



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

January 15, 2025

Council Chambers

6:30 PM

1. CALL TO ORDER/ROLL CALL

Chairperson Combs called the meeting to order at 06:30 PM.

Commissioners Present: Eva Combs, Adam Bauske, Lon Harner, Lenard Henderson, Daniel Lee, Minerva Milford, Denise Wilson, John Wise, Rajkumari Chhatwani

Commissioners Absent: Excused: Nancy Trieb

A quorum was present.

Administrative Personnel Present: Jenny Horn, Director of Planning & Transportation; Kevin Anderson, Associate Planner; Phil Green, Transportation & Long Range Planner; Daisy Dose-Adamzadeh, Assistant Planner; Sonia Zala, Senior Transportation Engineer

2. APPROVAL OF MINUTES

A. Planning & Zoning Commission 12-04-2024

Motion by Commissioner Harner, seconded by Commissioner Chhatwani, to approve the December 04, 2024, regular meeting minutes. Voice vote taken. Ayes - 8, Nays - 0, (Abstain: Lenard Henderson). Motion Passed.

3. CHAIRPERSON'S REPORT

Chairperson Combs stated the Special Use to Ivy Massage N Spa, Inc. for a massage establishment located at 1033 W. Golf Road was approved by the Village Board.

Chairperson Combs introduced Phil Green, Transportation & Long Range Planner to provide a brief presentation regarding Findings of Fact & Standards that was not previously listed on the agenda. Mr. Green gave a brief overview of the Findings of Fact & Standards process, with a specific emphasis on how it will relate to New Business Item 3 on the current agenda.

4. NEW BUSINESS

A. Public Hearings

1. Variation from Section 9-5-5-D-6 of the Municipal Code to permit a rear yard setback of 9.5 feet instead of the minimum required 20 feet for the property located at 3688 Whispering Trails Drive

Motion by Commissioner Harner, seconded by Commissioner Henderson, to Open Public Hearing. Voice vote taken. Ayes - 9, Nays - 0, (Abstain: None). Motion Passed.

Chairperson Combs swore in the petitioner.

Barbara Mlynska (3688 Whispering Trails Drive, Hoffman Estates)

Ms. Mlynska presented an overview of the project.

Kevin Anderson presented an overview of the staff report.

Commissioner Wise had no questions.

Commissioner Milford asked how long construction will take place. Ms. Mlynska stated it might take approximately 3 to 4 months. The family does not want to take any longer than this time and they plan to hire a contractor for the project.

Commissioner Wilson had no questions.

Commissioner Henderson clarified the number of people in the family has increased to and whether they were adults or children. Ms. Mlynska stated there will be 5 people; 3 adults and 2 children.

Commissioner Henderson inquired whether each adult has a vehicle. Ms. Mlynska stated that she and her husband are the only drivers in the home since her mother-in-law does not drive and the children are still very young at 4 and 2 years old.

Commissioner Harner asked staff if sprinklers will be required. Mr. Anderson stated this will not be determined until the final cost estimate for the project, along with an appraiser's report of the existing home's value, is submitted. The determination for sprinklers is a function of the home's value; if the changes increase the value by more than 35%, then the project would require the installation of a fire sprinkler system. Commissioner Harner inquired whether this is because the home does not currently have a sprinkler system to which Mr. Anderson stated yes, any additions that are greater than 1000 square feet, or that increase the overall value of the property by more than 35% require the installation of sprinklers. Commissioner Harner asked the petitioner if she was aware of this requirement to which Ms. Mlynska stated she was aware.

Commissioner Chhatwani asked the petitioner if she was aware of the Village's setback

requirements prior to meeting with an architect for the project. Ms. Mlynska responded that she had met with Mr. Anderson prior to starting the design process.

Commissioner Chhatwani asked the petitioner if she would be concerned that they will not have much play area in their yard for the kids as they grow up. Ms. Mlynska stated that the area where the addition is planned to be built is an area they do not currently use and that the "L" shape allows for more of the useable yard area to be maintained, so yes, they did think about the yard area for the kids to play.

