

MEETING NOTICE

AGENDA

VILLAGE OF HOFFMAN ESTATES PLANNING AND ZONING COMMISSION

May 16, 2018

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 16, 2018.**

1. Call to Order/Roll Call
2. Approval of Minutes
May 2, 2018
3. Chairperson's Report
4. Old Business
5. New Business

PUBLIC HEARING –

- a) Request by Michael Lotowski (Owner) and Anna Urbanowicz (Applicant) for a 2' height variation from Section 9-3-6-B-1 of the Zoning Code to allow a shed to be 14' high instead of the maximum 12' high at 1580 Edgefield Ln.
- b) Request by Michael Lotowski (Owner) and Anna Urbanowicz (Applicant) for a 3' side yard setback variation from section 9-3-6-D of the Zoning Code to permit a 0' foot side yard setback instead of the minimum 3 feet side yard setback for a storage shed at 1580 Edgefield Ln.

6. Staff Report
7. Adjournment

The next regular Planning and Zoning Commission meeting is scheduled for **Wednesday, June 20, 2018 at 7:00 p.m.**



VILLAGE OF HOFFMAN ESTATES PLANNING AND ZONING COMMISSION STAFF REPORT

PROJECT NO.: 2018010R

PROJECT NAME: 1580 EDGEFIELD LN - SHED VARIATION

PROJECT ADDRESS/LOCATION: 1580 EDGEFIELD LN

PUBLIC HEARING
YES NO

REZONING MASTER SIGN PLAN SPECIAL USE VARIATION
SITE PLAN PLAT

MEETING DATE: MAY 16, 2018

STAFF ASSIGNED: PARTH JOSHI

REQUESTED MOTIONS

1. Request by Michael Lotowski (Owner) and Anna Urbanowicz (Applicant) for a 2' height variation from Section 9-3-6-B-1 of the Zoning Code to allow a shed to be 14' high instead of the maximum 12' high at 1580 Edgefield Ln.
2. Request by Michael Lotowski (Owner) and Anna Urbanowicz (Applicant) for a 3' side yard setback variation from section 9-3-6-D of the Zoning Code to permit a 0' foot side yard setback instead of the minimum 3 feet side yard setback for a storage shed at 1580 Edgefield Ln.

INCLUDES RECOMMENDED CONDITION(S)
YES NO

ZONING DISTRICT: R-4, ONE-FAMILY RESIDENTIAL		
ADJACENT PROPERTIES:	NORTH: R-4, ONE-FAMILY RESIDENTIAL EAST: R-4, ONE-FAMILY RESIDENTIAL W HIGGINS RD	SOUTH: R-4, ONE-FAMILY RESIDENTIAL WEST: RPD, RESIDENTIAL PLANNED DEVELOPMENT DISTRICT

APPLICABLE ZONING CODE SECTION

Section 9-3-6-B-1 of the Zoning Code states that storage sheds shall not exceed 12 feet in height.

Section 9-3-6-D of the Zoning Code states that if a storage shed is located 60 feet or more from the front lot line, than the setback from the side lot line shall be 3 feet.

BACKGROUND

The property currently includes a split-level home which was originally constructed around 1965. The petitioner submitted a building permit to construct a shed in May 2013 and the permit was approved with standard conditions. A final inspection was conducted during the same month and the shed was found to be not in compliance. The petitioner was notified back in 2013 to apply for a variation to keep the shed as is or make necessary changes. In February 2018, Village's Code Enforcement department followed up with the petitioner and another inspection was conducted. The inspection failed because no changes were made to the shed since it was first built in 2013.

The permit never received final approval since the petitioner failed to notify Village inspectors for a final inspection. The petitioner is now requesting a variation to permit the shed to remain as it was originally built.

PROPOSAL

The petitioner is requesting a 2 foot high and 3 foot side yard setback variation to permit the existing shed as is. The shed is approximately 140 square foot which meets the code. The shed is completely located in utility easements and the petitioner has submitted signed letters from utility companies to allow the shed to remain in their easements.

The petitioner has stated that the existing shed has a concrete slab foundation and it would be financially burdensome to relocate the shed to be in code compliance.

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 shed would be granted to remain at this height and setback by ordinance in perpetuity or until otherwise amended or dissolved by a future ordinance.

NOTIFICATION

Standard notification letters have been sent to surrounding properties within 150 feet. No comments were received.

The petitioner has submitted four statement of awareness forms from 1560, 1570, 1585 and 1590 Edgefield Ln who are in support for the variation.

STAFF SUMMARY

The Zoning Code requirement for a shed to be a maximum 12 feet high is intended to limit visual clutter and obstructions from neighboring properties. The existing shed roof is part gable and part flat which makes it somewhat unique. The structure is open designed with multiple doors and windows on it and this should limit any visual and aesthetic impacts on the storage shed.

The Zoning Code requirement for a shed which is located 60 feet or more from the front lot line to be setback 3 feet from the side lot line is the minimum desired space to allow maintenance of that particular side of the shed. The minimum setback is required to allow cleaning of the area and maintain landscaping. The 3 feet side yard setback also allows for existing utility easements which run along the property line. A shed is not permitted in a utility easement until written authorization from utility companies have been submitted. The petitioner has submitted these. However, a relocation of the shed may arise in the future if utility companies deemed necessary to perform any repair or maintenance. In this case the petitioner's claim of a financial hardship is self-imposed since he was well aware of the setback requirements before pouring the foundation, and it was his choice to deviate from the approved permit.

The major issue with this variation is the shed does not meet the side yard setback. The structure is 0 feet away from the side yard setback and is located right on the property line. As of now, the neighbor at south side of the home (1590 Edgefield Ln) has a fence approximately 2-3 feet in from their property line which makes it somewhat easy for the petitioner to maintain the west side of the shed. However, a future resident could buy that home and build a fence right on the property line. At that time, the maintenance of the west side of shed would be extremely difficult without encroaching onto their neighbor's property. It will also create visual and aesthetic impact on the neighbor due to the shed being right on the petitioner's property line.

Meeting Date: May 16, 2018

The Village has approved minor shed height and side yard variations in the past, however none come close to the proposed 0 feet side yard setback.

RECOMMENDED CONDITIONS

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

1. If this variation request is denied, the storage shed must be relocated to meet the minimum setbacks and must be code compliance by July 27, 2018.

