



AGENDA

*Village of Hoffman Estates
First Meeting of the Month
Village Board of Trustees*

*Village of Hoffman Estates
1900 Hassell Road
Hoffman Estates, IL 60169
847/882-9100*

Board Room

October 5, 2009

8:00 p.m.

1. **CALL TO ORDER/ROLL CALL**
2. **PLEDGE OF ALLEGIANCE TO THE FLAG**
3. **RECOGNITION OF AUDIENCE**
4. **CONSENT AGENDA/OMNIBUS VOTE (Roll Call Vote)**
(All items under the Consent Agenda are considered to be routine in nature and will be enacted by one motion. There will be no separate discussion of these items unless a Trustee so requests. In that event, the discussion will be the first item of business after approval of the Consent Agenda).
 - A. Approval of Agenda
 - B. Approval of Minutes – September 21, 2009
 - C. Approval of the schedule of bills for October 5, 2009: \$3,252,996.67.
 - D. Request Board approval of Ordinance granting a variation to premises at 5110 Chambers Drive, Hoffman Estates.
 - E. Request Board approval of Ordinance granting a variation to Barrington Square Animal Hospital, 2370 W. Higgins Road, Hoffman Estates.
 - F. Request Board approval of Ordinance authorizing the sale of personal property owned by the Village of Hoffman Estates (GovDeals auction).
 - G. Request Board approval of request for funding from the Schaumburg Park District for the Jones/Highland intersection flooding in an amount not to exceed \$10,000.
 - H. Request Board authorization to award contract for the Glen Lane reconstruction project to Schroeder Asphalt Services, Inc. (low bid) in a revised amount not to exceed \$244,947.30.
 - I. Request Board authorization to reject sole bid for winter season rental of front end loader tractors.
 - J. Request Board authorization to:
 - 1) waive formal bidding; and
 - 2) award contract for 2009 critical sanitary sewer repairs to Baxter & Woodman Consulting Engineers, Crystal Lake, IL, in an amount not to exceed \$320,000.
 - K. Request Board authorization of request by MTI, Construction Management Services, LLC, Elgin, IL, to extend the term of the General Conditions portion of the project by three (3) months in an amount not to exceed \$90,000.

4. CONSENT AGENDA/OMNIBUS VOTE (Roll Call Vote) - Continued

- L. Request Board approval of waiver of certain fees by Rotary Club of Schaumburg-Hoffman Estates for the Touch a Truck fundraiser on October 11, 2009.
- M. Request Board approval of waiver of certain fees by American Cancer Society for the Making Strides Against Breast Cancer 5 mile run/walk on October 18, 2009.

5. REPORTS

- A. **President's Report**
 - 1) Proclamation(s)
 - Joseph Crimmins Day (20 Years Service)
 - Deborah Whited Day (20 Years Service)
 - Patrick Patla Day (10 Years Service)
 - Marcos Toledo Day (10 Years Service)
 - Teen Read Week
- B. **Trustee Comments**
- C. **Village Manager's Report**
- D. **Village Clerk's Report**
- E. **Committee Reports**
 - 1) General Administration & Personnel
 - 2) Transportation & Road Improvement
 - 3) Planning, Building & Zoning

6. PLAN COMMISSION/ZONING BOARD OF APPEALS REPORTS

- A. Request by Subway, 1411 Palatine Road (Rose Plaza Shopping Center), for a 43.375 square foot variation from Section 9-3-8-M-3-d to permit an additional (second) wall sign on the rear (south) façade of the building measuring 34 square feet ("Subway") and for the total square footage for the two (2) wall signs to be 68 square feet instead of the maximum permitted 24.625 square feet, with 1 condition (see packets).

Voting: 3 Ayes, 1 Nay, 3 Absent

Motion failed.

(Item deferred – see minutes of September 21, 2009)

7. ADDITIONAL BUSINESS (All other new business; those items not recommended by a majority of the Committee)

- A. Request Board approval of Ordinance granting variations to premises at 435 E. Bluebonnet Lane, Hoffman Estates.
- B. Request Board approval of Ordinance granting a variation to Tollway LLC (east terminus of Pembroke Avenue).
- C. Request Board approval of Ordinance granting a special use and height variation to Township High School District 211 (owner) and Insite Inc., agent for Verizon Wireless (lessee) (Hoffman Estates High School).

7. **ADDITIONAL BUSINESS – Continued**

- D. Request Board approval of Ordinance amending Section 11-2-2 of the Hoffman Estates Municipal Code providing for fire suppression systems.
- E. Request Board approval of the Village's Drainage Policy.
- F. Request Board approval of water rate structure as follows:
 - 1) December 1, 2009 - \$5.33 per 1,000 gallons
 - 2) December 1, 2010 - \$5.66 per 1,000 gallons
 - 3) December 1, 2011 - \$6.00 per 1,000 gallons
 - 4) December 1, 2012 - \$6.36 per 1,000 gallons
 - 5) December 1, 2013 - \$6.75 per 1,000 gallons

8. **ADJOURNMENT**

MEETING: **HOFFMAN ESTATES VILLAGE BOARD**
DATE: **SEPTEMBER 21, 2009**
PLACE: **COUNCIL CHAMBERS**
 MUNICIPAL BUILDING COMPLEX
 1900 HASSELL ROAD
 HOFFMAN ESTATES, ILLINOIS

1. CALL TO ORDER:

Village President William McLeod called the meeting to order at 8:00 p.m. The Village Clerk called the roll. Trustees present: Karen Mills, Ray Kincaid, Jackie Green, Anna Newell and Gary Pilafas. Trustee Collins was absent.

A quorum was present.

ADMINISTRATIVE PERSONNEL PRESENT:

J. Norris, Village Manager
D. O'Malley, Deputy Village Manager
A. Janura, Corporation Counsel
D. Schultz, Community Relations Coordinator
M. DuCharme, Finance Director
B. Gorvett, Fire Chief
C. Herdegen, Police Chief
K. Hari, Director Public Works
A. Garner, H&HS Director
B. Anderson, Cable TV Coordinator
P. Seger, HRM Director
E. Kerous, Director of Operations
D. Christensen, Emergency Management Coordinator
P. Gugliotta, Planning Director

2. PLEDGE OF ALLEGIANCE TO THE FLAG:

The Pledge was led by Trustee Mills.

3. RECOGNITION OF AUDIENCE:

No one wished to be recognized.

4. CONSENT AGENDA/OMNIBUS VOTE:

Motion by Trustee Pilafas, seconded by Trustee Green, to approve Item 4.A.

4.A. Approval of Agenda

Roll Call:

Aye: Mills, Kincaid, Green, Newell, Pilafas

Nay:

Mayor McLeod voted aye.

Trustee Collins was absent.

Motion carried.

Motion by Trustee Pilafas, seconded by Trustee Green, to approve Item 4.B.2.

4.B. Approval of Minutes

- 1) Approval of Minutes of September 8, 2009 and September 14, 2009.

Roll Call:

Aye: Mills, Kincaid, Green, Newell, Pilafas

Nay:

Mayor McLeod voted aye.

Trustee Collins was absent.

Motion carried.

Motion by Trustee Pilafas, seconded by Trustee Green, to approve Item 4.C.

4.C. Approval of the schedule of bills for September 21, 2009: \$2,000,699.53.

Roll Call:

Aye: Mills, Kincaid, Green, Newell, Pilafas

Nay:

Mayor McLeod voted aye.

Trustee Collins was absent.

Motion carried.

Motion by Trustee Pilafas, seconded by Trustee Green, to approve Item 4.D.

4.D. Request Board approval of Ordinance No. 4135-2009, granting a special use to GiGi's Playhouse, 1069-71 W. Golf Road, Hoffman Estates.

Roll Call:

Aye: Mills, Kincaid, Green, Newell, Pilafas

Nay:

Mayor McLeod voted aye.

Trustee Collins was absent.

Motion carried.

Motion by Trustee Pilafas, seconded by Trustee Green, to approve Item 4.E.

4.E. Request Board approval of North West Housing Partnership as subrecipient to administer the Community Development Block Grant (CDBG) Single-Family Rehabilitation Project and to approve execution of the proposed Subrecipient Agreement.

Roll Call:

Aye: Mills, Kincaid, Green, Newell, Pilafas

Nay:

Mayor McLeod voted aye.

Trustee Collins was absent.

Motion carried.

Motion by Trustee Pilafas, seconded by Trustee Green, to approve Item 4.F.

4.F. Request Board approval to submit revised Department of Energy application for multiple projects funded by the Energy Efficiency and conservation Block Grant (EECBG) Program.

Roll Call:

Aye: Mills, Kincaid, Green, Newell, Pilafas

Nay:

Mayor McLeod voted aye.

Trustee Collins was absent.

Motion carried.

Motion by Trustee Pilafas, seconded by Trustee Green, to approve Item 4.G.

4.G. Request Board approval of a joint agreement with IDOT for Emergency Repair Program funds on Glen Lane.

Roll Call:

Aye: Mills, Kincaid, Green, Newell, Pilafas

Nay:

Mayor McLeod voted aye.

Trustee Collins was absent.

Motion carried.

5. REPORTS:

5.A. President's Report

1) Proclamation(s)

Trustee Green read the following proclamation:

Motion by Trustee Kincaid, seconded by Trustee Mills, to concur with the proclamation proclaiming Friday, October 2, 2009 as Myrtle Montag Day in the Village of Hoffman Estates. Voice vote taken. All ayes. Motion carried.

Mrs. Montag accepted her proclamation and was congratulated by the Board.

Trustee Kincaid read the following proclamation:

Motion by Trustee Mills, seconded by Trustee Green, to concur with the proclamation proclaiming Friday, September 25, 2009 as Larry Whittle Day in the Village of Hoffman Estates. Voice vote taken. All ayes. Motion carried.

Mr. Hari accepted the proclamation for Mr. Whittle.

Trustee Newell read the following proclamation:

Motion by Trustee Green, seconded by Trustee Kincaid, to concur with the proclamation proclaiming Tuesday, September 29, 2009 as Robert Pertz Day in the Village of Hoffman Estates. Voice vote taken. All ayes. Motion carried.

Chief Gorravett accepted the proclamation for Firefighter Petz.

Trustee Mills read the following proclamation:

Motion by Trustee Kincaid, seconded by Trustee Pilafas, to concur with the proclamation proclaiming Monday, September 28, 2009 as Mark Wondolkowski Day in the Village of Hoffman Estates. Voice vote taken. All ayes. Motion carried.

Chief Herdegen accepted the proclamation for Officer Wondolkowski.
Trustee Pilafas read the following proclamation:

Motion by Trustee Kincaid, seconded by Trustee Newell, to concur with the proclamation proclaiming September 26th through October 3rd 2009 as Dollar Wise Week in the Village of Hoffman Estates. Voice vote taken. All ayes. Motion carried.

Dr. Garner accepted the proclamation.

Trustee Green read the following proclamation:

Motion by Trustee Mills, seconded by Trustee Newell, to concur with the proclamation proclaiming the month of October 2009 as Arts & Humanities Month in the Village of Hoffman Estates. Voice vote taken. All ayes. Motion carried.

Mr. Schultz accepted the proclamation and was congratulated by the Board.

Trustee Mills read the following proclamation:

Motion by Trustee Green, seconded by Trustee Pilafas, to concur with the proclamation proclaiming Monday, September 21, 2009 as The International Day of Peace in the Village of Hoffman Estates. Voice vote taken. All ayes. Motion carried.

Dr. Garner accepted the proclamation.