Commissioner Lee had no questions.

Vice Chairperson Bauske asked staff whether the dotted line on the proposed site plan is only showing the encroachment area. Mr. Anderson stated yes, only the last 10.5 feet of the addition is the encroachment. Vice Chairperson Bauske clarified that the majority of the addition meets Code, but because of the "L" shape that is where the concern comes in. Mr. Anderson stated yes, the last 10 foot by 20 foot section is the only portion that is encroaching.

Vice Chairperson Bauske asked for clarification that the addition is providing mostly living space (kitchen, dining, etc.), and that there are no additional bedrooms being added. Ms. Mlynska stated yes.

Vice Chairperson Bauske inquired whether there is currently a fence on the property, or if the neighbors have a fence. Ms. Mlynska stated yes, they installed the fence.

Vice Chairperson Bauske inquired about the unique sideyard space that will be created by the project in lieu of a traditional backyard. Ms. Mlynska stated that to ensure privacy, windows are not directly facing neighbors' property and plantings will be installed.

Chairperson Combs asked the petitioner if she agreed with the conditions of approval in the staff report. Ms. Mlynska stated yes.

Chairperson Combs asked if there were any members of the audience that would like to comment on this request. There were no public comments.

Motion by Commissioner Harner, seconded by Commissioner Henderson, to Close Public Hearing. Voice vote taken. Ayes - 9, Nays - 0, (Abstain: None). Motion Passed.

Motion by Vice Chairperson Bauske, seconded by Commissioner Harner, to adopt the Findings of Fact for a Variation as stated in the January 15, 2025, Staff Report.

Roll call vote:

Aye: Eva Combs, Adam Bauske, Lon Harner, Lenard Henderson, Daniel Lee, Minerva Milford, Denise Wilson, John Wise, Rajkumari Chhatwani

Nay: None

Absent: Nancy Trieb

Motion Passed.

Motion by Vice Chairperson Bauske, seconded by Commissioner Harner, to recommend to the Village Board of Trustees approval of a request for a Variation from Section 9-5-5-D-6 of

the Municipal Code to permit a rear yard setback to be 9.5 feet instead of the minimum required 20 feet for the property located at 3688 Whispering Trails Drive, subject to the conditions as of the January 15, 2025, Staff Report.

Roll call vote:

Aye: Eva Combs, Adam Bauske, Lon Harner, Lenard Henderson, Daniel Lee, Minerva Milford, Denise Wilson, John Wise, Rajkumari Chhatwani

Nay: None

Absent: Nancy Trieb

Motion Passed.

Chairperson Combs stated this recommendation would be presented to the Village Board at the next regular meeting on January 20, 2025, at 7:00 p.m.

3. Rezoning from R-2 One-Family Residential District to R-10 Attached Single-Family Dwelling Residential District, Variations from Sections 9-5-10-D-1 and 9-5-10-D-10 of the Municipal Code, and Preliminary Concept Site Plan for the property located at 1180-1190 Apple Street

Motion by Commissioner Harner, seconded by Commissioner Henderson, to Open Public Hearing. Voice vote taken. Ayes - 9, Nays - 0, (Abstain: None). Motion Passed.

Chairperson Combs swore in the petitioner.

Robert Kirk (Group A Architecture)

Mr. Kirk presented an overview of the project.

Chairperson Combs swore in an additional petitioner.

Dawn Larsen (Baird & Warner; 1140 N Bluebonnet Ln, Hoffman Estates)

Ms. Larsen presented an overview of market analysis conducted for the project.

Daisy Dose-Adamzadeh presented an overview of the staff report.

Commissioner Henderson asked for clarification from Ms. Larsen's presented information that Hoffman Estates has no available rental properties. Ms. Larsen stated analysis was done on townhomes and that none are listed on MLS as New Construction. Commissioner Henderson asked if these would be townhomes purchased with mortgages. Ms. Larsen stated that is correct.

