



VILLAGE OF HOFFMAN ESTATES PLANNING AND ZONING COMMISSION STAFF REPORT

PROJECT NO.: 2020-013P

PROJECT NAME: 1230 HUNTERS RIDGE WEST

PROJECT ADDRESS/LOCATION: 1230 HUNTERS RIDGE WEST

PUBLIC HEARING
YES NO

REZONING MASTER SIGN PLAN SPECIAL USE VARIATION
SITE PLAN PLAT

MEETING DATE: AUGUST 19, 2020

STAFF ASSIGNED: KEVIN ANDERSON

REQUESTED MOTION

Request by Charles and Barbara Barrett (owners) for a Variation from Section 9-5-3-D-5 of the Zoning Code to allow a patio to be setback nine (9) feet from the corner side lot line instead of the minimum required twenty-six (26) feet for the property located at 1230 Hunters Ridge West.

INCLUDES RECOMMENDED CONDITION(S)
YES NO

ZONING DISTRICT: R-3 One-Family Residential

ADJACENT	NORTH: R-3 One-Family Residential	SOUTH: R-3 One-Family Residential
PROPERTIES:	EAST: R-3 One-Family Residential	WEST: R-3 One-Family Residential

APPLICABLE ZONING CODE SECTIONS

Section 9-5-3-D-5 of the Zoning Code states that where a side yard adjoins a street, the requirement for the side yard shall be 30 feet or shall be equal to the existing setback of the principal structure, whichever is less.

Section 9-3-6-E of the Zoning Code states decks and patios located on lots adjoining streets are subject to the requirements applicable to principal structures on lots adjoining streets.

BACKGROUND

- The subject property is currently improved with one single-family residence. The Petitioner is proposing to construct a new patio and related sidewalk in the corner side yard. The Zoning Code would require any patio or deck to meet the same corner side setback of the principal structure. A Variation would be required.

ANALYSIS

- The Petitioner, owner of the property, is proposing to construct a new concrete patio on the south side of the existing structure. The patio would be located within the required corner side yard setback.
- The proposed patio would be 12' x 16' (192 sf.) and would be set back 9 feet from the corner side lot line. Per Section 9-5-3-D-5 of the Zoning Code, the patio is required to be 26 feet from the corner side lot line, setback a distance equal to the principal structure.
- The patio would be constructed at grade and would be serviced by a stoop and walkway. The walk and stoop comply with the Zoning Code.
- In November 2017, the Petitioner received approval for a Variation to allow a fence to be setback zero feet from the corner side lot line. The fence has been constructed. The proposed patio would be enclosed within the fenced yard area.

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.

Meeting Date: August 19, 2020

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.

NOTIFICATION

Standard public notice was published in the Daily Herald and notification letters were sent to surrounding properties within 150 feet. No comments have been received.

RECOMMENDED CONDITIONS

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

1. The owner must obtain a building permit for the proposed patio and meet all applicable code requirements.
2. The improvements shall substantially conform to the Site Plan submitted with this request.

Attachments: Petitioner Application
 Location Map
 Legal Notice
 Plat of Survey
 Site Plan

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 Charles and Barbara Barrett (owners and applicants) to consider a Variation per Section 9-5-3-D-5 of the Zoning Code to allow a setback reduction to permit a patio to be located nine (9) feet from the corner side lot line instead of the minimum required twenty-six (26) feet for the property at 1230 Hunters Ridge West.

P.I.N.: 06-09-306-002-0000

The hearing will be held on Wednesday, August 19, 2020 at 7:00 p.m. in the Hoffman Estates Municipal Building, 1900 Hassell Road, Hoffman Estates, IL.

Eva Combs, Chairperson
Planning and Zoning Commission

To be published by Paddock Publications on Tuesday, August 4, 2020.



