



AGENDA
Planning & Zoning Commission
Regular Meeting
Village Hall
1900 Hassell Road, Hoffman Estates, IL 60169

September 18, 2024

Council Chambers

6:30 PM

1. **CALL TO ORDER/ROLL CALL**
2. **APPROVAL OF MINUTES**
 - A. Planning & Zoning Commission 07-17-2024
3. **CHAIRPERSON'S REPORT**
4. **NEW BUSINESS**
 - A. Public Hearings
 1. Variation from Section 9-3-6-E-1 of the Zoning Code to permit a deck to have a side yard setback of 5 feet instead of the required 10 feet for the property located at 1720 Highland Boulevard
5. **STAFF DISCUSSION**
6. **PUBLIC COMMENT**
7. **ADJOURNMENT**

The next regular Planning & Zoning Commission meeting is scheduled for **Wednesday, October 02, 2024 at 6:30 p.m.**

Further details and information can be found in the agenda packet attached hereto and incorporated herein and can also be viewed online at www.hoffmanestates.org and/or in person in the Village Clerk's office. The Village of Hoffman Estates complies with the Americans with Disabilities Act (ADA). For accessibility assistance, call the ADA Coordinator at 847/882-9100.



MINUTES
Planning & Zoning Commission
Regular Meeting
Village Hall
1900 Hassell Road, Hoffman Estates, IL 60169

July 17, 2024

Council Chambers

6:30 PM

1. CALL TO ORDER/ROLL CALL

Chairperson Combs called the meeting to order at 06:32 PM.

Commissioners Present: Tom Burnitz, Lon Harner, Lenard Henderson, Sarah McClarey, John Wise, Adam Bauske, Eva Combs

Commissioners Absent: Excused: Daniel Lee, Nancy Trieb Unexcused: Minerva Milford, Denise Wilson

A quorum was present.

Administrative Personnel Present: Phil Green, Transportation & Long Range Planner; Daisy Dose-Adamzadeh, Assistant Planner

2. APPROVAL OF MINUTES

A. 07-03-2024 Regular Meeting

Motion by Planning & Zoning Commissioner Harner, seconded by Planning & Zoning Commissioner Henderson, to Approve. Prior to voice vote, Daisy Dose-Adamzadeh noted a correction to a typo under Section 2, stating the voice votes should be amended to indicate seven (7) ayes, instead of six (6) as written. Voice vote taken. All ayes (Abstain: Tom Burnitz). Motion Passed.

3. CHAIRPERSON'S REPORT

Chairperson Combs stated the sign variation at 205 Sutton Road and the special use for Advanced Preschool at 2353 Hassell Road were approved by the Village Board.

4. STAFF DISCUSSION

A. Planning & Zoning Commission Training on Findings of Fact and Standards

Phil Green presented a training session on Findings of Fact and Standards.

Following the presentation of the training session, Daisy Dose-Adamzadeh stated there are currently no items on the agenda for the August 7, 2024, meeting. An email will be sent to commissioners advising them of any changes to this information.

5. **PUBLIC COMMENT**

None.

6. **ADJOURNMENT**

Motion by Planning & Zoning Commissioner McClarey, seconded by Planning & Zoning Commissioner Henderson, to adjourn the meeting at 08:50 PM. Voice vote taken. All ayes. Motion Passed.

Minutes prepared by Marquelle Cnota, Administrative Assistant.

Chairperson's Approval

Date Approved



PLANNING & ZONING COMMISSION STAFF REPORT

Meeting Date: 9/18/2024

From: Kevin Anderson, Associate Planner

PLN24-0038

Public Hearing

Variation from Section 9-3-6-E-1 of the Zoning Code to permit a deck to have a side yard setback of 5 feet instead of the required 10 feet for the property located at 1720 Highland Boulevard

REQUEST SUMMARY

The property owner is proposing to reconstruct an existing elevated deck at 1720 Highland Boulevard. Per Section 9-3-6-E-1 of the Zoning Code, a deck greater than 5 feet above grade is required to follow the setback regulations for the principal building. The property is zoned R-3 One-Family Residential, which requires a 10-foot side yard setback for the principal building. The owner is seeking a variation to permit the deck to be reconstructed in the same location, which is setback 5 feet instead of the required 10 feet from the interior side yard lot line.