Commissioner Henderson asked how this would impact the neighbors. Mr. Kirk expressed his understanding of the question as being how this affects the value and sales dollar amount of the existing residences that are part of the same community. Commissioner Henderson restated the meaning of his question, that while that information would be quantified, what he is inquiring about is "if I am the house next door, how am I going to feel about a large apartment complex going up next to my house?" He also stated that while the concept for this development looks good, it may not be appropriate for the area seeing as how this complex is planned to be placed in the middle of an established residential area.

Mr. Kirk stated that this site is unique with the car wash, Golf Road and the Hoffman Plaza Shopping Center access road with lots of truck traffic. The four sides of this property are adjacent to commercial uses, and the high-density project would help provide a buffer between the commercial to the north and west, and the south which is single family. Ms. Larsen stated the average sale price of the neighborhood is approximately \$350,000, and these new homes will be priced at approximately \$650,000. These townhomes would draw people to the neighborhood because they are new construction.

Commissioner Harner asked staff why the number of parking spaces decreased from 10 to 3. Ms. Dose-Adamzadeh stated that when this project was proposed, there were some concerns about over parking, as well as geometry issues with the fire truck turning radius. As preliminary and final site plans have not yet been received, this concern will be analyzed at that time. As this is the concept site plan that has been provided so far, this is what was available to be presented. Commissioner Harner commented that he shares in the opinion that if you have a higher density type of home in that area, just having parking spaces in front of the home is inadequate for that type of arrangement.

Commissioner Chhatwani expressed her concern that the lot is too small to accommodate 10 townhomes, and that it is difficult to maneuver on the site. She is afraid this will impact the homes in the area with people visiting. Mr. Kirk stated the property owner did say he would be willing to discuss reducing density to meet R-10 District Standards (6 units/acre).

Commissioner Wilson asked how long section 9-5-10-D of the Code has been at 6 units. Ms. Dose-Adamzadeh stated the section has been in place for a while, then stated that Blackberry Creek Townhomes received a variation from this section back in approximately 1995. Commissioner Wilson asked if Barrington Square Townhomes is 6 units per acre. Ms. Dose-Adamzadeh stated that Barrington Square Townhomes is a different zoning district.

Commissioner Wilson said she is not in favor of increasing the density as she feels it will be too congested. She would like to see increased parking on site.

Commissioner Wilson inquired as to the fact that there is no outdoor area being proposed for residents to gather. Mr. Kirk stated that setbacks for the property meet or exceed the Code requirements. He also stated that there are some areas of greenspace that could be adapted to small gathering areas. Commissioner Wilson commented that residents would not be able to purchase their own patio furniture or sit outside in their own area, to which Mr. Kirk stated the green space areas would be set up for all to use and maintained by the property, such as the landscaping and snow removal maintenance.

Commissioner Milford expressed her concern about the tight space for the project.

Commissioner Wise expressed his concern about the increased parking density. He stated that people would park on the street and in front of people's houses. Mr. Kirk stated there are 50 parking spaces in the plan and asked if there was a specific number of spaces the Commissioners felt would be more appropriate. There were some interjections from the audience. Chairperson Combs requested order to be kept and Ms. Dose-Adamzadeh reminded audience members that following the petitioner's testimony there would be time provided for public comment. Commissioner Wise stated he had no further questions or comments.

Commissioner Lee stated he feels the parking issue has been commented on enough, and that he likes the design of the project because it is utilizing space to create housing for more population. He stated that Hoffman Estates has a lack of housing based on the commercial and economic activities which have been rapidly growing over the past three years. Residential availability has not been keeping up with the speed. We need to be concerned about the area residents and take a step back to look at this project from the homeowners' point of view. However, he is of the opinion that more housing for the Village is better if a peaceful outcome can be achieved.