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 _____ Check No. _____ Date Paid _____

Project Number: _____

Staff Assigned: _____

Meeting Date: _____ Public Hearing: Yes No

Sign Posting Required: Yes No Date Sign Posted _____

PLEASE PRINT OR TYPE

Date: August 4, 2020

Project Name: 1230 Hunters Ridge West

Project Description: Variation for a patio

Project Address/Location: 1230 Hunters Ridge West

Property Index No. 06-09-306-002

Acres: 0.48 Zoning District: R-3

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: Charles A. Barnett Barbara J. Barnett

Owner's Name (Please Print): Charles A. Barnett Barbara J. Barnett

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

Applicant's Name (Please Print): _____

Date: August 4, 2020

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:

- | | |
|---|---|
| <input type="checkbox"/> Special Use | <input type="checkbox"/> Master Sign Plan |
| <input type="checkbox"/> Rezoning | <input type="checkbox"/> Other _____ |
| <input checked="" type="checkbox"/> Variation | |
| <input type="checkbox"/> Plat | |
| <input type="checkbox"/> Site Plan | |

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 patio door is on the side of the house. If the patio was moved to the rear of the house, the door would not be visible.

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.

Not sure.

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

No.

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

No.

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.

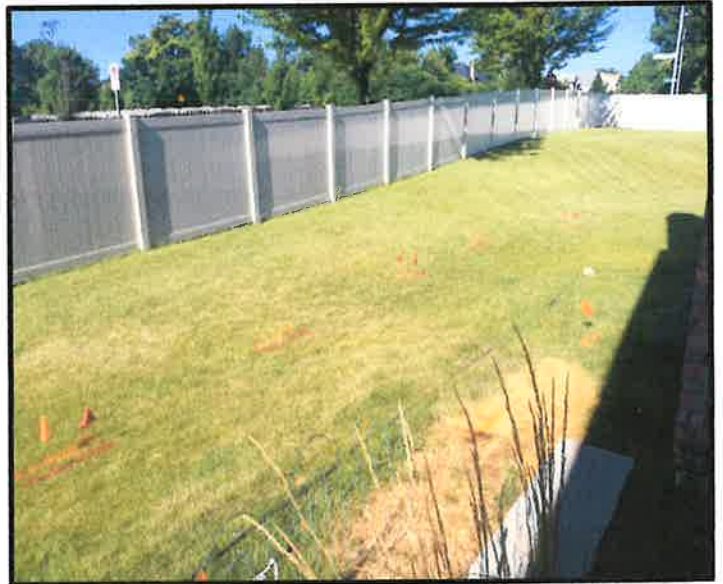
No.

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.

No.

B & C Barrett – 1230 Hunters Ridge West

(Application for patio and front entrance.)

