N/A
List what fund	5500-522400		

EXECUTIVE SUMMARY

In October of 2015, the Village Board reviewed a presentation by staff relative to a lease agreement with a golf simulator company (Tom Newman Inc.). Staff was given direction to proceed with an agreement. The Village Attorney had drawn up a contract with the company which included the option of extending through last year. Staff continues to see a benefit of leasing the machine and would like to reach another one-year agreement, with options of extending. To date the simulator has netted $29,262. For the 2019-2020 simulator season, we were on pace to eclipse net revenues from the 2018-19 season, but the COVID shut down caused us to end up short. These figures do not include the revenue made from beverages.

Given the uncertain trajectory of COVID-19, staff wanted to put this item on Committee of the Whole for discussion.

ATTACHMENTS (PLEASE LIST)

Memorandum, Agreement should the board choose to proceed

ACTION REQUESTED

For Discussion Only

Resolution

Ordinance

Motion:

.

Staff:	Scott Skrycki, Assistant Village Administrator	Date:	10/13/2020

Memorandum

To: Paula Schumacher, Village Administrator
From: Scott Skrycki, Assistant Administrator
Date: 10/13/2020
Re: Golf Simulator Contract

In October of 2015, the Village Board reviewed a presentation by staff relative to a lease agreement with a golf simulator company (Tom Newman Inc.). Staff was given direction to proceed with an agreement. The Village Attorney had drawn up a contract with the company which included the option of extending through last year. Staff continues to see a benefit of leasing the machine and would like to reach another one-year agreement, with options of extending. To date the simulator has netted $29,262. For the 2019-2020 simulator season, we were on pace to eclipse net revenues from the 2018-19 season, but the COVID shut down caused us to end up $398 short. These figures do not include the revenue made from food and beverage.

The hours of operation would be 9-4 Tuesday thru Sunday as well as afternoon and evening hours with appropriate reservation. The revenue sharing calls for a 60/40 split with the Village retaining 40 percent of gross profits. The machine will go up in October or November weather permitting.

Given the uncertain trajectory of COVID-19, staff wanted to put this item on Committee of the Whole for discussion.

Attached for your review is a resolution approving of an agreement with the between the Village of Bartlett and Tom Newman Inc., should the Board choose to proceed with the simulator.

FIRST EXTENSION OF THE HIGH DEFINITION GOLF SIMULATOR OPERATING AGREEMENT FOR THE 2020-2021 WINTER/SPRING SEASON

RECITALS:

WHEREAS, the VILLAGE OF BARTLETT (the "Village") and TOM NEWMAN, INC. ("Newman") entered into a certain HIGH DEFINITION GOLF SIMULATOR OPERATING AGREEMENT dated as of October 15, 2019 (the "Agreement") which allowed Newman to install, maintain and manage a golf simulator, defined in the Agreement as the "Facilities" in Licensed Space as defined in the Agreement, at the Bartlett Hills Golf course Clubhouse for an initial term of October 15, 2019 to March 31, 2020, but provided for up to two (2) extensions if renewed by the Village; and

WHEREAS, the Village desires to renew and extend the Agreement for the 2020-2021 winter/spring season upon the same terms and conditions as set forth in the Agreement;

NOW, THEREFORE, in consideration of the matters set forth in the foregoing Recitals, and as contemplated by the parties to the Agreement, **IT IS HEREBY MUTUALLY AGREED** as follows:

The Agreement is hereby renewed and extended for the 2020-2021 winter/spring season for a first renewal term commencing as of October 15, 2020 and ending March 31, 2021, upon the same terms and conditions as set forth in the Agreement.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized signatories as of October 15, 2020.

VILLAGE OF BARTLETT

By:_____
Kevin Wallace, Village President

Attest:

_____
Lorna Giless, Village Clerk

TOM NEWMAN, INC.

_____
Name: _____
Title:_____

Agenda Item Executive Summary

Item Name	Discussion of changes to the Village of Bartlett employee benefit plans.	Committee or Board	Committee

BUDGET IMPACT			
Amount:	N/A	*Budgeted*	
List what fund	General		

EXECUTIVE SUMMARY

The Village committed to a five-year plan for reducing overall costs in relation to employee benefits. In the past few years, staff has made significant cost reductions to just over $315,000. The renewal for this year is projected to save the Village over $100,000 with the potential for even more savings when the new plan offerings are presented to the employees.

The attached document provides further details and information regarding the changes to the employee benefit plans, and how those changes will affect the overall costs.

ATTACHMENTS (PLEASE LIST)

Memo

ACTION REQUESTED

- ✓ For Discussion Only
- Resolution
- Ordinance
- Motion:

Staff:	Janelle Terrance, Human Resources Director	Date:	10/12/2020

Memorandum

To: Paula Schumacher, Village Administrator

From: Janelle Terrance, Human Resources Director

Date: October 12, 2020

Re: Employee Benefit Plan Changes

Three years ago, we started a five-year plan to reduce insurance costs. The Village remains committed to evaluating employee benefit plans and cutting costs in relation to these plans. In recent years, costs have been cut by approximately $315,000. This year brought new challenges with the nationwide pandemic, but our health insurance provider, Blue Cross Blue Shield, just informed us that we will be experiencing a 15% savings on our November invoice.

We are very pleased to present a zero percent (0%) increase for the health insurance premiums for this year. As we committed to continue to look at ways to further cut costs, we are excited to offer a plan that would actually decrease our HMO Plan premiums by 9.08%. This would be made possible by adding a high deductible PPO Plan with an HSA (Health Savings Account) attached to it. We will offer a high deductible plan to include a $2800 individual deductible and a $5600 family deductible with a contribution from the Village of $1700 into the HSA. Just by offering this plan, the Village will save just over $100,000. We will work diligently with our brokers to educate the employees and provide information to them on the benefits of migrating to the new plan, which would actually create additional savings on top of this $100,000. It would be difficult to predict just how many employees would make this move, therefore, we are reluctant to attach an exact figure to this.

Blue Cross Blue Shield has elected to further incentivize us to offer ancillary products to include critical illness and accident plans. These plans, if fully paid by the Village, will further reduce our health insurance premiums by approximately $37,131 per year.

We have invited our insurance broker, Mr. Kevin Lesch, to the Committee meeting to further explain and provide examples of the savings we will experience with the elected changes.