Vice Chairperson Bauske asked staff how long the Minimum Development Area for the R-10 district has been in place. Ms. Dose-Adamzadeh stated that she was unsure when the R-10 district was created but the Blackberry Creek Townhome project, which is also R-10, received a variation about 30 years ago for the same code section. Vice Chairperson Bauske stated the Blackberry Creek project was a variation to grant 8 acres instead of 10, which is very different from the proposed development area of 0.9 acres. Vice Chairperson Bauske stated that he assumes the reason that is in the code is to allow for more green space. Mr. Anderson stated that it is important to take historical context into account when you consider the code. When the R-10 district was developed, the Village had large tracts of undeveloped land. The commission should consider this as the village is nearly built out today.

Vice Chairperson Bauske stated that he understands this is a concept plan and asked staff if greenspace, parking and drainage would be considered. Ms. Dose-Adamzadeh stated the Engineering Division will do a full review once preliminary and final site plans are submitted.

Vice Chairperson Bauske stated that the petitioner had mentioned that the setbacks meet the R-10 district requirements. He asked the petitioner if they meet the R-2 setback requirements. Mr. Kirk stated that they do not meet the R-2 setback requirements. R-2 setback requirements are shown on sheet D1.

Vice Chairperson Bauske commented about the height of the buildings and how they will fit in with the single-family homes. He stated that the bulk of the buildings, including setbacks and heights, will fit in with R-2 District requirements and a single-family home as large as the proposed townhome building could be built. Mr. Kirk stated that was correct.

Vice Chairperson Bauske stated that he is in favor of more housing in the Village and wants to bring in more residents. He is concerned about the proposed density. He is glad that the intent of use for the property would be to remain residential.

Chairperson Combs expressed her familiarity with this area and residential concerns; they have always had major issues with respect to traffic, its proximity to Roselle and Golf, as well as the challenges on the side street. She feels this project could add to these concerns and create additional problems on the side street and Golf Road. She stated that if the development was located elsewhere, she might not have the same concerns with the project outside of the parking issue, but as such she has a problem with the development in this location.

Chairperson Combs commented on her concerns about commentary that a single-family home on the lot would not be inappropriate/not feasible. Mr. Kirk stated his feelings that a single-family home on this lot would not be the appropriate use for this lot. Discussion was

had between Ms. Combs and Mr. Kirk about a similar type of property in Schaumburg where a single family home was built and sold, and the difference between what is considered architecturally appropriate for a community versus what is sellable.

Chairperson Combs expressed that this is clearly a neighborhood of families who come together and to add additional traffic to the street would not be safe for the neighborhood. Mr. Kirk mentioned a discussion regarding traffic movements from a previously held hearing that acknowledged concerns over the public use of Apple Street as a bypass between Higgins and Golf Roads and how this travel movement could be deterred. Mr. Kirk stated that keeping the traffic for this development on site is a major deal and would like to determine a figure for parking spaces that would be appropriate in the view of the community and the developer for this site. An additional comment was provided by a resident in the audience about notification issues for the previous meeting mentioned by Mr. Kirk, as well as concerns about traffic on Apple Street. Mr. Kirk mentioned his disappointment over the Village's lack of attention and communication regarding the traffic concerns on Apple Street. Ms. Dose-Adamzadeh responded that the Village is aware of the traffic concerns in Parcel A. There have been numerous studies conducted, and some actions have been taken. Separately, the Village's Engineering Division is preparing a survey and will be releasing the survey to residents of Parcel A to address some of their concerns and gather feedback. The Engineering Division is working on a big picture analysis of traffic issues in the area.

Chairperson Combs asked if there were any members of the audience who would like to comment on this request, provided guidance and swore in public commentators.

Kyle Louder (1160 Apple St)

Mr. Louder objected to the rezoning and variations requested by the petitioner. Mr. Louder stated that the request would nearly quintuple the density of the lot next to his home. He does not believe that a variation for minimum development area should be granted as it has less than 1/10th of what is required by the code for R-10.