Location:	1720 Highland Boulevard
Property Owner:	Pragnesh Patel
Property Size:	~10,850 sf.
Zoning / Land Use:	R-3 One-Family Residential / Single-Family Home
Adjacent Properties:	R-3 One-Family Residential

BACKGROUND / ANALYSIS

The subject property consists of one single-family lot currently improved with a single residence with an accessory deck. The residence is a split-level design and has an exterior door on the west side of the structure. This door is approximately 6 feet above the adjacent grade and would not be usable without the deck and stairs.

The existing deck is approximately 5 feet from the side lot line and would be replaced in the same size and location. The deck is served by stairs leading to the south (rear yard). No other improvements are proposed as part of this request.

Notification

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

MOTIONS

The Planning & Zoning Commission shall make the following motions (a total of 2 motions are required):

1. Adopt the Findings of Fact for a Variation as outlined in the attached document (as may be amended by the Commission).
2. Recommend to the Village Board of Trustees approval of a Variation from 9-3-6-E-1 of the Zoning Code to permit a deck to have a side yard setback of 5 feet instead of the required 10 feet for the property located at 1720 Highland Boulevard.

ATTACHMENTS

1. Draft PZC Findings and Recommendations Summary - 1720 Highland Deck Variation
2. Location Map - 1720 Highland Blvd
3. Supporting Documents - 1720 Highland Deck Variation



Variation from Section 9-3-6-E-1 of the Zoning Code to permit a deck to have a side yard setback of 5 feet instead of the of the required 10 feet for the property located at 1720 Highland Boulevard

Draft Findings of Fact – Variation (as drafted by staff and may be modified by the Commission)

Sec. 9-1-15-C: Standards for Variations.

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;
FINDING: The residence was originally constructed with an elevated exterior side door on the second floor. A deck and stairs are necessary to access this door which serves as an exterior egress door.
 - b. The plight of the owner is due to unique circumstances.
FINDING: The residence and deck were originally constructed prior to the current iteration of the Zoning Code. This issue is unique to this neighborhood, and there are several residences with the same style deck.
 - c. The variation, if granted, will not alter the essential character of the locality.
FINDING: The deck is existing and is being replaced. There are several residences in this neighborhood with similar conditions. The Village Board has approved 2 similar Variation requests in this neighborhood within the last 4 years. 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 or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out;
FINDING: The deck serves an above grade exterior door original to the residence. With no deck, this door would not be usable. The residence and deck were originally constructed prior to the current iteration of the Zoning Code.
 - 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;

FINDING: *There are several residences in this neighborhood with similar conditions. The Village Board has approved 2 similar Variation requests in this neighborhood within the last 4 years.*

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

FINDING: *There is no evidence to suggest the variation would impact property values.*

- d. The alleged difficulty or hardship has not been created by any person presently having an interest in the property;

FINDING: *The residence and deck were constructed prior to the current owner taking possession. The deck and residence are believed to have complied with the Zoning Code at the time they were constructed.*

- 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

FINDING: *The construction will require a building permit and compliance with the IBC. Building inspections are required as part of the permit. The improvements are on private property for use by the owner.*

- 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.

FINDING: *There is no evidence that the proposal will have an impact on the supply of light and air to the surrounding properties, or an impact on 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 benefitted 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.

Draft Recommendations

The Planning & Zoning Commission shall make the following motions (*a total of 2 motions are required*):

- 1. Adopt the Findings of Fact for a Variation, as stated in the Findings & Recommendations Summary (*as may be modified by the Planning & Zoning Commission*).
- 2. Recommend to the Village Board of Trustees approval of the request for a Variation from Section 9-3-6-E-1 of the Zoning Code to permit a deck to have a side yard setback of 5 feet instead of the required 10 feet for the property located at 1720 Highland Boulevard, subject to the following conditions (*as may be modified by the Planning and Zoning Commission*):
 - a. The construction shall substantially comply with the plans attached as part of this application.
 - b. A building permit is required.