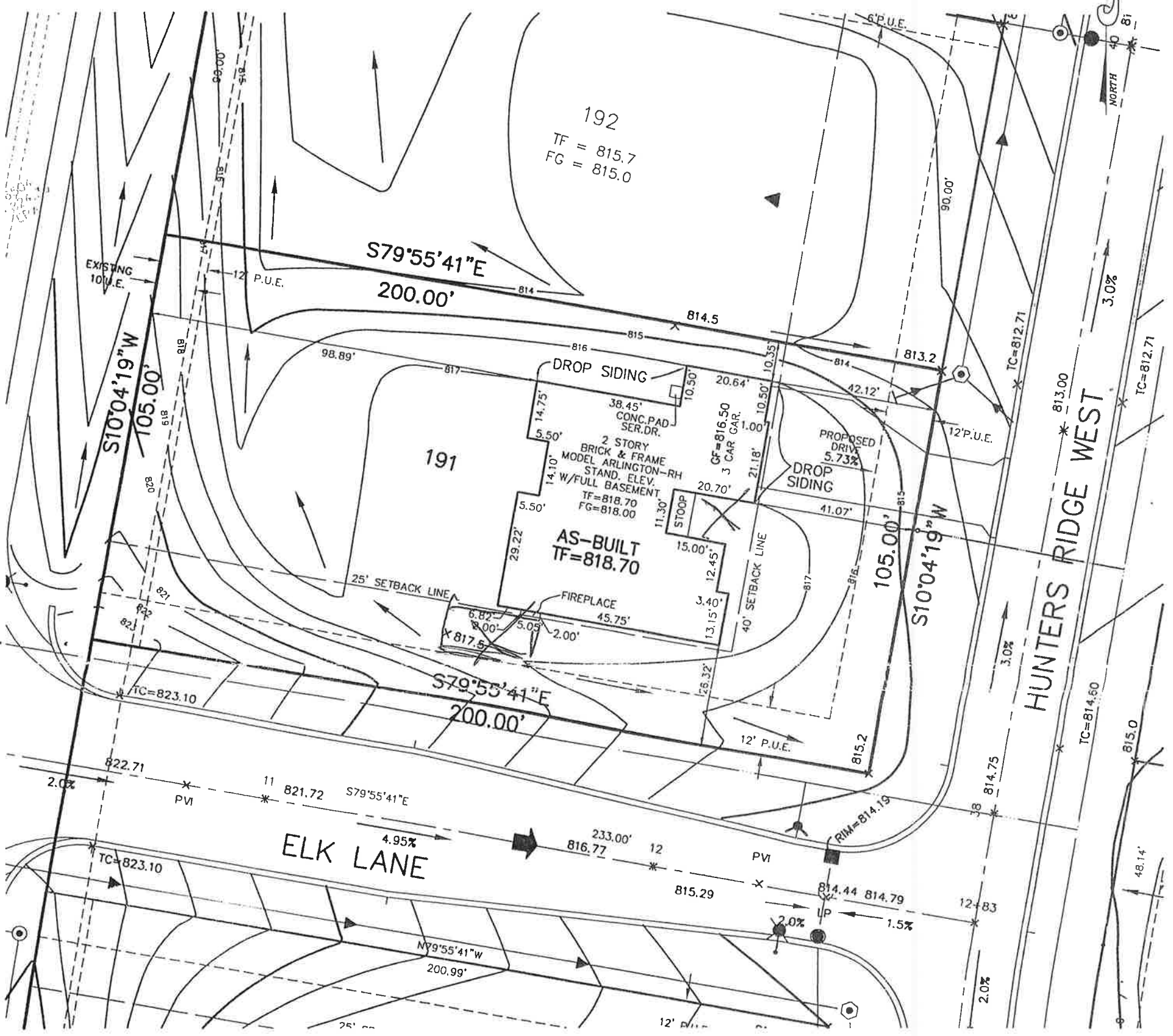


Sagging and crumbling front entry way.

PLAT OF SURVEY

Barrett

OF
 LOT 191 IN PASQUINELLI'S HUNTERS RIDGE UNIT 2,
 BEING A SUBDIVISION OF THE SOUTHWEST QUARTER OF SECTION 9
 AND THE NORTHWEST QUARTER OF SECTION 16 ALL IN TOWNSHIP 41
 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN IN THE
 VILLAGE OF HOFFMAN ESTATES, COOK COUNTY, ILLINOIS.



ADDRESS: 1230 HUNTERS RIDGE WEST

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS }
 COUNTY OF DUPAGE } S.S.

THE ABOVE DESCRIBED PROPERTY WAS SURVEYED BY COWHEY GUDMUNDSON LEDER, LTD. UNDER THE DIRECTION OF AN ILLINOIS PROFESSIONAL LAND SURVEYOR AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY. ALL DISTANCES ARE SHOWN IN FEET AND DECIMALS THEREOF.

GIVEN UNDER MY HAND AND SEAL AT ITASCA, ILLINOIS THIS 8TH DAY OF

August, A.D., 2000

BY: Lee R. Kuehl
 ILLINOIS PROFESSIONAL LAND SURVEYOR 2717

LOT SVY.	06-15-99	DKT
PERMIT	06-15-99	DKT
SPOT	08-04-2000	DKT
GRD. SVY.	00-00-00	XXX
FINAL	00-00-00	XXX

LEGEND
 P.U.E. = PUBLIC UTILITY & DRAINAGE EASEMENT

BUILDING SETBACK REQUIREMENTS

FRONT YARD 40'
 SIDE CORNER 25'
 SIDE INTERIOR 10'
 REAR YARD 50'

DRAINAGE NOTE

ENGINEERING DATA TAKEN FROM PLANS DATED 08-16-96 BY COWHEY GUDMUNDSON LEDER LTD. ALL DATA SHOWN IS PROPOSED.