Bianca Aguilar (1848 Jamestown Circle)

Ms. Aguilar stated she does not live in this neighborhood but resides in the Barrington Square Townhomes. She stated that she supports this project and feels that it is good to bring more variety to the housing available in the village.

Chairperson Combs requested that commentators limit their responses to 2 minutes.

Jim Rapetta (965 Ash Road)

Mr. Rapetta stated that he does not believe that the proposed development fits into the neighborhood characteristics. He also believes that rezoning the property would set a precedent for other owners in the neighborhood to rezone their properties.

Jeff Whyte (405 Azalea Lane)

Mr. Whyte stated that he believes the proposed townhomes will decrease property values in the immediate vicinity. Mr. Whyte stated that there is a land covenant in this parcel that restricts use to single family homes. Mr. Whyte stated that he believes that the petitioner could split the lots into four separate lots. He also stated that Apple Street should be cut off at Golf Road and at the Hoffman Plaza Service Drive.

Mike Larsen (1140 N Bluebonnet Lane)

Mr. Larsen asked Village Staff if the Village believes we could lose a lawsuit should the petitioner sue the Village, what would be the possibility of him winning. Ms. Dose-Adamzadeh stated that the Village cannot speculate on what future court cases would entail. Commissioners asked staff to elaborate. Phil Green stated that the Village Attorney is not present tonight and no staff members present are attorneys. No Village attorney or staff member would speculate on any chances of litigation or outcomes.

Stephanie Gotter (420 Hawthorn Lane)

Ms. Gotter stated that these properties should become a Historical Society.

Wayne Korecky (1140 Apple Street)

Mr. Korecky stated that there are other areas in the village that can be used for multi-family or single-family attached, including the Bell Works development and Barrington Square Town Center.

Steven Dumpman (1060 Apricot Street)

Mr. Dumpman stated that there should be additional parking added to the development. He also stated that the additional structure could impact homes that are in flood zone properties.

Jessie (750 Audubon Street)

Jessie stated that the safety of the children playing in the area would be put at risk when adding additional units. She also questioned why the developer chose to go with a modern design that does not fit in with the neighborhood.

Mark Vandelinde (1020 Apple Street)

Mr. Vandelinde discussed traffic concerns, particularly as it relates to the intersection of Apple Street and Golf Road.

Jim Rapetta (965 Ash Road)

Mr. Rapetta additionally commented that the developer is currently a landlord and voiced concerns about the property potentially becoming rental properties in the future.

Katarzyna Bialkowska (1015 Apple Street)

Ms. Bialkowska voiced her concerns about traffic in the neighborhood.

Chairperson Combs inquired about next steps. Ms. Dose-Adamzadeh clarified that there would be no motions considered this evening, only discussion of the Findings of Fact. Phil Green stated that the Chairperson would need to close the public hearing and then move into Commissioner Discussion, which is separate from the public hearing.

Motion by Commissioner Harner, seconded by Commissioner Henderson, to Close Public Hearing. Voice vote taken. Ayes - 9, Nays - 0, (Abstain: None). Motion Passed.

Commissioner Discussion commenced on the Findings of Fact.

Phil Green clarified that the goal of the discussion now is to provide feedback for staff in order to draft the Findings of Fact, so it is not necessarily an individual "do we all agree on each of these" but rather to voice our concerns if there are any standards that we feel do not match, so the staff can accurately reflect those concerns in the draft that will be presented in February. Additionally, he clarified the reasoning behind the need for the discussion and

suggested a means to continue moving forward with the discussion.

Chairperson Combs expressed that, in general, she does not believe this development meets any of the standards. She believes that the rezoning would not compliment the surrounding zoning and believes that the properties are suitable to be single-family. Mr. Green clarified with Chairperson Combs that she is referring to the finding as it relates to the character of the neighborhood and that she has concerns that this standard would not be met. Chairperson Combs agreed.

Mr. Green proceeded to clarify with the commission that they are not obliged to give a specific reason but are welcome to do so.