1720 HIGHLAND BLVD
PIN: 07-09-210-026-0000

N



Legend

-  Subject Property
-  Parcels
-  Village Boundary



Department of Development Services
Village of Hoffman Estates
September 2024



VILLAGE OF HOFFMAN ESTATES PLANNING AND ZONING GENERAL APPLICATION

PROJECT NAME: DECK AND STAIRS

ADDRESS: 1720 HIGHLAND BLVD HOFFMAN ESTATES

PROPERTY INDEX NO.: 07-09-210-026-0000

PROPERTY ACRES: 0.24 **ZONING:** RESIDENTIAL

PROJECT DESCRIPTION: TEAR DOWN OLD DECK AND STAIRS THAT ARE DETERIORATING AND BUILD NEW DECK AND STAIRS SAME SIZE

REQUESTS BEING MADE (check all that apply):

Application Type	Subtype	Addendum
☐ ANX - Annexation	N/A	N/A
☐ MSP - Master Sign Plan	☐ New ☐ Amendment	☐ Yes ☐ No
☐ PLAT - Subdivision	☐ Non-Residential Preliminary ☐ Non-Residential Final ☐ Non-Residential Preliminary/Final	☐ Residential Preliminary ☐ Residential Final ☐ Residential Preliminary/Final
☐ PLAT - Other	Type _____	N/A
☐ RPD Amendment	N/A	N/A
☐ REZ - Rezoning	From _____ to _____	☐ Yes ☐ No
☐ SPR - Site Plan Review	☐ Preliminary Concept ☐ Preliminary	☐ Final ☐ Preliminary/Final
☐ SPA - Site Plan Amendment	☐ Staff Review ☐ Administrative Review	☐ Minor Amendment ☐ Major Amendment
☐ SU - Special Use	☐ Listed Use (please list) _____	☐ Use Not Cited (please list) _____
☐ TA - Text Amendment	☐ Subdivision Code ☐ Zoning Code	☐ Other (please list) _____
☒ VAR - Variation	☐ Non-Residential ☐ Residential ☐ Sign	☒ Yes ☐ No

I. Owner of Record

PRAGNESH PATEL

Name		Company	
1720 HIGHLAND BLVD		HOFFMAN ESTATES	
Street Address		City	
ILL	60169	7734257225	PRAGNESH02@YAHOO.COM
State	Zip Code	Telephone Number	Email

II. Applicant (if not the owner)

Name		Firm/Company	
Street Address		City	
State	Zip Code	Telephone Number	Email

Applicant's relationship to property: _____

III. Authorized Agent on Behalf of the Owner or Applicant

Name		Firm/Company	
Street Address		City	
State	Zip Code	Telephone Number	Email

IV. Owner Consent for Authorized Representative

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

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

_____ Name/Firm	_____ Name/Firm
_____ Name/Firm	_____ Name/Firm

Owner Signature

Print Name

IV. Acknowledgement(s)

- Owner, applicant and authorized representatives may include other team members (consultants, brokers, tenants, etc.) that may be called upon to present at public meetings before the Planning and Zoning Commission and Village Board.
- 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: Pragnesh Patel

Owner's Name (Please Print): Pragnesh Patel

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

Applicant's Name (Please Print): _____

Date: 08/22/2024

IV. Application and Document Submittals

All required application materials should be submitted to the Planning & Transportation Division in electronic format via email to planning@hoffmanestates.org. Staff will notify the applicant if full size plan submittals are also required for a particular project review. Submittal requirements can be found in Subdivision Code, Section 10-6 of the Village's Municipal Code.

All applications fees must be paid before the Planning and Zoning Commission can hear any case.