Attachments: Petitioner Application & Submittals
 Legal Notice
 Location Map
 Staff Exhibit – Aerial Photo



VILLAGE OF HOFFMAN ESTATES PLANNING AND ZONING GENERAL APPLICATION*

Special Use for _____ Rezoning from _____ to _____

Variation: Commercial Residential Sign

Plat (Subdivision & Others): Preliminary Final

Site Plan: Amendment Concept Preliminary Final

Master Sign Plan: Amendment

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 \$175.00 Check No. 1422 Date Paid 03/14/2018

Project Number: 2018010P

Staff Assigned: Parth Joshi

Meeting Date: 05/16/18

Public Hearing: Yes No

Sign Posting Required: Yes No

Date Sign Posted _____

PLEASE PRINT OR TYPE

Date: March 14 2018

Project Name: variance

Project Description: utility shed

Project Address/Location: 1580 Edgefield Ln.

Property Index No. 07-08-402-012-0000

Acres: 0.45

Zoning District: R4

I. Owner of Record

Michal Lotowski

Name		Company
1580 Edgefield Ln.		Hoffman Estates
Street Address		City
IL	60169	773.640.4421
State	Zip Code	Telephone Number
847.843.3253		siala2@yahoo.com
Fax Number		E-Mail Address

II. Applicant (Contact Person/Project Manager)

Anna Urbanowicz


Name		Company
1580 Edgefield Ln.		Hoffman Estates
Street Address		City
IL	60169	847.840.6463
State	Zip Code	Telephone Number
847.843.3253		ane1180@yahoo.com
Fax Number		E-Mail Address

Applicant's relationship to property: second owner

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:**

I understand the requirement for the owner or an authorized representative to be present at the meeting with full authority to commit to requests, conditions and make decisions on behalf of the owner. I hereby authorize Anna Urbanowicz to act on my behalf and advise that he/she has full authority to act as my/our representative.



Owner Signature

Michal Lotowski

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.

The Owner and Applicant, by signing this Application, certify to the correctness of the application and all submittals.

Owner's Signature: _____

Owner's Name (Please Print): Michal Lotowski

Applicant's Signature: _____
(If other than Owner)

Applicant's Name (Please Print): Anna Urbanowicz

Date: March 14 2018

All requests must be accompanied by the items required and all fees must be paid before the Planning and Zoning Commission can hear any case.

Please contact the Planning Division (located in the Municipal Building) with any questions:

Email: planning@hoffmanestates.org
Address: 1900 Hassell Road
Hoffman Estates, IL 60169
Phone: (847) 781-2660
Fax: (847) 781-2679

Addendums Attached:

- Special Use
- Rezoning
- Variation
- Plat
- Site Plan
- Master Sign Plan
- Other _____



VILLAGE OF HOFFMAN ESTATES PLANNING AND ZONING COMMISSION VARIATION ADDENDUM

Commercial Residential Sign

REQUIRED SUBMITTALS

- General Application
- Variation Hearing Fee: (Checks payable to the Village of Hoffman Estates)
Commercial: \$500.00 per Variation*
Residential: \$175.00
Sign: \$500.00 per Sign
- Legal Description
(Typically found on a tax bill, survey, mortgage documents or deed)
- Current Plat of Survey drawn to scale showing the proposed improvement(s) and distance(s) from existing structures and property lines. For sign variations, ALL signs should be shown and labeled on the plat including the sign(s) for which the variation is being requested.
- A scale drawing of the floor plan and elevations, including windows and door locations.
- A Project Narrative detailing the variation request including whether there are other options that would not require a variation, proposed construction materials, whether removal/relocation of trees, utilities will be required and the estimated total project cost. Include any relevant plans, documents, photos to support the request.
- If any part of your existing and/or proposed use is located in any part of a utility easement, written release(s) from the Village or utility company may be required; contact the Planning Division for information.
- For residential variations only:** You are encouraged to discuss your variation request with your neighbors and have them a Statement of Awareness acknowledging their awareness of your proposal. Statement of Awareness forms can be found on the Village's Planning Documents & Applications webpage or can be provided by Staff.

* ***Some commercial requests require the posting of a notification sign(s) on the property 10 days before the Planning & Zoning Commission hearing and removal of the sign(s) 10 days after final Village Board action. Should your request require a notification sign, the specific requirements will be provided by Planning Staff.***

Zoning Code Section 9-1-15-C-2 of the Municipal Code requires that the Planning and Zoning Commission shall, 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. (Respond to each standard as it applies to your request either below or address on a separate sheet)

1. 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.

The storage shed is completely constructed and in place

on the property and is 6" onto the utility

easement. Modification would require complete removal

& reconstruction of the shed 6" onto the property.

2. The conditions upon which the petition for a variation is based would not be applicable, generally, to other property within the same zoning classification.

The current condition does not exist on either

neighboring property. The existing utility easement

does not contain any utilities at this time.

3. The purpose of the variation is not based exclusively upon a desire to increase the value of the property.

The installation of the storage shed was to secure the

belongings and yard equipment and enhance the view

for the neighboring properties.

4. The alleged difficulty or hardship has not been based exclusively upon a desire to increase the value of property.

The construction of the storage shed closer than the

allowable measurement was not based on increasing value

of the property.

5. 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.

The neighboring property owners do not object to this
variation and this does not pose any risk to the
neighborhood. The shed is positioned in back yard
under a tree.

6. 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.

The storage shed is placed in a manner that will not
obstruct the neighboring view or endanger the public or
it's safety. The storage shed is positioned beneath a
tree.

Planning and Zoning Department
1900 Hassell Road
Hoffman Estates, IL 60169

March 14, 2018

Dear Planning and Zoning Commission members,

Recently my husband and I received an inspection report stating that our utility shed do not meet zoning code requirements, and needs to be alter. Unfortunately, the construction can't be altered without completely destroying it. It is built on concrete fundamentals with properly constructed walls, windows, and roof, so it's really stable shed, not pre-constructed one.

Unknowingly, the work was done without following the construction requirements also the final inspection was omitted by the city of Hoffman Estates back in 2013 what brings us to today's date to settle the building permit #13050084.

In that case we would like to apply for a variance on our utility shed allowing to keep it the way it is constructed now. The neighboring property owners do not oppose the current position of the shed (signatures on the statement of awareness included). We believe that the storage does not cause any risk to the neighborhood, but only enhance the view with a nicely build storage otherwise gathered tools and garden items.

Thank you

Sincerely,
Anna Urbanowicz
Michal Lotowski

We hope you will consider our request favorably.