Commissioner Harner asked for clarification about Findings. Mr. Green stated that the commission should view the findings as being drafted in the affirmative right now and should provide a response if they believe it does not meet the standard. In this case, Village Staff has been advised by Corporation Counsel to have the Commissioners discuss the findings and staff will draft them for a future meeting (2/19). Vice Chairperson Bauske asked if they should go through the standards one by one. Mr. Green stated it may be more helpful to start to go through it request by request and determine if they need to go through it one by one.

Commissioner Henderson asked if staff could clarify what page of the packet the Findings can be found on. Phil Green stated he would troubleshoot for him separately.

Commissioner Lee asked if, while the commissioners are holding this discussion, does it have to be only with regard to the findings, or can it be one of the commissioner's opinions. Mr. Green stated that the commission may discuss anything that the commissioners want to discuss. Commissioner Lee stated that he usually listens to minority opinions. He believes that after the Public Testimony, the public talked about very specific and impactful issues that could come up with the proposal. Commissioner Harner stated that it is easy to have an opinion but to draft them in relation to the Findings is the more difficult part. Commissioner Harner asked if the Commission can ask about the Findings one by one.

Vice Chairperson Bauske clarified that staff will be drafting the findings.

Mr. Green stated that staff is seeking direction for the recommendations.

Chairperson Combs stated that the petitioner has not met all three standards for a rezoning. Chairperson Combs asked if the other commissioners felt differently.

Commissioner Lee stated that the second standard may be met.

Vice Chairperson Bauske stated that 1b may be met.

Commissioner Harner stated that 1c may be met.

Commissioner Wilson asked for clarification if we agreed to change it.

Vice Chairperson Bauske stated that is where there may be some confusion, as some standards could be met, but some may not be met.

Mr. Green read the Standards of Rezoning to the commissioners. He stated that the commission is being asked to find if there is evidence to support these findings.

Vice Chairperson Bauske clarified that even if the commission does find evidence to support the findings, the commission can still vote against a positive recommendation. Vice Chairperson Bauske stated that he believes there is evidence with 1 b and 1 c as it is a unique property, however, it does not mean he personally agrees with it or will vote for a positive recommendation.

Mr. Green summarized that he understands that the commission is generally stating that there has been no evidence provided for Standards for an Amendment (rezoning) except for 1 b and 1 c.

Chairperson Combs requested to move on to the Variations for Minimum Development Area. Mr. Green read the standards aloud to the commission. Mr. Green stated that through discussion there have been apparent conversations around the benefits of financial gain and housing. He asked the commission to discuss whether there has been enough evidence to support the standards.

Commissioner Lee stated that he does not believe there is enough evidence presented to support the Variation for Minimum Development Area, specific to the property.

Commissioner Wilson stated that she does not believe there is enough evidence presented to support the Variation for Minimum Development Area, specific to the property.

Vice Chairperson Bauske stated that there are some standards that are being met and some standards that are not being met.

Mr. Green clarified that the Findings should be affirmative or negative if the standard has been met. What Mr. Green is understanding from this conversation is that there may be some commissioners that feel like some standards of a variation for Minimum Development Area have been met, but most of the commission feels that standards have not been met.

Commissioner Lee asked for clarification.

Vice Chairperson Bauske clarified that when the commission votes on the project in February, they will be making multiple motions, with the first one being approval of the findings of fact. This means that they are approving the findings for the Village Board to use to support their ultimate vote. He stated that the Commission can vote to approve or deny the specific requests. Vice Chairperson Bauske stated that he is not thinking about what he is going to vote on, ultimately, he is just thinking about the specific standards as it relates to the project application and what was presented at the meeting.

Commissioner Harner stated that he does not believe there is any evidence for any of the Minimum Development Area Variation Standards.

Vice Chairperson Bauske stated that he does not believe that there has been any evidence presented for any of the standards – 1a – c, 2a – f, and 3. He stated that he had some back and forth in regard to 1a.