Please contact the Planning & Transportation Division with any questions:

Email: planning@hoffmanestates.org

Address: 1900 Hassell Road
Hoffman Estates, IL 60169

Phone: (847) 781-2660



VILLAGE OF HOFFMAN ESTATES PLANNING AND ZONING VARIATION ADDENDUM

REQUIRED SUBMITTALS

	General Application
	Variation Hearing Fee <i>Commercial: \$500 per variation</i> <i>Residential: \$175</i> <i>Sign: \$500 per sign</i>
	Legal Description typically found on the tax bill, deed, or plat of survey.
	Current Plat of Survey drawn to scale showing the proposed improvement(s) and distance(s) from existing structures and property lines. For sign variations, ALL signs should be shown and labeled on the plat including the sign(s) for which the variation is being requested.
	A scale drawing of the floor plan and elevations, including windows and door locations.
	A project narrative detailing the request including whether there are other options that would not require a variation, proposed construction materials, whether removal/relocation of trees or utilities will be required and the estimated total project cost. Include any relevant plans, documents, and photos to support the request.
	If any part of your existing and/or proposed use is located in any part of a utility easement, written release(s) from the Village or utility company may be required.
	A Statement of Awareness from directly impacted neighbors acknowledging their awareness of your proposal (residential variations only) .

STANDARDS OF VARIATION

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 presented. All standards must be answered in full. A separate piece of paper may be used if more room is required.

1. The particular physical surroundings and shape of topographical conditions 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. Please provide an explanation.

This is my back/side door exit. If due to a fire and I can not get out the front door, this is my only other exit.

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. Please provide an explanation.

This house was built in the 1960's before the zoning code was implemented.

3. The purpose of the Variation is not based exclusively upon a desire to increase the value of the property. Please provide an explanation.

This is my back/side door exit. If due to a fire and I can not get out the front door, this is my only other exit.

4. The alleged difficulty or hardship has not been created by any person presently having an interest in the property; Please provide an explanation.

This is my back/side door exit. If due to a fire and I can not get out the front door, this is my only other exit.

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. Please provide an explanation.

This is a small side deck that also happens to be the houses 2nd exit. There is a broken deck there now not detrimental.

6. The proposed variation will not impair an adequate supply of light and air to adjacent properties, 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. Please provide an explanation.

This is on the side of the house, about 30 to 40 feet away from the public sidewalk.

To: Hoffman Estates Village Board

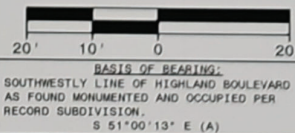
I Pragnesh Patel resident of Hoffman Estates living at 1720 Highland BLV need to replace the side deck and stairs of my house. The reason to replace the deck and stairs is because it is deteriorating and was also slightly damaged due to my neighbor's house fire last fall. The contracting company is going to tear down the existing deck and stairs, which might have been built when the house was built in 1960's. Since I or the village have no record of this deck being built, I do not have any history to relay to this board about this current deck. However, I can state that the current condition is bad and in need of replacement. Since my house has an exit door on the side of the house where this deck and stairs are attached to. I need the village to approve this variation.