Front & side view of the shed.



Side view of the shed



Side view from the the street.



The view from the street.



Side view of the shed taken from the back of the property.

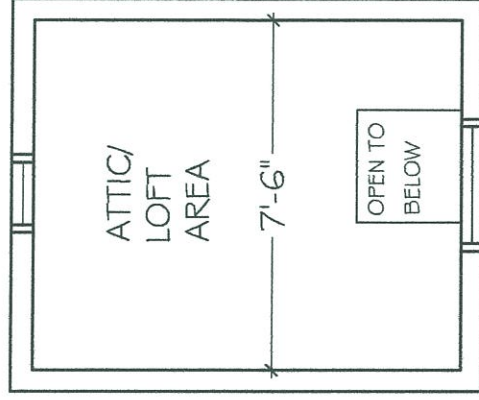
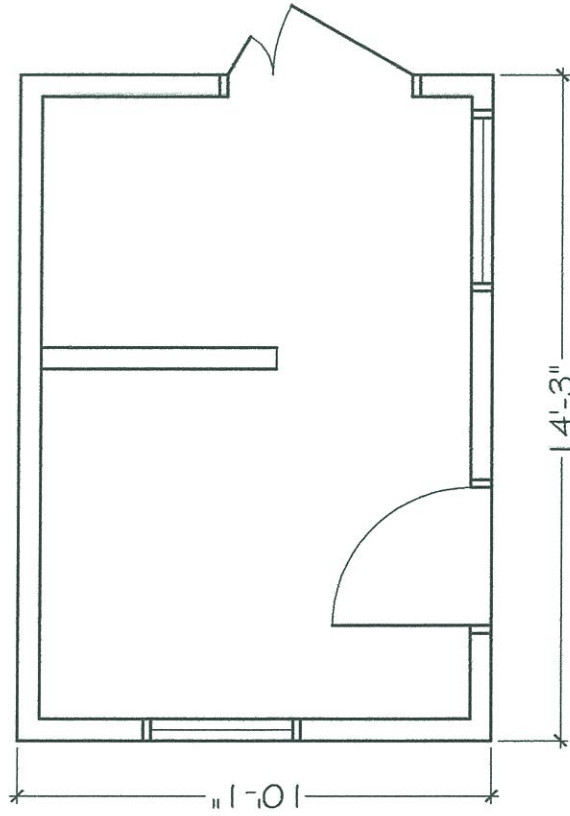


The view of the backyard with the shed.

RECEIVED

APR 10 2018

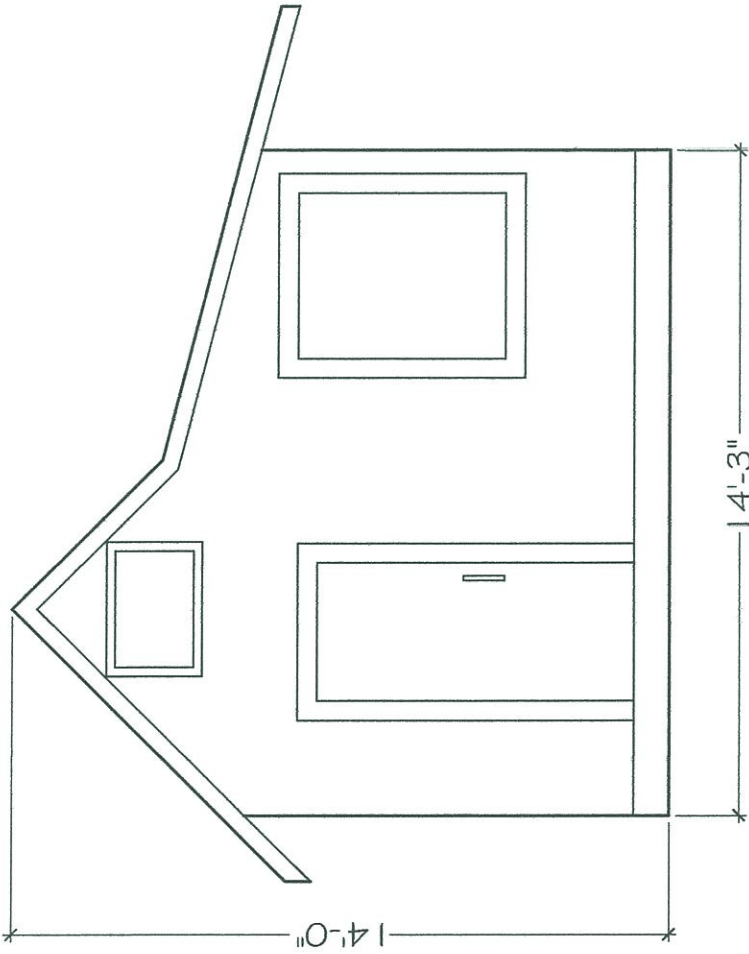
HOFFMAN ESTATES DIV.
OF CODE ENFORCEMENT



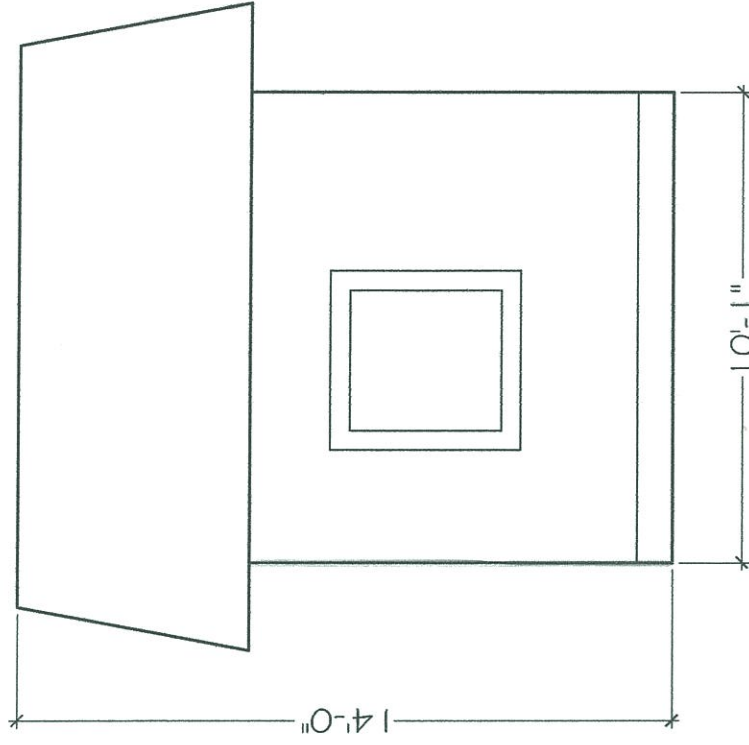
1 SHED FLOOR PLAN
SCALE: 1/4" = 1'-0"