August 07, 2000 9:08:29 a.m. AcadVer: 14.0
 Drawing: F:\CADD\1409\512\6\LOT191.DWG (085)

**COWHEY
 GUDMUNDSON
 LEDER, LTD.**
 300 PARK BOULEVARD
 ITASCA, ILLINOIS 60143
 CONSULTING ENGINEERS
 (630) 250-9595

REVISIONS

REV.1 REVISED HOUSE TO A 3 CAR GARAGE
 RIGHT HAND 05-24-2000

LEGEND

- = FOUND IRON PIPE (F.I.P.)
- = SET IRON PIPE
- = CONCRETE MONUMENT
- TF = TOP OF FOUNDATION
- TC = TOP OF CURB
- U. & D.E. = UTILITY AND DRAINAGE EASEMENT
- P.U.E. = PUBLIC UTILITY EASEMENT
- U.E. = UTILITY EASEMENT
- (725.0) = EXISTING GRADES
- 725.2 = PROPOSED GRADES

PROJECT NO. 1409.6
 DATE 06-15-99
 SCALE 1" = 30'
 DRAWN BY : DKT
 CHECKED BY : LRK

Rohrssen Road

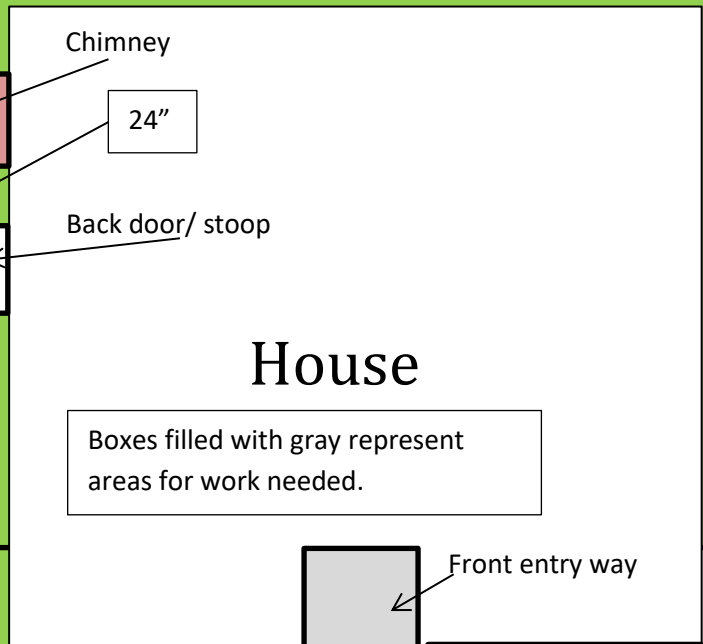
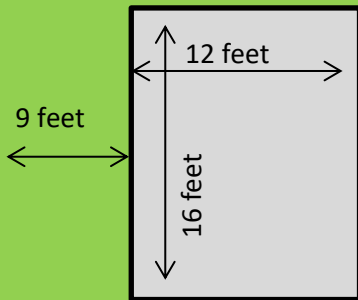
Barrett home at 1230 Hunters Ridge West,
Hoffman Estates, IL 60192, July 20, 2020

Existing Fence

Yard

Patio and walkway
desired.

(no door at back of house)



Angouleme Lane

Walkway, 30" wide
by 15 feet long

Boxes filled with gray represent
areas for work needed.

Front entry way

Hunters Ridge West

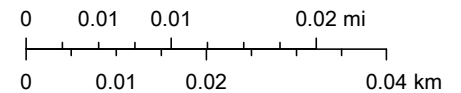
1230 Hunters Ridge West



7/17/2020, 9:19:41 AM

- +— Railroad
- Municipal Boundary
- Parcel
- Green: Band_2
- Street Name
- Surrounding Parcel
- 2018 Aerial
- Blue: Band_3
- Red: Band_1

1:1,128



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS,

Web AppBuilder for ArcGIS
Kane County IL/Ayres |