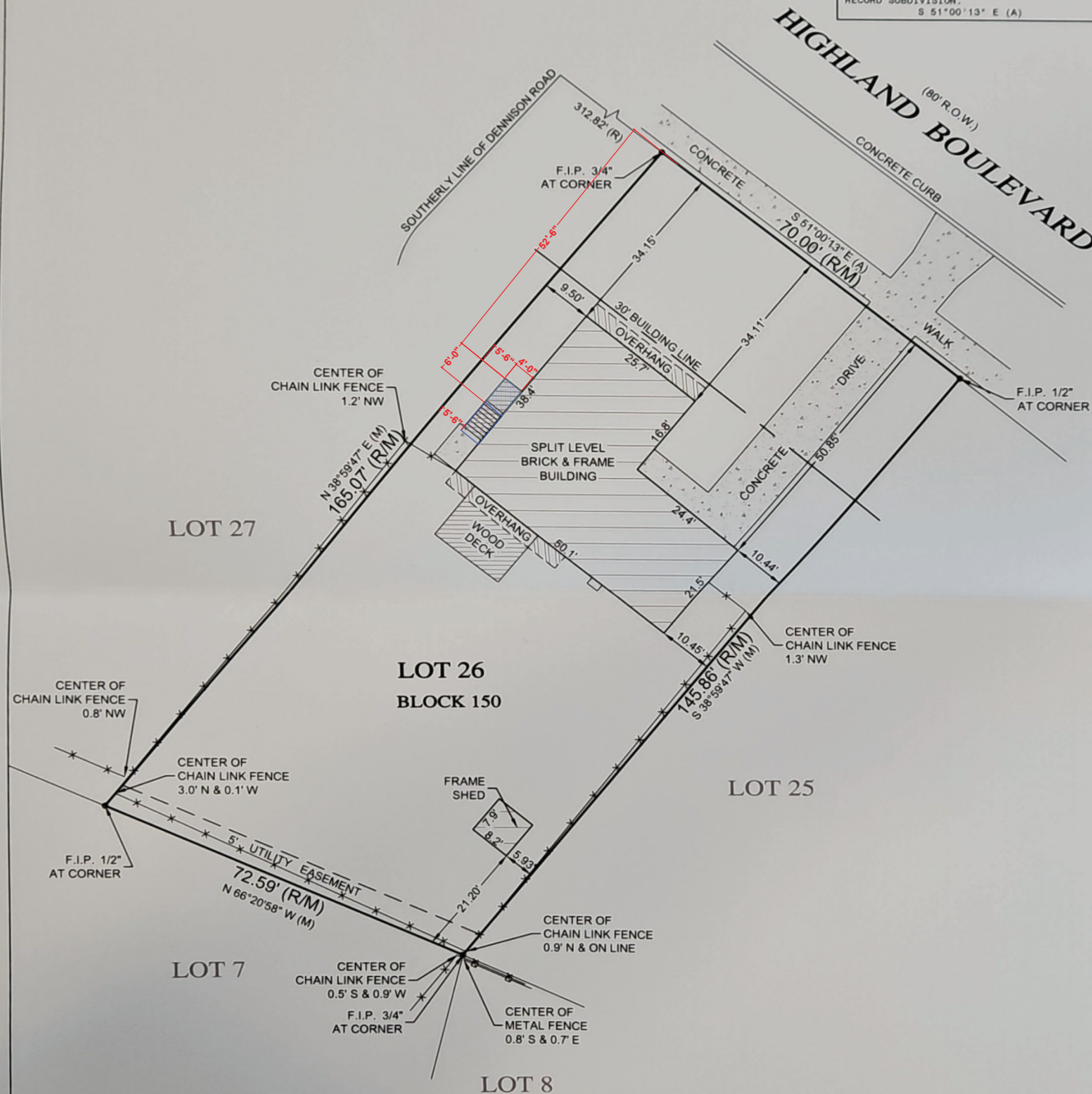
LEGEND
 A = ASSUMED
 C = CALCULATED
 CH = CHORD
 CL = CENTERLINE
 D = DEED
 E = EAST
 F.I.P. = FOUND IRON PIPE
 F.I.R. = FOUND IRON ROD
 FT. = FEET/FOOT
 L = ARC LENGTH
 M = MEASURED
 N = NORTH
 NE = NORTHEAST
 NW = NORTHWEST
 P.O.B. = POINT OF BEGINNING
 P.O.C. = POINT OF COMMENCEMENT
 R = RECORD
 RAD = RADIUS
 R.O.W. = RIGHT OF WAY
 S = SOUTH
 S.I.P. = SET IRON PIPE
 S.I.R. = SET IRON ROD
 SE = SOUTHEAST
 SW = SOUTHWEST
 W = WEST

PLAT OF SURVEY OF

LOT 26 IN BLOCK 150 IN THE HIGHLANDS AT HOFFMAN ESTATES XII, BEING A SUBDIVISION OF PART OF THE NORTHEAST 1/4 OF SECTION 9, TOWNSHIP 41 NORTH, RANGE 10, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 21, 1960 AS DOCUMENT 18021928, IN THE OFFICE OF THE COUNTY RECORDER OF COOK COUNTY, ILLINOIS.