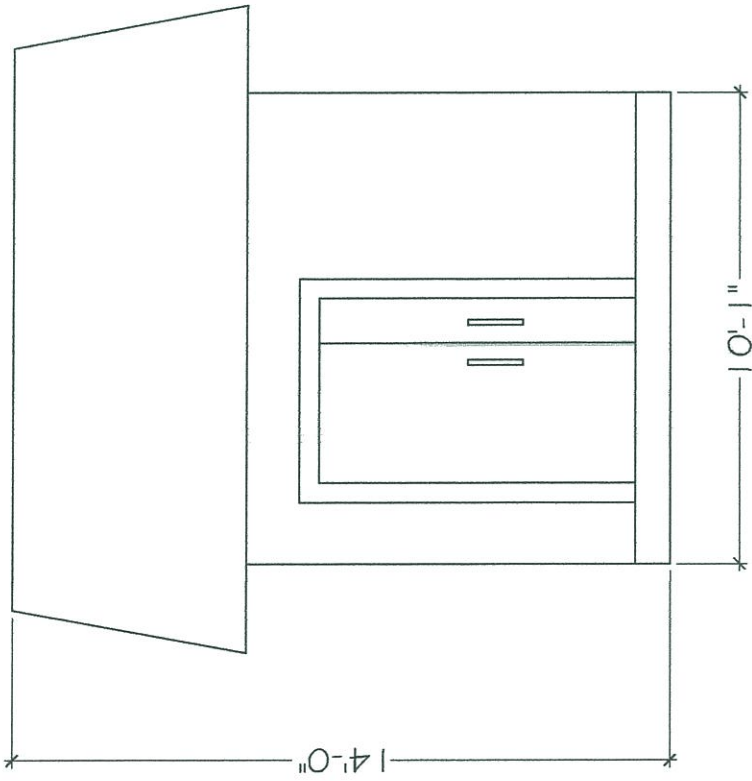
2 ATTIC FLOOR PLAN
SCALE: 1/4" = 1'-0"



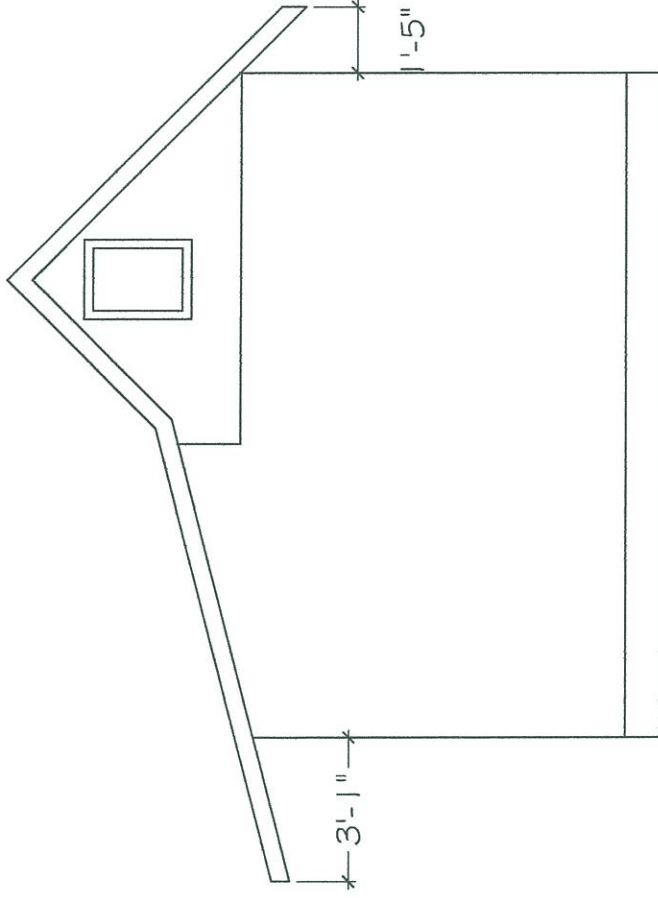
3 SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



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



5 EAST ELEVATION
SCALE: 1/4" = 1'-0"

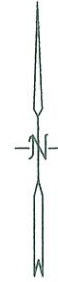


6 NORTH ELEVATION
SCALE: 1/4" = 1'-0"

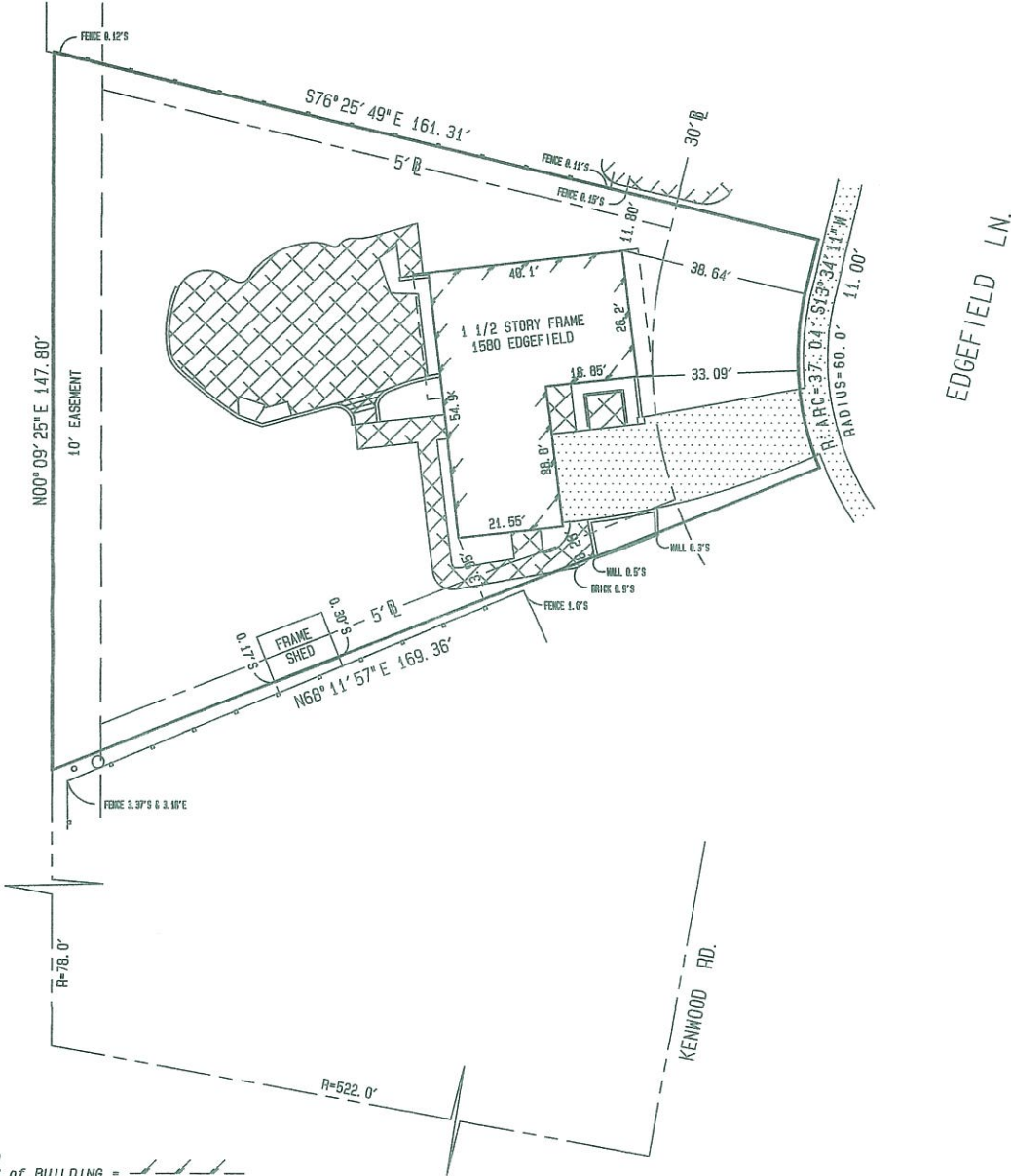
PLAT OF SURVEY

Order No. 1814169

LOT 12 IN BLOCK 198 IN THE HIGHLANDS WEST AT HOFFMAN ESTATES XXI, BEING A SUBDIVISION OF PART OF THE SOUTHEAST 1/4 AND PART OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 8, TOWNSHIP 41 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN VILLAGE OF HOFFMAN ESTATES, SCHAUMBURG TOWNSHIP, ACCORDING TO THE PLAT THEREOF RECORDED MAY 13, 1965 AS DOCUMENT 19463901 IN THE OFFICE OF THE RECORDER OF DEEDS IN COOK COUNTY, ILLINOIS.



SCALE 1" = 25'



- LEGEND
- LIMITS of BUILDING ---
 - - - RECORD
 - MEASURED
 - DEED
 - FOUND IRON PIPE
 - SET IRON PIPE
 - HYDRANT
 - LIGHT
- CONCRETE = [diagonal lines]
 - PAVERS = [cross-hatch pattern]
 - ASPHALT = [diagonal lines]

STATE of ILLINOIS S.S.
COUNTY of KANE

WE, LAND DIVISIONS INC., CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND, THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS AS FOUND AT THE TIME OF THE SURVEY AND THAT THIS PROFESSIONAL SERVICE REPRESENTS A TESTED OPINION OF THE BOUNDARY OF THE ABOVE CAPTIONED PROPERTY.
DATE OF SURVEY: MARCH 13, 2018.



[Handwritten Signature]

LICENSE NO. 2783 EXPIRES ON NOVEMBER 30, 2008.

THIS PLAT CONFORMS WITH THE CURRENT ILLINOIS PROFESSIONAL LAND SURVEYORS ASSOCIATION MINIMUM STANDARDS FOR A BOUNDARY SURVEY. BUILDING LINE RESTRICTIONS AND EASEMENTS SHOWN ARE THOSE IDENTIFIED ON THE RECORD SUBDIVISION PLAT, UNLESS OTHERWISE NOTED. REFER TO TITLE INSURANCE POLICY AND LOCAL ZONING ORDINANCES FOR RESTRICTIONS NOT SHOWN. COMPARE DEED DESCRIPTION AND SITE CONDITIONS WITH THE DATA GIVEN ON THIS PLAT. IMMEDIATELY REPORT ANY DISCREPANCIES FOUND. ALL DISTANCES ARE IN FEET AND DECIMAL PARTS THEREOF. THIS PLAT HAS BEEN PREPARED FOR LOTOSKI/URBANOWICZ.

LDI LAND DIVISIONS, Inc.
Professional Surveying Services
P.O. Box 835
West Dundee, Illinois 60118
(847) 841-8305 (847) 551-9171
fax (841) 551-9193

STATEMENT OF AWARENESS

TO: THE VILLAGE OF HOFFMAN ESTATES
PLANNING AND ZONING COMMISSION

DATE: March 9 2018

THIS IS TO CERTIFY THAT THE UNDERSIGNED, BEING A PROPERTY OWNER DIRECTLY AFFECTED, IS AWARE OF THE INTENTIONS OF:

Michal Lotowski

Petitioner Name

1580 Edgefield Ln. Hoffman Estates il, 60169

Petitioner Address

TO INSTALL/ERECT/CONSTRUCT A:

Utility-storage shed

ON PROPERTY LOCATED AT:

1580 Edgefield Ln. Hoffman Estates il, 60169

Address

HOFFMAN ESTATES, ILLINOIS, AS SO STATED IN THIS PETITION FOR A ZONING VARIATION.



Signature of Property Owner Directly Affected

1590 Edgefield Ln, Hoffman Estates, IL 60169

Address of Property Owner Directly Affected

This form is to be completed by the property owner directly affected by the petitioner before the Planning and Zoning Commission and submitted with the Residential Variation Application.

The "property owner affected by the petition" may appear and testify for or against the petition. The date and time of the hearing will be mailed to said property owner.

Should assistance be required in determining property owners affected or in obtaining signatures, contact the Planning Division, 847/781-2660.

STATEMENT OF AWARENESS

TO: THE VILLAGE OF HOFFMAN ESTATES
PLANNING AND ZONING COMMISSION

DATE: March 9 2018

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Michal Lotowski

Petitioner Name

1580 Edgefield Ln. Hoffman Estates il, 60169

Petitioner Address

TO INSTALL/ERECT/CONSTRUCT A:

Utility-storage shed

ON PROPERTY LOCATED AT:

1580 Edgefield Ln. Hoffman Estates il, 60169

Address

HOFFMAN ESTATES, ILLINOIS, AS SO STATED IN THIS PETITION FOR A ZONING VARIATION.

William Hill

Signature of Property Owner Directly Affected

1570 Edgefield Lane, HE.

Address of Property Owner Directly Affected

This form is to be completed by the property owner directly affected by the petitioner before the Planning and Zoning Commission and submitted with the Residential Variation Application.

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STATEMENT OF AWARENESS

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PLANNING AND ZONING COMMISSION

DATE: March 9 2018

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Michal Lotowski

Petitioner Name

1580 Edgefield Ln. Hoffman Estates il, 60169

Petitioner Address

TO INSTALL/ERECT/CONSTRUCT A:


Utility-storage shed

ON PROPERTY LOCATED AT:

1580 Edgefield Ln. Hoffman Estates il, 60169

Address

HOFFMAN ESTATES, ILLINOIS, AS SO STATED IN THIS PETITION FOR A ZONING VARIATION.



Signature of Property Owner Directly Affected

1585 Edgefield Ln

Address of Property Owner Directly Affected

This form is to be completed by the property owner directly affected by the petitioner before the Planning and Zoning Commission and submitted with the Residential Variation Application.

The "property owner affected by the petition" may appear and testify for or against the petition. The date and time of the hearing will be mailed to said property owner.

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STATEMENT OF AWARENESS

TO: THE VILLAGE OF HOFFMAN ESTATES
PLANNING AND ZONING COMMISSION

DATE: March 9 2018

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Michal Lotowski

Petitioner Name

1580 Edgefield Ln. Hoffman Estates il, 60169

Petitioner Address

TO INSTALL/ERECT/CONSTRUCT A:

Utility-storage shed

ON PROPERTY LOCATED AT:

1580 Edgefield Ln. Hoffman Estates il, 60169

Address

HOFFMAN ESTATES, ILLINOIS, AS SO STATED IN THIS PETITION FOR A ZONING VARIATION.



Signature of Property Owner Directly Affected

1560 Edgefield Ln 60169

Address of Property Owner Directly Affected

This form is to be completed by the property owner directly affected by the petitioner before the Planning and Zoning Commission and submitted with the Residential Variation Application.

The "property owner affected by the petition" may appear and testify for or against the petition. The date and time of the hearing will be mailed to said property owner.

Should assistance be required in determining property owners affected or in obtaining signatures, contact the Planning Division, 847/781-2660.



Commonwealth Edison Company www.exeloncorp.com
3 Lincoln Center
Oakbrook Terrace, IL 60181

April 5th, 2018

Anna Urbanwicz
Michal Lotowski
1580 Edgefield
Hoffman Estates, IL 60169

Re: PROPOSED SHED ENCROACHMENT

Dear Anna,

This is to inform you that ComEd Company has no objection to the existing 14' x 10' shed placed adjacent to southerly property line and approximately 37' northeasterly of the west property line (measurements depicted on the Plat of Survey) of the property described as follows:

Lot 12 in Block 198 in the Highlands West at Hoffman Estates XXI, being a subdivision of part of the Southeast $\frac{1}{4}$ and part of the east $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of Section 8, Township 41 North, Range 10, East of the Third Principal Meridian, in Village of Hoffman Estates, Schaumburg Township, According to the Plat thereof recorded May 13, 1965 as Document, 19463901 in the office of the recorder of Deeds in Cook County, Illinois.

Commonly known as: 1580 Edgefield, Hoffman Estates-Cook County.

Please be advised that ComEd has no objection to the structure, so long as the structure is not enlarged. Additionally, you have the obligation to ensure that the structure does not impede ComEd's ability to safely access its facilities and does not interfere with ComEd's use, operation and maintenance of its facilities.

The permission herein acknowledged is subject to the Additional Terms and Conditions contained in the attachment to this letter, which terms and conditions shall be binding upon you, and your successors and assigns.

Sincerely,


Mark Cozzi
Real Estate Specialist
630.576-6530

ADDITIONAL TERMS AND CONDITIONS

1. The permission herein acknowledged is based upon information and assurances you have provided and facts and circumstances as they currently exist or are currently known to ComEd. ComEd reserves the right at any time hereafter to revoke the permission acknowledged herein and to require the immediate removal of the encroaching structure from the easement premises, at your sole cost and expense, in the event (a) that the information and assurances you have provided prove incorrect or unreliable in any respect, (b) there is change in any relevant facts and circumstances, including without limitation any change in ComEd's business needs or operations that may require the installation of additional overhead or underground facilities on the subject easement premises, or (c) ComEd is made aware of additional facts and circumstances of which it has no actual current knowledge. In the event the permission contained herein is so revoked, you shall promptly remove all encroaching structures at your sole cost and expense, provided ComEd reserves the right (but shall have no obligation) to remove the encroaching structure from the easement premises and dispose of the same without liability for any loss or damage to property incurred by you or any third parties as a result thereof. You shall be responsible for reimbursing ComEd for all costs such removal.
2. The permission herein acknowledged is subject to the condition that you shall be liable for all damage to property, including damage to ComEd's facilities, and any injury or death to persons resulting from or in any way related to the construction or continuing presence of the encroaching structure on the easement premises. By constructing or maintaining such encroaching structure, you agree to indemnify, defend and hold harmless ComEd from and against any and all claims, liabilities, losses, proceedings, damages, costs and expenses (including attorney's fees and costs) arising from or in any manner related to the construction or continuing presence of the encroaching structure on the easement premises. Such cost may include any relocation costs incurred by ComEd (including the cost of acquiring additional easements) should ComEd elect to relocate the facilities located on the easement premises due to the subject encroachment.
3. The permission herein acknowledged shall in no way modify, limit, terminate, release, abrogate, nullify or waive any of the rights and interests of ComEd, its successors and assigns, in and to the easement premises.
4. You shall have no right to construct additional structures or improvements upon the easement premises. Prior to any digging upon the easement premises, you shall be responsible for locating all electrical facilities by contacting J.U.L.I.E. at 1-800-892-0123.
5. The permission hereby acknowledged is subject to your obtaining all required approvals from applicable governmental authorities (or third parties having any interest in the easement premises) with respect to the encroaching structure.
6. The obligations set forth herein above and in the attached letter shall be binding upon you, your heirs, legal representatives, successors and assigns.
7. This letter should be retained with your valuable papers and copies should be furnished to the title company and your successors and/or assigns for future reference.
8. This letter may be recorded at any time by ComEd in its sole discretion.



HOFFMAN ESTATES

DEPARTMENT OF PUBLIC WORKS

April 6, 2018

Anna Urbanowicz & Michal Lotowski
1580 Edgefield Lane
Hoffman Estates, Illinois, 60169

Dear Ms. Urbanowicz and Mr. Lotowski,

Thank you for your request. The Village of Hoffman Estates Department of Public Works has conducted a review of the specified public utility easement located on your property. Upon review, Staff has verified that there are nearby public utilities that exist within the southern easement on your property. However, as the potential for future utility work does exist, the homeowner may be required to remove or alter the shed. A map has been included with this letter that illustrates utilities located nearby, for your information.

Attached, you will find a memorandum addressed to the Village of Hoffman Estates Code Department confirming these findings. Please submit this memorandum to the Code Department
Attn: Al Wenderski in correspondence with your request for a release of easement.

Thank you,

Aaron Howe
Public Works Management Analyst
Village of Hoffman Estates
847.781.2714

2305 Pembroke Ave.
Hoffman Estates, Illinois 60169
www.hoffmanestates.org

Phone: 847-490-6800
Fax: 847-490-6868

William D. McLeod
MAYOR

Gary J. Pilafas
TRUSTEE

Karen J. Arnet
TRUSTEE

Karen V. Mills
TRUSTEE

Gary Stanton
TRUSTEE

Bev Romanoff
VILLAGE CLERK

Anna Newell
TRUSTEE

Michael Gaeta
TRUSTEE

James H. Norris
VILLAGE MANAGER

DEPARTMENT OF PUBLIC WORKS

Memo

TO: Code Department, Al Wenderski
FROM: Aaron Howe, Public Works Management Analyst
RE: Release of Easement: 1580 Edgefield Lane
DATE: April 6, 2018

Urgent For Review Please Comment Please Reply Enclosure(s)

Upon checking our records, Public Works has determined that Village maintained utilities exist within the southern utility easement at 1580 Edgefield Lane (sanitary sewer). However, the Public Works Department has no objection to the requested release of easement at this location. As the potential for future utility work does exist, the homeowner may be required to remove or alter the shed to accommodate this work regardless of the granted release.

The homeowner must notify other utility companies for release in order to complete a thorough review of the relevant easement.

cc: A. Urbanowicz & M. Lotowski
1580 Edgefield Lane
Hoffman Estates, IL 60169
847.840.6463
Ane1180@yahoo.com



Network Services
222 W. Jackson Street
Woodstock, IL 60098
Phone: 815 337-4389
Fax: 815 337-4356

Debra J. Leetzow
Right of Way Manager

March 19, 2018

Mr. Michal Lotowski
Ms. Anna Urbanowicz
1580 Edgefield Lane
Hoffman Estates, IL 60169

RE: Encroachment upon Utility Easement

Dear Mr. Lotowski & Ms. Urbanowicz,

In response to your request to encroach onto or upon the public utility easement located within the property referenced above, to allow an existing shed to remain in place, upon the property legally described as;

LOT 12 IN BLOCK 198 IN THE HIGHLANDS WEST AT HOFFMAN ESTATES XXI, BEING A SUBDIVISION OF PART OF THE SE ¼ AND PART OF THE E ½ OF THE NE ¼ OF SECTION 8, TOWNSHIP 41 NORTH, RANGE 10 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE VILLAGE OF HOFFMAN ESTATES, SCHAUMBURG TOWNSHIP, IL.

AT&T has no objection to this request subject to the following conditions.

Illinois Bell Telephone Company dba AT&T Illinois, an Illinois corporation hereby waives its rights to maintain suit for the removal of said encroachment but otherwise retains all of its rights in and to said easement including, but not limited to, the recovery of damages for injury to its plant whether buried or aerial or to its employees cause by you or your agents, employees, contractors, successors or assigns whether resulting from the erection, maintenance or use of said encroachment or otherwise.

Moreover, where said encroachment is located above buried cable or conduit or in close proximity to buried or aerial plant serviced, altered, replaced, modified or maintained by Illinois Bell Telephone Company dba AT&T Illinois, an Illinois Corporation, said Company's liability to you for damage to said encroachment resulting from such servicing, alteration, replacement, modification or maintenance is limited to restoring said encroachment to its prior existing state to the extent such can reasonably be done under the circumstances.

Sincerely,

Debra Leetzow

Debra Leetzow
AT&T Right of Way Manager



David L. Surina
Senior Land Management Agent

1844 Ferry Road
Naperville, IL 60563
630 388 2112 tel
224 239 6486 cell
dsurina@southernco.com

March 20, 2018

Anna Urbanowicz
1580 Edgefield Rd.
Hoffman Estates, IL 60169

Subject: 1580 Edgefield Road, Hoffman Estates
Nicor Atlas Page Reference: N-37084

To Whom It May Concern:

This letter is sent in response to your recent inquiry regarding the existing shed which extends into the south utility easement lying in the following described property:

LOT 12 IN BLOCK 198 IN HIGHLANDS WEST AT HOFFMAN ESTATES XXI, BEING A SUBDIVISION OF PART OF THE SE ¼ AND PART OF THE E ½ OF THE NE ¼ OF SECTION 8, TOWNSHIP 41 NORTH, RANGE 10 EAST OF THE THIRD PM IN HOFFMAN ESTATES, COOK COUNTY, ILLINOIS

Based on the information you provided, Nicor Gas has no objection to the shed encroachment:

This is not a release or waiver of any rights Nicor Gas may have in or to the utility easement. Further, any future expense Nicor Gas may incur in exercising its rights in the utility easement shall be borne by the property owner.

Notify JULIE at 1-800-892-0123 at least 48 hours prior to commencing construction activities. Nicor Gas may have gas service pipes providing gas service to the described property. The gas service pipes are neither covered by recorded easement nor are their locations mapped.

Very truly yours,

A handwritten signature in black ink, appearing to read "David L. Surina", written over a circular stamp or seal.

David L. Surina
Land Management Agent
Land Services Department

**NOTICE OF
PUBLIC HEARING**

Notice is hereby given that the Planning & Zoning Commission of the Village of Hoffman Estates will hold a public hearing at the request of Michael Lotowski (owner) & Anna Urbanowicz (applicant) for a variation from the Zoning Code to permit the construction of a storage shed on the property located at 1380 Edgetield Ln. P.I.N.: 07-08-402-012-0000.

The hearing will be held on Wednesday, May 16, 2018 at 7:00 p.m. in the Hoffman Estates Municipal Building, 1900 Hassell Road, Hoffman Estates, IL.
Evo Combs, Chairperson
Planning and Zoning Commission
Published in Daily Herald
May 1, 2018 (4499136).

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, North Aurora, Bannockburn, Barrington, Barrington Hills, Lake Barrington, North Barrington, South Barrington, Bartlett, Batavia, Buffalo Grove, Burlington, Campton Hills, Carpentersville, Cary, Crystal Lake, Deerfield, Deer Park, Des Plaines, Elburn, East Dundee, Elgin, South Elgin, Elk Grove Village, Fox Lake, Fox River Grove, Franklin Park, Geneva, Gilberts, Glenview, Grayslake, Green Oaks, Gurnee, Hainesville, Hampshire, Hanover Park, Hawthorn Woods, Highland Park, Highwood, Hoffman Estates, Huntley, Inverness, Island Lake, Kildeer, Lake Bluff, Lake Forest, Lake in the Hills, Lake Villa, Lake Zurich, Libertyville, Lincolnshire, Lindenhurst, Long Grove, Melrose Park, Montgomery, Morton Grove, Mt. Prospect, Mundelein, Niles, Northbrook, Northfield, Northlake, Palatine, Park Ridge, Prospect Heights, River Grove, Riverwoods, Rolling Meadows, Rosemont, Round Lake, Round Lake Beach, Round Lake Heights, Round Lake Park, Schaumburg, Schiller Park, Sleepy Hollow, St. Charles, Streamwood, Sugar Grove, Third Lake, Tower Lakes, Vernon Hills, Volo, Wadsworth, Wauconda, Waukegan, West Dundee, Wheeling, Wildwood, Wilmette

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 1, 2018 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.

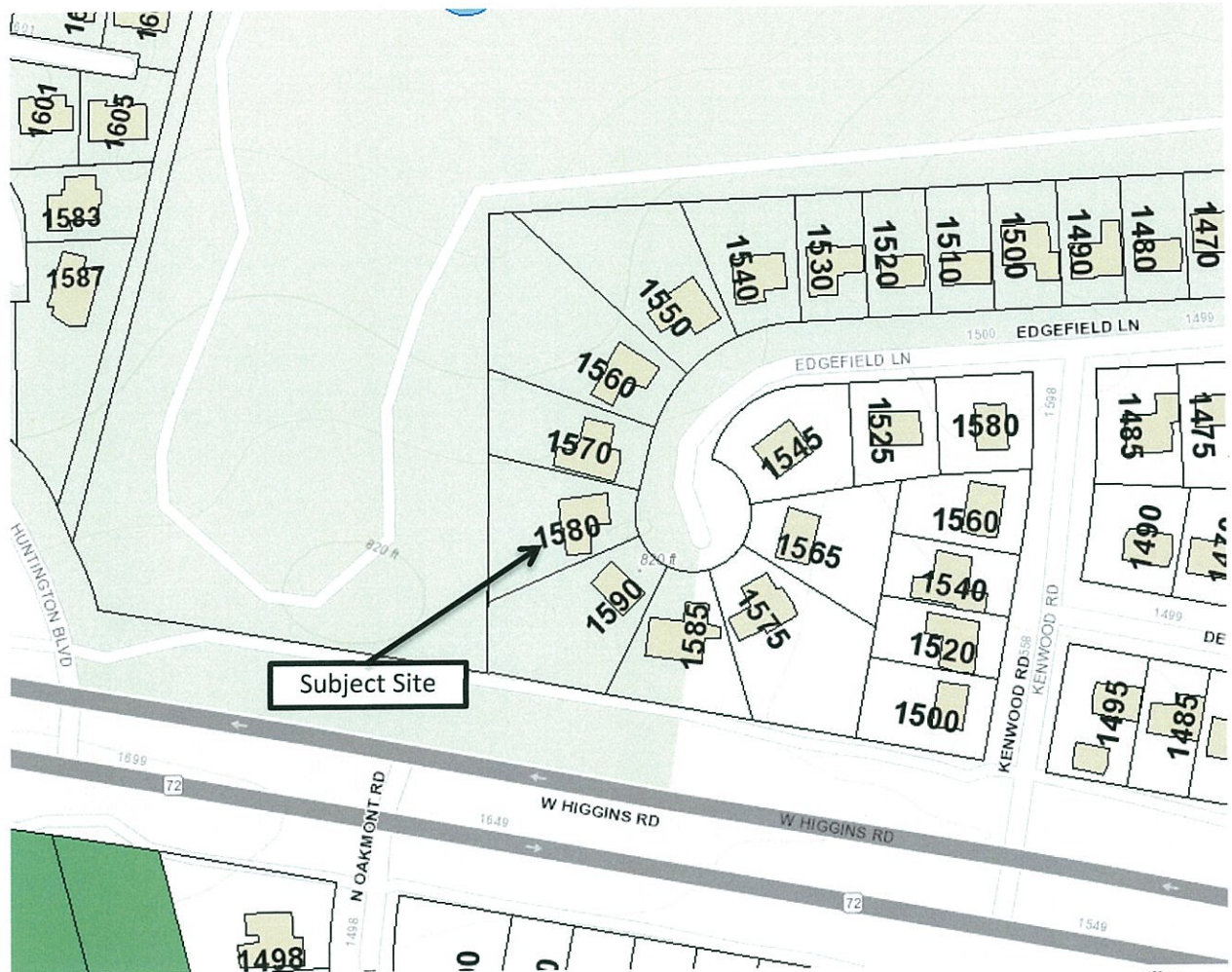
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DAILY HERALD NEWSPAPERS

BY *Danila Baltz*
Authorized Agent

Control # 4499136

1580 Edgefield Ln

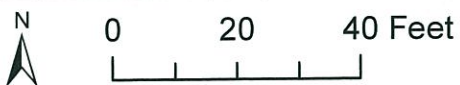
P.I.N. 07-08-402-12-0000



April 2018
Village of Hoffman Estates
Planning Division



1580 Edgefield Ln Shed Setback/Height Variation



Planning Division
Village of Hoffman Estates
April 2018