Mayor McLeod read a letter from a resident that was sent to Chief Herdegen praising him and the Police Department for the job they did regarding the Maday incident. He also stated that the Village was selected as an Arts Friendly Community by the Arts Alliance of Illinois.

Motion by Trustee Green, seconded by Trustee Pilafas, to accept the appointment of Keith Evans, Thomas Murphy, Alex Pulles, Jeff Skender, Arthur Wittkamp and Regina Yuill to the Bicycle and Pedestrian Advisory Committee; Jeffery Kasper to the 4th of July Commission; Frank Klarich to the Green Initiatives Commission; Anthony Tanon to the Sister Cities Commission and Adrienne Reeves to the Youth Commission. Voice vote taken. All ayes. Motion carried.

Trustee Mills asked if we could go back to having the Board interview applicants for the commissions. Trustee Pilafas suggested that the chairs could be included in the interviews also.

Mayor McLeod stated that he attended State Representative Crespo's Town Hall Meeting, the Chamber's Legislative Luncheon, St. Hubert's Track-a-Thon, blockparties, awarded Regular Joe's Coffee the Shine a Light Small Business Award, WINGS Purple Tie Ball, an Eagle Court of Honor for Adam Matthew Miller, a diversity task force meeting and the retirement reception for Bill Kratochvil.

5.B. Trustee Comments

Trustee Kincaid stated that he attended the Legislative Luncheon and stated that he hoped that Regular Joe's continues to be successful.

Trustee Mills stated that she attended the Legislative Luncheon, the September 11th program, the Platzkonzert and congratulated the Arts Commission on a successful Platzkonzert. She asked if the tent out at the Village Green was covered by insurance. Mr. Norris replied that no it was not covered.

Trustee Pilafas stated that he attended the Regular Joe's award ceremony, a meeting with the people from the Arboretum, September 11th and the Platzkonzert.

Trustee Newell stated that she attended the St. Hubert's Track-a-Thon, block parties, the Platzkonzert and congratulated the Arts Commission on the Platzkonzert.

Trustee Green stated that she attended block parties and the Platzkonzert.

5.C. Village Manager's Report

Mr. Norris stated that we had a very successful document destruction day at Village Hall, 127 cars came through with papers to be destroyed. Our next one will be October 24, 2009.

5.D. Village Clerk's Report

The Village Clerk had no report.

5.E. Treasurer's Report

Mr. DuCharme stated that during the month of July cash disbursements and transfers-out exceeded cash receipts and transfers-in for the operating funds by \$1,770,566 leaving a balance of cash and investments for the operating funds at \$21.1 million. For all of the Village funds, cash disbursements and transfers-out exceeded cash receipts and transfers-in by \$4,442,593. Overall, the total for cash and investments for all funds decreased to \$189.0 million.

Mr. DuCharme also stated that for the month of August cash disbursements and transfers-out exceeded cash receipts and transfer-in for the operating funds by \$1,364,317 leaving a balance of cash and investments for the operating funds at \$19.8 million. For all of the Villages funds, cash disbursements and transfer-out exceeded cash receipts and transfers-in by \$2,011,494. Overall, the total for cash and investments for all funds decreased to \$187.0 million.

5.F. Committee Report

Finance

Trustee Collins stated that they would be meeting for a presentation and discussion of Water Rate Study conducted by Alvord, Burdick & Howson for the Village of Hoffman Estates for 2010-2014 and consideration of recommendation to proceed with the rates as outlined in the study; request acceptance of the Finance Department and Information Systems Department Monthly Reports.

Public Works & Utilities

Trustee Green stated that they would be meeting to request approval of an Ordinance authorizing the sale of personal property owned by the Village; request approval for backflow prevention inspections program for single-family home lawn sprinkler and fire sprinkler systems; request approval of the Village's Drainage Policy; discussion regarding the request for funding for the Kessel Park Drainage improvements by the Schaumburg Park District; request acceptance of the Department of Public Works and Department of Development Services Monthly Report for the Transportation and Engineering Division.

Public Health & Safety

Trustee Newell stated that they would be meeting to have a discussion regarding Sprinkler Compliance Program; request authorization to grant approval of the request by MTI, Construction Management Services, LLC., Elgin, IL, to extend the term of the General Conditions portion of the project by three (3)

months at a cost not to exceed \$90,000; request acceptance of Police Department, Fire Department, Health & Human Services and Emergency Management Coordinators Monthly Reports.

General Administration & Personnel

Trustee Mills stated that there would be a Special GAP meeting to discuss a waiver of certain fees for events that are going to be held in the Village.

6. PLAN COMMISSION/ZONING BOARD OF APPEALS REPORTS:

A. Zoning Board of Appeals (Chairman Weaver)

Motion by Trustee Newell, seconded by Trustee Mills, to concur with the Zoning Board of Appeals and deny the petitioner's request.

6.A.1. Request by Ronson and Kerri Mahla of 5110 Chambers Drive, for a 10 foot rear yard setback variation from Section 9-3-6-E-1 to permit a second-story deck to be 8 feet from the (west) rear property line instead of the minimum required 18 feet.

Discussion

Trustee Kincaid asked if the home backs up to park district property. Chairman Weaver replied, yes it does.

Trustee Mills asked what the hardship was. The petitioner replied that the hardship is that they needed time to recover after residing and installing new windows on the home.

Phil Green, contractor, stated that he was unaware that he could go 10' out without problems. The 2nd story deck was designed so that the footings for it would not interfere with the existing patio.

Trustee Green asked if the footings could be put into the patio. Mr. Green replied, yes they could.

Roll Call:

Aye:

Nay: Mills, Kincaid, Green, Newell, Pilafas

Mayor McLeod voted nay.

Trustee Collins was absent.

Motion failed.

Motion by Trustee Mills, seconded by Trustee Pilafas, to approve the petitioner's request.

Roll Call:

Aye: Mills, Kincaid, Green, Newell, Pilafas

Nay:

Mayor McLeod voted aye.

Trustee Collins was absent.

Motion carried.

Motion by Trustee Mills, seconded by Trustee Pilafas, to concur with the Zoning Board of Appeals and approve the petitioner's request.

6.A.2. Request by Han Woo of 435 East Bluebonnet Lane, for a 5 foot setback variation from Section 9-5-2-D-5 to permit a house to be set back 10 feet from the (east) side property line instead of the minimum required 15 feet.

Discussion

Trustee Pilafas asked how do you get around the covenants that are in Parcel A when a request is made. Mr. Gugliotta replied that it's not a Village rule. Mr. Norris said that the homeowners need to enforce it against each other.

Trustee Kincaid asked why the addition couldn't be brought within the property lines.

Han Woo, 435 E. Bluebonnet Lane, stated that they are trying to keep the garage in place and that the 2nd story above the house is within the homes current footprint.

Amatore Miulli, architect, stated that they are trying to work within the existing footprint and setbacks and want to make the roof slopes match.

Roll Call:

Aye: Mills, Green, Newell, Pilafas

Nay: Kincaid

Mayor McLeod voted aye.

Trustee Collins was absent.

Motion carried.

Motion by Trustee Mills, seconded by Trustee Pilafas, to concur with the Zoning Board of Appeals and approve the petitioner's request.

6.A.3. Request by Han Woo of 435 East Bluebonnet Lane, for a 1 foot setback variation from Section 9-5-2-D-5 to permit a house to be set back 14 feet from the (west) side property line instead of the minimum required 15 feet.

Roll Call:

Aye: Mills, Kincaid, Green, Newell, Pilafas

Nay:

Mayor McLeod voted aye.

Trustee Collins was absent.

Motion carried.

Motion by Trustee Mills, seconded by Trustee Pilafas, to concur with the Zoning Board of Appeals and deny the petitioner's request.

6.A.4. Request by Han Woo of 435 East Bluebonnet Lane, for a 101 square foot variation from Section 9-3-6-K-2 to permit an attached garage to be 851 square feet instead of the maximum permitted 750 square feet.

Roll Call:

Aye:

Nay: Mills, Kincaid, Green, Newell, Pilafas

Mayor McLeod voted nay.

Trustee Collins was absent.

Motion failed.

Motion by Trustee Mills, seconded by Trustee Pilafas, to approve the petitioner's request.

Roll Call:

Aye: Mills, Kincaid, Green, Newell, Pilafas

Nay:

Mayor McLeod voted aye.

Trustee Collins was absent.

Motion carried.

Motion by Trustee Mills, seconded by Trustee Pilafas, to concur with the Zoning Board of Appeals and deny the petitioner's request.

6.A.5. Request by Tollway LLC for variations from Section 9-3-8-K-3-(a) to allow a 21 foot high, 720 square foot temporary marketing sign south of the Northwest Tollway (I-90) at the east terminus of Pembroke Avenue, instead of the maximum permitted 10 foot high, 100 square feet. The following conditions shall apply:

1. This temporary marketing sign shall be removed within thirty (30) days of the sale of the property.
2. Illumination of this sign shall not cause glare on adjacent roadways.
3. This sign shall be used solely for marketing development on this site.

Roll Call:

Aye: Kincaid, Pilafas
Nay: Mills, Green, Newell
Mayor McLeod voted nay.
Trustee Collins was absent.

Motion failed.

Motion by Trustee Mills, seconded by Trustee Newell, to approve the petitioner's request with the three conditions.

Roll Call:

Aye: Mills, Green, Newell
Nay: Kincaid, Pilafas
Mayor McLeod voted aye.
Trustee Collins was absent.

Motion carried.

Motion by Trustee Mills, seconded by Trustee Pilafas, to concur with the Zoning Board of Appeals and approve the petitioner's request.

6.A.6. Request by Subway at 1411 Palatine Road (Rose Plaza Shopping Center), for 9.375 square foot variation from Section 9-3-8-M-3-d to permit an existing wall sign on the front (north) façade of the building measuring 34 square feet ("Subway") instead of the maximum permitted 24.625 square feet.

Roll Call:

Aye: Mills, Kincaid, Green, Newell, Pilafas
Nay:
Mayor McLeod voted aye.
Trustee Collins was absent.

Motion carried.

Motion by Trustee Mills, seconded by Trustee Pilafas, to concur with the Zoning Board of Appeals and deny the petitioner's request.

6.A.7. Request of Subway at 1411 Palatine Road (Rose Plaza Shopping Center), for a 43.375 square foot variation from Section 9-3-8-M-3-d to permit an additional (second) wall sign on the rear (south) façade of the building measuring 34 square feet ("Subway") and for the total square footage for the two wall signs to be 68 square feet instead of the maximum permitted 24.625 square feet. The following condition shall apply:

The rear wall sign shall be illuminated only during business hours in which the restaurant is open.

Discussion

Trustee Mills asked if there was originally no sign in the back. Mr. Gugliotta replied that there was not. Trustee Kincaid asked if the sign was a standard Subway sign. Chairman Weaver replied, yes it was. Trustee Kincaid asked if it could be smaller. Chairman Weaver said that he didn't know. Trustee Kincaid asked if they could put a sign on the door. Chairman Weaver said that they could paint one on. Trustee Green asked if the sign would be illuminated. Chairman Weaver replied yes but only during business hours. Trustee Green asked if this item should be deferred until the petitioner could be present.

Trustee Mills withdrew her motion, Trustee Pilafas withdrew his second.

Motion by Trustee Pilafas, seconded by Trustee Mills, to defer this item until the next Board meeting so that a representative from Subway could be in attendance.

Roll Call:

Aye: Mills, Kincaid, Green, Newell, Pilafas
Nay:
Mayor McLeod voted aye.
Trustee Collins was absent.

Motion carried.

Motion by Trustee Mills, seconded by Trustee Green, to concur with the Zoning Board of Appeals and approve the petitioner's request.

6.A.8. Request by Dan Markwalder d/b/a Barrington Square Animal Hospital at 2370 W. Higgins Road, for a 3 foot setback variation from Section 9-3-8-M-10-D-4 and a 2 foot clearance variation from Section 9-2-1 to permit a V-shaped freestanding sign to be set back 2 feet from the driveway curb and to have a 6 foot clearance beneath the sign, instead of the minimum required 5 foot driveway curb setback and minimum required 8 foot clearance. The following conditions shall apply:

1. The existing freestanding sign shall be removed prior to issuance of a sign permit for the new freestanding sign.
2. The shade tree at the proposed sign location shall be relocated to the front or sides of the property.

Discussion

Trustee Pilafas asked if the size of the sign was a problem. Mr. Norris answered that the size was not an issue just the placement.

Trustee Green commented that the new sign was very attractive.

Chairman Weaver disclosed for the record that his daughter-in-law works there but there is no financial incentive on his part.

Roll Call:

Aye: Mills, Kincaid, Green, Newell, Pilafas
Nay:
Mayor McLeod voted aye.
Trustee Collins was absent.

Motion carried.

Motion by Trustee Mills, seconded by Trustee Green, to concur with the Zoning Board of Appeals and approve the petitioner's request.

6.A.9. Request by Township High School District 211 (Owner) and Insite Inc. agent for Verizon Wireless (Lessee) at 1100 W. Higgins Road (Hoffman Estates High School), for special use under Section 9-3-9-A and Section 9-5-3-C-4 and a thirty one (31) foot height variation from Section 9-3-9-A to permit the installation of twelve (12) cellular antennas at ninety one (91) feet high on a light pole on the northwest

corner of the football field and construction of an associated equipment shelter. The following conditions shall apply:

1. Per Zoning Code Section 9-1-18-L, should the operation of this cellular facility cease for a period of six (6) months, the antennas shall be removed.
2. No signs, cabinets, conduits, or other fixtures shall be installed on the exterior of the shelter beyond those shown on the approved building plans.

Discussion

Trustee Kincaid asked if the shed that is under the bleachers will remain. Chairman Weaver replied yes. Trustee Pilafas asked why Verizon couldn't boost their existing antennas. Chairman Weaver said that they needed the new antenna to fill in the gaps of service.

Roll Call:

Aye: Mills, Green, Newell
Nay: Kincaid, Pilafas
Mayor McLeod voted aye.
Trustee Collins was absent.

Motion carried.

7. ADDITIONAL BUSINESS:

Motion by Trustee Mills, seconded by Trustee Green, to approve Item 7.A.

7.A. Request Board approval to submit Illinois Department of Commerce and Economic Opportunity grant application for Green Roofs Program funded by the American Recovery and Reinvestment Act and approval to enter into an agreement with the Illinois Department of Commerce and Economic Opportunity.

Roll Call:

Aye: Mills, Kincaid, Green, Newell, Pilafas
Nay:
Mayor McLeod voted aye.
Trustee Collins was absent.

Motion carried.

Motion by Trustee Green, seconded by Trustee Pilafas, to approve Item 7.B.

7.B. Request Board authorization to award contract for Barrington Square Sidewalk Improvement Project as part of the CDBG-R program to M&A Cement Work, Inc., Bensenville, IL in an amount not to exceed \$73,078.

Roll Call:

Aye: Mills, Kincaid, Green, Newell, Pilafas
Nay:
Mayor McLeod voted aye.
Trustee Collins was absent.

Motion carried.

8. ADJOURNMENT

Motion by Trustee Pilafas, seconded by Trustee Newell, to adjourn the meeting. Time 9:13 p.m.

Voice vote taken. All ayes. Motion carried.

Bev Romanoff
Village Clerk

Date Approved

The Village of Hoffman Estates complies with the Americans with Disabilities Act (ADA). For accessibility assistance, call the ADA Coordinator at 847/882-9100.

VILLAGE OF HOFFMAN ESTATES

**AN ORDINANCE GRANTING A VARIATION TO
PREMISES AT 5110 CHAMBERS DRIVE, HOFFMAN ESTATES, ILLINOIS**

WHEREAS, the Zoning Board of Appeals, at a public meeting duly called and held according to law on September 15, 2009, considered the request by Ronson and Kerri Mahla, 5110 Chambers Drive, the owners of record of property legally described on Exhibit "A" and attached hereto and made a part hereof, to consider the request of a variation to permit the construction of a raised deck on the property located at 5110 Chambers Drive; and

WHEREAS, the Zoning Board of Appeals made certain Finding of Fact attached hereto and made a part hereof as Exhibit "B" and recommended approval of a variation to the Board of Trustees; and

WHEREAS, it appears that there are particular hardships and unique circumstances from the application of the strict letter of the Zoning Ordinance to the property in question and that the proposed variation has met the standards of 9-1-15-C of the Hoffman Estates Municipal Code; and

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Hoffman Estates, Cook and Kane Counties, Illinois, as follows:

Section 1: The Zoning Ordinance of the Village of Hoffman Estates be so varied as to permit the granting of a ten foot (10') rear yard setback variation under Section 9-3-6-E-1 of the Hoffman Estates Municipal Code to permit a second-story deck to be eight feet (8') from the (west) rear property line instead of the minimum required eighteen feet (18') on the property commonly known as 5110 Chambers Drive.

Section 2: The Village Clerk is hereby authorized to publish this ordinance in pamphlet form.

Section 3: This Ordinance shall be in full force and effect immediately from and after its passage and approval.

PASSED THIS _____ day of _____, 2009

VOTE	AYE	NAY	ABSENT	ABSTAIN
Trustee Karen V. Mills	_____	_____	_____	_____
Trustee Cary J. Collins	_____	_____	_____	_____
Trustee Raymond M. Kincaid	_____	_____	_____	_____
Trustee Jacquelyn Green	_____	_____	_____	_____
Trustee Anna Newell	_____	_____	_____	_____
Trustee Gary J. Pilafas	_____	_____	_____	_____
Mayor William D. McLeod	_____	_____	_____	_____

APPROVED THIS _____ DAY OF _____, 2008

Village President

ATTEST:

Village Clerk

Published in pamphlet form this _____ day of _____, 2009.

EXHIBIT "A"

LEGAL DESCRIPTION:

P.I.N.: 02-18-300-044

LOT 26, BLOCK 2 IN COLONY POINT PHASE 2, BEING A SUBDIVISION OF PART OF SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 42 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 12, 1977 AS DOCUMENT NUMBER 24231925, IN COOK COUNTY, ILLINOIS.

VILLAGE OF HOFFMAN ESTATES
ZONING BOARD OF APPEALS

FINDING OF FACT

**** SEE ATTACHED MINORITY REPORT ****

DATE OF PUBLIC HEARING: September 15, 2009

DATE OF PRESENTATION TO VILLAGE BOARD: September 21, 2009

PETITION: Hearing held at the request of Ronson and Kerri Mahla to consider variations from the Zoning Code to permit the construction of a raised deck on the property located at 5110 Chambers Drive.

DISTRICT IN WHICH PROPERTY IS LOCATED: R-9B Planned Development District -- Subzone B (Attached Single-Family)

ZONING CODE SECTION(S) FOR VARIATION(S): 9-3-6-E-1

FINDING-OF-FACT: The Zoning Board of Appeals (ZBA) found that the Standards for a Variation (9-1-15-C) were **not** met.

MOTION: Request to grant Ronson and Kerri Mahla of 5110 Chambers Drive, *a 10 foot rear yard setback variation from Section 9-3-6-E-1 to permit a second-story deck to be 8 feet from the (west) rear property line instead of the minimum required 18 feet.*

RECOMMENDATION: The Zoning Board of Appeals (ZBA) recommends **denial** of this request.

The contractor for the project, Mr. Phil Green, was present to describe the proposed project. The house was re-sided recently and a bay window on the second floor was replaced with sliding glass doors, but no deck was constructed. The doors lead to nothing as is visible in the photos in the packet. The petitioner is now intending to construct a second-story deck. The issuance of the siding permit is **not** relevant to the zoning question and the existence of the doors is **not** a hardship because the zoning code allows a deck to be constructed and allows the deck to be 10 feet deep and may encroach into the setback to achieve a 10 foot deep deck. Mr. Green explained that there is a 12 foot deep patio on the back of the house and the footings for the deck would be buried at the edge of the patio instead of removing any of the existing patio. The railings of the deck cantilever out an additional 18 inches. This causes the deck to be 14 feet deep instead of an allowable 10 feet deep. Several houses nearby have similar decks, but due to differences in deck sizes and lot depths the other properties did not require variations. A 14 foot deep deck is not unreasonable and particularly in this context where the house backs onto Colony Park. Although the majority of those present voted to approve the request, there were not 4 votes to recommend approval.

**** SEE ATTACHED MINORITY REPORT**

AUDIENCE COMMENTS

None.

VOTE:

3 Ayes

1 Nays (Boomgarden)

3 Absent (Ali, Ciffone, Wilson)

MOTION FAILED

ZONING BOARD OF APPEALS

Chairman William Weaver

Vice-Chairman Ronald Jehlik

Denise Wilson

Michael Ciffone

Masoom Ali

Donna Boomgarden

Michael Gaeta

*** IMMEDIATE AUTHORIZATION TO APPLY FOR PERMITS IS REQUESTED ***

**THIS VARIATION WILL EXPIRE UNLESS ACTED UPON WITHIN
ONE (1) YEAR OF VILLAGE BOARD APPROVAL**

FINDING OF FACT WRITTEN BY DEVELOPMENT SERVICES STAFF

Minority Report
5110 Chambers Drive
Rear Yard Setback Variation for a Second-Story Deck
Donna Boomgarden

The request for this hearing is for a variation to allow a 10' encroachment into the 18' rear yard setback to allow a 14' x 24' deck to be constructed so that recently added 2nd-story sliding patio doors can be utilized. Since the deck would be elevated more than 5' from grade, plus extend out more than 10' from the house, it must meet the setback requirements set forth in the Zoning Code.

The contractor for the Petitioners was present and did testify on behalf of the Petitioners (The Petitioners were not present at the hearing for questions).

The vote to deny the request for the variation was made for the following reasons. The first was that there was no hardship, other than a self imposed one, presented. It is assumed that the patio doors leading to no stairway or structure is a hazard and that a deck or some sort of staircase is needed. Upon questioning the contractor did indicate that a smaller 10' x 24' deck could indeed be built, and the footings for the deck be placed into the existing patio below, at a relatively low cost. The contractor stated that it could be done, however the homeowner "didn't want that". Staff had also commented in the packet that a 10' x 24' deck could be built without the need of a variation. Had the homeowners been available for questioning, it would have been easier to ascertain exactly what their reasons were for requesting the larger deck.

While I agree that some sort of deck or staircase is necessary to be built so that these patio doors do not open to nothing, I do not agree that the Petitioners need to have the variation for a 14' x 24' deck when a 10' x 24' could be reasonably built. I also feel that it would set an unfortunate precedence for the future and that more and more requests of this nature would be made.

VILLAGE OF HOFFMAN ESTATES

AN ORDINANCE GRANTING A VARIATION TO
BARRINGTON SQUARE ANIMAL HOSPITAL
2370 W. HIGGINS ROAD, HOFFMAN ESTATES, ILLINOIS

WHEREAS, the Zoning Board of Appeals, at a public meeting duly called and held according to law on September 15, 2009, considered the request Barrington Square Animal Hospital, the owner of record of property legally described on Exhibit "A" and attached hereto, for a variation to permit signage on the property located at 2370 W. Higgins Road; and

WHEREAS, the Zoning Board of Appeals made certain Finding of Fact attached hereto and made a part hereof as Exhibit "B" and recommended approval of a variation to the Board of Trustees; and

WHEREAS, it appears that there are particular hardships and unique circumstances from the application of the strict letter of the Zoning Ordinance to the property in question and that the proposed variation has met the standards of Section 9-1-15-C of the Hoffman Estates Municipal Code; and

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Hoffman Estates, Cook and Kane Counties, Illinois, as follows:

Section 1: That there be and is hereby granted to Barrington Square Animal Hospital, a three foot (3') setback variation from the requirements of Section 9-3-8-M-10-d-4 and a two foot (2') clearance variation from Section 9-2-1 to permit a V-shaped freestanding sign to be set back two feet (2') from the driveway curb and to have a six foot (6') clearance beneath the sign, instead of the minimum required five foot (5') driveway curb setback and minimum required eight foot (8') clearance on the property commonly known as 2370 W. Higgins Road.

Section 2: That these variations are subject to the conditions that the existing freestanding sign shall be removed prior to issuance of a sign permit for the new freestanding sign, and that the shade tree at the proposed sign location shall be relocated to the front or sides of the property.

Section 3: That the Village Clerk is hereby authorized to publish this ordinance in pamphlet form.

Section 4: That this Ordinance shall be in full force and effect immediately from and after its passage and approval.

PASSED THIS _____ day of _____, 2009

VOTE	AYE	NAY	ABSENT	ABSTAIN
Trustee Karen V. Mills	_____	_____	_____	_____
Trustee Cary J. Collins	_____	_____	_____	_____
Trustee Raymond M. Kincaid	_____	_____	_____	_____
Trustee Jacquelyn Green	_____	_____	_____	_____
Trustee Anna Newell	_____	_____	_____	_____
Trustee Gary J. Pilafas	_____	_____	_____	_____
Mayor William D. McLeod	_____	_____	_____	_____

APPROVED THIS _____ DAY OF _____, 2009

Village President

ATTEST:

Village Clerk

Published in pamphlet form this _____ day of _____, 2009.

EXHIBIT "A"

LEGAL DESCRIPTION

P.I.N.: 07-07-100-018

— THAT PART OF THE FRACTIONAL NORTHWEST QUARTER OF SECTION
— 7, TOWNSHIP 41, RANGE 10, EAST OF THE THIRD PRINCIPAL
— MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE
INTERSECTION OF THE NORTHERLY RIGHT OF WAY LINE OF HIGGINS
ROAD AND THE EAST LINE OF SAID FRACTIONAL NORTHWEST
QUARTER; THENCE NORTH ALONG SAID EAST LINE OF SAID
FRACTIONAL NORTHWEST QUARTER, 225 FEET; THENCE
SOUTHWESTERLY ALONG A STRAIGHT LINE, 200 FEET, MORE OR
LESS, TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF SAID
HIGGINS ROAD, SAID POINT BEING 105 FEET NORTHWESTERLY OF
THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE
SOUTHEASTERLY ALONG THE NORTHERLY RIGHT OF WAY LINE OF
SAID HIGGINS ROAD, 105 FEET TO THE POINT OF BEGINNING OF THIS
DESCRIPTION, ALL BEING IN COOK COUNTY, ILLINOIS. THIS PARCEL
CONTAINS APPROXIMATELY 10,499.62 SQUARE FEET.

VILLAGE OF HOFFMAN ESTATES
ZONING BOARD OF APPEALS

FINDING OF FACT

DATE OF PUBLIC HEARING: September 15, 2009

DATE OF PRESENTATION TO VILLAGE BOARD: September 21, 2009

PETITION: Hearing held at the request of Dan Markwalder d/b/a Barrington Square Animal Hospital to consider variations from the Zoning Code to permit signage on the property located at 2370 W. Higgins Road.

DISTRICT IN WHICH PROPERTY IS LOCATED: B-2, Community Business District

ZONING CODE SECTION(S) FOR VARIATION(S): 9-3-8-M-10-d-4 and 9-2-1

FINDING-OF-FACT: The Zoning Board of Appeals (ZBA) found that the Standards for a Variation (9-1-15-C) were met.

MOTION: Request to grant Barrington Square Animal Hospital at 2370 W. Higgins Road, *a 3 foot setback variation from Section 9-3-8-M-10-d-4 and a 2 foot clearance variation from Section 9-2-1 to permit a V-shaped freestanding sign to be set back 2 feet from the driveway curb and to have a 6 foot clearance beneath the sign, instead of the minimum required 5 foot driveway curb setback and minimum required 8 foot clearance.* The following conditions shall apply:

1. The existing freestanding sign shall be removed prior to issuance of a sign permit for the new freestanding sign.
2. The shade tree at the proposed sign location shall be relocated to the front or sides of the property.

RECOMMENDATION: The Zoning Board of Appeals (ZBA) recommends approval of this request.

Dan Markwalder, owner of the Barrington Square Animal Hospital, was present along with his sign contractor, Mark Kipnis with Signarama. Dr. Markwalder described the renovations and improvements that he has made to the building and property since he purchased it this year. The existing sign on the property is very dated and in poor condition. It is also not very visible to traffic on Higgins Road. He has discussed the overgrown shrubs on the adjacent Stonegate-owned property with the owners of the property. He would like to install a new sign on the eastern end of the property. There is no location on the front of the property that that would allow a sign that meets the setback requirements of the zoning code. The Zoning Board discussed the materials of the sign and that despite the sign's temporary appearance the zoning code does not regulate aesthetics and does not restrict these proposed materials or sign shape.

The petitioner was willing to upgrade the sign posts to have a more solid, permanent appearance. The sign colors were chosen to match the building. The Zoning Board requested that the sign clearance be increased to 6 feet to improve the visibility beneath the sign and the petitioner agreed to this change.

AUDIENCE COMMENTS

None.

VOTE:

4 Ayes
0 Nays
3 Absent (Ali, Ciffone, Wilson)

MOTION PASSED

ZONING BOARD OF APPEALS

Chairman William Weaver
Vice-Chairman Ronald Jehlik
Denise Wilson
Michael Ciffone
Masoom Ali
Donna Boomgarden
Michael Gaeta

*** IMMEDIATE AUTHORIZATION TO APPLY FOR PERMITS IS REQUESTED ***

**THIS VARIATION WILL EXPIRE UNLESS ACTED UPON WITHIN
ONE (1) YEAR OF VILLAGE BOARD APPROVAL**

FINDING OF FACT WRITTEN BY DEVELOPMENT SERVICES STAFF

ORDINANCE NO. _____ - 2009

VILLAGE OF HOFFMAN ESTATES

**AN ORDINANCE AUTHORIZING THE SALE
OF PERSONAL PROPERTY OWNED BY
THE VILLAGE OF HOFFMAN ESTATES**

WHEREAS, in the opinion of at least three-fourths of the corporate authorities of the Village of Hoffman Estates, it is no longer necessary or useful to or for the best interests of the Village of Hoffman Estates to retain ownership of the personal property hereinafter described; and

WHEREAS, it has been determined by the President and Board of Trustees of the Village of Hoffman Estates to sell said personal property at a public auction to be held on the internet auction website www.GovDeals.com

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Hoffman Estates, Cook and Kane Counties, Illinois, as follows:

Section 1: That pursuant to 65 ILCS 5/11-76-4 of the Illinois Revised Statutes, the President and Board of Trustees of the Village of Hoffman Estates find that the described personal property attached as Exhibit "A" now owned by the Village of Hoffman Estates, is no longer necessary or useful to the Village of Hoffman Estates and that the best interests of the Village of Hoffman Estates will be served by its sale.

Section 2: That pursuant to 65 ILCS 5/11-76-4, the Village Manager is hereby authorized and directed to sell the aforementioned property now owned by the Village of Hoffman Estates at public auction at the internet auction website www.Govdeals.com, to the highest bidder of said personal property.

Section 3: That the Village Manager is hereby authorized and directed to advertise the sale of the aforementioned personal property in a newspaper published within the community not less than ten (10) days before the date of said public auction.

Section 4: That no bid which is less than the minimum price set forth in the list of property to be sold shall be accepted.

Section 5: That the Village Manager is hereby authorized and directed to enter into an agreement for the sale of said personal property.

Section 6: That upon payment of the full auction price, the Village Manager is hereby authorized and directed to convey and transfer title to the aforesaid personal property to the successful bidder.

Section 7: That if said personal property is not sold at such auction, then the Village Manager is authorized to sell without bid any such property.

Section 8: That the Village Clerk is hereby authorized to publish this ordinance in pamphlet form.

Section 9: That this ordinance shall be in full force and effect immediately from and after its passage and approval.

PASSED THIS _____ day of _____, 2009

VOTE	AYE	NAY	ABSENT	ABSTAIN
Trustee Karen Mills	_____	_____	_____	_____
Trustee Cary Collins	_____	_____	_____	_____
Trustee Raymond Kincaid	_____	_____	_____	_____
Trustee Jacquelyn Green	_____	_____	_____	_____
Trustee Anna Newell	_____	_____	_____	_____
Trustee Gary Pilafas	_____	_____	_____	_____
Mayor William McLeod	_____	_____	_____	_____

APPROVED THIS _____ DAY OF _____, 2009

Village President

ATTEST:

Village Clerk

Published in pamphlet form this _____ day of _____, 2009.

Exhibit "A"

Vehicles/Equipment

Unit	YEAR	MAKE	MODEL	VIN #	Dept.	MILEAGE	Min. Bid.
73	1998	Ford	Taurus	1FAPP5227WG203071	GG	66,926	\$ 1,000.00
76	2005	Ford	Crown Vic	2FAFP71W35X165332	PW	69,121	\$ 3,000.00
80	2003	Ford	Crown Vic	2FAHP71W53X211071	PW	64,310	\$ 2,000.00
85	2003	Ford	Crown Vic	2FAFP71W93X114155	PW	89,777	\$ 2,000.00
89	2003	Ford	Crown Vic	2FAHP71W73X211069	PW	58,708	\$ 2,000.00
90	1998	Ford	Taurus	1FAPP5222WG198331	Code	70,243	\$ 1,100.00
3	1999	Ford	Crown Vic	2FAFP71W9XX185975	PW	78,178	\$ 2,000.00
25	2003	Ford	Crown Vic	2FAHP71W33X211070		92,494	\$ 1,200.00
C 83	2001	GMC	Sonoma	1GTCS195218224482	Code	59,843	\$ 2,500.00
C 86	2001	Ford	Crown Vic	2FAFP71W61X187898	Code	97,545	\$ 1,500.00
C 93	2000	Ford	Taurus	1FAPP5323YG230513	Code	76,089	\$ 1,500.00
FC12	2001	Ford	Crown Vic	2FAFP71W21X184092	Fire	94,191	\$ 1,800.00
FA 24R	2000	International	4700 LP	1HTSLAAMGYH259714	FD	96,419	
FE23A	1991	Pierce	D8000	4P1CT02M7MA000511	FD	111,000	
P70	1997	Chevrolet	C1500	2GCBC19R1V1159190	PD	208,005	
Explorer	2003	Ford	Explorer	1FMZU72K53UA63543	PD	8,276	
Ranger	1999	Ford	Ranger	1FTZR15X2XPB65171	PD	90,505	

Non Vehicle Items

Item #	Description	Make/Brand	Model	Part Number	Dept.	Min Bid.
PW16	Catalytic Conv.	Ford	Crown Vic	Used	PW	\$ 20
Pw18	Auto Trans	Ford		Needs Overhaul	PW	\$ 15
PW30	9' Vee Plow	Unknown			PW	\$ 150
Chevy Parts	Hub Cap Chevy	Delco	Caprice	337281	PW	All Chevy Parts \$5.00
	OIL CAP	Delco	CAPRICE	10108478	PW	2
	Fan Relay	Delco	Caprice	12193604	PW	1
	Choke Delay Valve	Delco	Caprice	14061632	PW	1
	Drier Assembly	Chevy	Caprice	15-1515	PW	1
	Calibrator	Delco	Caprice	16159686	PW	1
	Radiator		Caprice	52453045	PW	1
	Starter Relay	Delco	Caprice	A906-1972119	PW	1
	Unknown	Delco	Caprice	D1986A	PW	1
	Solenoid	Delco	Caprice	D981	PW	1
	FUEL FILTER	Fram	CAPRICE	GF624K	PW	1
	Spotlight Boot	Delco	CAPRICE	12510116	PW	1
Ford F350 Parts	Core Assembly	Ford	F350	E7TZ-18476-A	PW	All Ford F350 Parts \$5.00
	Wiper Motor	Motorcraft	F350	F5HZ-17508-A	PW	1
	THERMOSTAT	Motorcraft	F350	E5HZ8575A	PW	2
	Fuel Pump Electric	Ford	5.7L F350 1988	E7TZ9C407B	PW	1
Ford LN 8000 Parts	Solenoid	Keene Ignition	LN8000	1115593	PW	All Ford LN 8000 Parts \$50.00
	Air Compressor	Bendix	LN8000	286526X Bendix	PW	1
	Elbow Fitting Gas Tank	Ford	LN8000	383837-S	PW	1
	Gasket A/C	Bendix	LN8000	5011623	PW	1
	Muffler Clip Spring	Ford	LN8000	B9TT-5A291-A	PW	1
	Exh Manf Gasket	Ford	LN8000	C6TZ-9450-B	PW	6
	Starter Sheild Clamp	Motorcraft	LN8000	C8TZ-10B312-B	PW	4
	Heater Blower Motor	Motorcraft	LN8000	C8TZ-18527-A	PW	1

Wheel A.C Blower	Ford	LN8000	C8TZ-19834-A	PW	1	
Idler Pulley 3208 CAT	Ford	LN8000	C8TZ-8678-A	PW	1	
Switch Backup	Motorcraft	LN8000	C9TZ-15520-C	PW	1	
Valve	Motorcraft	LN8000	CX-1207	PW	1	
HYD FILTER	Motorcraft	LN8000	D2HZ8C074A	PW	1	
Plate	Ford	LN8000	D2TZ-13A809-B	PW	8	
Headlight Switch	Ford	LN8000	D3TB-11657-A/B	PW	3	
Wire Assembly	Ford	LN8000	D3TZ-10609-A	PW	1	
Junction Block	Ford	LN8000	D3TZ-11A848-A	PW	1	
Switch	Motorcraft	LN8000	D4AZ9278-A	PW	1	
Muffler Clamp	Ford	LN8000	D4TZ-5A231-B	PW	2	
Muffler Clamp	Ford	LN8000	D5HZ-5A215-B	PW	3	
Gasket A./C	Ford	LN8000	D7HZ2A453D	PW	1	
Axle Shaft Gasket	Ford	LN8000	D8HZ-1001-A	PW	1	
Front Brake Spring	Ford	LN8000	D8HZ2035B	PW	1	
Air Compressor Hose	Ford	LN8000	D8HZ2922D	PW	1	
Bracket	Ford	LN8000	D8HZ-5700-A	PW	1	
Plate for Meter	Ford	LN8000	DOHZ-108978-A	PW	1	
HANDLE	Motorcraft	LN8000	DOHZ--16700-C	PW	1	
Fender Panel R/S	Ford	LN8000	DOHZ-16A-266-F	PW	1	
SPRING HOOD	Motorcraft	LN8000	DOHZ-168920-B	PW	2	
LATCH ASSEM	Motorcraft	LN8000	DOHZ-16C680-C	PW	2	
Heater Valve	Motorcraft	LN8000	DOHZ-18495-A	PW	2	
Valve	Ford	LN8000	DOHZ-2365-A	PW	1	
Brake Valve	Ford	LN8000	DOHZ-2A095-B	PW	2	
Donut Insulator Rad	Ford	LN8000	DOHZ-8A421-A	PW	3	
Radiator Bolt	Motorcraft	LN8000	DOHZ-8L010-B	PW	8	
Gasket Front Axle	Ford	LN8000	E2HZ-1153-B	PW	1	
Pressure Gauge	Ford	LN8000	E2HZ-2557-B	PW	2	
ROD ASSEM	Motorcraft	LN8000	E2HZ9A710A	PW	2	
Bumper Assembly RS	Ford	LN8000	E3HZ-16C638-A	PW	3	
Bumper Assembly LS	Ford	LN8000	E3HZ-16C639-A	PW	1	
Tachometer Assembly	Ford	LN8000	E3HZ-17360-D	PW	1	
Exhaust Clamp	Ford	LN8000	E3HZ25C264C	PW	1	
Floor Panel	Ford	LN8000	E3HZ-8012110-A	PW	1	
Temp Control Cable	Ford	LN8000	E4HZ-18518-A	PW	4	
Temp Control Cable	Ford	LN8000	E4HZ-18552-B	PW	1	
Tie Rod End	Ford	LN8000	E4HZ-3A131-B	PW	1	
Arm Rest Gray	Ford	LN8000	E4HZ-9024141-A7P	PW	2	
Trans Oil Cooler	Ford	LN8000	E4TZ-7A095-B	PW	1	
SLEEVE NUT	Motorcraft	LN8000	E5HZ98014A	PW	5	
GASKET	Motorcraft	LN8000	E6HZ8255A	PW	2	
Sensor	Motorcraft	LN8000	E7FZ9F479-A	PW	1	
FUEL SENDER	Motorcraft	LN8000	E7HZ9275A	PW	2	
Alternator Bracket	Ford	LN8000	E7TZ-10156-A	PW	1	
Floor Door Panel R/S	Ford	LN8000	E8HZ-901320-A	PW	3	
BOLT	Motorcraft	LN8000	E9Z76065A	PW	1	

	Diode Heater Motor	Motorcraft	LN8000	EOHZ10C912A	PW	2	
	Heater Core	Ready Aire	LN8000	F01043	PW	1	
	Clip	Ford	LN8000	F2UZ-1522634-C	PW	1	
	Solenoid Shut Down	Ford	LN8000	F3HZ-9A594-A	PW	2	
	Vac Regulator Valve	Ford	LN8000	FOTZ7B200-A	PW	1	
	Ignition Switch Cable	Ford	LN8000	FSHZ-14A464-FA	PW	1	
	Trans Filter	Fram	LN8000	FT1051	PW	2	
	Alternator	Cat 3200	LN8000	GL216	PW	1	
	Oil Sender	Motorcraft	LN8000	SW-1547-B	PW	1	
	TEMP SENSOR	Motorcraft	LN8000	TS24	PW	1	
	Ignition Solenoid	Carquest	LN8000	US85	PW	3	
	Regulator	Carquest	LN8000	VR166	PW	1	
Misc. Parts	Solenoid	Mitsubishi	Toro Mower	561560	PW	1	All Misc. Parts \$10.00
	Solenoid	Toro	Toro Mower	561560	PW	1	
	Trans Oil Meter	Detroit Allison	Unknown	6880751	PW	4	
	Insulator	Ford	Unknown	F5VY-9P686-A	PW	2	
	Air Pump Check Valve		Unknown	AU7	PW	1	
	THERMOSTAT	Carquest	Unknown	E340195	PW	1	
	CAP	Carquest	Unknown	ES07	PW	2	
	OIL FILTER	Fram	Unknown	PH3519A	PW	5	
	Air Filter	Delco	Fire Truck	PA1508	PW	1	
	FUEL FILTER	Chrysler	JEEP	G3641	PW	2	
	Shift Ind Assembly	Chevy	K3500	25078571	PW	1	



AGENDA

GENERAL ADMINISTRATION & PERSONNEL COMMITTEE VILLAGE OF HOFFMAN ESTATES October 12, 2009

7:30 p.m. – Helen Wozniak Council Chambers

**Members: Karen Mills, Chairperson
Ray Kincaid, Vice-Chairperson
Gary Pilafas, Trustee**

I. Roll Call

NEW BUSINESS

1. Discussion regarding Boards and Commissions events promotion.
2. Discussion regarding policy to allow administrative approval of special event license and fee waivers under certain conditions.
3. Request acceptance of Cable TV Monthly Report.
4. Request acceptance of Human Resources Management Monthly Report.

II. President's Report

III. Other

IV. Adjournment



AGENDA
TRANSPORTATION AND ROAD IMPROVEMENT COMMITTEE
Village of Hoffman Estates
October 12, 2009

Immediately Following General Administration & Personnel Committee

Members: Ray Kincaid, Chairperson
Gary Pilafas, Vice Chairperson
Karen Mills, Trustee

I. Roll Call

II. Approval of Minutes – September 14, 2009

NEW BUSINESS

1. Discussion regarding lead agency for Barrington Road Interchange.
2. Request acceptance of Transportation Division Monthly Report.

III. President's Report

IV. Other

V. Items in Review

VI. Adjournment



AGENDA
PLANNING, BUILDING AND ZONING COMMITTEE
Village of Hoffman Estates
October 12, 2009

Immediately Following the Transportation and Road Improvement Committee

Members: Gary Pilafas, Chairperson
Karen Mills, Vice Chairperson
Ray Kincaid

- I. Roll Call**
- II. Approval of Minutes - September 14, 2009**

NEW BUSINESS

- 1. Request acceptance of Department of Development Services monthly report for Planning Division.
- 2. Request acceptance of Department of Development Services monthly report for Code Enforcement Division.
- 3. Request acceptance of Department of Development Services monthly report for Economic Development and Tourism.

III. President's Report

IV. Other

V. Items in Review

- 1. Discussion regarding an update to the Bridlewood Annexation Study. (November)

VI. Adjournment

MOTION #1 NO LONGER APPLICABLE – VOTED ON AT 9/21/09 VB MEETING

SEE MOTION #2

VILLAGE OF HOFFMAN ESTATES
ZONING BOARD OF APPEALS

MULTIPLE MOTION - FINDING OF FACT

**** SEE ATTACHED MINORITY REPORT ****

DATE OF PUBLIC HEARINGS: August 18 and September 15, 2009

****DATE OF PRESENTATION TO VILLAGE BOARD: September 21, 2009 - MOTION #2 DEFERRED TO OCTOBER 5, 2009**

PETITION: Hearing held at the request of Subway to consider variations from the Zoning Code to permit signage on the property located at the 1411 Palatine Road (Rose Plaza Shopping Center).

DISTRICT IN WHICH PROPERTY IS LOCATED: R-9 Planned Development District, Sub-Zone F-2 Business

ZONING CODE SECTION(S) FOR VARIATION: 9-3-8-M-3-d

FINDING-OF-FACT: The Zoning Board of Appeals (ZBA) found that the Standards for a Variation (9-1-15-C) were met for the existing wall sign and were not met for the proposed wall sign.

MOTION #1 – EXISTING FRONT WALL SIGN SIZE

MOTION: Request to grant Subway at 1411 Palatine Road, ~~a 9.375 square foot variation from Section 9-3-8-M-3-d to permit an existing wall sign on the front (north) façade of the building measuring 34 square feet (“Subway”) instead of the maximum permitted 24.625 square feet.~~

VOTE: 4 Ayes 3 Absent (Ali, Ciffone, Wilson)

MOTION PASSED

MOTION #2 – REAR WALL SIGN – ADDITIONAL SIGN AND SIZE

A 43.375 square foot variation from Section 9-3-8-M-3-d to permit an additional (second) wall sign on the rear (south) façade of the building measuring 34 square feet (“Subway”) and for the total square footage for the two wall signs to be 68 square feet instead of the maximum permitted 24.625 square feet. The following condition shall apply:

The rear wall sign shall be illuminated only during business hours in which the restaurant is open.

VOTE: 3 Ayes 1 Nay (Boomgarden) 3 Absent (Ali, Ciffone, Wilson)

MOTION FAILED

The petitioner was agreeable to the above listed condition.

RECOMMENDATION: The Zoning Board of Appeals (ZBA) recommends **approval** of the existing wall sign variation request and recommends **denial** of the proposed wall sign variation request.

Kalpesh Patel, franchisee of this Subway restaurant, was present to request approval of a new wall sign on the rear of the restaurant. This summer the petitioner renovated the interior of the restaurant so that customers can access the restaurant from the rear of the building. The metal service double-doors were replaced with standard glass double-doors. The petitioner stated that many customers still are uncertain if the rear doors are accessible to the public. He is also requesting the sign to increase visibility of the business from the shopping center stores and parking lot to the south. He has placed a small paper sign in the glass doors, but the signs are ruined by rain. The Zoning Board confirmed that he could cover up to 50% of the glass doors with non-illuminated window signage and such signage could be plastic or paint to avoid damage. The petitioner stated that such signage would be helpful, but would block views into the business and the familiar Subway wall art that helps confirm that this is a customer entrance. A wall sign can be illuminated and would be higher than the doors and would help draw customers to the rear entrance.

A variation is requested for the existing sign on the front elevation because the sign was originally permitted based on the B-1 and B-2 zoning code size (max. 3 sq. ft. per 1 foot of tenant width) instead of the R-9 Subzone F-2 zoning code size (max. 1.5 sq. ft. per 1 foot of tenant width). The two signs would each be 34 square feet.

**** SEE ATTACHED MINORITY REPORT**

AUDIENCE COMMENTS

None.

ZONING BOARD OF APPEALS

Chairman William Weaver
Vice-Chairman Ronald Jehlik
Denise Wilson
Michael Ciffone
Masoom Ali
Donna Boomgarden
Michael Gaeta

*** IMMEDIATE AUTHORIZATION TO APPLY FOR PERMITS IS REQUESTED ***

**THESE VARIATIONS WILL EXPIRE UNLESS ACTED UPON WITHIN
ONE (1) YEAR OF VILLAGE BOARD APPROVAL**

FINDING OF FACT WRITTEN BY DEVELOPMENT SERVICES STAFF

Minority Report
1411 W Palatine Rd. Subway Restaurant

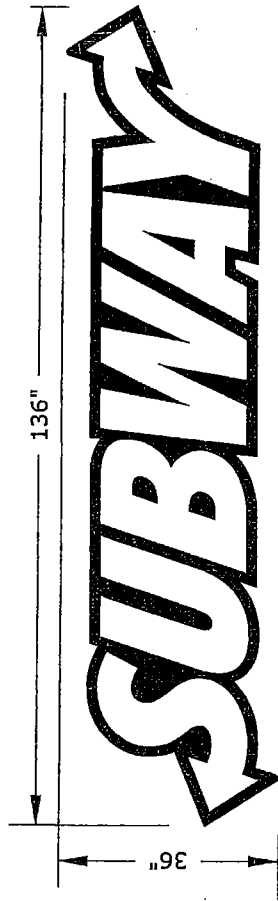
Variation for Existing Wall Sign and Request for Second Sign on the Rear of the
Building
Donna Boomgarden

The vote to deny the recommendation for approval for a second wall sign was made for the following reasons. First of all, the Petitioner is located in a small strip mall out lot of the main shopping center. There is parking available on both the front and rear of this building the main entrance is in the front of the building, where all the other tenants (Starbucks Coffee, Oberweis Dairy, Blockbuster, Sullivan Ostoich Eye Center, Tutoring Club) have their main entrances. All the other tenants have solid steel doors at the rear of the building except for the Petitioner, who has recently changed out these doors for glass entry doors.

The Petitioner testified that his customers cannot find his restaurant from the rear. He installed the glass doors and remodeled the store so that patrons can access his facility from either front or back of the building. The Petitioner also testified that he has a small paper sign in the rear glass doors indicating that these are also an entrance to the store, but that people still are having trouble locating it.

Staff had indicated that "the business is permitted to place window signs in the glass doorway covering up to 50% of the glass area" and could be used in lieu of an additional illuminated sign. I had questioned the Petitioner on this point, and while he agreed that he could do that, and that it would be more visible, the signs would be at eye level and he preferred to have the illuminated wall sign he was requesting. In my opinion, there was no clear hardship indicated by the Petitioner, and that it was just a matter of preference.

The second reason for my vote is that this would open the subject up for all the tenants in that building to request the same. The rear of the building is visible to some residents on Olmstead Drive, and there may be issues with the signs creating a disturbance to these residents. Although there was a condition that the sign only be illuminated during the hours in which the restaurant is open, during some months of the year, when it becomes darker earlier, this sign has the potential to disturb these residents.



Channel Letter Display - Scale: 1/2" = 1' - 0"

Fabricate and Install New Channel Letters
 Faces: 7328 White & 2037 Yellow
 Illumination: White
 Returns: Black
 Trim: Black
 Emphasis Surround: Black



New Channel Letter Display - Rear Elevation



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 Cary, IL 60013 847.639.5231 fax
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! Photo renderings may not reflect scale accurately! Refer to specified dimensions for correct sizes.

! Due to variations in printing processes, rendering may not display colors accurately! Specified colors will be used for production purposes.

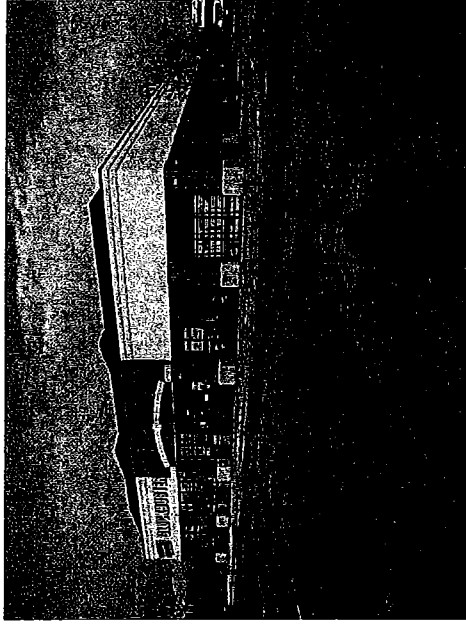
APPROVED FOR PRODUCTION
 This drawing is approved for production as shown. Sizes, colors, spelling and placement are acceptable as shown.
 X Signature _____ Date _____

Client	Subway
Address	1411 Palatine Rd.
City	Hoffman Estates
State	IL
Designer	02
Salesperson	DJ
Drawing #	81514
Scale	Noted
Date	11/10/08
Sheet #	1 of 1

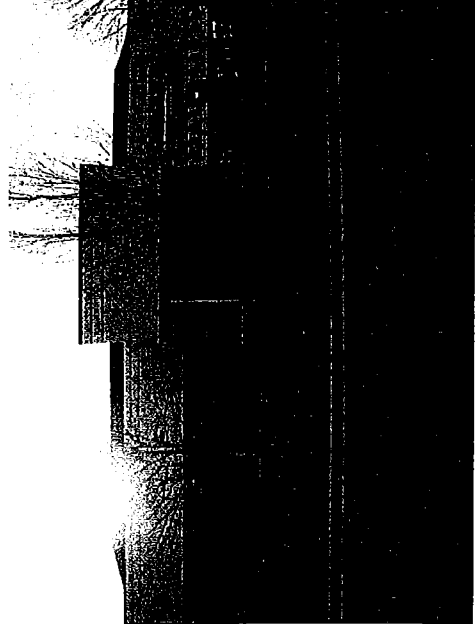
1411 Palatine Road - Subway



Rear of Subway – Proposed Sign Location



Sides of Building



**ADDITIONAL
BUSINESS**

VILLAGE OF HOFFMAN ESTATES

**AN ORDINANCE GRANTING VARIATIONS TO
PREMISES AT 435 E. BLUEBONNET LANE, HOFFMAN ESTATES, ILLINOIS**

WHEREAS, the Zoning Board of Appeals, at a public meeting duly called and held according to law on September 15, 2009, considered the request by Han Woo, 435 E. Bluebonnet Lane, the owner of record of property legally described on Exhibit "A" and attached hereto and made a part hereof, to consider the request of a variation to permit the construction of a residence on the property located at 435 E. Bluebonnet Lane; and

WHEREAS, the Zoning Board of Appeals made certain Finding of Fact attached hereto and made a part hereof as Exhibit "B" and recommended approval of a variation to the Board of Trustees; and

WHEREAS, it appears that there are particular hardships and unique circumstances from the application of the strict letter of the Zoning Ordinance to the property in question and that the proposed setback variations have met the standards of Section 9-1-15-C of the Hoffman Estates Municipal Code; and

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Hoffman Estates, Cook and Kane Counties, Illinois, as follows:

Section 1: The Zoning Ordinance of the Village of Hoffman Estates be so varied as to permit the granting of a five foot (5') setback variation under Section 9-5-2-D-5 of the Hoffman Estates Municipal Code to permit a house to be set back ten feet (10') from the (east) side property line instead of the minimum required fifteen feet (15') on the property commonly known as 435 E. Bluebonnet Lane.

Section 2: The Zoning Ordinance of the Village of Hoffman Estates be so varied as to permit the granting of a one foot (1') setback variation from Section 9-5-2-D-5 to permit a house to be set back fourteen feet (14') from the (west) side property line instead of the minimum required fifteen feet (15') on the property commonly known as 435 E. Bluebonnet Lane.

Section 3: The Zoning Ordinance of the Village of Hoffman Estates be so varied as to permit the granting of a 101 square foot variation from Section 9-3-6-K-2 to permit an attached garage to be 851 square feet instead of the maximum permitted 750 square feet on the property commonly known as 435 E. Bluebonnet Lane.

Section 4: The Village Clerk is hereby authorized to publish this ordinance in pamphlet form.

Section 5: This Ordinance shall be in full force and effect immediately from and after its passage and approval.

PASSED THIS _____ day of _____, 2009

VOTE	AYE	NAY	ABSENT	ABSTAIN
Trustee Karen V. Mills	_____	_____	_____	_____
Trustee Cary J. Collins	_____	_____	_____	_____
Trustee Raymond M. Kincaid	_____	_____	_____	_____
Trustee Jacquelyn Green	_____	_____	_____	_____
Trustee Anna Newell	_____	_____	_____	_____
Trustee Gary J. Pilafas	_____	_____	_____	_____
Mayor William D. McLeod	_____	_____	_____	_____

APPROVED THIS _____ DAY OF _____, 2008

Village President

ATTEST:

Village Clerk

Published in pamphlet form this _____ day of _____, 2009.

EXHIBIT "A"

LEGAL DESCRIPTION:

P.I.N.: 07-14-110-009

Lot 9 in Block 16 in Hoffman Estates No.1, being a subdivision of part of the west half of the northwest quarter and that part of the northwest quarter of the southwest quarter of Section 14, Township 41 North, Range 10 east of the Third Principal, lying north of Higgins Road, together with part of the northeast quarter of Section 15, Township 41, North, Range 10 east of the Third Principal Meridian, lying north of Higgins Road, according to the plat thereof recorded in the office of the registrar of titles of Cook County, Illinois on August 5, 1955 as Document No. 1612242.

VILLAGE OF HOFFMAN ESTATES
ZONING BOARD OF APPEALS

FINDING OF FACT

DATE OF PUBLIC HEARING: September 15, 2009

DATE OF PRESENTATION TO VILLAGE BOARD: September 21, 2009

PETITION: Hearing held at the request of Han Woo to consider setback and garage size variations from the Zoning Code to permit the construction of a residence on the property located at 435 East Bluebonnet Lane.

DISTRICT IN WHICH PROPERTY IS LOCATED: R-2, One Family Residential District

ZONING CODE SECTION(S) FOR VARIATION(S): 9-5-2-D-5 and 9-3-6-K-2

FINDING-OF-FACT: The Zoning Board of Appeals (ZBA) found that the Standards for a Variation (9-1-15-C) were met for the setback variations and were not met for the garage size variation.

MOTION #1 – EAST SIDE HOUSE SETBACK VARIATION

MOTION: Request to grant Han Woo of 435 E. Bluebonnet Lane, *a 5 foot setback variation from Section 9-5-2-D-5 to permit a house to be set back 10 feet from the (east) side property line instead of the minimum required 15 feet.*

VOTE: 4 Ayes 3 Absent (Ali, Ciffone, Wilson)

MOTION PASSED

MOTION #2 – WEST SIDE HOUSE SETBACK VARIATION

MOTION: Request to grant Han Woo of 435 E. Bluebonnet Lane, *a 1 foot setback variation from Section 9-5-2-D-5 to permit a house to be set back 14 feet from the (west) side property line instead of the minimum required 15 feet.*

VOTE: 4 Ayes 3 Absent (Ali, Ciffone, Wilson)

MOTION PASSED

MOTION #3 – GARAGE SIZE VARIATION

MOTION: Request to grant Han Woo of 435 E. Bluebonnet Lane, *a 101 square foot variation from Section 9-3-6-K-2 to permit an attached garage to be 851 square feet instead of the maximum permitted 750 square feet.*

VOTE: 3 Ayes 1 Nay (Jehlik) 3 Absent (Ali, Ciffone, Wilson)

MOTION FAILED

RECOMMENDATION: The Zoning Board of Appeals (ZBA) recommends **approval** of the setback variation requests and recommends **denial** of the garage size variation request.

Chairman Weaver noted that the existing house was built before local zoning rules for setbacks were enacted, and the codes and inspections were done by Cook County. Numerous additions were made by previous owners and the house roof lines are very unusual. The existing house setbacks also do not meet current zoning requirements. The homeowner, Mr. Han Woo, described the project and his plans to substantially renovate and demolish portions of the house to add a second story and upgrade the house. Almost the entire existing house footprint and foundation would be used. The garage footprint would also not be reduced from its current nonconforming 851 square feet. The garage roof pitch would be increased to match the architecture of the new two-story living house, which is an expansion of a nonconforming part of the house. The opposite side yard would increase 4 inches into the setback and is a minor encroachment. The petitioner estimated the project will cost about \$250,000, though the project has not been bid out yet. The petitioner wishes to expand and improve the house, but has scaled back the project from earlier designs due to the current economic and bank lending situation. The petitioner's architect, Mr. Amatore Miulli, was asked to estimate the cost to reduce the garage depth by 5 feet to meet the garage size maximum size would cost and he estimated an additional \$10-15,000 for the footings, frost wall, slab, backfill, etc. He also stated that using the existing house walls and foundation wherever possible would create fewer problems and reduce costs, which is important since financing is very difficult for cost overruns. Although the majority of those present voted to approve the garage size variation request, there were not 4 votes to recommend approval.

AUDIENCE COMMENTS

None.

ZONING BOARD OF APPEALS

Chairman William Weaver
Vice-Chairman Ronald Jehlik
Denise Wilson
Michael Ciffone
Masoom Ali
Donna Boomgarden
Michael Gaeta

*** IMMEDIATE AUTHORIZATION TO APPLY FOR PERMITS IS REQUESTED ***

**THESE VARIATIONS WILL EXPIRE UNLESS ACTED UPON WITHIN
ONE (1) YEAR OF VILLAGE BOARD APPROVAL**

FINDING OF FACT WRITTEN BY DEVELOPMENT SERVICES STAFF

VILLAGE OF HOFFMAN ESTATES

AN ORDINANCE GRANTING A VARIATION TO TOLLWAY LLC
(EAST TERMINUS OF PEMBROKE AVENUE)

WHEREAS, the Zoning Board of Appeals, at public meetings duly called and held according to law on August 18 and September 15, 2009, considered the question of granting a variation to Tollway LLC; and

WHEREAS, the President and Board of Trustees of the Village of Hoffman Estates, after reviewing the recommendation of said Zoning Board of Appeals, find and believe it to be in the best interest of the Village that such variation be granted; and

WHEREAS, it appears that there are particular hardships and unique circumstances from the application of the strict letter of the Zoning Ordinance to the property in question and that the proposed variation has met the standards of Section 9-1-15-C of the Hoffman Estates Municipal Code; and

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Hoffman Estates, Cook and Kane Counties, Illinois, as follows:

Section 1: That there be and is hereby granted to Tollway LLC, a variation from the requirements of Section 9-3-8-K-3-(a) to allow a twenty-one foot (21') high, 720 square foot temporary marketing sign at the east terminus of Pembroke Avenue, instead of the maximum permitted ten foot (10') high, 100 square feet located at the east terminus of Pembroke Avenue and legally described on Exhibit "A" attached hereto.

Section 2: That the above variation is granted upon the conditions that this temporary marketing sign shall be removed within thirty (30) days of the sale of the property, and that illumination of this sign shall not cause glare on adjacent roadways, and that this sign shall be used solely for marketing development on this site.

Section 3: That the Village Clerk is hereby authorized to publish this ordinance in pamphlet form.

Section 4: That this Ordinance shall be in full force and effect immediately from and after its passage and approval.

PASSED THIS _____ day of _____, 2009

VOTE	AYE	NAY	ABSENT	ABSTAIN
Trustee Karen V. Mills	_____	_____	_____	_____
Trustee Cary J. Collins	_____	_____	_____	_____
Trustee Raymond M. Kincaid	_____	_____	_____	_____
Trustee Jacquelyn Green	_____	_____	_____	_____
Trustee Anna Newell	_____	_____	_____	_____
Trustee Gary J. Pilafas	_____	_____	_____	_____
Mayor William D. McLeod	_____	_____	_____	_____

APPROVED THIS _____ DAY OF _____, 2009

Village President

ATTEST:

Village Clerk
Published in pamphlet form this _____ day of _____, 2009.

EXHIBIT "A"

LEGAL DESCRIPTION

P.I.N.: # 07-06-200-013

THAT PART OF SECTION 6, TWSP. 41 NORTH, RANGE 10, E. OF THE 3RD P.M. COMMENCING AT THE SO. E. CORNER, OF SAID SECT. 6; THENCE S 84 34" 20" W ALONG THE SO. LINE OF SAID SECT. 6 A DISTANCE OF 121.44 FT; THENCE NO. 1 07' 40" E, PARALLEL WITH THE E. LINE OF SAID SECT. 6, A DISTANCE OF 1066.44 FT. TO THE POINT OF BEGINNING; THENCE NO. 83 02' 52" W, A DISTANCE OF 1010.0 FT. TO A POINT, SAID POINT BEING 1276.0 FT. NORTHERLY MEASURED AT RIGHT ANGLES, FROM THE SOUTH LINE OF SAID SECT. 6; THENCE S 83 35' 34" W, A DISTANCE OF 585.0 FT. TO THE MOST EASTERLY CORNER OF LOT 3 IN BARRINGTON SQUARE INDUSTRIAL CENTER UNIT 1, BEING A SUB-DIVISION OF PART OF FRACTIONAL SECTION 6, AFORESAID, PER PLAT THEREOF RECORDED NOV. 20, 1970 AS DOC. NO. 21323708; THENCE N 0 09' 26" W, ALONG THE E. LINE OF SAID BARRINGTON SQUARE INDUSTRIAL CENTER UNIT 1, A DISTANCE OF 311.13 FT. TO THE SO. LINE OF THE NORTHERN ILLINOIS GAS CO. R.O.W. AS CONVEYED PER DOC. NO. 17299325 AND RECORDED AUG. 25, 1958; THENCE N 89 50' 34" E, ALONG SAID SO. LINE OF SAID R.O.W., A DISTANCE OF 1592.11 FT. TO THE INTERSECTION WITH THE WEST LINE OF THE EAST 121.44 FT. (AS MEASURED ALONG THE SO. LINE OF SAID SECT. 6) THENCE S. 1 07" 40" W. ALONG SAID W. LINE A DISTANCE OF 372.55 FT. TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILL.

VILLAGE OF HOFFMAN ESTATES
ZONING BOARD OF APPEALS

FINDING OF FACT

DATE OF PUBLIC HEARING: August 18 and September 15, 2009

DATE OF PRESENTATION TO VILLAGE BOARD: September 21, 2009

PETITION: Hearing held at the request of Tollway LLC to consider variations from the Zoning Code to permit signage on the property generally located south of the Northwest Tollway (I-90) at the east terminus of Pembroke Avenue.

DISTRICT IN WHICH PROPERTY IS LOCATED: B-2, Community Business District

ZONING CODE SECTION(S) FOR VARIATION: 9-3-8-K-3-(a)

FINDING-OF-FACT: The ZBA found that the Standards for a Variation (Section 9-1-15-C) were not met.

MOTION: Request to grant Tollway LLC at the east terminus of Pembroke Avenue, *variations from Section 9-3-8-K-3-(a) to allow a 21 foot high, 720 square foot temporary marketing sign at the east terminus of Pembroke Avenue, instead of the maximum permitted 10 foot high, 100 square feet.*

1. This temporary marketing sign shall be removed within thirty (30) days of the sale of the property.
2. Illumination of this sign shall not cause glare on adjacent roadways.
3. This sign shall be used solely for marketing development on this site.

The petitioner was agreeable to the above listed conditions.

RECOMMENDATION: The Zoning Board of Appeals (ZBA) recommends **denial** of this request.

Ira Frank with Stonegate was present to request an extension of the approval for the existing temporary marketing sign on the vacant property along the Tollway. Stonegate Realty has been actively seeking development of these parcels and this sign is integral to that marketing effort. The sign has existed for several years. The Value Place Hotel project is not moving forward due to the current economic climate and therefore the entire vacant subdivision is being marketed. The Zoning Board discussed the recommendation from staff that the sign approval be extended indefinitely and that the sign be removed upon development. The Zoning Board amended the condition per staff's recommendation because the sign is a necessary marketing tool and the three-year approvals that were previously granted have not been sufficient. The Zoning Code allows a marketing sign to exist on the property until the sale of

the property. The sign is in good condition and the petitioner will continue to monitor and clear the weeds and brush in front of the sign to allow visibility of the sign. Although the majority of those present voted to approve the request, there were not 4 votes to recommend approval.

AUDIENCE COMMENTS

None.

VOTE:

3 Ayes

1 Nays (Jehlik)

3 Absent (Ali, Ciffone, Wilson)

MOTION FAILED

ZONING BOARD OF APPEALS

Chairman William Weaver

Vice-Chairman Ronald Jehlik

Denise Wilson

Michael Ciffone

Masoom Ali

Donna Boomgarden

Michael Gaeta

*** IMMEDIATE AUTHORIZATION TO APPLY FOR PERMITS IS REQUESTED ***

**THIS VARIATION WILL EXPIRE UNLESS ACTED UPON WITHIN
ONE (1) YEAR OF VILLAGE BOARD APPROVAL**

FINDING OF FACT WRITTEN BY DEVELOPMENT SERVICES STAFF

VILLAGE OF HOFFMAN ESTATES

AN ORDINANCE GRANTING A SPECIAL USE AND HEIGHT VARIATION
TO TOWNSHIP HIGH SCHOOL DISTRICT 211 (OWNER),
AND INSITE INC., AGENT FOR VERIZON WIRELESS (LESSEE),
(HOFFMAN ESTATES HIGH SCHOOL)

WHEREAS, the Zoning Board of Appeals of the Village of Hoffman Estates, at a public hearing duly called and held according to law on September 15, 2009 considered the request of a special use and a height variation to Township High School District 211 (owner) and Insite Inc., agent for Verizon Wireless (lessee), to permit the installation of a maximum of twelve (12) cellular antennas to be no greater than 91 feet high at Hoffman Estates High School, 1100 W. Higgins Road, on one (1) light pole on the northwest corner of the football field and construction of an associated equipment shelter, and legally described hereinafter; and

WHEREAS, the Zoning Board of Appeals made certain Finding of Fact attached hereto and made a part hereof as Exhibit "B" and recommended approval of said special use and height variation to the Board of Trustees; and

WHEREAS, the President and Board of Trustees of the Village of Hoffman Estates, after reviewing the recommendation of said Zoning Board of Appeals, find and believe it to be in the best interest of the Village that such special use and height variation be granted.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Hoffman Estates, Cook and Kane Counties, Illinois, as follows:

Section 1: That there be granted a special use under Sections 9-3-9-A and 9-5-3-C-4 to Township High School District 211 (owner) and Insite Inc., Agent for Verizon Wireless (lessee), to permit the installation of a maximum of twelve (12) cellular antennas to be no greater than 91 feet high at Hoffman Estates High School, 1100 W. Higgins Road, on the northwest corner of the football field on one (1) light pole and construction of an associated equipment shelter.

Section 2: That a thirty-one foot (31') height variation of Hoffman Estates Municipal Code Section 9-3-9-A be granted to Township High School District 211 (owner) and Insite Inc., Agent for Verizon Wireless (lessee), to permit the installation of a maximum of twelve (12) cellular antennas to be no greater than 91 feet high at Hoffman Estates High School, 1100 W. Higgins Road, on the northwest corner of the football field on one (1) light pole.

Section 3: That this special use and variation is granted upon the conditions that per Zoning Code Section 9-1-18-L, should the operation of this cellular facility cease for a period of six (6) months, the antennas shall be removed, and that no signs, cabinets, conduits, or other fixtures shall be installed on the exterior of the shelter beyond those shown on the approved building plans.

Section 4: That property benefiting from the special use and variation is legally described on the attached Exhibit "A".

Section 5: That the Village Clerk is hereby authorized to publish this ordinance in pamphlet form.

Section 6: That this Ordinance shall be in full force and effect immediately from and after its passage and approval.

PASSED THIS _____ day of _____, 2009

VOTE	AYE	NAY	ABSENT	ABSTAIN
Trustee Karen V. Mills	_____	_____	_____	_____
Trustee Cary J. Collins	_____	_____	_____	_____
Trustee Raymond M. Kincaid	_____	_____	_____	_____
Trustee Jacquelyn Green	_____	_____	_____	_____
Trustee Anna Newell	_____	_____	_____	_____
Trustee Gary J. Pilafas	_____	_____	_____	_____
Mayor William D. McLeod	_____	_____	_____	_____

APPROVED THIS _____ DAY OF _____, 2009

Village President

ATTEST:

Village Clerk

Published in pamphlet form this _____ day of _____, 2009.

EXHIBIT "A"

LEGAL DESCRIPTION:

P.I.N.: 07-09-300-008

THAT PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION NINE, TOWNSHIP FORTY-ONE NORTH, RANGE TEN, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF THE NORTHERLY LINE OF HIGGINS ROAD, (EXCEPT THAT PART DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE NORTHERLY LINE OF HIGGINS ROAD AND THE EAST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION; THENCE WESTERLY ALONG SAID NORTHERLY LINE OF HIGGINS ROAD, A DISTANCE OF 536.0 FT.; THENCE NORTH PARALLEL WITH THE EAST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION, A DISTANCE OF 170.29 FT.; THENCE EASTERLY, PARALLEL WITH THE NORTHERLY LINE OF SAID ROAD, EASTERLY OF A POINT OF CURVE IN SAID ROAD, A DISTANCE OF 536.0 FT. TO THE EAST LINE OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION; THENCE SOUTH, 170.29 FT. TO THE POINT OF BEGINNING), IN COOK COUNTY, ILLINOIS.

VILLAGE OF HOFFMAN ESTATES
ZONING BOARD OF APPEALS

FINDING OF FACT

DATE OF PUBLIC HEARINGS: September 15, 2009

DATE OF PRESENTATION TO VILLAGE BOARD: September 21, 2009

PETITION: Hearing held at the request of Township High School District 211 (Owner) and Insite Inc. agent for Verizon Wireless (Lessee) to consider a variation and special use under the Zoning Code to permit the installation of a wireless communications facility and accompanying equipment shelter on the property located at 1100 W. Higgins Road (Hoffman Estates High School).

DISTRICT IN WHICH PROPERTY IS LOCATED: R-3, One Family Residential

ZONING CODE SECTION(S) FOR VARIATION: 9-3-9-A

ZONING CODE SECTION(S) FOR SPECIAL USE: 9-3-9-A, 9-5-3-C-4

FINDING-OF-FACT: The Zoning Board of Appeals (ZBA) found that the Standards for a Special Use (9-1-18-I) and Standards for a Variation (9-1-15-C) were met.

MOTION: Request to grant Township High School District 211 (Owner) and Insite Inc. agent for Verizon Wireless (Lessee) at 1100 W. Higgins Road (Hoffman Estates High School), *a special use under Section 9-3-9-A and Section 9-5-3-C-4 and a thirty one (31) foot height variation from Section 9-3-9-A to permit the installation of twelve (12) cellular antennas at ninety one (91) feet high on a light pole on the northwest corner of the football field and construction of an associated equipment shelter. The following conditions shall apply:*

1. Per Zoning Code Section 9-1-18-L, should the operation of this cellular facility cease for a period of six (6) months, the antennas shall be removed.
2. No signs, cabinets, conduits, or other fixtures shall be installed on the exterior of the shelter beyond those shown on the approved building plans.

The petitioner was agreeable to the above listed conditions.

RECOMMENDATION: The Zoning Board of Appeals recommends approval of this request.

Verizon is proposing to install 12 antennas on the fourth and final light pole by the football field. The four light poles were installed in 2001 for the dual purpose of illuminating the football field and so that cell antennas could be installed to provide revenue to the school district. The antennas and proposed equipment shelter are nearly identical to those installed by Sprint, U.S. Cellular, and Cricket on this property. The proposed Verizon shelter would be placed beneath the bleachers and would match the shelters of the other three carriers. The petitioner responded

to questions regarding the typical separation of antennas to obtain adequate cell phone coverage. He stated that it varies based on number of calls, topography, foliage, and the height of the antennas, but is approximately ½ mile to 1 mile. In more densely populated areas like the City of Chicago they can be a few blocks apart, in rural areas they may be miles apart. Antenna installations are much closer together than they were several years ago since cell phone call volumes are increasing. They have identified this location as an area of their network that needs improvement to prevent dropped calls and a poor signal. The Zoning Board raised no concerns about this request. It was noted that although this is the final light pole, hypothetically additional antenna arrays could be proposed on the same poles with at least a 10 foot separation.

AUDIENCE COMMENTS

Prior to the audience participation portion of the hearing, Chairman Weaver read the following into the record: The Federal Communications Act of 1996 expressly pre-empts local governments from regulating the placement, construction or modification of personal wireless services on the basis of environmental or health issues. Such concerns cannot be discussed or used as a basis of the decision whether to grant a special use.

A resident from 1525 Fairfield attended the meeting as she was unsure of the location of the antennas and whether they would be on a newly constructed pole or an existing pole. After listening to the petitioner's presentation she stated that she has no objection to the location of this installation.

VOTE:

4 Ayes

0 Nays

3 Absent (Ali, Ciffone, Wilson)

MOTION PASSED

ZONING BOARD OF APPEALS

Chairman William Weaver

Vice-Chairman Ronald Jehlik

Denise Wilson

Michael Ciffone

Masoom Ali

Donna Boomgarden

Michael Gaeta

*** IMMEDIATE AUTHORIZATION TO APPLY FOR PERMITS IS REQUESTED ***

**THIS SPECIAL USE AND VARIATION WILL EXPIRE UNLESS
ACTED UPON WITHIN ONE (1) YEAR OF VILLAGE BOARD APPROVAL**

FINDING OF FACT WRITTEN BY DEVELOPMENT SERVICES STAFF

VILLAGE OF HOFFMAN ESTATES

AN ORDINANCE AMENDING SECTION 11-1-2,
OF THE HOFFMAN ESTATES MUNICIPAL CODE
PROVIDING FOR FIRE SUPPRESSION SYSTEMS

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Hoffman Estates, Cook and Kane Counties, Illinois, as follows:

Section 1: That Sub-Section 903.2.14, Existing Occupancies, of Section 11-1-2, ADDITIONS, INSERTIONS AND DELETIONS, be amended to read as follows:

903.2.14 Existing Occupancies -

Existing occupancies shall conform to the requirements of the building code in effect at the time it was constructed, reconstructed or remodeled, until such time as any of the following occur:

- a. All occupancies except Use Group R-3 & R-4:
 - 1. When an existing building undergoes an alteration, renovation, addition or repair in an amount equal to more than 35% of its existing value based upon an independent appraisal of a mutually agreed upon M.A.I. certified appraiser.
 - 2. All existing occupancies that do not have automatic sprinkler systems installed in accordance with Section 903 of the building code shall retrofit the occupancy with a fire suppression system no later than December 31, 2013, except for Use Group R-2 and Use Group A-3 and ancillary A, B, and S uses to Use Group R-2.
- b. A residential or business condominium conversion occurs.

Section 2: That the Village Clerk is hereby authorized to publish this ordinance in pamphlet form.

Section 3: That this Ordinance shall be in full force and effect immediately from and after its passage and approval.

PASSED THIS _____ day of _____, 2009

VOTE	AYE	NAY	ABSENT	ABSTAIN
Trustee Karen V. Mills	_____	_____	_____	_____
Trustee Cary J. Collins	_____	_____	_____	_____
Trustee Raymond M. Kincaid	_____	_____	_____	_____
Trustee Jacquelyn Green	_____	_____	_____	_____
Trustee Anna Newell	_____	_____	_____	_____
Trustee Gary J. Pilafas	_____	_____	_____	_____
Mayor William D. McLeod	_____	_____	_____	_____

APPROVED THIS _____ DAY OF _____, 2009

Village President

ATTEST:

Village Clerk
Published in pamphlet form this _____ day of _____, 2009.