Commissioner Henderson asked for clarification. Commissioner Henderson stated that for 2c, there is no evidence that the variation is not based exclusively upon a desire to increase the value of the property.

Vice Chairperson Bauske stated that there is a third standard for Variation for Minimum Development Area.

Chairperson Combs stated that there was no evidence to support number 3 under Standards of Variation for Minimum Development Area. Vice Chairperson Bauske agreed.

Mr. Green stated that this would be the motion to put conditions on, however, it sounds like the commission does not agree that the standards for a variation have been met.

Vice Chairperson Bauske directed the commission to look at the third request, which is a Variation for Maximum Density.

Chairperson Combs stated that she does not believe that there has been any evidence that has been presented for Maximum Density.

Vice Chairperson Bauske asked for clarification; Is this request assuming the rezoning and variations have been approved? Mr. Green stated that the question is in relation to the land that would require a variation for maximum density from the code. Vice Chairperson Bauske asked if the uniqueness is if it is small. Commissioner Lee stated that there is no uniqueness.

Commissioner Chhatwani asked to clarify the question. If the plight of the owner is due to unique circumstances, can the unique circumstance be that it is a small lot. Commissioner Lee stated that what it is asking is if the current condition is unique enough to allow greater density.

Mr. Green stated that he understands that the commission feels that the standards have not been met to support a variation for maximum density.

Mr. Green stated that there will be no action taken tonight regarding this project. Staff have been directed to draft findings for the February 19 meeting. The meeting will not go in front of the trustees at this point.

Mr. Whyte (405 Azaela Ln) requested that staff and the Commission take care of what is recommended because this project impacts their lives.

Mr. Green stated that the February 19th meeting would be a public meeting where public comment can be made, but it will not be a public hearing.

2. Variation from Section 9-3-6-K-2 of the Municipal Code to permit a garage to be 1,258 square feet instead of the maximum permitted 750 square feet for the property located at 1120 Ash Road

Motion by Commissioner Harner, seconded by Commissioner Henderson, to Open Public Hearing. Voice vote taken. Ayes - 9, Nays - 0, (Abstain: None). Motion Passed.

Chairperson Combs swore in the petitioner.

Sergiu Tabirta (1120 Ash Road, Hoffman Estates)

Mr. Tabirta presented an overview of the project.

Kevin Anderson presented an overview of the staff report.

Chairperson Combs added a comment to Mr. Anderson's report, stating if the commissioners were to approve the enclosed and unenclosed portions of the garage, there is nothing to prevent the petitioner from enclosing the overhang (unenclosed) portion at a later time, so it would become the equivalent to another house. Mr. Anderson agreed and stated the Zoning Code as written would allow him to enclose the unenclosed portion without any further zoning review. So, no matter if the petitioner decided to enclose it or a future resident made this decision, there would be no further zoning review to prevent this from occurring. Ms. Combs stated this is the reason there are two forms of the second motion up for discussion.

Commissioner Lee asked what is the need for the unenclosed portion of the garage. Mr. Tabirta responded that it was for the ability to have a covered patio. Commissioner Lee asked for further clarification from staff to determine what makes the unenclosed portion be considered part of the garage; is it the type of roofing/piers being used, or could he, for instance, add an awning to allow for the covered section? Mr. Anderson stated an awning would be considered a separate structure and, as such, would be classified as a shed. It would then require Mr. Tabirta to revise his plans to meet the maximum size of a shed for the covered area in order to be permitted separate from the garage.

Commissioner Wise asked about whether the shed (unenclosed) area would be accessible from inside the enclosed garage via a door of some sort. Mr. Tabirta stated it would not be accessible from the enclosed space, only from the exterior.

Commissioner Milford had no questions.

Commissioner Wilson asked for clarification on two options of motion number two; the first allowing both the enclosed and unenclosed garage sections, and the second option only allowing the enclosed portion. Chairperson Combs and Vice Chairperson Bauske helped Commissioner Wilson distinguish between the two options by discussing the Americans with Disabilities requirements necessitating additional size.

Commissioner Henderson had no questions.

Commissioner Harner asked if the petitioner can still park a car on the unenclosed area regardless of whether the space had an overhang. Mr. Tabirta stated yes.

Commissioner Chhatwani had no questions.

Vice Chairperson Bauske clarified that you could still park on the unenclosed location, you just would not have an overhang, so in the winter your vehicle would get snow on it, but you could still store items and park in this area. Mr. Tabirta stated yes.

Chairperson Combs asked the Commissioners if they were all in agreement that they would

be recommending the alternate option for Motion Number Two, which permits the 850 square foot garage area. The Commissioners agreed.

Vice Chairperson Bauske asked the petitioner if he agreed with the conditions of approval in the staff report. Mr. Tabirta stated yes, but asked to clarify if he would be able to keep the concrete area without the roof. Mr. Anderson stated yes, this would be permitted.

Chairperson Combs indicated for the record that concerns were received from neighboring properties about the size of the larger garage request.

Chairperson Combs asked if there were any members of the audience that would like to comment on this request. There were no public comments.

Motion by Commissioner Harner, seconded by Commissioner Henderson, to Close Public Hearing. Voice vote taken. Ayes - 9, Nays - 0, (Abstain: None). Motion Passed.

Motion by Vice Chairperson Bauske, seconded by Commissioner Harner, to adopt the Findings of Fact for a Variation as noted in the Findings & Recommendations Summary dated January 15, 2025.

Roll call vote:

Aye: Eva Combs, Adam Bauske, Lon Harner, Lenard Henderson, Daniel Lee, Minerva Milford, Denise Wilson, John Wise, Rajkumari Chhatwani

Nay: None

Absent: Nancy Trieb

Motion Passed.

Motion by Vice Chairperson Bauske, seconded by Commissioner Harner, to recommend to the Village Board approval of a Variation from Section 9-3-6-K-2 of the Municipal Code to permit a garage to be 850 square feet instead of the maximum permitted 750 square feet, subject to the conditions as of the January 15, 2025, Staff Report.

Roll call vote:

Aye: Eva Combs, Adam Bauske, Lon Harner, Lenard Henderson, Daniel Lee, Minerva Milford, Denise Wilson, John Wise, Rajkumari Chhatwani

Nay: None

Absent: Nancy Trieb

Motion Passed.

Chairperson Combs stated this recommendation would be presented to the Village Board at the next regular meeting on January 20, 2025, at 7:00 p.m.

5. STAFF DISCUSSION

Daisy Dose-Adamzadeh stated the February 5, 2025 regular meeting has a full agenda. She will be sending an attendance request shortly. There will also be a full agenda for the February 19, 2025 regular meeting.

Commissioner Harner inquired whether there will be a means of dealing with the Post Office delays of delivery of packet materials. Ms. Dose-Adamzadeh stated that we are unable to

guarantee mail delivery. Mr. Anderson stated the Village has moved mailings up two full days from previous practice and unfortunately it has made minimal difference. Commissioner Harner asked if there were any plans to return to hand delivery of packets as was practice in the past. Ms. Dose-Adamzadeh stated we could set something up where Commissioners who want a paper packet could come to Village Hall to pick it up. Mr. Anderson stated that the digital packets are available immediately to which Commissioner Harner and Chairperson Combs expressed concerns about the glitches experience with the most recent packet.

6. PUBLIC COMMENT

None.

7. ADJOURNMENT

Motion by Commissioner Chhatwani, seconded by Commissioner Harner, to adjourn at 09:39 PM. Voice vote taken. Ayes - 9 | Nays - 0 (None) | Abstain - 0 (None). Motion Passed.

Minutes prepared by Marquelle Cnota, Administrative Assistant.



Vice Chairperson's Approval

2/19/25

Date Approved