CHAIN LINK FENCE
 WOOD FENCE
 METAL FENCE
 VINYL FENCE
 EASEMENT LINE
 SETBACK LINE
 INTERIOR LOT LINE

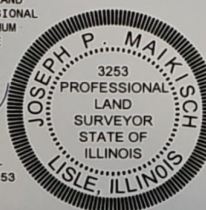


Morris Engineering, Inc.
 515 Warrenville Road, Lisle, IL 60532
 Phone: (630) 271-0770
 FAX: (630) 271-0774
 WEBSITE: WWW.ECIVIL.COM

STATE OF ILLINOIS }
 COUNTY OF DUPAGE }
 I, THE UNDERSIGNED, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY, AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY.

DATED, THIS 6TH DAY OF JUNE, A.D. 2019, AT LISLE, ILLINOIS.

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-3253
 LICENSE EXPIRATION DATE NOVEMBER 30, 2020
 ILLINOIS BUSINESS REGISTRATION NO. 184-00245



- NOTE:
1. ALL TIES SHOWN ON THIS SURVEY ARE MEASURED TO THE BUILDING'S SIDING (BRICK, FRAME, STUCCO, METAL, ETC.) AND NOT TO THE FOUNDATION, UNLESS NOTED OTHERWISE.
 2. ROOF LINES AND OVERHANGS ARE TYPICALLY NOT SHOWN HEREON.
 3. COMPARE ALL DISTANCES AND POINTS IN FIELD AND REPORT ANY DISCREPANCIES TO SURVEYOR AT ONCE.
 4. NO DIMENSIONS SHALL BE ASSUMED BY SCALING.

ADDRESS COMMONLY KNOWN AS 1720 HIGHLAND BOULEVARD
 HOFFMAN ESTATES, ILLINOIS

CLIENT TROUT DOWNING LLC

FIELDWORK DATE (CREW) 06/05/2019 (RL/SB)

DRAWN BY: RE.S. REVISED: JOB NO. 19-05-0158

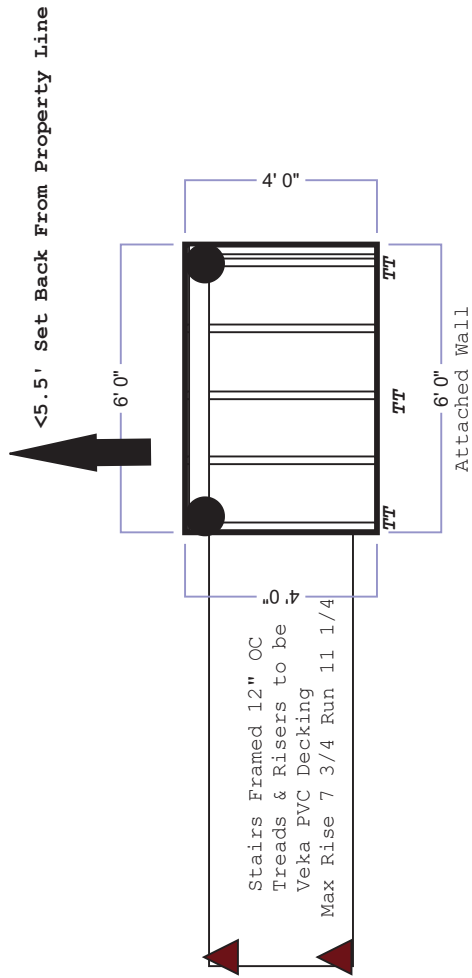
- Double 2x10 Rim Joist/Beam

- 2x10 Joist Framing 16" OC

- Diamond Pier/Post

- Simpson DTT1Z Deck Tension Tie

- Frost Free Pylex Adjustable Helical Post 50"



Site: 1720 Highland Blvd Hoffman Estates, IL 60169 Title: Deck Remodel	Drawing: 801506 Scale: 1/4" = 1' 0"	Project: 0000416 Date:	Drawn: Name Rev: A	Notes: