MEETING NOTICE

AGENDA

VILLAGE OF HOFFMAN ESTATES PLANNING AND ZONING COMMISSION

May 17, 2017

The Planning and Zoning Commission of the Village of Hoffman Estates will hold a meeting in the Helen Wozniak Council Chambers of the Municipal Building, 1900 Hassell Road, Hoffman Estates, Illinois, at 7:00 p.m., Wednesday, May 17, 2017.

- 1. Call to Order/Roll Call
- 2. Approval of Minutes

May 3, 2017

- 3. Chairperson's Report
- 4. Old Business
- 5. New Business

PUBLIC HEARING – Request by Monika Tulodziecka-Kulak (owner) for a 5 foot side yard setback variation from section 9-5-2-D-5 of the Zoning Code to permit a 10 foot setback instead of the minimum 15 feet for an attached garage addition at 415 Azalea Lane.

- 6. Staff Report
- 7. Adjournment

The next regular Planning and Zoning Commission meeting is scheduled for **Wednesday**, **June 7**, **2017 at 7:00 p.m**.



VILLAGE OF HOFFMAN ESTATES PLANNING AND ZONING COMMISSION STAFF REPORT

PROJECT NO.: 2	017018R	PROJECT NAME:	415 AZALE	A LN – SIDEYARD SETBACK VARIATION
PROJECT ADDR	ESS/LOC <i>F</i>	ATION: 415 AZALEA PUBLIC HEAF	RING 🖂	NO NO
REZ	ONING	MASTER SIGN F		PECIAL USE VARIATION X
		SITE PL	_AN 🔲 Pl	LAT 🗌
MEETING DATE:	MAY 17, 2	2017		STAFF ASSIGNED: DANIEL RITTER
REQUESTED MO	OTION			
9-5-2-D-5 of the	Zoning C		0 foot setb	oot side yard setback variation from section ack instead of the minimum 15 feet for an
INCLUDES REC	OMMEND	ED CONDITION(S)	YES NO	
ZONING DISTRIC	T: R-2, ON	IE-FAMILY RESIDE	NTIAL	
ADJACENT PROPERTIES:		R-2, ONE-FAMILY RE 2, BIRCH PARK ENTF		SOUTH: R-2, ONE-FAMILY RESIDENTIAL WEST: R-2, ONE-FAMILY RESIDENTIAL

APPLICABLE ZONING CODE SECTIONS

Section 9-5-2-D-5 of the Zoning Code states that the side yard setback of the principal structure (including an attached garage) shall be 15 feet.

PROPOSAL

The property currently includes a one-story house and detached garage. The house was originally constructed with a one-car attached garage. The attached garage was converted to living space and the detached garage was constructed around 1985. The petitioner is now proposing to demolish the existing detached garage and construct a new 750 square foot attached garage and home addition to the existing structure.

The attached garage addition would encroach 5 feet into the property's required sideyard setback. The other part of the addition to the house would meet all applicable zoning code requirements. The variation is

Meeting Date: May 17, 2017

being requested so that a traditionally sized two-car attached garage can be added to the home without losing floor space in the existing home.

The petitioner has noted that the neighboring property that the garage would be encroaching toward, is a park district entrance without any structures and is not a typical residential property. In addition, they have noted similar setback variation approvals for other properties in the area, including their immediate neighbor to the west (405 Azalea Ln) who received approval for a 5 foot setback variation for a garage in 2011.

VARIATION STANDARDS

Section 9-1-15 of the Zoning Code — *Standards for a Variation* - states that the Planning and Zoning Commission shall not recommend the adoption of a proposed variation unless it finds that the variation meets the Standards for Variations as set forth in the Zoning Code.

- 1. The Planning and Zoning Commission shall not recommend the variation of the regulations of the Code unless it shall first make a finding based upon the evidence presented to it in each specific case that:
 - a. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located;
 - b. The plight of the owner is due to unique circumstances;
 - c. The variation, if granted, will not alter the essential character of the locality.
- 2. For the purpose of implementing the above rules, the Planning and Zoning Commission shall also, in making its determination whether there are practical difficulties or particular hardships, take into consideration the extent to which the following facts favorable to the applicant have been established by the evidence;
 - a. The particular physical surroundings, shape of 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. The conditions upon which the petition for a variation is based would not be applicable, generally, to other property within the same zoning classification;
 - c. The purpose of the variation is not based exclusively upon a desire to increase the value of the property;
 - d. The alleged difficulty or hardship has not been based exclusively upon a desire to increase the value of property;
 - e. The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located; and
 - f. 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 fires, or endanger the public safety, or substantially diminish or impair property values in the neighborhood.
- 3. The Planning and Zoning Commission may recommend to the Village Board that such conditions and restrictions be imposed upon the premises benefited by a variation as may be necessary to comply with the standards set forth in this section to reduce or minimize the injurious effect of such variation upon other property in the neighborhood, and better to carry out the general intent of this Code.

If this request is approved, the variation ordinance would be granted to the property in perpetuity or until otherwise amended or dissolved by a future ordinance.

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NOTIFICATION

Standard notification letters have been sent to surrounding properties within 150 feet and no comments have been received.

STAFF SUMMARY

The proposed variation would allow for a 750 square foot attached garage addition to encroach into the interior side yard setback by 5 feet. The petitioner is seeking to retain the existing home's footprint, and add a traditional two car attached garage. Because the setback encroachment is only in the interior side yard, it would not alter the streetscape along Azalea Lane. The neighboring property that the garage would be encroaching towards is void of any structures and is a park entrance with a path and trees. This situation would negate most potential effects of an encroachment on a neighboring residential property.

Two alternative options exist to the variation request and allow for an attached garage. The first would be to reconvert the part of the home that was previously a garage, back into garage space and add additional garage space on to that without encroaching into the side yard. While possible this option would require extensive changes to the existing structure and reduce the homes floor space. The second option would be to design a smaller and longer attached garage that doesn't encroach into the setback. This is also possible to accomplish, but would not be as easy to function in and out of, is not a typical architectural design and is not likely to be aesthetically pleasing to the owner of neighboring properties.

RECOMMENDED CONDITIONS

If the Planning & Zoning Commission finds that the standards for a variation have been met, staff recommends the following conditions:

- 1. The house and attached garage addition shall be constructed per the size and location included in the petitioner's application materials submitted with this request. The attached garage must remain garage space and shall not be converted into living space.
- 2. Completed building and engineering plans are required to be submitted and all staff-level review comments shall be addressed prior to issuance of a building permit.

Attachments: Petitioner Application & Submittals

Legal Notice Location Map

Staff Exhibit - Aerial Photo



VILLAGE OF HOFFMAN ESTATES PLANNING AND ZONING GENERAL APPLICATION*

Special Use for to Rezoning from to
✓ Variation: ☐ Commercial ☒ Residential ☐ Sign
RECEIVED Plat (Subdivision & Others): Preliminary Final
APR 2 1 2017 Site Plan: Amendment Concept Preliminary Final
APR 2 1 2011 Site Plan: Amendment Concept Preliminary Final Master Sign Plan: Amendment Other:
Other:
* ADDENDUM MATERIALS ARE REQUIRED FOR SPECIFIC REQUESTS
Posting of Notification Sign(s) may be required. Specific requirements will be provided when your request is scheduled.
FOR VILLAGE USE ONLY
Hearing Fee 175.∞ Check No. 16 Date Paid 4/21/17
Project Number: <u>3017018</u>
Staff Assigned: R: Hec
Meeting Date:Public Hearing: Yes ☒ No ☐
Sign Posting Required: Yes No No Date Sign Posted N/A
PLEASE PRINT OR TYPE
Project Name: 415 Azolea XN Addition
Project Name: 415 Azolea XN Addition
Project Description: House adolition
Project Address/Location: 415 Azalea ZN
Property Index No
Acres: Zoning District: R2

I. Owner of Record

Moni	ika Tulodziecka - !	kulak
Name		Company
415	Azalea LN	Hoffman Estates
Street Addr	ess	City
16	60169	630 -205-3324
State	Zip Code	Telephone Number
		MONICZKAPL 1986@GHAIL.COM
Fax Number	,	E-Mail Address

II. Applicant (Contact Person/Project Manager)

Monito	2 Tulodziecka	- Kulah
Name		Company
415	Azalea XN	Hoffman Estates
Street Address		City
14	60169	630 -205-3324
State	Zip Code	Telephone Number
		MONICZEAPL 1986@GMAIL. COM
Fax Number		E-Mail Address
Applicant's re	elationship to proper	A: OHUEL

III. Owner Consent for Authorized Representative

It is required that the property owner or his designated representative be at all requests before the Planning and Zoning Commission (PZC). During the course of the meeting, questions may arise regarding the overall site, site improvements, special conditions to be included in a PZC recommendation, etc. The representative present must have knowledge of the property and have the authority to make commitments to comply with any and all conditions included in the PZC recommendations. Failure to have the owner or designated representative present at the meeting can lead to substantial delays in the hearing process. If the owner cannot be present at the meeting, the following statement must be signed by the owner:

Monika Tulodziecka-kulok

Owner Signature Print Name

IV. Acknowledgement(s)

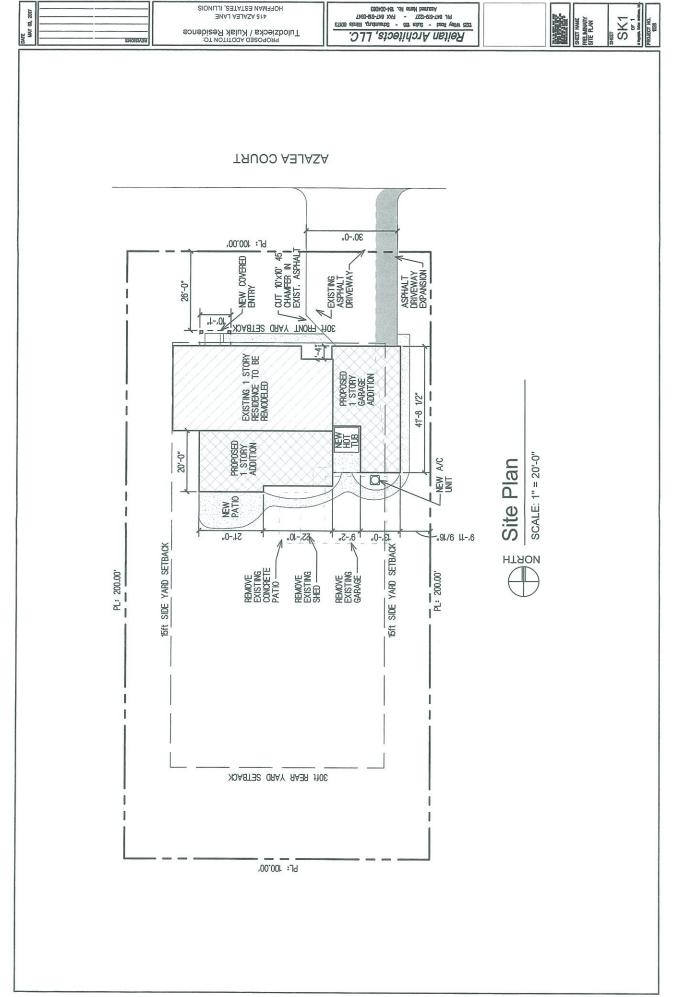
- Applicant acknowledges, understands and agrees that under Illinois law, the Village President (Mayor), Village Trustees, Village Manager, Corporation Counsel and/or any employee or agent of the Village or any Planning and Zoning Commission member or Chair, does not have the authority to bind or obligate the Village in any way and therefore cannot bind or obligate the Village. Further, Applicant acknowledges, understands and agrees that only formal action (including, but not limited to, motions, resolutions and ordinances) by the Board of Trustees, properly voting in an open meeting, can obligate the Village or confer any rights or entitlement on the applicant, legal, equitable or otherwise.
- Planning and Zoning Commission members and Village Staff often conduct inspections of subject site(s) as part of the pre-hearing review of requests. These individuals will be carrying official Village identification cards that can be shown upon request.

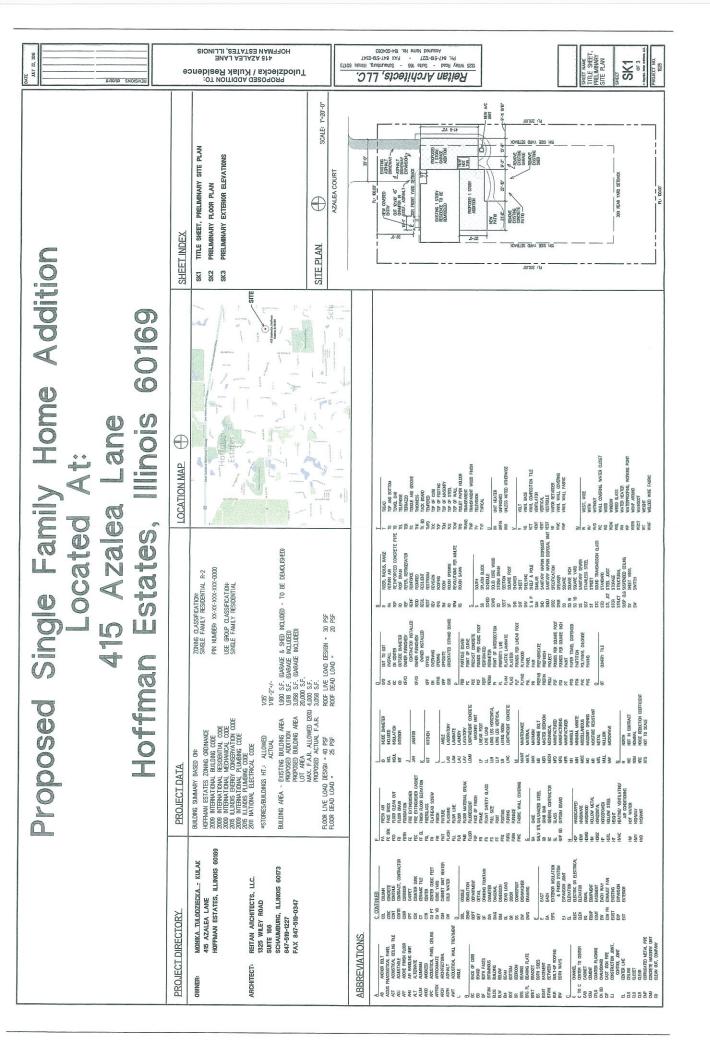
and all submittals. Owner's Sign	ature:						
Owner's Nam	e (Please Print): Monita Tulodziecka - Łulak						
	Applicant's Signature:(If other than Owner)						
Applicant's N	ame (Please Print):						
Date:							
WATER A SECOND CONTRACTOR OF THE	e accompanied by the items required and all fees must be paid before the Commission can hear any case.						
Please contact the Pl	anning Division (located in the Municipal Building) with any questions:						
Email: Address:	planning@hoffmanestates.org 1900 Hassell Road Hoffman Estates, IL 60169						
Phone:	(847) 781-2660						
Fax:	(847) 781-2679						
Addendums Attached	d:						
☐ Special Use	☐ Master Sign Plan						
Rezoning	Other						
☐ Variation							
☐ Plat							
☐ Site Plan							

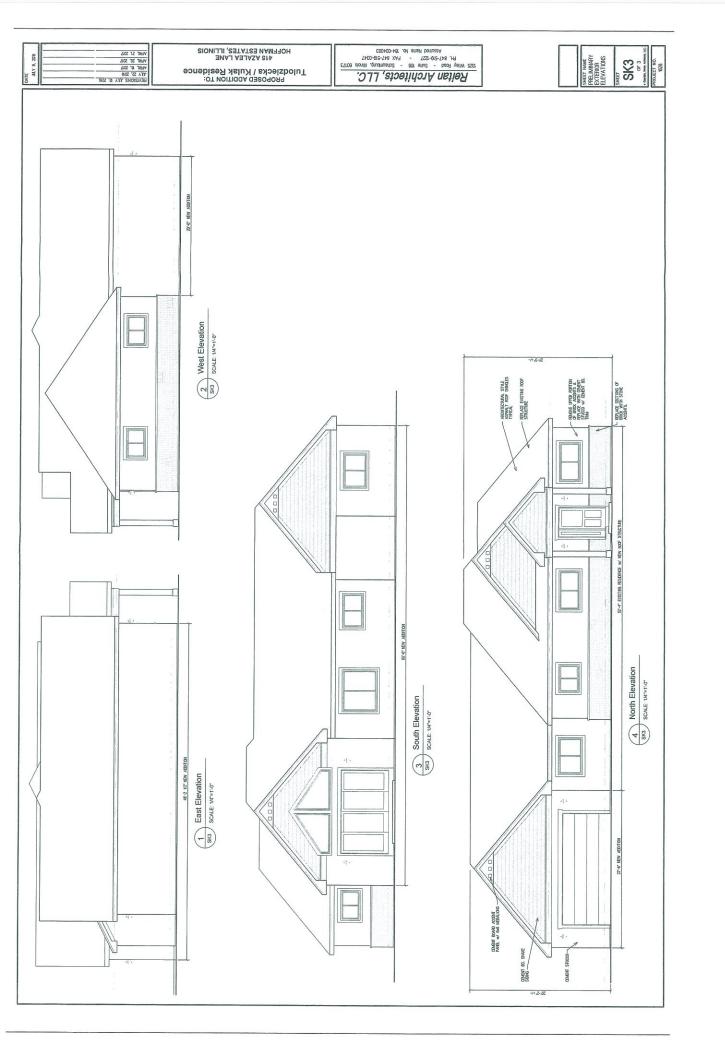
415 Azalea Lane Setback Variation Project Description

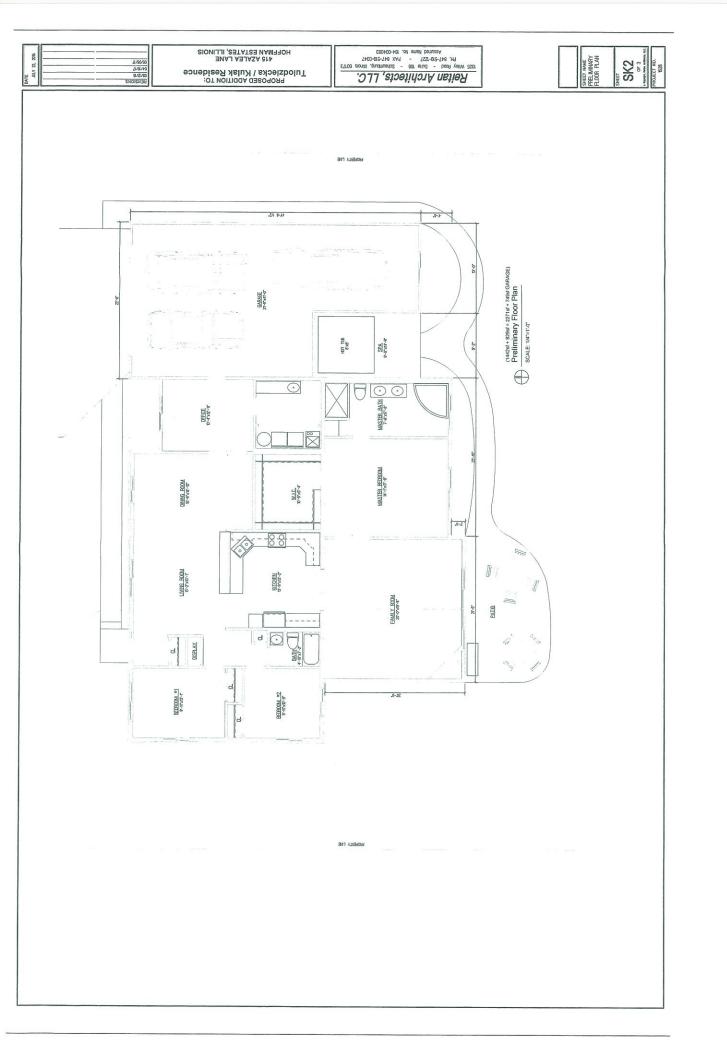
I am asking for a variance for the garage because currently I have a detached garage which is in really bad condition and needs to be torn down. I would like to have an attached garage as it is more convenient for me. I have three cars and I do not want to park them outside. The garage should not be an issue for anybody including my neighbors and others walking near my property. I do not have a neighbor close to my property as there is a park. It shouldn't interfere with walking path as there is still a good piece of landscape. It also will not collide with any piping, electric cables, gas. It will also improve the appearance of the house.

-Monika Tulodziecka-Kulak









PLAT OF SURVEY



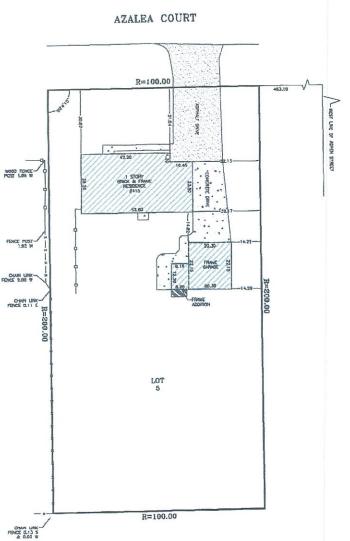
Residential Commercial ALTA

Studnicka and Associates, Ltd. studnicka2000@gmail.com

Topographical Condominium Site Plans

Tel. 815 485-0445 Fax 815 485-0528 17901 Haas Road Mokena, Illinois 60448

LOT 5 IN BLOCK 8 IN HOFFMAN ESTATES NUMBER 1, BEING A SUBDIVISION OF THAT PART OF THE WEST 1/2 OF THE NORTHWEST 1/4 AND THAT PART OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 14, TOWNSHIP 41 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF HIGGINS ROAD, TOGETHER WITH THAT PART OF THE NORTHEAST 1/4 OF SECTION 15, TOWNSHIP 41 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF HIGGINS ROAD, IN COOK COUNTY, ILLINOIS.



Scale: 1" = 30 feet

Distances are marked in feet and decimals.

Ordered by: Danuta Wolny Order No.: 16-4-136

Compare all points before building by same and at once report any difference. For building lines, restrictions, or easements not shown hereon, refer to abstract, deed or ordinance.

Field work completed: 4/20/16

Drawn by: J.G.S.
Proofed by: T.S.

Design Firm Registration # 184-002791

STATE OF ILLINOIS SECURITY OF WILL



Studnicka and Associates, Ltd., an Illinois Land Surveying Corporation does hereby certify that this professional service conforms to the current Illinois standards for boundary survey.

License No. 3304 Expires 11/30/18

Mokena, IL. April 20, A.D. 2016

by the

Planning Division

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IId	ge of Hoffman I	ESIG	.62							(H)	ACCOUNT OF THE PERSON

NOTICE OF PUBLIC
HEARING
Notice is hereby given that
the Planning and Zoning
Commission of the Village of
Hoffman Estates will hold a
public hearing at the request of Monika Tulodziecka-Kulak (Owner) to
consider a variation under
the Zoning Code to permit
the expansion of a house and
attached garage on the
property located at 415
Azalea Lane.
P.I.N.: 07-14-107-004-0000
The hearing will be held on
Wednesday, May 17, 2017 at
7:00 p.m. in the Hoffman Estates Municipal Building,
1900 Hassell Road, Hoffman
Estates, IL.
Eva Combs, Chairperson
Planning and Zoning Commission
Published in Daily Herald

mission
Published in Daily Herald
May 2, 2017 (4471038)

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

Daily Herald

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the DAILY HERALD. That said DAILY HERALD is a secular newspaper and has been circulated daily in the Village(s) of Algonquin, Antioch, Arlington Heights, Aurora, Barrington, Barrington Hills, Lake Barrington, North Barrington, South Barrington, Bartlett, Batavia, Buffalo Grove, Burlington, Campton Hills. Carpentersville, Cary, Deer Park, Des Plaines, South Elgin, East Dundee, Elburn, Elgin, Elk Grove Village, Fox Lake, Fox River Grove, Geneva. Gilberts, Grayslake, Green Oaks, Gurnee, Hainesville, Hampshire, Hanover Park, Hawthorn Woods, Hoffman Estates, Huntley, Inverness, Island Lake, Kildeer, Lake Villa, Lake in the Hills, Lake Zurich, Libertyville, Lincolnshire, Lindenhurst, Long Grove, Mt. Prospect, Mundelein, Palatine, Prospect Heights, Rolling Meadows, Round Lake, Round Lake Beach, Round Lake Heights, Round Lake park, Schaumburg, Sleepy Hollow, St. Charles, Streamwood, Tower Lakes, Vernon Hills, Volo, Wauconda, Wheeling, West Dundee, Wildwood, Sugar Grove, North Aurora, Glenview

County(ies) of Cook, Kane, Lake, McHenry

and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

I further certify that the DAILY HERALD is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published May 2, 2017 in said DAILY HERALD.

IN WITNESS WHEREOF, the undersigned, the said PADDOCK PUBLICATIONS, Inc., has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC. DAILY HERALD NEWSPAPERS

Control # 4471038

415 Azalea Lane



N 0 25 50 Feet

Planning Division
Village of Hoffman Estates
April 2017